

INITIAL READING ASSIGNMENTS – FALL 2023

Listed below are the initial reading assignments for upper-level courses we have received to date. (Please note: Initial assignments for first-year courses are not included in this list; they were provided separately and are available by [clicking here](#).)

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 from the [Bookstore](#). This list may be updated if we receive additional assignments; you may find the most current version of this document on the [Fall 2023 Quick Guide page](#).

Commercial Law: Secured Transactions (both sections) – Prof. Spak

There are two required books: Understanding Secured Transactions, and a reasonably current book version of the Uniform Commercial Code.

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, but the assets have a substantial net worth. 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 should the borrower file 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/.

Comparative Law – Prof. E. Harris

Please read: pages 3 to 15 in the course book assigned for the course: Comparative Law: Global Legal Traditional, Bazylar, et al.

Constitutional Law – Prof. Rosen

We will be using the **sixth** edition of Chemerinsky, Constitutional Law, the supplement, and also materials I've prepared that you can access through Blackboard Ultra labelled "Handouts." The Blackboard Ultra site will be open to students no later than Tuesday, August 15. For our first class, carefully prepare the following:

- A. Goals of this Course (Handouts, p 1)
- B. Read the following parts of the Constitution (a full copy of the Constitution appears at the front of the casebook, starting at xxxix)
 1. Preamble
 2. Article I, Section 1
 3. Article II, Section 1
 4. Article III, Section 1
 5. Article IV, Section 1 (first sentence)
 6. Article V
 7. Article VII

- C. Introductory Materials for Constitutional Law (in Handouts, starting page 2): ***This is crucial material: read it very carefully. Most of the first day's lecture focuses on it.***
- D. *Marbury v. Madison* (from casebook)
 - 1. Part One:
 - a) Carefully read US Const. Article III, Section 2, Clause 2
 - b) Carefully read the portion of the Judiciary Act of 1789 printed at the bottom of page 8 of the casebook
 - c) Read very carefully *Marbury v. Madison* from the casebook, beginning at page 1 *but only up to and including the paragraph starting with the language* "The authority, therefore, given to the supreme court ..." on the top of page 6

Constitutional Law – Prof. Schmidt

For the first class, please read the U.S. Constitution. Repeat. Read *D.C. v. Heller* (2008) (abridged), available on the Course Blackboard site. Read the Constitution again.

Constitutional Law – Prof. Shapiro

For this class, we will be using open-source materials, supplemented by documents and links shared on Blackboard. You do not need to purchase a casebook. The assignment for the first day will be posted on Blackboard no later than August 14.

Constitutional Torts/Section 1983 – Prof. Nahmod

For our first class on August 21, please carefully read pages 3-top 47, with an emphasis on *Monroe v. Pape*, the seminal section 1983 case, and on the *Bivens* case. Our casebook is *Constitutional Torts* (5th ed. 2020) (Nahmod, Wells and Smith). Going forward, I will provide you with any supplemental materials. Welcome to the seminar: I am very excited to be learning constitutional torts with you this semester.

Criminal Litigation 1 – Judge Claps & Prof. Molesky

For the first class:

1. Please read pp. 1-5 and 27-30 in *NITA Criminal Litigation and Legal Issues in Criminal Procedure* (course text)
2. Send an email to jclaps@kentlaw.iit.edu and amolesky@kentlaw.iit.edu with the following information:
 - Name
 - Year (2L, 3L, 4L)
 - Trial Advocacy experience
 - Criminal Law/Procedure/Litigation experience (including, but not limited to employment, courses taken, and internships)
 - Evidence class/classes completed

Please email amolesky@kentlaw.iit.edu if you have any questions.

Criminal Procedure: The Investigative Process (day section) – Prof. Donelson

Please read chapter 1 of the casebook. It's pages 1-8.

Employment Discrimination – Prof. Porter

From our book, Ontiveros et al., Employment Discrimination Law: Cases & Materials on Equality in the Workplace (West Academic, Tenth Edition): skim pages 3–9 and 11–16; read pages 36–53.

Employment Litigation – Prof. Franklin

Please read "RETHINKING DISCRIMINATION LAW," Sandra F. Sperino, Michigan Law Review, October 2011, Vol. 110, No. 1 (October 2011), pp. 69-125.

Link: <https://www.jstor.org/stable/23054208> (the article will also be in our Blackboard course page under Readings.)

Employment Relationships – Prof. R. Gonzalez

For the first class, please read pages 3-7 and 10-14 in the textbook.

Estates & Trusts – Prof. Decatorsmith

Please read and be prepared to discuss pages 1-40 of the casebook (Wills, Trusts and Estates – Sitkoff and Dukeminier, 11th Edition) for the first class.

Evidence (day section) – Judge Erickson

Please read Federal rules 401 and 403, and be ready to discuss relevance and prejudicial evidence.

Evidence (evening section) – Prof. Kling

In the textbook, peruse pp 1-31; read pp. 33-47 (prepare the problems); read pp 223-245; and read these Rules: FRE and IRE 101, 102, 103; 104; 106; 601; 602; 605-606; 611; 615

First Amendment Seminar – Prof. Heyman

The readings for this class consist of a set of photocopied Course Materials that are available from the Chicago-Kent Bookstore. For our first class on Tuesday, August 22, please read the First Amendment and the funeral-picketing problem on p. 13 of the Materials. Our class the following week will cover pp. 14-43 of the Materials. See you all soon!

International Intellectual Property – Prof. Dinwoodie

Readings will come from the forthcoming third edition of Graeme Dinwoodie et al., International Intellectual Property Law and Policy (2024) (“Materials”). These Materials will be available (in pdf format) for free download (and/or printing) from the class Blackboard web page under “Course Materials”. The web page should be live with the first set of readings by August 9.

For the first class, please read Chapter 1 of the Materials. For the second class, please read Chapter 2 of the Materials.

The syllabus for the course will be available on the class webpage by August 9, and you should skim that for all the relevant administrative information.

International Law (evening section) – Prof. Cho

Today is high time that we studied and even agonized over international law. This survey course will address various issues, aspects and implications of international law and institutions ranging from the Iraqi War to the World Trade Organization. The textbook (TB) for the course is Dunoff, Ratner & Wippman, International Law: Norms, Actors, Process (5th ed., 2020). You may use older versions of the same TB.

For the first session,

-Read John R. Bolton, U.S. Isn't Legally Obligated to Pay the U.N., WALL ST. J. (Nov. 17, 1997), <https://www.wsj.com/articles/SB879698865506918500>

-Skim International Law: 100 Ways it Shapes Our Lives, <https://www.asil.org/sites/default/files/100Ways/100Ways.pdf>

Law, Literature & Feminism – Prof. Marder

For the first class, please read the short story "A Jury of Her Peers" by Susan Glaspell. It is 18 pages in length and is available on the Law, Literature & Feminism site on Blackboard (under "Course Materials").

Legal Writing 3 – Prof. Subanajouy

Please read three things for the first day, which will focus on interpretation and construction, both fundamental to legal drafting. (1) The Court's opinion and the concurrence in *Yates v. United States*, 574 U.S. 528 (2015). (2) "Chapter 4. The Rules of Interpretation" in *Legal Drafting in a Nutshell*. (3) A portion of Sir William Blackstone's *Commentaries on the Laws of England*, Book the First. Please go to: <https://www.gutenberg.org/ebooks/30802>. Please click "Read this book online: HTML5." Please do a text search for "First, as to their several kinds." You should see "First, as to their several kinds. Statutes are either general or special, public or private." You should read from that to "The laws cannot be strained by partiality to inflict a penalty beyond what the letter will warrant; but in cases where the letter induces any apparent hardship, the crown has the power to pardon." That is the sentence before "Section the fourth. Of the COUNTRIES subject to the LAWS of ENGLAND."

Legislation (day section) – Prof. Sowle

The casebook for the class is Eskridge, Brudney, Chafetz, Frickey & Garret, *Cases and Materials on Legislation and Regulation* (6th ed. 2020). For the first class, please read pp. 1-18.

Legislation (evening section) – Prof. Marder

For the first class, please read pp. 1-28 in *Cases and Materials on Legislation and Regulation* (Sixth Edition) by Eskridge, Brudney, Chafetz, Frickey & Garrett. (Please note that we'll be using the Sixth edition, which is the most recent edition of this casebook).

Oral Advocacy for the IP Lawyer – Profs. Gosse & Micheletti

For the first class, please read:

-MPEP § 713 (Examiner Interviews) - <https://www.uspto.gov/web/offices/pac/mpep/s713.html>

-USPTO FAQ page, "Interview Practice FAQs" - <https://www.uspto.gov/patent/laws-and-regulations/interview-practice/interview-practice-faqs>

-Lexis Nexis, "Strategic Use of Patent Examiner Interviews" - <https://www.lexisnexis.com/lexis->

[practice-advisor/the-journal/b/lpa/posts/strategic-use-of-patent-examiner-interviews](https://www.practice-advisor.com/the-journal/b/lpa/posts/strategic-use-of-patent-examiner-interviews)

-Optional: pp. 3–22 in Rockton et al., “An Advocate Persuades” (2016)

Patent Law – Prof. Hulbert

For the first class:

1. Think about under what circumstances, if any, a society’s best interests are served by granting a single entity exclusive rights to an “invention.”

(continued next page)

2. Watch the video at <https://www.youtube.com/watch?v=SwPw2VchQGQ> (a top ten list of “inventions that changed the world”) and consider whether you agree with it.

3. Read the following pages in the Merges casebook, Patent Law and Policy: Cases and Materials (8th ed.): 3-41.

4. Ensure that you can access the course materials on the Blackboard website.

Personal Income Tax (4:00 section) – Prof. Robbins

Welcome to Personal Income Tax! I’m looking forward to what I hope will be a fun and engaging look at tax, tax policy and it’s many implications for our society. I have a great deal to share with you about the materials, format and coverage of our class – more than can be effectively conveyed here. So, please get connected to our course Blackboard site, which will be live in mid-August. You will need to purchase the textbook (Donaldson and Tobin, Federal Income Tax – A Contemporary Approach, third edition), and you have some decisions to make about how to access statutory materials. In addition, you will have a reading assignment for our first class, so be sure to access the Blackboard site before classes begin. In the meantime, I look forward to seeing you on Tuesday, August 22nd at 4:00pm!

Pretrial Litigation – Prof. R. Gonzalez

Please skim Chapter One of the Haydock casebook.

Privacy Rights in Employment – Prof. Soubly

I am looking forward to meeting each of you remotely on Tuesday, August 22. For the first class, please read the following: (1) Thomas H. Wilson, Privacy in the Employment Relationship, which provides a general introduction (in Westlaw, search the author’s name in Practical Law, and it will be one of the first hits); (2) the 2 federal circuit NetChoice cases, i.e., NetChoice, LLC v. AG of Florida, 34 F.4th 1196 (11th Cir. 2022), and NetChoice, LLC v. AG of Texas (Paxton, who has been suspended as AG pending his trial on securities fraud felony charges), 49 F.4th 439 (5th Cir. 2022) (both on Westlaw); (3) the short Texas Solicitor General letter in the appeal from the Fifth Circuit decision in SCOTUS 22-555 opposing waiting for resolution in the appeals taken by Moody and by NetChoice from the Eleventh Circuit decision (SCOTUS 22-277 and SCOTUS 22-393, respectively); and (4) the SCOTUS per curiam opinion sidestepping the Section 230(c) issue in Gonzalez v. Google, Scotus 23-1333 (May 18, 2023) (materials in ##3 and 4 all on SCOTUS Website).

You may also find interesting the Cato Institute amicus brief in the Supreme Court in the NetChoice as petitioner case, SCOTUS 22-393 (on SCOTUS Website).

Professional Responsibility (day section) – Prof. Aleisa

For the first class, please read pages 19-33 of Simon, Needham & Powell, *Lawyers and the Legal Profession: Cases and Materials* (Fourth Edition) (this is the same book and edition I used last year); the [Preamble and Scope](#) of the ABA Model Rules; and [Dwayne Betts Admitted to CT Bar](#).

Supreme Court Review – Prof. Schmidt

The readings for our first class are available on the Course Blackboard site.

Trademarks & Unfair Competition – Prof. Dinwoodie

The casebook is Graeme B. Dinwoodie and Mark D. Janis, *Trademarks and Unfair Competition: Law and Policy* (6th ed. Aspen 2022), and its Fall 2023 Update. The Casebook is available in hardback, but the publisher also produces a loose-leaf format that is much, much cheaper (\$89.10) and no different in content. The Casebook is available in the bookstore (in both formats). The Fall 2023 Update will be available (in pdf format) for free download (and/or printing) from the class Blackboard web page under “Course Materials”. The web page should be live by August 7.

For the first class, please read pages 3-35 of the Casebook and pages 3-4 of the Update; this reading is intended to raise themes and issues to which we will return periodically throughout the course.

Before we tackle the rules, principles and doctrines of trademark law in detail, consider how you would assess these three recent events “ripped from the headlines” in light of the nature and purposes of trademark law discussed in Chapter 1.

* Taco John’s, a fast food Mexican restaurant chain with locations in 23 U.S. states, has since 1989 owned a federal registration (for all states other than New Jersey, a concept which we will explain later) for the mark TACO TUESDAY for restaurant services. In 2023, Taco Bell (a rival chain) started a campaign (along with basketball legend, LeBron James) to “liberate Taco Tuesday” by inter alia canceling the federal registration. Who should be able to use the term “Taco Tuesday” and how? Take a look at Taco Bell’s FAQ page: <https://www.tacobell.com/freeing-taco-tuesday>.

* Wrigley makes and sells multi-colored fruit-flavored SKITTLES candies and owns a registration for SKITTLES for those products. It has long used the slogan “Taste the Rainbow” in connection with the sale of SKITTLES. Terphogz is the seller of cannabis-related merchandise under the name ZKITTLEZ, and it uses the slogans “Taste the Z Train” and “Taste the Strain Bro” in connection with the sale of its products. Should Terphogz be able to use these marks and slogans?

* Twitter, Inc. is one of the world’s leading social media apps. For many years, it has owned a federal registration in a blue and white logo consisting of a small bird “tweeting”. In late July, Twitter CEO Elon Musk decided that the Twitter logo should be changed to an X (reflecting the name of the parent company that now owns Twitter). After a call for renderings, he picked a new logo for Twitter. If you had been able to advise Musk before he made the

decision, what might you have told him? If you could speak to him now, with the decision made, what might you tell him?

For the second class, please read pages 43-66 of the Casebook.

The syllabus for the entire course will be available on the class webpage, and you should skim that for all the relevant administrative information.

Trial Advocacy 2 – Prof. Galhotra

Read Introduction and 3.9 in Materials in Trial Advocacy, Mauet, Wolfson, Easton (9th Ed.); and Chapter 1, 3.1 and 3.2 in Trial Techniques and Trials, Mauet (11th Ed.).

U.S. Contract Law for International LL.M. Students – Prof. E. Harris

Please read: the Lonergan v. Scolnick case located on the course website at <https://blogs.kentlaw.iit.edu/harriscontracts/>. The Lonergan case can be found under the "Offer & Acceptance" topic link on the website's opening page.

Workers Compensation – Prof. Bareck

For the first class, please read Chapter 1, pp. 3-14, and Chapter 2, pp. 24-29, in the textbook.