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Examples of Equitable Remedies. Common equitable remedies include the following: Specific performance; Injunction; Restitution; Specific performance. A court may issue specific performance as an alternative remedy to damages, depending on the circumstances. This example involves two parties, Ann and Cheryl. Ann signs a contract to sell a gold samovar to Cheryl.

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remedies damages equity and restitution

Restitution—Wikipedia

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The Uniform Commercial Code ("UCC") entitles a buyer who defaults restitution of the buyer's deposit to the extent it exceeds reasonable liquidated damages or actual damages. If the contract does not have a liquidated damages clause, the UCC provides a statutory sum: 20% of the price or \$500, whichever is less, and the buyer who defaulted is entitled to restitution of any excess.

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The equitable remedies are specific performance (an order directing a person to deliver to the buyer the unique thing the seller contracted to sell), injunction (an order directing a person to stop doing that which he should not do), and restitution (the return by one party of the benefit conferred on him when the contract is not performed, to the extent necessary to avoid imposing a penalty on the breaching party).

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Equitable Remedies

This Practice Note on recovering damages sets out the general principles of the remedy of damages, in contract (contractual damages), tort (tortious damages/tortious compensation) and equity (equitable compensation) and including 'negotiating damages', as termed by Lord Reed in the Supreme Court decision in *Morris-Garner v One Step*, and the requirement to elect between different available remedies and the contribution to damages between wrongdoers.

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This Practice Note on recovering damages sets out the general principles of the remedy of damages, in contract (contractual damages), tort (tortious damages/tortious compensation) and equity (equitable compensation) and including 'negotiating damages', as termed by Lord Reed in the Supreme Court decision in *Morris-Garner v One Step*, and the requirement to elect between different available remedies and the contribution to damages between wrongdoers.