

CONFLICT OF LAWS
Summer in Spain Program 2025
M/T/W/TH 11a.m.-12:50p.m.

Professor Christian Lee González-Rivera

Syllabus¹

Required Text:

Brilmayer, Goldsmith, O'Connor & Vazquez, Conflict of Laws: Cases and Materials (Aspen) (8th ed. 2019), ISBN: 9781454899563.

Course Description:

This course offers an introduction to the rules, doctrines, and principles that make up the field of Conflict of Laws. The subject includes domestic and international principles that determine what law governs when multiple bodies of law or jurisdictions are implicated in the same dispute—whether a contract or tragic international flight accident is involved. The course introduces you to the concepts of **choice of law, jurisdiction, and enforcement of foreign judgments**.

Class Preparation:

Each class will consist of a combination of Socratic discussion and lecture. You are expected to read the assignments and participate in discussion with me and fellow classmates. I will call upon you to recite the facts and holdings of the cases assigned. Assignments are an average of **22 pages** per class.

Attendance:

You're required to attend class. If you must miss class, please give me advance notice in writing, stating the reasons for your absence. That said, there is a limit of absences you can have, and I cannot control whether any of them is ultimately justified. That is an administrative issue to be taken up with the appropriate Dean and the Registrar's Office.

In addition to attending class, **you must also attend timely**. Class will start every day no later than five minutes into the allotted starting time. An attendance sheet will be passed around or I will roll call later during the class. **You cannot arrive late (10 minutes after the start of class) and sign the attendance sheet.** If you arrive late to class, and manage not to be disruptive, you may approach me after class is over to discuss the reason and whether you attended meaningfully enough to warrant signing the attendance sheet.

Lastly, **you must attend meaningfully**. That means not just that you should be prepared and participate but also that you should not be distracted during class. **I strongly discourage using electronics for taking notes, laptops or tablets.** While you are not forbidden from using these in class, **if I believe that you are distracted, browsing the web, doing anything other than following the lecture, or distracting others with sounds or content, I will ask you to close it and remove it from your desk.** Your behavior in class is at all times also governed by the Honor Code.

¹ Updated 5-20-25. This syllabus will be subject to additional revisions.

Grading and Examination:

The grade in this course will be based on your **participation** in class through **presentation of cases (10% of your grade)** and **a take-home, open-book examination, consisting of multiple choice questions (60% of your grade) and one short answer essay question (30% of your grade)** due **electronically** to the Registrar's Office (lawregistrar@stu.edu) no later than the Program's **final exam deadline** (Friday, June 20, 5:00 p.m. (Madrid time)), and will cover all material previously assigned and discussed. **Not one minute later** will the Registrar accept your exams, which must also be anonymous.

Learning Outcomes:

By the end of the course, you should be able to:

1. identify, describe, and analyze the major judicial holdings on such topics as choice of law; jurisdiction; enforcement of foreign judgments; and constitutional limitations;
2. identify the legal issues and apply the correct rules, doctrines, and standards, to fact patterns in preparation for Bar examination; and
3. critically appraise existing doctrines based on considered stances on a wide range of issues.

Performance Indicators: Students will write a two-hour, open-book final exam consisting of one set of multiple-choice questions, in take-home form, and one short answers portion, in class.

Office Hours:

Please schedule all appointments in advance by email or arrangement in person.

SCHEDULE OF ASSIGNMENTS

The **reading assignments** average approximately **22 pages** and are from the assigned textbook.

May 26	Overview: Problem 3 (Whose Artwork?)	9-12
	Choice of Law: Traditional Approaches	15-20, 25, 29-30, 38-44, 51-53
	Torts	
	Contracts	
	Domicile	
	Discussion Leads:	
	Armesto: <i>Carroll</i>	
	Torres: <i>Bullard</i>	
	Chamizo: <i>Poole</i>	
	Sanchez: <i>Linn</i>	
	Cortes: <i>White</i>	

May 27	Choice of Law (Continued)	65-74, 76-78, 82-86, 93-94, 99-103
	<p>Marriage Property Corporations</p> <p>Discussion Leads:</p> <p>Ruiz: <i>Ghassemi</i> De Armas: <i>Ezeonu</i> Rubio: <i>Burr</i> Ghenai: <i>Becker</i> Quesada: <i>Morson</i> Mendieta: <i>McDermott</i> Pupo: <i>Irving Trust</i></p>	
May 28	Choice of Law (Continued)	109–112, 114-121, 124-131, 146-153
	<p>Characterization <i>Renvoi</i> Substance v. Procedure Public Policy</p> <p>Discussion Leads:</p> <p>Morales: <i>Haumschild</i> Armesto: <i>Damato</i> Torres: <i>Dater</i> Chamizo: <i>Sampson</i> Sanchez: <i>O’Leary</i> Cortes: <i>Hood</i> Ruiz: <i>Holzer</i></p>	
May 29	Choice of Law: Contemporary Approaches	187-198, 204-214
	<p>True Conflicts False Conflicts Unprovided-for Cases Comparative Impairment</p> <p>Discussion Leads:</p> <p>De Armas: <i>Lilienthal</i> Rubio: <i>Bernkrant</i> Ghenai: <i>Hurtado</i> Quesada: <i>Bernhard</i> Gonzalez: <i>Kearney</i></p>	

June 2	Choice of Law (Continued) The Better Rule The Restatement Second Domicile <i>Renvoi</i> Substance vs. Procedure Public Policy Statutory Solutions Discussion Leads: Pupo: <i>Milkovich</i> Kazaz: <i>America Online</i> Morales: <i>Purcell</i> Lissabet: <i>Pfau</i> Mendieta: <i>Richards</i> Armesto: <i>Salavarría</i>	220-224, 243-245, 249-250, 254-258, 260, 268, 274-277
June 3	Choice of Law: Constitutional Limits Limitations on Choice of Law Right to a Forum Limitations on Interstate Discrimination Discussion Leads: Torres: <i>Home Insurance</i> Chamizo: <i>Pacific Employers</i> Sanchez: <i>Hughes</i> Cortes: <i>Wells</i> Ruiz: <i>Austin</i> De Armas: <i>Cohn</i>	282-288, 327-332, 340-345, 347-351
June 4	Jurisdiction Over People and Property Over People: Consent Waiver Activities: (General Jurisdiction) Discussion Leads: Pupo: <i>Shutts</i> Kazaz: <i>Ins. Corp. of Ireland</i> Morales: <i>Helicopteros</i> Lissabet: <i>Burnham</i>	364-373, 375-381, 383-391

June 5	Jurisdiction (Continued)	392-411, 446-459
	Over People: Activities (Specific Jurisdiction) Over Property	
	Discussion Leads:	
	Armesto: <i>Bristol-Myers</i> Torres: <i>Tyrell</i> Chamizo: <i>World-Wide Volkswagen</i> Sanchez: <i>Shaffer</i> Cortes: <i>Sternberg</i>	
June 9	Federal Conflict: <i>Erie</i>	465-470, 475-488, 493-498
	<i>Erie</i> Doctrine <i>Erie</i> and Choice of Law <i>Erie</i> and Judgments	
	Discussion Leads:	
	Ruiz: <i>Erie</i> De Armas: <i>Klaxon</i> Rubio: <i>Ferens</i> Ghenai: <i>Semtek</i>	
June 10	Recognition and Enforcement of Judgments	504-510, 516-519, 533-541, 547-550
	Jurisdictional Requirements Substantive Interests of Enforcing State Enforcing State's Law of Judgments	
	Discussion Leads:	
	Quesada: <i>Duke</i> Mendieta: <i>Fall</i> Pupo: <i>Lum</i> Morales: <i>Baker</i> Armesto: <i>Lamb</i> Torres: <i>Watkins</i>	
June 11	Extraterritorial Reach of Federal Law	576-588, 590-600
	Antitrust Law: Place of Conduct Effects Test Multilateral Approaches	
	Discussion Leads:	

Chamizo: *American Banana*
Sanchez: *Aluminium Co.*
Cortes: *Aluminium Co.*
Ruiz: *Hartford Fire*

June 12 Extraterritorial Reach of Federal Law (Continued) 601-604, 606-613, 615-625

Multilateral Approaches
Presumption Against Extraterritoriality

Discussion Leads:

De Armas: *Hoffman*
Rubio: *Arabian American Oil*
Ghenai: *Morrison*

June 16 Choosing Among Legal Regimes 649-656, 658-662, 664-668, 677-686

Contractual Choice of Law
Choice-of-Law Clauses

Discussion Leads:

Quesada: *Nedlloyd*
Gonzalez: *Banek*
Pupo: *Combs*
Kazaz: *Amee*
Morales: *Bremen*
Lissabet: *Carnival*

**MULTIPLE-CHOICE PORTION OF TAKE-HOME
FINAL EXAM DISTRIBUTED**

June 17 Choosing Among Legal Regimes (Continued) 691-695, 714-732

Choice-of-Law Clauses
Arbitration Clauses

Discussion Leads:

Mendieta: *America Online*
Armesto: *AT&T*
Torres: *Brewer*
Chamizo: *Pac*

June 18 **Choice of Law in Complex Litigation** **741-763**

No Choice Necessary
Single Governing Law

Discussion Leads:

Sanchez: *Ferrell*
Cortes: *Ysbrand*

June 19 **Choice of Law (Continued)** **773-793**

Multiple Governing Laws

Discussion Leads:

Ruiz: *Schnall*
De Armas: *In re Telectronics*

**SHORT ESSAY PORTION OF TAKE-HOME
FINAL EXAM DISTRIBUTED**

June 20 **ENTIRE ANONYMOUS TAKE-HOME FINAL EXAM DUE ELECTRONICALLY
BY 5:00 P.M. (MADRID TIME) TO: lawregistrar@stu.edu.**

DO NOT EMAIL ME OR ANY PROFESSOR YOUR EXAM.