CONSUMER LAW FINAL CHECKLIST
Spring 1995

Question 1

☐ Federal pre-emption issue
☐ Is Bloomsday a national bank?
☐ Did Congress intend to pre-empt state law
☐ Express intent to pre-empt
☐ incompatible instructions
☐ policy conflict
☐ "Exporting" home rate
☐ conflict of law issue
☐ usury limits by states are subject to federal pre-emption
☐ is the fee part of the "interest" rate?
☐ No TILA problem because of disclosure
☐ TILA pre-emption?
☐ private cause of action
☐ unconscionability issue?

Question 2

☐ Advantages
☐ Gets consumers lower rates
☐ discourages imprudent spending
☐ avoids disparity with usury reg's
☐ promotes national uniformity

☐ Disadvantages
☐ May limit consumer choices
☐ interferes with market discipline
☐ invites costly federal regulation
☐ better to defer to state solutions?

Question 3

☐ Liability issues
☐ Regulation Z
☐ Is the fee a finance charge?
☐ Does TILA require disclosure and inclusion in APR?
☐ was the fee required by GW?

☐ Remedies
☐ TILA remedies (damages plus attorney fees)
☐ Class action
☐ Tightening TILA rules re class actions
☐ Burden to bear cost of notification

EXAM # ____________