

Index

ABORTION

Damages, **13:28**

ACCOUNTANTS

Audit, **9:16, 9:24, 13:20, 15:30, 15:33**

Negligent misrepresentation, **13:20, 15:29**

ACCOUNTING

Negligent misrepresentation, **13:20, 15:29**

ADMISSIONS

Brokers, **15:57**

Insurance, **15:49**

Statement, **15:39**

ADVERTISING

Contracts, **9:20**

Offer, **9:20**

ADVICE

Insurance, **4:4, 5:27, 9:20, 9:22, 14:39**

AGENCY

Conflict of interest, **4:8, 9:17, 12:14**

Contracts, **4:8, 5:5, 5:9, 5:27, 9:16, 9:20, 11:10, 12:10, 12:46, 12:53, 13:19, 14:3, 14:4, 14:56, 14:61, 15:5, 15:7, 15:8, 15:25**

Conversion, **6:5, 12:53, 12:62**

Fiduciary duty, **9:17, 9:20, 15:25**

Insurance, **4:3, 4:4, 4:8, 5:4, 5:9, 5:23, 5:27, 6:5, 9:20, 11:10**

AMBIGUITY

Brokers, **15:34**

ARBITRATION

Contracts, **15:33**

Federal Arbitration Act, **15:2**

ARCHITECTS

Services Rendered, **12:58**

ASSIGNMENT

Requirements, **4:4, 6:23, 9:7**

ATTORNEY-CLIENT PRIVILEGE

Insurance, **15:49**

ATTORNEYS

Agents, **9:20, 12:57, 15:54**

STATE AND LOCAL GOVERNMENT DEBT FINANCING

ATTORNEYS—Cont'd

- Brokers, **9:20, 12:60, 15:1, 15:2, 15:14, 15:33**
- Check, **13:14**
- Conflict of interest, **15:32**
- Contracts, **9:20, 12:60, 14:36, 15:33**
- Fiduciary duty, **9:20, 15:14**
- Insurance, **9:20, 15:49**
- Services rendered, **12:60**
- Settlement, **14:36, 15:2, 15:38, 15:48**

AUDIT

- Fraud, **9:16, 9:24, 15:30, 15:33**
- Negligent misrepresentation, **13:20**

BANKRUPTCY

- Insurance, **5:1, 5:4, 8:1, 14:19, 14:35, 14:39**
- Joint and several liability, **13:50**

BANKS

- Fiduciary duty, **9:20**
- Securities, **3:7, 4:8, 5:1, 9:8, 9:20, 12:47, 13:11, 15:1, 15:49**

BATTERY

- Insurance, **6:5**

BEACH

- Parks, **2:7**

BIDS

- Requirements, **3:15, 9:17, 12:40 to 12:42, 12:55, 12:58, 15:39**

BREACH OF CONTRACT

- Contracts, **1:13, 12:45, 15:25**

BROKERS

- Fiduciary Duty, **9:17, 9:20, 15:14**
- Services rendered, **9:29, 12:60**

BURDEN OF PROOF

- Brokers, **15:33**
- Clear and Convincing Evidence, **13:44**
- Contracts, **15:33**
- Damages, **9:11, 13:44**
- Negligence, **9:11**
- Profits, **10:3**

CARE

- Circumstantial evidence, **15:30**

CAUSATION

- Contracts, **15:30, 15:33**
- Proximate Cause, **13:20, 15:30**
- Release, **15:34**

INDEX

CHECKS

Damages, **13:5**

CHILDREN

Contracts, **11:10**

Insurance, **11:10**

CIRCUMSTANTIAL EVIDENCE

Intent, **14:5, 15:30**

COMPROMISE

Settlement, **15:2, 15:48**

CONCURRENT JURISDICTION

Jurisdiction, **13:14**

CONDEMNATION

Eminent Domain, **6:21, 13:36**

CONDITION PRECEDENT

Contracts, **12:7, 14:38**

CONDITIONS

Brokers, **9:1, 9:17, 9:25**

CONFLICT OF INTEREST

Agency, **4:8, 9:17, 12:14**

Fiduciary duty, **9:17**

Merger, **15:32**

CONSENT

Insurance, **14:35**

CONSIDERATION

Settlement, **6:32, 12:6, 14:31, 14:35, 14:40, 15:38**

CONSULTANTS

Engineers, **3:5, 12:58**

CONTRACTS

Agents, **1:13, 9:20, 14:3, 15:12**

Arbitration, **15:33**

Assignment, **5:28, 14:17**

Attorneys, **9:20, 12:60, 14:36, 15:33**

Breach of contract, **1:13, 12:45, 15:25**

Burden of proof, **15:33**

Children, **11:10**

Condition Precedent, **12:7, 14:38**

Consideration, **1:13, 4:8, 6:21, 12:10, 12:11, 14:31, 14:35**

Damages, **1:14, 13:5, 13:24, 13:28, 14:31, 15:7, 15:27, 15:41**

Elements, **8:6, 14:6**

Enforcement, **4:8, 5:9, 9:16, 9:20, 12:45, 13:5, 14:35, 14:56, 14:61, 15:27**

Fiduciary duty, **9:20, 15:25, 15:41**

Good faith, **7:5, 9:20, 14:1, 14:5, 14:35**

STATE AND LOCAL GOVERNMENT DEBT FINANCING

CONTRACTS—Cont'd

Guarantees, 8:6 to 8:8, 9:16, 12:11, 14:61

Hospitals, 9:20, 14:3, 14:35

Intent, 6:21, 7:5, 12:11, 12:64, 13:19, 14:3, 14:5, 14:19, 14:35, 14:61, 15:30, 15:33

Interest, 1:13, 1:14, 2:9, 3:28, 4:8, 5:5, 5:9, 5:24, 5:25, 5:27, 6:21, 7:5, 8:6 to 8:8, 9:16, 9:20, 11:3, 12:7, 12:10, 12:11, 12:28, 12:45, 12:46, 12:53, 13:5, 13:19, 13:28, 13:38, 14:17, 14:31, 14:35 to 14:37, 14:56, 14:61, 15:7, 15:12, 15:21, 15:25, 15:27, 15:33, 15:36, 15:41

Leases, 11:20, 12:45, 14:17, 14:31

Market value, 5:27, 5:28, 12:10

Medical Malpractice, 14:31

Municipal contracts, 11:18, 12:10

Options, 9:20, 11:20, 12:53, 14:35

Partnership, 11:20, 15:7

Performance, 2:9, 4:8, 9:16, 11:18, 12:7, 12:10, 12:45, 13:19, 14:17, 14:19, 14:56, 15:7, 15:12, 15:25, 15:33

Price, 1:14, 2:9, 5:28, 7:5, 8:8, 11:20, 12:45, 13:5, 13:24, 14:31, 15:30, 15:33, 15:41

Products liability, 15:12

Questions of law and fact, 15:41

Read, 9:16, 14:3, 14:35, 14:62

Release, 5:27, 12:45

Reliance, 1:13, 9:16, 14:31, 15:30

Services Rendered, 2:9, 12:60

Settlement, 5:25 to 5:28, 9:16, 14:31, 14:35, 14:36

Statute Of Limitations, 15:33

Termination of, 5:5, 12:45, 14:17, 14:35

Third parties, 14:35, 15:30

CONTROL

Hospitals, 9:20, 14:3, 14:35

Motor Vehicles, 13:53

Schools, 1:4, 1:12, 1:14, 2:9, 6:5, 9:16, 13:5

COOPERATION

Insurance, 6:5

COPYRIGHT

Infringement, 13:27

CORPORATIONS

Punitive damages, 13:42

CREDITORS

Debtors and Creditors, 14:2

DAMAGES

Abortion, 13:28

Burden of proof, 9:11, 13:44

Checks, 13:5

INDEX

DAMAGES—Cont'd

- Computation of, **15:49**
- Contracts, **1:14, 13:5, 13:24, 13:28, 14:31, 15:7, 15:27, 15:41**
- Fiduciary Duty, **13:23, 15:3, 15:41**
- Financial Condition, **13:20, 13:23**
- Income Tax, **1:14, 13:5**
- Insurance, **13:26, 15:49**
- Interest, **1:14, 9:11, 13:5, 13:23, 13:26, 13:28, 13:36, 13:44, 14:31, 14:50, 15:7, 15:27, 15:39, 15:41, 15:46, 15:49**
- Medical Malpractice, **14:31**
- Negligent misrepresentation, **13:20**
- Punitive Damages, **13:42, 13:43, 15:58**
- Release, **13:50, 15:45, 15:48, 15:49**
- Trade secrets, **15:49**
- Treble Damages, **13:26, 13:28, 13:50, 15:3**

DEFENSES

- Affirmative Defenses, **13:50, 15:28**

DEFINITIONS

- Consideration, **4:8**
- Conversion, **6:15**
- Customer, **9:13, 9:26**
- Employee, **4:8, 9:20**
- Guarantee, **9:13**
- Letters of credit, **9:13, 9:20**
- Petroleum, **6:15**
- Public benefit corporation, **14:3**
- Public corporation, **14:3**
- School district, **9:20, 14:3**
- Substantial, **7:5**

DELAY

- Insurance, **6:5**
- Laches, **15:28**

DEMONSTRATIVE EVIDENCE

- Types of, **15:57**

DEPOSITIONS

- Expert testimony, **15:56**
- Insurance, **15:49**

DEPRECIATION

- Contracts, **2:9**

DEVELOPMENT

- Children, **1:4, 11:10, 15:22**

DISCLAIMER

- Insurance, **4:4, 9:22**

STATE AND LOCAL GOVERNMENT DEBT FINANCING

DISCLOSURE

Brokers, **3:7, 4:8, 9:17, 9:19, 9:20, 9:26, 9:29, 9:31, 15:57**
Expert testimony, **15:56, 15:57**
Fiduciary duty, **9:17, 9:20, 13:23**

DISCRIMINATION

Housing, **1:12, 10:13**

EMERGENCY

Hospitals, **3:23, 14:35, 14:40**
Police, **3:23, 14:12, 14:35**

EMOTIONAL DISTRESS

Fraud, **15:6**

EQUIPMENT

Electric companies, **6:5**

ESCROW

Agreements, **5:5, 6:31, 12:45**
Fiduciary duty, **9:20, 15:41**

EVIDENCE

Admissions, **15:39, 15:49, 15:54, 15:55, 15:57**
Burden of Proof, **10:14, 12:62, 13:29, 13:44, 15:33**
Circumstantial Evidence, **14:5, 15:30**
Clear and Convincing Evidence, **13:44, 15:34**
Design, **9:24, 12:14, 15:57**
Direct Evidence, **13:35**
Exhibits, **9:16**
Federal Rules Of Evidence, **15:49, 15:57**
Judicial Notice, **15:33**

EXCLUSIONS

Insurance, **9:20**

FEDERAL COURTS

Jurisdiction, **10:2, 12:25, 13:44, 13:50, 15:2, 15:4, 15:6 to 15:8, 15:10, 15:12 to 15:17, 15:19, 15:20, 15:27, 15:28**
Treble damages, **13:50**

FEDERAL QUESTION

Railroads, **11:11**

FEDERAL RULES OF EVIDENCE

Expert testimony, **15:57**

FIDUCIARY DUTY

Attorneys, **9:20, 15:14**
Brokers, **9:17, 9:20, 15:14**
Damages, **13:23, 15:3, 15:41**
Employees, **9:20**
Investments, **9:17, 9:20, 15:41**

INDEX

FIDUCIARY DUTY—Cont'd

- Profits, **9:17**
- Questions of law and fact, **15:41**
- Trustees, **13:23, 15:14, 15:25**
- Underwriters, **9:17, 9:20, 15:14, 15:25**

FINANCIAL CONDITION

- Damages, **13:20, 13:23**
- Insurance, **6:5, 9:13**

FINANCIAL INSTITUTIONS

- Banks, **4:8, 4:9**

FINES

- Criminal Penalties, **13:28**

FORESEEABILITY

- Duty, **9:24**

GOOD FAITH

- Brokers, **9:5, 9:17, 9:20**
- Contracts, **7:5, 9:20, 14:1, 14:5, 14:35**
- Fiduciary Duty, **9:17, 9:20**
- Insurance, **9:20, 14:35**

GOVERNMENT

- Emotional distress, **15:6**

GUARANTEES

- Fraud, **9:16, 15:57**

HEALTH

- Insurance, **14:35**

HEARING

- Release, **15:48**

HOSPITALS

- Emergency, **3:23, 14:35, 14:40**
- Staff, **14:3**

HOUSING

- Discrimination, **1:12, 10:13**

IMMUNITIES

- Privileges and Immunities, **10:2**

INCOME TAX

- Damages, **1:14, 13:5**

INJURIES

- Personal Injuries, **13:29**

INSOLVENCY

- Insurance, **14:19, 14:35, 14:39**

STATE AND LOCAL GOVERNMENT DEBT FINANCING

INSURANCE

Admissions, **15:49**
As soon as practicable, **15:49**
Attorneys, **9:20, 15:49**
Bonds, **3:28, 4:4, 5:1, 5:4, 5:6 to 5:10, 5:19, 5:23, 5:27, 6:3, 6:5, 8:1, 9:8, 9:9, 9:20, 11:10, 11:14, 14:35, 14:39**
Children, **11:10**
Damages, **13:26, 15:49**
Delay, **6:5**
Depositions, **15:49**
Disclaimer, **4:4, 9:22**
Exclusions, **9:20**
Fiduciary duty, **9:20**
Financial condition, **6:5, 9:13**
Fraud, **9:8, 14:35, 15:49**
Good faith, **9:20, 14:35**
Health, **14:35**
Intent, **9:8, 14:19, 14:35**
Interest, **3:28, 4:4, 4:8, 5:1, 5:4, 5:6 to 5:10, 5:19, 5:23, 5:27, 6:3, 6:5, 8:1, 9:8, 9:13, 9:20, 11:14, 13:26, 14:35, 14:39, 15:49**
Investigation, **4:4, 9:20, 9:22, 15:49**
Judgment, **4:4, 5:27, 9:22, 14:19, 14:35, 15:49**
Negotiations, **14:35**
Pollution, **6:5**
Premiums, **5:4**
Privileges, **15:49**
Reinsurance, **14:35**
Release, **5:27, 15:49**
Renewal, **5:7**
Settlement, **5:27, 14:35, 14:39**
Statutes, **11:14, 15:49**
Title Insurance, **5:4, 13:26**
Underwriters, **4:4, 5:27, 9:13, 9:20, 9:22, 14:39**
Work product, **15:49**

INTENT

Circumstantial evidence, **14:5, 15:30**
Conversion, **12:62**
Definition of, **1:4, 7:5, 9:10, 13:14, 14:3, 14:8, 14:19, 14:35, 14:63**
Insurance, **9:8, 14:19, 14:35**

INTENTIONAL CONDUCT

Contracts, **13:19**

INTEREST

Contracts, **1:13, 1:14, 2:9, 3:28, 4:8, 5:5, 5:9, 5:24, 5:25, 5:27, 6:21, 7:5, 8:6 to 8:8, 9:16, 9:20, 11:3, 12:7, 12:10, 12:11, 12:28, 12:45, 12:46, 12:53, 13:5, 13:19, 13:28, 13:38, 14:17, 14:31, 14:35 to 14:37, 14:56, 14:61, 15:7, 15:12, 15:21, 15:25, 15:27, 15:33, 15:36, 15:41**

INDEX

INTEREST—Cont'd

Insurance, 3:28, 4:4, 4:8, 5:1, 5:4, 5:6 to 5:10, 5:19, 5:23, 5:27, 6:3, 6:5, 8:1, 9:8, 9:13, 9:20, 11:14, 13:26, 14:35, 14:39, 15:49
Present value, 5:4, 7:7, 7:11, 7:20, 8:1, 8:3, 9:16, 12:40
Products liability, 15:12
Public authorities, 3:26, 12:38, 12:45, 13:27

INTERROGATORIES

Depositions, 15:49

INVENTORY

Brokers, 9:5

INVESTIGATION

Insurance, 4:4, 9:20, 9:22, 15:49

INVESTMENTS

Fiduciary Duty, 9:17, 9:20, 15:41

JUDGMENT

Insurance, 4:4, 5:27, 9:22, 14:19, 14:35, 15:49

JURISDICTION

Joint and several liability, 13:50

JUSTIFICATION

Insurance, 15:49

LABORATORY

Schools, 1:12

LEASES

Damages, 14:31
Modification, 9:13, 14:21, 14:31
Rent, 14:17

LETTER

Divorce, 1:12

LICENSES

Brokers, 9:20

LOANS

Conversion, 6:5, 12:53
Negligent misrepresentation, 12:6, 15:29

MALPRACTICE

Accountant Malpractice, 15:25
Fraud, 15:25
Medical Malpractice, 14:31

MARKET VALUE

Contracts, 5:27, 5:28, 12:10

STATE AND LOCAL GOVERNMENT DEBT FINANCING

MEDICAL MALPRACTICE

- Contracts, **14:31**
- Damages, **14:31**
- Opinion, **14:31**
- Reliance, **14:31**

MISREPRESENTATION

- Negligent Misrepresentation, **12:6, 13:20, 15:10, 15:29**

MISTAKE

- Insurance, **15:49**

MOTIVE

- Circumstantial evidence, **14:5, 15:30**

MOTOR VEHICLES

- Control, **13:53**
- Emergency Vehicles, **13:53**

MUNICIPAL CORPORATIONS

- Contracts, **15:7, 15:33, 15:36**

NEGLIGENCE

- Burden of proof, **9:11**
- Contracts, **15:30, 15:41**
- Defined, **9:11, 9:24, 13:14**
- Foreseeability, **9:24**
- Proximate Cause, **13:20, 15:30**
- Standard of Care, **12:57**

NEGLIGENT MISREPRESENTATION

- Accountants, **13:20, 15:29**
- Damages, **13:20**

NEGOTIATIONS

- Insurance, **14:35**

OPTIONS

- Defined, **9:20, 12:53, 14:35**

PARTNERSHIP

- Agreements, **11:20**

PERFORMANCE

- Contracts, **2:9, 4:8, 9:16, 11:18, 12:7, 12:10, 12:45, 13:19, 14:17, 14:19, 14:56, 15:7, 15:12, 15:25, 15:33**

PLAYGROUND

- School, **1:12**

PLEADINGS

- Insurance, **9:22**

POLICE

- Emergency, **3:23, 14:12, 14:35**

INDEX

POLICE—Cont'd

Schools, **1:14, 2:9, 13:5, 15:35**

Spouse, **2:9**

POLLUTION

Insurance, **6:5**

PREEMPTION

Federal Preemption, **15:33**

PREJUDICE

Insurance, **14:35**

PREMIUMS

Insurance, **5:4**

PRICE

Contracts, **1:14, 2:9, 5:28, 7:5, 8:8, 11:20, 12:45, 13:5, 13:24, 14:31, 15:30, 15:33, 15:41**

PRIVITY

Negligent misrepresentation, **13:20**

PROFESSIONALS

Services Rendered, **9:29**

PROFITS

Burden of proof, **10:3**

PROXIMATE CAUSE

Contracts, **15:30**

Damages, **13:20**

Negligence, **13:20, 15:30**

Negligent misrepresentation, **13:20**

PUBLIC

Punitive damages, **13:43, 15:58**

PUBLIC AUTHORITIES

Interest, **3:26, 12:38, 12:45, 13:27**

Railroads, **13:27**

PUBLIC BENEFIT CORPORATION

Definition of, **14:3**

PUBLIC CORPORATION

Definition of, **14:3**

PUNITIVE DAMAGES

Amount, **15:58**

Corporations, **13:42**

Governmental entities, **13:42**

QUESTIONS OF LAW AND FACT

Contracts, **15:41**

STATE AND LOCAL GOVERNMENT DEBT FINANCING

QUESTIONS OF LAW AND FACT—Cont'd

Fiduciary duty, 15:41

RAILROADS

Employees, 11:11

Public, 3:19, 11:11, 13:27

RATIFICATION

Contracts, 12:64

REAL PROPERTY

Use, 5:29, 6:6, 6:12, 7:5, 9:16, 10:4, 10:14, 11:12, 12:21, 13:50, 14:6, 14:17, 14:35

RECKLESSNESS

Insurance, 9:8, 9:22

RECORDS

Insurance, 4:4, 4:8

Public Records, 12:17, 12:41

REGULATIONS

Rules and Regulations, 2:1, 4:8, 9:8, 9:10, 9:20, 9:24, 12:49

REINSURANCE

Defined, 14:35

RELEASE

Contracts, 5:27, 12:45

Damages, 13:50, 15:45, 15:48, 15:49

Fraud, 15:16, 15:34, 15:49

Insurance, 5:27, 15:49

Waiver, 15:16, 15:49

RELIANCE

Contracts, 1:13, 9:16, 14:31, 15:30

Fraud, 9:16, 9:24, 13:14, 14:29, 14:34, 15:30, 15:34, 15:46

Medical Malpractice, 14:31

Negligent misrepresentation, 13:20

Pension plans, 9:16

RENEWAL

Insurance, 5:7

REPRESENTATIONS

Negligent Misrepresentation, 13:20

Warranties, 14:42

SALES

Brokers, 9:5, 9:8, 9:17

Products Liability, 15:12

SANCTIONS

Damages, 15:49

INDEX

SCHOOLS

Colleges and Universities, **1:12**
Insurance, **6:5, 11:14**
Notice, **9:16, 12:33**
Supervision, **1:4, 1:12, 2:9, 6:5**

SCIENTER

Defined, **9:8, 9:16, 9:24, 13:14**

SECURITIES

Fiduciary duty, **9:17, 9:20, 13:23, 15:3, 15:25, 15:41**
Pledge of, **3:18, 5:5, 14:39**

SERVICES

Services Rendered, **2:9, 6:3, 9:29, 12:58, 12:60, 14:54**

SERVICES RENDERED

Brokers, **9:29, 12:60**

SETTLEMENT

Consideration, **6:32, 12:6, 14:31, 14:35, 14:40, 15:38**
Contracts, **5:25 to 5:28, 9:16, 14:31, 14:35, 14:36**
Insurance, **5:27, 14:35, 14:39**
Stipulation, **15:59**

SPECIFICATIONS

Plans and Specifications, **3:6**

SPORTS

School, **15:5**

STATEMENTS

Admissions, **15:39**

STATUTE OF LIMITATIONS

Contracts, **15:33**

STATUTES

Violation of, **1:14, 11:14, 12:66, 13:2, 13:5, 13:28, 13:29, 13:44, 13:45, 15:16, 15:17, 15:33, 15:45, 15:49**

STIPULATION

Settlement, **15:59**

SUPERVISION

Children, **1:4, 1:12**
Parks, **1:4**
Schools, **1:4, 1:12, 2:9, 6:5**

SURETY

Indemnification, **14:35**

TAXATION

Accountant malpractice, **15:25**
Income Tax, **5:4, 5:27, 6:2, 6:5, 6:21, 6:23, 6:27, 6:31, 10:2, 13:3**

STATE AND LOCAL GOVERNMENT DEBT FINANCING

THINK

Cause, **12:45**

THIRD PARTIES

Contract, **14:35**

TIME

Contracts, **1:14, 2:9, 3:28, 4:8, 5:5, 5:25, 5:27, 7:5, 8:8, 9:16, 9:20, 11:19, 12:7, 12:10, 12:46, 13:5, 14:4 to 14:6, 14:17, 14:31, 14:35 to 14:38, 14:56, 14:61, 15:5, 15:7, 15:30, 15:36, 15:41**

Statute of Limitations, **12:33, 12:66, 13:29, 14:23, 15:15**

TITLE INSURANCE

Defined, **5:4**

TREBLE DAMAGES

Federal courts, **13:50**

Fraud, **13:28, 15:3**

UNDERWRITERS

Fiduciary duty, **9:17, 9:20, 15:14, 15:25**

UNIVERSITIES

Colleges and Universities, **1:12**

VEHICLES

Motor Vehicles, **13:53**

VERDICTS

General, **13:26**

WARRANT

Attachment, **14:35**

WITNESSES

Absolute immunity, **13:43**

Compensation, **15:34**

Insurance, **15:49**

WORK PRODUCT

Insurance, **15:49**