

INITIAL READING ASSIGNMENTS – SPRING 2018

Listed below are the initial reading assignments we have received to date. Not all professors submit initial assignments, so do not be concerned if there is no listing for one or more of your 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. An electronic copy of this document is available through Dean Sowle's Record page.

Assignments added 1/9/18:

Civil Procedure (Prof. Rosen)
Products Liability (Prof. Jacobs)

Agency Law - Prof. D. Harris

For the first class, please read the first two chapters in the course materials, which have been emailed to enrolled students. (If you did not receive the materials, please contact Dean Sowle.)

Bankruptcy Law – Prof. Walters

In Spring 2018, rather than use a traditional casebook, we will be using an on-line platform called ChartaCourse. ChartaCourse was created by law professors because, compared to traditional casebooks, it is both a better learning tool and much less expensive. I hope you'll like it.

Our ChartaCourse chart is called **Walters Bankruptcy**. Its contents were authored by me. Before classes get underway, please [watch this video](#) to learn how to create an account with ChartaCourse and subscribe to our chart. I believe it costs \$49 for a year's subscription.

Then, please watch this video to learn [how to use ChartaCourse](#). It a platform with lots of great features, but if you don't watch the video, you won't learn how to use them! If you have any questions, you can send an email to chartacourse@chartacourse.com.

Finally, once you have access to the chart, click on the [syllabus & course info](#) box at the top of the screen and read the contents. If you wish, you can read ahead by considering the materials in the "Introduction to Bankruptcy" node of the chart. We will start with the material on debtor-creditor law outside of bankruptcy.

The other thing you should consider before classes start is buying a hard copy of the Bankruptcy Code. We need the statute in front of us in virtually every class. Up-to-date Code extracts are included in the chart and that may work for you, along with online resources like Westlaw. But many lawyers (me included) prefer to have an inexpensive, portable hard copy version to hand. For example, when I am looking at Code provisions in substantive chapters of the Code (e.g. Chapters 7 and 11), I often need to cross-refer to definitions in Chapter 1. Some folks find that good old-fashioned hard copy is easier to navigate than online resources in these instances. I have asked the Bookstore to stock this excellent, relatively inexpensive (\$25) and portable version: <http://www.legalpub.com/product-us-bankruptcy-code.html>

I look forward to meeting you and working with you.

Civil Procedure - Prof. Reilly

The casebook for this class is STEPHEN C. YEAZELL & JOANNA C. SCHWARTZ, CIVIL PROCEDURE, 9th edition (*Yeazell & Schwartz*). Please register for the TWEN site for this class before the first class. The TWEN site contains the syllabus, additional readings beyond the casebook, class powerpoints, etc. The TWEN site will be open for registration by Wednesday, January 10, 2018.

For Class 1, Wednesday, January 17:

- * Read: (1) *Yeazell & Schwartz* p. 1-7 [Stop before the *Hawkins* case]; p. 17-19 (“Note: Reading the Rules”); p. 296-297 (“B. Choosing Procedure”); and p. 299-305 (“A. Litigation in the United States at the Start of the Twenty-First Century”); (2) “Case Simulation Memo” (on TWEN/Readings); (3) Review the syllabus (on TWEN/Syllabus), which includes the course policies and tentative schedule
- * Watch: “Before Class 1” Video (link on TWEN/Videos)

For Class 2, Thursday, January 18:

- * Read: (1) U.S. Constitution, Article III, Sections 1-2 and 28 U.S.C. § 1331 (on TWEN/Readings); (2) *Yeazell & Schwartz* p. 64-68 and p. 205-220.
- * Watch: “Before Class 2” Video (link on TWEN/Videos)

Civil Procedure - Prof Rosen

Welcome to Civil Procedure. I love this class, and hope you will too. The casebook is Yeazell & Schwartz, Civil Procedure (9th ed.). The supplement is Yeazell, Federal Rules of Civil Procedure, with Selected Statutes, Cases and Other Materials (Supplement). I also have collected together additional materials that I’ve labeled Handouts, which I will electronically provide to you for free at the start of the semester.

For first class, please prepare the following materials very carefully: 1. CB 1-22 (CB=Casebook) (*Hawkins v. Masters Farms*, *Bridges v. Diesel*, *Bell v. Novick*) 2. Read U.S. Const. Art. III (In supplement). Also in Supplement, skim 28 U.S.C. §§ 41, 133, 1331, 1332(a), 1333, 2072; and Federal Rules of Civil Procedure 3-4, 7-12 (hereinafter FRCP)

Civil Procedure - Prof. Steinman

Welcome to Civil Procedure! For the first class, please read Marcus, Redish & Sherman, Civil Procedure (6th ed.), Chapter IX, Choosing the Forum – Geographical Location, pp. 743 to mid-756, the focus of which is *Pennoyer v. Neff* and the "power" theory of jurisdiction.

In addition, early in the course you should read the following as background, for your general information. In what follows, in general you are omitting the cases and accompanying notes, and just reading text. We will not discuss it in class as an initial matter, but will draw upon it throughout the course, as it becomes pertinent:

Chapter 1, Choosing a System of Procedure: read only pp. 1-3, 14 [Fuller] to mid-20, n. 4 on p.24, and pp. 27-28: Procedural Challenges of our Federal System.

(continued next page)

Chapter 2, The Rewards and Costs of Litigation, read only:

- pp. 29-31, up to Fuentes; pp. 69-70;
- intro paragraphs re: Post Judgment Remedies;
- mid-p.84 through p. 89 on Enforcing Money Judgments and Equitable Remedies (up to Smith);
- pp. 94-95 n.4 on Justiciability;
- pp. 96-97 Enforcing Equitable Decrees--Contempt (up to Notes and Questions on p. 97);
- and pp. 108-top of 117 on Alternatives to Litigation (up to Class Action Bans in Arbitration Clauses).

I look forward to meeting you in January.

Commercial Law: Secured Transactions – Prof. Donald F. Spak

There are two required books: Understanding Secured Transactions, and a reasonably current book version of the Uniform Commercial Code. You will need the UCC book for the final exam.

For the first class, please be prepared to 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 large home, bank accounts, certificates of deposit, shares in his corporation, jewelry, and an 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 substantial assets. Your client further asks what would happen if the borrower files for bankruptcy. Please be prepared to discuss the available judicial procedures, starting with section 2-1402 and Article XII of the Illinois Code of Civil Procedure, 735 ILCS 5/.

Compliance in Financial Institutions – Prof. Dill

The first class will cover the following introductory topics:

- Overview of course
- What is special about financial institutions
- Implications of a firm's business model for compliance and risk management
- Role and sources of regulatory expectations
- Lessons from 2007-9 financial crisis
- Discussion topic: (assigned NYT article on Barclay's CEO - see below))

For the first class, please read:

-“Barclays CEO Apologizes for Handling of Whistle-Blower Complaint” (May 10, 2017):
<https://www.nytimes.com/2017/05/10/business/dealbook/barclays-james-staley-whistle-blower.html?pagewanted=all>

-“Conflicts of Interest in Finance” (Jan. 12, 2015), Money & Banking blog:
<https://www.moneyandbanking.com/commentary/2015/1/12/conflicts-of-interest-in-finance>

-The Evolving Role of Compliance, Securities and Financial Markets Association, SIFMA (March 11, 2013) (pp. 1-5 (Part I), 14-19 (Part III.A), 28-31 (Part IV):
<https://www.sifma.org/wp-content/uploads/2017/05/the-evolving-role-of-compliance.pdf> (Note: may require pasting link into browser)

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-Conclusions of the Financial Crisis Inquiry Report (February 25, 2011):
http://fcic-static.law.stanford.edu/cdn_media/fcic-reports/fcic_final_report_conclusions.pdf

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*, 5th ed. (Aspen, 2016)). Read the Constitution again.

Contracts – Prof. Walters

The required text is Michael Hunter Schwartz & Adrian Walters, *Contracts: A Context and Practice Casebook* (2nd ed., 2015, Carolina Academic Press).

Before the first class, please do the following:

1. Acquire Schwartz & Walters and read the "preface to the first edition" (pages xxix to xxxiii).
2. Please complete the online survey at this link:
<https://www.surveymonkey.com/r/CV98DMB> (the information you provide is to help me get to know you and it will only be used for this purpose).
3. Sign up for the class TWEN site. Once we've got underway I will post all assignments, powerpoints, and other materials used in class on TWEN.

In the first couple of weeks, we will be considering the material in Chapters 1 and 2 should you wish to read ahead.

A full syllabus will be distributed during the first class. I look forward to meeting you and working with you.

Criminal Procedure: The Adjudicative Process (day section) – Judge Erickson

For week one, please read Chapter 5, Right to Counsel, in the Israel, Lafave casebook (2016 edition); and 6th amendment U.S. Constitution.

Criminal Procedure: The Adjudicative Process (evening section) – Judge Claps

For week one, please read Chapter 5, Right to Counsel, in the Israel, Lafave casebook (2016 edition); and 6th amendment U.S. Constitution.

Employee Benefits Law & Litigation – Prof. Soubly

The new text for the class is Medill, *Introduction to Employee Benefits Law, Policy and Practice*, 4th edition. Please read Chapter 1, pp. 1-29.

Employment Relationships (day section) – Prof. R. Gonzalez

For the first class, please read pages 1-16 of the casebook plus these three cases from Westlaw or Lexis:

- Summers v. State Farm, 864 F. 2d 700 (10th Cir. 1988)
- Wallace v. Dunn, 968 F. 2d 1174 (11th Cir. 1992)
- McKennon v. Nashville Banner, 513 U.S. 352 (1995)

Employment Relationships (evening section) – Prof. Rosado

The casebook is Dau Schmidt et. al, Legal Protection for the Individual Employee (5th Ed.).

Jan. 16: Read casebook pages 1-26.

Jan. 18: Read casebook pages 27-70.

Estates and Trusts – Prof. Decatorsmith

The casebook for the class is the latest (10th) edition of Dukeminier's best-selling Wills, Trusts and Estates. For the first session, please read pp. 1-33, and be prepared to discuss and critically evaluate appropriate governmental constraints on a testatrix's freedom to dispose of her property according to her desires.

Evidence (morning 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.

International & Comparative Labor & Employment Law – Prof. Rosado

1/18/2018 – Introduction: Why ICLEL? Read Casebook, pages 1-38.

1/22/2018 – Introduction: Why ICLEL (cont.)? Read Casebook, pages 39-64.

Email the professor a one-page memo (double-spaced) reacting to the reading, no later than 5:00 p.m. on January 21. Email the memo to INTLLABOR17@GMAIL.COM

International & Comparative Trademark Law – Prof. Dinwoodie

You do not need to buy any casebook. All the materials to be read for class will be posted for free download on the “Materials” part of the course TWEN website. Please register for the course TWEN site. The materials will be drawn from Graeme B. Dinwoodie et al, *International Intellectual Property Law & Policy* (Lexis Nexis 2d ed. 2008) (“CB”) and the draft manuscript for Dinwoodie et al, *International Intellectual Property Law & Policy* (Lexis Nexis 3d ed. 2018) (forthcoming) (“MS”). The syllabus for the course is available on the course TWEN site; you should skim that for all the relevant administrative information. Readings assignments for each class will be posted on the “Assignments” page on the course TWEN site that I will update each week. For the first class, please read CB pages 93-96, 101-106 and 109-123, as well as MS pages 1-21.

International Law – Prof. Cho

For the first class, please read pp. 1-2, 4-10 in Dunoff, Ratner & Wippman, *International Law: Norms, Actors, Process* (4th ed., 2015).

Labor Law - Professor Malin

Book: *Labor Law in the Contemporary Workplace* by Dau-Schmidt, Malin, Corrada, Cameron & Fisk (West, 2d ed. 2014) and Statutory Supplement (or download your own copies of the relevant statutes).

Read Text pp. 1-23, 30-59. Also consider the following problem (you will want to consult the Norris-LaGuardia Act, 29 U.S.C. §§ 101 - 115, available in the Statutory Supplement)

Your client is a trucking company which transports new cars from factories in and around Detroit, Michigan to new car dealers across the country. Your client has been party to a

contract with other new car transport companies and the International Brotherhood of Teamsters, Local 299. The contract has a provision prohibiting strikes during its term.

The contract was about to expire. Negotiations were progressing but a new agreement had not been reached. Your client and the other trucking companies agreed with the union to extend the old contract, including its no strike clause, and to make any increases in wages and benefits that might ultimately be agreed to in a new contract retroactive to the date the old contract was scheduled to expire. Eventually, the parties agreed on a new contract. However, the Local 299 membership rejected it in a ratification vote.

Your client and the union leadership returned to the bargaining table. They again agreed to extend the old contract and to make increases in wages and benefits that might ultimately be agreed to in a new contract retroactive. When this agreement was announced, the members of Local 299, against the directives of the local's leadership, struck your client and the other trucking companies. Their picket signs complain of sweetheart deals between the Local's officials and the employers, corrupt Local officials, failure to prosecute grievances vigorously, and a general lack of leadership. Your client's entire operation has been shut down, as have the operations of the other new car transport companies. The auto manufacturers' inventory is piling up and they have threatened to move as much of the work as possible to the railroads. What advice can you give your client regarding its legal options?

Law of Privacy - Prof. De Armond

Welcome to Law of Privacy! For our first class, which will meet Thursday, January 18, please read pp. 1-58 in Solove & Schwartz, Information Privacy Law (5th ed. 2015).

Law of Social Networks – Prof. Andrews

Welcome to the seminar on the Law of Social Networks! The assignments for each week are posted on TWEN. For the first class, please read the documents in the Data Mining folder on TWEN.

Law, Markets and Globalization (Seminar) – Profs. Gerber & Cho

For the first class, please read: “OECD, WTO & UNCTAD, Implications of Global Value Chains for Trade, Investment, Development and Jobs” (Aug. 6, 2013), available at: <http://www.oecd.org/trade/G20-Global-Value-Chains-2013.pdf>

Legal Writing 3 (section 431-82) – Prof. Young

Class #1 - Tuesday, 1/16 - Assignment: None.

Class #2 – Thursday, 1/18 - Assignment: Read Krieger, chapters 2-4 (Professionalism; Lawyering for the Client; Lawyering as Problem Solving); and read Kuney, chapter 1 (Philosophy of Drafting).

Legal Writing 4: Complex Business Transactions (section 432-07) – Prof. Abrams

The initial reading assignments are:

* Jan. 16, 2018: Stark, Inside cover; Table of Contents; Pages xi–xxiii, 3–27; “Drafting Contracts” by Prof. Abrams

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* Jan. 18, 2018: Stark, Pages 29-63; “Decisions Decisions” by Prof. Abrams

The articles by Prof. Abrams are available at:

https://drive.google.com/drive/folders/1RGTHkYwaEvxs7FcrSY_OEb-TAssJC3G2?usp=sharing

Legal Writing 4: Public Interest Law (section 432-52) – Prof. Gertz

Welcome to Legal Writing 4: Public Interest Law! For our first class, please read the following materials:

- * Pages 1-51 of "The Curmudgeon's Guide to Practicing Law," Mark Herrmann, ABA Publishing
- * 405 ILCS 5/1-119, 405 ILCS 5/2-102, and 405 ILCS 5/3-701 of the Mental Health and Developmental Disabilities Code
- * 755 ILCS 5/11a-4, 755 ILCS 5/11a-17, and 755 ILCS 5/11a-20 of the Probate Act.

Legislation - Asst. Dean Sowle

For the first class, please read Eskridge, Frickey, Garrett & Brudney, Cases and Materials on Legislation and Regulation (5th ed. 2014), pp. 1-21.

Patent Litigation – Profs. Oldaker & Prof. Grochocinski

We will not be using a textbook, so students must to obtain these materials from the web and/or Lexis/Westlaw.

1. Web Article -- “Dear Patent Troll: Drop Dead,” available at <http://www.ipwatchdog.com/2014/10/29/dear-patent-troll-drop-dead/id=51835/>
2. Web Article -- “Toxic Asset: The Gradual Demise of the American Patent,” available at http://www.ipwatchdog.com/2014/12/10/toxic-asset-the-gradual-demise-of-the-american-patent/id=52571/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+Ipwatchdog+%28IPWatchdog.com%29
3. Web Article -- “PwC Patent Litigation Study Shows Recent Drop in Lawsuits Despite Increasing Patent Grants,” available at <http://www.ipwatchdog.com/2017/05/16/pwc-patent-litigation-study-drop-lawsuits/id=83237/>
4. Wolfe, Jan. “U.S. Patent Review Board Becomes Conservative Target,” Reuters, Nov. 20, 2017, available at: <https://www.reuters.com/article/us-usa-patent-ptab/u-s-patent-review-board-becomes-conservative-target-idUSKBN1DK0EB>
5. Standing: *Diamond Scientific Co., v. Ambico, Inc.*, 848 F. 2d 1220, 6 U.S.P.Q.2d 2028 (Fed. Cir. 1988); *Propat International Corp. v. RPost, Inc.*, 473 F. 3d 1187 (Fed. Cir. 2007). Optional reading: *Int’l Gamco, Inc. v. Multimedia Games, Inc.*, 504 F.3d 1273 (Fed. Cir. 2007); *WiAV Solutions LLC v. Motorola, Inc.*, 631 F.3d 1257 (Fed. Cir. 2010).
6. DJ actions: 28 U.S.C. § 2201(a); *Medimmune, Inc. v. Genentech, Inc.*, 549 U.S. 118, 127 S. Ct. 764, 81 U.S.P.Q.2d 1225 (2007); *Sandisk Corp. v. Stmicroelectronics, Inc.*, 480 F. 3d 1372, 82 U.S.P.Q.2d 1173 (Fed Cir. 2007); *EMC Corp. v. Norand Corp.*, 89 F. 3d 807, 39 U.S.P.Q.2d 1451 (Fed. Cir. 1996).

Patent Office Practice – Prof. Hulbert

Please register for The West Education Network (TWEN) site before the first class on January 17. Please also read pages 897-913 in the Merges casebook. Finally, think about what presumption of correctness, if any, should attach to Patent Office determinations.

Personal Income Tax - Prof. Brody

The syllabus for the course is the first document in the photocopied materials available from the Bookstore – and will be posted to our course webpage. As indicated in the syllabus, we meet twice a week but the assignments are numbered for each class hour – so generally plan on covering one-and-a-half assignment for each class. In the first week of the semester we meet only on Wednesday, when we will cover Assignment 1 and begin Assignment 2.

Products Liability - Prof. Jacobs

For the first class, please read pp. 3-20 (including the *Escola* case and Problem 1) in the text. You do not need to do Problem 2.

Professional Responsibility (day section) - Prof. Gross

Course Materials:

- A. Simon, Needham & Powell, *Lawyers and the Legal Profession: Cases and Materials* (Lexis Nexis, Fourth Edition)
- B. Dzienkowski, *Professional Responsibility Standards, Rules & Statutes* (West, 2016-2017 Abridged Edition or 2017-2018 Abridged Edition)

Assignment: Week 1

- A. Simon, Needham & Powell, Chapter 1, *Creating and Maintaining a Profession*, pp. 1-7
- B. Dzienkowski, Preamble and Scope only

Professional Responsibility (evening section) - Prof. Solow

For the first class, please read Chapter 1 and Problem 2 in Morgan Rotunda Dzienkowski, *Professional Responsibility* (Concise 12th edition). The syllabus and reading assignments for the semester are posted on the TWEN site for the course.

Professional Responsibility: Business Ethics - Prof. Robbins

Welcome to Professional Responsibility: Business Ethics! For our first class on Wednesday, January 17, please read the “Preamble” and “Scope” sections of the Supreme Court of Illinois Rules of Professional Conduct of 2010 (the “Rules”). The Rules can be found on the Illinois Attorney Registration and Disciplinary Commission website at www.iardc.org. In our textbook (*Legal Ethics and Corporate Practice*, by Regan and Bauman), please read pages 1-3, 4-6 (i.e., the first part of Section I of the initial Allen article), 9-11 (i.e., section II of the Allen article), 13-29 and the Ford Motor Company problem on page 365. I look forward to meeting you soon!

Property – Prof. Baker

For the first class, please read *Pierson v. Post*, 136-139 in the casebook.

Property – Prof. Boni-Saenz

The casebook for this class is the latest edition of Singer et al., *Property Law: Rules, Policies & Practices* (7th Edition 2017). For the first class, please read and come prepared to discuss Chapter 2, §5 on Possession.

Property - Prof. Harding

Casebook: Property (9th ed.), Dukeminier, Krier, Alexander, Schill, Strahilevitz

Assignment:

Acquisition by Capture, 19-52

-Pierson v. Post and notes, 19-27

-Ghen v. Rich and notes, 27-35

-Keeble v. Hickeringill and notes 35-39

-Notes, Problems and More on the Rule of Capture and Wild Animals 39-43

-Notes, Questions & Problems: The Rule of Capture and other “fugitive”
resources: 43-52

Property – Prof. Perritt

Retrieve the syllabus from blogs.kentlaw.iit.edu/perrittprop, do the assignment for the first day, crystallize your understanding of a landlord-tenant dispute you, or someone you know, has been involved in, and be prepared to present and discuss it in class.

Regulation of New Technologies - Prof. Perritt

Retrieve the syllabus from blogs.kentlaw.iit.edu/perrittseminar, review and understand the “rules,” review the suggestive topics, and begin thinking about possible topics. Read the materials on theories of regulation and come to class prepared to discuss and argue.

Securities Regulation – Prof. White

Please read pages 1-21 in the Cox casebook.

Sports and the Law – Prof. Ham

Textbook: Weiler, Roberts, *Sports and the Law*, Fifth Edition

Assignment: Rose v. Giamati, pg. 3-12; Finley v. Kuhn, pg. 16-32; Muhammad Ali, pg. 51-61

Taxation of Business Enterprises - Prof. Brody

The syllabus for the course is the first document in the photocopied materials available from the Bookstore – and will be posted to our course webpage. As indicated in the syllabus, we meet twice a week for two hours each, but the assignments are numbered for one-hour classes. In the first week of the semester we meet only on Wednesday, when we will cover Assignments 1 and 2.

Trademarks and Unfair Competition (day section) – Prof. Dinwoodie

The casebook is Graeme B. Dinwoodie and Mark D. Janis, *Trademarks and Unfair Competition: Law and Policy* (4th ed. Aspen 2014) (“CB”) and its Spring 2018 Update (“Update”). The casebook is in the Bookstore; the 2018 Update is available for free download in pdf format on the class TWEN web page (and also at www.indiana.edu/~tmlaw). For the first class, please read pages 3-41 of the casebook; this is intended to raise themes and issues to which we will return periodically throughout the course. For the second class, please read pages 45-69 of the Casebook and pages 4-16 of the 2018 Update (*Booking.com*). The syllabus for the entire course is available on the class webpage, and you should skim that for all the relevant administrative information.

Trademarks and Unfair Competition (evening section) – Prof. Piatt

The casebook for the class is Dinwoodie and Janis, Trademarks and Unfair Competition Law and Policy, 4th edition. The statutes may be found in numerous online resources. Please note that the casebook is long and dense and we will almost finish all of it in one semester; therefore, you must expect reading assignments that are rather onerous for every class. For Wednesday, 17 January, please have read Chapter 1 through Chapter 2 to page 90.