CONTRACTS II, Section 3  
PROFESSOR MARTIN  
SPRING SEMESTER, 2008

Class Time: T, R, 2:30-3:45 p.m. 
Room: Law 105


Burton, An Introduction to Law and Legal Reasoning 3rd (Aspen 2007)

Barnett, Perspectives on Contract Law 3d (Aspen 2005)

Recommended Treatise: While there are many excellent study aids for Contract Law, I recommend Farnsworth, Contracts 4th (Aspen 2004).

Attendance: You should consult Law School Academic Rule 1-110 and the Law School Attendance Policy. These may be viewed on the Law School website. This semester, I will circulate an attendance sheet as required by the policy. Four missed classes may result in your being withdrawn from the class with a “W”. If you become aware of a problem that will affect your attendance you should inform me as soon as possible.

Goals and Objectives: As you proceed through law school you will encounter great variety among your courses. As a basic common law course, Contracts provides you with much of your introductory instruction on methods of legal reasoning, in addition to instruction on the specifics of contract law. Therefore, as you prepare assignments, you should think about the methods of reasoning and argument that you encounter. Steven Burton, Law and Legal Reasoning has been assigned to assist you in this regard. While law school has changed dramatically in the past thirty years, much effort still is devoted in the first year to learning to “think like a lawyer.” Also, the teaching methods used are designed to guide you in developing your own understanding of legal methods rather than to tell you about somebody else’s understanding. Consequently, while learning the rules of law is important, learning how to analyze individual cases, synthesize groups of cases and solve legal problems are the essence of the first year of law school. In the first semester we went quite slowly and focused heavily on analysis. We will go more quickly this semester and our focus will shift towards synthesis (The big picture).

Using the Contract Law Supplement: Syllabus assignments are from your casebook and Barnett’s Perspectives book. Cases and author notes in your assignments will reference and discuss provisions from the Uniform Commercial Code and the Restatement 2nd of Contract Law. As you prepare you should continue to use the “Rules” Supplement to examine referenced U.C.C. and Restatement provisions. Class discussions will assume that you have referenced relevant supplement provisions and that you have the supplement available during class.

BURTON’S LEGAL REASONING: Last semester we read the first five chapters of Burton’s book on Legal Reasoning. While I am not assigning the final four chapters for specific classes, you should read them by the end of January. Also, you should review the book as a whole to

SYLLABUS
assimilate fully the scheme of analysis presented.

**Grading:** As it was last semester, your grade will be based upon a three hour final examination and upon class participation. The examination will be graded anonymously, using the regular Hamline grading system, Academic Rule 1-107. The final grade may then be raised by one-half a grade based upon class participation demonstrating a better grasp of the subject than that demonstrated on the examination.

**ASSIGNMENTS**

1. **Tuesday, January 15:**
   - **Subject:** Parol Evidence
   - **Assignment:**
     - Text: 382-410, 432-434
     - Problem: 5-1
     - Perspectives 127-139

2. **Thursday, January 17:**
   - **Subject:** Implied Terms
   - **Assignment:**
     - Text: 437-462
     - Perspectives: 315-333

3. **Tuesday, January 22:**
   - **Subject:** Good Faith
   - **Assignment:**
     - Text: 465-480, 493-497
     - Problem 6-2

4. **Thursday, January 24**
   - **Subject:** Warranties
   - **Assignment:**
     - Text: 497-515
     - Problem: 6-3

5. **Tuesday, January 29**
   - **Subject:**
   - **Assignment:**

6. **Thursday, January 31**
   - **Subject:**
   - **Assignment:**
7. **Tuesday, February 5**
   Subject: Minority and Mental Incapacity
   Assignment: Text: 517-537
   Problem 7-1

8. **Thursday, February 7**
   Subject: Duress and Undue Influence
   Assignment: Text: 537-556
   Perspectives: 353-366

9. **Tuesday, February 12:**
   Subject: Misrepresentation and Nondisclosure
   Assignment: Text: 556-578

10. **Thursday, February 14:**
    Subject: Unconsionability
    Assignment: Text: 578-599
    Perspectives: 366-380

11. **Tuesday, February 19:**
    Subject: Unconsionability
    Assignment: Text: 599-632

12. **Thursday, February 21:**
    Subject: Public Policy
    Assignment: Text: 632-647
    Problem 7-2 (Read the problem prior to the Valley Medical Specialists Case)

13. **Tuesday, February 26:**
    Subject: Public Policy
    Assignment: Text: 647-661
    Problems: 7-3, 7-4

14. **Thursday, February 28:**
    Subject: Mistake
    Assignment: Text: 663-684
    Perspectives: 380-396
15. **Tuesday, March 4:**

Subject: Changed Circumstances: Impracticability and Frustration

Assignment: Text: 684-711

16. **Thursday, March 6:**

Subject: Changed Circumstances

Assignment: Text: 711-713 (Problem 8-1)
Perspectives: 407-430

17. **Tuesday, March 11:**

Subject: Modification

Assignment: Text: 713-731
Burton Chapter 6

18. **Thursday, March 13:**

Subject: Modification

Assignment: Text: 731-74
Problem: 8-3 (p. 713)
Burton Chapter 7

19. **Tuesday, March 25:**

Subject: Express Conditions

Assignment: Text: 783-806
Problem: 10-1
Burton Chapter 8

20. **Thursday, March 27:**

Subject: Material Breach

Assignment: Text: 806-824
Perspective: 335-349

21. **Tuesday, April 1:**

Subject: Anticipatory Repudication

Assignment: Text: 824-843
Problem 10-2

22. **Thursday, April 3**

Subject: Expectation Damages

Assignment: Text: 845-861
Burton Chapter 9
23. Tuesday, April 8:

Subject: Damages: Restrictions
Assignment: Text: 861-874
Berten Chapter 10

24. Thursday, April 10:

Subject: Damages: Restrictions
Assignment: Text: 874-890

25. Tuesday, April 15:

Subject: Damages: Restrictions
Assignment: Text: 890-910

26. Thursday, April 17:

Subject: Damages: Restrictions
Assignment: Text: 911-935
Problem: 11-1

27. Tuesday, April 22:

Subject: Non Recoverable Damages
Assignment: Text: 946-964
Problem: 11-4

28. Thursday, April 24:

Subject: Reliance and Restitution
Assignment: Text: 965-974
995-1006