

Contract Law in Oregon

2008 Supplement



- Draft contracts with confidence, knowing that your client's interests are protected.
- Represent your client in any breach of contract action.
- Understand and select the appropriate remedy for your client.

From formation to execution, *Contract Law in Oregon* covers all the basics as well as the intricacies of contract law.

Highlights of this 2008 supplement include updated case law on:

- Enforceability of arbitration clauses
- Cognitive and affective tests for mental incompetency
- Admissibility of extrinsic evidence, including to establish ambiguity in a contract term
- Implied covenant of good faith and fair dealing, and effect of this duty on contract terms
- Methodology for interpreting insurance policies
- Maintaining an action against a repudiating party
- Claiming financial hardship as an impossibility defense
- Beneficiaries of a will as intended beneficiaries of contract between testator and lawyer who drafted will
- Specific performance in the absence of a “time is of the essence” clause
- Revocability of irrevocable trust based on unilateral mistake of fact
- Procedural and substantive unconscionability

...and statutory updates on:

- Enforceability of attorney fee clauses
- Noncompetition agreements
- Elimination of option for sellers of residential real property to avoid providing a disclosure statement by selling property “as is”
- Extensive renumbering of ORS chapter 646

Whether you are drafting a contract or defending a breach of contract action, *Contract Law in Oregon* is the resource you need to be prepared.

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EDITORS

KIM T. BUCKLEY, B.A., B.S., J.D., University of Washington (1970, 1974, 1978); member of the Oregon State Bar since 1978 and the Washington State Bar Association since 1982; partner, Esler, Stephens & Buckley, Portland.

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