

LIMITATIONS ON COMPENSATORY DAMAGES

Shoben and Tabb, Chapter 13

- 1) Damages in General
 - a) Purposes of Damages; Contracts (page 392), Torts (page 487)
 - b) Nominal; Chapter 3; page 1011-1013
 - c) Compensatory; Sections 4-2
 - (1) General; #3, page 654
 - (2) Special
 - (3) Consequential
 - (4) Incidental (UCC)
 - d) Liquidated; Chapter 8
 - e) Punitive; Chapter 9
- 2) Causation and Limits
 - a) Tort claims; Section 4-3
 - b) Contract claims; Section 4-4
 - c) Redgrave, page 648
 - d) Stiff's Jewelers, 284 Ark. 29
- 3) Certainty in the Proof; Section 4-5
 - a) Cannon, page 665
 - b) Jim Halsey, 284 Ark. 461
- 4) Mitigation of Damages (Avoidable Consequences); Section 4-6
 - a) Parker, page 680
 - b) Garcia, page 685
 - c) Lobermeier, page 687
 - d) Western Grove, 288 Ark. 507
- 5) Collateral Source Rule; Section 6-4
 - a) Hueper, page 699
 - b) Green Forest, 287 Ark. 43
- 6) Other issues:
 - a) Double Recovery; Section 4-8
 - b) Policy against economic waste; Section 4-9
 - c) Mental Anguish; Section 4-7, pages 706-731
 - d) Economic Losses; page 731-763

Note: The pages refer to Shoben and Tabb; the chapters and sections refer to the 5th edition of the Arkansas Law of Damages.