

# Subject Guide for Contracts

*Fall 2022*

Course Instructor:

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## Subject Outline

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### **Introduction and Subject Aims**

Welcome to Contracts! Contracts are at the core of transactions and business relationships. From an ex ante perspective, lawyers must design contracts with their clients' rights in mind to protect their (future) interests. From an ex post perspective, lawyers must work within the bounds of the law to extract the maximum recovery for clients in contractual disputes.

This subject will introduce students to the basics of contract law, as well as many of the more nuanced issues. We will study contract formation and breach. We will also discuss the policy that motivates the law, incorporating the economics of transactions.

### **Prescribed References**

The **prescribed text** for this subject is

**ROBERT E. SCOTT AND JODY S. KRAUS, CONTRACT LAW AND THEORY (5<sup>th</sup> edition).**

**JAMES BYRNE, RESTATEMENT 2D CONTRACTS, UCC ARTICLE 2 AND CISG (current edition).**

**Additional readings may be given during the semester.**

## Academic Staff Contact Details

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### **Subject Coordinator/Lecturer Contact Details**

Your coordinator for the course and instructor of Contracts is Dr. Jordan Neyland.

Questions should be directed to the following:

Email: [jneylan2@gmu.edu](mailto:jneylan2@gmu.edu)

Room: 450B (Hazel)

Phone: (703) 993-8639

Consultation Hours: Tuesday 12pm-1pm or by appointment (Zoom available)

### **Email Protocol**

Please note that I am only able to respond to student emails coming from a University email address. Do not use personal email addresses such as Yahoo, Hotmail, or even business email addresses. Emails from non-University email addresses may be filtered by the University's spam filter, which means that I may not receive your email. All correspondence relating to this subject will only be sent to your university email address. Note that you must first activate your university email address before you can send or receive emails at that address.

While I endeavour to address queries received via email, it is more appropriate to resolve substantive questions during lectures and consultations. With this in mind, I encourage students to attend all lectures and to familiarize themselves with the consultation hours offered by the lecturer in this subject.

## Lectures

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### Lecture Times

Tuesday

9:50am – 11:50am

### Lecture Schedule

Lecture Dates: Aug 23, 2022 - Nov 28, 2022

Readings from the Scott and Kraus book.

<b>Class Number</b>	<b>Pages</b>
<b>Class 1:</b>	1-30
<b>Class 2:</b>	42-52, 103-115
<b>Class 3:</b>	66-94
<b>Class 4:</b>	131-151
<b>Class 5:</b>	152-155, 162-186
<b>Class 6:</b>	203-220, 225(note 3)-235
<b>Class 7:</b>	246-278
<b>Class 8:</b>	281-299, 30-42, 302-306 (skip Wagner)
<b>Class 9:</b>	316-341
<b>Class 10:</b>	341-362
<b>Class 11:</b>	380-389, 401-420
<b>Class 12:</b>	420-437, 448-458, 460-463
<b>Class 13:</b>	438-447, 52-61, 504-511 and/or review
<b>Class 14:</b>	Makeup classes or optional review sessions may be held at end of semester.

## Lecture Slides

Lecture slides (if any) will be placed on the TWEN page for this subject after each lecture. The lecture slides are located under the heading “Lectures”. Lecture slides may be updated or revised before or after lectures. Be sure to check periodically for the most recent slides.

Recorded lectures: any lecture recordings will be made and released at the discretion of the lecturer. Any such recordings will be available via TWEN. If students require recordings due to illness or disability, appropriate documentation may be required. See below for policies on special consideration and disabilities.

## Assessment

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### Assessment Overview

Assessment Task	Due Date	Weighting
Final Exam	TBD	100%*

\*Note that the final grade can incorporate any class participation or office hour visits.

### Exam Policy

The exam can cover **anything** in the **assigned** readings or in materials covered in lectures. While the focus is generally on materials discussed in class, students are expected to read all assigned materials in preparation for the exam (not to mention class!).

Students may use their own outline, textbook, and statutory supplement on the final exam. Extra papers, texts, or other materials are not permitted.

Students must be available for the entire examination period. Supplementary/make-up exams will not be provided in cases of absence during the examination period, unless the absence is due to major illness or other serious circumstances. Special circumstances and conflicting schedules are handled by the Law Records Office, **NOT** the instructor. I encourage students to read the complete exam policy here.

In the case of any conflict between this document and anything said in class (even by the instructor), this document holds, unless any change is in **writing** from the instructor.

[https://www.law.gmu.edu/records/exams\\_policies](https://www.law.gmu.edu/records/exams_policies)

### Plagiarism and Collusion

Presenting material from other sources without full acknowledgement (referred to as plagiarism) is heavily penalised. Penalties for plagiarism can include a mark of zero for the piece of assessment or a fail grade for the subject.

Plagiarism is the presentation by a student of an assignment or exam identified as his or her own work even though it has been copied in whole or in part from another student’s work, or from any other source (e.g. published books, web-based materials, or periodicals), without due acknowledgement in the text.

Collusion is the presentation by a student of an assignment or exam as his or her own work when it is, in fact, the result (in whole or in part) of unauthorised collaboration with another person. Both the student presenting the assignment and the student(s) willingly supplying unauthorised material are considered participants in academic misconduct.

GMU Honor Code Pledge: [https://www.law.gmu.edu/academics/honor\\_code](https://www.law.gmu.edu/academics/honor_code)

## **Special Consideration and Disabilities**

If there are unexpected or unique circumstances that a student faces, please contact the Director of Student Academic Affairs (Christine Malone). In spite of any serious family or health concerns, students are required to miss no more than 20% of the lectures. Students with disabilities or chronic medical conditions who are seeking in-class and/or exam accommodations should contact the Office of Disability Services (ODS, [ods.gmu.edu](http://ods.gmu.edu)). This is the only office that can make a determination as to whether accommodations are required. The law school and instructors work with ODS to implement any approved accommodations.