SYLLABUS No 1

Welcome!

The text for the course is Douglas Laycock, *Modern American Remedies*, Concise Fourth Edition (Wolters Kluwer 2012). It is available at the USD Bookstore and can be found at a discount from various booksellers online.

Please read the assignment for the first class before our first class meeting. And of course, please read each subsequent assignment before the class in question.

I. Money Damages

1) Compensatory Damages 1 - 22

2) Discounting to Present Value 166 - 169 (top, thru note 3)

   Expectancy and Reliance in Contract 28 - 33
   33 (Notes) - 36 Skim

   Consequential Damages in Contract 41 - 44 (thru n. 2, top)
   45 - 48 (thru n. 2, middle)

3) Limits to Damages and Penalties 53 - 64

   UCC Sections 2-316, 2-718, and 2-719
   71 - 73 (Notes 1 - 4b)
   74 - 75 (Notes)

4) “Consequentials” in Tort 80 - 92

   Personal Injury and Death 108 - 114 (thru n. 3, top)
Collateral Source Rule 78 (Notes) - 79 (thru n. 4)

5) Tort Reform (Skim for Brief background discussion) 121- 133 Skim

Dignitary and Constitutional Harms 137 - 150

6) Punitive Damages 184 - 191
179 (Notes, bottom) - 181 (thru n. 3, top)
200 (note 1)
202 (n. 7) - 203 (thru n. 8c, top) Skim

Statutory Punitives 204 ("1") Skim

Civil Forfeiture 204 ("2", bottom) - 206

Additional Material on Civil Forfeiture:

Scott Bullock, “Policing For Profit, Foreword”
https://www.ij.org/foreword-2

Sarah Stillman, “Taken” – Optional
(a lengthy but dramatic New Yorker article on “forfeiture” abuse)
http://www.newyorker.com/magazine/2013/08/12/taken

II. Equity and Injunctions

7) Equity and Injunctions 297 - 300 (top)
302 (Note on Equity) - 303 (thru n. 3c, bottom)
309 (Notes) - 310 (thru n. 1c, top-middle)

Replevin (Skim for brief mention) 305 - 307 Skim

Specific Performance 312 - 315
323 (note “b”) 330 - 335 (thru n. 1, top)

8) Patent Injunctions (Skim for brief mention) 337 - 341 (thru n. 6) Skim

Injunctions, cont. 342 - 344
Preventing Wrongs 207 - 218

9) Injunctions, cont. 221 - 236
243 (n. 3) - 244 (thru n. 3, top)

“Public Law” Injunctions: Introduction 244 (bottom) - 247 (thru n. 6, top middle)

346 (n. 1) - 349 (thru n. 4) (Skim “Notes on Prior Restraint”, p 347 - 348 bottom)