

Class	Day	Topic	Reading
1	1/21/2015	Course Introduction; Contract Remedies I	Ponzetti's Promise [CF #45.0][discusses triad of contract remedies]; Texas Civil Practice & Remedies Code; sections 38.001-38.006; Lap Pool [CF #46.0][remedies when performance is inefficient]; Restatement (Second) of Contracts §§1, 2, 4, 344-370 (these will be addressed periodically during the Remedies section)
2	1/22/2015	Contract Remedies II	Gabby Hayes [CF #47.0][specific performance];
3	1/23/2015	Contract Remedies III: Hadley v. Baxendale & Restitution	Spare the Rod [CF #53.0][the rule of Hadley v. Baxendale]; A Slippery Path [CF #50.0][restitution & breaching party remedies];
4	1/28/2015	Contract Remedies IV: Reliance and Formula Damages	Durin's Bain [CF #49.0] [[reliance]]; Grand Trip [CF #48.0][formula damages]]
5	1/29/2015	Contract remedies V: Certainty and Proportionality	Top Cream [CF #52.0][speculative damages]; \$17.60 [CF #54.0] [[proportionality]];
6	1/30/2015	Mitigation + Review	Pippin's Place [CF #55.0][duty to mitigate]];
7	2/4/2015	Economic Analysis of Contracts	Kaplow & Shavell pp. 2-21 (available on course materials page); Kaplow & Shavell pp. 47-54 (available on course materials page)
8	2/5/2015	Consideration and Material Benefit Rule	Restatement (Second) of Contracts §§ 71, 73, 74, 77, 79, 81, 82, 83, 84, 85, 86, 87, 89, 90, 95; B is for Beresford [CF # 3.0][consideration]; Datamagic [CF #3.3][introduction to form contracts]]
9	2/6/2015	Material Benefit Rule & Promissory Estoppel	Estate of Vernon Gagne I [CF # 4.0]; Vernon Gagne II [CF #5.0] [[consideration substitutes]]

10	2/11/2015	Offer and Acceptance	How Much for that Houseboat [CF #7.0][[contract formation]]; Restatement (Second) of Contracts Chapter 3
11	2/12/2015	Battle of the Forms, Indefiniteness & Modification	Clockwork Fabricators [CF #12.0][[UCC 2-207]]; Read UCC 2-207 seven times over;; Little Action [CF #8.0][[invitations]]
12	2/13/2015	Special Issues in the Formation of Unilateral Contracts & Indefiniteness	Major Litigation [CF #9.0][[unilateral contracts]]; Major Litigation II [CF 13.0][[indefiniteness]] skim Billy Farrell [CF #10.0][[more on unilateral contracts]]
13	2/18/2015	Regulation of the Bargaining Process: Statute of Frauds; Parol Evidence Rule	The Birthas [CF #18.0][[UCC statute of frauds]]; Humphrey's Bonus [CF #28.0][[Parol evidence rule]]; Restatement (Second) of Contracts Chapter 5, Restatement (Second) of Contracts §§ 209, 210, 211, 213, 214, 215, 216, 217
14	2/19/2015	Unconscionability and Public Policy	Scuba Accident [CF #24.0][[liability waivers]]
15	2/20/2015	Interpretation	A Retired Cowboy with Nothing Better to Do [CF #30.0][[What is Chicken?]]; Restatement (Second) of Contracts §§ 20, 201, 202, 203, 204, 205, 206, 220, 221, 222,223 + TBA on FTC litigation
16	2/25/2015	Interpretation and Texas Interpretation	Justice By Any Other Name [CF #27.0][[arbitration clauses]]; Fiess v. State F 744 (Tex. 2006)(available on TWEN) [[Texas insurance contract interpretation and the role of agencies]];
17	2/26/2015	Regulation of the Bargaining Process: Capacity; Duress; Fraud	Cooked Pudding [CF #19.0][[capacity]]; Keene Saab [CF #22.0][[fraud]]; Restatement (Second) of Contracts §§ 12-16; 162, 164, 167, 169, 174-177

18	2/27/2015	Nondisclosure	A Fisher of Sorts [CF #23.0] [[sneakiness and the law]]
19	3/4/2015	Express conditions: Constructive Conditions	The Bonus [CF #31.0][[express conditions]]; Shooting a Database [CF #32.0][[Jacobs & Young v. Kent]]; Restatement (Second) of Contracts §§ 161, 224, 225, 226, 227, 228, 229;
20	3/5/2015	Performance Standards: Warranties	Clyde [CF #33.0][[warranties and pets]]; Password Protection [CF #33.1][[UCC warranties; software]]; Soft Protect [CF #33.2][[warranty disclaimers]]
21	3/6/2015	Promise and Condition; Mistake	Detroit Lions [CF #36.0][[frustration/impracticability/mistake]]; Restatement (Second) of Contracts Chapter 6;
22	3/11/2015	Impossibility of Performance & Frustration of the Promisee	Agate Dog [CF #37.0] [[impracticability]]; The Problem With Bones [CF #40.0][[frustration]]; Restatement (Second) of Contracts Chapter 11
23	3/12/2015	Breach	Sherman Trainer I [CF #41.0][[breach at common law]]; Sherman Trainer II [CF #42.0][[breach under the UCC]]; UCC 2-601 through 2-612; RS Chapter 10
24	3/13/2015	Midterm	
25	3/25/2014	Scope of the UCC; Warranties	Bad Advice [CF #2.1][[UCC scope]]; Skim all of Articles 1 and 2 of the UCC; UCC 2-312 through 2-318;
26	3/26/2014	Buyer's Remedies	GO BLUE [CF #56][[UCC Damages]]; Visual Books [CF #57.1][[self-cover]]; ; UCC 2-711 through UCC 2-719
27	3/27/2014	Buyer's Remedies	James Wins The Open [CF 57.1] + UCC 2-702 through 2-710
28	4/1/2014	Seller's Remedies	The Thing [CF 58] Power Pod [CF 59]
29	4/2/2014	Third Parties; Contract as property	A Man's Word [CF 60]; A Chewer [CF 61] RS2d Chaps. 14 & 15

30	4/3/2014	Third Parties II	UCC and FTC Rules; gitchee Gumme Mosquitos [CF 62]; Dancing Cars[ CF 62.3]
31	4/8/2014	Contract Drafting: components, representations and warranties	DC Review pp. 9-94; (prepare to give me a tour of the Website Development Agreement on pages 543-552 based on the reading and to answer the questions set forth in the margins)
32	4/9/2014	Definitions	DC 95-116; Do Exercise 7-1; 7-7
33	4/10/2014	Action Sections and Representations and Warranties	DC 117-128; 137-47; Do Exercise 8-5; Exercise 9-1
34	4/15/2014	Covenants	DC 149-57 (skip acquisition agreements); Exercises 10-1; 10-2; 10-3; 10-4; DC 163-66; Exercises 11-1; 11-2; 11-3; 11-4
35	4/16/2014	Conditions, Discretionary Authority and Will v. Shall	DC 173-190; Exercises 12-1
36	4/17/2014	Drafting	Exercise 14-1
37	4/22/2014	Endgame provisions; general provisions, signatures	DC 191-216; Exercise 15-1; 15-7
38	4/23/2014	Assignment and Boilerplate	DC 217-51 Exercises 16-1; 16-2; 16-5
39	4/24/2014	Clarity	DC 255-324 (no exercises)
40	4/29/2014	Review of Contract Drafting	TBA