

BLAW 280 Assignment List – Fall 2009

Your name in the upper right hand corner (last name first = Docan, Carol)

Your corrections in class must be in a different color pen.

Legend:

- **In the textbook**
 - Name (e.g. Jones or Jones v. Smith) = Case in textbook
 - P and number (e.g. P8) = End of-chapter problem under “Practice Test”
- **At WebCt in Chapter outlines**
 - WP = Problem
 - HS = Hypothetical situation
 - W = Chapter outline

	Reading and/or Review	Briefs or other written assignment due
1	<p>Ch 1 - Introduction Sources and classification of law, legal systems, court system, remedies: Read 5-13, 173-174 (ch 8, stop at punishment), 176 (stop at Actus Reus), 130 (ch 6)</p>	None
2	<p>Read Briefing - IRAC Format (syllabus) Read Kuehn, p 16: <i>Identify facts, rules of law, application of law, and conclusion.</i></p>	<p>W: Fill-in Civil v. Criminal chart</p> <p>Find and explain an example in the news where one situation causes a tort and a crime. (cite the source)</p> <p>W: Answer Sample Test Questions and give a reason</p>
3	<p>Ch 3 – Dispute Resolution Read chapter focusing on ADR and civil procedure</p> <p>W: Fill in the alternate dispute resolution chart</p>	W: Summary Judgment problems 1-4 – follow directions
4	Review Sample Test questions	P 8 (summary judgment) The rule is provided in the Chapter 1 outline at footnote 1.
5	<p>Ch 6 – Intentional torts Read 128 – 130 (stop at Defamation)</p> <p>Battery and assault: p 136-137</p> <p>HS 1-7 Analyze for class discussion</p>	<p>For case briefs summarize the rule in the court opinion. For problem briefs use rules of law stated in the Chapter 6 outline.</p> <p>W: Manning v. Grimsley, case (Chpt 6 outline)</p> <p>P 10, brief battery and assault separately. <i>Additional facts:</i> <i>Betts shocked Caudle’s neck with the charged condenser and chased him with the condenser until the plaintiff escaped by locking himself in an office. Caudle testified that he developed a headache and left the party. In the following months he had frequent and severe headaches and passed out 30-40 times. Surgery was necessary to alleviate his headaches and fainting spells. A slight numbness remained after the surgery.</i></p>

		Briefs or other written assignments
6	False Imprisonment: Read 134-135	HS 8 (Max) WP 1 (Louise v. KMART)
7	Optional: Create three different hypothetical situations involving merchant privilege. One raises facts that establish probable cause of theft, second one raises reasonable detention, and third addresses unreasonable detention.	Create three (3) different hypothetical situations. One hypothetical for each tort: battery, assault, and false imprisonment (do not include shoplifters). Use business settings. Brief each hypothetical (IRAC) DO NOT USE ANY EXAMPLE FROM THE TEXTBOOK OR FROM WEBCT.
8	Infliction of emotional distress Read 135 – 136 Analyze HS 9 Property torts Read 137 –138, (omit fraud), Analyze HS 10	WP 2 (Hulk) (Do not brief defamation.)
9	Defamation, Read 130-134. HS 1-6: Analyze for class discussion. P1 p. 149 (D.J.) Find a defamation lawsuit in the news (cite source)	Knievel: Brief the case and separately answer the following: 1. Explain whether ESPN made a defamatory statement or image, and if so, whether it was slander or libel. 2. Explain whether the statement or image was factual. 3. Explain the type of damage Knievel must allege and prove to win the lawsuit. 4. Explain whether Knievel must establish malice and why.
10	WP 6: Lucky’s Bar Optional WP 1: Assume Louise sues KMART for defamation WP 4: Giuliani WP 5: Sam, George & Larry Create three (3) different defamation hypotheticals. Include a different defense for each. <u>Brief the hypotheticals (IRAC).</u> Invasion of Privacy Read 147-148 & HS 1-2	P2 Assume you are the Supervisor and you posted the notice at work and you spoke with the personnel officer about Gates. Gates sues you for defamation. Prepare <u>two briefs (one for the notice, one for the statement to the personnel officer).</u> Both briefs must include a discussion of potential defense(s). Do not assume the conclusion will be the same in the two briefs. WP 2 (Hulk) brief defamation only WP 3 (m/c) Explain your conclusion
11	Midterm – Week 6	

12	<p>Ch 7 - Negligence Torts and Strict Liability</p> <p>Negligence Read 152-167 HS 1(Ms. Brown v. KFC) HS 3 (driving ordinance)</p>	<p>Kuehn v. Pub Zone, p16 Chapter 1 (gang)</p> <p>Hernandez v. Arizona Board of Regents (fraternity)</p>
13	<p>HS 2 (Buster – auto)</p> <p>P 4, p 170 – (Supervisor reprimand)</p>	<p>Wiener v Southcoast Childcare Centers (crime) Hebert. Enos (Foreseeability of injury)</p> <p>WP 1 (Billy v. Ann) Analyze the four elements of negligence and consider any defenses</p>
14	<p><u>Optional</u>: Create two (2) different hypotheticals where negligence is "waiting to happen." For example, at a grocery store there may be a foreseeable risk if the floor is wet, if produce that has fallen, if goods are stacked too high, if shopping carts have defective wheels, and so forth.</p> <ul style="list-style-type: none"> ○ Describe the foreseeable risks of harm. ○ If an injury occurred, describe the arguments the plaintiff could use to establish breach of duty (consider three methods). ○ Consider whether comparative negligence could be used as a defense. 	<p>WP: Answer three multiple choice problems and explain why the answer is correct.</p> <p>WP6 (in Chapter 6 outline) - Lucky’s Bar – Analyze <u>negligence</u> suit only Be sure to analyze the four elements of negligence and consider any defenses</p>
15	<p>Strict Liability Read 167-168 Product liability: Read 483 – 485, review chart on p 491 (negligence and strict liability)</p> <p>W: McDonald’s Scalding Coffee Case, Right to Sue Drug Makers is affirmed.</p>	<p>Find one product with a warning label</p> <ol style="list-style-type: none"> 1. Recite the warning on the product or in the booklet 2. Explain what type(s) of defects the product could have. 3. Explain whether the warning was sufficient and necessary
16	<p>Ch 10 - Introduction to Contracts Read 230-240 - Purpose and Types (stop at Remedies Created by Judicial Activism)</p> <p>Read 245-247 - Common Law and UCC)</p>	<p>Create ten hypotheticals, one for each type of contract</p> <p>Fallsview, 245 (mixed contract). This is a trial court decision only. Note: rules are found before and within the judge’s opinion.</p>

17	Read 240 – Promissory Estoppel Analyze P5, p 248 (promissory estoppel)	Create one hypothetical that has UCC <u>and</u> common law facts. Explain which law applies. Norton , 241 (promissory estoppel) This is a trial court decision. The rules are not stated separately, but are included with facts.
18	Read 242-243 - Quasi Contract Analyze P 8, p 249 (tenants - quasi)	WP1 (quasi)
19	Ch 11 – Agreement Offer - Intent Read 250 -256	WP <u>Intent</u> 1-3 WP <u>Intent</u> 4-5 (multiple choice) P6, p 271 - Explain the choice.
20	Definite Terms – read 256 - 259	WP– <u>Terms of Offer</u> : 1: Follow directions 2a: Vons and Farmer Sue 2b: Jill and Office Depot 2c: Gruden-Martin v. Fairmont Baer , 256 (definiteness)
21	Bring an agreement or a copy of an agreement to class. The contract should be a one or two pages in length and ideally 8 ½” x 11 in size (i.e. a rental, lease, or purchase contract). It must be signed. If you use a sample agreement, you must fill in the missing terms and sign for the parties. Identify the words of intent, parties, subject matter, price, performance.	W: Offer on TV – \$1,000,000 Create one UCC offer and one common law offer. Identify the words of intent and each term.
22	Midterm - WEEK 11	
23	Termination of offer Read 259- 260	WP - Revocation (1-6)
24	WP 1 - Jackie v. Taco WP 2 – Arnie and Sportmart (see notes “Things to Ponder”)	WP - Rejection (1-2)

	Create offers that raise the following termination issues: option, UCC firm, promissory estoppel, rejection, expiration of time, operation of law,	
25	Acceptance Read 261- 264 Review Acceptance Hypotheticals - UCC	P8, p 271 (Dukes) NO Brief – Analyze the issues given in the acceptance outline. Bayway, p 264
26	Communication - Read 267-268 Soldau (e/ee fired - mailbox rule), 268 <u>Read</u> hypothetical problems: Arnie v. Sportmart and Len v. Sue, and Review “Things to Ponder” (offer, termination, and acceptance)	P4, p 271 (Tufte Family - mailbox) WP a-c
27	Ch 12 – Consideration Read the Chapter and answer the supplemental problems	
28	Ch 14 - Misrepresentation and fraud Read 314-321 and hypotheticals Review Hoffman (fraud), 317 Fimbel (duty to disclose) 321 Review WP 3-11 & P2, p 328 (multiple choice - dolls) Mistake, Duress, Undue Influence Read 322 – 337	WP 1 & 2
29	Ch 15 – Statute of Frauds & Parol Evidence Rule Read p 332-336 (Land) 341 -347 (Sale of Goods) Parole Evidence rule: 347, 349 and WP6 Review P 2, 4,6, 7, 8	Baker (Land) 337 Conagra (Goods – merchant) 344
30	Ch 17 – Performance and Discharge Read chapter	Cases and problems to be assigned