INITIAL READING ASSIGNMENTS – FALL 2017

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 Fall courses. Even if a course is not listed here, materials for the course should be available in the Bookstore. Initial reading assignments for first-year courses are not included in this list. This list may be updated again if we receive additional assignments.

Administrative Law – Prof. Greenberg
For the first class on August 22:
-Read pages 1-15 in the casebook
-Read Forbes Article, “Fixing A Washington That's Gone From Rule Of Law, To Rule By Whatever” [available on TWEN site for the class]
-Read Bloomberg.com Article, “The Truth About Trump and Deregulation” [available on TWEN site for the class]
-Find on YouTube the following three recordings of the same piece of music. Listen to the first two minutes or so of the music on each recording:
  - Mozart - Symphony No. 40 / Rattle · Berliner Philharmoniker
  - Mozart - Symphony No 40 in G minor, K 550 – Leonard Bernstein
  - Mozart - Symphony No 40 in G minor, K 550 – Frans Brüggen
-Think about and be prepared to discuss this question: Which of these recordings is correct?

Advanced Income Tax (Tax LL.M. Course) – Prof. Gupta
The casebook for this course is Graetz and Schenk, Federal Income Taxation (Seventh Edition). You should also have current copies of the: (1) Internal Revenue Code of 1986, as amended; and (2) Treasury Regulations. For the first class: (1) read (the adverb “carefully” is implied) pp. 83-130 and 686-699; and (2) look over pp. 769-773.

Antitrust – Prof. Hannay
For the first class, please read pages 1-17 & 51-55 in Gavil et al., Antitrust Law in Perspective (West, 2017). In addition, please watch the motion picture “The Informant!” (2009), starring Matt Damon.

Bankruptcy (day section) – Prof. S. Harris

Course information, additional course materials, and additional assignments will be posted on TWEN shortly before the start of the semester. For the first week, please study the following:

- Monday and Wednesday: CB 1-41. Omit: Problems 1.1, 1.2; § B.1.c (CB 8-10); Problem 1.7; McDermott (CB 29-33); Problem 1.15.
- Thursday: Problems on Security Interests (TWEN); Form UCC-1 (TWEN); CB 8-10.
Business Organizations (evening section) - Prof. Gieseke
The casebook for this class is Klein, Ramseyer, Bainbridge, Business Associations (9th ed., Foundation Press, 2015). For the first class, please read pages 1-12.

Civil Procedure – Prof. Perritt
Access the course syllabus at blogs.kentlaw.iit.edu/perrittcivpro, do the assignment for the first class, and come to class prepared to do an exercise related to it.

Commercial Law: Payment Systems – Prof. D. Spak
Before the first class, please be sure to purchase the two books for the course, which are available in the Bookstore: (1) A reasonably current version of the Uniform Commercial Code, as available in Selected Commercial Law Statutes; (2) Understanding Negotiable Instruments And Payment Systems.

Commercial Law: Secured Transactions - Prof. S. Harris
The casebook is Harris & Mooney, Security Interests in Personal Property (6th ed. 2016). Course information and more assignments will be posted on TWEN before the start of the semester. Here are the assignments for the first two classes:

Monday, August 21:
- Introduction to the course and the UCC: 1-13 (background); UCC 1-103, 1-304.
- Rights of unsecured creditors; introduction to credit transactions: 14-21.
Wednesday, August 23:
- Rights of sellers against buyers: 21-26 (omit Problem 6).

Constitutional Law – Prof. Nahmod
Our casebook is Stone Seidman, Constitutional Law (7th ed. plus 2017 supp. when available). For our first class, please read for background pages 1-24, as well as three short posts on nahmodlaw.com: Know Your Constitution (1), (2) and (3) [search Know Your Constitution]. Also, take a quick look at the Constitution. We then proceed immediately to Marbury v. Madison, pages 25-38, which will be our focus.

After we finish Marbury, and for our second and third classes, we move to McCulloch v. Maryland (the most important constitutional decision ever?), Heller (the Second Amendment, briefly) and Calder v. Bull: pages 38-69.

I very much look forward to studying constitutional law with you. Please feel free, even before school starts, to email me at snahmod@kentlaw.edu with any questions or concerns.

Constitutional Law - Prof. Rosen
I will be using the most recent edition of Chemerinsky, Constitutional Law (likely the fifth edition), as well as the supplement. For first class please download: Handouts from either this course's TWEN site or my Kentlaw website (under “Related Links,” at http://www.kentlaw.iit.edu/faculty/full-time-faculty/mark-d-rosen), and be fully prepared to discuss the following:
1. Goals of the Course (in Handouts)
2. Marbury v. Madison (very start of the casebook)
3. Handout 1

Copyright Law (day section) – Prof. Moshirnia
We will be using Copyright in a Global Information Economy, 4th ed., by Cohen et al. First Class – please read pp. 6-34. Discussion will be on the purpose of copyright generally.

Copyright Law (evening section) – Prof. Balough
Welcome to Copyright Law! We will use the casebook Copyright in a Global Information Economy, 4th ed., by Cohen et al. For the first class, please read pp. 6-34 of the casebook. Come to class prepared to discuss the purpose of copyright law in the U.S.

Criminal Procedure: The Investigative Process (day section) – Prof. Bailey
-Tuesday, August 22nd: pp. 95-104
-Thursday, August 24th: pp. 105-25

Criminal Procedure: The Investigative Process (evening section) – Judge Claps
Book: Criminal Procedure and the Constitution, by Israel, Kasmisar, LaFave, King & Primus (2016 Edition). For the first class, please read:
-Chapters 1 and 2, U.S. Constitution 4th, 5th, and 6th amendments, Bill of Rights
-Illinois Constitution 1970, Bill of Rights

Employment Discrimination – Prof. Malin
Read pp. 1 - 28; also read Title VII of the 1964 Civil Rights Act and Wagenseller v. Scottsdale Memorial Hospital (both on the class TWEN site). Consider and come prepared to discuss the following problems:

1. An Italian restaurant is known for its pizza for which it offers free delivery. The restaurant is expanding with two new locations and needs to hire delivery drivers. A priority for the restaurant is to hire safe drivers. Based on its experience, the restaurant knows that almost all applicants will be between the ages of 18 and 25. As a group, men in this age group have much worse driving records and higher accident rates than women. The company received an overwhelming number of applications. Rather than examine each application in individual detail, a task that would consume way too many hours of valuable time, the restaurant decides to exclude all male applicants. It realizes that by doing so, it is excluding some very safe drivers but the use of sex as a proxy for safe driving makes a good first cut. The restaurant knows that the pool of women applicants is so large that it will still have enough applicants to fill its openings with safe drivers. The restaurant will therefore focus on the individual applications of
women only. Is this a rational business policy? Is it illegal? Should it be? Why or why not?

2. An insurance agency employs a sales staff that generates many of its sales by making cold
calls on consumers. The racial and ethnic composition of the company’s sales staff and their
supervisors and the company’s executives mirrors the racial and ethnic composition of the
metropolitan area where the agency does business. The residential pattern in the metropolitan
area is highly segregated by race. The company has decided that consumers are likely to either
not be influenced by the race of the sales representative or are likely to be turned off when
approached by a sales representative of a different race. Consequently, the company has decided
to assign its sales representatives by race with African American sale reps assigned to
predominantly African American areas and white sales reps assigned to predominantly white
areas. In the few areas that are racially or ethnically diverse, the company assigns equal
numbers of African American and white sales reps. Is this a rational business policy? Is it
illegal? Should it be? Why or why not?

3. The Leisure Club, Inc., (LCI) owns and operates luxury resorts throughout North America. It
is headquartered in Dallas, Texas. The company operates by selling memberships to individuals,
families and corporations. Members pay a steep initiation fee. The amount varies by type of
membership. Thereafter, members may reserve luxury rooms at Leisure Club resorts at prices
substantially below the rates of comparable hotels and resorts in the area. Members also may
take advantage of deep discounts on airfare, rental cars and other amenities that Leisure Club has
been able to negotiate. Almost all Leisure Club facilities are in major vacation areas.

Mary Manager began working for LCI after earning a bachelor's degree in hotel management
from Cornell University. Cornell's hotel school is generally regarded as the top program in the
United States. Mary was hired as assistant housekeeping manager at LCI's resort in Vale,
Colorado. After 14 months, she was promoted to housekeeping manager. She remained in Vale
for another eight months. Then she was transferred to LCI's much larger resort at Maui, Hawaii.

The housekeeping department in Maui was in very poor shape when Mary arrived. There were
major personnel problems, including very high turnover and absenteeism rates. Within six
months, Mary had completely turned the department around. Her success caught the attention of
the LCI corporate office which transferred her to the Dallas headquarters as Corporate Manager -
Quality Assurance. Her new position required her to trouble-shoot problems in the LCI resorts
in reservations, front office, housekeeping and concierge. When there appeared to be a problem,
she would investigate, recommend ways to correct the problem and follow up, taking direct
action where necessary. She also developed training classes and training manuals and computer
software. She traveled extensively. She was very successful in her position. She also assisted
several other corporate managers with their projects and was praised by the head of her
department for her skill and flexibility. Her performance was rewarded with numerous pay
raises that greatly exceeded the average raise within the company.

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LCI was headed by a president - CEO. There were three senior vice-presidents. Under them were vice-presidents. Under the vice-presidents were department heads. The corporate managers reported to the department heads.

The president, all senior vice-presidents and all vice presidents are men. There are twenty department heads at the corporate office. Nineteen are men. There are 70 resorts, each headed by a general manager. The general managers are at the same level as corporate department heads, in that they report to vice presidents in charge of the regions where their resorts are located. Of the 70, 67 are men.

LCI has 70 corporate managers, 35 of whom are women. Mary is one of five managers who report to the same department head. Three of the five (including Mary) are women.

Mary's department head, two other male department heads, and the vice-president to whom they report work closely together. They often get together after work. They generally invite the corporate managers who work for them to join them. Mary joined them the first two times they invited her. However, she felt very uncomfortable for several reasons. First, she was the only woman who went. Second, there was a good deal of heavy drinking. Third, the conversation was not very appealing. Consequently, Mary stopped joining the after-work get togethers.

No one ever commented negatively about Mary's failure to join the after-work get togethers. For two years, her superiors praised and rewarded her work. Then, a vice-president retired and Mary's department head was promoted to the vice-presidency. There were rumors that Mary would be promoted to department head. Many people remarked that she was the logical choice because she was so good at her job and because she was always helping her fellow corporate managers. Some said that she knew their jobs better than they did.

Mary's former department head, now vice-president asked her out to lunch. Mary was sure that it was to discuss her promotion. Unfortunately, the vice-president advised her that the company had decided not to fill the department head position from within. He said that it was the consensus of the vice-presidents and other department heads that if they were to fill the position from within, Mary would get it. However, he explained, it was also the consensus view that the company could benefit even more by bringing in an outsider with a fresh perspective. Therefore, they decided to hire Homer Hotshot to fill the vacancy.

Homer was an employee of a consulting firm who had been working on several projects for LCI. Mary had worked with him and considered him to be very capable. She also noticed that Homer would often join the vice-president, department heads and mostly male managers in their after-work get togethers. Homer has an MBA from the University of Pennsylvania's Wharton School. He has six years of management consulting experience, but only six months experience in the hospitality industry -- all of it for LCI.

Mary is considering filing a charge of sex discrimination with the Equal Employment Opportunity Commission. What advice would you give her?
Entertainment Law – Prof. Perritt
1. Access the course syllabus at blogs.kentlaw.iit.edu/perrittseminar/entertainment-law
2. Read and understand the "rules" posted there
3. Browse the papers from the seminar in previous semesters, posted at www.kentlaw.edu/perritt/courses/seminar/
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
For the first class, please read Barron & Reed, Chapter 1.

Ethics and Advocacy - Judge Erickson and Prof. Telisman
-Please be prepared to discuss an article, blog, TV series, movie or facts from any other source, that you believe involves an issue of legal ethics.
-Please read the entire case file of Salter v. H.B. Cline.
-Please read the Preamble and Scope to the ABA Model Rules of Professional Conduct.

Evidence – Prof. Godfrey
For the first week of class, please read pp. 1-84 of An Analytical Approach to Evidence: Text, Problems, and Cases, 6th ed. by Allen et al. While that sounds like a lot, I think you will enjoy the reading: it is an abridged version of a transcript of an actual trial. The Prosecution rests its case on page 44 (a good place to split the reading). Also, read the authors' note on how to study Evidence found on pp. 85-87. Then, look thru the book to get a sense of its structure. It is organized by the Rules themselves. After introducing the rule and a discussion of it, you will find "Key Points," "Problems," and "Assessments." The Key Points summarize the material (a good way to review immediately before class). I will assign Problems to each of you to present during the semester. After the class during which you present the problem you will turn in a brief write up of it to me. At the end of the semester I will make all the write-ups available to members of the class as a way to help prepare for the final exam. Finally, the Assessments are multiply choice questions at the end of the sections. Given that Evidence is a subject heavily covered by the Multistate Exam, these are a good way for you to test your understanding of the material. I look forward to working with you this term.

Family Law – Prof. Johnson
Welcome to Family Law for Fall 2017. For our first class, please read Wildey v. Springs on the course TWEN site. Also note there are no materials to buy for this course; all cases and readings will be posted to TWEN. I look forward to seeing you soon.

First Amendment – Prof. Nahmod
For our first class please read pages 3-35 (through Abrams). For our second class we will hopefully get to page 60 (through Brandenburg). Our casebook is The First Amendment (5th edition plus forthcoming 2017 Supplement) by Stone Seidman et al. (Please note that laptops may be used in the classroom for this course).

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This course is my personal favorite: I unabashedly love it. So I look forward to studying the First Amendment with you. If you have any questions or concerns before class begins, please do not hesitate to contact me by email: snahmod@kentlaw.edu.

**First Amendment (Seminar) - Prof. Heyman**

In this seminar, we will be using a set of photocopied Course Materials, which is available in the Bookstore. For our first class on Monday, August 21, please read the First Amendment and the funeral-picketing problem on p. 13 of the Materials. Our second session, on Monday, August 28, 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, 4th ed. 2015). For the first class, read pp. 1-17 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.

**Illinois Civil Procedure – Judge Preston**


**International Intellectual Property Law – Prof. Villeneuve**

The first class will be mostly an overview of IP to make sure every student has a basic understanding of all types of IP law. For the first class, please take 15-30 minutes to familiarize yourself with the main U.S. IP websites: www.uspto.gov and www.copyright.gov

Get generally familiar with the format of these sites and play around with some links. Each country has a similar site. Each student (J.D. and LL.M.) must pick one foreign country of choice and browse the internet to gain a mild level of familiarity with that country’s Trademark / Copyright / Patent primary governmental website(s). The student must have sufficient linguistic proficiency to understand and read documents on that site. LL.M. students are not forced to select their home country’s website but may freely do so. On the first day of class, we will try to pair each student with one foreign country to help follow how international IP is implemented in a different country than the U.S. (main topic of the class). After browsing your country of selection’s website, you should have sufficient understanding of the content to answer the following questions generally:

(a) List of the relevant websites to secure information as to trademarks, patents, and copyrights.

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(b) Is an English translation available for each site and how rich is the information given (mild to generous).
(c) To help, is a copy of the country’s Copyright Law, Trademark Law, and Patent Law available online in the original language?
(d) Is a translation in English also available for these three laws?

Important Note: Many countries offer free search engines of the database of copyrights, patents, and trademarks. Some countries require the opening of a free account. If that is the case, please try to open a free account so you may have access to it during class. Do not open a paid account if one is needed, simply provide the cost required.

International Trade - Prof. Cho
Welcome to International Trade Law! Given the glaring trend of globalization as well as the recent push back against it, it is high time that we studied international trade law. This course will address basic laws and institutions of the World Trade Organization (WTO) that pertain to international trade law. The teaching materials can be downloaded at http://jeanmonnetprogram.org/resources/the-law-of-the-world-trade-organization-through-the-cases/teaching-materials/, free of charge. The course syllabus will be emailed to you before the first session.

The assignment for the first session is as follows:
-Read Unit I, Ch. 2-1;
-Skim Unit I, Ch. 3-2

Optional Reading:
Is Trade the Problem?, N.Y. TIMES, Apr. 27, 2008;
A Lesson of Import, WALL ST. J., Apr. 1, 2011;
Shawn Donnan, Trade Talks Lead to Death of Doha and Birth of New WTO, FIN. TIMES, Dec. 20, 2015;

Please email me (scho1@kentlaw.iit.edu) if you have any questions. I very much look forward to meeting and working with each and every one of you during the semester.

Labor Law - Prof. 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 and Politics of International Economic Relations - Prof. Cho**

This seminar aims to provide law school students with interdisciplinary insights on international economic law as it deals with literature from non-legal disciplines, such as economics, political science, and sociology. The seminar will probe how non-legal disciplines investigate and understand legal phenomena in the area of international economic law, such as international trade law and international investment law. The seminar will also discuss whether and/or to what extent these non-legal analyses might complement legal analyses. Topics may include trade negotiation, protectionist politics, regionalism, dispute settlement system, trade remedies, trade and climate change, and trade-related intellectual property rights.

Class 1: Introduction

*Please email the instructor (scho1@kentlaw.iit.edu) to receive the first week’s reading assignment.* I very much look forward to meeting and working with each and every one of you during the semester.

**Legal Writing 3 – Prof. Abrams**
The text is Espenschied, *Contract Drafting* (2nd Ed. ABA 2015). For the first week, please read:
-Aug. 22: Espenschied, Pages vii-xv; xvii-14; 22-29; 39-41
-Aug. 24: Espenschied, Pages 53-71
Welcome! Please sign up for the TWEN course (on Westlaw) for our class. Click into the "week 1" heading on the left; there, you should find the folder that contains the readings for our first class. If you have trouble finding them, you may email me. Also, closer to the first day of class, I will email the readings to everyone who is signed up for the class.

Legislation – Prof. Heyman
For our first class on Monday, August 21, please read pp. 1-7 in the Levin casebook, and carefully think through Exercise I.1 on p. 2. For our second class, please read chapters 1, 4, and 5 of Donald Ritchie's book, The U.S. Congress: A Very Short Introduction (2d ed. 2016).

Legislation – Prof. Marder
For the first class, please read: Eskridge, Frickey, Garrett & Brudney, Cases and Materials on Legislation and Regulation (Fifth edition), pp.1-34. (Please note that we'll be using the Fifth edition, which is the most recent edition of this book.)

Negotiations - Prof. Schoenfield
You may purchase either the Course Materials 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 Law (day section) – Prof. Reilly
The casebook for this class is CRAIG ALLEN NARD, THE LAW OF PATENTS (4 TH EDITION) ("Nard"). 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 Monday, August 14.

For Class 1, Monday, August 21, 2017
Read:  (1) Nard, p. 1-6, p. 26-30, p. 40-51; (2) Review the syllabus (on TWEN/Syllabus), which includes the course policies and tentative schedule
Optional:  Nard, p. 6-26
Watch:  “Before Class 1” Video (link on TWEN/Videos)

For Class 2, Tuesday, August 22, 2017
Read:  (1) Nard, p. 30-40; (2) Steve Brachman, The Rise and Fall of the Company that Invented Digital Cameras, IP WATCHDOG (Nov. 1, 2014) (on TWEN/Readings)

For Class 3, Thursday, August 24, 2017
Read:  (1) Nard, p. 52; (2) Oskar Liivak, Rescuing the Invention from the Cult of the Claim, 42 SETON HALL L. REV. 1 (2012) (excerpts) (on TWEN/Readings); (3) ’831 Patent (on TWEN/Nystrom Case File) [read carefully – we will refer frequently to the ’831 Patent over the course of the semester]
Do:  Claim Drafting Assignment (on TWEN/Assignments) [Note: must be submitted via email to Professor Reilly (greilly1@kentlaw.iit.edu) by 12 pm central on Thursday, August 24]
**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 Seventh Edition of the Merges and Duffy casebook, Patent Law and Policy: Cases and Materials: 1-19; (skim 19-32); and 55-73. A Course Outline is available on TWEN.

**Pretrial Litigation – Prof. R. Gonzalez**
Please read Chapter One of Fundamentals of Pretrial Litigation.

**Sales and Exchanges (Tax LL.M. Course) – Profs. Pryor & Schaff**
The initial reading assignment is to read Chapter 1 in the photocopied course materials.

**School Law - Prof. N. Krent**
Welcome to School Law! I am looking forward to covering a wide range of topics and issues in class this semester. Our text will be Kaufman & Kaufman, Education Law, Policy & Practice (3d ed.) For the first class, please read the following pages in the textbook: 33-39, 75-97 and 102-107.

**Software Patents (intersession course) – Prof. Sutton**
For the first class session, please read up to, but not including, Non-Patentable Subject Matter in Software Patents: A Practical Perspective (the new version 2.1, August 2017).

**Supreme Court Review – Prof. Schmidt**
For the first class, please read the first two chapters of David M. O'Brien, Storm Center: The Supreme Court in American Politics, 11th edition (2017).

**Worker’s Compensation – Prof. Bareck**
The case book is Larson, Workers’ Compensation Law, 5th ed. (the bookstore has ordered the lower-cost looseleaf version). The textbook covers workers’ compensation over time and many different states. For the first class, please read Ch. 1 pp. 3-13 (Basic Features of Compensation) but skip the problems; Ch. 2 pp. 13-25 (History).