COURSE INFORMATION

Contracts
Spring, 2016
Professor Morrissey
MWTh. 9:15 – 10:25 am

COURSE MATERIALS

Farnsworth, Young, Sanger, et al., Contracts, (Foundation 8th ed. 2013) (Casebook-Required).


CLASS PROCEDURES

1. All students are expected to come to class on time and prepared to recite.

2. No recording of class is allowed.

3. Please turn off all cell phones, beepers, and pagers in class.

4. Civil comments and behavior are expected.

5. We will use a seating chart.

6. We will take attendance.

7. I will call on people. Also please raise your hand if you wish to be recognized to speak.

EXAMS AND GRADING

There is one grade given for the class. 25% of that grade will be based on a mid-term exam given during a class period and 75% of it will be based on a three hour exam given at the end of the spring term. The form of the exams will be discussed during the class.
OFFICE HOURS AND OTHER CONTACT INFORMATION

My office is Room 439 on the 4th Floor in the faculty suite. I will usually be there during normal business hours unless I have class or am in a meeting. Feel free to drop in at any time. I will hold formal office hours from 10:30 to Noon on Tuesday and Thursday. My office phone is 313-3693 and you can also reach me by email. My email address is dmorrissey@lawschool.gonzaga.edu. Please feel free to contact me that way if you’d like to make a specific appointment to see me.

You may also wish to ask questions or offer comments about class by sending me an email message. I have found that if one student has a question about a particular matter, many other students are usually unsure of it as well. Therefore unless you request that the question not be shared with your classmates, I may send my answer to all students in the course.

READING ASSIGNMENTS

Class One – Topic -- The Goals of Contract Law, Contract Remedies and Damages

Major Case – Sullivan v. O’Connor

Farnsworth Casebook (Casebook) pp. v (preface), Li (note on editing) pp.1-4, 14-24.

Restatement (Second) (Rst.) §§ 1, 344, 351(3).

Farnsworth Hornbook (Hornbook) pp. 3-9, 116-17, 45-47, 809-10.

Class Two – Topics -- The Economics of Promises, Family Promises, The Doctrine of Consideration

Major Case -- Hamer v. Sidway

Casebook pp. 31-41. Rst. § 71(1)(2).

Hornbook pp. 9-19, 47-53, 119.

Class Three – Topics -- Gratuitous Promises, Settlement of Claims, Past Consideration

Major Cases – Dyer v. National By-Products, Feinberg v. Pfeiffer Co

Casebook pp. 43-52, Rst. §§ 71(3)(c), 74.

Hornbook pp. 53-57, 72-75.
Class Four – Topic – Moral Obligation,


Casebook pp. 52-58, Rst. §§ 71(1), 82-83, 86 Comment d, Illustrations 6-7.

Hornbook pp.: 57-63.

Class Five – Topic -- The Requirement of Bargain, Reward Contracts


Hornbook: pp. 66-70, 75-77

Class Six – Topics -- Promises as Consideration, Offers in Jest, Illusory Promises

*Major Cases -- Strong v. Sheffield, Leonard v. Pepsico*

Casebook: pp. 72-76, 130 (Note 3), 150 (Note 2) , Rst. §§ 75, 77, 54.

Hornbook pp. 75-77

Class Seven – Topics -- Consideration in Real Estate Contracts and Contracts for the Sale of Goods, Implied Promises

*Major Cases -- Mattei v. Hopper, Structural Polymer, Wood v. Lucy, Lady Duff-Gordon*


Hornbook pp. 77-79, 81-85

Class Eight – Topic -- Promissory Estoppel, Reliance as a Substitute for Consideration

*Major Cases -- Ricketts v. Scothorn, Feinberg v. Pfeiffer*

Casebook: pp. 90-100, Rst. § 90.


Hornbook: 99-121.

Class Ten – Topics – The Nature of Assent

Major Case – Specht v. Netscape

Casebook: pp. 131-140

Class Eleven – Topic -- The Offer, Advertisements

Major Cases -- Owen v. Tunison, Harvey v. Facey, Fairmount Glass Work, Lefkowitz v. Great Minneapolis Surplus Store

Casebook: pp. 140-51.
Hornbook: pp. 129-36.

Class Twelve – Topics – Auctions, Unilateral Mistakes, The Acceptance

Major Cases – Elsinore Union v. Kastorff, International Filter Co. v. Conroe Gin


Class Thirteen – Topics – Notice of Acceptance, Acceptance by Performance

Major Cases – White v. Corlies & Tift, Ever-Tite Roofing v. Green, Allied Steel v. Ford Motor Co

Class Fourteen – Topics – Silence as Acceptance, Lapse of Offers, Revocation, Options

*Major Cases – Corinthian Pharmaceutical Systems v. Lederle Laboratories, Dickinson v. Dodds*

Casebook pp. 170-84, Rst. §§ 53(2), 69, 36, 37, 43, 46.


*Major Case – Drennan v. Star Paving, Adams v. Lindsell, Minneapolis & St. Louis v. Columbus Rolling-Mill*


Class Sixteen – Topic – The Mirror-Image Rule U.C.C.’s Approach to the Battle of the Forms

*Major Case - Dorton v. Collins & Aikman Corp, C. Itoh v. Jordan Int’l Co*


Class Seventeen – Topic – The Knockout Doctrine, The Operation of U.C.C. 2-207

*Major Cases --, Northrop Corp .v. Litronic Industries, Step-Saver Data Systems v. Wyse, ProCD v. Zeidenberg*


Class Eighteen – Topics – **Shrinkrap and the Battle of the Forms, Pre-contractual Liability, Reliance on Negotiations, The Requirement of Definiteness**

*Major Cases*– *Hill v. Gateway, Hoffman v. Red Owl, Toys, Inc. v. F.M. Burlington*

Casebook: pp. 230-41, 258-63 UCC 2-305; Rst. § 33.


Class Nineteen: – **Midterm Exam**

Further Assignments will be given at a later date.