

Sales  
Fall 2003  
Professor Byrne

### Initial Assignment

1. The Syllabus describes the plan of study and the required materials. It is posted and available at the school website.
2. The first session will take place on Monday 18 August at the scheduled time and place.
3. The initial assignment will be to be prepared to discuss in detail the following problem which is designed to provide a preview of the issues that will be discussed during the course. It is based on an actual assignment given to a law graduate in the first year of practice.
4. The assignment for the second session which is scheduled for Wednesday 20 August is pages 1 - 25 of Honnold and Reitz, Sales Transactions (2nd Ed.).

### Practice Problem for discussion on Monday 18 August:

Client currently rents a stockyard containing Italian granite slabs that are owned by it. It wishes to sell the slabs and has found an interested Buyer.

Client does not have a detailed inventory of the contents of the yard and does not want to inventory it. The buyer has already inspected the granite and wants to buy all of it for \$150k, with a \$50k non refundable deposit (liquidated damages) and balance to be paid 10 days later.

Client does not want to give buyer access to the lot until it is paid in full and Client also does not want to risk claims by Buyer that inventory has been removed from the yard before Buyer takes possession. Client does not want the risk of loss in the interim, either.

Also, the stock yard is leased from a 3d party on a month to month basis without a written lease. Client wants Buyer to assume the lease on delivery and indemnify Client against any liabilities with regard to lease.

Client also has a piece of equipment that Buyer is willing to take and sell on consignment, but Client wants to ensure that Buyer pays a 3% commission to a 3d party who introduced the Client to the Buyer.