**Fall 2020–BUSINESS LAW 280 – 13731 (INTRODUCTION TO BUSINESS LAW)**

**COURSE SYLLABUS**

**COURSE INFORMATION:**

Class #13731, Tuesdays 7:00 p.m. – 9:45 p.m.

Instructor: Professor Sandor E. Samuels

Office: Bookstein Hall, Room 3238, and Via Zoom

E-mail: sandor.samuels@csun.edu

Class Room: Synchronous Class Via Zoom.

Office Hours: Tuesdays: 3:30 p.m. to 5:00 p.m.; Office hours are also available by appointment.

**Text**: Business Law – The Ethical, Global, and E-Commerce Environment, Langvardt, Barnes, Prenkert, McCrory, and Perry **17th ed.**, (2016). ISBN 9781259917110.

**Do not buy the 16th edition. It is out of date.**

**NOTE**: The Langvardt 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 BLAW280-specific paperback version from the Matador bookstore. The ISBN number of the paperback version is 9781307256604; or you may get the e-book version at the bookstore or through the website csuncampusstore.com, and enter the specific ISBN number (Langvardt, 17th ed. eISBN # 9781260161342). For our class, you will need to have the Langvardt 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 source of law, the court system and its procedures. We will analyze how the legal system in the United States has been created and how it is interpreted and modified to address changing concerns. We will study the law of torts -- the legal concept of "private wrongs" which sets 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. You will learn that the law plays an essential role in everyday business life.

**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. This 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, both orally and in writing, 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 understand even after our discussion of these concepts in class.

In class, you should be prepared to defend your interpretation of the cases we will be reading and to answer hypothetical questions in open class discussions. You should learn to argue alternate sides of a dispute regardless of your 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 dates and times during the semester in which FORMAL case briefs are to be submitted for a grade.**

As is noted in the Assignments section of the Syllabus, you should informally brief in writing 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. Since I will call on students at random during class to discuss assigned cases, 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 the syllabus. This might be answering some case problems or handing in a statement of the "Issue" in a case (see below) in order to make sure students are understanding 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 **"F-I-R-A-C' (Facts-Issue-Rule-Application-Conclusion) format**:

**Facts:** I prefer that you discuss the relevant facts of the case in the first section of the brief labeled FACTS. In this section, you should discuss the RELEVANT facts that give rise to the issue in the case. It is important that you just present the relevant facts. Do not copy the entire section of Facts presented in the textbook.

**Issue**: What question must be answered by the judge 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'?"); DO NOT be general (e.g. "Will the plaintiff be successful?" or “Will the motion be granted?”). 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 of care owed by a landowner to someone who trespasses on the landowner’s property?"), the latter approach being preferred. Many cases present more than one issue; if there is more than one issue, you must identify all of the issues and you must discuss each issue in the Application (see below).

**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. Also, it is important to note that the Rule and Issue must relate to each other. If they do not, then either the Issue or the Rule is wrong.

**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 applied the Rule. **While the Issue and Rule are normally only one or two sentences each, the Application section of a Brief should be three 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 parties’ arguments and the court's reasoning. In the Application, you should present each side’s argument and the court’s decision and its reasoning. If there are cases cited as precedent, you should discuss why those cases apply to, or should be distinguished from, this case.

**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?

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 sample brief for Price v. High Pointe Oil Company, Inc. available to you on Canvas.

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

As set forth in the syllabus, you will be asked to formally prepare and turn in briefs of cases in the textbook and answers to Problem Cases posed at the end of each chapter, also as set forth in the syllabus. You should submit your briefs using Turn-it-in through Canvas prior to the date and time set forth in the syllabus. 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 written 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 in addition to those set forth in the syllabus given during the semester that will be included in this category of points. **All assignments must be submitted using Turn-It-In through Canvas.**

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

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

D. Midterm exam – The midterm exam comprises roughly 20% - 25% of the course grade – closed book, but one single-sided 8 ½” x 11” page of notes allowed.

E. Final exam – The final exam comprises roughly 25% - 30% of course grade – closed book, but one single-sided 8 ½” x 11” page of notes allowed.

**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, and your general participation in class discussions. Class participation incorporates attendance, demonstration of preparedness when called on in class, turning in all assignments on time, and 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**

Short quizzes, the midterm and the final exam will be composed of: (i) one or more short answer questions which require you to analyze the facts given, identify legal issues and apply the law in determining the outcome of hypothetical cases; (ii) one or more cases to be briefed; 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 might be hard to understand 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.

**Distance Learning**

This course will be completed in a fully online format with other students through the use of Zoom. Participation is vital to your success as a student as well as the online community that we are trying to establish. Participation will include online lectures and discussions through the Zoom sessions. You must enable your audio so that everyone can hear you, and you must enable your video so that everyone can see you. Repeated absences or lack of participation or a combination of both may adversely affect your grade in this class. If you have any issue with any of the above requirements, you must discuss such issue with the Professor at the earliest opportunity. If you miss a class, you may access a recording of the class session.

**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-A Tuesday August 25 | Discussion of Syllabus and Class organization issues;Briefing Cases | Read the Syllabus. There will be a short quiz on the contents of the Syllabus.Read pages 2-10 (through Classification of Law); and pages 29-30 (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, please review the Nature of Law posted on canvas.YOU MUST COMPLETE THIS READING ASSIGNMENT AND THE ASSIGNMENT FOR CLASS 1-B BELOW BEFORE THE FIRST CLASS AND BE PREPARED TO DISCUSS THE MATERIAL IN CLASS. |
| Class 1-BTuesdayAugust 25 | Nature of Law; Case La Reasoning: Statutory Interpretation | Read pages 13 (The Functions of Law) through 15 (up to the Coomer case). Then read pages 23-24. 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 2-A. Be prepared to answer the question at the end of the "Cyberlaw In Action" box on page 22 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 33-34 for the Roomates.com case).Also be prepared to discuss Problem Case 8 on page 33 (Hagan v. Coca Cola Bottling Company. |
| Class 2-ATuesday September 1 | Statutory Interpretation (continued as we brief cases) | Read pages 15-22. 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 6 on page 32. |
| Class 2-B Tuesday September 1  | Resolution of Private Disputes – Federal Courts, State Courts and Civil Procedure; Pleadings  | Read pages 35-40. Informally brief Abdouch v. Lopez. Skip the Global Business Environment on pages 40-42; then read pages 42 (In rem jurisdiction) through 49 (up to Discovery). **FORMALLY BRIEF HERTZ CORP. V. FRIEND. THIS** **BRIEF MUST BE TURNED IN NO LATER THAN 5 P.M. ON** **THURSDAY, SEPTEMBER 3. THE BRIEF WILL BE GRADED.** **WE WILL DISCUSS THE HERTZ BRIEF AT THE BEGINNING OF CLASS 3-A.** |
| Class 3-A Tuesday September 8 | Discovery; Summary Judgment; Court Proceedings | Read pages 49-54 (up to Class Actions). Review Problem Cases 1 and 8 on pages 55 and 57 and be prepared to discuss the answers to these Problem Cases in class. |
| Class 3-B Tuesday September 8 | Class Actions; Alternative Dispute Resolution (ADR)Introduction to Torts | Read pages 54-62. Informally brief Tyson Foods v. Bouaphakeo and AT&T Mobility v. ConcepcionRead pages 199-204. Informally brief Mathias v. Accor Economy Lodging.  |
| Class 4-ATuesdaySeptember 15 | Intentional Torts --Battery, Assault, Intentional Inflicting of Emotional Distress, False Imprisonment | Read pages 203-211 (until Defamation), 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 237 (Howard v. Wilson) and Problem Case 4 on page 238 (Pope v. Rostraver). |
| Class 4-BTuesdaySeptember 15 | Defamation | Page 211 (Defamation) – 225. Be prepared to discuss Bertrand v. Mullin and Obsidian v. Cox, and Case Problem 5 on page 239. The chart on page 225 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 217. In order to understand the issue of defamation of public figures, you MUST read the Wikipedia selection on New York Times v. Sullivan. Also, for a different viewpoint about the need for this doctrine, see: [www.hrcr.org/safrica/expression/nytimes\_sullivan.html](http://www.hrcr.org/safrica/expression/nytimes_sullivan.html).**HOMEWORK ASSIGNMENT: WHAT IS THE ISSUE PRESENTED BY THE CASE DESCRIBED IN CASE PROBLEM 7 ON PAGE 240. THIS HOMEWORK ASSIGNMENT MUST BE TURNED IN BY 5:00****P.M. ON THURSDAY, SEPTEMBER 17.** |
| Class 5-ATuesday September 22 | Invasion of Privacy, Nuisance and Conversion issues | Read pages 226-237. Informally brief Toyo Tire North America Manufacturing, Inc. v. Davis. **HOMEWORK: FORMALLY BRIEF JORDAN V. JEWEL FOOD STORES, INC. YOUR BRIEF OF THE JORDAN CASE MUST BE TURNED IN BY 5:00 P.M. ON THURSDAY,** **SEPTEMBER 24.** |
| Class 5-BTuesdaySeptember 22 | 30 MINUTE QUIZ ON NATURE OF LAW AND ON INTENTIONAL TORTS;Begin Discussion of Negligence | THE QUIZ WILL COVER ITEMS COVERED IN CLASSES 1A-5A. THERE WILL BE MULTIPLE CHOICE, SHORT ANSWER AND TRUE/FALSE QUESTIONS.Read pages 245-251. Informally brief Kesner v. Superior Court. |
| Class 6-ATuesdaySeptember 29 | Negligence – Duty/Breach of duty concepts | Read pages 251 (from Was the Duty Breached) – 258. Informally brief 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 282. |
| Class 6-BTuesday September 29 | Negligence per se;Causation – Actual and Proximate Cause; Intervening Cause | Read pages 259 (Negligence per se) – 272. 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 279. 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. THE ASSIGNMENT MUST BE TURNED IN BY 7:00 P.M. ON TUESDAY, SEPTEMBER 29.** |
| Class 7-ATuesday October 6 | Res Ipsa Loquitur;Defenses to Negligence claim; Comparative Negligence; Assumption of the Risk; Strict Liability; Tort Reform | Read pages 272-279. Informally brief Toms v. Calvary Assembly of God, and be prepared to discuss Case Problem 10 on page 283 (Dyer v. Maine Drilling & Blasting, Inc.). |
| Class 7-B Tuesday October 6 | Completion of any remaining Tort issues; Midterm Review | Complete discussion of any remaining tort issues; Midterm Review |
| Class 8-A Tuesday October 13 | MIDTERM EXAM | The mid-term exam covers the material read and discussed from Classes 1A-7B |
| Class 8-B Tuesday October 13  | Intro to Contracts; Basic Contract Concepts and Types | Read pages 343-348. Informally brief Trapani Construction Co. v. Elliot Group, Inc. Also be prepared to discuss Class Problem 5 on page 361 (Lambert v. Barron). |
| Class 9-ATuesdayOctober 20 | Sources of Law: Non-Contract Obligations | Read pages 349-356 (up to Promissory Estoppel). Informally brief Audio Visual Artistry v. Tanzer, and Symons v. Heaton, and be prepared to discuss them. Also be prepared to discuss Problem Case 8 on page 362 (Palese v. Delaware State Lottery)**HOMEWORK ASSIGNMENT: FORMALLY BRIEF AUDIO VISUAL ARTISTRY V. TANZER. THIS BRIEF MUST BE TURNED IN BY 7:00 P.M. ON TUESDAY, OCTOBER 20.** |
| Class 9-B Tuesday October 20 | Promissory Estoppel; Offers | Read pages 356-360, and 363-369. Informally brief Thomas v. Archer, Domingo v. Mitchell, and J.D Fields & Company v. United States Steel International, Inc. Also, be prepared to discuss Problem Case 3 on page 360 (Aceves v. U.S. Bank). |
| Class 10-ATuesday October 27 | Special Offer Problems; Termination of Offers | Read pages 369-380. Informally brief Kolodziej v. Mason, D’Agostino v. Federal Insurance Company, Cordas v. Uber Technologies, Inc., and Long v. Provide Commerce, Inc (on pages 384-387) and be prepared to discuss them. Also, be prepared to discuss Chapter Problem 5 on page 381 (the Pepsi Points case). |
| Class 10-B Tuesday October 27  | Acceptance of Contracts -- 1\* Intent | Read pages 383 - 391. Informally brief and Duro Textiles, LLC v. Sunbelt Corporation. Also be prepared to discuss Problem Case 5 on page 402 (Trademark Properties v. A&E Television Networks) and Problem Case 8 on page 403 (Pride v. Lewis). **HOMEWORK ASSIGNMENT: WHAT IS THE ISSUE IN THE TRADEMARK PROPERTIES V. A&E TELEVISION NETWORKS CASE, AND WHAT SHOULD THE PARTIES HAVE DONE TO AVOID THIS TYPE OF LITIGATION? THIS ASSIGMENT MUSE BE TURNED IN BY 7 P.M. ON TUESDAY, OCTOBER 27** . |
| Class 11-A Tuesday November 3 | Acceptance of Contracts -- 2\* When is acceptance communicated?\* Forms of communication\* Acceptance issues | Read pages 391-401, **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 401. |
| Class 11-BTuesday November 3 | 30 minute quiz on offer and acceptance issues (multiple choice and short answer)Introduction to Consideration | Study material covered in Classes 8-B through 11-A to prepare for the Quiz.Read pages 405-411. Informally brief Franchise Holding II, LLC v. Huntington Restaurants Group, Inc., and Steinberg v. U.S., and Day v. Fortune Hi-Tech Marketing, Inc., and be prepared to discuss them. Also be prepared to discuss Problem Case 2 on page 421-422 (Gottlieb v. Tropicana Hotel and Casino). |
| Class 12-ATuesday November 10  | ConsiderationAbsence of Consideration; Pre-Existing/Past duties | Read pages 412-421. 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 421, Problem Case 3 (Margeson v. Artis) on page 422, and Problem Case 5 (King v. Boston College) on page 422. |
| Class 12-B Tuesday November 10 | Consent;Misrepresentation | Read pages 425-431. Informally brief Stephen A. Wheat Trust v. Sparks and be prepared to discuss it.**HOMEWORK ASSIGNMENT: FORMALLY BRIEF TIMOTH V. KEETCH. THIS ASSIGNMENT MUST BE TURNED IN BY 7:00 P.M. ON TUESDAY, NOVEMBER 10.**  |
| Class 13-ATuesday November 17 | Mistake; Duress;Undue influence | Read pages 432-442. Informally brief Hicks v. Sparks and Sumerel v. Goodyear Tire and Rubber, and be prepared to discuss them. Also be prepared to discuss Cyberlaw in Action and Ethics in Action on page 438.**HOMEWORK ASSIGNMENT: ANSWER QUESTIONS ON** **MISPRESENTATION, MISTAKE, DURESS AND UNDUE INFLUENCE. YOU WILL FIND THE QUESTIONS ON CANVAS. THE ASSIGNMENT MUST BE TURNED IN BY 5:00 P.M. ON FRIDAY, NOVEMBER 20.** |
| Class 13-BTuesdayNovember 17 | Capacity to contract | Read pages 445-455. 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 in Action on page 448, and Case Problem 6 (Woodman v. Kera) on page 456. |
| Class 14-A Tuesday November 24 | Illegality/Legality of Contract;Exculpatory Clauses | Read pages 459-471 (Up to Unfairness in Agreements). Informally brief Clark’s Sales and Service, Inc. v. Smith and Walters v. YMCA and be prepared to discuss them.**HOMEWORK ASSIGNMENT: FORMALLY BRIEF COMA** **CORPORATION V. KANSAS DEPARTMENT OF LABOR.** **THIS ASSIGNMENT MUST BE TURNED IN BY 7:00 P.M.** **ON TUESDAY, NOVEMBER 21.**  |
| Class 14-B Tuesday November 24 | Unfairness in Agreements; Contracts of Adhesion | Read pages 471-479. Informally brief Singh v. Uber Technologies, Inc. and Gamboa v. Alvarado, and be prepared to discuss them. Also be prepared to discuss the Ethics in Action on page 475, and be prepared to discuss Problem Case 11 (Moore v. Woman to Woman Obstetrics & Gynecology) on page 481 |
| Class 15-ATuesdayDecember 1 | Statute of Frauds/Writings | Read pages 483-492. Informally brief Dynergy, Inc. v. Yates and Browning v. Proirer. Also be prepared to discuss Problem Case 12 on page 505 (Linscott v. Shasteen).  |
| Class 15-BTuesday December 1 | Statute of Frauds – Continued; Parol Evidence Rule | Read pages 493-501. Informally brief Green Garden Packaging Co. v. Schoenmann Produce Co. and Yung-Kai Lu v. University of Utah. Also be prepared to discuss Problem Case 13 (Jacco & Associates, Inc. v. HVAC, Inc.) on page 505. |
| Class 16-ATuesdayDecember 8 | Performance of Contracts; Breach of Contract | Read pages 534-540, and pages 544-548 (up to the Garden Ridge case). Informally brief Harrison v. Family Home Builders, LLC and George v. AL Hoyt & Sons, Inc. Also be prepared to discuss Problem Case 8 (East Capitol v. Robinson) on page 555. |
| Class 16-BTuesdayDecember 8  | Finish any remaining contracts issues and review for Final Exam | I will conduct a review session. Be prepared to ask questions to help review for the final exam. The final will be cumulative – meaning that it will contain questions on all topics covered from the beginning of class to now, but will emphasize Contract Law issues. |