

PREFACE

Since the first edition of this book, it has been the author's intent to provide some usual and unusual forms relating to damages recoverable under varied factual circumstances and legal theories. As the book has continued in publication, more material regarding defenses to damage claims has been added.

There are innumerable variations, fact patterns, and circumstances giving rise to claims for damages, and the manuscript would never be complete if the author attempted to include all conceivable remedies and scenarios under which damages may be recoverable. Thus, the practitioner may not find the particular damage form he or she seeks for a specific type of case, but it is believed there are sufficient forms herein to give some guidance even in those situations in which a form is not provided. It is hoped that the forms will assist the user in including in complaints and other pleadings sufficient allegations to make out issues for submission to triers of fact.

The author expresses appreciation to others at the Bar who have added to his education in the law of damages, either in their pleadings or in court. Credit is given for particular forms contributed by members of the Bar in comments appearing after the forms so furnished.

Those having occasion to use this book are invited and encouraged to convey any critique, corrections, criticisms, or suggestions they may wish to the author. With this input, the work should only improve as it is refined and supplemented.

Where the author thought some explanation might be necessary, statutory or case citations appear in comments following the forms. In other forms, the authority for the action or claim for damages appears in the body of the form itself. In others, no citation of authority appears due to the common nature of the action to which those forms apply. References to other works of the publisher are also contained within the comments throughout the book.

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