

CM HOMEWORK

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Howard v. MacDonald Construction 71 Cal.App. 4th (1998)

1. Who were the players in this project? Who sued who and for what?
2. As between MacDonald and the City, who won at the trial level? What contract "theory" was used?
3. Per the appeals court, why could MacDonald recover "delay" damages when not allowed under the contract?
4. What was the "DSC" present in this case? What "type" of DSC was it?
5. What evidence at trial was necessary for MacDonald to prove "causation" and "damages?"