BUSINESS TRANSACTIONS DRAFTING

Professor Cowan
Spring 2018

Assignments – 1st Two Weeks


January 8  Introduction

  Preface (pp. iii-v); Chapter 1: A Philosophy of Drafting (pp. 3-18)

  Exercise 3 (p. 111): This exercise only asks you to think about the story from a drafter’s perspective. You are not asked to draft anything.

  Drafting Assignment: Two short drafting assignments will be handed out in class. These assignments are due on Wednesday, January 10.

January 10  Some Generalizations About Contract Drafting

  Chapter 2: Contract Drafting (pp. 19-42)

  Exercise 15 - Surety Agreement (p. 327): You only need to consider part (a) of this exercise. Again, you are only asked to think about the draft provision and to be prepared to critique it. You are not asked to draft anything.

  Drafting Assignment: A short drafting assignment will be handed out in class. This assignment is due on Wednesday, January 17.

January 15  (No class. Martin Luther King, Jr. Day)

January 17  The Form of Transactional Documents (no reading assignment)

  The Parts of a Contract (see Chapter 2 at pp. 28-39): Title; Introductory Clause; Recitals; Words of Agreement; Definitions; Action Sections; Representations and Warranties; Covenants and Rights; Conditions to an Obligation; Discretionary Authority; Endgame Provisions; “Boilerplate”; Transition; Signatures; Exhibits and Attachments

  Drafting Assignment: Exercise 20 – Employment Contract (pp. 330-332). You are to prepare a checklist for the Employment Contract and draft the contract. You will need to turn in both the checklist and the contract. This assignment is due on Monday, January 22.