

Question 1 Is the display of the text an offer?

Definition of an offer	1
Manifestation of a willingness to enter a bargain?	1
"Visiting our site entitles you . . . guarantee."	3
Justified in thinking assent concludes the bargain?	1
"Visiting our site entitles you . . ."	2
Psychology of how the text motivates	3
An offer	2

Question 2 Victoria is not entitled to her money back

The strongest argument is that the words "the item you buy" mean, in Victoria's circumstances, the item received.	3
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The objective intent test leads to this result.	
How would a reasonable person interpret the words	2
Why would a company offer to return money and let the buyer keep the item in Victoria's case?	3
The do not need to do so to motivate people with the offer.	3

Reasonable to interpret to mean the item received	2
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Question 3 Parol Evidence

Statement of the rule	2
Contradiction?	2
Complete integration?	
Definition	2
Evidence	1
Sowle's conversation	3
What the customer intends	3
Entire agreement clause	3
Scope	1
Normal inclusion test	1
Normally include?	2
Rebuttable?	2

Question 4

Did Seele accept the offer?

2-207(1) applies	2
Expression of acceptance?	2
I have accepted. Deal done,	2
Different terms matter? No.	2

Expressly conditional?	2
No relevant language	2
Seele accepted	2

Arbitration clause?

Merchants	2
terms = terms of acceptance	2
unless an exception applies	2
Offer expressly limit to terms of offer? No	2
Material alteration? Yes	2
Timely objection?	1
No further communication	2
Arbitration not in acceptance	2
Knock-out rule, rejection not in offer, not in contract	3

Question 5 Mistake excuse Sowle

Unilateral mistake	2
statement of doctrine	2
Basci assumption	2
Who ought to bear the loss	2
Sowle is in a better informational position	2
Sowle in better control position	2
Any justification would not be sufficient for unilateral mistake	2
Not excused	2

Question 6 Sowle's damages

Sowle had a right to cure under 2-508(1)	3
So Seele breached	3
Sowle is a lost volume seller	3
2-708(2)	2
How do you calculate his lost profits?	3

Total 110 0