

PROPERTY PRACTICE QUESTIONS

QUESTION 8

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Topic: Personal Property

Sub-topics: Engagement Gifts

Type: Essay

Difficulty: Easy

Time: 30 minutes

Jeff and Jackie met at Texas Tech University. They soon fell in love and started dating. To impress Jackie, Jeff often bought her expensive gifts which included platinum earrings and a mountain bike. They got engaged in August of 2005, soon after Jackie got accepted to law school and Jeff to medical school. As an engagement present, Jeff gave Jackie a huge diamond ring.

Two years passed by after the engagement. During these years Jeff bought Jackie a new DVD player, a dishwasher, and a new BMW. For a while the couple appeared to be blissfully happy and planned on getting married once they were, done with school.

One day in September of 2007, Jackie was sitting in Jeff's apartment waiting on him to finish his homework so they could go out to dinner. Having nothing better to do, she decided to look through some old dusty photographs on the shelves in Jeff's study. It was then that Jackie for the first time saw Jeff's marriage certificate stuffed in between the sheets in the photo album. The certificate was dated a year prior to their engagement and named as the bride a famous college cheer-leader, Amy. Jackie was furious that Jeff never told her he was already married.

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Although Jeff pledged his love to Jackie, she immediately broke off the engagement. Jeff demanded all of his gifts back. Jackie refused to give anything back, stating that she should get to keep all the items, because they were gifts.

Who gets to keep what items and why?

What if Jeff were not married and the couple broke off the engagement simply because they were not getting along?