

**CONSUMER LAW FINAL
FALL 2009
PROFESSOR COPPOLA**

This is a 3 hour exam. It consists of 1 essay worth 50 points and 10 definitions worth 5 points each. Please use 1 blue book, 1 side of a page only, for the essay. Please write your answers to the definitions on the exam paper in the space provided.

Good Luck and Happy Holidays!

Consumer Law Final

Question #1

50 Points

Out of work, George W. Bush applied for a job with the Committee to elect Sarah Palin. The Committee, without telling George W., secretly ordered the Big Brother Credit Bureau to conduct an in-depth investigation of George W. by interviewing his friends and neighbors. One of them, Dick Cheney, lied to the credit bureau and told them that George W. was a swinger. The Committee then refused to hire George W. and would not tell him why. He investigated on his own and found out about the Big Brother Report. When he went to the Big Brother Office, they refused to talk to him. He went home and put on a disguise (a Bill Clinton mask) and then went back to Big Brother pretending to be a lobbyist intent on hiring George W.. For a fee, they gave him a credit report on that individual.

Meanwhile, his wife Laura went to Octopus National Bank to apply for a loan to hold the family over until George W. could find work, because, her forty hours a week at Haliburton Plumbing Supply just was not enough. To curry sympathy from the loan officer, she put a pillow under her shirt so that she would look about 8 months pregnant. As it turns out, this was the wrong thing to do because, the loan officer Michael Misogynist, asked her the following questions: "Are you pregnant?" and "Do you plan to quit your job when the baby is born?" "Why have you come here? We will take your application, because the law says we must, but it's a useless gesture since we never loan money to pregnant women." He also asked if she was married and inquired as to the amount of her husband's income. He also wanted to know if her husband was willing to be a co-signer and if she had a telephone and in what name was the phone listed.

The Bush's come to your office because they know that you are a consumer law expert, (meaning you took the course and passed it). They would like to know if anyone in the 2 scenarios which they experienced that day, violated any Federal Consumer Laws and what recourse they may have including damages, if any.

PLEASE ADDRESS GEORGE W. AND LAURA SEPARATELY

Definitions 5 Points Each
Please Define The Following In The Space Provided

1. Deception:

2. Effects Test:

3. Confession of Judgment:

4. Unconscionability:

5. Merchantability:

6. Lemon Law Arbitration:

7. Fair Credit Reporting Act:

8. Equal Credit Opportunity Act:

9. Magnason-Moss:

10. Essential Purpose of Limited Remedies:

END OF EXAM
DO NOT WRITE BELOW THIS LINE.
