INITIAL READING ASSIGNMENTS – SPRING 2013

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 again if we receive additional assignments.

Assignments revised 1/11/13:
- Criminal Procedure: The Investigative Process (Prof. Bailey)
- Property (Prof. Atuahene)

Accounting & Finance for Lawyers (both sections) - Prof. Chapman
Please watch the following: http://www.youtube.com/watch?v=4v_alwa4V_Y

Course materials:
1. Cunningham, *Introductory Accounting, Finance and Auditing for Lawyers* (5th ed. West, 2009);
2. Cunningham problem solutions downloadable from the course TWEN website;
3. Bradford, Basic *Accounting Principles for Lawyers* (2d ed. LexisNexis, 2008);
The syllabus, handouts, and other materials will be available on the course TWEN website by January 7, 2013.

Administrative Law - Prof. S. Greenberg

Advanced Torts - Prof. Brill
For the first class, please read Misuse of Legal Procedure, pp. 1041-1059 in Prosser, et al., *Cases and Materials on Torts* (12th ed.).

Antitrust – Prof. Hannay
Welcome to Antitrust! We will be using Areeda et al., *Antitrust Analysis* (6th ed., Aspen). For the first class, please read pp. 1-58 (Chapter 1A-1C).

Banking Law (LL.M. Class) - Profs. McCauley & Geiringer
For the first class, read pp. 1-32 in *The Law of Banking and Financial Institutions* (4th ed., Aspen), by Carnell, Macy & Miller. There is also a statutory supplement you should purchase.

Bankruptcy - Prof. S. Harris
Course information and the first set of assignments will be posted on the TWEN site for this course. On Tuesday, January 22, and Thursday, January 24, we will discuss the non-bankruptcy rights of unsecured creditors. Please study pp. 1-42 of the Tabb & Brubaker casebook and work the problems included in those materials. *Omit § B.1.c (CB 9-11); Problems 1.8 and 1.9; and McDermott (CB 30-34).*
Business Organizations - Prof. P. Hablutzel
For the second class, Thursday, Jan. 24: Pages 32-76. Begin Reading the Uniform Partnership Act in the "statutes booklet."

Business Planning - Prof. Goldstein
For the first class, please read Chapter 1, pages 1-21, in the text.

Civil Procedure - Prof. Laser

Civil Procedure - Prof. Steinman
Welcome to Civil Procedure! For the first class, please read Marcus, Redish & Sherman, *Civil Procedure* (5th ed.), Chapter IX, Choosing the Forum – Geographical Location, pp. 680-692, 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. We will not discuss it in class as an initial matter, but will draw upon it throughout the course, as it becomes pertinent:


Chapter 2, The Rewards and Costs of Litigation: read only pp. 27-29, up to Fuentes; p. 64 intr paragraph re: Post Judgment Remedies; mid-p. 78 through p. 82 on Enforcing Money Judgments and Equitable Remedies (up to Smith); pp. 89 n.8 - 90 on Justiciability (n.8) and Enforcing Equitable Decrees–Contempt (up to Notes and Questions on p.90); and pp. 100-110 on Alternatives to Litigation. (In the foregoing, in general you are omitting the cases and accompanying notes, and just reading text.)

Civil Procedure - Prof. Stewart
Welcome to Civil Procedure. For our fist class, please read pages 680-696 in *Civil Procedure, A Modern Approach* (5th ed.), by Marcus, Redish, Sherman and Pfander.

Civil RICO & Pragmatism - Prof. Foster
For the first class, please read the following cases (which will be available in the Bookstore, in a course pack, prior to the start of classes): *Cedric Kushner Promotions, Ltd. v. King* (2001); *Boyle v. United States* (2009); *Bachman v. Bear, Stearns & Co.,* 178 F.3d 930 (7th Cir. 1999); and
Be prepared to discuss the different interpretations of a “RICO enterprise” as enunciated by the Supreme Court and Judge Posner (for the Seventh Circuit Court of Appeals). What is Posner’s conception of an “enterprise”? How does he support his view of the RICO statute?

**Commercial Law: Payment Systems – Prof. D. Spak**

Two books for the course are available in the bookstore: (1) A reasonably current version of the Uniform Commercial Code, as available in Selected Commercial Statutes; (2) *Understanding Negotiable Instruments and Payment Systems*. Your initial assignment is to look at a check.

**Commercial Law: Secured Transactions - Prof. S. Harris**

Course information and the first set of assignments will be posted on the TWEN site for this course. The assignment for Tuesday, January 22 (page references are to the Harris & Mooney casebook) is:

- Introduction to the course and the UCC: 1-14 (background); UCC 1-103.
- Rights of unsecured creditors; introduction to credit transactions: 15-21.
- Rights of sellers against buyers: 21-26 (omit Problem 6).

**Commercial Real Estate Transactions - Profs. Stern & B. Davis**

Welcome to Commercial Real Estate Transactions! To provide more targeted and intensive instruction, the professors have prepared specialized powerpoints and reading assignments, including assignments from the IICLE Smartbook, *Commercial Real Estate 2011*. To access this text online, go to the Law Library’s home page at [http://library.kentlaw.iit.edu](http://library.kentlaw.iit.edu) and click on the link for IICLE Smartbooks. On the Smartbooks home page, click the tab for Browse Books, and choose *Commercial Real Estate 2011 Edition*. For the first class, please read Chapter 1 in the Smartbook.

**Compliance in Financial Institutions - Prof. Scales**

For the first class, please read:


**Constitutional Law - Prof. Rosen**

The casebook is Shanor, *American Constitutional Law: Structure and Reconstruction* (5th ed.). Also, please download the “Handouts” from this course’s TWEN site. Please bring the Handouts to class every day. For our first class, please prepare the following material very carefully:

1. Handout 1, part 1
2. Casebook (“CB”) pp. 1-9 (skip preliminary exercises)
the following question: according to the Resolutions, who authoritatively interprets the Constitution?

4. *Marbury v. Madison*, pp. 17-28. **Question:** According to this case, who authoritatively interprets the Constitution?

5. Handout 1a: **Question:** Look closely at the two paragraphs from Marbury on p. 24 that begin “It has been insisted at the bar . . .” and “If it had been intended . . .” What relation do they bear to the excerpt from *Ames v. Kansas*?

6. Handout 2

**Constitutional Torts/Section 1983 - Prof. Nahmod**

For the initial class, please read pages 1-45 in the Nahmod, Wells and Eaton casebook (3rd edition) and accompanying materials in the supplement available online. Our focus will be on *Monroe v. Pape*, the seminal section 1983 decision, with some attention also paid to the *Bivens* case. I look forward to studying section 1983 with you.

**Contracts - Prof. Batlan**


**Criminal Procedure: The Adjudicative Process** (day section) - Prof. Rudstein


**Criminal Procedure: The Adjudicative Process** (evening section) - Judge Erickson

For the first week of class, please read the 6th, 8th and 14th Amendments to the U.S. Constitution; and Israel, et al., *Criminal Procedure and The Constitution*, Chapter 5, pp. 310-340. Be prepared to discuss the 6th Amendment, the cases, and the right to counsel.

**Criminal Procedure: The Investigative Process** - Prof. Bailey

For Tuesday, January 22, please read Dressler & Thomas, pp. 1-8, 34-44; for Thursday, January 24, please read Dressler & Thomas, pp. 86-94. **(Note:** the initial version of this assignment listed the incorrect page numbers for January 22.)

**Electronic Discovery - Profs. Bottner & Bernard**

For the first class, please read:


*(continued next page)*
(2) The Sedona Conference® Cooperation Proclamation (pp. 1-3). Download from Sedona Conference website at: https://thesedonaconference.org/publication/sedona-conference%C2%AE-cooperation-proclamation

(3) Review the Electronic Discovery Reference Model (“EDRM”), which can be found at: http://edrm.net


Employee Benefits Law - Prof. White
Please read the first chapter of the text and skim the table of contents of the statutory appendix.

Employment Relationships (day section) - Prof. 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).

Entertainment Law - Prof. Perritt
Look at the webpage for the seminar, posted at http://www.kentlaw.edu/perritt/courses/seminar, read and understand the "Rules," and review the list of possible paper topics. You are not limited to these. We will pick topics in the first seminar meeting.

Environmental Law & Policy 2 - Prof. Stern
Welcome to Environmental Law & Policy 2! For the first day of class, please read pp. 5-17, 20-25, and 83-101 in your textbook, Environmental Protection: Law and Policy, Glicksman et al. (2011).

Estates and Trusts - Prof. Decatorsmith
The casebook for the class is the latest (8th) edition of Dukeminier's best-selling Wills, Trusts and Estates. For the first session, please read pp. 1-38, and be especially prepared to discuss appropriate and inappropriate governmental constraints on a testator's freedom of donation.

Evidence (day section) - Prof. Bailey
For Tuesday, January 22, please read Mueller & Kirkpatrick, pp.1-29 (Problem 1-A); for Thursday, January 24, please read pp. 29-65 (Problems 1-B, 2-A, 2-B, and 2-C)

Evidence (evening section) - Prof. R. Kling
For the first class, please read:
• Pgs. 1-28 in the text, and Rules 101, 102 and 106;
• Pgs. 29-43 in the text, and Rules 103 & 104; and
• Pgs. 271-289 in the text, and Rules 601, 602, 603, 605, 606, 611, 614 and 615.
Family Law - Prof. De Freitas

Federal Courts - Prof. Streseman
Read pp. 1-29 of Fink, Mullenix, Rowe & Tushnet's *Federal Courts in the 21st Century: Cases and Materials* (3d ed. 2007). If you have access to the recommended hornbook, Chemerinsky’s *Federal Jurisdiction* (6th ed. 2012), you will find Chapter 1 helpful, particularly sections 1.1, 1.3, and 1.5.

First Amendment - Prof. Nahmod
For the initial class, please read pages 1017-1056 in the Stone Seidman *Constitutional Law* casebook (6th edition). Our focus will be on the rationales of free speech and the clear and present danger test. I look forward to studying the First Amendment with you.

Futures and Derivatives Law and Regulation - Prof. Horwitz
For the first class, please read the materials posted on the TWEN site for the course.

Illinois Civil Procedure - Profs. Buck & Russell
For the first class, please read Michaels, Volume 3, Chapters 1 and 2; and Michaels, Volume 4, Chapters 28 and 29.

Intellectual Property and Technology Licensing - Prof. Dicig
Go to the Small Business section of the Patent and Trademark Office web site ([http://www.uspto.gov/smallbusiness/patents](http://www.uspto.gov/smallbusiness/patents)) and read the information under “All About Patents” and “All About Trademarks.” On the Copyright office web site ([http://www.copyright.gov](http://www.copyright.gov)), under “Publications” then “Circulars and Brochures,” read Brochures number 1 (“Copyright Basics”) and 9 (“Work Made for Hire”), and skim fact sheet FL 102 (Fair Use). Also skim the Illinois Trade Secrets Acts (765 ILCS 1065), and read the article on trade secrets posted at [http://www.freibrun.com/articles/articl8.htm](http://www.freibrun.com/articles/articl8.htm).

Intensive I.P. Trial Advocacy - Prof. Parkhurst
This course meets during intercession, from January 12 through January 19, 2013. The required text is Mauet, *Trial Techniques* (Aspen Publishers 2010, 8th ed.). Copies are available in the Bookstore. For the first class, please read Mauet, Parts I, II, V, VI and X; and Federal Rules of Evidence. Also read the file for Flyte Time Tunes v. Earl Dorsey, which Prof. Parkhurst will email to students prior to the first class.

International Bankruptcy - Prof. Walters
This seminar class is a unique multi-school class taught by weekly live lecture from St John's University School of Law in New York and simultaneously telecast to 12 other participating institutions nationwide, including Chicago-Kent. The class is offered under the auspices of the American College of Bankruptcy. The lectures will be given by leading bankruptcy practitioners and academics. Prof. Walters will coordinate the Chicago-Kent class and deliver two of the podium lectures. There is no required textbook for this class. A syllabus and assigned reading
will be made available on a TWEN site to which students will be given access. Students are required to watch two introductory videos on U.S. bankruptcy law presented by Profs. David Epstein and Ingrid Hillinger. These can be found on the American College of Bankruptcy website at http://www.amercol.org/amercol_videos.cfm. If you have any queries in advance of class starting please contact Prof. Walters at awalters@kentlaw.iit.edu.

**International Intellectual Property - Prof. Lee**  
For Class 1, please read pp. 1-4, 16-36 in the second edition of Daniel Chow & Edward Lee, *International Intellectual Property: Problems, Cases and Materials* (2d edition 2012 West). Review also Articles 1 and 3 of the TRIPS Agreement discussed in the materials (a copy of the TRIPS Agreement is in the Documents Supplement, but you may also find it online). For Class 2, read pp. 36-42, 50-63, 66-76.

**International Patent Law - Profs. Berezutskaya & Neymeyer-Tynkov**  
Welcome to the International Patent Law! For our first class, please read the following:  
1. Pages 1-5 from *Global Issues in Patent Law* by Martin Adelman (assigned text)  
2. Pages 4-18 from *International Intellectual Property* (2d ed.), Chow and Lee (available on reserve in the Library)  
3. Two brief articles available on the European Patent Office website:  
   a. Blog The unitary patent – Europe gives a boost to innovation  
   AND  
   b. European Patent Office welcomes historic agreement on unitary patent  
Please prepare to generally discuss the pros and cons of establishing a global patent.

**Law of Privacy - Prof. DeArmond**  

**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.

**Lawyering for Venture Capital (LL.M. Class) - Prof. Tucker**  
Please read the material posted for the first class on the TWEN site for the course.

**Legal Writing 2 - Prof. Greenberg**  
I expect to post the trial brief assignment on the course TWEN site by Friday, January 18. For Tuesday, January 22, read Neumann & Simon, Chapter 27, and the trial court brief assignment. For Thursday, January 24, review the Ethics Guidelines; read Neumann & Simon, Chapters 28 and 32, and read the handout(s) distributed at the first class.
Legal Writing 3 - Prof. Starks
For Wednesday, January 23, please read Haggard & Kuney, Legal Drafting in a Nutshell, Chapter 1 (pp. 1-29), and Krieger & Neumann, Essential Lawyering Skills, Chapters 1-4 (pp. 1-45).

Legal Writing 4 for LL.M. Students (both sections) - Prof. Keller
We'll use two books in this class. One is the main text, The International Lawyer's Guide to Legal Analysis and Communication in the United States, by McGregor and Adams (Aspen 2008). The other is quite short, Plain English for Lawyers, by Wydick (the 5th edition). For our first class, please read chapters 1-3 in the McGregor and Adams text. (You do not need to do the exercises.) If you are already familiar with this material, you may skim it. Please also read chapter 1 in the Wydick book.

Legislation - Prof. Heyman
In this class, we will be using three texts: (1) Eskridge, Frickey & Garrett, Cases and Materials on Statutory Interpretation (West 2012); (2) Donald A. Richie, The U.S. Congress: A Very Short Introduction (Oxford 2010); and (3) a photocopied Supplement. All of these texts are available in the Bookstore. For our first class on Tuesday, January 22, please read the materials on the Espionage Act and the First Amendment on pp. 1-27 of the Supplement.

Legislation - Prof. Shapiro
For the first day of class, please read pp. 1-38 of the casebook, Eskridge, Frickey & Garrett, Cases and Materials on Legislation (4th ed. 2007). When you read the history of the Civil Rights Act of 1964, focus on the major obstacles the legislation faced and how its supporters maneuvered around them.

Legislation - Prof. Sowle

Money Managers - Prof. Tueting
For the first class, please read pp. 1-65 in Frankel, Investment Management Regulation (4th ed.).

Negotiations (4:00 section) - Prof. Davis
For the first class, please read Chapters 1 and 12 in the Gifford text.

Negotiations (evening section) - 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.

Patent Office Practice - Prof. Hulbert
made during, e.g., the initial prosecution of a patent application, an appeal of an Examiner's final determination of non-patentability, a lawsuit alleging infringement of an issued patent, a post-grant review, an ex parte reexamination, or a derivation proceeding.

**Personal Income Tax - Prof. Brody**
The syllabus for the course is the first document in the photocopied materials available from the Bookstore. As indicated in the syllabus, we meet three times a week, and the assignments are numbered for each class. So for the first week, please prepare the first three assignments. And here's hoping that the President and Congress have addressed the "Fiscal Cliff" by the start of the semester!

**Products Liability - Prof. Streseman**

**Professional Responsibility - Prof. Muchman (teaching in place of Prof. Gross)**
For the first class, please read the Lerman text, pp. 1-79 and problems 1.2 and 1.3; ABA Model Rules of Professional Conduct - Rule 8 Series; and *Connick v. Thompson*, 131 S. Ct. 1350 (2011). Also, please be prepared to discuss a book, blog, news article, movie, or t.v. show that you believe relates to Legal Ethics.

**Professional Responsibility: Business Ethics - Prof. Robbins**
Welcome to Professional Responsibility: Business Ethics! For our first class on January 24, 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 http://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 in a few weeks!

**Property - Prof. Atuahene**
For the first class, please read *Johnson v. M’Intosh*, pp. 3-18 in the casebook. Also, to ensure that we get off to a solid start, I will ask each of you to complete all the background reading (listed below) before our second week of class begins (Tuesday, January 29). The readings are available on TWEN under the "Course Materials" tab in the "Frameworks" folder. Although there is a substantial amount of reading, you have a substantial amount of time to complete it. (*Note:* This assignment was revised to add the *Johnson* case as the initial reading.)

*Background Reading:*
John Locke and the Labor Theory of Value
Possession as the Origin of Property
Property and Personhood
Packaging Property (only p. 691-707)
Community and Custom in Property (only p. 6-34)
Understanding Legal Realism
**Property - Prof. Baker**
Welcome. For the first day of class, please read *Pierson v. Post*, pp. 152-155 in the Casebook.

**Property - Prof. Perritt**
Look at the syllabus, posted at [www.kentlaw.edu/perritt/courses/property](http://www.kentlaw.edu/perritt/courses/property), and prepare the assignment for the first class, as indicated on the syllabus.

**Property - Prof. Tarlock**
For January 23, read pp. 12-18, starting with Note 3 (we will read the principal case, *Johnson v. M'Intosh*, later); *Pierson v. Post*, pp. 18-26; and *Keeble v. Hickeringill*, pp. 30-35.

**Public Interest Law and Policy - Prof. Staudt**
The assignment for the first class on January 22 is as follows:


The full articles can be downloaded from Westlaw, Lexis, or HeinOnLine. Or you can find the excerpts at the link following each article. In addition, before the first day of class, send me an email that explains why you are taking the class and why you are in the public interest certificate program (if you are). In the email describe the type of work you would ideally like to be doing 5-10 years after law school and why.

**Public Sector Employees - Prof. Malin**

**Remedies (evening section) - Prof. Ehrenberg**
The evening section of Remedies will taught as a hybrid distance-learning course, which combines both classroom and online instruction. Our first class meeting will be on Wednesday, January 23. A detailed description of the course format and the first set of assignments is posted on the course TWEN site, which will be available to students on January 9. If you have any questions about the course, please feel free to contact me.

**Role of the Judge - Prof. Marder**
At the first class, we will discuss two newspaper articles and a short speech. I've included the citations below:

*Supreme Court Nominee Sonia Sotomayor's Speech at Berkeley Law in 2001, at [http://www.law.berkeley.edu/4982.htm](http://www.law.berkeley.edu/4982.htm)
**School Law - Prof. N. Hablutzel**

Please look at all the articles you can find on school safety, particularly in light of the tragedy in Connecticut. Then look at the Illinois State Board of Education website, at [http://www.isbe.net](http://www.isbe.net), and see what you can find in terms of guidance for school planning for school safety. Also, pick at least one local school district (perhaps where you live or where you went to school) and look online for their safety plan and the safety provisions in their school handbook for students.

We will begin this class discussing school safety, because I can guarantee that the instant a safety breach occurs, the first person the administrators will call is the school district's attorney. If you have any questions, you may contact me at NancyZH@aol.com.

**Tax and Budget Policy - Prof. Goldsher**

For the first class, please read:
- [http://www.history.com/topics/boston-tea-party](http://www.history.com/topics/boston-tea-party)

Also read all six sections of the budget process through the link below (click the arrow next to “Entry” at the top to move to later sections):

**Tax Procedure - Prof. Decatorsmith**

There is no required text for the class. For the first session, please read the Tax Court case *Wenz v. Commissioner*, T.C. Memo. 1995-277 (pull this down from Lexis or Westlaw, or get it out of a reporter in the library).

**Taxation of Business Enterprises - Prof. Brody**

The syllabus for the course is the first document in the photocopied materials available from the Bookstore. As indicated in the syllabus, we meet twice a week for two hours each, but the assignments are numbered for one-hour classes; so for the first week, please prepare the first four assignments.

**Topics in Cultural Heritage Law - Prof. Harding**

For the first class, please read the page selections from the Carpenter article (see below). In addition, please visit the websites listed under #2 below, find an issue that intrigues you, and be prepared to talk about it during the first class. Please send me your selection no later than Tuesday January 22. This will be a good way get a range of cultural heritage issues out on the table and it will also help me determine your particular interests.


2. Discussion of Current Issues from:

   Who Owns Native Culture (range of issues and information most, but not all, focusing on intangible culture): [http://www.williams.edu/go/native/](http://www.williams.edu/go/native/) or
The Lawyers’ Committee for Cultural Heritage Protection (again a range of issues and information but focusing more on tangible culture and traditional art law issues): http://www.culturalheritagelaw.org/ or

Illicit Cultural Property: A blog about Art, Antiquities and the Law (terrific range of issues with a special focus on antiquities): http://illicit-cultural-property.blogspot.com/ or

Art and Artifice: A blog dedicated to everything concerning art and the law: http://aandalawblog.blogspot.com/

**Topics in International Law** - Prof. Samar
Welcome to Topics in International Law, which I envision as a follow up to a general introductory course in public international law. This seminar will explore in depth several current topics in public international law, for example, human rights, the use of force, humanitarian law in a world confronted by terrorism and torture, international criminal law, protecting the environment, including outer space and the polar regions, and the right to consular access by aliens in death penalty cases. The seminar is designed to provide students with a foundation upon which to think about and research these issues, and the way that domestic law is often implicated in the formation and reformation of foreign policy.

The assignment for the first day of class is from *International Law: Cases and Materials* (5th ed.), Damrosch et al.: pp. xv-xvii; xix-xxx; 2-16; 20-41; 42-54; 57-58; 59-66; 66n.4; 68-76; 79-86; 86-90 nn. 3, 4, 6, & 8; 90-94; 95-99; 105-106. Students also need to purchase International Law Supplement and Article by Samar, available in the Bookstore.

**Trademarks & Unfair Competition** - Prof. Renner

**Video Game Law** - Prof. Monahan