

## ADMINISTRATIVE MATTERS

**Required Materials.** The required materials for this course are as follows:

- STEVEN L. HARRIS & CHARLES W. MOONEY, *SECURITY INTERESTS IN PERSONAL PROPERTY* (6<sup>th</sup> edition 2016) (Foundation Press, ISBN 9781628101447) (the “**casebook**”);
- CAROL L. CHOMSKY *ET AL.*, *SELECTED COMMERCIAL STATUTES: FOR SECURED TRANSACTIONS COURSES—2018 EDITION* (West Academic Publishing, ISBN 9781640209527) (the “**statutory supplement**”); and
- This booklet, entitled *ADDITIONAL MATERIALS* (the “**Additional Materials**”).

### *Notes on the Required Materials:*

1. I have requested the bookstore to order the above statutory supplement. However, you should be able to get by comfortably with any new or used statutory supplement that includes the following, current to 2012 or later: (i) the Uniform Commercial Code, with official comments, (ii) the Bankruptcy Code, (iii) the Federal Tax Lien Act, and (iv) the Uniform Voidable Transactions Act (before 2014 named the Uniform Fraudulent Transfer Act). Such statutory supplements are used in many courses.

Do not try to get by with versions of the statutes and official comments that you may find on the internet. Get a printed statutory supplement.

2. The Additional Materials were written by me. They will be available for purchase at the bookstore. They will also be posted on the course website.

3. Depending upon our pace, I might distribute further material during the course.

## General Course Requirements

**Problem Orientation.** This course is problem oriented. Class discussion will center on the assigned problems. It is essential that before each class you work through each of the assigned problems as far as you can. You must be prepared to discuss them in class. The problems assigned for each unit set forth in these Additional Materials are identified at the beginning of the unit. Most of the assigned problems are in the casebook, but some additional problems are in the Additional Materials for the unit.

The vast majority of the problems are designed to be solvable readily, not to stump you. In general, each problem cites all statutory provisions relevant to its solution. As in real life, some problems may require more than merely turning the crank of the statute. Judgment, wisdom, and common sense must always be applied.

**Statutory Predominance.** This course revolves around statutes, notably the Uniform Commercial Code (“UCC”) and the Bankruptcy Code. You **must** read the statutory provisions that are referred to in the problems and readings—especially the problems. Reading those statutory provisions (and related Official Comments, where appropriate) is the most important thing to should do in preparing for class.

**Grading.** Grades will be based on the final examination, with class participation taken into account. The examination will be in-class, open book, and will consist of problems requiring analytic response (i.e., no multiple choice questions).

## Communication Outside of Class

**Contact Information.** My email address is kennethkettering@law.ufl.edu and my mobile phone is 973-412-6727. I prefer email to phone calls, but don't be shy about calling if there's a reason why email won't suffice.

**Office Hours.** By appointment. In general, I expect to be available before class and in the afternoons of days on which classes are held. As of this writing I do not have my office address or office phone number.

**Course Website.** I intend to use a website for this course established on the school's system. The Additional Materials will be posted on that site, as well as other good things.

## Syllabus and Pacing

**Additional Materials = Syllabus.** The Additional Materials are the syllabus for this course; there is no separate document captioned "Syllabus." The Additional Materials are organized as numbered "units," and we will proceed through the units in order. Each unit begins with a statement of the assigned reading and assigned problems for that unit. Most of the reading and problems will be in the casebook, but the Additional Materials will often add to them.

Inspection of the table of contents to the Additional Materials, or the units themselves, will show you that we will be skipping around in the casebook a good deal.

The "Assigned Reading" and "Assigned Problems" at the beginning of each unit identify the material for which you are responsible. You will see that for some units the "Assigned Reading" and "Assigned Problems" omit some of the reading or problems that appear in the Additional Materials. You will also see that we will be skipping some whole units. As we proceed through the course I may announce changes in the Assigned Reading and Assigned Problems. I do not expect to complete the last few units.

**Pacing.** The units are written functionally. Each unit covers a topic, or a coherent chunk of a topic. Accordingly, some units are longer, and some are shorter. Do not expect that class sessions will coincide with units. Some units will be covered in a fraction of a single class session. In one class session we may well end a unit and begin another unit without completing it.

For some of the longer units, I have noted at the start of the unit that the material for the unit can be prepared in chunks. That is merely intended as a helpful suggestion in the event you are unable to prepare a full unit in a single sitting.

I should indicate each week how far I estimate we will proceed in the following week. As we progress through the course I may change some of the assignments in the written units, and you should be alert for any announcement I may make of such a change. I will make or confirm any such announcement by email and on the course website.

## Note on the Organization of the Casebook

The casebook is organized around its problems. The casebook commonly presents several problems together in a group, but sometimes presents only a single problem at a time. I will refer to each set of problems in the casebook, whether a group or a singleton, as a "problem set."

In general, the casebook covers a given topic by setting forth, first, a problem set on the topic. After the problem set usually appear one or more cases in which the topic prominently figures. After the

cases or, if there are no cases, immediately after the problem set, appear one or more Notes written by the authors that discuss the topic. (A very few problem sets are not followed by any case or Note. For those you are expected to read only the statutes cited in the problem set.)

If you were to read assigned material in the casebook in the ordinary way, by starting at the beginning and reading until you reach the end, you would find yourself starting with a problem set. I suggest that you read the cases and Notes following the problem set before you attempt to work those problems. Before you read the cases and Notes you probably would be wise to read the problems in order to understand the topic under discussion, but no more.

A given problem set, and the cases and Notes that follow it, stands on its own, and should be understandable without reference to the next following problem set and the cases and Notes following it. To put it another way, each problem set, with the cases and Notes following it, is a single cohesive bite. When organizing your study, I suggest that you take one bite at a time. In other words, read the cases and Notes following a problem set, and then work the problem set, before you proceed to the next problem set and the cases and Notes following it.

### **Acknowledgement**

A few of the “Additional Problems” in the Additional Materials were inspired by, or outright borrowed from, problems appearing in LINDA J. RUSCH & STEPHEN L. SEPINUCK, *PROBLEMS AND MATERIALS ON SECURED TRANSACTIONS* (2<sup>nd</sup> ed. 2010) or LYNN M. LOPUCKI & ELIZABETH WARREN, *SECURED CREDIT: A SYSTEMS APPROACH* (7<sup>th</sup> ed. 2012).

### **Required Statements**

**Academic honesty.** Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

**Further information about grading.** The Levin College of Law’s mean and mandatory distributions are posted on the College’s website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

<b>Letter Grade</b>	<b>Point Equivalent</b>
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

The law school grading policy is available at: <http://www.law.ufl.edu/student-affairs/current-students/academic-policies#9> .

***Accommodations.*** Students requesting accommodation for disabilities must first register with the Disability Resource Center (<http://www.dso.ufl.edu/drc/>). Once registered, students will receive an accommodation letter which must be presented to the Assistant Dean for Student Affairs (Dean Mitchell) when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

***Attendance.*** Per ABA requirements, please attend all classes, unless you e-mail me in advance with a legitimate excuse. Requirements for class attendance and make-up exams, assignments, and other work in this course are consistent with university policies that can be found at: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

***Preparation estimate.*** Students should expect to spend, on average, approximately two hours preparing for every hour of class. This is an estimate, not a warranty, and the estimate is based on required readings.

***Learning outcomes.*** After completing this course, students should:

- Understand the basic concepts of the law of secured transactions in personal property in the United States, including related bodies of law governing sales of receivables and consignment transactions.
- Understand the rudiments of bankruptcy law insofar as they interface with secured transactions in personal property, and be equipped to learn bankruptcy law more deeply and generally.
- Have the basic knowledge necessary to understand the documentation for a secured transaction in personal property, and to prepare and search for public filings necessary to perfect security interests.
- Understand basic transactional structures and how they relate to applicable legal doctrine.

*[End of Administrative Matters]*