

## **FINANCING THE BUSINESS TRANSACTION**

### **1. Course Description**

This two-hour course will introduce students to the structure and customary documentation of bank credit facilities secured by personal property collateral. Both documents from actual transactions and model forms will be utilized. Techniques for maximizing Article 9 rights and avoiding fraudulent transfers will be emphasized. The Texas special loan agreement statute of frauds and Texas usury law will be discussed. Students previously must have completed Secured Financing. The maximum enrollment is twelve students.

### **2. Course Objectives**

The objectives are to teach the substantive law of commercial financing in a comprehensive manner, to consider ethical and professional issues related to commercial financing, and to integrate commercial financing with the analytical and practical skills necessary to the practice of law.

### **3. Course Materials**

The materials will include the unabridged version of West's 2012 Selected Commercial Statutes, the Statutory Supplement (SS), and materials provided by the Instructors. This Syllabus will be supplemented by general assignments for each week of class. The general assignments may be supplemented by specific additional assignments at the end of each class period.

### **4. The Law of the Course**

The UCC in the SS is prima facie the Law of the Course. However, to the extent that TX non UCC law and TX nonuniform amendments to the UCC are provided to the class, the TX provisions supersede the UCC to the extent of conflict and are the Law of the Course.

### **5. Examination**

The Final Examination will be open book and consist of a fact situation or fact situations with respect to which students will be expected to analyze and to recommend either appropriate loan structure and documentation or appropriate action in view of the documentation and loan structure utilized.

### **6. Grade Components**

A student's grade will be based upon the Final Examination. A student's final grade may be raised or lowered based upon class performance.

### **7. Students with Disabilities**

Students who may need additional help pursuant to the Americans with Disabilities Act Guidelines should advise the Instructors as soon as possible.

8. Keeping in Touch

Richard Dole's office is Room 118 BLB. His office telephone number is (713) 743-2139. His E-Mail address is [ddole@central.uh.edu](mailto:ddole@central.uh.edu). His Secretary April Simmons' telephone number is (713) 743-2130. Her E-Mail address is [anbridge@central.uh.edu](mailto:anbridge@central.uh.edu)

David Keyes' telephone number is (713) 540-3616. His E-Mail address is [dkeyes40@gmail.com](mailto:dkeyes40@gmail.com).

Linda Dole's telephone number is (713) 220-4122. Her E-Mail address is [ldole@andrewskurth.com](mailto:ldole@andrewskurth.com).