

Principles and Empty Bags We have discussed a case in which a major lumber seller promises to pay \$2.50 for lumber from you. In return, the seller takes the risk of fixing the rate, even if there is a possibility of a price increase. Ultimately, the buyer is in the better position, and unfortunately the principle of fair reciprocal negotiation and consideration does not exist. *per se* The reason the seller's commitment is not sufficient to support a legally enforceable negotiation is that in this case it is an entirely unilateral obligation. Write several sentences explaining why this deal is not a negotiation. Be sure to include at least one of the four principles that you think are relevant. A legally enforceable negotiation is concluded when there is mutual recognition and adequate consideration. Thus, the buyer is free to purchase from another sawmill at an even lower rate wherever he wishes. The seller is under no obligation whatsoever.