SALES AND LEASING
SYLLABUS – FALL 2007
PROFESSOR DEVLIN

Meets Tuesday and Thursday 9:00 a.m. – 10:20 a.m. Room TBD

Additional materials may be assigned and/or distributed in class and via e-mail.

Sales and Leasing is a statutory course that will examine provisions of the Uniform Commercial Code (UCC) applicable to the sale of goods and the leasing of personal property – Articles 1, 2, and 2A – and the UN Convention on Contracts for the International Sale of Goods. The UCC is accompanied by Official Comments that, while not part of the law, reflect the drafters’ intent. We will consider ethical and professional questions related to the subject matter and integrate the statutory system with the analytical and practical skills necessary in the practice of law.

Grades will be based on two components, each weighted approximately equally:
1 – Final examination of approximately 90 minutes (consisting of 20 objective questions and a fact pattern essay)
2 – Paper, topic to be selected by student from list to be provided during third class and due by class on November 20. Paper is not to exceed 12 pages plus footnotes or endnotes. Paper is to be double-spaced with reasonable margins; in Times New Roman, 12 point type. Footnotes and references should conform to The Bluebook: A Uniform System of Citation (the “Harvard Bluebook”) and Texas law Review Manual on Usage & Style.

You will note the class will not meet on October 9 and 11 and on November 1. We will decide on mutually during the first week of class the manner in which those classes will be made up – either by an additional 8-10 minutes on each of the other classes or by make-up sessions that we will schedule, depending on whether students have a 10:30 class following our class.

Computers are permitted for taking notes only. Beverages (water, soda, tea, and coffee are permitted, but please no eating in class.
August 21
Introduction and Overview with Scope of UCC Articles 2 and 2A and CCISG
Assignment--Keating pp. Preface and text on pages 1-10, 23-25, and 37-38 and
Problem 1.2

August 23
Scope of UCC Articles 2 and 2A and CISG
Assignment--Pages 10-20 and Problems 1.3 through 1.5
Pages 29-40 and Problem Set 2

August 28
Contract Formation
Assignment--Pages 44-68 and Problem Set 3

August 30
Contract Formation
Assignment--Pages 69-85 and Problem Set 4

September 4 and 6
Statute of Frauds, Parol Evidence, and Formalization
Assignment--Pages 86-130 and Problem Sets 5, 6, and 7

September 11, 13, 18, and 20
Warranties
Assignment--Pages 131-221 and Problem Sets 8 through 13; Magnuson-Moss Warranty-
Federal Trade Commission Improvement Act and Regulations (pp. 1482 through 1505 in
Selected Commercial Statutes) and Federal Trade Commission, A Businessperson’s
Guide to Federal Warranty Law (available at
http://www.ftc.gov/bcp/conline/pubs/buspubs/warranty.shtm

September 25 and 27
Commercial Impracticability, Unconscionability, and Implied Covenants
Assignment--Pages 222-248 and Problems Sets 14 and 15;
On UCC § 2-305, (“open price” term), read Mathis v. Exxon Corp., 302 F.3d 448 (5th
Cir. 2002); Tom Lin Enterprises, Inc. v. Sunoco, Inc., 349 F.3d 277 (6th Cir. 2003), and
Shell Oil Co. v. HRN, Inc., 144 S.W. 3d 429 (TX 2004).

October 2 and 4
Title
Assignment--Pages 249-273; Problem Sets 16 and 17

October 9 and 11 --NO CLASS

October 16
Closing
Assignment--Pages 275-307 and Problem Sets 18 and 19
October 18
Risk of Loss
Assignment – Pages 310-334 and Problem Sets 20 and 21

October 23, 25, and 30
Seller’s Remedies
Assignment – Pages 335-384 and Problem Sets 22-24

November 1 – NO CLASS

November 8, 13, and 20
Buyer’s Remedies
Assignment – Pages 385-431 and Problem Sets 25 through 27;

November 27
Special Remedies
Assignment – Pages 432-455 and Problem Set 28

November 29
Fill in the Gaps