

INTRODUCTION TO UNITED STATES LAW

SYLLABUS

November 4-14, 2014

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TUESDAY, NOVEMBER 4

Overview of U.S. Legal System

Materials: Miscellaneous secondary sources

U.S. Constitutional Law

Executive Power

Materials: *United States v. Nixon*, 418 U.S. 683 (1974)

Free Speech

Materials: *Brown v. Entertainment Merchants Assoc.*, ___ U.S. ___, 131 S. Ct. 2729 (2011)

THURSDAY, NOVEMBER 6

U.S. Constitutional Law (cont.)

Religion

Materials: *Town of Greece, New York v. Galloway*, ___ U.S. ___, 134 S. Ct. 1811 (2014)

Race

Materials: *Brown v. Board of Education*, 347 U.S. 483 (1954)

Civil Procedure

Pleading

Materials: *Ashcroft v. Iqbal*, 556 U.S. 662 (2009)

Class Actions

Materials: *Wal-Mart Stores, Inc. v. Dukes*, 131 S. Ct. 2541 (2011)

FRIDAY, NOVEMBER 7

Criminal Procedure

Right to Counsel

Materials: *Gideon v. Wainwright*, 372 U.S. 335 (1963)

Self-Incrimination

Materials: *Miranda v. Arizona*, 384 U.S. 436 (1966)

Search and Seizure

Materials: *Arizona v. Gant*, 556 U.S. 332 (2009)

Plea Bargaining

Materials: *Brady v. United States*, 397 U.S. 742 (1970)

TUESDAY, NOVEMBER 11

Contracts

Offer and Acceptance

Materials: *Leonard v. PEPSICO, Inc.*, 88 F. Supp. 2d 116 (S.D.N.Y. 1999), aff'd, 210 F.3d 88 (2d Cir. 2000)

Promissory Estoppel

Materials: *Alden v. Presley*, 637 SW 2d 862 (Tenn. 1982)

Torts

Negligence, Duty of Care

Materials: *West Presbyterian Church of Muncie v. Yonghong*, 992 N.E.2d 859 (Ind. App. 2013)

False Imprisonment

Materials: *Sharp v. Cleveland Clinic*, 176 Ohio App. 3d 226 (2008)

Libel, Slander

Materials: *Romaine v. Kallinger*, 537 A.2d 284 (N.J. 1988)

THURSDAY, NOVEMBER 13

Property

Nuisance

Materials: *Boomer v. Atlantic Cement Co., Inc.*, 309 N.Y.S.2d 312 (NY Ct. App. 1970)

Public Use

Materials: *Kelo v. City of New London*, 545 U.S. 469 (2005)

Non-Physical Property

Materials: *Kremen v. Cohen*, 337 F.3d 1024 (9th Cir. 2003)

Rule of Capture

Materials: *Popov v. Hayashi*, 2002 WL 31833731 (Cal. Super. Ct. 2002)

Criminal Law

Presumption of Innocence

Materials: *Owens v. Maryland*, 611 A.2d 1043 (Md. App. 1992)

FRIDAY, NOVEMBER 14

Brief Review of Major Issues in Course

Final Exam

BIOGRAPHY

Professor Robert Klonoff
Jordan D. Schnitzer Professor of Law
Dean of the Law School from 2007-2014



Professor Klonoff's areas of expertise include class action litigation, civil procedure, constitutional law, and appellate litigation. He is the co-author of a leading casebook on class actions, published by West, and the author of the West Nutshell on class actions, as well as the author of numerous law review articles. He is also the co-author of a leading text on trial advocacy and co-author of a West Nutshell on federal appellate practice. Moreover, he has written numerous articles on class actions and other topics. He has lectured throughout the United States and in numerous foreign countries on class actions and appellate litigation. Professor Klonoff is a member of the United States Judicial Conference Advisory Committee on Civil Rules. In addition, he is a member of the American Law Institute (ALI) and served as an Associate Reporter for the ALI's class action project, "Principles of the Law of Aggregate Litigation." He is also a Fellow in the American Academy of Appellate Lawyers and served as a Reporter for the 2005 National Conference on Appellate Justice. He is also an advisory board consulting editor of *Class Action Litigation Report (BNA)*.

After graduating from Yale Law School, Professor Klonoff clerked for the Honorable John R. Brown, Chief Judge of the United States Court of Appeals for the Fifth Circuit. He then served as an Assistant United States Attorney in D.C. and as an Assistant to the Solicitor General of the United States. After his government service, he was a visiting professor at the University of San Diego Law School. He later served for many years as a partner at the international law firm of Jones Day. At Jones Day, Professor Klonoff handled complex litigation at both the trial and appellate levels and also held the administrative post of chair of the pro bono program for all of the firm's 20+ offices. He received an award from the DC Bar for public service, was instrumental in establishing a free walk-in clinic in DC's Shaw neighborhood, and served as a board member for the Washington Lawyers' Committee for Civil Rights and Urban Affairs and for Bread for the City. While practicing at Jones Day, Professor Klonoff served for many years as an Adjunct Professor of Law at Georgetown University Law Center.

In 2003, Professor Klonoff was selected as the Douglas Stripp/Missouri Endowed Professor of Law at the University of Missouri/Kansas City School of Law. As the holder of this position, Professor Klonoff received two awards for most outstanding teacher and an award for service to the law school community. Professor Klonoff was also selected by the third year class to deliver the 2007 commencement speech. In 2013, Professor Klonoff was awarded the Oregon Consular Corps' individual award for international engagement.

Professor Klonoff has extensive litigation experience. He has argued eight cases before the United States Supreme Court, including *Gentile v. Nevada Bar* and *Kungys v. United States*, and has argued dozens of cases in other federal and state appellate courts throughout the country. He has also tried dozens of cases (primarily jury trials). In addition, he has served as an expert witness on class action issues in numerous federal and state court cases and has personally represented clients on both the plaintiff and defense side in more than 100 class actions. His pro bono cases have included death penalty, civil rights, and veterans' rights cases.

Professor Klonoff served as Dean of the Law School from 2007-2014.