

In the United States Court of Appeals
For the Seventh Circuit

No. 00-2327

Claudine W. Jordan, on behalf of herself
and a class of others similarly situated,

Plaintiff-Appellant,

v.

Toyota Motor Credit Corporation,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Illinois, Eastern Division.
No. 97 C 6697--Ann Claire Williams and James B. Moran,
Judges.

Argued November 27, 2000--Decided January 9, 2001

Before Bauer, Posner, and Easterbrook, Circuit Judges.

Easterbrook, Circuit Judge.

Five years ago we held that a consumer lease need not explain the "sum-of-the-digits method" for computing an early termination charge; it is enough to give the method's name. *Channell v. Citicorp National Services, Inc.*, 89 F.3d 379, 382-83 (7th Cir. 1996). The portion of the Truth in Lending Act applicable to leases, see 15 U.S.C. sec.1667a, requires the lessor's method for determining any early termination charge to be disclosed in a "clear and conspicuous manner". Emphasizing the word "manner," *Channell* concluded that the required information must stand out but need not be simple enough for ordinary customers to grasp. In the current case a class of auto lessees contends that a lease's reference to the "constant-yield method" of calculating an early termination charge is too abstruse to be "clear." Plaintiffs allow that the language is "conspicuous" but deny that it is "clear" unless the average consumer can understand how the method works. Judge Williams thought this argument foreclosed by *Channell* and dismissed the claim. 1999 U.S. Dist. Lexis 2553 (N.D. Ill. Feb. 24, 1999). After Judge Williams joined this court, what was left of the case fell to Judge Moran, who dismissed the remaining allegations, 2000 U.S. Dist. Lexis 5960 (N.D. Ill. Apr. 25, 2000), producing an appealable judgment.

Plaintiffs recognize that *Channell* is against them and ask us to overrule that decision. We decline, and not only because of *stare decisis*. *Channell* noted that the Federal Reserve (which has regulatory authority under the TILA) had proposed a regulation that would explicitly

