

Conflict of Laws – First Assignment

Welcome to Conflict of Laws! I am excited to work with you over the course of the spring. We'll be working through lots of interesting topics this semester, and I am eager to hit the ground running. Please take a moment to read through the Course Policies handout (posted at the same location as this document).

Before the first class, please acquire the casebook: Kay, Kramer, and Roosevelt, *Conflict of Laws: Cases—Comments—Questions* (9th ed. 2013). This is a *new edition* of the casebook, so please do not rely on used copies of the older editions. There is no other supplement for the class, though occasionally there will be some short additional or optional readings that I will post on bSpace.

The assignment for the first class is: pages 3-19 of the casebook. We'll be focusing our discussion on the primary case, *Alabama Great Southern Railroad Co. v. Carroll*. For each class, I'll distribute study questions. Please consider the following questions before we meet on the first day:

1. In *Carroll*, what is the plaintiff's cause of action against the railroad? Why is the cause of action sustainable under Alabama law, but not Mississippi law? In other words, what is the "conflict of laws"?
2. What are the relevant connections of Mississippi and Alabama to this case? What facts *link* each state to this litigation?
3. What "choice-of-law rule" is dispositive in this case? That is, what rule leads the court to choose Mississippi law? What do you think is the underlying basis for this rule, and do you find it persuasive?
4. What arguments in favor of applying Alabama law does the court reject? Does the court have it right?

I'm looking forward to meeting you all soon! If you have questions about the class or what we'll cover, please feel free to email me at abrادت@law.berkeley.edu.