

INITIAL READING ASSIGNMENTS – FALL 2021

Listed below are the initial reading assignments for upper-level courses we have received to date. (Please note: Initial assignments for first-year courses are not included in this list; they were provided separately and are available by [clicking here](#).)

Not all professors submit initial assignments, so do not be concerned if there is no listing for one or more of your courses. Even if a course is not listed here, materials for the course should be available from [the Bookstore](#). This list may be updated if we receive additional assignments; you may find the most current version of this document on the [Fall 2021 Quick Guide page](#).

Administrative Law (372-01) – Prof. H. Krent

The casebook is Gellhorn & Byse's Administrative Law (12th edition 2018). The first assignment is to read pp. 20-31; and 791-813.

Advanced Issues in Patent Law (952-81) – Prof. Reilly

Please complete the assignment listed on the syllabus for Class 1. The syllabus and materials for Class 1 will be available on Blackboard no later than Friday, August 13. All readings and other materials for the class will be available on Blackboard or otherwise publicly available. There are no books or materials to purchase for this class.

Appellate Advocacy (406-81) – Prof. Keller

Welcome! I'm excited to get started. Please read through as much as possible of the book Point Made by Ross Guberman as the summer wraps up--those techniques will be very helpful as you write your brief. Please look through the case materials I'll email you too and write down your first impressions--who do you think the Supreme Court will rule for, and who do you think they SHOULD rule for? Are they the same? Also read through the first two chapters of the moot court handbook (which I'll also email you). Finally, if you haven't met with me yet to review a writing sample, let's get a time scheduled ASAP. See you soon!

Banking Law & Regulation (828-51) – Profs. McCauley & Geiringer

For the first class, please read The Law of Financial Institutions (6th ed.), pp. 1-42.

Business Entity Formation & Transactions (319-81) – Prof. Gieseke

For the first class, please read Drake, *Business Planning: Closely Held Enterprises* (5th ed. 2018), Preface (v-viii) and pp. 1-5, 15-18.

Civil Procedure (258-51) – Prof. Franco

For the first class, please read:

- (1) U.S. Const. Art. III;
 - (2) Federal Rules of Civ. Pro. 7, 8 & 10; and
 - (3) Marcus, Redish & Sherman, pp. 127-160; 177-198.
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Commercial Law: Secured Transactions (202-81) – Prof. Walters

The required textbook is HARRIS & MOONEY, SECURITY INTERESTS IN PERSONAL PROPERTY (Foundation Press, 6th ed. 2016) (ISBN 978-162810-144-7).

We will use the textbook in close conjunction with the Uniform Commercial Code ('UCC'). Any current version of the UCC will do. You can access the current UCC online on the LII website, and you are welcome to refer to this online version in preparing for class, during our live class sessions, and in the final exam. If you prefer to have an up to date hard copy of the UCC (and many students have told me in the past that they find it more helpful to refer to and annotate a hard copy), I recommend WALT & WARREN, COMMERCIAL LAW: SELECTED STATUTES (Foundation Press, West Academic, 2020-2021ed.)

Before the first class, please log into the course website on Blackboard and complete all of the activities set out in the Welcome Folder (which include familiarizing yourselves with the syllabus and watching an introductory video about the UCC). It is important that you complete these activities before classes start so we can hit the ground running. If you have any questions, please do email me: awalters@kentlaw.iit.edu.

Constitutional Law (275-03) – Prof. Heyman

In this course, we'll use three kinds of materials. (1) The first is a custom Constitutional Law casebook that I've pulled together from four different books published by Wolters Kluwer. (All royalties go to the casebook editors, not to me!) The custom casebook is available from the Chicago-Kent bookstore (but not from other sources, since it was put together especially for this course). (2) The second is a short Supplement, which I've sent to everyone by email (if you haven't received it, please let me know.) (3) Finally, in order to review the various parts of the course, I'll ask you to take a very useful series of online Connected Quizzes that have been formulated by Wolters Kluwer.

There are two different ways in which you can purchase the casebook and the Connected Quizzes. If you buy the casebook with the access code, you'll get the two bundled together at one price. Alternatively, you can buy the casebook without the access code and then purchase access to the Connected Quizzes directly from the publisher's website for \$49. (Instructions for how to do that will be provided in the Syllabus.)

During our first class on Monday, August 23, we'll discuss the Supreme Court's landmark decision in *Obergefell v. Hodges* (2015), which held that the Constitution protects the right of same-sex couples to marry. For that class, please read (a) section 1 of the Fourteenth Amendment on p. xxvi of the Casebook; (b) the *Obergefell* case on pp. 1-26 of the Casebook;

and (c) the Questions on Obergefell on pp. 1-4 of the Supplement.

Our second class on Tuesday, August 24 will explore the origins of the Constitution. For that session, please read (a) Casebook pp. 27-45 (through paragraph d); (b) the reading from Gordon S. Wood on p. 5 of the Supplement; and (c) Casebook 56-61.

Constitutional Law (275-01) – Prof. Rosen

We will be using the sixth edition of Chemerinsky, Constitutional Law, as well as the supplement. Please access the Blackboard Ultra site for this class before the first class. The Blackboard Ultra site contains the syllabus, additional readings beyond the casebook in a download entitled “Handouts,” and class powerpoints. The Blackboard Ultra site will be open to students no later than Tuesday, August 17, 2021.

For the first day of class be fully prepared to discuss the following:

1. Goals of this Course (Handouts, page 1)
 2. Introductory Materials to Constitutional Law (Handouts, pages 2-3). Read this very carefully. It’s short, but important and very concentrated!
 3. Handout 1, parts 2-4
 4. Marbury v. Madison, pp. 1-9
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Constitutional Law (275-02) – Prof. Shapiro

Assignments for the first week of class are posted on the course Blackboard site.

Copyright Law (405-51) – Prof. Dinwoodie

The casebook for the course is Robert A. Gorman, Jane C. Ginsburg and R. Anthony Reese, Copyright: Cases and Materials (9th ed. 2017, Foundation). You should also purchase Robert A. Gorman, Jane C. Ginsburg and R. Anthony Reese, Copyright: 2021 Case Supplement Statutory Appendix (Foundation). This contains several new cases that we will read as well as a copy of the Copyright Act.

For the first class, please read pages 1-30 and 80-83 of the casebook, as well as this short essay: Scott Borchert, A New Deal For Writers in America, N.Y. Times, July 6, 2021, at <https://www.nytimes.com/2021/07/06/opinion/federal-writers-project.html>.

For the second class, please read pages 30-41, 60-65 and 85-101 of the casebook; please also read section 102(a) of the Copyright Act.

The syllabus for the course will be available on the class webpage on Blackboard, and you should skim that for all the relevant administrative information. That page should be live around August 9.

Criminal Litigation 1 (482-51) – Judge Claps & Prof. Molesky

For the first class:

1. Please read pp. 1-5 and 27-30 in NITA Criminal Litigation and Legal Issues in Criminal Procedure (course text)
2. Send an email to your professors (jclaps@kentlaw.iit.edu and amolesky@kentlaw.iit.edu) with the following information:

- Name
- Year (2L, 3L, 4L)
- Trial Advocacy experience (if any)
- Criminal Law/Procedure/Litigation experience (including, but not limited to courses taken, internships, etc.)
- Which (if any) evidence classes you've taken

Please email amolesky@kentlaw.iit.edu if you have any questions.

Criminal Procedure: Investigative Process (day section) (270-01) – Prof. Bailey

- For Monday, August 23rd: Dressler, Thomas, and Medwed, Criminal Procedure: Investigating Crime (Seventh Edition), pp. 1-8, 35-46
 - For Tuesday, August 24th: pp. 91-100
 - For Thursday, August 26th: pp. 100-119
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Employment Discrimination (day section) (365-01) – Prof. R. Gonzalez

For the first class, please read pages 1-12 in the casebook; and Summers v State Farm, 864 F. 2d 700, and Wallace v Dunn, 62 F. 3d 374.

Employment Discrimination (evening section) (365-51) – Prof. R. Gonzalez

For the first class, please read pages 1-12 in the casebook; and Summers v State Farm, 864 F. 2d 700, and Wallace v Dunn, 62 F. 3d 374.

Estates & Trusts (311-81) – Prof. Decatorsmith

Please read pages 1 through 33 of the casebook (Wills, Trusts and Estates – Sitkoff and Dukeminier, 10th Edition) for the first class.

Evidence (day section) (273-01) - Judge Erickson

Texts: (1) Lempert, et al., A Modern Approach to Evidence (MAE) (current edition); (2) Gibbons, Trial Objections. (The notes in Gibbons are an excellent guide to understanding the rules.)

First assignment:

MAE, Ch. 1, pgs. 1-15, Ch. 2, pgs. 141-157: Federal Rules 101-106, 601-606, 611, 612, 615
MAE, Ch. 3, pgs. 215- 243: FRE 401, 402, 403
Be prepared to answer and discuss: Problems II-1, II-2, II-3, III-1

Evidence (evening section) (273-51) – Prof. Godfrey

For the first class, please read pages 1-84 of *An Analytical Approach to Evidence: Text, Cases, and Problems*, 6th ed. (Allen et al). This is an abridged version of an actual transcript of a trial, *People v. Johnson*.

First Amendment seminar (616-01) – Prof. Nahmod

For the first class, please read pages 1-43 in Stone Seidman's *The First Amendment* (6th ed. 2020). After some introductory comments about the scope of the seminar and the history and philosophy of the First Amendment, we hit the ground running, so be prepared to discuss the cases in depth. Since this is a new casebook, do NOT buy a Supplement even if one is available. I am very much looking forward to learning the First Amendment with you. And please feel free to email me (snahmod@kentlaw.iit.edu) with any questions you may have.

International Trade (384-01) – Prof. Cho

Welcome to International Trade Law! Given the glaring trend of globalization as well as the recent push back against it (including trade wars), it is high time that we studied international trade law. This course will address basic laws and institutions of the World Trade Organization (WTO) that pertain to international trade law. The teaching materials can be downloaded at <https://jeanmonnetprogram.org/resources/the-law-of-the-world-trade-organization-through-the-cases/teaching-materials/>, free of charge.

The course syllabus will be distributed around the time of the first session. The reading assignment for the first session is as follows:

-Read Unit I, Ch. 2-1; Jeanna Smialek et al., *Trump's Trade War Escalation Will Exact Economic Pain, Adviser Says*, NY Times (May 13, 2019) (available at Westlaw or LexisNexis); Sungjoon Cho, *Trade Wars Call for a Cool-Headed Arbiter*, Fin. Times (May 1, 2019) (available at Westlaw or LexisNexis).

-Skim Unit I, Ch. 3-2.

Land Use (401-01) – Prof. Stern

For our first meeting on Monday, August 23 please read the following material in our textbook (*Land Use Controls*, Fourth edition, by Ellickson, Been, Hills, and Serkin). Although there is now a fifth edition of the textbook, I am using the fourth edition in order to give students more options for used books and saving money.

Class 1: The Demographic and Regulatory Backdrop of Land Use Conflicts

Demographic Trends: pp. 1-10

The Housing Product: pp. 23-30

The Legal Structure of Government: 45-50

Legal Writing 3 (431-03) – Prof. Young

For the first class on Tuesday, August 24, 2021:

- Read Krieger, chapters 2-4 (Becoming a Professional; Lawyering for and with the Client; Lawyering as Problem Solving)
- Read Sample Engagement Letters and Engagement Letter Checklist (Prof. Young will email these handouts to the students; they will also be posted in the Class One folder in Blackboard)

Legislation (206-01) (day section) – Prof. Sowle

The casebook for the class is Eskridge, Frickey, Garret & Brudney, Cases and Materials on Legislation and Regulation (6th ed. 2020). For the first class, please read pp. 1-18.

Legislation (206-51) (evening section) – Prof. Shapiro

Assignments for the first week of class are posted on the course Blackboard site.

Patent Law (402-51) – Prof. Hulbert

For the first class:

1. Think about under what circumstances, if any, a society's best interests are served by granting a single entity exclusive rights to an "invention."
 2. Watch the video at <https://www.youtube.com/watch?v=SwPw2VchQGQ> (a top ten list of "inventions that changed the world") and consider whether you agree with it.
 3. Read the following pages in the Merges casebook, Patent Law and Policy: Cases and Materials (8th ed.): 3-41.
 4. Ensure that you can access the course materials on the Blackboard web site.
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Personal Income Tax (276-51) – Prof. Robbins

Welcome to Personal Income Tax! I'm looking forward to what I hope will be a fun and engaging look at tax, tax policy and it's many implications for our society. I have a great deal to share with you about the materials, format and coverage of our class – more than can be effectively conveyed here. So, please get connected to our course Blackboard Ultra site. which will be live late in the week of August 9. You will need to purchase the textbook (Donaldson and Tobin, Federal Income Tax – A Contemporary Approach, third edition), and you have some decisions to make about how to access statutory materials. In addition, you will have a reading assignment for our first class, so be sure to access the Blackboard site before classes begin. In the meantime, I look forward to seeing you on August 23rd at 6pm!

Pretrial Litigation (502-81) – Prof. R. Gonzalez

For the first class, please skim Chapter One of the Heydock casebook.

Professional Responsibility (415-01) – Prof. Gross

For the first class, please read:

*Simon, Needham & Powell, Lawyers and the Legal Profession: Cases and Materials, Chapter 1, Creating and Maintaining a Profession, pp. 1-7; and

*Dzienkowski, current version ABA Model Rules of Professional Conduct, Preamble and Scope only.

School Law (377-81) – Prof. N. Krent

For the first class, please read pp. 39-45, 465-468 in the textbook (Kaufman & Kaufman, Education Law, Policy and Practice (4th ed)).

Seventh Circuit Review Honors Seminar (621-51)

Welcome to the Seventh Circuit Review! The Seventh Circuit Review has been published since the Spring of 2006 and remains the preeminent student written and edited law journal on recent decisions of the United States Court of Appeals for the Seventh Circuit. During the course of the upcoming semester, each seminar participant will serve in two very important and complementary roles: author and editor. As an author, for the first class, please be prepared to present a case or cases on which you would like to write an article. For your use during class,

you should bring copies of the case/cases, as well. It cannot be overemphasized that early selection of a topic and case on which to write is key to a successful semester. Articles can be case comments, case notes, statistical evaluations of the circuit, or whatever you find most interesting. In selecting a case that merits your analysis, you should look for a recent (generally described as within the last 12 months) “noteworthy” case. A case of first impression, a case that represents a departure from precedent, or a case with a dissenting opinion may qualify as “noteworthy.” In addition, a selected case may present a “noteworthy” analysis. For example, a case where the court reached the right conclusion for the wrong reasons also qualifies as “noteworthy.” In the past, we have published articles that discuss cases involving:

- An area of significant concern.
- A case with the possibility of impacting results in later cases.
- A case in which the court ignores logical reasoning or common sense (i.e., reaching the right result for the wrong reason or reaching the wrong result).
- A case in which the court fails to follow the majority of jurisdictions.
- The first case in a newly legislated area.
- A case that is useful in guidance to lawyers and judges.
- A case that results in extra-legal effects in areas such as business, consumer, employment, or education.

Because we are looking for balance in the Review, please note that you should have more than one case in mind because we do not allow articles on the same case, a selected case may have been written in a prior volume of the journal, and we are looking for cases over a wide range of subject areas. Therefore, as an editor, you will be tasked to consider whether any given article suggestion should be included in the Review.

To assist in selecting a topic/cases, you may want to consult the text, Scholarly Writing for Law Students, and prior issues of the Review. Also, a date-restricted search of the Seventh Circuit, limited to the last 12 months, in Westlaw and/or LEXIS can be helpful. By the conclusion of the first class each seminar participant will have selected a topic which is approved by the editors of the Review. We suggest that you consult with either Professor Morris (312.876.7185 or hal.morris@saul.com) or Executive Editor Erin Monforti (emonforti@kentlaw.iit.edu) regarding

case/topic selection if you have having problems. The only required text for the Seminar is the Blue Book, which can be either in print or on-line. Lastly, we strongly suggest that you attend with your laptop as reference to Westlaw/LEXIS and other sources may be needed during class.

We look forward to having you in class and we are sure you will find the process of creating the next issue of the Seventh Circuit Review exciting and rewarding.

Sports, Law & Justice (950-81) – Prof. Ham

There is no textbook. Reading assignments will be listed on the forthcoming Syllabus, and will be adjusted as the semester progresses.

This is the initial assignment for the first day of class, Monday, August 23:

Clay v. United States, 403 US 698 (1971):

<https://www.law.cornell.edu/supremecourt/text/403/698>

What's My Name—Ali Obit (Youtube video):

<https://www.youtube.com/watch?v=uAW36vQkFg8>

Muhammad Ali v. State Athletic Commission of NY, 316 F. Supp. 1246 (1970):

<https://law.justia.com/cases/federal/district-courts/FSupp/316/1246/1951538/>

<https://www.scotusblog.com/2016/06/muhammad-ali-conscientious-objection-and-the-supreme-courts-struggle-to-understand-jihad-and-holy-war-the-story-of-cassius-clay-v-united-states/>

Smith and Carlos, Peter Norman:

<https://www.cnn.com/2012/04/24/sport/olympics-norman-black-power/index.html>

Trademarks & Unfair Competition (416-01) – Prof. Dinwoodie

The course casebook is Graeme B. Dinwoodie and Mark D. Janis, Trademarks and Unfair Competition: Law and Policy (5th ed. Aspen 2018) and its Fall 2021 Update. The Casebook is available in hardback, but the publisher also produces a loose-leaf format that is much cheaper (\$94) and no different in content. The Casebook is available in the bookstore (in both formats). The Fall 2021 Update will be available (in pdf format) for free download (and/or printing) from the class Blackboard web page under “Course Materials”. The web page should be live by August 9.

For the first class, please read pages 3-28 (and 39-41) of the Casebook as well as pages 3-11 of the Update (the Perry case involving “Metchup”); this is intended to raise themes and issues to which we will return periodically throughout the course.

For the second class, please read pages 45-66, 80-87, and 93-96 (Notes 1-6) of the Casebook and pages 16-17 of the Fall 2021 Update.

The syllabus for the entire course will be available on the class webpage on Blackboard, and you should skim that for all the relevant administrative information.

Workers Compensation (398-81) – Prof. Bareck

For the first class, please read Workers' Compensation Law, Ch. 1, pp. 3-10, and Ch. 2. pp.18-25.