

**CIVIL PROCEDURE**  
**DePaul University College of Law**  
**Fall 2009 . Room 905 (Lewis)**

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This course presents an introduction to selected topics in federal civil procedure, including pleading, discovery, summary judgment, control of juries, personal jurisdiction, subject matter jurisdiction, and selected topics in choice of law.

The required casebook is Stephen Yeazell, *Civil Procedure* (7th ed. 2008) (“CB”). You are also required to purchase the supplement: Stephen Yeazell, *Federal Rules of Civil Procedure with Selected Statutes and other Materials* (2009) (“Supp.”). In addition, I will also occasionally distribute supplemental materials via Blackboard (these reading assignments are denoted “BB” in the syllabus).

You are expected to come to class prepared to discuss each day’s subject. Reading assignments, which may be substantial, are to be completed before the class for which they are assigned. Be sure to read any relevant Federal Rules of Civil Procedure or statutes referenced in your assigned casebook reading. All Rules and statutes referenced in the book may be found in your *Federal Rules* supplement.

On-time attendance is mandatory, and participation in class discussions is encouraged and expected. Unexplained absences, lack of preparation, or failure to participate meaningfully will adversely affect your final grade.

I will administer an open-book, in-class examination at the conclusion of the course.

Office hours will be announced the first day of class. I am, however, freely available outside office hours by appointment.

The schedule of classes for the first half of class is attached. Assignments may be modified as the course progresses. Subsequent installments of the syllabus will be distributed by email and Blackboard.

**SYLLABUS: FIRST INSTALLMENT**

<u>Class (Date)</u>	<u>Topics</u>	<u>Reading Assignment</u>
1 (August 24)	Overview Introduction to Pleading	CB 1-25, 28-53 CB 333-56 FRCP 8(a)
2 (August 26)	Pleading: Specificity	CB 356-69 BB: <i>Ashcroft v. Iqbal</i> FRCP 9
3 (August 27)	Pleading: Specificity Cont. Pleading: Burdens	CB 370-75
4 (August 31)	Rule 11	CB 375-87
5 (September 2)	Pre-Answer Motions	CB 72-74, 186-89, 387-92 FRCP 12
6 (September 3)	Answer Affirmative Defenses	CB 370-75 (review), 392-402 FRCP 8(b), 8(c)
7 (September 7)	Amendments	CB 402-14 FRCP 15
8 (September 9)	Discovery: Relevance	CB 415-26 *Read the Federal Rules referenced in the casebook.
9 (September 10)	Discovery: Tools	CB 426-37
10 (September 14)	Discovery: Privilege	CB 439-49
11 (September 16)	Discovery: Sanctions	CB 437-38, 460-72

12 (September 17)	Summary Judgment	<i>Adickes v. S.H. Kress &amp; Co.</i> (Supp.) <i>Celotex Corp. v. Catrett</i> (Supp.) CB 533-35 FRCP 56
13 (September 21)	Summary Judgment	<i>Celotex Corp. v. Catrett</i> Cont.
14 (September 23)	Summary Judgment	CB 535-40
15 (September 24)	Seventh Amendment	CB 551-70
16 (September 28)	Seventh Amendment	CB 570-77
17 (September 30)	Directed Verdict JNOV	CB 600-09 FRCP 50
18 (October 1)	New Trial	CB 609-17 FRCP 59
19 (October 5)	Appeals	CB 625-43
20 (October 7)	Claim Preclusion	CB 667-80
21 (October 8)	Claim Preclusion	CB 681-93
22 (October 12)	Claim Preclusion Cont. Issue Preclusion	CB 694-702
23 (October 14)	Issue Preclusion	CB 702-15

24 (October 15)	Issue Preclusion	Cont.
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