

## QUESTION 5

In February 2008, the following appeared in Scientific American:

The Association for Man-Powered Flight (AFMPF) offers a prize of \$100,000 to the first person who can build an aircraft which can fly a distance of one mile powered only by human muscle power. Proof of a successful entry must be submitted before May 15, 2008.

Peter was told about the contest by his friend, Ronald. Upon hearing of the contest, Peter, who was already trying to develop such a craft, re-intensified his efforts on the construction of his craft called Muscle II. It had been a lifelong dream of Peter to construct a muscle-powered aircraft. His Muscle I, however, had crashed early last December. In March 2008, Peter also wrote to Frank Feather, the President of the AFMPF, saying he planned to enter his craft, Muscle II, in the competition. However, the letter was never delivered to the company's headquarters.

On May 1, the following notice appeared in Scientific American:

The contest sponsored by the Association for Man-Powered Flight (AFMPF) regarding muscle powered aircraft is canceled.

Peter did not see this notice. On May 10, Peter tested Muscle II before a group of certified experts. The aircraft performed as required, flying the mile course in about 4 minutes. Peter then submitted proof of his success to AFMPF prior to May 15, 2008, and was the first to claim the prize. AFMPF refused to pay.

### **QUESTION:**

Discuss the claims Peter may have against AFMPF, and any defenses AFMPF may have against such claims.