CONSUMER LAW FINAL CHECKLIST, SPRING 2008 (DeWolf)

QUESTION 1

☐ Overview
☐ Common Law claims
☐ Preempted by FCRA
☐ FCRA in general
☐ Permits use of information
☐ Requires firm offer
☐ Perry / Cole cases
☐ Is there substantial credit?
☐ Are conditions to credit reasonable?
☐ Was TILA violated?
☐ Traditional bait & switch
☐ UDAP statute
☐ ECOA
☐ Reverse redlining?
☐

☐ Gramm-Leach-Bliley
☐ Did they get the info w/o disclosure?
☐ But no private cause of action
☐ Remedies under FCRA
☐ Does MV have any damages?
☐ Attorney fees
☐ Class Action?
☐ Requirements
☐ Federal Class Action reform (Removal)?
☐

☐ Injunctive relief
☐

QUESTION 2

☐ Overview
☐ State UDAP Statute
☐ Requirements
☐ In trade or commerce
☐ Unfair or deceptive
☐ Damage to consumer
☐ What standard for unfair/deceptive?
☐ Is it exempt because profession?
☐ What criteria for exemption
☐
☐ Common law fraud
☐ Requirements of fraud
☐ Negligent misrepresentation
☐

☐ Remedies
☐ How large are damages?
☐ Damages may be trebled
☐ Attorney Fees
☐ Class Action?
☐ Requirements for certification
☐ Other Remedies
☐ Injunctive
☐

QUESTION 3

☐ Pro: Email spam is big problem
☐ Spam might decrease
☐ CANSPAM is inadequate
☐ Protects the internet
☐
☐ Con: List would be misused
☐ Is Private enforcement preferable?
☐ CANSPAM is working
☐ 1st Amendment concerns
☐ Pre-emption by CANSPAM
☐ Cost

EXAM # ____________