

CONTRACTS I

Professor Michelle Boardman
Fall 2026 Law 102 R04
Monday 6:05-8:05 p.m.

Required texts

A **physical copy** of the correct edition of each book is mandatory. You must have both books available to you during class, this semester and in Contracts II, which will be in person.

Casebook: *Contract Law and Theory*, Robert Scott & Jody Kraus (6th ed.)

Supplement: *Contract Law and Theory: Selected Provisions* (6th ed.)

Assignments

Your primary reading will be from the casebook. If the casebook reading refers to a Code or Restatement section that is in the *Selected Provisions* supplement, read and ponder that section. You will find that reading a section several times is necessary but rarely sufficient.

August 17:	3-34, then watch this YouTube video , followed by this video .
August 24:	50-61, 116-129
August 31:	76-102, less focus on <i>Taylor</i>
September 7:	Labor Day
September 9:	Wednesday, observe a Monday schedule. 147-160
September 14:	183-203. Read the introductory essay (170-74) either after reading the cases, or read it both before and after. It may be more confusing than useful if only read before. Read the two additional essays if you wish. 181-82 and 204-06. (Material Benefit Rule, 214-221. This is for your information in life and will not be on the exam.)
September 21:	225-243. Skip the <i>Ciaramella</i> case, although I will explain the main point of it. Read 251 n.5-256. We will examine the Mailbox Rule in class.
September 28:	271-306.
October 5:	347-374, 384-386 n.3
October 12:	Fall Break
October 19:	416-425, 439-455, 460 n.8
October 26:	461-479, 491-502
November 2:	309-330, 34-44
November 6:	548-563, which includes two cases at 61-70
November 16:	563-584
November 20:	Classes end
November 25-29:	Thanksgiving Break, building closed
Friday, December 1:	Final Exam

Discussion outside of class

You can meet with me during announced office hours or by appointment, in person or by Zoom, including in the evening and on weekends. (Once the semester gets going, I will also announce in advance when I will be available in the atrium in the hour before your in-person classes.) A link to my Zoom room will be sent by email. Most questions can be answered by reviewing the assigned reading, reviewing your notes, or talking with your classmates; think of this as practice for real lawyering. If you pose a question to me, you must also make a good faith attempt at an answer. You may email questions, and answers, to mboardma@gmu.edu.

Grading

The final exam will be open book, open paper notes, closed to electronic notes, and will include a series of essay and shorter answer questions, potentially including multiple choice. I reserve the right to increase your grade one step (B+ to A-, for example) based on quality class participation. I reserve the right to decrease your grade one step for lack of reading preparation.

Learning Outcomes

This course is about contract law. Among other skills, at the end of Contracts I, students will understand and be able to apply:

- Consideration, including doctrines of contract enforcement and unenforceable promises.
- Offer and acceptance, and contract formation in general, under both the common law and the U.C.C. Art.2 Sale of Goods.

This course is also about how to read and apply cases in a common law system. At the end of Contracts I, students will have an understanding of:

- How and when to apply the common law, the Second Restatement of Contracts, and the U.C.C.
- How to read and analyze a legal opinion in the context of other sources of law.
- How to use analogical reasoning to predict, or advocate for, a legal outcome in a novel factual circumstance.

Students online should attempt to replicate in-class behavior. This means that your computer camera should generally remain on; if you would not get out of your seat for a given reason in person to “leave the room,” do not do so from home. However, because one never knows when one might need to jump out of one’s chair after a hot coffee spill, might I suggest always wearing actual clothing below the waist. As I have proven unable to completely bar the humans I live with from very occasionally wandering into the room, I do understand that any student attending online may have the occasional interruption. Quiet pets welcome. We will as a group usually take a short break in the middle of class.

This class is taught by Socratic method, which means I ask questions and, at times, answer yours. All students will be called upon at random, but also be able to volunteer, to respectfully question one another, and to express agreement or disagreement. As I will refer to you in class by your last name, please have your last name visible on Zoom.

Class recording by students is prohibited. Under Academic Regulation 4-2.2, 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. Any exceptions to this policy must be expressly permitted in writing by me. I will, if possible, be recording most course sessions and making these available to individual students upon a request that I grant, or upon express direction from the Assistant Dean for Student Academic Affairs, in order to accommodate a student for certain absences, including illness.