



Advertising & Marketing Law (Law 712)
Professor Eric Goldman
Spring 2013

Final Exercise

With respect to the attached ad,

- 1) List the claims you think the ad makes.
- 2) Classify those claims as puffery/opinion or fact and, in a sentence or two, explain why.
- 3) For the claims you think are facts, briefly give an example or two of evidence you think would adequately substantiate the claim. If you think the claim should be revised, briefly explain why and how you might suggest to revise it.

In addition to the claims analysis, identify and analyze the other aspects of the ad that you would want to evaluate or investigate before approving dissemination of this ad.

Do not discuss any rules specifically applicable to attorney advertising, such as those codified in the Rules of Professional Conduct.

Please keep your answer within 2,000 words. Indicate your name and word count on your answer.

Email your answer to me (egoldman@gmail.com) no later than 4:00 pm, May 20, 2013. I will confirm receipt by email after I confirm that I can open and print your answer. Late submissions will get an automatic F. NO EXCUSES.



Albert Guibara's sculpture garden
Dawdy Photography, Burlingame, CA

UNIQUE CAR—UNIQUE FIRM

The unique car—a 1954 Bentley Special racer, body by Robert Peel. The unique firm—O'Reilly Collins, one of the most successful plaintiff's trial law firms in the United States. This car has large, mechanical drum brakes and a suspension usually seen on trucks. Over the past 40 years, we have learned how cars handle and how to thoroughly investigate accidents. We have used this knowledge to good effect.

In fact, we have won scores of multimillion-dollar verdicts and settlements in personal injury, product liability, auto and aviation disasters and other catastrophic accidents. *U.S. News & World Report* recently named us one of the "Best Law Firms" in the United States. *Simply put, we get results.*

O'Reilly Collins

The premier trial law firm in Northern California

Terry O'Reilly, Jim Collins, Nina Shapirshteyn and Matt O'Reilly

Terry O'Reilly has been selected to *Super Lawyers*® in consecutive years from 2004 through 2012.

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