

EMPIRE COLLEGE SCHOOL OF LAW

CIVIL PROCEDURE
CLASS SYLLABUS

COURSE NAME: Civil Procedure - Spring Semester 2011
COURSE NUMBER: F231A

PROFESSOR: Martin L. Seeger, IV, Esq.
Babin & Seeger, Phone: (707) 526-7370
E-mail: mseeger@babinseeger.com

WHEN: Wednesday evenings, 6:00 P.M. to 9:00 P.M.
First Class: January 5, 2011

UNITS: Three (3) units

REQUIRED TEXTS: 1. Pleading and Procedure, State and Federal, Cases and Materials, 10th Edition (2009) Hazard, Tait & Flecher University Case Book Series, Foundation Press ISBN#9781599416038.
2. 2010 Supplement to Pleading and Procedure, State and Federal, Cases and Materials, 10th Edition; Hazard; Foundation Press; ISBN#1599418096
3. California Civil Procedure Handbook: Rules, Selected Statutes and Cases and Comparative Analyses 2010-2011 Edition - LexisNexis, ISBN # 978-1-4224-7777-9

GRADING: 90-100% A Outstanding
80-89% B Superior
70-79% C Satisfactory
65-69% D Unsatisfactory
Below 65% F Failing No Credit

GRADE DETERMINATION: The grade will be comprised of the results of a midterm examination [25% of class grade] and the final examination [75% of the class grade].

ATTENDANCE: There are 14 class sessions. The first class begins Wednesday, January 5, 2011 and the last class is Wednesday, April 6, 2011. The final exam constitutes the 15th class. A minimum of 80% attendance is required to complete the class and no more than three classes can be missed in a semester.

GOALS: This class will provide an understanding of the way in which people litigate in the civil courts. You will gain an

understanding of general civil procedure with an emphasis on federal civil procedure. The first semester will cover basic issues of jurisdiction, venue, parties and claims, pleadings and motions. The second semester will introduce the student to the details of pretrial discovery, an overview of final pretrial and trial procedure. The second semester will also introduce the student to the intricacy of joinder and both issue and claim preclusion.

**CIVIL PROCEDURE
SECOND SEMESTER , 2011
CLASS ASSIGNMENTS**

CLASS 1:	JANUARY 05, 2011	READ PAGES 661-706.
CLASS 2:	JANUARY 12, 2011	<u>JOINDER AND CLASS ACTIONS</u> READ PAGES: 707-755 and FRCP 13, 17,18, 20 & 42 AND 28 USC 1335.
CLASS 3:	JANUARY 19, 2011	READ PAGES: 755-813 and FRCP 23.
CLASS 4:	JANUARY 26, 2011	READ PAGES 813-881.
CLASS 5:	FEBRUARY 2, 2011	<u>DISCOVERY</u> READ PAGES: 882-931 AND FRCP 26 - 37.
CLASS 6:	FEBRUARY 9, 2011	READ PAGES 931-979.
CLASS 7:	FEBRUARY 16, 2011	<u>SUMMARY JUDGEMENT</u> READ PAGES: 980-1030 and FRCP 26.
CLASS 8:	FEBRUARY 23, 2011	<u>TRIAL AND SETTLEMENT CONFERENCE</u> READ PAGES: 1030-1082
CLASS 9:	MARCH 2, 2011	READ PAGES: 1082-1133.
CLASS 10:	MARCH 9, 2011	READ PAGES: 1133-1188.
CLASS 11:	MARCH 16, 2011	READ PAGES: 1188-1222.
CLASS 12:	MARCH 23, 2011	<u>CLAIM PRECLUSION</u> READ PAGES: 1223-1279.
CLASS 13:	MARCH 30, 2011	READ PAGES 1279-1324
CLASS 14:	APRIL 06, 2011	CATCH-UP AND REVIEW
CLASS 15:	FINAL EXAM - TBD	