

Contracts 1 (All Sections)
Prof. Royce Barondes
Assignments for the First Class, Etc.
Fall 2021

Textbooks:

Following are the required texts for this class:

- Required: Farnsworth, Sanger, Cohen, Brooks and Garvin, *Contracts Cases and Materials*, 9th edition, 2019; ISBN: 978-1-63460-653-0, Foundation Press.
 - This publisher will also sell the book bundled with other materials, called a “CasebookPlus” edition. You do not need to purchase the “CasebookPlus” edition.
- Required: Burton and Eisenberg’s *Contract Law, Selected Source Materials Annotated*, 2021 Edition (West Academic Publishing; ISBN: 9781647088613).
 - Note: This is *not* the longer so-called “Expanded Edition.”
 - *Other editions* of this book (a different year or another type of different edition) *will not be suitable*. Purchasing a different edition may result in your being unable to reference material in an exam, or a portion of an exam, that other students can reference. So, please do not substitute editions.
 - It likely may not be possible to find a used version of this book by Burton & Eisenberg. However, this book changes some from year to year. It would very much assist your instructor if you don’t purchase the incorrect edition.
- Required: Additional instructor-written supplemental reading to be made available through the bookstore. It should be identified as “Supplemental Reading (Part 1)”, and indicate a date of “Fall 2021”.
 - This document was revised from the version used last year. You should have the assigned version.
 - The Bookstore often will only print this book following a specific request. Filling the request may take a few days. So, it will not produce satisfactory results to wait until the day before the first class to attempt to purchase it.
 - The first 43 pages are posted on the course website under the module (main heading) labeled, “Administrative—Fall 2021” and at the link in that module labeled, “First 43 Pages of Instructor-Authored Supplement—Fall 2021.”
 - Depending on the speed with which we progress, additional supplemental material may be made available in November.

Note that Prof. Lambert normally uses the same primary texts that your instructor uses (the first two listed above) in Prof. Lambert’s spring class in Contracts 2. Thus, it may not save money to rent those books for a single term.

Course Website:

A course website, created using the Canvas learning management system, has been created. It will be available, starting at or about one week before the first class. The u.r.l. your instructor has been provided is:

<https://missouri.instructure.com>

Please note that the university has elected to make a substantial configuration in the way it provides Canvas during the week of August 9. The consequences for students have included such basic things as changing the u.r.l. at which the site is accessed. As a result, it seems possible that there may be technical issues. *Students who have problems signing-in on or after one week before the first class meeting begin should contact the university information technology support, whose contact information at the time this document is being created is available at: <https://courses.missouri.edu>.*

A Note on Viewing the Recordings—First Step if A Recording Won't Play in Full:

The instructor has used recordings posted in Canvas for a number of years. Occasionally students have advised the instructor that a recording stops in the middle, or there has been some other technical problem viewing the recording. To the best of your instructor's recollection, those problems normally were resolved by the student endeavoring to watch the recording on a higher capacity network, such as the one available on campus. That is, the student's personal internet connection has been the problem. So, if you encounter such a playback problem with a video, attempting to watch them on a different network should be your first step.

The instructor has in fact watched all the recordings for the first week of classes through the Canvas system on the computer at his house. So, it has worked for him.

Assignments for the First Week:

Note: The instructor sometimes references a location on a page with a numeral after a decimal. So, 16.4 would reference approximately four-tenths of the way down the page. 16.0 would be the top of page 16; and 16.10 would be the bottom of page 16.

If a reference to a fraction of a page seems ambiguous, please simply construe it as involving the choice that has the greater amount of reading. It's not efficient to have a Canvas thread discussion about that. Thanks.

Week 1

Class 1 (Wed., 8/25):

- Read the following pages of Barondes Supplement: 27–34.
 - Note: A version of this case is reproduced in two different parts in the casebook. Please read the version that is assigned--the one in the instructor-authored supplement.
- Scan the class syllabus (on the course website) to ascertain whether any administrative question that you may have is addressed in that document.
 - If you have a question, you are to post it in the discussion forum on the course website for these questions (named, “*Questions on the Syllabus*”; navigate “Discussions [in the frame on the left-hand side] | Questions on the Syllabus).
 - ***Please do not simply email a question about the syllabus to your instructor***, because (i) this kind of question and any clarifying reply ought to be shared with all the students and (ii) if you do not post it I may have to have a back-and-forth getting confirmation of FERPA (a student privacy statute) consent to my posting the communication), which may be resolved by having you post the question. You are to read the syllabus in whole, but that need not be completed until the end of the week.
- Review the following recordings on the website in Module 1 under the link named, *Module 1-Media for Module 1 Combined* (I recommend that you view the recordings after reading the above-referenced pages in the supplement):
 - Additional Preparation re. *Hawkins v. McGee*
 - Why Start with Remedies?
 - How to Succeed in this Class, Part 1
 - How to Succeed in this Class, Part 2

Note: Other media for Module 1, which are on that page, will be assigned for a subsequent class meeting.
- Prepare answers to the questions you are asked to prepare in the recording *Additional Preparation re. Hawkins v. McGee*.
 - This is to be done ***before*** the class, and you are to have your analysis at hand (available to reference) during class. Although you are assigned to work some problems, you are ***not*** required to submit that to the professor, as written work product, before the class meeting.

Class 2 (Fri., 8/27):

I recommend you watch the recordings for this class before reading the assigned portion of the text, but either way is likely satisfactory.

- Review the following recording(s) under the link named *Module 1-Media for Module 1 Combined*:
 - How to Succeed in this Class, Part 3
 - Alternative Measures of Recovery
 - Coordinating Measures of Recovery
- Read Farnsworth et al. Casebook pages 13.7 through 21.3 (including preparing the answer referenced in the following paragraph).
 - As part of reading the above-referenced pages in the Farnsworth et al. casebook, **please prepare your answer to the hypothetical question included in Note (2)**, which starts on page 18 and carries-over to page 19. This requires students to compute the plaintiff's amount of recovery if based on each of the following alternatives (i) restitution, (ii) reliance and (ii) expectation.
- Read Barondes Supplement, pages 1 through 26.
 - These 26 pages in the instructor-authored supplement are listed in the assignment for the second class. However, it is OK if a student pressed for time postpones reading them (these 26 pages from the instructor-authored supplement) until the second week of class.