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, **9:3**
Offer, **9:3**

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

AGENCY
Conflict of interest, **4:8, 9:17, 12:14**
Contracts, **4:8, 5:5, 5:9, 5:27, 9:3, 9:16, 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, 15:25**
Insurance, **4:3, 4:4, 4:8, 5:4, 5:9, 5:23, 5:27, 6:5, 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, **9:3, 12:57, 15:54**

ATTORNEYS—Cont'd
Brokers, **9:3, 12:60, 15:1, 15:2, 15:14, 15:33**
Check, **13:14**
Conflict of interest, **15:32**
Contracts, **9:3, 12:60, 14:36, 15:33**
Fiduciary duty, **15:14**
Insurance, **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
Securities, **3:7, 4:8, 5:1, 9:8, 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, 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**

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, 9:3, 14:3, 15:12**
Arbitration, **15:33**
Assignment, **5:28, 14:17**
Attorneys, **9:3, 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**

CONTRACTS—Cont'd
Guarantees, **8:6 to 8:8, 9:16, 12:11, 14:61**
Hospitals, **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, 9:3, 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, **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, 9:20, 12:45, 14:17, 14:35**
Third parties, **14:35, 15:30**

CONTROL
Hospitals, **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**

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**
Guarantee, **9:13**
Letters of credit, **9:13**
Petroleum, **6:15**
Public benefit corporation, **14:3**
Public corporation, **14:3**
School district, **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**

DISCLOSURE
Brokers, **3:7, 4:8, 9:1, 9:17, 9:19, 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, **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**

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, **15:14**
Brokers, **9:17, 15:14**
Damages, **13:23, 15:3, 15:41**
Investments, **9:17, 9:20, 15:41**
Profits, **9:17, 9:20**
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**
Contracts, **7:5, 9:20, 14:1, 14:5, 14:35**
Fiduciary Duty, **9:17, 9:20**
Insurance, **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**

INSURANCE
Admissions, **15:49**
As soon as practicable, **15:49**
Attorneys, **15:49**

INSURANCE—Cont'd
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 to 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**
Financial condition, **6:5, 9:13**
Fraud, **9:8, 14:35, 15:49**
Good faith, **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, 11:14, 13:26, 14:35, 14:39, 15:49**
Investigation, **4:4, 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, 9:22, 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, 9:3, 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**
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, 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, 9:22, 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**

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

LOYALTY
Fiduciary Duty, **9:20**

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

MARKET VALUE
Contracts, **5:27, 5:28, 12:10**

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, **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**
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**
Fiduciary duty, **15:41**

RAILROADS
Employees, **11:11**
Public, **3:19, 11:11, 13:27**

RATIFICATION
Contracts, **12:64**

REAL PROPERTY
Brokers, **9:1**
Use, **5:29, 6:6, 6:12, 7:5, 9:1, 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, 9:3, 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**

RULES AND REGULATIONS
Schools, **9:20**

SALES
Brokers, **9:1, 9:5, 9:8, 9:17**
Products Liability, **15:12**

SANCTIONS
Damages, **15:49**

SCHOOLS
Colleges and Universities, **1:12**
Fiduciary duty, **9:20**
Insurance, **6:5, 11:14**
Notice, **9:16, 12:33**

SCHOOLS—Cont'd
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**

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**