

LAW 7119-03: CONTRACTS II

SYLLABUS

Prof. Bell
Spring 2008

COURSE DESCRIPTION AND OBJECTIVES

Contracts II continues the project you began last semester, in Contracts I, of studying the fundamentals of contract law. Now, like then, we will focus primarily on Article 2 of the Uniform Commercial Code and on the Restatement of Contracts (2nd). To speak broadly, we studied the creation of contractual obligations last semester, whereas this semester we will study their effects. Topics covered in Contracts II will include: remedies; finding the law of the contract; performance and breach; mistake, impracticability, and frustration; third party beneficiaries; and assignment and delegation.

Together with Contracts I, Contracts II should prepare you to analyze a wide variety of contract law issues at a general level. Dealing with particular types of contracts, such as intellectual property licenses or commercial leases, may require additional, specialized study. This class should also help to polish your legal reasoning skills and introduce you to some of the practical and ethical concerns of a working attorney.

GRADING

A final exam of essay and multiple-choice questions will count for 75% of your course grade. The essay portion will predominate. It will be partially closed-book; the multiple-choice part will be closed-book. A similarly formatted mid-term exam will count for 15% of your course grade. Participation will count for 10%. You can earn one participation point per class by signing a sheet indicating that you have prepared to discuss the assignment, and various points for any ungraded quizzes or projects I offer. You may lose some or all of the points allowed for classroom discussion if you sign up to speak but demonstrate lack of preparation.

HOW TO CONTACT ME

I encourage you to contact me if you have questions or comments about what we discuss in class or about law school in general. You can find me in my office, room 438, each Monday and Wednesday, from 11:30 a.m. until 2:00 p.m. I welcome you to drop by and chat at those times or at other times by appointment. You can also call me at 714/628-2503 or email me at <tbell@chapman.edu>. At <www.tomwbell.com/teaching.html> you can find old exams and other course materials.

READING ASSIGNMENTS

This syllabus sets forth the readings assigned from the course's primary text, Farnsworth, et al., Cases and Materials on Contracts (6th ed. 2001). You should also read applicable portions the R. (2d) of Contracts and the U.C.C. as we progress through the course. Please note that while I will make a good faith effort to follow this syllabus, I reserve the right to change it.

	<u>class #</u>	<u>assignment</u>	<u>(# of pages)</u>
I.		Introduction and Overview	
	Class 1:	pp. 1-2, 7-8, 14-18, 555, 664, 785, 857-58, 893-94	(11)
II.		Remedies for Breach	
	Class 2:	pp. 2-22	(20)
	Class 3:	pp. 451-69	(18)
	Class 4:	pp. 469-86	(18)
	Class 5:	pp. 486-504	(18)
	Class 6:	pp. 505-21	(16)
	Class 7:	pp. 521-42	(20)
	Class 8:	pp. 542-43, 546-49, 551-54	(8)
III.		Finding the Law of the Contract	
	Class 9:	pp. 571-86, 590-96	(22)
	Class 10:	pp. 597-616	(19)
	Class 11:	pp. 616-26, 634-48	(24)
	Class 12:	pp. 648-63	(15)
	Class 13:	<u>Midterm Exam</u> Wed. Feb. 20	(0)
IV.		Performance and Breach	
	Class 14:	pp. 664-83	(20)
	Class 15:	pp. 683-700	(16)
	Class 16:	pp. 700-20	(20)
	Class 17:	pp. 720-27, 730-36, 739-46	(19)
	Class 18:	pp. 746-67	(21)
	Class 19:	pp. 767-77, 783-84	(11)

V.	Basic Assumptions: Mistake, Impracticability, and Frustration	
	Class 20:	pp. 785-89, 793-805 (17)
	Class 21:	pp. 805-21 (17)
	Class 22:	pp. 821-37 (15)
	Class 23:	pp. 837-42, 848-56 (14)
VI.	Third Party Beneficiaries	
	Class 24:	pp. 857-75 (18)
	Class 25:	pp. 875-78, 882-92 (14)
VII.	Assignment and Delegation	
	Class 26:	pp. 893-902, 905-14 (19)
	Class 27:	pp. 914-28, 934-38, 944-45 (20)
VIII.	Review	
	Class 28:	(review) (0)