

## Conflict of Laws – Spring 2020

Professor Razvan Ungureanu

Email: razvan@skv.com

### 1. Course Description

Welcome to Conflict of Laws! Students interested in pursuing careers in litigation may find this course particularly beneficial. As more and more lawsuits involve disputes or transactions connected with more than one state or country, courts are increasingly called upon to decide what substantive law governs. For example, an Italian company enters into a contract with a California company that calls for performance at the Italian company's facility in Arizona. If California law would uphold the validity of the contract, but Italian law would hold the contract invalid, will a court enforce the contract? Assuming it would, in a breach of contract action between the two companies, will California law, Arizona law, or Italian law govern? Is it possible that California law would govern one aspect of the case (e.g., contract validity), while Italian law or Arizona law would govern other aspects (e.g., performance)? And does (or should) the forum of the lawsuit affect the answers to the previous questions? Other topics of this course include personal jurisdiction and the enforceability of judgments rendered in another state's or nation's court. Class discussions will provide practice in the application of theory to facts, and in the careful analysis of cases.

### 2. Class Schedule

This class will meet Monday and Wednesday from 8:30 a.m. to 10:00 a.m. Class attendance is required.

### 3. Course Materials

The casebook for this course is Kay, Kramer, Roosevelt & Franklin's *Conflict of Laws: Cases—Comments—Questions* (10th edition). I have also prepared a Supplement that contains additional reading, which I will make available to you in electronic format.

### 4. Reading Assignments

Reading assignments will be light (approximately 15-25 pages per class), but we will cover cases in greater detail than you may be used to. Tentative reading assignments are listed below.

Class	Reading	Topics
1	3-19	The Traditional Approach to Choice of Law <ul style="list-style-type: none"><li>• <i>Alabama Great Southern Railroad Co. v. Carroll</i></li><li>• <i>Dawson v. Dawson</i> (from Supplement; 224 Ala. 13)</li></ul>
2	19-28	The Traditional Approach to Choice of Law <ul style="list-style-type: none"><li>• <i>Victor v. Sperry</i> (from Supplement)</li><li>• <i>Milliken v. Pratt</i></li></ul>

3	28-42	The Traditional Approach to Choice of Law <ul style="list-style-type: none"> <li>• <i>In re Barrie's Estate</i></li> <li>• <i>White v. Tennant</i></li> <li>• <i>In re Estate of Jones</i> (from Supplement)</li> </ul>
4	42-51	Catch-up from Class #3 Escape Devices (Characterization) <ul style="list-style-type: none"> <li>• <i>Levy v. Daniels' U-Drive</i></li> <li>• <i>Haumschild v. Continental Cas. Co.</i></li> </ul>
5	51-74	Escape Devices (Substance/Procedure) <ul style="list-style-type: none"> <li>• <i>Grant v. McAuliffe</i></li> <li>• <i>Bournias v. Atlantic Maritime Co.</i></li> </ul> Escape Devices (Renvoi) <ul style="list-style-type: none"> <li>• <i>In re Schneider's Estate</i></li> <li>• <i>In re Annesley</i> (from Supplement)</li> </ul>
6	74-89	Catch-up from Class #5 Escape Devices (Public Policy) <ul style="list-style-type: none"> <li>• <i>Loucks v. Standard Oil</i></li> <li>• <i>Mertz v. Mertz</i></li> <li>• <i>Holzer v. Deutsche Reichsbahn-Gesellschaft</i></li> </ul>
7-27	TBD	To be updated as the semester progresses

## 5. Grading

Your final grade will be determined principally by your performance on the final exam. I may also take the quality of your participation in the course and your attendance into account when assigning your final grade.

I anticipate, but do not promise, that the final exam will contain ten to fifteen short answer questions over a three-hour period; the questions will usually identify the major issue you need to address. The exam will not contain any spot-all-the-issues-you-can-come-up-with essay questions. Rather, the exam will focus on whether you understood the major concepts we have covered, not on your ability to spot issues under time pressure.

## 6. Office Hours

I want to be fully accessible to you. I will generally be available both before and after class to answer questions. You can also email me at any time either with questions or to set up an appointment.

## 7. Counseling and Psychological Services

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS ([www.uh.edu/caps](http://www.uh.edu/caps)) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the "Let's Talk" program, a drop-in consultation service at convenient locations and hours around campus. [http://www.uh.edu/caps/outreach/lets\\_talk.html](http://www.uh.edu/caps/outreach/lets_talk.html).