



## Quiz

### Assessing Damages for Misleading and Deceptive Conduct

1. Under the *Local Court Act 2007* (NSW), if you wish to bring an appeal as of right, you are...
  - a. Limited to questions of fact only
  - b. Limited to questions of law only
  - c. Limited to questions of law and of fact
  - d. Not limited in any respect, an appeal can be brought on any basis as of right
2. For damages to be awarded for misleading or deceptive conduct, what must be established?
  - a. That there was reliance on misleading or deceptive conduct
  - b. That there was misleading or deceptive conduct, but no reliance is necessary
  - c. There was reliance on misleading or deceptive conduct and the loss suffered due to this reliance exceeds \$100,000
  - d. That there was reliance on misleading or deceptive conduct, and a loss has been suffered because of this reliance

3. If a respondent in an appeal considers that an appeal is incompetent, there is an obligation on the respondent to file a notice of motion within how many days?
  - a. 7 days
  - b. 28 days
  - c. 14 days
  - d. 21 days
4. To meet the \$100,000 threshold requirement for appeal to the Court of Appeal, what is the test?
  - a. The total of legal costs spent until this point
  - b. The total value of the claim in question
  - c. The difference in the value to you if the appeal was successful
  - d. All of the above
5. The local court judgement held that a reasonable estimate from Bartlett to Dr. Weatherill would have been...
  - a. \$52,000
  - b. \$102,000
  - c. \$25,000
  - d. \$86,000

Answers:

1. b 2. d 3. b 4. c 5. d