

**CONTRACTS I
LAW 102-001 (CRN#83715)
Fall 2024**

Yijia Lu
ylu25@gmu.edu

COURSE SCHEDULE/MEETING TIMES/TYPE:

Thursday 1:50pm - 3:50pm

OFFICE HOURS: TBA

REQUIRED TEXTS:

Textbook: Robert E. Scott and Jody S. Kraus, *Contract Law and Theory* (6th 2022);

Supplement: Restatement (2d) of Contracts and UCC Article 2

COURSE OVERVIEW/DESCRIPTION:

Contracts are promises “for the breach of which the law gives a remedy, or the performance of which the law in some way recognizes as a duty.” What does this definition mean? What do parties have to do to turn a promise into a contract? And do and should courts enforce all such promises? Contracts I examines these essential questions of contract formation. Throughout our courses, differences between the common law and UCC approaches will be highlighted, with occasional comparison to contract law in foreign jurisdictions.

LEARNING OUTCOMES:

- Recognize the primary sources of US contract law, especially the differences between the common law and the UCC
- Understand the process of offer and acceptance in contract formation
- Master the doctrine of consideration, promissory estoppel, and definiteness
- Apply doctrines that police the process of contract formation
- Appreciate the theories and policies governing contract law

BASIS OF EVALUATION & ASSESSMENTS:

Grading will be based on a final exam. Exam format will consist of multiple-choice and essay questions.

INSTRUCTOR EXPECTATIONS AND COURSE RULES/STRUCTURE:

Please come to each class having completed all assigned readings from the textbook (blue/grey cover). Notice that the syllabus lists UCC and R2K sections. You do NOT have to read these for the scheduled class (unless the textbook makes extensive discussion of one particular section of it). These sections will be helpful when you review for the class.

EMAIL COMMUNICATION: Students must use their MasonLive email account to receive important University information, including communications related to this class.

COURSE SCHEDULE (subject to minor changes)

Page numbers refer to the textbook (grey hard cover)

R2K – Restatement Second of Contracts; UCC – Uniform Commercial Code (blue soft cover)

Topic 1: Contract Formation (Chapters 2 and 3)

Aug 22 Class 01: 3-34 Introduction

[R2K 1, 2 & 4]

Aug 29 Class 02: 225-239 Offer

[R2K 17, 22 & 24]

Sep 05 Class 03 239-251, 271-286 Acceptance, Counteroffer

[R2K 30, 32, 36, 38, 39, 43, 45, 50, 54, 56, 62, 69 – mostly definitions; UCC 2-207]

~~Sep 12 Class Cancelled~~

Sep 19 Class 04 147-161, 50-61 Consideration I

[R2K 71, 74(a), 81 + cmt. a.]

Sep 26 Class 05 161-193, 204-207 Consideration II & Promissory Estoppel

[R2K 79 + cmt. d, 90.]

Topic 2: Contractual Relationships (Chapter 4)

Oct 03 Class 06 309-336+handout Preliminary Agreement, Indefinite Agreements

[R2K 33, UCC2-204]

Oct 10 Class 07 347-373 Output/Requirements Contracts

[R2K 86, UCC 2-306(1), 1-303, 1-201(2)]

Oct 17 Class 08 373-387 (SKIP n. 6), 416-22 (n. 1-2) Exclusive Dealing, Modification

[R2K 89, UCC 2-306(2), 2-209(1)]

Topic 3: Regulating the Bargaining Process (Chapter 5)

Oct 24 Class 09 439-461 Duress

[R2K §§ 175(1), 176]

Oct 31 2 Class 10 461-8 & 473-9 (n.1, 4-7), 491-508 Fraud

[R2K §§ 160, 161, 164, 167]

Nov 7 Class 11 508-18, 526-548 (skip n.3 after Watts & n.2&4 after Baby M)

Incapacity, Public Policy [R2K §§ 12, 14, 178, 198 + comments in handout]

Nov 14 Class 12 548-61 (n.1-7) , 61-70 (n.1-5) Unconscionability

[R2K §208/UCC §2-302 + comments in handout 12]

Class 13 Review + Additional Office Hour [TBA]

Final Examination

Dec 3 noon - Date of Examination (open book; no internet)

For the latest update, please visit the course website (Blackboard)

Nov 21: Observe Monday Schedule; Nov 25 - Dec 1: Thanksgiving Recess; Dec 2: Reading Day

ATTENDANCE: Regular and punctual attendance are required to earn academic credit. Attendance requirements for academic credit will follow the policies set forth in Academic Regulation 4-1. Should a student anticipate the possibility of missing a substantial number of class sessions (e.g. a serious illness), he or she should immediately contact the Assistant Dean, Student Academic Affairs. There is no substituted work available for this course (see AR 4-1.2).

CLASS RECORDINGS PROHIBITED: No portion of a class session or an examination may be preserved by means of a recording device such as an audio recording device or camera (AR 4-2.2). Any exceptions to this policy must be expressly permitted in writing by me. Requests to access a particular meeting to accommodate a COVID-related absence should be made to the Assistant Dean, Student Academic Affairs.

EXAM CONFLICTS: In accordance with AR 4-4.1, excuses and requests for permission not to sit for an examination when scheduled must be presented, with appropriate documentation, to the Assistant Dean, Student Academic Affairs. Except in emergencies, such requests should be presented no later than two weeks before the date of the examination. All requests for extensions or rescheduling of deadlines will be processed through the Assistant Dean, Student Academic Affairs, whose decision will be final.

ACADEMIC INTEGRITY: It is expected that students adhere to the Antonin Scalia Law School Honor Code. The Honor Code prohibits lying, cheating, or stealing. This includes a student obligation to never represent the work of another as their own, and to never provide or accept unauthorized assistance on any school related assignment. The Honor Code is available here: <https://sls.gmu.edu/honor/>.

CLASSROOM ACCOMMODATIONS: Disability Services at George Mason University is committed to providing equitable access to learning opportunities for all students by upholding laws that ensure equal treatment of people with disabilities. If you are seeking accommodations for this class, please visit <https://ds.gmu.edu/> for detailed information about the Disabilities Registration Process. Faculty may not receive or respond to requests for an accommodation. All requests must be handled by the office of Disability Services. You may contact Disability Services directly via email at ods@gmu.edu or phone at (703) 993-2474. If you have any questions about how in-class or testing accommodations are implemented at the law school, please contact the Assistant Dean, Student Academic Affairs for more information.

STUDENT HONOR CODE - [Click Here](#)

ACADEMIC REGULATIONS - [Click Here](#)

UNIVERSITY LIFE: University Life provides student support resources such as **Counseling and Psychological Services** (<https://caps.gmu.edu/>), **Student Health Services** (<https://shs.gmu.edu/>), and the **Student Support and Advocacy Center** (<https://ssac.gmu.edu/>). For more information about University Life on the Arlington Campus, please visit: <https://ularlington.gmu.edu/>