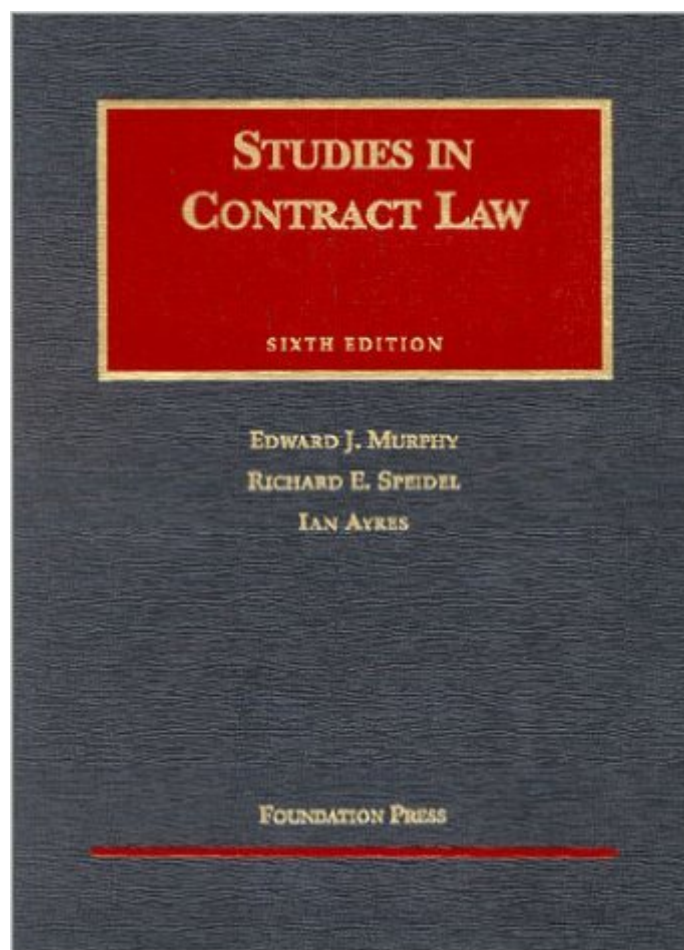


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Studies In Contract Law (University Casebook)



Synopsis

The new Studies in Contract Law, Sixth Edition, has been revised and updated in many ways, both to cover new developments in contract law and to increase the book's usefulness as a teaching tool. There is a new Chapter Three, "An Introduction to Remedies." This Chapter, which follows Chapter Two on the Bases of Promissory Liability, provides an early overview of contract remedies through text, cases, and problems. It can be a "stand alone" chapter for courses when there is not enough time for a more comprehensive study or used as an introduction to the more comprehensive treatment of remedies in Chapter 7. There is a new Chapter Eight on Contract Dispute Resolution: Some Alternatives to Courts. This Chapter introduces the student to dispute settlement by agreement, including through mediation, and dispute settlement by private adjudication (outside of the courts), including arbitration. There is a new subsection in Chapter Four, The Bargain Relationship, which deals with Assent in Electronic Contracting. Building on an analysis of the so-called "Gateway" problem, this subsection reviews current legislation on electronic contracting and features a recent decision by the Second Circuit (the Specht case) on "click wrap" licenses. Section 2 of Chapter Five, Avoidance of the Contracts, reviews the recent decisions in California holding that one-sided arbitration clauses in consumer or employment contract are unconscionable. Section 3 of Chapter Five on Illegality features updated materials on cohabitation agreements, surrogacy contracts, and promissory fraud related issues. Section 1 of Chapter Nine, Third Party Interests, has a recent case on the assignability of rights created by structured settlements that, in turn, implement judgments in tort cases. This affords an opportunity to review the provisions of Revised Article 9 of the UCC and the common treatment of agreements prohibiting assignment. The provisions of Revised Article 2, Sales, which is scheduled for final approval at the 2003 Annual Meeting of the American Law Institute are incorporated into the text and problems. Relevant provisions of the U.N. treaty on Contracts for the International Sale of Goods and the UNIDROIT Principles of International Contracts are identified and discussed where relevant.

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Customer Reviews

It is a very rare thing when words coil around your soul and leave you breathless and clear-eyed. Few books have the power or brilliance to be transforming, and even fewer are brave enough to launch entirely new ways of thinking about literature. And then comes "Studies in Contract Law: Sixth Edition," the newest book from renowned legal philosopher Murphy Et Al. A quick glance at its faux-leather cover and embossed title and you might cast it aside as yet another heavy, meandering read. But, as is often true, the adventurous will be rewarded with delights heretofore unknown to modern readers. "Studies" covers a startling range of topics, from the high-powered world of business to the disintegration of families throughout various eras of American history. It even briefly delves into poetry, quoting what it describes as "one of the delights of legal literature," namely the immortal Professor Brainerd Currie's "Aberlone, Rose Of." In the discussion of a presumed barren cow on page 490, the recitation of lines like "Ah me!--Ah moo! / Respectively their quidsome balm / How mournfully they chew!" grips us with longing and wistfulness. The frenetic pace of the text is filled with endless cliffhangers; nervous readers should take warning. Will Roscoe ever find his true father? Will the theft of Mrs. Hooper's gardenias ever be solved? Will Alaska Northern Development, Inc prevail over Alyeska Pipeline Service Co. regarding the applicability of the parol evidence rule of the Uniform Commercial Code, section 2-202, codified as AS 45.02-202? Subplots and intrigue twist throughout the book until page 1121, where a single sentence rings as sharp and true as any in history. "It was the best of times, it was the worst of times." "Call me Ishmael." "To be or not be.

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