

# Pretrial Practice and Procedure Spring 2013

**Professor Allison G. Kort**

*All classes are from 9-11 a.m. on Tuesdays, in Room 710, unless otherwise indicated. Do the assigned readings **before** class on the date indicated. “Assignment” indicates your drafting assignment to be submitted the **following** week. Unless otherwise indicated, all assignments are due in hard copy at the beginning of class on the due date.*

Classes	Readings/Assignments Due
<b>Class 1</b> <b>January 15:</b> Introduction to the course, semester overview, goals; Client interviewing, fact investigation, case evaluation and strategy.	<b>Read:</b> On TWEN: -materials in “Course Information and Syllabus” folder -materials in “Initial Documents for Lawsuit” folder In Mauet: -pp. 3-18, 19-53 In Dessem (optional): -pp. 1-58  <b>Assignment:</b> draft questions for initial client interview next class
<b>Class 2</b> <b>January 22:</b> In class: conduct client interview, summarize interview and prepare litigation/research strategies	<b>Read:</b> In Mauet: -pp. 83-114 In Dessem (optional): -pp. 30-61
<b>Class 3</b> <b>January 29:</b> Introduction to pleadings; complaints	<b>Read:</b> In Mauet: -117-146 In Dessem (optional): -pp. 62-96  <b>Assignment:</b> prepare draft complaint

<b>Class 4</b> <b>February 5:</b> Peer reviews of draft complaint	<b>Read:</b> On TWEN: Materials in “sample complaints and answers” folder  <b>Submit:</b> draft complaint <b>Assignment:</b> Exchange peer reviews, revise draft complaint
<b>Class 5</b> <b>February 12:</b> Rule 12 responses, answers, and counterclaims.	<b>Read:</b> In Mauet: - pp. 146-184 In Dessem (optional): -97-125  <b>Submit:</b> final complaint <b>Assignment:</b> prepare draft answer
<b>Class 6</b> <b>February 19:</b> Peer Review: Draft Answers	<b>Read:</b> In Mauet: -pp. 146-184 In Dessem (optional): -pp. 97-125  <b>Submit:</b> draft answer <b>Assignment:</b> Exchange peer reviews, revise draft answer.
<b>Class 7</b> <b>February 26:</b> Formal Discovery: Overview and Written discovery (Discovery rules and procedure, Rule 26 disclosures Interrogatories, Requests for Production, Examinations, and Admissions)  Discuss deposition preparation; in groups of 5	<b>Read:</b> On TWEN: -Materials in “Sample Interrogatories, Requests for Admissions, Requests for Production of Documents” folder In Mauet: - pp. 185-269 In Dessem (optional): -pp. 126-177, 217-241 <b>Submit: final answer</b> <b>Assignment:</b> After reading material on depositions, prepare 25 deposition questions for deposition of plaintiff and defendant (in groups).
<b>Class 8</b> <b>March 5:</b> In class: conduct depositions of plaintiff and defendant.	<b>Reading:</b> <b>On TWEN:</b> Sample Motion to Strike, Motion for a More Definite Statement, Motion to Compel, Motion for Judgment on the Pleadings
<b>March 11-15</b>	<b>SPRING BREAK</b>

<b>Class 9</b> <b>March 19:</b> Procedural and substantive motions	<b>Reading:</b> <b>In Mauet:</b> -pp. 269-306, 331-358 <b>In Dessem (optional):</b> -pp.178-216, 263-295  <b>Research:</b> Begin research for MSJ; prepare outline for Statement of Facts and Argument sections in support of MSJ
<b>Class 10</b> <b>March 26:</b> Summary judgment	<b>Research:</b> Continue researching for MSJ <b>Assignment:</b> Draft Statement of Facts and Argument sections in support of MSJ
<b>Class 11</b> <b>April 2:</b>	<ul style="list-style-type: none"> <li>• Editing and grammar techniques</li> <li>• Q/A re: statement of facts and argument of msj</li> <li>• <b>Submit by Tuesday, April 9, at 5:00 p.m.:</b>  <b>Draft of statement of facts and argument of MSJ</b></li> </ul>
<b>April 9:</b> <b>NO CLASS: Conferences this week with Prof. Kort. Please bring draft and questions to your conference.</b>	<b>Research:</b> continue researching for MSJ
<b>Class 12</b> <b>April 16:</b>	<b>Assignment:</b> In class: peer review of statement of facts and argument of MSJ, then revise MSJ with peer reviews.
<b>Class 13</b> <b>April 23:</b>	Oral argument instruction
<b>Monday, April 30: Not a class day.</b> <b>Portfolios, including Motions and Memoranda in Support of Summary Judgment, due by 5:00 p.m.</b>	