

**Legal Environment of Business / Management 241c**  
**Instructor: Mike Varisco**

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GENERAL REMEDIES DISCUSSION

I. Legal Remedies.

A. Damages

1. Compensatory damages

- a. Physical pain and suffering.
- b. Mental pain and suffering.
  1. Emotional distress.
  2. Compare: severe emotional distress (IIED).
  3. Loss or impairment of mental capacity.
- c. Other types of general compensatory damages.
  1. Disfigurement damages.
  2. Loss of reputation.
  3. Loss of companionship.
  4. Loss of consortium.
  5. Loss or impairment of physical capacity.
  6. Loss of family members / friends / friendship.
- c. Property damages.
  1. Real property damages.
    - a. Trespass damages.
    - b. Cost to replace damages.
    - c. Cost to repair damages.

2. Personal property.
  - a. Trespass damages.
  - b. Cost to replace damages.
  - c. Cost to repair damages.
3. Other types of 'Consequential' damages.
  - a. Loss of work (lost wages – present and future).
  - b. Medical expenses.
  - c. Attorney fees and court costs.

2. Punitive damages.
  - a. Tort actions.
  - b. Contract actions.
3. Nominal damages.
4. Other issues related to damages.
  - a. Mitigation of damages.
  - b. Liquidated damages.
  - c. Treble damages.
  - d. Incidental damages.

## II. Equitable Remedies.

- A. Specific Performance.
- B. Rescission.
- C. Restitution.
- D. Temporary restraining orders.

## III. Election of remedies.