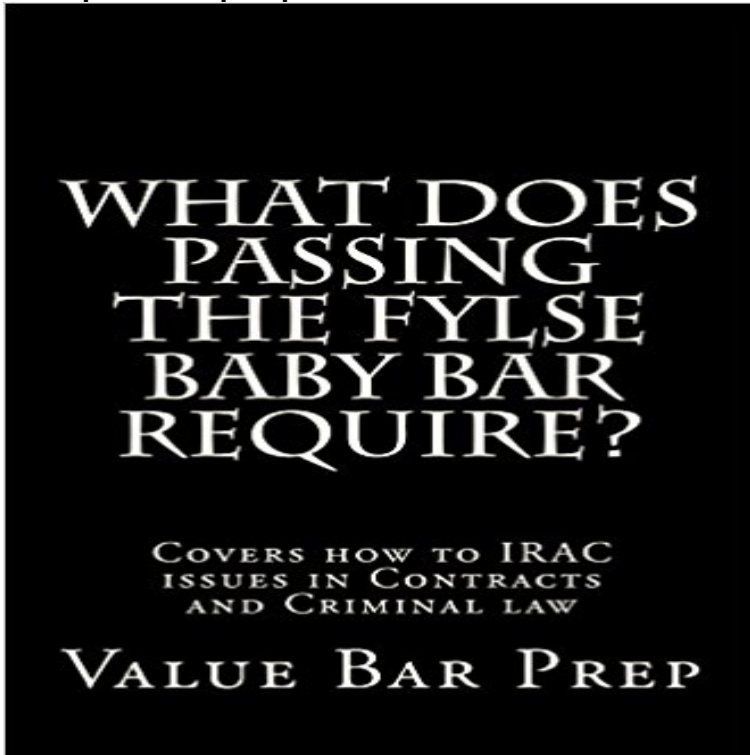


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But - in a 3rd party beneficiary contract the  
intended beneficiary is actually named (or  
described) in the contract itself as the one  
to receive the actual performance itself  
from one (or sometimes both) parties. -  
written by authors of 6 published model  
bar essays!!!!!! Example: Daddy hires  
Teacher to teach Student some Oregon  
Constitutional law. If Teacher teaches  
Daddy instead - its a breach of the clear  
terms of the agreement. Teacher must  
teach Student under the intended actual  
terms of this contract, not Daddy even  
though daddy made the contract. [Student  
is the named/described intended  
beneficiary.]

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