Textbook: Remedies: Cases, Practical Problems and Exercises, Weaver, Partlett, Lively and Kelly; Hornbook: Handbook on the Law of Remedies, Dan B. Dobbs; two copies reserved in Library

Classes: Tuesday and Thursday, 1 ½ hours (3 hours credit); class will meet from 9 a.m. until 10:20, permitting accumulation of 5 minutes per session to apply against any canceled classes. 28 sessions beginning January 19, 2010, and ending April 29th.


Final Exam: May 5 - 14, 2010; Grade will be based upon class participation and the final exam which will consist of essay questions requiring remedies’ analysis and solution; presentation and writing style as well as content will be graded.

Attendance: 80% attendance is required; missing more than 5 classes will result in automatic dismissal from the class; in order for an excused absence to permit more than 5 missed classes, all six or more would have to be excused for good cause. Late arrival to class will count as a miss at my discretion. Class will begin promptly at 9 a.m.

1st Class: Pages 1 - 21 EQUITY OVERVIEW: Equitable Remedies.

2d Class: Pages 22 - 55 Equitable Defenses: Unclean hands; Unconscionability; Laches; and Estoppel.

3d Class: Pages 56 - 81 Trial by Jury; Enforcement of Equitable Decrees.

4th Class: Pages 82 - 101 Procedural Requirements; Duty to Obey; Collateral Attack.

5th Class: Pages 101 – 123 Collateral Attack

6th Class: Pages 124 - 154 Injunctions; Nature and Purpose, Standards, Hearing


8th Class: Pages 181 - 209 Bond Requirement, Stays; Permanent Injunctions—Framing the Injunction.

9th Class: Pages 210 - 238 Permanent Injunctions—Experimental/Conditional Injunctions; Effect on Third Parties.
10th Class: Pages 239 - 269  
Modification of Decrees; Injunctions Against Criminal Activity, Against Litigation–State vs. Federal.

11th Class: Pages 270 - 292  
Injunctions Against Litigation–Federal vs. State.

12th Class: Pages 292 - 324  
Structural Injunctions; Extra-territorial Decrees Affecting Land; Affecting Personalty.

13th Class: Pages 325 - 352  
National Security.  
**RESTITUTION**: General Principles.

14th Class: Pages 352 - 377  
Enrichment; Special Restitutionary Remedies–Constructive Trust, Equitable Lien

15th Class: Pages 378 - 407  
Constructive Trusts; Tracing; Priority over Other Creditors; Circumvention of Debtor Exemptions

16th Class: Pages 408 - 437  
Declaratory Judgments: Generally; Case or Controversy; Jurisdiction; Standards of Review

17th Class: Pages 438 - 457  
Declaratory Judgments in Special Context; Effect

18th Class: Pages 458 - 475  
**DAMAGE REMEDIES**: General Principles;

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Spring Break: March 14 – 22, 2009

19th Class: Pages 476 – 498  
Market Measures; Losses beyond Value;

20th Class: Pages 499 - 523  
Limits of Market Measures; Subjective Value;

21st Class: Pages 524 - 553  
Pain, Suffering, Distress and Loss of Joy;

22d Class: Pages 554 - 587  
Indignity and Intangible Losses; Wrongful Death.

23d Class: Pages 600 - 631  

24th Class: Pages 632 - 655  
Avoidable Consequences and Related Doctrines; Collateral Source Rule; Avoidable Consequences Doctrine

25th Class: Pages 656 - 686  
Limitations—Avoidable Consequences—Public Policy

26th Class: Pages 687 - 702  
Agreed Remedies—Liquidated Damages; Limitations on Damages.

27th Class: Pages (tba)  
Remedies in Context.

28th Class: Pages (tba)  
Remedies in Context.