

**78B-4-304 Pleading requirements.**

- (1) In any action commenced under the provisions of Subsection 78B-4-303(2), the complaint or petition shall state with particularity the following:
  - (a) the statute, rule, regulation, ordinance, or other law that was allegedly violated;
  - (b) the facts that are alleged to constitute a material violation of the statute, rule, regulation, ordinance, or other law; and
  - (c) the facts alleged to demonstrate that the violation proximately caused actual injury to the plaintiff.
- (2) The complaint or petition shall also state with particularity facts sufficient to support a reasonable inference that the violation was with intent to deceive or injure consumers or with the actual knowledge that the violation was injurious to consumers.

Renumbered and Amended by Chapter 3, 2008 General Session