



### QUESTION ONE

- (a) Mr Kenyatta has been appointed as a dispute manager with Victoria dispute resolutions. He is still new in his job and he has approached you to advice on the sources of disputes. What advice can you give? (10 marks)
- (b) James is a well-known negotiator in cases of contractual disputes. He travels a lot in different countries to preside over dispute resolutions forum. What types of negotiation process does he use that has made him successful in his work. (10 marks)
- (c) On January 1st, Mary writes to John offering to buy John's car for Kshs. 29,000/=. This letter is received by John on January 2nd. AT 9 a.m. on January 3rd, Mary posts a letter to John reckoning his offer and at 9.30 a.m. John posts a letter to a accepting Mary's offer. On the evening of January 3rd, B accepts an offer of Kshs. 30,000/= for the car from Eric. John sends a telegram to Monica, revoking his acceptance, which arrives before his (John's) letter. Advise the parties. (10 marks)

### QUESTION TWO

- (a) James is appointed as an umpire to arbitrate over a dispute that arises within medic industries. What kind of strategies will he use on dispute resolution? (10 marks)
- (b) Under what circumstances an umpire presiding over dispute will be removed (10 marks)

### QUESTION THREE

- (a) Lucy an infant took a lease of a house and agreed to buy the furniture in it for Kshs. 102,000/= Jane paid Kshs. 68,000/= towards the purchase of the furniture. After some months, while still an infant he Jane repudiated the contract and claimed to recover the sum of Kshs. 68,000 paid. Discuss the legal position as to whether Jane can (i) repudiate the contract and (ii) recover the sum (ii) recover the sum of Kshs.68.000 paid by him in respect of the furniture. (10marks)

- (b) Mary entered into a contract with Wakulima Enterprise; he is not interested in continuing with the contract. Advise him on how the contract can be terminated (10 marks)

### QUESTION FOUR

- (a) Moses entered into a contract of supply with Honolulu Ltd Company for a period of ten years. He wants to terminate the contract and he does not know how to go about it. Advise him (10marks)
- (b) Write briefly on the types of disputes that may arise in a contractual agreement. (10marks)

### QUESTION FIVE

Write briefly on any of the following:-

- a) Misrepresentation (5marks)
- b) Dispute (5marks)
- c) Consent (5marks)
- d) Arbitration (5marks)