Steve Sowle directs and hosts, *Sowle on Soul*, a TV talk show in which people recount experiences which have been turning points in their lives. Sowle happens to meet Ralph “the Blues man” Brill, a famous blues singer, on the street outside Oprah’s studio, and they begin to discuss the possibility of Brill appearing on *Sowle on Soul*. They eventually orally agree that Brill will appear on the Thursday, December 20, show. They also agree that Brill will arrive at the TV studio two hours before the show is scheduled to go on the air. Sowle is clear that the two-hour-early arrival is critical to the show going on the air on time. Solwe says, “This is really important; you promise to show up two hours early, right?” Brill says, “I promise.” Sowle thinks it will be interesting to broadcast the show live from Warsaw, Poland. Brill agrees.

Brill arrives in Warsaw one day before his appearance on *Sowle on Soul*. Sowle is arriving by private jet the day of the show. When Brill looks out the hotel window on the day of the show, he sees heavy snow falling, and he learns that the airport in Warsaw is likely to close. He decides Sowle will be delayed, and, instead of going to the TV studio in time to appear on *Sowle on Soul*, Brill goes to the lobby bar and has a cognac. Sowle does land in Warsaw on time, and arrives at the TV studio to find that Brill is not there. Sowle immediately takes a taxi to Brill’s hotel, finds Brill finishing his cognac in the lobby bar, and gets him in the taxi to go to the TV studio. In the taxi, Sowle asks Brill for his cell phone, and shows him the text message he sent while in his private plane; the message reads, “Snow no problem. I will be on time.” Brill and Sowle had agreed that Sowle would text a confirmation of his arrival from the plane. Brill heard his cell phone ring with the message, but just ignored it. *Soul on Soul* with Brill as guest is broadcast live and on time from Warsaw, but it costs Sowle $5,000 extra to make the last minute emergency arrangements necessary to ensure that the show could still broadcast even with Brill’s late arrival in the studio. Sowle would have lost $100,000 in advertising revenue if the show failed to broadcast.

Does Brill’s uncertainty about Sowle’s arriving in Warsaw on time for the show excuse Brill from showing up at the TV studio two hours ahead of the broadcast time?

1. Yes
2. No