

**WESTERN STATE UNIVERSITY  
COLLEGE OF LAW**

**SECURED TRANSACTIONS 495A**

**Syllabus and Policies**

Professor Edith R. Warkentine

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Office hours: Sign up in book at secretaries' desk: M 3-6; T 10-noon and 4-5;  
By appt. scheduled directly with Professor: W and Th.

**Required Books**

1. Edith R. Warkentine, Secured Transactions: A Context and Practice Casebook ("Warkentine.") [This book is in manuscript form and will be distributed, free of charge, to all students who are enrolled in the course. Copies will be available from the faculty secretaries before class begins in January 2014.]
2. William D. Warren and Steven D. Walt, Commercial Law: Selected Statutes, (Foundation Press 2012-2013 Edition) (the "Code.") [If you purchased a copy of the Code, with its Official Comments, for your Sales class, you probably will be able to use that copy for this course. You must have the 2010 version of Article 9, and all of the Official Comments.

**Always bring the required texts to all classes.**

**Course Coverage and Objectives**

This course has two primary objectives. First, the course will help you further develop your analytical skills, with a particular emphasis on statutory interpretation, thus emphasizing major components of Skill Set A (Legal Analysis and Legal Reasoning) from WSU's Educational Purposes Outline. Specific competencies addressed include issue spotting, applying rules to facts, making policy-based arguments, and evaluating legal arguments. Second, the course will provide you with an opportunity to master the substantive law of Article 9 of the Uniform Commercial Code.

**Examinations and Grading**

There will be one final, **open book, take home** examination in this course. In addition, you will be graded on the **quality** of your class participation.

**Attendance and Participation**

**Please read the following information very carefully.**

Students must attend class regularly, prepare written case briefs and/or written answers to problems, and participate in discussions. **Your course grade will be reduced for each time you are not prepared and you are considered to be absent for that class.** There is no “free pass” policy for this course.

A student can be absent no more than **two** class sessions. **A student who exceeds the limit will be dropped from the course and receive a failing grade.** You are responsible for keeping an accurate count of your absences.

### **Promptness**

Classes will begin promptly at the scheduled time. Please be in your seat for the start of the class. Students who arrive late disrupt the learning process for others. If you are unavoidably late, please enter quietly through the rear entrance and take a seat in the back of the room. Once class begins, please do not leave the room except for emergencies or medical reasons.

### **Cell Phones and Pagers**

Disable cell phones and pagers and store them before class begins.

### **Food and Drinks**

Do not bring food into the classroom. You may have drinks in covered containers.

### **Commercial Outlines**

You may not recite from commercial outlines, briefs, or other commercial study aids. If you bring these materials into the classroom, they must be closed at all times.

### **Computer Use**

You may use a personal computer during class **for note taking only**. You may not be on the Internet, check email, play games, etc. In the event that students violate this rule, I reserve the right to prohibit computer use in class. If you use your computer for case briefing, please have the document open before we begin discussing the case so as not to waste time bringing it up.

### **Seating Chart**

I will send around a seating chart early in the semester. Please print your name legibly in the seat of your choosing. This will be your permanent seat. I strongly

encourage you to choose a seat near the front of the room. Educational studies show that students who sit near the front benefit most from the classroom experience. Because I randomly select student to recite, your seat choice will not enhance or reduce the likelihood of your being chosen to recite.

## **Assignments**

The following assignments are from the Warkentine text. **Note: Class coverage of reading assignments is fluid, i.e., we will not always cover all of the assigned material during the scheduled class periods. Often, particularly at the beginning of the semester, we will carry over the assignments to the next week. It is your responsibility to keep track of how far we have gone in each class and make sure you are prepared for the next class. Always review the current assignment before coming to class.**

**Week****Topic and Assignment**

1 1/14	Introduction to the course; introduction to the Uniform Commercial Code; introduction to Article 9 Warkentine Chapters 1-3
2 1/21	Scope of Article 9 Warkentine Chapter 4
3 1/28	Creation of Security Interest Warkentine Chapter 5
4 2/4	Default and Remedies Warkentine Chapter 6
5 2/11	Perfection of Security Interest (Filing) Warkentine Chapter 7
<b>2/18</b>	<b><u>This Class Does Not Meet This Week: This week ONLY, classes that normally meet on Monday will meet on Tuesday</u></b>
6 2/25	Perfection of Security Interest (Other Methods) Finish Warkentine Chapter 7; Begin Warkentine Chapter 8
7 3/4	Perfection of Security Interest (Cont'd) Warkentine Chapter 8
	<b>MARCH 10-16      SPRING BREAK: NO CLASSES</b>
8 3/18	Priority Disputes (Between Secured Creditors) Warkentine Chapter 9
9 3/25	Priority Disputes (Between Secured Creditors and Others) Finish Warkentine Chapter 9; Begin Warkentine Chapter 10
10 4/1	Priority Disputes (Cont'd) Warkentine Chapter 10
11 4/8	Bankruptcy Warkentine Chapter 11
12 4/15	Bankruptcy (Cont'd) Warkentine Chapter 11
13 4/22	Advanced Issues Warkentine Chapter 12
14 4/29	Review