SYLLABUS

Registration & Related Information

Class Times: M W 10:30-12:20  ROOM 133
Office Hours: M W 3:00-5:00

This course will introduce you to the basics of contract law. Befitting the subject matter, we will consider not only the case law, but also how lawyers negotiate and draft contracts.

Grading is based on class participation and a final exam.

Texts & Materials: Casebook (EPSTEIN, MARKELL & PONOROFF, CASES AND MATERIALS ON CONTRACTS: MAKING AND DOING DEALS); and handouts (delivered by email and on the course website).

Terms Added by Courts, Legislatutes, and the U.C.C.

M 1/5:  No class
W 1/7:  No class
M 1/12: View ABA “Wild World of Cannabis” webinar in lieu of class (details to be sent by email)
W 1/14: Terms from Trade Customs and Usage; Parol Evidence Rule
Readings: CB 434-448, 454-70; UCC §1-303, 2-202, 2-306; RS §§ 209-218; CISG Art. 8
M 1/19: No class (MLK Day)
W 1/21: Using Extrinsic Evidence to Construe Terms
Readings: CB 470-489, 497-504; RS §§ 203, 206, 211; CISG Art. 9
M 1/26: Terms Added by Courts and Legislatures
Readings: CB 510-512, 518-528, 534-535; RS §205; UCC §§ 1-201, 1-304, 2-305 – 2-310

Warranties; Excused Non-performance

W 1/28: Warranties and the U.C.C.
Readings: CB 535-559; UCC §§2-312 – 2-317; CISG Art. 35(2)
M 2/2: Warranties and the U.C.C.
Readings: CB 559-578
W 2/4: Conditions
Readings: CB 579-599; RS §§ 84, 224-229
M 2/9: Modification, Waiver, or Estoppel; Impossibility, Impracticability, Frustration of Purpose; Anticipatory Repudiation
Readings: CB 599-603, 612-616, 636-649; UCC § 2-209, 2-609 – 2-610; RS §§ 250-253
Contract Enforcement

W 2/11: Material Breach
    Readings: CB 649-651, 654-667, 672-85; RS §§ 234-237, 240, 243; UCC § 2-601

M 2/16: No class (Presidents’ Day)

W 2/18: No class

M 2/23: Specific Performance; Monetary Damages

W 2/25: Monetary Damages
    Readings: CB 734-742, 749-760, 764-770; UCC §§ 2-703, 2-711 – 2-716; RS § 350-351

M 3/2: Monetary Damages
    Readings: CB 771-777, 783-795; UCC §§ 2-714 – 2-715; RS § 345-349, 373

Assignment and Delegation; Third Party Beneficiaries

W 3/4: Third Party Beneficiaries
    Readings: CB 835-855; RS § 2, 302, 311

M 3/9: Assignment and Delegation; Negotiation and Drafting Exercise
    Readings: CB 856-876; RS § 317-318, 322; UCC § 2-210, 2-609, 9-318

W 3/11: Review of Negotiation and Drafting Exercise; Course summary