



Den Dulaney/Daily Nebraskan

# Health club managers honor written, not verbal, promises

By Shelley Stall  
Student Legal Services Lawyer

**Question:** Last year I signed a one-year contract and got a three-month bonus for signing at a local health club. I was transferred in my job out of state and was told my membership would be honored at a health club there because I too was a member of some federation.

health club" located within 50 miles. If the contract you signed has such a clause, the member health club in your new town should honor the original contract as it was written with no requirement of extra payment or a shortened term.

If the member health club refuses to do this, ask the manager to state his or her position in writing. Send a copy of the manager's letter along with your own letter to the original health club, explaining that the member health club in your new town refuses to honor the contract and that you will not be making any more installment payments. If you paid a lump sum when you signed the contract you should demand the appropriate portion of your money back.

If the written contract you signed has no special provisions relating to what happens if you move, the verbal promise that the contract would be honored at a member health club in the new town may not be enforceable. Whenever you sign a written contract, verbal promises generally don't count. However, the promise may represent the company's agreement with other member health clubs. Call or write the

manager of the original club and enlist his or her help in getting the member club to honor the contract. If it is a franchise, find out if there is a regional office you can contact.

**Question:** I got into a financial bind a few months ago and floated a couple of bad checks. I thought I could deposit money before the checks came through but my plan didn't work out. The checks were turned over to the County Attorney's Office. I went in and paid for the checks but they told me I have to take a one-day course on bad check writing that costs \$35. Is there any way I can get out of this course?

**Answer:** Probably not. This year the Lancaster County Attorney's Office has instituted a new policy requiring people charged with writing a no-fund check to take the course you described, as well as pay the checks and court costs in order to get the case dismissed.

If you have a legal problem or question for this column, send a letter to Ask Your Attorney, c/o Shelley Stall, Student Legal Services, Nebraska Union 335, City Campus.

## Ask Your Attorney

When I arrived, they told me they would only honor the contract for one year from the original contract date, and would not honor the bonus signing period, plus they wanted an additional \$50. The reason: because I moved less than three months from the contract date, they did not have to honor the terms of the contract. None of this information was disclosed before the signing of the contract, nor was it in the terms of the contract.

**How can I break this contract?**  
**Signed B. W. L.**  
**Answer:** You should have a lawyer look at the contract. The health club's obligations to you probably will be determined by the written contract rather than any verbal promises made to you when you agreed to sign. Many health club contracts have a clause that says you, the consumer, can only terminate the contract if you move to a town that does not have a "member

## Seven Chinese receive chance for Master's

UNL's department of agricultural engineering has seven candidates for master's degrees from the People's Republic of China.

The Chinese government started sending its students to UNL after William Splinter, chairman of the UNL agricultural engineering department, and Louis Leviticus, chief engineer of the UNL Tractor Testing Laboratory, went to China in 1981. They made an agreement with the government for Chinese students to study at UNL. UNL and other United States universities were praised by the Chinese students.

"The research and extension is amazing at this university," said Hongwei Xin, who studies the effect of ammonia and temperature on poultry.

"Here there are lots of computers," Yuxiang Chen said. "It is very convenient to use them." Chen studies tractor technology.

Wangxing Li, who also studies tractor technology, said another advantage of U.S. schools is that students can choose their own courses.

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## SUMMER & FALL ADVERTISING SALES JOBS

The Daily Nebraskan is accepting applications for summer and/or fall Advertising Representative positions. Applicants must be UNL students. Advertising Representatives are responsible for servicing retail accounts in a geographic sales territory. Advertising or marketing backgrounds preferred. Applications available at the Daily Nebraskan, Room 34, Nebraska Union. Application deadline is extended to Friday, April 12, 4:00 pm.

Daily Nebraskan Room 34 Nebraska Union UNL does not discriminate in the academic, admissions or employment programs and abides by all federal regulations pertaining to same.

## The pick of the litter...

Seniors, from left, Kevin Warneke, T. J. Kinnick, Maggie Shaffer and Mark Scudder express their delight after being named 1985 Outstanding Seniors at an award ceremony Tuesday. Not pictured is Todd Knobel, who also was honored.

UNL Chancellor Martin Massengale, who presented the awards, said the five were honored "in recognition of their active and cooperative participation at the University of Nebraska-Lincoln." The event was part of Senior Week, which continues through Friday. The newly opened Wick Alumni Center, 1520 R St., will be open to all students from 11 a.m. to 4 p.m. today. Seniors who saw the Thursday Night club drink coupon that came with their reception invitation will get a red balloon with a gift certificate in it. The open house also will include four style shows, two for men at 1 and 3 p.m. and two for women at noon and 2 p.m. Also, a Thursday Night Club at the Lucky Lady in Gold's Galleria, 1033 O St., will start today at 8 p.m. Lucky Lady will provide food for 600 people and seniors who show their TNC drink coupon will get two free drinks.

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