

# Contents

Foreword	v
LORD MANCE	
List of Contributors	ix
Tables of Cases	xi
Table of Legislation	xxvii
Current Themes in the Law of Contract Damages: Introductory Remarks	i
DJAKHONGIR SAIDOV AND RALPH CUNNINGTON	
Part I The Purpose and Scope of Damages	
1 The Law of Damages: Rules for Citizens or Rules for Courts?	33
STEPHEN A SMITH	
2 Economic Aspects of Damages and Specific Performance Compared	65
DANIEL FRIEDMANN	
3 The Scope of the CISG Provisions on Damages	91
INGEBORG SCHWENZER AND PASCAL HACHEM	
4 Using the UNIDROIT Principles to Fill Gaps in the CISG	107
JOHN Y GOTANDA	
Part II The Measures of Damages	
5 The Economic Basis of Damages for Breach of Contract: Inducement and Expectation	125
ANTHONY OGUS	
6 Damages and the Protection of Contractual Reliance	139
PETER JAFFEY	
7 Are 'Damages on the Wrotham Park Basis' Compensatory, Restitutionary or Neither?	165
ANDREW BURROWS	
8 Gains Derived from Breach of Contract: Historical and Conceptual Perspectives	187
STEPHEN WADDAMS	
9 The Measure and Availability of Gain-based Damages for Breach of Contract	207
RALPH CUNNINGTON	

**Part III Methods of Limiting Damages**

- 10 The Limitation of Contract Damages in Domestic Legal Systems and International Instruments** 245  
ALEXANDER KOMAROV
- 11 No Need to Limit Where There is No Promise?** 265  
JAN RAMBERG
- 12 Remoteness: New Problems with the Old Test** 277  
ADAM KRAMER
- 13 *Hadley v Baxendale* v Foreseeability under Article 74 CISG** 305  
FRANCO FERRARI
- 14 The Role of Mitigation in the Assessment of Damages** 329  
HARVEY MCGREGOR QC

**Part IV The Assessment of Damages**

- 15 Expectation Damages: Avoided Loss, Offsetting Gains and Subsequent Events** 349  
DAVID McLAUHLAN
- 16 Damage to Business Reputation and Goodwill under the Vienna Sales Convention** 389  
DJAKHONGIR SAIDOV
- 17 Actual Damages, Notional Damages and Loss of a Chance** 419  
MICHAEL FURMSTON
- 18 The Market Rule of Damages Assessment** 431  
MICHAEL BRIDGE
- 19 Changes in Monetary Values and the Assessment of Damages** 459  
CHARLES PROCTOR