MEMORANDUM

To: Remedies Students

From: Doug Rendleman

Subject: Remedies, Spring Semester 2014

Hi Remedies. The topics in our Spring 2014 Remedies course are damages, equity, and restitution.

Our casebook is Doug Rendleman & Caprice Roberts, Remedies (Eighth Edition 2010). Chapters 8, and 9 will be the agenda for our Remedies course.

We will emphasize choosing remedies in the contract and tort contexts. Our contract remedies will be employment contracts in Chapter 8. Our torts remedies will be torts to property, trespass, nuisance, and conversion in Chapter 9.

So that the Remedies course won’t be buying a pig in a poke, I have attached an article I published earlier this year, Remedies: A Guide for the Perplexed, with my views about our Remedies course. Although the article won’t be on the exam, I commend it to you in some of your copious free time between now and class.

Our first Remedies session is on Wednesday, January 15 in Classroom G at 10:30. Our first session’s assignment is to read pages 1-16, Chapter 1, and to prepare 834-39 in Chapter 8. Our first class session will be a real law-school class examining the Janet Janus Problem and Anita Baker in Beverly Glen Music in Chapter 8. At the end of each class session, I will assign the material for our next one.

My office is Lewis Hall 4009. My office phone number is 458-8934. And my email is rendlemand@wlu.edu. The best time to see me about Remedies is right after class.

The assigned decisions are engaging and controversial. They should lead us to differences of opinion and spirited discussions. For me at least, rereading is necessary to understand the courts’ reasoning.

Remedies is a discussion course. It will emphasize students’ close readings of judicial decisions followed by
analysis of alternative solutions. There will be a minimum of lecture. To foster students’ participation and to focus my attention on that discussion, Remedies isn’t taped.

I hope we can conduct our class sessions primarily with volunteers. While learning principles and legal rules is crucial, our class sessions will also stress tactics and analytical and argumentative technique leading to creative problem-solving.

Experience has shown that students’ preparation and attendance are necessary to master the material. In aid of that, attendance is required. Please initial the roll sheet during every class session. If you will be absent from class, please email me in advance.

I encourage you to use your laptop’s wordprocessor to brief cases, to take notes in class, to develop your outline, and to write and print your Remedies examination. While you write the Remedies exam, you may consult your casebook, assigned handouts, and a paper copy of your classnotes, including your own self-prepared outline.

You may profit from parallel reading and review in: James M. Fischer, Understanding Remedies (2006); the one-volume student hornbook, Dan Dobbs, Law of Remedies: Damages-Equity-Restitution (2d ed. 1993); and Tabb and Shoben’s Remedies Nutshell. These books are on library reserve for Remedies. I will be reading and citing the Restatement (Third) Restitution and Unjust Enrichment (2011), which was published after we sent our casebook to the publisher.

The Law School's policy of allowing a student to drop a course after the add period ends will be followed in Remedies.

I look forward to working with this Remedies class. See you on January 15.