**Spring 2022–BUSINESS LAW 280-05 – 4566 (INTRODUCTION TO BUSINESS LAW)**

**COURSE SYLLABUS**

**COURSE INFORMATION:**

Class #4566 Tuesdays/Thursdays 2:00 p.m. – 3:15 p.m.

Instructor: Professor Sandor E. Samuels

Office: Bookstein Hall, Room 3238

E-mail: sandor.samuels@csun.edu

Class Room: Bookstein Hall, Room 1234

Office Hours: Tuesdays: 10:00 p.m. to noon. Office hours are also available by appointment. Even during office hours, please try to make an appointment.

**Text**: Business Law – The Ethical, Global, and E-Commerce Environment, Prenkert, Barnes, Perry, Haugh and Stemler, **18th ed.**, (2022). ISBN 978-1-260-73689-2 (bound edition).

**DO NOT BUY THE 17th EDITION. IT IS OUT OF DATE.**

**NOTE**: The Prenkert text will be our primary textbook during the semester. You MUST have the textbook **prior** to the start of class. **In fact, there is a reading assignment that you MUST complete BEFORE the first class session (see below).**

The Matador Bookstore has the hardcover text available. It costs roughly $220 new or $165 used. There is also a rental program through which you can rent a copy of the text for around $100 for the semester. These costs are estimates, they may have changed since the printing of this syllabus. Further, as part of the Business Law Department's efforts to make textbooks more affordable, all students of core BLAW classes are also offered the following options of purchasing text materials. You may purchase a soft cover BLAW 280-specific paperback version from the Matador bookstore (ISBN-13: 9781307707328); or you may get the e-book version at the bookstore or through the website csuncampusstore.com, and enter the specific ISBN number (Prenkert, 18th ed.). For our class, you will need to have the Prenkert text materials for BLAW I (BLAW 280) -- Chapters 1, 2, 4, 6, 7, and 9-18. You will find that you will want to bring the relevant chapters to class as we will refer to the text in class on many occasions.

**COURSE OVERVIEW:**

The course provides an overview of the legal environment in which business decisions are made. The course will cover topics relating to the court system and procedure. We will analyze how the legal system in the United States has been created and how it is modified to address changing concerns. We will study the law of torts ╤ the legal concept of "private wrongs" which set standards of conduct in our society. We will then cover the law of contracts, which creates legal obligations and enforces agreements.

The course is taught through lecture to some degree, but also through class discussion. We will focus on how the law applies to various factual settings. During the course, you will read court decisions, prepare written briefs of the decisions, orally defend your interpretations of the cases, and answer hypothetical questions in open class discussions. You will learn to apply rules depending on changing facts and circumstances in various cases and hypotheticals. You will learn to argue alternate sides of a dispute regardless of your personal beliefs. You will learn to identify the functions, policies and trends in the law, and to consider the social, economic and ethical influences on the law.

**Communicating/Class Room Discussion in the Socratic Method/Homework:**

One of the key goals of this course will be to learn basic principles of law and to evaluate critically those principles in various factual situations. This course will also demand that students communicate, both in writing and orally, the results of their reasoning and thinking; and that communication will involve both oral communication in class and written communication in a few written assignments (and of course the quizzes, mid-term and final exams). In the "real world," understanding the law is important, being able to apply the law to a given set of facts is even more important, but being able to communicate it effectively, in writing and orally, is critical.

Thus, the classroom will be an active learning environment. Classes will be conducted in a combination of lecture, active class discussion and the "Socratic Method" of instruction. **That means that it is critical to read the assigned text and cases before class begins. I cannot emphasize enough the importance of reading the course material in advance of each of our class discussions. My experience in teaching makes it clear that the students who come prepared to class outperform the other students by a huge margin.** On occasion, you may find that the reading material is difficult to understand in advance of class; however, even if you are not able to fully grasp the material reading it on your own, you will still be in a far better position to understand it through class discussion if you prepare the assignments in advance. I will also be available after class and during office hours to explain the concepts you do not master in class.

In class, you should be prepared to orally defend your interpretation of the cases and to answer hypothetical questions in open class discussions. You should learn to argue alternate sides of a dispute regardless of personal belief. Expect to be called on randomly in class. Participation will NOT be limited to "volunteers". Frankly, the success of the class as a whole and your own success within the class are highly dependent on your ability to be prepared for class, including doing the informal briefing and other requirements set forth below.

**CASE Briefing and Answering Assignments/Grading/ Class Participation:**

**What is a Case Brief?**

When the Syllabus indicates a requirement to "Brief" a specific case, you will need to do so in writing. **The Syllabus specifies the two dates in the semester in which two FORMAL case briefs are to be submitted for a grade.** Briefs are due at the start of the class period on those due dates. **I will also be collecting at least one of your briefs each month as set forth in the Class Assignments below**. These briefs will be included in your Class Participation point total (see below).

As is noted in the Assignments section of the Syllabus, you should informally brief the other cases assigned as a tool for note taking, as a means of preparing for class discussion and as a means of practicing brief-writing in advance of the formal written assignments. I will be assigning a brief to two students at random for each class (check Announcements in Canvas for your specific assignment). In addition, I will be calling on students at random during class to brief other cases that have been assigned, so having your brief in hand will help you be prepared and serves as great practice for written communication. On other occasions during the semester, I may require students to submit other homework beyond what is listed in this Syllabus. The homework might be as little as handing in a statement of the "Issue" in a case (see below) in order to make sure students are "getting" the concepts presented in class.

**How to Write a "Brief"**

We will discuss brief-writing extensively in class, but the following provides a very good guide, too.

When you submit the full written briefs, you will need to use the following **"I-R-A-C' (Issue-Rule-Application-Conclusion) format**:

**Issue**: What question must be answered in order to reach a conclusion in the case? The Issue MUST be expressed in the form of a legal question which, when answered, gives a result in the particular case. Make it specific (e.g. "Has there been a false imprisonment if the plaintiff was asleep at the time of 'confinement'?") rather than general (e.g. "Will the plaintiff be successful?"). You may make it referable to the specific case being briefed (e.g. "Did the Defendant Osco, Inc. owe a duty of care to the Plaintiff Miller when Miller was trespassing on Osco’s property?"), or you can frame it so that the issue can apply to all cases that present a similar question (e.g. "Is a duty owed whenever there is an employment relationship?"), the latter approach being preferred. Many cases present more than one issue; if there is more than one issue, it is OK to write more than one, but be sure to list the principal one and focus on that.

**Rule**: The rule is the law that applies to the principal issue. It should be stated as a general principal, (e.g. A duty of care is owed whenever the defendant should anticipate that her conduct could create a risk of harm to the plaintiff.) not a conclusion to the particular case being briefed, (e.g. "The plaintiff was negligent."). Typically, the Rule can be expressed in one or two sentences.

**Application**: The Application is a discussion of how the rule applies to the facts of a particular case. Essentially, the "Application" is a description of the relevant facts, the parties’ arguments and positions in the case, and the court's thought process by which it answered the Issue and established the Rule. While the Issue and Rule are normally only one or two sentences each, the Application section of a Brief should be two to four paragraphs long. It should be written debate, not simply a statement of the conclusion. Whenever possible, present both sides of any issue. Do not begin with your conclusion. The Application shows how you are able to track the court's reasoning on paper and is the most difficult skill you will learn. It is also permissible to put the relevant facts of the case in a separate section of the brief labeled

**Conclusion**: What was the result of the case? Did the Appellate or Supreme Court affirm, reverse or reverse and remand the lower court’s decision?

With cases, the text gives you a background of the facts along with the judge's reasoning and conclusion. When you brief cases, you are basically summarizing the judge's opinion. Most briefs should not have to exceed more than two pages in length PER CASE. To help you in briefing cases in class, you should review the Appendix on pages 22-23 of the Prenkert text, including the sample brief for Price v. High Pointe Oil Company, Inc. that I provided in the Modules section of Canvas.

**Turning in Formal Briefs and Answers to Chapter Questions**

As noted above, on at least two occasions, you will be asked to formally prepare and turn in briefs of cases in the textbook for a grade of up to 25 points. You should make sure that you submit your briefs through Canvas prior to the assigned time for turning in the brief. For homework you may also, on occasion, be asked to turn in additional briefs and/or answers to questions posed at the end of each chapter.

**Grading**

Grading is based on a combination of evaluation of homework assignments, class participation, quizzes, the mid-term exam and the final exam. The grade allocation will be based on points roughly as follows:

A. Written assignments – Briefs and other homework collectively comprise roughly 20% - 25% of the course grade. There may be other homework assignments given during the semester that will be included in this category of points.

B. Class participation –Class participation comprises roughly 5%-10% of the course grade – See further below.

C. Midterm exam – The midterm exam comprises roughly 20% - 25% of the course grade – closed book, but one single-sided page of notes allowed.

D. Short quizzes on tort and contract law – Quizzes comprise roughly 20% - 25% of the course grade – closed book.

E. Final exam – The final exam comprises roughly 25% - 30% of course grade – closed book, but one single-sided page of notes allowed.

**Grading Scale**

**The final grade, which is based on an individual student’s point total, will be determined on a curve**. **The percentage grade given in Canvas should be ignored because it assumes that 90% and above is an A, 80% - 89% is a B, 70% - 79% is a C, and so forth. I will be announcing after each assignment, quiz and exam what the applicable grade breakdown is based on the curve for the particular assignment, quiz or exam.**

**Class participation**

As noted above, your semester grade is affected by whether you have been prepared when called on for discussion and presentation of case briefs, your general participation in class discussions, and the briefs you will be asked to turn in. Class participation incorporates attendance, demonstration of preparedness when called on involuntarily, the quality of the briefs you turn in, and, particularly, your voluntary contributions made to class discussions. At the end of the semester, I will assign a number of points to each student’s point total from 0-30 based on these factors.

**Exams**

The mid-term, short quizzes and final exam will be composed of: (i) one or more essay questions which require you to analyze the facts, identify legal issues and apply the law in determining the outcome of hypothetical cases; (ii) short answer questions involving analysis of fact situations; and (iii) multiple-choice, true-false and/or fill-in-the-blank questions often focusing on key terms and basic principles.

The final and mid-term exams will be "semi-closed book". "Semi-closed" means that you may bring a maximum of ONE SIDE OF ONE 8.5" BY 11" PIECE OF PAPER ONLY containing notes (typed or handwritten) to the exam and you may use that single sheet during the exam. All other study materials must be completely out of sight. Whatever font or margins you want to use on the one side of paper are acceptable.

HOWEVER, PLEASE NOTE THAT ALL QUIZZES WILL BE CLOSED BOOK - NO MATERIALS WILL BE PERMITTED TO BE USED ON QUIZZES.

**Reading Assignments**

The following chart outlines the Class Sessions, Topics and Work to be done in time for that class. In other words, for the date shown, the applicable "Work" is to be completed prior to the start of that day's class. (Of course, this syllabus is subject to change during the semester and assignments may be altered). Announcements will be made in class; therefore, attendance in class is essential. If you must miss class, you are nevertheless responsible for what was discussed in that class.

PLEASE BE PREPARED FOR CLASS. IN MY EXPERIENCE, THE STUDENTS WHO ARE MOST PREPARED FOR CLASS (THROUGH READING MATERIAL ON TIME, PREPARING BRIEFS, ETC.) NOT ONLY "SCORED" BETTER ON THE HOMEWORK ASSIGNMENTS AND CLASS PARTICIPATION, BUT ALSO SCORED HIGHER ON THE EXAMS, AND THUS, EARNED HIGHER GRADES IN THE CLASS.

I cannot emphasize enough the value of being prepared in advance of class. Much of the material will be hard to "get" on your own, but if you prepare by reading the assignments and attempting to brief the cases in advance of class, even if you don't "get it" on your own at first, it is highly likely that you will be able to grasp the material during class when it is discussed. If, however, you still do not understand a concept after discussion in class, please ask either during class or come to my office during my office hours.

**Academic Honesty**

We will adhere to the university’s policy on academic honesty. For each examination, you will be asked to sign the following pledge: “I pledge on my honor that during this examination, I have neither given nor received assistance.” Instances of academic dishonesty will result in a grade of “F” for the course and will be referred to the Dean's office for further action.

**Name of My First Dog**

The name of my first dog was Scampy.

**ASSIGNMENTS**

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| Date | Class Topics | Work Due |
| Class 1 Tuesday January 25 | Discussion of Syllabus and Class organization issues;Briefing Cases | Read the Syllabus. There will be a short quiz on some of the contents of the Syllabus.Read pages 1-3 (pg. 1) through 1-10 (pg. 8) (through Classification of Law); and pages 1-29 (pg. 27) through 1-30 (pg. 28) (Appendix). Skip the Advance Dental Care case. I have also prepared a sample brief for the Price v. High Pointe Oil case posted on Canvas. Also, review the Nature of Law posted on canvas.YOU MUST COMPLETE THIS READING ASSIGNMENT BEFORE THE FIRST CLASS AND BE PREPARED TO DISCUSS THE MATERIAL IN CLASS. |
| Class 2ThursdayJanuary 27 | Nature of Law; Case Law Reasoning: Statutory Interpretation | Read pages 1-13 (pg. 11) (The Functions of Law) through 1-15 (pg. 13) (up to but not including the Coomer case). Then, read pages 1-18 (pg. 16) through 1-24 (pg. 22). We will be discussing the 5 tools that often guide a judge’s interpretation of a statute in deciding cases. For this class, skip the Coomer and Oakhurst Dairy cases. We will be discussing them in Class 3. Be prepared to answer the question at the end of the "Cyberlaw In Action" box on page 1-27 (pg. 25) comparing Chicago Lawyers Committee v. Craigslist case with Fair Housing Councils of the San Fernando Valley and San Diego v. Roommates.com (see Problem Case 10 on pages 1-33 (pg. 31) for the Roomates.com case).Also be prepared to discuss the Hagan v. Coca Cola Bottling Company case (see Problem Case 6 on page 1-31 (pg. 29)) |
| Class 3Tuesday February 1 | Statutory Interpretation (continued as we brief cases) | Read pages 1-15 (pg. 13) through 1-26 (pg. 24). Informally brief Coomer v. Kansas City Royals Baseball Corp., O’Connor v. Oakhurst Dairy, and James v. City of Costa Mesa. Also, be prepared to discuss the AT&T Problem Case 8 on page 1-32 (pg. 30). |
| Class 4 Thursday February 3  | Resolution of Private Disputes – Federal Courts, State Courts and Civil Procedure; Pleadings  | Read pages 2-1 (pg. 33) through 2-6 (pg, 38). Informally brief Abdouch v. Lopez. Skip pages 2-6 (pg. 38) (from the Global Business Environment) through 2-8 (pg. 40); then read page 2-8 (pg. 40) (In rem jurisdiction) through page 2-15 (pg. 47) (up to Discovery). **(continue on next page)****FORMALLY BRIEF HERTZ CORP. V. FRIEND. THIS BRIEF MUST BE TURNED IN NO LATER THAN THE BEGINNING OF CLASS 5 ON TUESDAY, FEBRUARY 8. THE BRIEF WILL BE GRADED. WE WILL DISCUSS THE HERTZ BRIEF AT THE BEGINNING OF CLASS 5.** |
| Class 5 Tuesday February 8 | Discovery; Summary Judgment; Court Proceedings | Read pages 2-15 (pg. 47) through 2-20 (pg. 52) (up to Class Actions). Review Problem Case 8 on page 2-31 (pg. 63) and be prepared to discuss the answer to this Problem Case in class. |
| Class 6 Thursday February 10 | Class Actions; Alternative Dispute Resolution (ADR);Introduction to Torts | Read pages 2-20 (pg. 53) through 2-28 (pg.60). Informally brief Tyson Foods v. Bouaphakeo and AT&T Mobility v. ConcepcionRead pages 6-1(pg. 99) through 6-6 (pg. 104). Informally brief Mathias v. Accor Economy Lodging.  |
| Class 7TuesdayFebruary 15 | Intentional Torts --Battery, Assault, Intentional Inflicting of Emotional Distress, False Imprisonment | Read pages 6-1 (pg. 99) through 6-12 (pg. 110), but skip Banks v. Lockart. Brief and be prepared to discuss Durham v. McDonald’s Restaurants of Oklahoma, Inc. and Farrell v. Macy’s Retail Holdings, Inc. Also, be prepared to discuss Problem Case 2 on page 6-39 (pg. 137) (Howard v. Wilson) and Problem Case 4 on pages 6-40 (pg. 138) to 6-41 (pg. 139) (Pope v. Rostraver). |
| Class 8ThursdayFebruary 17 | Defamation | Read pages 6-13 (pg. 111) through 6-26 (pg. 124). Be prepared to discuss Neumann v. Liles, Bertrand v. Mullin and Obsidian v. Cox, and Case Problem 5 on page 239. Figure 6.1 on page 6-27 (pg. 125) is helpful to keep straight the different defamation fault requirements and rules on damages.  Please focus on New York Times v. Sullivan discussed in the text on page 6-18 (pg. 116). In order to understand the issue of defamation of public figures, you MUST read the Wikipedia selection on New York Times v. Sullivan. .**HOMEWORK ASSIGNMENT: WHAT IS THE ISSUE PRESENTED BY THE CASE DESCRIBED IN CASE PROBLEM 7 ON PAGE 6-42 (PG. 140) (DR. DAVID KIPPER). THIS HOMEWORK ASSIGNMENT MUST BE TURNED IN NO LATER THAN THE BEGINNING OF CLASS 9 ON TUESDAY, FEBRUARY 22. THE ASSIGNMENT WILL BE GRADED. WE WILL DISCUSS THE ISSUE AT THE BEGINNING OF CLASS 9.** |
| Class 9Tuesday February 22 | Invasion of Privacy, Nuisance and Conversion issues | Read pages 6-27 (pg. 125) through 6-39 (pg. 137). Informally brief Toyo Tire North America Manufacturing, Inc. v. Davis. **HOMEWORK: FORMALLY BRIEF JORDAN V. JEWEL FOOD STORES, INC. THIS BRIEF MUST BE TURNED IN NO LATER THAN THE BEGINNING OF CLASS 11 ON TUESDAY, MARCH 1. THE BRIEF WILL BE GRADED. WE WILL DISCUSS THE HERTZ BRIEF AT THE BEGINNING OF CLASS 11.** |
| Class 10ThursdayFebruary 24 | THERE WILL BE A MIDTERM ON NATURE OF LAW AND ON INTENTIONAL TORTS | THE MIDTERM WILL COVER R THE MATERIAL PRESENTED IN CLASSES 1 - 9. |
| Class 11TuesdayMarch 1 | Negligence – Duty/Breach of duty concepts | Read pages 7-1 (pg. 145) through 7-13 (pg. 157). Informally brief Magrie v. Jazz Casino, Co., LLC, Currie v. Chevron and Lord v. D&J Enterprises, Inc. Be prepared to discuss Case Problem 5 on page 281 and Case Problem 7 on page 7-37 (pg. 181). |
| Class 12Thursday March 3 | Negligence per se;Causation – Actual and Proximate Cause; Intervening Cause | Read pages 7-14 (pg. 158) (beginning with Negligence Per Se) through 7-27 (pg. 171) (up to Res Ipsa Loquitur). Informally brief Winger v. CM Holdings, LLC, Philibert v. Kluser, Black v. William Insulation, and Stahlecker v. Ford Motor Company. Be prepared to discuss Case Problem 2 on page 7-34 (pg. 178) – 7-35 (pg. 179). Additional reading and viewing: Read the Wikipedia summary of the famous Palsgraf v. Long Island Railroad case and watch the You Tube video of the Lego version (really!) of the case facts. You will enjoy it. Here is the link:<http://www.youtube.com/watch?v=mDEbTudkjhc&feature=related>.**HOMEWORK ASSIGNMENT: WHAT IS THE ISSUE IN PALSGRAF V. LONG ISLAND RAILROAD? MAKE SURE YOUR ANSWER IS IN THE FORM OF A QUESTION. THIS HOMEWORK ASSIGNMENT MUST BE TURNED IN NO LATER THAN THE BEGINNING OF CLASS 13 ON TUESDAY, MARCH 8. THE ASSIGNMENT WILL BE GRADED. WE WILL DISCUSS THE ISSUE AT THE BEGINNING OF CLASS 13.** |
| Class 13Tuesday March 8 | Res Ipsa Loquitur;Defenses to Negligence claim; Comparative Negligence; Assumption of the Risk; Strict Liability; Tort Reform | Read pages 7-27 (pg. 171) through 7-34 (pg. 178). Informally brief Toms v. Calvary Assembly of God, and be prepared to discuss Case Problem 10 on pages 7-38 (pg. 182) – 7-39 (pg. 183) (Dyer v. Maine Drilling & Blasting, Inc.). |
| Class 14 Thursday March 10 | Completion of any remaining Tort issues | Complete discussion of any remaining tort issues; Mid-Term Review |
| Class 15 Tuesday March 15 | QUIZ on Negligence | The Quiz on Negligence covers the material read and discussed from Classes 10-14 |
| Class 16 Thursday March 17  | Intro to Contracts; Basic Contract Concepts and Types | Read pages 9-3 (pg. 185) through 9-8 (pg. 190). Informally brief Trapani Construction Co. v. Elliot Group, Inc. Also be prepared to discuss Class Problem 2 on page 9-18 (pg. 200) (Lambert v. Barron). |
| Tuesday March 22 | Spring Break | No Class |
| ThursdayMarch 24 | Spring Break | No Class |
| Class 17TuesdayMarch 29 | Sources of Law: Non-Contract Obligations | Read pages 9-9 (pg. 191) through 9-13 (pg. 195) (up to Promissory Estoppel). Informally brief Grimes v. Young Life, Inc., and be prepared to discuss it. Also be prepared to discuss Problem Case 1 on page 9-18 (pg. 200) (Jackson v. Connecticut Lottery Corporation)**HOMEWORK ASSIGNMENT: FORMALLY BRIEF GRIMES V. YOUNG. THIS BRIEF MUST BE TURNED IN NO LATER THAN THE BEGINNING OF CLASS 18 ON TUESDAY, APRIL 5. WE WILL DISCUSS THE BRIEF AT THE BEGINNING OF CLASS 18.** |
| ThursdayMarch 31 | Caesar Chavez Holiday | No Class |
| Class 18TuesdayApril 5 | Promissory Estoppel; Offers | Read pages 9-13 (pg. 195) through 9-17 (pg. 199), and pages 10-3 (pg. 203) through 10-7 (pg. 209). Informally brief PWS Environmental, Inc. v. All Clear Restoration and Remediation, LLC, Thomas v. Archer, Domingo v. Mitchell, and J.D Fields & Company v. United States Steel International, Inc. Also, be prepared to discuss Problem Case 9 on page 9-20 (pg. 202) (Aceves v. U.S. Bank). |
| Class 19Thursday April 7 | Special Offer Problem Areas; Termination of Offers | Read pages .10-7 (pg. 209) through 10-18 (pg. 220). Informally brief Kolodziej v. Mason, Cordas v. Uber Technologies, Inc. and D’Agostino v. Federal Insurance Company, and be prepared to discuss them. Also, be prepared to discuss Problem Cases 4 (Bill Maher and Donald Trump) and 5 (the Pepsi Points case) on page 10-19 (pg. 221). |
| Class 20TuesdayApril 12  | Acceptance of Contracts -- 1\* Intent | Read pages 11-1 (pg. 223) through 11-9 (pg. 231) (up to When is Acceptance Communicated). Informally brief Long v. Provide Commerce, Inc., Pena v. Fox, and Duro Textiles, LLC v. Sunbelt Corporation. Also be prepared to discuss Problem Case 5 on page 11-20 (pg. 242 (Trademark Properties v. A&E Television Networks) and Problem Case 8 on page 11-21 (pg. 243) (Pride v. Lewis). **HOMEWORK ASSIGNMENT: WHAT IS THE ISSUE IN PROBLEM CASE 5 TRADEMARK PROPERTIES V. A&E TELEVISION NETWORK, AND WHAT SHOULD THE PARTIES HAVE DONE TO AVOID THIS TYPE OF LITIGATION? THIS ASSIGMENT MUSE BE TURNED IN NO LATER THAN THE BEGINNING OF CLASS 21 ON THURSDAY, APRIL 14. WE WILL DICUSS THIS ASSIGNMENT AT THE BEGINNING OF CLASS 21.** |
| Class 21 Thursday April 14 | Acceptance of Contracts -- 2\* When is acceptance communicated?\* Forms of communication\* Acceptance issues | Read pages 11-9 (pg. 231) through 11-19 (pg. 241) (but skip Cabot Oil v. Daugherty Petroleum). Informally brief The United States Life Insurance Company in the City of New York v. Wilson, and Bauer v. Qwest Communications Company, and be prepared to discuss them.Also, be prepared to discuss Chapter Problems 1 (Citibank of South Dakota v. Wilson) and 3 (Belden v. American Electric Components) both on page 11-19 (pg. 241). |
| Class 22Tuesday April 19 | Introduction to Consideration | Read pages 12-1 (pg. 245) through 12-8 (pg. 252 (up to Preexisting Duties). Informally brief Steinberg v. United States, Day v. Fortune Hi-Tech Marketing, Inc. and Mid-American Salt, LLC v. Morris County Cooperative, and be prepared to discuss them. Also be prepared to discuss Problem Case 2 on page 12-18 (pg. 262) (Gotlieb v. Tropicana Hotel and Casino). |
| Class 23Thursday April 21 | ConsiderationAbsence of Consideration; Pre-Existing/Past duties; Consent | Read pages 12-8 (pg. 252) through 12-18 (pg. 262). Informally brief Welsh v. Lithia Vaudm, Inc., Doe v. Roman Catholic Archdiocese of Indianapolis, and McClelan v. Charly, and be prepared to discuss them. Also, be prepared to discuss Problem Case 1 (Sheba v. M.W. Kasch Co.) on page 12-18 (pg. 262), Problem Case 3 (Margeson v. Artis) on page 12-18 (pg. 262), and Problem Case 5 (King v. Boston College) on page 12-19 (pg. 263). |
| Class 24TuesdayApril 26 | Midterm Covering Offer,Acceptance and Consideration  | Midterm |
| Class 24Thursday April 28 | Reality of Consent | Read pages 13-1 (pg. 265) through 13-18 (pg. 282). Informally brief Stephen A. Wheat Trust v. Sparks, Timothy v. Keetch, Hicks v. Sparks, Patterson v. CitiMortgage, Inc., and Olmsted v. Saint Paul Public Schools, and be prepared to discuss them. Also be prepared to discuss Cyberlaw in Action on page 13-14 (pg. 278), and Ethics and Compliance in Action on page 13-15 (pg. 279).**HOMEWORK ASSIGNMENT: ANSWER QUESTIONS ON MISPRESENTATION, MISTAKE, DURESS AND UNDUE INFLUENCE. YOU WILL FIND THE QUESTIONS ON CANVAS. THE ASSIGNMENT MUST BE TURNED IN NO LATER THAN THE BEGINNING OF CLASS 25 ON TUESDAY, MAY 3. WE WILL DISCUSS THE ASSIGNMENT AT THE BEGINNING OF CLASS 25.** |
| Class 25TuesdayMay 3 | Capacity to contract | Read pages 14-1 (pg. 285) through 14-11 (pg. 295). Informally brief J.T ex rel. Thode v. Monster Mountain, LLC, Zelnick v. Adams, and Rogers v. Household Life Insurance Co. Also be ready to discuss the questions at the end of Ethics and Compliance in Action on page 14-4 (pg. 288). |
| Class 26 Thursday May 5 | Illegality/Legali-ty of Contract;Exculpatory Clauses | Read pages 15-1 (pg. 299) through 15-13 (pg. 311) (through Unfairness in Agreements). Informally brief Clark’s Sales and Service, Inc. v. Smith and Walters v. YMCA and be prepared to discuss them. |
| Class 27 Tuesday May 10 | Unfairness in Agreements; Contracts of Adhesion; Statute of Frauds/Writings | Read pages 15-13 (pg. 311) through 15-21 (pg. 319) and pages 16-1 (pg. 323) through 16-10 (pg. 332). Informally brief Singh v. Uber Technologies, Inc., Gamboa v. Alvarado, Dynergy, Inc. v. Yates, and Browning v. Priorer, and be prepared to discuss them. |
| Class 28ThursdayMay 12 | Complete Statute of Frauds/Writings; Parol Evidence RuleFinish any remaining contracts issues and review for Final Exam. | Read pages 16-11 (pg. 333) through 16-19 (pg. 341) Informally brief Green Garden Packaging Co. v. Schoenman Produce Co. and Yung-Kai Lu v. University of Utah. Also be prepared to discuss Problem Case 12 on page 16-23 (pg. 345) (Linscott v. Shasteen). I will conduct a review session. Be prepared to ask questions to help review for the Final Exam. The Final Exam will be cumulative – meaning that it will contain questions on all topics covered from the beginning of class to now, but it will emphasize contract law issues. |