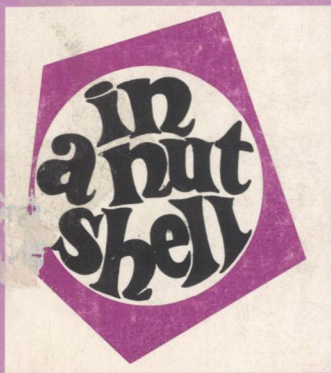


# Res Judicata



ROBERT C. CASAD



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# PREFACE

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Important and pervasive as *res judicata* is, it is curious that there are no single-volume treatments of the subject designed to help the struggling first-year Procedure student. There is a RESTATEMENT OF JUDGMENTS, and there is a tentative draft of part of a RESTATEMENT, SECOND. There is Professor Allan Vestal's monograph, *RES JUDICATA/PRECLUSION*. There are numerous law review articles dealing with various aspects of the subject. But helpful as all these are, they do not meet the need of the law student. It is my hope, of course, that this book will.

The aim is to present in an orderly fashion the major themes of the subject: the policies, principles, rules and major decisions. Enough material is provided in this book to answer most of the questions the student will likely ask, or be asked about, but cases and reference authorities are cited for those who wish to pursue particular points in greater depth and detail.

ROBERT C. CASAD

Lawrence, Kansas

June, 1976

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VII

# ABBREVIATIONS

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The works listed below are cited frequently in this book, and to eliminate the need for a complete citation in every instance, the indicated abbreviations will be used.

- RESTATEMENT — American Law Institute,  
Restatement of the Law of  
Judgments, (1943)
- RESTATEMENT  
(Second) (1) — American Law Institute,  
Restatement of the Law  
Second: Judgments, (Ten-  
tative Draft No. 1, 1973)
- RESTATEMENT  
(Second) (2) — American Law Institute,  
Restatement of the Law  
Second: Judgments, (Ten-  
tative Draft No. 2, 1975)
- VESTAL — Vestal, Res Judicata/Pre-  
clusion, Michie, 1969
- MOORE — 1B Moores Federal Prac-  
tice, 2d edition, 1965
- Developments — Developments in the Law:  
Res Judicata, 65 HARV.L.  
REV. 818 (1952)

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