**Contracts** (Spring Semester, 2018)
Vanderbilt Hall 210 (Tu/Th: 9:00 a.m. – 10:50 a.m.)

Professor Y.S. Lee  
616 Wilf Hall  
Email: ylee@nyu.edu  
Office hours (10:00 a.m. – 11:00 a.m. Wednesdays or by appointment)

REQUIRED TEXTS AND MATERIALS

E. Farnsworth et al., *Cases and Materials on Contracts* (University Casebook Series) 8th Edition

E. Farnsworth et al., *Selections for Contracts (Selected Statutes)* 2016 Edition

Additional materials, such as powerpoint slides, will be provided via NYU Classes.

COURSE REQUIREMENTS

1) Methods of Instruction

The course will be conducted primarily through lectures and class discussions. Students are responsible for the lecture materials. Students are also expected to participate actively in class discussions and to offer short discussions as instructed below.

2) Readings

Students are expected to read the assigned chapters and any other assigned material prior to the class. Students should be prepared to discuss the subject covered in the reading assignments, including covered cases, in class.

3) Attendance and Class Performance

Class attendance is mandatory, and students are expected to participate in class discussions actively.

Students who miss more than 25% of the regulatory scheduled class sessions (more than seven class sessions) will be required to 1) withdraw from the course or 2) to have your final grade reduced by one point on the 4.0 grade scale (e.g. from an A- to a B-).

In addition, each student will be assigned a short, informal case presentation from the text material.

Excellent in-class performance, including the assigned short presentation, may also result in an increase of the grade by one-third (e.g. from B to B+). Good attendance record also counts for the performance score.
Students who are engaging in disruptive behavior in class, including improper use of their laptop computers as illustrated below and those who are not repeatedly unprepared (i.e. have not completed the required reading or not prepared for a presentation) may be asked to leave the classroom at the discretion of the instructor. Repeated offence may result in the withdrawal of student from class. Students who have difficulty in following reading materials should seek assistance from the instructor at the earliest opportunity.

**Laptop Policy**

You may use your laptop computer or a similar device (such as a smartphone) in class only for class-related purposes—for example, taking notes and viewing material prepared for class. The improper laptop use includes but may not be limited to reading and sending email, instant messaging, accessing the internet, and playing games.

4) **Grading Policy**

The final grade will be determined by performance on the final examination subject to adjustment as listed above. The final examination will be an in-class, open-book examination. The examination will consist of essay questions and multiple choice questions.

5) **Announcements**

Students are responsible for all announcements made orally in the class as well as through group emails and on NYU Classes.

**COURSE OUTLINE**

Week 1. Jan. 16, 18

Introduction

Required reading:
Farnsworth: pp. 1-31

Week 2. Jan. 23, 25

Consideration

Required reading:
Farnsworth: pp. 31-71
Week 3. Jan 30, Feb. 1
Consideration, Nature of assent
Required reading:
Farnsworth: pp. 71-92, 125-140

Week 4. Feb. 6, 8
Contract formation: offer & acceptance
Required reading
Farnsworth: pp. 140-194

Week 5. Feb. 13, 15 (Feb. 16 – 19)
Contract formation: Battle of the Forms
Required reading
Farnsworth: pp. 194-234

Week 6. Feb 22 (no class on Feb 20 – “legislative Monday”)
Review

Week 7. Feb. 27, Mar. 1
Promissory estoppel
Required reading
Farnsworth: pp. 92-111

Statute of Frauds, Capacity, and Parol Evidence Rule
Class material

Week 8: Mar 6, 8
Limits to the Bargain: unfairness and unconscionability
Required reading
Farnsworth: pp. 489-500, 522-550

Week 9. Mar. 13, 15
Spring Break (no class)
Week 10. Mar. 20, 22
Defenses to Contract: Mistakes, Impracticability
Required reading
Farnsworth: pp. 841-877

Week 11. Mar. 27, 29 (March 31 – April 8)
Defenses to Contract: Impracticability (cont.), Frustration of purpose
Required reading
Farnsworth: pp. 877-915

Week 12. Apr. 3, 5
Contract Performance: Conditions, Substantial Performance
Required reading
Farnsworth: pp. 725-766

Week 13. Apr. 10, 12
Contract Performance: Mitigating Circumstance
Required reading
Farnsworth: pp. 766-799

Week 14. Apr. 17, 19
Contract Performance: Anticipatory Breach
Required reading
Farnsworth: pp. 799-840

Week 15. Apr. 24, 26
Remedies, Third party rights, Contract delegation/assignment
Class material

Week 16. May 1
Review