

Course Syllabus

Our textbook this semester will be *Modern American Remedies* (Fourth Edition) by Douglas S. Laycock. Unless otherwise noted, all reading assignments are from this textbook.

- January 26 --** Introduction to Course and Rightful Position Principle (pp. 1-15)
Value as the Measure of the Rightful Position (pp. 16-27)
- February 2 --** Expectancy and Reliance as Measures of the Rightful Position (pp. 28-41)
Consequential Damages -- The Texaco/Pennzoil Case (pp. 41-53)
- February 9 --** Limitation of Remedy and Liquidated Damages Clauses (pp. 53-68)
Dignitary and Constitutional Harms (pp. 137-150)
- February 16 --** Guest speaker -- Rick Goldberg to discuss trial presentations
Taxes and Prejudgment Interest (pp. 150-169)
- February 23 --** Preventive Injunctions (pp. 207-220)
Reparative Injunctions (pp. 232-240)
- March 2 --** The Substantive and Procedural Law of Preliminary Injunctions and TROs (pp. 350-372)
Guest Speaker -- Harris County State District Court Judge
- March 9 --** Damages or Injunctions (pp. 297-311)
Damages or Specific Performance (pp. 312-324)
- March 16 --** Spring Break
- March 23 --** Prospective or Retrospective Relief -- Sovereign Immunity (pp. 373-393)
Declaratory Judgments (pp. 453-465)
- March 30 --** Disgorging Profits I and II (pp. 513-546)
- April 6 --** Tracing Issues (pp. 564-576)
Restitution from Third Parties (pp. 489-512)
- April 13 --** Punitive Damages: Common Law and Statutes (pp. 171-184)
Punitive Damages: The Constitution (pp. 184-195)
- April 20 --** The Collateral Bar Rule (pp. 625-636)
Attorney's Fees: Fee Shifting Statutes (pp. 689-702)
- April 27 --** Attorney's Fees: Common Fund Cases (pp. 702-713)
Final Review

Contacting Me

Please feel free to call me at any time to discuss remedies, any other area of law, or practically any topic under the sun. I'd also be happy to talk about career advice to the extent I'm able to help you. My door is open. My work number is (713) 337-5581. My email address is: andrew.edison@emhllp.com.

The Exam

The exam will be a three-hour exam consisting of both essay and short answer. This is an open-book exam. Your grade in this course will be determined entirely by your performance on the exam.