



DEPARTMENT OF LEGAL STUDIES AND BUSINESS ETHICS
LGST 101: INTRODUCTION TO LAW AND LEGAL PROCESS
Spring 2017

LGST 101-002

JMHH 240

MW 10:30 – 11:50AM

Professor Gwendolyn Gordon

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Office Hours: By appointment. Please contact me via email (gwgordon@wharton.upenn.edu) to set up a meeting time.

COURSE DESCRIPTION

This course is an introduction to law and legal process with a particular focus on contract law, jurisprudence, and the impact of law on society. It will help you to understand how legal systems work, how lawyers and judges think, how social values impact the way the law is interpreted, and how legal rules evolve to cover new situations. The first part of the course surveys the ways judges think about the law, using a variety of topics across the landscape of the law. The second part of the course focuses in depth upon contract law so that you can understand how legal doctrine develops in an area critical to business. The final classes revisit the relationships between the concepts covered thus far and social values.

TEXT AND READINGS

Most cases and materials will be available via Study.net (SN); occasionally, readings will be posted and distributed on Canvas (CN).

COURSE REQUIREMENTS

- **Cases:** examinations and assignments will require reference to and analysis of all assigned cases, statutes, and other assigned materials whether or not discussed during class.
- **Case Briefs:** All assigned cases should be briefed in preparation for class.
- **Examinations:** I will administer graded in-class exercises, a mid-term examination (open book and open notes), and a final examination (open book and open notes).

GRADING

Final grades, consisting of in-class contribution/participation (10%), a mid-term paper presentation (40%), and a final examination (50%), will be adjusted to conform to an acceptable distribution.

CLASSROOM EXPECTATIONS

- Class will start and end on time.
- I will enter your name into a seating chart at the start of the second week of class.
- Computers, tablets, and other electronic devices may not be used in class. Yes, really.

COURSE OUTLINE

- Class 01- 01/11 - Course Introduction
 - Note: Law and Language
 - Note: Reading Cases in Legal Studies 101
 - Business Law Chapter One: Introduction to Law
- Class 02 - 01/18 - Introduction to the Legal System
 - Law 101: Your Day in Court
 - Sue First, Ask Questions Later: Litigation
 - The Legal Environment of Business: The Court System
 - Old Law Bares Its Teeth
- Class 03 - 01/23 - Jurisprudence and Legal Reasoning I
 - Note: An Introductory Note on Jurisprudence
 - The Case of the Speluncean Explorers
- Class 04 - 01/25 - Jurisprudence and Legal Reasoning II
 - Ronald Dworkin, Law as Interpretation
 - Pound, Call for a Realist Jurisprudence
 - Posner-Scalia Debates
- Class 05 - 01/30 - Introduction to Property Law
 - Law 101 Chapter Seven: You Are What You Own
- Class 06 - 02/01 - Property Law: possession and ownership
 - Keron v Cashman
 - Popov v Hayashi
 - Swift v Gifford
- Class 07 - 02/06 - Property Law: personal property; real property
 - Borton v Forest Hills Country Club
 - Nome v Fagerstrom
 - Sturges v Bridgman
- Class 08 - 02/08 - Property Law: intellectual property
 - Note: Four Kinds of Intellectual Property in the U.S.
 - E.I. DuPont deNemours v Christopher
 - MGM v Grokster
 - Make the Rules or Your Rivals Will Chapter One: The Strategist's Dream
- Class 09 - 02/13 - Introduction to Constitutional Law
 - The Legal Environment of Business Chapter Four: Constitutional Law
 - Constitutional Law for a Changing America Chapter 11: The Takings Clause
- Class 10 - 02/15 - Constitutional Law: privacy and the fourth amendment
 - Bond v United States
 - Dow Chemical v United States
 - Kyllo v United States
- Class 11 - 02/20 - Constitutional Law: privacy in daily life
 - Note: Privacy and the Fourth Amendment

- Search and Seizure (Introduction to Law and the Legal Process pp 292-294)
 - When Can the Police Conduct a Search and Seizure? (Law 101 pp 305-310)
- Class 12 - 02/22 - Criminal Law I
 - Barber v Superior Court
 - Keeler v Superior Court
- Class 13 - 02/27 - Criminal Law II
 - State v Knutson
 - Corporate Bodies and Guilty Minds (excerpt)
- Class 14 - 03/01 - **Mid-term presentations**
- [Spring Break 03/06 – 03/10]
- Class 15 - 03/13 - **Mid-term presentations**
- Class 16 - 03/15 - **Mid-term presentations**
- Class 17 - 03/20 - **Mid-term presentations**
- Class 18 - 03/22 - Introduction to Tort law
 - Note: Torts
 - The Legal Environment of Business Chapter 8: Negligence and Strict Liability
- Class 19 - 03/27 - Tort law: intentional torts; negligence; strict liability
 - Cohen v Petty
 - Lubitz v Wells
 - Spano v Perini Corp
- Class 20 - 03/29 - Tort law: products liability
 - Escola v Coca Cola
 - Potter v Chicago Pneumatic Tool
- Class 21 - 04/03 - Introduction to Contract Law
 - The Legal Environment of Business Chapter 9: Introduction to Contracts
 - Contracts in Writing
- Class 22 - 04/05 - Contracts: consideration
 - Note: Contracts: The Foundation of a Market Economy
 - Cases, Problems, and Materials on Contracts Chapter Two: Consideration
 - Steinberg v Chicago Medical School
- Class 23 - 04/10 - Contracts: offer
 - Cases, Problems, and Materials on Contracts Chapter One: Intent to Contract: Offer and Acceptance
 - Stuart Macauley, Non-Contractual Relations in Business
- Class 24 - 04/12 - Contracts: acceptance
 - Cases, Problems, and Materials on Contracts Chapter Two, Part II: Acceptance
 - Cases, Problems, and Materials on Contracts Chapter One, Part IV: Termination of the Power of Acceptance
 - Lyon v Adgraphics
- Class 25 - 04/17 - Contracts: promissory liability
 - Note: Promissory Liability Outside the Bargain Model
 - Allegheny College
 - Gorham v Benson Optical
 - Hoffman v Red Owl Stores
 - Drennan v Star Paving
- Class 26 - 04/19 - Contracts: remedies (specific performance, expectation damages)

- Contracts in a Nutshell Chapter Nine: Remedies
- McAllister v Patton
- Remedies (Cases, Problems, and Materials on Contracts Chapter Three, pp 227-257)
- Class 27 - 04/24 - Contracts: remedies (reliance and restitution)
 - Laredo Hides v H.&H. Meat Products
 - Damages Under the Uniform Commercial Code (Cases, Problems, and Materials on Contracts Chapter Three, pp 317-318)
 - Seller's Damages (Cases, Problems, and Materials on Contracts Chapter Three, pp 318-325)
- Class 28 - 04/26 Contracts: limitations on remedies
 - Austin Instrument

Final Examination:

- 05/08 12:00-2:00PM [location TBA]