

ANY LABEL OR PRICE TAG; OR

(VII) FROMISE PERFORMANCE WHICH THE OFFENDER DOES NOT INTEND TO PERFORM OR KNOWS WILL NOT BE PERFORMED. THE DEFENDANT'S INTENTION OR ~~FELT~~ KNOWLEDGE THAT A PROMISE WOULD NOT BE PERFORMED SHALL NOT BE ESTABLISHED BY OR INFERRED FROM THE FACT ALONE THAT THE PROMISE WAS NOT PERFORMED.

(2) "DECEPTION" DOES NOT INCLUDE PUFFING OR FALSE STATEMENTS OF IMMATERIAL FACTS AND EXAGGERATED REPRESENTATIONS UNLIKELY TO DECEIVE ORDINARY PERSONS.

(C) "DEPRIVE" MEANS TO WITHHOLD PROPERTY OF ANOTHER:

(1) PERMANENTLY; OR

(2) FOR SUCH A PERIOD AS TO APPROPRIATE A PORTION OF ITS VALUE; OR

(3) WITH THE PURPOSE TO RESTORE IT ONLY UPON PAYMENT OF REWARD OR OTHER COMPENSATION; OR

(4) TO DISPOSE OF THE PROPERTY AND USE OR DEAL WITH THE PROPERTY SO AS TO MAKE IT UNLIKELY THAT THE OWNER WILL RECOVER IT.

(D) "EXERTS ~~UNAUTHORIZED~~ CONTROL" INCLUDES BUT IS NOT LIMITED TO THE TAKING, CARRYING AWAY, OR SALE, CONVEYANCE, TRANSFER OF TITLE TO, INTEREST IN, OR POSSESSION OF PROPERTY. THE TERM "EXERTS CONTROL" DOES NOT INCLUDE TRESPASSING ON THE LAND OF ANOTHER OR OCCUPYING WITHOUT AUTHORIZATION THE LAND OF ANOTHER.

(E) "KNOWINGLY" - A PERSON ACTS KNOWINGLY WITH RESPECT TO CONDUCT OR TO A CIRCUMSTANCE DESCRIBED BY A STATUTE DEFINING AN OFFENSE WHEN HE IS AWARE OF HIS CONDUCT OR THAT THE CIRCUMSTANCE EXISTS. A PERSON ACTS KNOWINGLY WITH RESPECT TO THE RESULT OF CONDUCT DESCRIBED BY A STATUTE DEFINING AN OFFENSE WHEN HE IS ~~AWARE THAT IT IS~~ HIGHLY PROBABLE PRACTICALLY CERTAIN THAT THE RESULT WILL BE CAUSED BY HIS CONDUCT. WHEN KNOWLEDGE OF THE EXISTENCE OF A PARTICULAR FACT IS AN ELEMENT OF AN OFFENSE, THAT KNOWLEDGE IS ESTABLISHED IF A PERSON IS AWARE OF A HIGH PROBABILITY OF ITS EXISTENCE EQUIVARIANT TERMS SUCH AS "KNOWING" & "WITH KNOWLEDGE" HAVE THE SAME MEANING

(F) "OBTAIN" MEANS:

(1) IN RELATION TO PROPERTY, TO BRING ABOUT A TRANSFER OF INTEREST OR POSSESSION, WHETHER TO THE OFFENDER OR TO ANOTHER; AND

(2) IN RELATION TO SERVICES, TO SECURE THE PERFORMANCE THEREOF.

(G) "OWNER" MEANS A PERSON, OTHER THAN THE OFFENDER, WHO HAS POSSESSION OF OR ANY OTHER INTEREST IN THE PROPERTY