



# Studies in Contract Law (University Casebook)

*Edward J. Murphy, Richard E. Speidel, Ian Ayres*

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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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