

## CONSUMER PROTECTION

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SPRING 2009  
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### Required Texts:

Whaley, Problems and Materials on CONSUMER LAW,  
4<sup>th</sup> Edition, Aspen Law & Business  
Selected Commercial Statutes (West or Foundation Press)  
Other materials and Problems may be distributed during the Semester

### I. INTRODUCTION

Do we need consumer protection? Why? What do we want it to do? How? When?  
Read pp. XXI - XXV

### II. THE CONSUMER TRANSACTION

#### A. Inducing Consumer Transactions

1. Fraud pp. 3-32, Problems 1-3
2. Deceptive Sales Practices
  - Unordered Merchandise pp. 57-58; Problem 6
  - The FTC pp. 58-82; Problem 7
  - State Statutes pp. 83-84, 91-100; Problems 8-12
  - Referral Schemes pp. 103-113; Problems 13-14
  - Telemarketing pp. 113-119
  - Home Solicitations pp. 119-122; Problems 15-17
- B. Financing the Deal
  - 1. Understanding Interest Rates pp. 414-415, 419; Probs. 93-96 (p.409)  
97-98, 101
  - 2. Getting/ Choosing Credit
    - The Truth-in-Lending Act pp. 421-433; Problems 102-107
    - Finance Charges pp. 437-449; Problems 108-110,  
111(p. 459)
    - Disclosures pp. 459-474; 482-502; Problems  
112-123
    - Remedies pp. 517-534; Problems 126-130
  - 3. Accessibility to Credit B Who gets credit/Who gets denied
    - Fair Credit Reporting Act pp. 335-372; Problems 67-74
    - Equal Credit Opportunity Act pp. 372-406; Problems 75-92

#### C. Performance Issues/ Protecting Consumer's Expectations

- State Warranty Law pp. 194-202; Problems 21-25
- Magnuson-Moss pp. 213-222; Problems 28-32

Promissory Notes  
Credit Cards

pp. 263-272; Problems 35-37  
pp. 284-287, 296-322; Problems 39-42,  
51

D. Post-Transaction Problems  
Debt Collection

pp. 612-642; Problems 151-164

The above outline indicates the materials to be covered and the order in which they will be covered. You may of course read as far along as you want to, but specific reading assignments, geared to the amount of materials that will be covered in a given class, will be made at the end of the preceding class. **BE FOREWARNED B WE MAY HAVE TO SKIP CASES IN ORDER TO GET THROUGH ALL THE MATERIALS.** Understand also that the emphasis in class will be on the problems, NOT on the cases. As such, students will be expected to have read the assignment, including the cases, and worked out responses to the problems BEFORE class. Students will not be expected to explain or recount in detail the specifics of the cases, but should understand the general holdings. Students will be expected, however, to be prepared to discuss their responses to the problems in class when called upon. You will get the most out of this class if you have done your work and are prepared.

#### Method of Evaluation

Your final grade will be determined on the basis of a 3-hour final exam. The final exam will be OPEN BOOK. You may bring into the exam your notes, your casebook and statutory supplement, any handouts distributed during the semester and any outlines prepared by you. You may NOT bring into the exam any hornbook, commercial outlines, nutshells, etc. Just a word of caution, however. Don't count on being able to use what you bring into the exam as a reference library. There will not be time for that. Prepare for the exam as if it were NOT an open book exam and use your materials only when it is absolutely necessary.

Class participation and preparation will be considered in a positive way in determining your final grade - that is, points will be added to your score on the final exam for significant or consistent contributions to class discussions. In some cases (where, for example, your performance on the exam leaves you very close to a higher grade), participation and preparation may very well make a difference.