

Contracts II
Spring 2009
Professor Zywicki

Administrative Matters

Each student will be expected to be prepared for each and every class, including being prepared to answer any questions regarding the assigned reading material. My office is on the 4th Floor. My office phone number is 703-993-9484. Unless a matter is urgent or otherwise requires immediate personal attention, I encourage you to contact me by email at tzywick2@gmu.edu. I especially encourage you to contact me by email if you have a discrete question about classroom or reading material. I will post office hours, but occasionally circumstances will require me to rearrange my office hours schedule. Thus, if you anticipate that you will be stopping by, please drop me an email, note, or let me know after class that you will be coming. If my door is open, feel free to drop in.

Grading and Exam

The Final Exam will be April 30 at Noon. The final exam will be open Code, meaning that you will be permitted to bring into the exam your statutory supplement (RESTATEMENT 2D CONTRACTS & UCC ARTICLE 2 (3d ed., James E. Byrne, ed.)). You will be permitted to annotate your statutory supplement with any notes that you make therein, but you will not be permitted to add any pages to it. You will not be permitted to bring in any other materials unless specifically authorized by the professor. Your grade in the class will be based on the final exam.

The professor reserves the right to increase a student's grade on the basis of exemplary class participation.

Course Materials

Your course materials will be the same as during the fall semester.

Required:

Robert E. Scott and Jody S. Kraus, *Contract Law and Theory* (4th ed.)

James E. Byrne, *Restatement 2nd and US UCC Article 2: The Texts, The Comments, & The Illustrations* (3rd ed.).

Optional:

Marvin A. Chirelstein, *Concepts and Case Analysis in the Law of Contracts* (5th ed. 2006).

Reading Assignments—Contracts II (Spring 2009)

Jan 8: 541-562

Rest. (2d) §§ 209, 210, 211, 212, 213, 214, 215, 216, 217; UCC §2-202

Jan 13: 562-578

Rest. (2d) § 216 Comment e

Jan 15: 578-602

Rest. (2d) §§ 200, 201, 202, 203, 204

Jan 20: *Class Canceled*

Jan 22: Handout *Frigaliment Importing v. B.N.S. International Sales*, 602-619

UCC §§ 1-205, 2-202; Rest. (2d) §§ 219, 220, 221, 222, 223

Jan 23 (Makeup): 621-632

Rest. (2d) §§ 205, 206, 207, 208, 234, 237, 238, 240; UCC §2-307

Jan 27: 632-644, Handout *Inman v. Clyde Hall Drilling*

Rest. (2d) § 224, 227, 230

Jan 29: 644-659

Rest. (2d) §84; UCC §2-209

Feb 3: 659-681

UCC §§ 2-313, 2-314, 2-315, 2-316, 2-317

Feb 5: 681-691

Rest. (2d) 237, 241

Feb 10: 691-707

UCC §§ 1-204(3), 2-106(2), 2-508, 2-601, 2-602, 2-607, 2-608, 2-711

Feb 12: 709-730

Rest. (2d) §§ 20, 151, 152, 153, 154, 155

Feb. 13 (Makeup): 730-747, Handout *Atlas Corp. v. U.S.*

Feb 17: 747-760

Rest. (2d) §§ 237, 238, 261, 262, 263, 264, 267, 272, 377; UCC § 2-501, 2-613, 2-615

Feb 19: *Class Canceled*

Feb. 24: 760-781

UCC § 2-614

Feb 26: 781-794

Rest. (2d) §265

March 3: 795-818

Rest. (2d) §§250, 251, 252, 253, 254, 255, 256, 257

March 5: 850-862

UCC §2-612

March 10: *Spring Break*

March 12: *Spring Break*

March 17: 93-107, 863-880

Rest. (2d) §§ 344, 347, 348, 349, 352, 373

March 19: 819-831, 831-850

UCC §§2-608, 2-609, 2-610, 2-708, 2-713, 2-723

UCC §§ 2-609, 2-612, 2-702; Rest. (2d) §§ 251, 252

March 20 (Makeup): 880-889

UCC § 2-716; Rest. (2d) §§ 357, 358, 359, 360

March 24: 889-902

Rest. (2d) §§ 349, 353

March 26: 902-912, 912-925

Rest. (2d) §§ 355, 370, 371, 373, 374, 375, 376, 377

March 31: *Class Canceled*

April 2: 925-937

UCC §§ 2-703, 2-706, 2-708, 2-709; Rest. (2d) §350

April 7: 938-951

UCC §§ 2-605, 2-607, 2-711, 2-712, 2-713, 2-714, 2-715, 2-716

April 9: 951-957, 957-968

Rest. (2d) § 352

Rest. (2d) § 351, UCC §§ 2-714, 2-719(3)

April 14: 968-979, 979-999

Rest. (2d) § 350; UCC § 2-704

Rest. 2d § 356; UCC § 2-718

April 16: 1001-1036

Rest. (2d) §§ 302, 304, 315

April 21:

Catch-up and Review