

CONSUMER LAW FINAL CHECKLIST (FALL 96)

QUESTION 1

- | | |
|--|--|
| <input type="checkbox"/> Fraud Claim | <input type="checkbox"/> Negligent Misrep. |
| <input type="checkbox"/> Elements | <input type="checkbox"/> Elements |
| <input type="checkbox"/> Was False statement made? | <input type="checkbox"/> Negligence |
| <input type="checkbox"/> Bunzell: "It's all good" | <input type="checkbox"/> Plaintiff actually contemplated? |
| <input type="checkbox"/> Laubinger: "good station" | <input type="checkbox"/> UDAP claim |
| <input type="checkbox"/> Scierter? | <input type="checkbox"/> coverage issue (capable of repetition?) |
| <input type="checkbox"/> Justifiable Reliance? | <input type="checkbox"/> Unfair or deceptive? |
| <input type="checkbox"/> Measure of damages | <input type="checkbox"/> measure of damages |
| <input type="checkbox"/> benefit of bargain | <input type="checkbox"/> attorney fees |
| <input type="checkbox"/> punitive damages? | <input type="checkbox"/> |
| <input type="checkbox"/> Contractual remedies | |

QUESTION 2

- | | |
|---|--|
| <input type="checkbox"/> Protection of Consumer | <input type="checkbox"/> Constitutional issues |
| <input type="checkbox"/> Choice? | <input type="checkbox"/> commercial speech doctrine |
| <input type="checkbox"/> Deceptive Quality | <input type="checkbox"/> test under <i>Hudson</i> |
| <input type="checkbox"/> "Unfair" under FTC Act | <input type="checkbox"/> (1) Governmental Interest? |
| <input type="checkbox"/> | <input type="checkbox"/> (2) good fit? |
| <input type="checkbox"/> | <input type="checkbox"/> (3) advance the regulatory interest |
| <input type="checkbox"/> | <input type="checkbox"/> (4) not unduly restrictive? |

QUESTION 3

- | | |
|---|---|
| <input type="checkbox"/> Is there a hidden finance charge | <input type="checkbox"/> What about withdrawal refund |
| <input type="checkbox"/> appears that there is a "0% interest" | <input type="checkbox"/> UDAP statute |
| <input type="checkbox"/> <i>Yazzie</i> | <input type="checkbox"/> refund cases (e.g. rule of 78's) |
| <input type="checkbox"/> Students paying cash are subsidizing | <input type="checkbox"/> Katherine Gibbs case |
| <input type="checkbox"/> does this student have standing to challenge | <input type="checkbox"/> reasonableness of schedule |
| <input type="checkbox"/> Is defendant attempting to circumvent TILA? | <input type="checkbox"/> remedies if found actionable under TILA |
| <input type="checkbox"/> potential remedies | <input type="checkbox"/> class action? |
| <input type="checkbox"/> Contract remedies | <input type="checkbox"/> tightened TILA class action requirements |
| <input type="checkbox"/> Unconscionability | |
| <input type="checkbox"/> | |

EXAM # _____