

Course Title	Sales
Professor	Samuel F. Ernst
Term	Fall 2025
Meetings	Tuesdays: 10:00 a.m. – 11:50 a.m.

Professor's Contact Information

Email Address	sernst@wsulaw.edu
Office Hours	By appointment

General Course Information

Required Texts & Materials	<p><i>Problems and Materials on the Sale and Lease of Goods</i>, Ninth Edition, by Whaley & McJohn, Aspen, ISBN 9781543859027</p> <p><i>Comprehensive Commercial Law: 2025 Statutory Supplement</i>, by Mann, Warren, & Westbrook, Aspen, ISBN 9798894106588</p>
Course Objectives	<ol style="list-style-type: none"> 1. To understand the substantive law of Article 2 of the Uniform Commercial Code regarding the sale and lease of goods; 2. To further develop the skills of statutory analysis and case analysis; 3. To identify the factual and legal issues implicated by a fact pattern and to appropriately use the Code, cases, and rules to argue issues in favor of your client.

Course Policies

Attendance, Preparedness, and Class Participation	<p>This course requires regular attendance and preparation. 10% of the class grade is awarded for consistent attendance and active participation, as determined by the index card assignment described immediately below.</p> <p>You should prepare for approximately two hours for each hour of class.</p>
Accommodations	<p>Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.</p> <p>To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Library Building, Room 275-B. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Dean Marisa Cianciarulo at mcianciarulo@wsulaw.edu or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."</p>
Grading Method	<p>10% of the grade is awarded for consistent attendance and preparation for active participation as determined by the index card assignment described immediately below.</p> <p>90% of the grade is determined by the final exam</p>

Index Card Assignment	<p>10% of the class grade is determined by class preparedness and participation under the following procedure:</p> <p>For each class students should prepare an index card (3X5 inches) stating the following information:</p> <ul style="list-style-type: none"> • Your name • The name of a case in the reading • What you believe to be the holding of the case (This should be in the form of at least one complete sentence) • Whether you agree or disagree with the result of the case. <p>Please hand in your index card PRIOR TO EACH CLASS AS YOU ENTER THE CLASSROOM. Cards may not be submitted electronically, outside of the class, or after class because the cards are used as records demonstrating your punctuality and preparedness to participate in class.</p> <p>Students may be asked to discuss any case assigned for that day, and not just the case noted on the student's card.</p> <p>In the event class is held via Zoom, no index card assignment will be required.</p>
Final Exam	<p>Essay and Multiple Choice</p>

Assignments & Academic Calendar

Date:	Topics and Assigned Reading: Readings are from the Casebook. Please also study any UCC provisions referenced in the readings and their official comments in the Statutory Supplement.
1. Tuesday, August 12	1-56 Introduction to the UCC Scope of Article 2 and Article 2A International Sales
2. Tuesday, August 19	57-92 Contract Formation The Statute of Frauds The Parol Evidence Rule
3. Tuesday, August 26	92-129 Offer and Acceptance The Battle of the Forms
4. Tuesday, September 2	129-167 Warranties
5. Tuesday, September 9	167-204 Warranty Disclaimers
6. Tuesday, September 16	204-239 Limitations on Warranties Defenses in Warranty Actions
7. Tuesday, September 23	239-272 The Magnuson-Moss Act Warranties and Article 2A Warranties in International Sales Gap Fillers
8. Tuesday, September 30	272-297 Unconscionability Identification of the Goods Risk of Loss: No Breach Delivery Terms

9. Tuesday, October 7	297-325 Contract Performance Installment Sales The Perfect Tender Rule Cure
10. Tuesday, October 14	325-358 Rejection and Acceptance of Tender Revocation of Acceptance of Tender
11. Tuesday, October 28	358-381 Risk of Loss: Breach Impossibility
12. Tuesday, November 4	381-404 Special Remedies Seller's Remedies Accepted Goods Seller's Remedies Unaccepted Goods
13. Tuesday, November 18	404-435 Buyer's Remedies Accepted Goods Buyer's Remedies Unaccepted Goods
14. Tuesday, November 25	435-457 Anticipatory Repudiation The Statute of Limitations

These descriptions and timelines are subject to change at the discretion of the Professor.