

# Little vs. Jenks

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## Confidential Information for Car Seller

### Participants: Car Seller & Car Buyer

You are 20 years old and unemployed. Three months ago, you advertised that your 15-year-old souped up car was for sale. A friend of yours asked to purchase the car from you. You didn't really want to do it because s/he was a friend and the car had always been one big headache to you. You were afraid that if anything went wrong with the car later, it might spoil your friendship. So you told your friend about the various things that were wrong with the car.

Nevertheless, your friend insisted. S/he explained that s/he had a new job in Boston and had to have a car. Your friend could afford yours and insisted on buying it. So finally you sold it to your friend for \$700 about ten weeks ago. S/he seemed really happy with the car on the date of the sale and especially liked the "souped-up" look of it.

Two weeks later, your friend called back to say s/he wanted to return the car and get the money back. The car had failed to pass inspection because of a faulty exhaust system. You felt bad for your friend and said you would take the car back and give the money back. You had never had any trouble getting it inspected in the past and figured you would have no trouble getting one. (Your uncle owns a garage that inspects cars for the state.)

The next day, however, you changed your mind. First, you realized after going over your account, it was going to be hard giving the money back because you had already spent it. The only money you have coming in is from odd jobs: cleaning yards, painting and washing windows in the neighborhood. You only earned about \$100 from these jobs last week. Second, you warned your friend that the car was not perfect at the time of sale. S/he had said she wanted it anyway. Third, you found out from your dad that the used car law does not cover a car that sells for less than \$750.

You told your friend the next day that you would not take the car back. Your friend filed suit against you in small claims court the very next day. The two of you have not spoken since. You are dumbfounded that your friend would feel cheated. You thought your friendship was stronger than that. The court referred you to mediation and you hope to work it out.