

INITIAL READING ASSIGNMENTS – FALL 2013

Listed below are the initial reading assignments we have received to date. (Note: Initial reading assignments for first-year courses are not included in this list.) Not all professors submit initial assignments, so do not be concerned if there is no listing for one or more of your fall courses. Even if a course is not listed here, materials for the course should be available in the Bookstore. This list may be updated if we receive additional assignments.

Bankruptcy - Prof. S. Harris

Course information and the first set of assignments will be posted on the TWEN site for this course.

On Monday and Wednesday, August 26 and 28, we will discuss the non-bankruptcy rights of unsecured creditors. Please study pp. 1-42 of the Tabb & Brubaker casebook ("CB") and work the problems included in those materials. You may omit § B.1.c (CB 9-11); Problems 1.8 and 1.9; and McDermott (CB 30-34).

On Thursday, August 29, we will discuss security interests under UCC Article 9. Please work the Problems on Security Interests and look at the Form UCC-1 financing statement (both available for download from the TWEN site) and read CB 9-11.

Business Legislation Practicum - Prof. P. Hablutzel

During the week before classes begin, we will begin to exchange e-mails about what day and time we can all schedule our one-hour, weekly meetings. For the new students just joining the team, you should become familiar with the Illinois Limited Liability Company Act. The Institute is preparing a complete revision of that Act, and hopes to have it ready before the end of 2013. There are other projects of the Institute to work on.

Business Organizations (4:00 section) - Prof. Batlan

For the first class, please read pages 1-13 in the casebook, Klein, Ramseyer & Bainbridge, *Business Associations: Cases and Materials on Agency, Partnership, and Corporations* (Foundation Press, 8th edition).

Business Organizations (evening section) - Prof. P. Hablutzel

For the first class, Tuesday, August 27:

Read Chapter One, pages 1-14. This is "background."

Read Chapter Two on Agency, pages 15-38.

Skim over the portions of the Restatement of Agency in the paperback "statutes booklet."

For the second class, Thursday, August 29:

Read Chapter Three on Partnerships - pages 39-69. The first case, pages 40-44, is very difficult - don't be discouraged.

Throughout the chapter on Partnerships, we will be referring to two items in the "statutes booklet":

Uniform Partnership Act ("UPA", 1914), pages 199-219.

Revised Uniform Partnership Act ("RUPA", 1997), pages 221-345

Children and Divorce (LL.M. class) - Profs. Levin & N. Hablutzel

Please read the Illinois Marriage and Dissolution of Marriage Act before the first class. We will start our discussion there for the first class. The syllabus will be handed out in the first class.

Civil Procedure - Prof. Perritt

Access the course syllabus at <http://www.kentlaw.edu/perritt/courses/civpro>, do the assignment for the first class, and come to class prepared to do an exercise related to it.

Commercial Law: Secured Transactions – Prof. D. Spak

There are two required books: *Understanding Secured Transactions*, and a reasonably current version of the Uniform Commercial Code. For the first class, we will discuss the following problem: A client consults you, saying that he is loaning \$500,000 for six months to a Chicago resident who owns various valuable property, including a \$3,000,000 home, long term certificates of deposit, shares in his corporation, jewelry, and an antique automobile collection. The borrower has a cash flow problem, leading to the loan. Your client asks that if the borrower defaults on the loan and refuses to pay, how can he collect from the borrower's assets. Your client further asks what would happen if the borrower files for bankruptcy while still owing on the loan. Please be prepared to discuss the available judicial procedure, starting with section 2-1402 and Article XII of the Illinois Code of Civil Procedure.

Complex Litigation - Prof. Steinman

For the first class, please read Marcus, Sherman & Erichson, *Complex Litigation* (West 5th ed.), Chapter I, The Nature of Complex Litigation, pp. 1-23; and Chapter II, Joinder in a Unitary Federal Forum, pp. 24-34. I look forward to seeing you at the end of August!

Constitutional Law - Prof. Eglit

The casebook is Chemerinsky, *Constitutional Law* (4th ed.) (This supersedes the 3rd edition, which was in use last year. So you need the **4th** edition.)

The first week will first involve a brief history-based lecture on the genesis of the Constitution, followed by a quick, superficial review of the various provisions of the Constitution. These activities will probably take up the first 1 ½ to 2 days of the first week. We will then turn to the casebook: pp. 1-13, 33-43. We may, but likely will not, get to pp. 44-52.

Constitutional Law - Prof. Rosen

We will be using Chemerinsky, *Constitutional Law* (4th Edition), as well as any supplement that may be available. For first class please download Handouts, Part One from my Kentlaw website (under "Related Links," at <http://www.kentlaw.iit.edu/faculty/full-time-faculty/mark-d-rosen>), and prepare the following:

1. Handout 1
2. Marbury v. Madison, pp. 1-9
3. Handout 1a

Constitutional Law - Prof. Schmidt

Read the U.S. Constitution. Repeat. Read *District of Columbia v. Heller* (2008) and accompanying material in our casebook (Chemerinsky, *Constitutional Law*, 4th ed. (Aspen, 2013), pp. 13-33). Read the Constitution again.

Copyright Law (day section) - Prof. Staudt

The casebook will be Gorman, Ginsburg & Reese, *Copyright* (Foundation Press, 8th ed. 2011) with the 2013 Case Supplement and Statutory Appendix.

For the first class, please:

***Read** pp. 1-37 in the main casebook. Pay special attention to the Burrow-Giles case at page 28 and the Bleistein case at page 34.

*In addition, please **review** the Course Information published at

http://www.kentlaw.edu/faculty/rstaudt/classes/copyright_fall_2013/index.htm.

***Review** the Overview of Copyright at pp. 38-49.

Criminal Procedure: The Investigative Process (day section) - Prof. Bailey

Monday, August 26th: Dressler & Thomas, *Criminal Procedure: Investigating Crime*, pp. 1-8, 34-44.

Wednesday, August 28th: pp. 86-94

Thursday, August 29th: pp. 95-114

Criminal Procedure: The Investigative Process (evening section) - Prof. Rudstein

For our first class on Monday, August 26, please read pp. 1-30 in the casebook. For Wednesday, August 28, please read pp. 30-55 in the casebook and the case I will hand out at the first class. We will discuss several problems that I will distribute by email prior to the first week of classes.

Critical Legal Studies - Prof. Stanton

In 400 words or less, please identify the legal rule, doctrine, or practice with which you most deeply disagree and explain why you reject it. Please bring the assignment with you to the first class meeting.

Disability Law - Prof. Kraus

For the first class, please read pages 1-25 in *Disability Rights Law* (2010) by Sam Bagenstos.

Employment Discrimination - Prof. Eglit

Read the *Balla* and *Jacobson* cases, which are on Prof. Eglit's website and also can be obtained through TWEN, for first class; also (primarily for second class, but maybe a little bit for end of first class), skim the provisions of Title VII, which are in the casebook Appendix. (The casebook is Friedman's Ninth edition; not the now-superseded Eighth edition).

Employment Relationships - Prof. C. Shapiro

Our casebook is Rothstein & Liebman, *Employment Law: Cases and Materials* (7th ed.). For the first day of class, please read the following pages from the casebook: pp. 2-11, 22-26 note 3. Please also read the excerpts of the following case that are posted on the class's TWEN page:

Daughtrey v. Honeywell, Inc., 3 F.3d 1488 (11th Cir. 1993). Hard copies of the case excerpts are also be available outside my office, which is 753.

Energy Law - Prof. Tarlock

For the first class, please read Chapter 1 in Bosselman et al., *Energy, Economics and the Environment*.

Entertainment Law - Prof. Perritt

1. Access the course syllabus at <http://www.kentlaw.edu/perritt/courses/seminar>
2. Read and understand the "rules" posted there
3. Browse the papers from the seminar in previous semesters, posted on the website
4. Review the possible topics and come to the first class prepared to select a topic for your seminar paper (you are not limited to the ones on the list)

Entrepreneurship Law - Prof. Harper

The first assignment is to read Chapter 1 of the Barron & Reed book *Entrepreneurship Law*.

Estates and Trusts (day section) - Prof. Boni-Saenz

The casebook for this class is the latest edition of Dukeminier and Sitkoff, *Wills, Trusts, and Estates* (9th Edition 2013). For the first class, please read Pages 1-26 and 41-62. You may skip all the Notes, but please prepare the Aaron and Martha Green Problems on Page 50. Come prepared to discuss the readings and problems in class.

Estates and Trusts (evening section) - Prof. Decatorsmith

The casebook for the class is the latest (9th) edition of Dukeminier's best-selling *Wills, Trusts, and Estates*. For the first session, please read pp. 1-41, and be especially prepared to discuss appropriate and inappropriate governmental constraints on a testator's freedom of donation.

Ethics and Advocacy - Erickson & Muchman

For the first class, please read the following:

- The entire case file Salter v. HB Cline
- Model Rules 1.1-1.6, 1.14, 1.15, 1.16, 1.18 and 2.1 (Rules and comments);
- Togsted v. Vesely, Otto, Miller & Keefe
- In the Matter of MR
- In re Ring
- In re Douglas Wayne Smith

The case file and above cases are all in the packet of materials that will be available in the Bookstore. The Model Rules are in the supplement, also available in the Bookstore.

Evidence (day section) – Judge Erickson

For the first class, please read Lempert, *A Modern Approach to Evidence*, Chapter 1, pp.1-14; Chapter 2, pp.132-147; and Chapter 3, Section 1, pp. 210-235.

Evidence (evening section) - Prof. R. Kling

For the first class, please read pp. 1-43 and 271-289 in the text.

Federal Transfer Taxes (LL.M. class) - Prof. Park

For the first class, please read Chapters 1-3 of *Taxation of Estates, Gifts and Trusts* by Campfield, Dickinson & Turnier.

First Amendment - Prof. Nahmod

For our first class on August 26, please carefully read, and be prepared to discuss, the following from the Stone, Seidman *Constitutional Law* casebook (former 6th edition and 2012 Supplement, not the new 7th edition): pages 1017-top 1052. For the week I expect that we will get through at least page 1076. I very much look forward to studying the First Amendment with you.

First Amendment (seminar) - Prof. Heyman

In this class, we will be using a set of photocopied Course Materials together with my book *Free Speech and Human Dignity*. Both texts are available in the Bookstore. For our first class on Wednesday, August 28, please read the problem and the First Amendment on p. 13 of the Course Materials. Our second session, on September 5, will cover pp. 14-43 of the Materials.

Genetics and the Law – Prof. Andrews

Welcome to Genetics and the Law! The casebook for the course is *Genetics: Ethics, Law and Policy* by Lori Andrews, Maxwell Mehlman, Mark Rothstein (West, 3d ed. 2010). For the first class, read pp. 2-14 in the casebook. In addition, over the summer, find an article in a newspaper or magazine about a new development in genetics. Then write a paragraph about the development (with a citation to the article) and write an additional speculative paragraph (no research necessary) about the potential legal impact of that development. Bring a copy of your document to the first class and be prepared to discuss it and to hand it in.

Hedge Funds - Prof. Fong

For our first class, please read Chapters One and Two of Lins, Lemke, Hoenig and Rube, *Hedge Funds and Other Private Funds: Regulations and Compliance*. This is available on WestlawNext under West's Securities Law Series.

Please also submit three questions about the materials or the course before the day of class to cfong@kentlaw.iit.edu.

Illinois Civil Procedure - Judge Preston

For Class 1 (Introduction): Michael, Vol. 3, Chapters 1 and 2; Illinois Code of Civil Procedure: 735 ILCS 5/1-101 through 1-109; and Illinois Constitution, Article VI (the Judicial Article).

International Business Transactions - Prof. Hannay

Our course will provide an introduction to the law of international business transactions. Our textbook will be Fellmeth, *The Law of International Business Transactions* (2nd ed.). The first class on Monday, August 26, will cover Chapter 1, pp. 1-24.

International Commercial Arbitration - Prof. P. Hablutzel

For the first class, Monday, August 26 - Read and prepare at least pages 1-17 in the Varady, Barcelo & von Mehren casebook. (Note: This is the Fifth Edition, 2012.) Also read the U.N.

Convention on the Recognition and Enforcement of Arbitral Awards (the New York Convention of 1958), on pages 1-12 of the Documentary Supplement.

For the second class, Tuesday, Aug. 27 - We should cover pages 17-30 of the casebook.

Copies of the Course Syllabus should be available sometime during the week before classes begin, on the desk of the Administrative Assistant, just outside of Room 825. Copies will also be available in class during the first week.

International Intellectual Property - Prof. Lee

For the first class, please read pp. 1-4, 16-36 of the 2d edition of the Chow & Lee casebook. Our discussion will be about the territoriality principle and national treatment.

International Law (day section) - Prof. Cho

The textbook (TB) for the course is Dunoff, Ratner & Wippman, *International Law: Norms, Actors, Process* (3rd ed., 2010). You can purchase the textbook at the Bookstore (Concourse level). The course syllabus will be distributed in the first class. For the first class, read TB pp 1-12 (History of International Law). Come to the class with your own definition (or perception) of international law. What is it? (Or what should it be?) Is it really "law" (or something else)? Is it really effective? What is the value of discussing, studying and even respecting it?

Investment Funds - Prof. Birdthistle

This class does not have a casebook; the syllabus will assign readings from publicly available sources. For the first class, please read the Seventh Circuit's panel decision in *Jones v. Harris Associates, L.P.*, 527 F.3d 627 (7th Cir. 2008), by Chief Judge Frank Easterbrook; and the dissent from denial of rehearing en banc in the same case, 537 F.3d 728 (7th Cir. 2008), by Judge Richard Posner.

Justice and Technology Practicum - Prof. Staudt

In advance of the first class on August 29, please read the Introduction and the first three articles in the recently published Chicago-Kent Law Review Symposium, "Justice, Lawyering and Legal Education in the Digital Age." [Here is a link](#) to a web page with all the articles of the symposium.

Here are links to the articles assigned for Class 1:

-[Introduction](#) by Ronald W. Staudt and Marc Lauritsen

-[Access to Justice and Technology Clinics: A 4% Solution](#) by Ronald W. Staudt and Andrew P. Medeiros

-[If Only We Knew What We Know](#) by Conrad Johnson and Brian Donnelly

-[Thinking Like a Lawyer, Designing Like an Architect: Preparing Students for the 21st Century Practice](#) by Tanina Rostain, Roger Skalbeck, and Kevin G. Mulcahy.

Labor Law (day and evening sections) - Prof. Rosado

For August 26, 2013:

-Skim Casebook pp. 1-65 but read carefully *Vegeahn v. Guntner* and *NLRB v. Jones & Laughlin Steel Corp.* (*continued next page*)

For August 28, 2013:

-Skim casebook pp. 61-108.

-Read *Williams v. Walker-Thomas Furniture Co.*, 350 F.2d 445 (1965). (Find it yourself, but I will place it in our course website on or about Aug. 5th.)

-Read Harry Arthurs: *The Law of Economic Subordination and Resistance: A Counterfactual?*, available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2056624. (Find it yourself, but I will place it in our course website on or about Aug. 5th.)

Law and Food - Prof. Buccafusco

Please read "Cyberspace and the Law of the Horse," Frank H. Easterbrook, 1996 U. Chi. Legal F. 207.

Law and Politics of International Economic Relations - Prof. Cho

For the first session, read the following articles:

-Robert O. Keohane, *International Institutions: Two Approaches*, 32 Int'l Stud. Q. 379-396 (1988)

-Edward Ashbee & Alex Waddan, *The Obama Administration and United States Trade Policy*, 81 Pol. Q. 253-262 (2010).

Legal Rights of Children - Prof. N. Hablutzel

For the first class, read the Illinois Abused and Neglected Child Reporting Act and be prepared to discuss it. Also, please read the Guide for Parents which is online at:

<http://www.illinoislawyerfinder.com/sites/default/files/pamphlets/booklets/Guide%20for%20Parents%20in%20Juvenile%20Neglect%20Cases.pdf>.

The class syllabus will be ready August 20, and you may email the instructor at NancyZH@aol.com if you want it sent to you via email. Otherwise, it will be handed out in the first class.

Legal Writing 3 - Prof. Abrams

The initial reading assignment is Espenschied, *Contract Drafting: Powerful Prose in Transactional Practice* (ABA 2010), pp. 1-39.

Legal Writing 3 - Prof. Starks

For Monday, August 26, there is no reading. For Wednesday, August 28, please read Krieger & Neumann, Chapters 3-5.

Legal Writing 4 for International LL.M. Students - Prof. Keller

The main text for this class is *The International Lawyer's Guide to Legal Analysis and Communication in the United States*, by McGregor and Adams (Aspen 2008). For our first class, please read Chapters 1-3 in the McGregor and Adams text. (You do not need to do the exercises.)

Legal Writing Seminar for International Intellectual Property LL.M. Students - Profs. Lee & Guerrini

For the first class, please read Parts I, II and III (B.1-B.2 only) of the following article: Edward Lee, *Measuring TRIPS Compliance and Defiance: The WTO Compliance Scorecard*, 18 J. Intell.

Prop. L. 401 (2011). Copies of the article will be emailed to you if you signed up for the class. In addition, hard copies can be picked up outside Prof. Lee's office, Room 729.

Legislation: Process and Interpretation - Prof. Marder

For the first class, please read Eskridge, Frickey & Garrett, *Cases and Materials on Legislation* (4th ed.), pp. 1-38.

Negotiations - Prof. Schoenfield

You may purchase either the Course Materials available in the Bookstore, or the published text (the Course Materials are less expensive). For the first class, please read Chapters 1-3 of the Course Materials. For those students who prefer to use the published text, *Legal Negotiations: Getting Maximum Results*, instead of the Course Materials, they should read chapters 1, 2, 12 and section 3.06.

Nonprofit Law - Prof. Brody

The syllabus for the course is the first document in the photocopied materials available from the Bookstore. As indicated in the syllabus -- which will also be posted to our class website -- the assignments are numbered, so for the first week, please prepare the first two assignments.

Patent Law (evening section) - Prof. Hulbert

Please think about the following issue: Under what circumstances, if any, are a society's best interests served by granting a single entity exclusive rights to an "invention"?

Please also read the following pages in the Sixth Edition of the Merges casebook, *Patent Law and Policy: Cases and Materials*: 1-16; (skim 17-23); 24-26; 49-51; 55-57; and 59-64.

Personal Income Tax (day and evening sections) - Prof. Chapman

The texts for the class are: Burke & Friel, *Taxation of Individual Income* (10th ed. 2012) and 2013 Casebook Supplement; and Lathrope, *Selected Federal Taxation Statutes and Regulations* (2014 ed.). The assignments and syllabus will be available on the TWEN class website by August 13.

Professional Responsibility - Prof. Gross

Course Material:

A. Simon, Needham & Powell, *Lawyers and the Legal Profession: Cases and Materials* (Lexis Nexis, Fourth Edition)

B. Dzienkowski, *Professional Responsibility Standards, Rules & Statutes* (West, 2013-2014 Abridged Edition)

Week 1 Assignment:

A. Simon, Needham & Powell, Chapter 1, Creating and Maintaining a Profession, pp. 1-7.

B. Dzienkowski, Preamble and Scope only.

Professional Responsibility - Prof. R. Kling

For the first class: pp. 1-58; problems 1, 2, and 3.

Remedies - Prof. S. Harris

The casebook is Douglas Laycock, *Modern American Remedies* (concise 4th ed. 2012). Course information and more assignments will be posted on TWEN shortly before the start of the semester. For the first week, read the following in the casebook:

Monday: xxiii-xxvi (Preface) & 1-15 (Chapters 1 & 2A).

Wednesday: 16-27 (Chapter 2B).

Thursday: 28-41 (Chapter 2C).

Sales and Exchanges (LL.M. class) - Prof. Pryor

For the first class, please read Chapter 1 of the class materials.

Second Amendment - Prof. Nahmod

For our first class on August 26, please carefully read the following from the Johnson, Kopel *Firearms Law and the Second Amendment* casebook: pages 577-638 (Heller). In addition, after you've read Heller, please listen to the oral argument at <http://www.oyez.org>. You should also read pages 719-24 by way of refreshing your recollection about different approaches to constitutional interpretation. I very much look forward to studying the Second Amendment with you.

Seventh Circuit Review: Honors Seminar - Prof. H. Morris

The required text for this course is the *Bluebook*. In addition, there are two mainly supplemental in nature texts that are recommended to assist with particular aspects of selecting a topic and writing a scholarly paper: *Scholarly Writing for Law Students: Seminar Papers, Law Review Notes and Law Review Competition Papers*, and *Scholarly Writing*. Also, the *Aspen Handbook for Legal Writing* is helpful with specific grammar issues. All of the books for this course are available in the Bookstore and the Library.

For the first class, please come prepared to discuss what Seventh Circuit case on which you would like to write your seminar paper. In making this decision, you should first consider what substantive or procedural area of the law you are sufficiently interested in to focus on for your seminar paper and why. Then, you should review recent (since the beginning of 2013) Seventh Circuit decisions. A case on which to write is one that is in an area of current interest or an area in which you want to become more familiar and is not wholly fact based in its decision. Obviously, cases of first impression, those that are decided in a way that changes past law or represent a split between Circuits are particularly good candidates. Also, cases in which there is a dissent can be very good candidates. The goal of the first class is to make specific case/topic selections for each of your articles. Therefore, before coming to class it is extremely important that you have seriously considered and selected one or more particular cases/topics for your paper. Again, to ensure the *Review* is timely and topical, your consideration should be concentrated on a case or cases decided by the Seventh Circuit within the last 6 to 8 months.

Please bring a copy of the case or cases you are considering and your laptop to class as we will be using them. If you are having difficulty selecting a topic, former students have found

<http://courthousenews.com> or a date/court restricted search in WestLaw/Lexis as helpful. To assist in selecting a case or cases, you can refer to *Scholarly Writing for Law Students*, pp. 1-13, and prior issues of the *Review*. Alternatively you can email or call me and I am available to discuss this with you. Should you have any questions, please call me on 312/876-7185; e-mail at hrmorris@arnstein.com, or speak with our TA/Executive Editor, Kathleen Mallon (kmmallon@gmail.com) I look forward to having you in class and am sure you will find the process of creating the next issue of the *Review* exciting and rewarding.

Sexual Orientation and the Law - Prof. V. Samar

Welcome to the class! In light of recent decisions at the national, state, and local levels, especially the two recent same-sex marriage cases by the U.S. Supreme Court this past term, LGBTQ persons have a real hope that much of the basic human dignity provided other persons will soon be afforded to them, provided appropriate legal, philosophical, and cultural understandings are in place. For our first class on August 27, please read pp. 1-68 in William B. Rubenstein, *Sexual Orientation and the Law* (3rd ed., West Publishing). I look forward to meeting you all at that first class.

Water Resources Law - Prof. Tarlock

For the first class: Tarlock et al., *Water Resource Management*, pp. 1- 33, Basic Allocation Doctrines, pp. 60-67, 112-125, 84-94.

What Every Lawyer Should Know About Business - Prof. Batlan

The material will be electronically distributed to enrolled students a week before class begins.

Workers Compensation - Prof. Garcia

The case book is Larson, *Workers Compensation Law* (4th ed.) (The text also comes in a loose-leaf version at a lower cost). For the first class, please read pp. 3-24 (history), 624-634 (Conflict of Laws), 651-661 (Insurance), and 665-671 (WC and Wage Loss System) (skip the case at 654-658 and the case at 671-676).