



Figure 3: What a Massachusetts judge might see mid-way through a lawsuit. Greenspun is the plaintiff. He alleges that Smyly Dodge stole his car stereo while servicing his car. The ovals marked "pF" are facts that Greenspun asserts support all the elements of a Consumer Protection Act claim. While it might be valuable to present one side's case to a judge in just this schematic form, it is even better to see the other side's counterarguments superimposed in a different color (alas impossible in this proceedings).

The big A's indicate that Smyly admits that Greenspun is a consumer and that they are a business. The big D's and supporting defendant facts ("DF") are part of Smyly's argument but another critical part is shown by the big X's. What is being disputed with the topmost X is not that the demand letter contained a 2nd paragraph, but whether or not the text of that paragraph stated the injury suffered sufficiently precisely to satisfy the statute. Because of this X, KTA has marked the element "p gave notice" under dispute by surrounding it with a red rectangle (in practice, this is done on-screen by displaying the text in red).

Note: this figure is loosely based on a real lawsuit, *Greenspun v. Smyly Autos*, but does not accurately represent the legal arguments actually made. The original documents are available on the Web at <http://smyly.com/smyly>