

## **Contracts I**

Section 4

Mark Sidel

Fall Semester 2001

### **Course information, coverage, assignments, office hours and other information**

#### **Instructor**

Mark Sidel

Office: 475 BLB  
Office hours: Thursday and Friday, 3:00-4:00 pm  
(subject to change; please check bulletin board outside 475 BLB)  
Telephone: 384-4640  
Email: mark-sidel@uiowa.edu

#### **Meeting times and place**

Class meetings: Monday, Tuesday and Wednesday, 9:10 in BLB room 275  
No class on: Monday, September 3 (holiday); Wednesday, November 21  
(holiday)

#### **Course materials**

Steven J. Burton, *Principles of Contract Law* (2<sup>nd</sup> ed.) (West Publishing Co. 2001)  
(We will cover chapters 1-4 of *Principles of Contract Law*)

Burton and Eisenberg (eds.), *Contract Law: Selected Source Materials* (2001 ed.) (West Publishing Co. 2001)

Helene S. Shapo, Marilyn R. Walter, Elizabeth Fajans, *Writing and Analysis in the Law*  
(4<sup>th</sup> ed., Foundation Press, 1999)

#### **Class assignments**

All assignments indicated below are in the Burton casebook. You are also responsible for reading and studying all the relevant Restatement, UCC or other sections in the Burton/Eisenberg supplement.

Please bring the Burton casebook and the supplement to each class, as well as this syllabus (since there may well be some changes to the assignments which you will need to note). If we move ahead or fall behind, or if class changes are required, we will modify this schedule.

## **Chapter 1: Promises, Agreements, and the Requirement of a Writing**

Week of August 28:	1-25 (in Hawkins, 3-7, focus on the promise issue and not the damages issue, which we will return to later)
Week of September 3:	25-51
Week of September 10:	51-75
Week of September 17:	75-107 (skip Itek, 113-117)
Week of September 24:	107-113, 117-137

## **Chapter 2: Bargained-for Exchange, Reliance, and Unjust Enrichment**

Week of October 1:	138-154
Week of October 8:	154-175
Week of October 15:	175-194
Week of October 22:	194-205

## **Chapter 3: Freedom of Contract, Mistakes, Unequal Bargaining Power, Meaningful Choice and One-sided Terms**

Week of October 29:	206-237
Week of November 5:	237-262
Week of November 12:	262-285

## **Chapter 4: Compensation vs. Punishment, Expectation Damages (Specific Performance, General Damages, Limitations on Damages), Reliance Damages, Restitution**

Week of November 19:	286-297, 3-7 (Hawkins damages issues), 297-311
Week of November 26:	322-349
Week of December 3:	350-372

## **Overview of the four assignments and deadlines**

Four written assignments are required in the small section program. Detailed instructions will be given to you when each of the assignments is distributed. The following should give you a general idea of the written assignments.

1. The first assignment is a legal methods exercise consisting of a case brief, the formulation of several case holdings, and a synthesis of a series of cases.

The case brief assignment will be handed out on Tuesday, August 28 and must be returned to Amanda Bibb in BLB room 486 on Thursday, August 30 by 12:00 noon.

The case holdings and synthesis assignment will be handed out on Wednesday, August 29 and must be returned to Amanda Bibb in BLB room 486 by 12:00 noon on Tuesday, September 4.

2. The second assignment involves drafting a memorandum on a factual problem requiring close analysis of cases (3-5 pages). The cases and other materials to be used in writing the memo will be provided; no library research is contemplated. Citation of materials other than those provided is not allowed.

This memo assignment will be handed out on Tuesday, September 4 and must be returned to Amanda Bibb in BLB room 486 by 12:00 noon on Friday, September 14.

3. The third assignment consists of drafting a memorandum on a factual problem requiring close analysis of a document or statute (3-5 pages). The materials to be used in writing the memo will be provided; no library research is contemplated. Citation of materials other than those provided is not allowed.

This memo assignment will be handed out on Wednesday, September 26 and must be returned to Amanda Bibb in BLB room 486 by 12:00 noon on Friday, October 12.

4. The fourth assignment is an in-class practice exam, intended to help you prepare for the final exam. Arrangements for this will be announced later.

The page-length limits, other instructions and the deadlines for turning in the legal writing assignments are firm instructions and deadlines. Points will be deducted from assignments that exceed the page-length limits, do not follow other assignment instructions, or are turned in late.

## **Conferences**

I will hold a conference of about twenty minutes with each student to discuss the first written memo on the factual problem requiring analysis of cases. The conferences will be scheduled during the weeks of September 17 and September 24.

## **Consultation with Writing Center**

Our excellent Writing Center is available throughout the semester for you to consult on your writing, and you are strongly urged to the law school's high quality, professional Writing Center.

## **Final exam**

The final exam will be held on Tuesday, December 18 and will include multiple choice, short answer, and essay questions. Other information on the exam and the policy on use of materials during the exam will be distributed toward the end of the course.

## **Grading**

You will receive a total of four academic credits for your work in this course. By decision of the faculty, the writing assignments count for a maximum of 25% of the final grade, and the final examination thus counts for 75% of the final grade. The grading of the writing assignments will be weighted as follows:

First assignment (legal methods exercise):	Pass/fail
Second assignment (first memorandum):	12.5% of final grade
Third assignment (second memorandum):	12.5% of final grade
Fourth assignment (practice exam):	Pass/fail

The first and second memos will be graded anonymously on a range of 10 (high) to 1 (low); the grades earned will be used in calculating the course grade. If your grade on the second memo is higher than the average of your grades on the first and second memos, then your grade on the first memo will be disregarded and your grade on the second memo will account for 25% of your final grade. The grades on your written work will take account of spelling, punctuation, and grammar.

Although no numerical grade will be given for the legal methods exercise (first assignment) and the practice exam (fourth assignment), their successful completion on time is a faculty-mandated requirement for course credit.

A student's grade may be affected by his or her class participation and attendance, as indicated below.

The written memos will be evaluated anonymously. When you submit your papers to my assistant, Ms. Amanda Bibb, in BLB room 486, you will be assigned a number which I will use to identify your paper.

**Attendance, class participation, and other matters**

Students are expected to attend class regularly, and substantial absences may entail grade reductions. Please also make an effort to arrive in class punctually to avoid disrupting other students. We will begin class promptly at 9:10 am.

Students are expected to be well prepared in class. In some cases I may increase a student's grade on account of the outstanding quality (not merely quantity) of class participation.

## **Contracts I**

Section 4 and Section 6

Mark Sidel

Fall Semester 2001

### **Revised assignments (beginning with week of October 15)**

#### **Chapter 1: Promises, Agreements, and the Requirement of a Writing**

Week of August 28: 1-25 (Hawkins, 3-7, promise issue)

Week of September 3: 25-51

Week of September 10: 51-75

Week of September 17: 75-107 (skip Itek, 113-117)

Week of September 24: 107-113, 117-137

#### **Chapter 2: Bargained-for Exchange, Reliance, and Unjust Enrichment**

Week of October 1: 138-154

Week of October 8: 154-175

Week of October 15: 175-198

Week of October 22: 198-227

#### **Chapter 3: Freedom of Contract, Mistakes, Unequal Bargaining Power, Meaningful Choice and One-sided Terms**

Week of October 29: 227-262

Week of November 5: 262-285, 286-292 [beginning of chapter 4]

#### **Chapter 4: Compensation vs. Punishment, Expectation Damages (Specific Performance, General Damages, Limitations), Reliance Damages, Restitution**

Week of November 12: 292-297, 3-7 (Hawkins damages issues), 297-311  
[No class November 14]

Week of November 19: 311-318, 322-342

Week of November 26: 342-358

Week of December 3: 358-372