

First Class Assignments Spring 2011

This document is updated throughout the day and through the first week of classes. Please check back often.

You will also want to check Blackboard for Assignments and Syllabi.

Course packets are available for purchase from Melissa Mundt (Office 278) for the following classes (Cash or check only, please):

Administrative Law–Moskowitz–\$5.00 Con Law I –Moskowitz–\$10.00 Animal Law–Huss–\$10.00
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**150A–Constitutional Law I
Bodensteiner**

Read pp. xli-lvii; 1-11.

**150B–Constitutional Law I
Levinson**

Read pp. xli-lvii; 1-11.

**150C–Constitutional Law I
Moskowitz**

Read SM "Introduction to Con Law" (sent via email and posted on Blackboard)

Xerox Supp. 1–4, 29–35

CB xli-lxii (text of Constitution)

36–49

**160A–Property
Calo**

Pages from Casebook

First Assignment: 97-116

Begin reading Second Assignment: 116-134

**160B–Property
Myers**

Please read pp 101–129 of the Cribbett casebook.

170A–Torts

Berner

Monday, January 10, 2011

10:00 – 10:50, 11:40-12:30, Tabor Classroom

There is no assignment for the first class period. We will spend the two class periods doing introductory work including hypos on a handout which will be available in class. I will also hand out a Course Outline indicating our plan of study for the semester.

I will make assignments for case reporting in Chapters 3 and 4 in our casebook, which material we will commence with on Wednesday, January 12.

170C–Torts

Blomquist

For Tuesday, January 11: Read pp. 3-23 in class textbook (JOHNSON & GUNN, STUDIES IN AMERICAN TORT LAW).

180B–Legal Writing

Murray

Week 1:

Monday, January 10

Topic: Introduction to Adversarial Legal Writing

Reading due: Murray and DeSanctis, *Advanced Legal Writing and Oral Advocacy* (Foundation Press 2009), Chapter 1

Writing assignment made: Persuasive Writing Assignment (see last page of the syllabus)

Wednesday, January 12

Topic: Research strategies on Pretrial Motion

Reading due: We will discuss preliminary research and analysis of authorities on the issues of the Pretrial Motion

Writing assignment due: Persuasive Writing Assignment

Writing assignment made: Pretrial Motion Assignment will be assigned by email on or before Wednesday, January 12

180D–Legal Writing

Stuart

Read Edwards, Ch. 17, pp. 259-263.

180E–Legal Writing

Vance

For class on Jan. 10 please read Edwards, Ch. 17, pp. 259-263.

180F–Legal Writing

Professor Ching

(You'll sign a new seating chart on the first day of our class for the spring semester.)

Tuesday, January 11

Oates sections 17.1-17.5, p. 263-267. Intro. to a motion brief.

Oates sections 20.3.6-20.3.7, p. 462-467. Procrastination; multitasking v. parallel processing.

Oates p. 300-308 (sample defense brief), p. 309-316 (and sample prosecution brief).

Thursday, January 13

Oates sections 17.7-17.7.8, p. 267-277. Motion Brief Statement of Facts.

Sirico and Schultz exercise. Statement of Facts. (This is posted on TWEN.)

181 All–Legal Research

Librarians

Reading Assignment for January 14, 2011.

Sloan, Chapter 10. There will be a quiz.

You will need to download/print a copy of the Spring Syllabus, available on Blackboard.

235L–Drafting: Criminal Litigation

Soliday

Read: F.R.Cim.P. 12; Local Criminal Rules 46.1 and 83.3 for The Northern District of Indiana:

<http://www.innd.uscourts.gov/docs/localrules/lr.pdf>

Draft Appearance on Behalf Defendant in U.S.A. vs John Doe

272A–Law & Society

Dooley

Required Text: Bonsignore, Katsh, d'Errico, Pipkin, Arons & Rifkin, **Before the Law: An Introduction to the Legal Process** (Houghton Mifflin, 8th ed. 2006).

Assignment for first class (Tuesday, January 11): Read the Foreword, pp. xiii-xxi.

These are excerpts from Kafka--we'll discuss them in conjunction with a pleading case you might remember from first-year civil procedure called *Dioguardi v. Durning* (it's a short case that I'll hand out in class). But don't worry: the whole semester will not be Kafka-esque (I hope).

301A – National Security Law Seminar

Blomquist

For Tuesday, January 11: Read Introduction in class textbook (AMOS N. GUIORA, FUNDAMENTALS OF COUNTERTERRORISM (Kluwer 2008)).

301E--Seminar: International Sports Law

Straubel

Read pages 1-13, 17-28, and 213-241 of Nafziger, *International Sports Law*, on reserve in the Library. The following four class members will be specifically responsible for the reading: Carly Salczynski, Nicholas Jones, Roxie Atkins, Johnny Frevert.

400A--Law Practice Management

Phillips

Please read Chapter 1 in Munneke -- *Law Practice Management in a Nutshell*

405A--Indiana Constitutional Law

DeBoer

Assignment for First Day/Week of Class--January 12, 2011

I. STATE CONSTITUTIONS IN THE FEDERAL SYSTEM

Indiana Constitution

United States Constitution, Article VI

William J. Brennan, *State Constitutions and the Protection of Individual Rights*, 90 HARV. L. REV. 489 (1977)

Michigan v. Long, 463 U.S. 1032, 103 S.Ct. 3469, 77 L.Ed.2d 1201 (1982)

II. CONSTRUING AND AMENDING THE CONSTITUTION

Finney v. Johnson, 242 Ind. 465, 179 N.E.2d 718 (1962)

State v. Nixon, 270 Ind. 192, 384 N.E.2d 152 (1979)

STUDENTS, PLEASE NOTE: To reduce printing costs and preserve natural resources, packets of course materials will be made available through Blackboard. Although students may choose for themselves whether to print them, save them in their own files, or read them on Blackboard, it is imperative that students read the materials and be prepared for class discussion. Additionally, because this course focuses on Indiana constitutional law, I encourage students **NOT** to purchase any supplemental materials for the course.

407A--UCC I

White

For Monday January 10 read the Introduction and Assignment 1 in the Mann casebook, and the *Portland v. Berry* case posted in Course Documents folder on Blackboard.

412A--ADR

Vance

Chapter 1 in Goldberg, Sander, and Rogers book
Preface, Foreword, and Introduction in Scott Rogers book
"Opening the Mind's Eye" (ABA Journal article on e-reserve)
Chapter 1 ("Overview of Dispute Resolution") in Riskin & Westbrook book (on e-reserve)

421A–Tax: Individual

Herzig

January 11 & 13–No Class

For the first class of the semester (*Monday January 17*), please read pages 47-73 of the casebook. Thereafter, in general you should probably try to stay about 50 pages ahead of where we are at the end of the class. I will try to signal when we are likely to go either faster or slower than usual.

427A–Animal Law

Huss

Jan. 11–Regan, *Empty Cages* pp. 21-34, Huss, *Pervasive* pp. 1131-1136 and Huss, *Valuing* pp. 48-52
Jan. 13–Huss, *Valuing*, pp. 68-79, 84-88, *Ownership v. Guardianship (CA VMA)* and Huss, *Separation* 197-203

All Readings in the course packet available from Melissa Mundt. In addition, the "Huss" articles can be accessed on her faculty home page at www.valpo.edu/law/faculty/rhuss

431A–Art Law

Murray

Week 1: Monday and Wednesday, January 10, 12

Topic: Introduction to Art Law; Defining what is art

Reading due: DuBoff, Burr & Murray, *Art Law: Cases and Materials* (Aspen/Wolters Kluwer Rev'd ed. 2010), Preface and Chapter 1

429–Consumer Protection Law

White

For Monday read pp. lv to lxx and 1-22 in the Spanogle case book.

439–Trust & Estates

Stuart

Read pp. 27-47 in the text Dukeminier, Sitkoff, & Lindgren, *Wills, Trusts, & Estates* (8th ed. 2009). Also read Last Will & Testament of Marilyn Monroe, available for pickup behind Kristin Takish's station. Those who volunteer in the first class will be able to "stash" a pass for an on-call day. However, if I cold-call on a student who is unprepared, that student will be counted absent.

441–Administrative Law

Moskowitz

Read Introduction to Admin Law sent on email and posted on Blackboard.
Xerox Supp. 1–24
Prob 1, X 25–26
CB 1–5

445–Labor Law

Adams

Read pages 1-72 in the text.

450A–Advanced Patent Law

Tabor

Read pages 1-79 in the text book.

470A–Complex Federal Litigation

Dooley

Required Text: Marcus, Sherman and Erichson, *Complex Litigation: Advanced Civil Procedure* (West, 5th ed. 2010).

Assignment for first day of classes:

Read pp. 1-9 for background; prepare pp. 24-45. We'll start with a discussion of the cutting-edge themes in procedure, and then begin talking about strategies for structuring lawsuits. Good times.

471A–Remedies

Lind

Please read Laycock, *Modern American Remedies*, **4th Edition**, read pp. 1–28 up to, but not including, *Trinity Church*.

486–Health Care Process

DeBoer

Assignment for First Day/Week of Class–January 12, 2011

- I. Reforming Health Care—Access, Cost, and Quality; the Public and the Private in Health Care (Reading: The Henry J. Kaiser Family Foundation, Summary of New Health Reform Law, available at <http://www.kff.org/healthreform/upload/8061.pdf>)
- II. Safeguarding Public Health—Police Power, the Common Good, Health, Safety, and the General Welfare (Reading: CB, 804-16)

Note 1: The casebook (CB) for this course is the following: Furrow, Greaney, Johnson, Jost & Schwartz, *Health Law: Cases, Materials and Problems* (6th ed. abridged 2008) (ISBN: 9780314196026). Various abridged versions of the comprehensive Furrow *et al.* casebook are available, so be sure to confirm that you are purchasing the correct casebook.

Note 2: As you read for the first class session, consider the three major issues in financing and

regulating health care: (1) cost; (2) quality; and (3) access. How do the pending bills address these three issues? Also, consider the balance between private (individual/employer/provider) roles and public/governmental roles in health care. Does the new act change the balance? If so, how, and why might such change (or changes) be necessary or prudent?

513A–Federal Estate & Gift Tax

Herzig

January 11 & 13–No Class

Campfield, Dickinson, and Turnier, Taxation of Estates, Gifts and Trusts, (West, 23rd ed. 2006).

January 18 & 20–§ § 1001 thru 1135, 1157 thru 1169.

2001 thru 2007, 3001 thru 3007

§ § 3037, 3049 thru 3169.

652 ALL–Trial Practice Plenary Session

Vandercoy

On your own

Case Theory

Chap. 1 & 2, pp. 1-29

Review problems (Baker, McLain), be prepared to discuss in your first small section class

January 10

Jury Selection
(Charles Vaughan)

Chap. 3, pp. 31-60