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Law Library Newsletter, Volume 2, Issue 4 - November/December 2010

Kresge Law Library

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**SPECIAL
POINTS OF
INTEREST:**

- Check out all the information to help you prepare for finals: on exam reserves, study aids and more!
- Photos of trick-or-treaters in the law school
- Meet Terri Welty, Dean Ed Edmonds' "right hand (wo)man"
- Looking for new apps for your iPhone or iPad? Check out more recommendations in this issue

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Letter from Ed Edmonds

Within the past month, the Law School community has celebrated two important milestone events involving the Kresge Law Library. The first, of course, was the dedication of Biolchini Hall on Friday, October 8th. The proceedings began with a mass at the Basilica of the Sacred Heart. Father Jenkins presided over the blessing of the building at the west entrance near the statue of St. Thomas More. A portrait of Robert and Frances Biolchini was unveiled in the vestibule at the south end of the building. After a reception in the South Reading Room, the event concluded with a dinner in the Main Reading Room. The room was transformed into an even more magnificent setting for this important opportunity to express our appreciation for the generosity of alumni and friends who contributed to the wonderful renovation of this historic building that houses the Kresge Law Library, the offices of Admissions and Career Services, and the four student journals.

Additionally, on November 3rd, we celebrated the tenth anniversary of the Librarian-In-Residence Program with a gathering and presentations in the Eck Hall Commons. As



ABOVE: Hesburgh Libraries and Kresge Law Library faculty, staff, and guests celebrated the 10th anniversary of the joint Librarian-in-Residence program this November.

part of this program, we have been fortunate this semester to have Naomi Bishop begin her two years at Notre Dame in the Kresge Law Library. I am extremely proud of our involvement in this collaborative program with the Hesburgh Libraries.

-Ed Edmonds

And that's the way it is . . .

News and kudos from the library departments

Many special events marked the official dedication of Biolchini Hall, which took place on October 8th. Father Jenkins presided over the blessing of the building after a mass was celebrated at the Basilica of the Sacred Heart, and the Main Reading Room was transformed into a beautiful dining room for a celebration dinner. A special commemorative issue of the *Law Library*

Newsletter will be published to celebrate the new law library with photographs from throughout the years and an updated library timeline.

Access Services

Mary Cowsert is heading a team of shelf-readers, including both student employees and library faculty and staff, who have thus far scanned shelving ranges

throughout the first, second, and third floors of the library collection to ensure the books are properly ordered by call number. Kudos and thanks to Naomi Bishop, Mary Cowsert, Ed Edmonds, Deb Fox, Roger Jacobs, Anita Lutz, Patti Ogden, Barb Ritty, Janet Rose, and Amy Shirk, as well as the numerous student assistants who devote at least an

Continued on next page . . .

NEWS AND KUDOS
FROM THE LIBRARY
DEPARTMENTS

Library news, continued . . .



hour of their work day on a regular basis to this tedious but necessary undertaking! Mary

and her team are currently at work in the lower level of the library, so please be patient as this area is restored to its proper order. As always, be sure to ask at the Circulation desk if you need assistance locating library materials.

Research Services

Beth Klein's daughter Caitlin, a freshman at Notre Dame this year who worked during high school for the law library's Access and Technical Services

departments, is a new member of the Notre Dame Marching Band!

Warren and his wife Anita spent the week of fall break visiting friends in Geneva with whom they went on a wine tasting trip to Italy.

Technical Services

Sue Hamilton enjoyed a trip to visit friends in the Pacific Northwest in October. One highlight of her trip was getting to see the Centennial Celebration of the Pendleton Roundup in Pendleton, Oregon. This year's event made the *Guinness Book of World Records* for having the largest number of livestock in a non-motorized parade. Among mules, oxen, and ponies there were also 1,400 horses!



Beth Given spent the beginning of October on vacation in Europe to visit her partner, who has been in Germany for his PhD research. During the trip they traveled to London for a few days to visit some favorite haunts there and enjoyed dinner with current 2L Christine Garthwaite near Notre Dame's London Law Centre.

HESBURGH LIBRARIES AND KRESGE LAW LIBRARY

Milestones:

2000
Librarian-in-Residence

2002
Summer Program

2005
Program to Recruit
the Next Generation
of Librarians

Celebrating diversity in libraries

On November 3rd, 2010, Hesburgh Libraries and the Kresge Law Library celebrated their 10th Anniversary of the Librarian in Residence Program. Since the program began in 2000, six brand new librarians from underrepresented groups have participated in the program. Today three of the six former residents are librarians at Hesburgh libraries. The anniversary event included a reception in the Eck Commons, and a discussion about diversity strengthening academic communities by Kenneth Durgan, Ed.D., Assistant Chancellor for Diversity at Indiana University-Purdue University Indianapolis on Thursday, November 4, 2010.



Current Librarian-in-Residence Naomi Bishop (3rd from left) with past Residents (L-R) Leslie Morgan, Felicia Smith and Jessica Kayongo.

Upcoming library workshops

Don't miss these workshops offered at the Hesburgh library. Register online here: <https://www.library.nd.edu/instruction/forms/workshop/registration.cgi>

[Literature Reviews](#) - Reference Librarians Margaret Porter and Cheri Smith describe library searching techniques to help you be more efficient in compiling a literature review in your field.

November 16th (Tues) 4:00PM-5:30PM, Room 222
Hesburgh Library

[Creating Effective Library Assignments](#) - Reference Librarians Cheri Smith and Michelle Hudson offer tips to help you create well-designed, effective course related library assignments in order to build students' critical thinking and research skills.

January 18th (Tues) 4:00PM-5:30PM, Room 222
Hesburgh Library

[Find It In the Newspapers](#) - Reference Librarian Margaret Porter shows how to efficiently locate current and historical

newspaper articles.

February 2nd (Weds) 4:00PM-5:30PM, Room 222
Hesburgh Library

[Finding and Using Digital Images](#) - Librarian Marsha Stevenson and Art Image Library Curator Denise Massa discuss image resources and demonstrate applications for the handling of digital images.

February 16th (Weds) 4:00PM-5:30PM, Room 222
Hesburgh Library

Data Sources - Data Services Librarian Michelle Hudson shows some of the social sciences and economic data sources available to the ND community and how to use them to manipulate data in the format you need.

March 2nd (Weds) 4:00PM-5:30PM, Room 222
Hesburgh Library

[RefWorks](#) - Librarians Felicia Smith and Tanya Prokrym demonstrate how to use RefWorks to easily manage and track citations in your research.

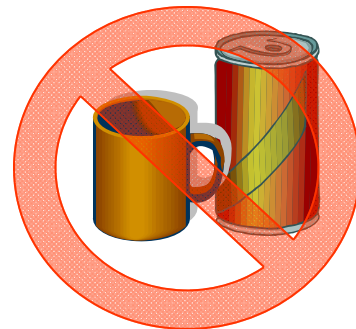
March 15th (Tues) 4:00PM-5:30PM, Room 247 Hesburgh Library

New food and drink policy in the library

Please be aware of the food and drink policy in the new law library building. Obviously, neither food nor beverages of any kind are permitted where "NO FOOD OR DRINK" signs are posted. What is allowed in the library? Please comply with the following policy:

Food -

- Allowed: light, pre-packaged snacks that are not damaging to the collection or distracting to others
- Please dispose of wrappers in the large covered waste bins placed throughout the library. Do not leave food or wrappers in the small waste baskets in study rooms, particularly on weekends when there is no cleaning service in the building.
- No food of any kind is permitted in the Computer Lab or the Special Collections Exhibit Room.
- No outside delivery of food is permitted.



Drinks -

- Allowed: Beverages in bottles that can be reclosed (screw-top) or other containers with lids
- Free spill-proof containers are available at the Circulation desk.
- Beverages in open cans or containers are not permitted.
- Beverages are allowed in the Computer Lab, but not in the Special Collections Exhibit Room.

Thank you for your cooperation in protecting our collection and the building, and in making the library a quiet place for everyone to study.

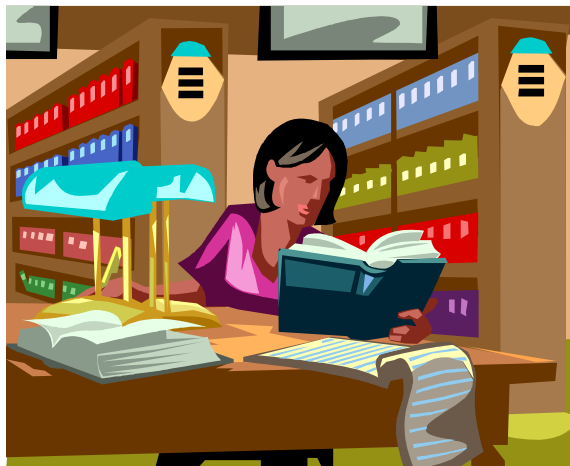
Finding Study Aids and Making Outlines

As exams near, it's time to start thinking about finding study aids and making outlines for your classes. Even though most professors will not allow you to consult study aids during exams, reviewing and creating outlines are good ways to prepare for finals. Some people prefer to use existing commercial outlines or to borrow a friend's outline. Other people make their own outlines. Some people do both. This article presents some useful resources for each approach.

A good way to find study aids related to a particular text (e.g., E. Allan Farnsworth, [Contracts: Cases and Materials](#) (7th ed. 2008)) is to use [lawbooksforless.com's advanced search page](#). Searching for Title: "Contracts," Author: "Farnsworth," and Publisher: "Foundation," brings up a link for the relevant casebook. Clicking on the [casebook](#) brings you to a page that includes a product description, pricing information, and most importantly, a list of "case briefs that are related to this product" which indicates if any resources (e.g., *High Court Case Summaries Series*, *Legalines Series*, etc.) are keyed to this specific casebook. Additional subheadings such as "Hornbooks & Treatises That Are Related to This Product" and "Other Casebooks on [Subject]" may be available for other casebooks. If not, don't fret! There are plenty of other helpful study aids accessible via [lawbooksforless.com's Core 1L Courses](#) and [Upper Level Courses](#) pages. Simply select the subject in which you are interested (e.g., Contracts) and then use the "[Commercial Outlines](#)," "[Hornbooks & Treatises](#)," "[Overview References](#)," and "[Exam Practice Aids](#)" tabs to identify relevant resources.

With so many titles to choose from, you might feel overwhelmed or wonder how to choose the best one for you (n.b., different people have different learning styles, so the study aid that works for your friend might not necessarily work for you). Fortunately, you can determine if the library has a reserve copy at Circulation by using [LINK](#). If the library does not have the book you want, go to [amazon.com](#) and look it up. Odds are that you'll be able to use the "[Click to LOOK INSIDE!](#)" feature to examine the book (or a prior edition) and decide if it is worth buying. Additionally, LexisNexis provides free access to [Area of Law Outlines](#) for 1L subjects and free previews of all titles in the [Understanding Series](#).

Naturally, Westlaw provides similar resources via its free [1L Outline Shells](#) and [Exam Prep](#) and [Law Student Products](#) catalogs. Additionally, Westlaw's new [West Study Aids Subscription](#) service provides electronic access to 300+ West published titles (see [Monica Willian's article on page 8](#) for more information on this invaluable and economical resource).



Wow, that's a lot of different study aids! Way too many for you to attempt to consult them all. Once you find one that works for you, forget about the rest of them. Other titles in the same series (e.g., *BlackLetter Series*, *Blond's*, *Emanuel*, *Examples & Explanations*, *First Year Outlines*, *Gilbert's*, *Nutshells*, etc.) are likely to be equally helpful for your other classes.

Finally, even if you find the perfect study aid for a particular subject, don't forget the importance of outlining! Outlining forces you to review and shape your readings and notes into a straightforward, logical, and accessible framework, so you will benefit even if you are not able to use your outline during an exam. Consequently, you are likely to do better on exams than students who rely wholly on commercial outlines.

Great, but how do you outline? In short, use your syllabus and/or assigned casebook's table of contents to build a framework and then fill it in with your notes, a summary of each case, its holding, and any other relevant authorities (e.g., U.C.C., statutes, restatements, etc.). When you're done, you'll have a comprehensive list of legal concepts, definitions, and rules of law that will serve as a guide to applying the relevant authorities on an exam.

Want more comprehensive, step-by-step instructions to outlining? Then check out LawNerds.com's [Create An Outline for Each Class](#) page (although this page has not been updated since 2003, it is an excellent guide to the outlining process). If that doesn't do it for you, see eHow.com's less detailed (but still helpful) [How to Write a Law School Outline](#) and [How to Make a Law School Outline](#) pages. If those don't inspire you, see what your classmates are doing, stick with the commercial outlines, or talk with your professor or another mentor. There is no one way to study (or answer a law school exam question) and as long as you realize that you'll be ok! -Chris O'Byrne

Past Exams Available at the Law Library

Past exams are currently available through the Kresge Law Library and are accessible in multiple online formats as well as in print collections on reserve.

Past exams available online

The law library website provides a convenient way to link to past exams of current law faculty who have chosen to provide electronic access for their materials. Through individual faculty agreement a number of faculty have made past exams available and it is possible to directly view them online. Beginning from the library homepage (<http://law.nd.edu/library-and-technology>) you must first click the "STUDENTS" link and then the "EXAMS ON FILE" link, or you can visit the exam website directly at <http://law.nd.edu/library-and-technology/students/past-exams>. All exams are password protected so you will need to login with your university NetID and password as these exams are available for current students only. The exams are arranged by the name of the professor so in order to find an exam, select a faculty member's name to retrieve the list of available exams by class. The following faculty members currently have materials available online:

[Joseph Bauer](#)
[Margaret Brinig](#)
[Lisa L. Casey](#)
[Fr. Coughlin](#)
[Lloyd Mayer](#)
[John Nagle](#)

[Charles Rice](#)
[John Robinson](#)
[Vince Rougeau](#)
[Jay Tidmarsh](#)
[Julian Velasco](#)

If your professor's name is not listed in the electronic collection, check with the Circulation desk for print exam availability as hard copies may exist for that professor on reserve. (See below.)

Past exams available in print

The library also provides faculty approved exams on file for check-out by current law students. In order to view the full selection of current exams, stop by the Circulation desk during operating hours. (See page 15 of this newsletter or the library website for [library hours](#).) At the Circulation desk a listing of available exams can be viewed from the blue reserve binder which provides an alphabetical list of faculty by last name and exact information as to whether a professor provides practice exams or not. Also listed are the subject and year of past exams, because multiple exams are possible.

Once you have identified that exam material is available you may request the complete folder for 2-hour check-out in order to make a photocopy. During occasions when student demand for exam materials is at its peak (usually immediately before and during exam week) extended access to past exams may be provided by the library to insure 24-hour access for photocopy purposes. If you have any questions about print exam access please check with the law library Circulation desk for details.

-Anita Lutz

How to reserve a laptop

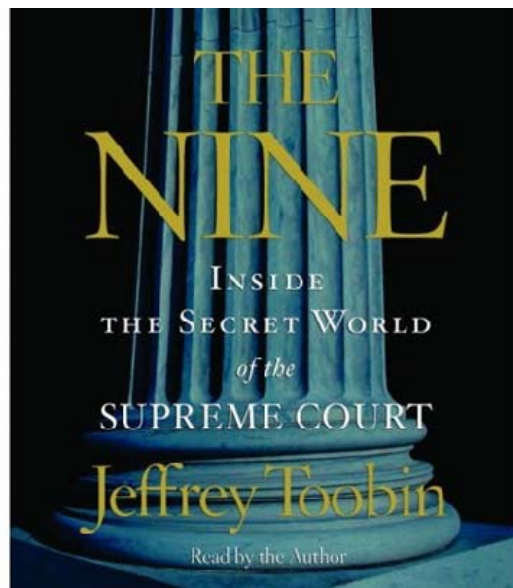


Beginning Monday, November 29, the library Circulation desk will take reservations for laptops that are on reserve. Reservations will be taken on a first come, first serve basis. During the exam period from Friday, December 10 through Saturday, December 18, laptops will be available only for Electronic Bluebook and there will be no overnight circulation of the laptops. Because of the limited number of loaner laptops available, we request that you do not reserve a laptop as back up for your personal laptop. If you have any questions or would like to reserve a laptop, please ask one of the friendly librarians or staff at the Circulation desk!

Don't Have Time to Read *The Nine*? Check Out the Audiobook!

Covering the early 1990s to the 2006-07 term of the Court, CNN legal analyst and *The New Yorker* staff writer Jeffrey Toobin's [The Nine: Inside the Secret World of the Supreme Court](#) provides an engaging overview of the Court's recent history. Law students will recognize cases that made newspaper headlines during their primary, secondary, and undergraduate years (e.g., President Clinton's impeachment, *Bush v. Gore*, and the Terri Schiavo case) while gaining an appreciation of the large number of less dramatic, yet equally significant, issues which the Court faces each term. Students who are interested in understanding the justices' beliefs and judicial philosophies will enjoy the biographical sketches of the justices and the coverage of Chief Justice Roberts' and Justice Alito's nominations and confirmations (as well as the withdrawn nomination of Harriet Miers). Although the library also has a [print copy](#), the audiobook format makes *The Nine* particularly accessible for students who want to learn more about the Court while engaged in other activities (e.g., jogging, using the gym, or commuting to school, etc.). If you enjoy *The Nine* and want to read more about the [history](#) of the Supreme Court, or focus on [biographies](#) of individual justices, use the library catalog or ask a professor or friendly research librarian for a recommendation!

-Chris O'Byrne



Bluebook exam preparation



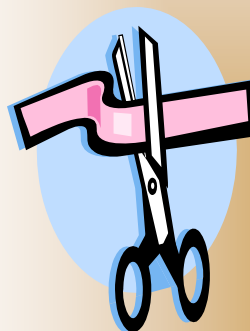
The Electronic Bluebook (EBB) is a secure test-taking program that allows students to submit exams electronically through the use of their own personal laptops (or ones checked out from the library) instead of handwriting their responses in the traditional "bluebook" notebook. Most professors much prefer receiving typed responses instead of often hard to read handwriting. To date

at Notre Dame Law School, more than 10,000 exams have been submitted using exam software. Be sure to check the exam schedule posted on various bulletin boards around the building and available at http://www.nd.edu/~ndlaw/student_services/finalexamschedule.pdf for a list of exams for which EBB will be used. All students will need to download and install or re-install the EBB software and complete a trial exam before December 3rd. You may download EBB and find more information about EBB at this link (login required): <http://law.nd.edu/student-life/student-services/exam-software>. Remember, even if you already had EBB installed, you must reinstall the new version. The old version will not function properly! Be sure to submit your "Installation and Usage Verification" form to Peter Horvath by 4:00 pm on December 3. This form is available in Room 1100 or online. *Good luck with exams!*

Before, During, and After

... the Biolchini Hall renovation in photographs

A special issue of the *Law Library Newsletter* will be published shortly commemorating the move into Biolchini Hall, and all that led up to it. Look forward to photos from the old building, the construction, and the new building and dedication, as well as a timeline of the history of the law library, and more!



Off the Shelf ... *A review of selected law library resources*

Presidential Libraries

Documents within Presidential libraries, museums, and archives reveal not only stories of the past, but also share the rich history of American President's personal, political, and public lives. In the United States today there are currently thirteen Presidential Libraries. Presidential Libraries and Museums preserve and provide public access to Presidential papers and records, as well as gifts of the President. Presidential Libraries and Museums are unique institutions administered by the National Archive and Records Administration (NARA) that bring together the records of the past and preserve them for the future generations.

The first Presidential library was established as a repository for the paper, records, gifts, and historical materials of President Franklin D. Roosevelt. Roosevelt donated the papers and gifts of his administration and created a foundation to raise the funds for construction of a building that would serve as a library, archive, and museum for the public.

PRESIDENTIAL LIBRARY LOCATIONS AND DATES OF DEDICATION

- Franklin D. Roosevelt Library, June 30, 1941, Hyde Park, New York
- Harry S. Truman Library, July 6, 1957, Independence, Missouri
- Dwight D. Eisenhower Library, May, 1962 Abilene, Kansas
- Herbert Hoover Library, August 10, 1962 West Branch, Iowa
- Lyndon Baines Johnson Library, May, 1971 Austin, Texas
- John F. Kennedy Library, October 20, 1979 Boston, Massachusetts
- Gerald R. Ford Library, April, 1981 Ann Arbor, Michigan
- Jimmy Carter Library, October 1, 1986 Atlanta, Georgia
- Ronald Reagan Library, November, 1991 Simi Valley, California
- George Bush Library, November, 1997 College Station, Texas
- William J. Clinton Library, November, 2004 Little Rock, Arkansas
- Richard M. Nixon Library, July, 2007 Yorba Linda, California
- George W. Bush Library, Dallas, Texas

Before the establishment of Presidential libraries, presidential papers and records of George Washington and twenty-two other presidents became part of the [Library of Congress Manuscript Division](#). The papers of John Adams and six other presidents were donated by the families to state historical societies and special libraries. In 1955, Congress passed the Presidential Libraries Act (PLA) (PL84-373). The PLA established a system of privately constructed and feder-

ally maintained libraries. Later legislation passed in 1978 established presidential records that document the constitutional, statutory, and ceremonial duties of the President as the property of the United States Government. The Archivist of the United States assumes care of the records after the President's final term [Presidential Records Act (PL95-591)]. In 1986, an amendment to the previous version of the Presidential Libraries Act was passed, (PL99-323) which set limits to the size of the Presidential library and museum, requiring private endowments equivalent to the size of the facility.

Presidential library collections are useful in researching primary source documents concerning U.S. domestic issues, foreign relations, and political affairs. The scope and depth of each collection provides researchers, educators, students, and the general public with a deeper glimpse into the lives and decisions of past presidents. Archival collections are arranged somewhat differently from library stacks. Audio and visual collections are a valuable resource for researchers and are arranged in an audio or photo archive. In addition to audio and visual collections, print archival collections of public papers, Executive Orders, and Speeches of the Presidents are part of Presidential Library collections. When conducting archival research there are different guidelines for use of materials. Because archival collections do not circulate and require specific care for preservation, research is usually done in person. A few tips for archival research include:

1. Decide what content you are looking for,
2. Determine where the content is held,
3. Research the Finding Aids online,
4. Contact library in advance.

Today, many Presidential libraries and museums have highlighted collections online and reference services are available via email, fax, and phone. The closest Presidential Library to Notre Dame is the Gerald R. Ford Presidential Library in Ann Arbor, Michigan. Other Presidential Libraries and Museums are located across the country in home states and towns of former Presidents. The newest Presidential Library has a temporary facility in Lewisville, Texas and is not yet open to the public. The groundbreaking for the permanent facility at Southern Methodist University will take place in November 2010, with plans to dedicate and open the facility to the public in 2013. At left is a list of Presidential Libraries across the country, and below are a few helpful links in case you want to visit one and do some archival research in your home state.

-Naomi Bishop

USEFUL LINKS

- <http://www.archives.gov/presidential-libraries/about/>
- <http://www.fordlibrarymuseum.gov/>
- <http://www.fordlibrarymuseum.gov/library/aboutlib.asp>
- <http://www.georgewbushlibrary.gov/>

Westlaw Study Aids Subscription

As the midpoint of the semester has come and gone, many are beginning to feel the pressure from the approach of finals. Those who have not been using commercial outlines, briefs, and overviews all semester begin wondering if they should include these into their routine, and if so, which ones. Westlaw is offering a new option to students interested in having access to multiple different types of study aids right from their laptop. Through the [Westlaw Study Aids Subscription service](#), students can have access to over 300+ study aids at a cost of about \$20-\$25 a month (depending on a 3-month, 6-month, or 12-month term). Obviously, the study aids available on this service are the ones published by West Publishing, so students will not find the *Examples and Explanation* series or any other product from Aspen Publishers. However, Westlaw provides the *Nutshell* series, *Gilbert Law Summaries*, *Acing Series*, and *High Court Case Summaries* keyed to multiple subjects and authors, and pretty much any other study aid published by

West. Once registered, students can select study aids by subject, series, material type, or a search bar that allows students to type in specific case names or elements, and the aids that contain those topics will be listed. Once a study aid is selected it will open in a new window, as shown in the image below, and the student can highlight, take notes, copy text, and print individual pages. One of the downsides of this is that the e-book cannot be saved as a PDF (for obvious copyright protections) so if you have a Kindle, Nook, or iPad you cannot transfer the study aids to them. After using this service for the past few months I think there are definite benefits in having access to multiple different study aids, especially for students who did not get passed down study aids from the previous class. I would definitely recommend this option to students who are not quite sure what series they want to use for their classes and do not mind reading books off their computer screen.

-Monica Willian (1L)

The screenshot shows a web browser window titled "Law School Exchange: Document Display" with the URL <http://commons.westlaw.com/Viewer/DocDisplay.aspx?DocID=283&f=1&navTabIndex=1>. The page is at 51% zoom, page 44 of 407. The document title is "Eastern Air Lines, Inc. v. Gulf Oil Corporation" (1974 - 24 Supp. 414 F.2d 429, 65-2 U.S. 1974). The main text area contains the following sections:

- COURT UPHOLDS REQUIREMENTS CONTRACT BASED ON GOOD-FAITH LIMITATIONS**
- INSTANT FACTS**: In the midst of an oil embargo, Eastern Air Lines (P) seeks an injunction to prevent Gulf Oil (D) from breaching the requirements contract between the parties.
- BLACK LETTER RULE**: Requirements contracts are neither indefinite nor lacking in mutuality.
- PROCEDURAL BASIS**: Hearing on motion for permanent injunction.
- FACTS**: Eastern Air Lines, Inc. (P) and Gulf Oil Corporation (D) had a long-standing contractual relationship involving the sale of jet fuel. Pursuant to their "requirements" contract, Eastern (P) agreed to purchase any and all aviation fuel at selected cities from Gulf (D), and Gulf (D) agreed to supply all of Eastern's (P) good-faith requirements. The relationship was, until 1974, beneficial to both parties. Eastern (P) paid a reduced base price for oil, determined by the West Texas Sour indicator. Gulf (D) had a long-term outlet for its jet fuel. In 1974 the Arab oil embargo and resulting two-tier system of United States governmental price controls caused chaos in the American oil market. The short supply of oil sent one tier of prices to \$11 per barrel, while government-controlled oil, which was very limited in supply, was sold at the old price of \$6 per barrel. The West Texas Sour index listed the old price throughout this period. Gulf (D) demanded that Eastern (P) pay a price increase in order to meet Gulf's (D) increased costs. Eastern (P) filed a complaint for a preliminary injunction, alleging that Gulf (D) had breached its contract. A preliminary injunction was entered by stipulation of the parties, and a motion for permanent injunction followed.
- ISSUE**: Are requirements contracts, in which the seller agrees to make a good-faith effort to meet all of the buyer's requirements, enforceable?
- DECISION AND RATIONALE** (King, J.): Yes. Requirements contracts, in which the seller agrees to make a good-faith effort to meet all of the buyer's requirements, are enforceable. Gulf (D) argues that the contract is invalid because it is indefinite, lacks mutuality of obligation, and renders Gulf (D) subject to Eastern's (P) whims respecting the volume of jet fuel Gulf (D) would be required to supply. We disagree and hold that requirements contracts such as the one at issue are binding. Both parties have assumed some legal obligation. Eastern (P) agreed to purchase all of its required oil at selected cities from Gulf (D), and Gulf (D) agreed to make good-faith efforts at meeting these requirements. The contract is not indefinite, since a court can determine the volume of goods provided for under the contract by reference to objective evidence of the volume of goods required to operate the specified business. Furthermore, the Uniform Commercial Code approves requirements contracts, such as the contract at hand, that are

The right sidebar contains several tool sections:

- Tools**: MOVE TOOLS LEFT
- Text & Comments**: TO USE TEXT & COMMENTS TOOL, CLICK ON THE TOOL'S ICON. TO DE-SELECT PLEASE CLICK ON THE ICON AGAIN.
- Search**: TEXT & COMMENTS, SELECT TEXT, RIGHT-CLICK SELECTION TO COPY TO CLIPBOARD
- Notes**: ADD HIGHLIGHT, ADD COMMENT
- My Mark Up**: PRINT TOOLS, PRINT CURRENT PAGE, PRINT ALL NOTES, PRINT ALL NOTES WITH NO PAGE REFERENCES
- Thumbnails**: NOTES, EXPORT ALL NOTES, EXPORT ALL NOTES WITH NO PAGE REFERENCES
- PAGE**: TWO PAGE - ONE PAGE

At the bottom, it says "Your notes and highlights have been loaded." and "V723".



Halloween in the law school!



On Thursday, October 28th, the fifth annual trick-or-treating event was held in the law school for children of faculty, staff, and students. Here are some photos from the event.



Many thanks to Rebecca Ward for sharing these photos.

Library Profile: Terri Welty

Teresa Ann Tincher Welty, known as Terri Welty or "TW," is the Administrative Assistant to Professor of Law Ed Edmonds, Associate Dean for Library and Information Technology at the Kresge Law Library. She also provides support to all the law library staff as needed. Terri celebrated her 32nd anniversary with the university this past September. It all began when Wendy Schlereth, the newly appointed Director of the University Archives, hired Terri as her Secretary and Administrative Assistant in 1978. Seven years later, from June 1985-1990, Terri became the Administrative Assistant to Roger Jacobs, the former librarian of the U.S. Supreme Court who had recently joined the Notre Dame Law School as Associate Dean and Director of the Law Library. In her affable and humble way, Terri said, "he needed a secretary, I applied, and he hired me." As per the campus wide dictum at the time, in order to broaden one's skills, get a promotion, or increase one's salary, it was necessary to change positions within the university. Consequently, in 1990 Terri transferred to the Provost's Office and worked for the Associate Provost, Sister Kathleen Cannon. Three years later, she returned to the law school as Support Secretary to David T. Link, Dean of the Notre Dame Law School from 1975-1999. In 1996, Roger Jacobs' secretary left and Terri reapplied for the position and has been with the law library ever since. This year, Terri will have been with the Notre Dame Law School for twenty-two years and is currently Dean Ed Edmonds' "right hand man."

If someone is beloved in the law library, it is she. Always with a smile and joyful disposition, Terri is highly skilled and sophisticated in discretionary matters, efficient, proficient, competent, self-effacing, and fun, with an endearing sense of humor. Unsolicited descriptors of her include: an angel, compassionate, dependable, friendly, genuine, gracious, hardworking, helpful, kind, outstanding, positive, professional, reliable, trustworthy, unassuming, and welcoming to all. She is gifted with inherent skills of confidentiality and diplomacy which she



attributes to her parents. Everyone who has ever worked with Terri obviously likes and respects her very much.

Terri graduated from Central Michigan University with a degree in Secondary Education, majoring in Physical Education with a minor in Business. Always active in sports of all kinds and dedicated to serving people, Terri volunteered as the volleyball line judge for the Special Olympics when Central Michigan hosted the event. At this event she had the opportunity to meet Sally Struthers, Susan St. James, Rick Barry (one of the greatest basketball players in history), and Eunice Shriver. Terri denies any current volunteer activities but reluctantly concedes two. She buys silk flowers en masse at auction and donates them to the Galien Historical Society's service in making arrangements for people who want to have their relative's grave sites decorated in their absence. She also recalled the time she included the law library staff in donating illustrated covers of old Christmas cards to St. Jude's Children's Hospital. As with everything Terri does, the activity was very successful and resulted in a letter stating that they were "inundated, and don't need any more."

Both Patricia and Burton Tincher, Terri's parents, equally influenced their daughter's personality and values by instilling within her a deep sense of love for people and a strong faith. "I believe in life after death. That is my daily guidance. I believe that God guides us in everything we do and I pray for that. I pray for His guidance every day. I believe that this [life] is our step before our eternal life but I just look forward to each day that I have here, first." She also adds, "I had and do have very wise parents."

Her father, an engineer with Bendix in South Bend for a number of years, was transferred to Cleveland, Ohio and then to Frankfort, Kentucky prior to his death in 1984. Terri describes him as wonderful; "a quiet, gentle soul, who was a kind and helpful man with an excellent sense of humor. If he had something to say he would say it, but more often than not he would just listen." These characteristics she strives to emulate every day. Terri attributes her interpersonal and diplomatic skills to her mother, "[she] is very positive, friendly, outgoing, loves people, and loves to help them. That's me, too. I love to help people." She admires her mother tremendously for being a strong woman and totally dedicated to her children. When Terri and her brother were in junior high, their mother quit her job with the Chevrolet Zone Office in South Bend to become the Principal's secretary at Galien High School, making it possible to drive her two children back and forth to all of their activities, which were many since they were in every sport you could think of, including band. When her parents moved to Kentucky, Terri's mother was hired as an Administrative Assistant with the Department of Environmental Protection for the Kentucky State Government, where she remained until her retirement in 1995.

**"I love my job
here at the law
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learn something
new every day."**

Continued on next page ...

Profile, continued...

As children, Terri and her younger brother (currently of Joliet, Illinois) loved playing cowboys, riding their horses bareback on the 118-acre family farm in the small town of Galien, Michigan. Bob Welty was a childhood friend who they would also go riding with, and later a classmate of Terri's at Galien High School. Both Terri and Bob were sports enthusiasts and involved in numerous activities. In high school, Terri was a cheerleader and played basketball, softball, and football. She was on the girls' high school football team where the freshman and sophomores played against the juniors and seniors, "and my team won all



ABOVE: Three-year-old Terri on her father's horse, Trigger.

four years!" Terri also ran track and field, and was especially good at running sprints. "I was pretty fast," she says, and "all four of us girls made up a really good relay team. We were excellent!" Terri "did every sport I could," but not volleyball because "we didn't really have volleyball. If we had it, I would have done it." In addition to these extracurricular activities, Terri played the flute and Bob played the saxophone in the high school band. Galien High School was so small, Terri remembers, that "58 students were in our class and all of us were in everything! I was a cheerleader so I was out there cheering, while Bob was a lineman on the football team. When half-time came all of us in the band, including me, Bob, and probably half the football team and half the cheerleaders, being all sweaty, would change into our band uniforms, do the half-time show and then change back into our

football and cheerleader uniforms for the rest of the game." However, Bob and Terri would lose track of each other after high school.

Not only was Terri academically and sports minded, she was also 2nd runner up for Miss Galien. She described the event in a very self-effacing way. "There was no talent portion to this competition. The contestants wore dressy street wear followed by formal gowns and then we were required to answer one question. My question was, 'If you went shopping with your mom and best friend, and your mom liked one outfit and your friend liked the other, which outfit would you pick?' I babbled on about some stupid thing."

With an endearing expression on her face and with the wisdom of time, she suddenly declared "I should have said, 'I would pick the one I liked best!'"

After graduating from college, Terri moved to Houston, Texas, "to get away from the Midwest, as we all do when we grow up here, until we decide we want to come back." Before teaching full time, Terri thought it best to substitute teach during the day and she worked part time at night at a brand new Dunkin Donuts franchise to augment her income. As the first year passed and more people were hired at Dunkin Donuts, Terri's hours increased, as did her salary and personnel management responsibilities. Although her income was more than adequate, it interfered with her teaching career. Realizing she was wasting

her teaching degree and missing her family as well as the Midwest with its four seasons and snow, Terri returned to Michigan and relocated in Buchanan. It was there that she saw a position at Notre Dame listed in the classifieds. Her original thought, if hired, was to stay three years, make some money, then go back to teaching; keeping her teaching license active. Terri's three-year plan never panned out. Those projected years came and went quickly, as did many more.

Not long after Terri began working at the University Archives, Bob Welty serendipitously found her name and number while looking through a South Bend phone book. He called and invited her out to dinner. By this time, Bob was divorced and had two sons; Sean, 4 and Josh, 5. From that moment on, Terri and Bob were inseparable and dated



AT LEFT: Terri shortly after first coming to Notre Dame in 1978.

for two and a half years. After a romantic dinner on Valentine's Day, he presented Terri with a heart shaped box. Tucked inside was her favorite stuffed cartoon character, Garfield's little Odie dog. Thrilled, she picked it up and to her surprise found a diamond ring around its leg! Their wedding was held seven months later at the Calvary Baptist Church officiated by Bob's father, a Baptist minister. "What I am most proud of, is my husband," Terri confides. "He has had struggles in his life and not only has he struggled and succeeded but he has defined his life so well. He meets his challenges and if he needs to do a complete 180 he does it, and everything turns out fine. He has a strong character, he is nice, and he knows what he wants and what he needs to do and how to do it. I am just really proud of him and I always have been." To date, Terri and Bob have been married twenty-five years and his sons Sean and Josh are now 32 and 33 years old, respectively.

Terri has been with the law school for twenty-two years. Ten more were spent between the University Archives and the Provosts' Office, totaling thirty-two years in all at the University. "Now that I have been here so long, I love the secure feeling of familiarity and community I get while walking across campus and recognizing many faces. The campus is gorgeous, too. I love my job here at the law library because I learn something new every day. I have the opportunity to keep up with technology and the skills needed to not fall behind in this world. I like coming to work, I like being with the people I work with, I like being at Notre Dame, I like the whole thing!"

- Susan Hamilton

Tech Tips

Favorite student applications



This past Sunday, I sat looking at my wall clock as I was eating breakfast and wondered why I woke up so early. It was only when I scanned news headlines online that I remembered I had “gained” an hour in my day with the time change for daylight savings. It is remarkable that so many devices we surround ourselves with in this modern age do work for us that we don’t even usually notice. My radio-controlled wall clock changes time automatically, as does my computer’s clock, to



account for daylight savings time. Ironically, as I read on Sunday morning, a [programming bug in iPhones](#) caused headaches this year, as users who relied upon their devices for alarm clocks or time keeping soon found out that these clocks botched the time change. Regardless of small glitches like these with surprisingly far-reaching effects, there are many instances where



relying on technology devices for everyday things can be convenient, helpful, and even fun. In the July/August issue of *Tech Tips* we highlighted some valuable and fun tools (called applications, or “apps”) for use on Apple’s iPad, iPhone and iPod Touch devices. That issue included app recommendations from faculty and staff. Since then, we surveyed the student body, and received more



than two dozen additional recommendations (the complete list is on the next page). I do not own an iPhone or iPad, but I carry my iPod Touch with me often, especially when traveling, and aside from being a music player like other iPods, it also serves as a quick reference (maps, calculator, dictionary, foreign words translator), a portable photo album, access for Internet and my multiple



e-mail inboxes, a budget tracker, an e-book reader, a workout log, and a source of many hours of procrastination with games such as Set, Scrabble, and more. It is handy and small and I am always looking for new ways to use it, sometimes with ill effect, such as when I used the “handy level” app to hang a wall shelf in my apartment and it turned out anything but level. I am quite sure this was my own failing rather than that of technology, but perhaps it was a good lesson for me to learn that new technologies are not always good substitutes or better than old ones. Happily, I found my real level in my toolbox and no harm was done.



Whether you own one of Apple’s hand-held devices or are just interested in knowing what kind of applications can be used on them, NDLS student have many suggestions for you! Of the many suggestions, the Netflix movie app (through which you can stream anything on your “play instantly”



queue to watch on your device) received multiple mentions from students as well as being popular with faculty and staff. Many of the apps recommended were for entertainment (or procrastination) including multiple mentions of both “Angry Birds” (a game one student explained was “a great way to procrastinate,” while another noted that it was “better to hurl [angry birds] at unsuspecting pigs than to bang my own head against the wall”) and a music app called “Shazam” that will identify any song being played, “even in loud places.” Of course, not everything was



fun and games. Several student shared favorite financial tools, including Chase bank’s app, and that of mint.com. Several useful travel related apps were mentioned, including “Around Me,” which finds “nearest banks, bars, coffee shops, gas stations, hotels, hospitals, movie theaters, restaurants, and more” by utilizing the iPhone’s GPS, and “Triplt,” which “allows you to keep detailed information about your travels” in one convenient place. The free app iBooks “is what convinced me



to buy an iPad” wrote 3L Starr Rayford, since it provides “millions of books at your fingertips.” She noted that the iPad screen’s “backlight can be adjusted so reading is enjoyable in any setting and thousands of books, particularly classics, are free.” 2L Cooper Gallimore recommended the app “Law Stack,” because it “includes the full, updated, and searchable text of the Constitution of the US, Federal Rules of Civil Procedure, Federal Rules of Appellate Procedure, Federal Rules of Evidence, Federal Rules of Bankruptcy Procedure, and Federal Rules of Criminal Procedure,” which “keeps me from having to carry around different volumes of rules as I move from class to class, plus is a much quicker way to look up a rule.”

Many thanks to these and all the participants in our survey, and happy app-downloading!

- Beth Given

NAME YOUR FAVORITE APP, AND WHY....?

“[The] C-SPAN app ... allows you to listen to C-SPAN 1, 2, and 3, as well as C-SPAN radio, wherever you are. If you’re a political junkie, it’s a great way to stay on top of the latest floor speeches and press conferences.”

– Josh Figueira

“Overall [ToDo, by Appigo] is one of the apps I use the most on my iPhone, and while it is simple to use, it is also an enormously helpful tool to have as a law student.”

-Sasha Ganji

COMPLETE LIST OF APPS

RECOMMENDED BY NDLS STUDENTS:

Entertainment

- [Angry Birds](#) - game
- [Brutal Illusion](#) - fun facts
- [GoodReads](#) - keep track of books, share reviews, etc.
- [iBooks](#) - books at your fingertips
- [Netflix](#) - watch movies on the go
- [Pandora Radio](#) - infinite free music choices
- [Shazam](#) - identifies a song being played
- [Skee-Ball](#) - app version of the arcade game
- [Vuvuzela](#) - relive the 2010 World Cup

Legal

- [Congress411](#) - bio and contact info for current members of congress
- [C-SPAN](#) - listen to C-SPAN wherever you are
- [LawStack](#) - searchable text of Constitution, Federal Rules of Civil Procedure, and more

Other

- [AroundMe](#) - uses your GPS location to find things nearby
- [Bump](#) - quickly add contact information from other devices without typing
- [Chase Mobile](#) - banking from your mobile device
- [Chipotle Ordering](#) - cut the lines at Chipotle
- [Dropbox](#) - sync files across multiple devices
- [ESPN ScoreCenter](#) - track schedules, scores, and more
- ["I love sign language"](#) - Korean sign language app
- [IPregnant](#) - calendar tool for expectant mothers
- [iMapMyRun](#) - tells you how far you have gone
- [Mint.com Personal Finance](#) - financial tool
- [RedLaser](#) - barcode scanner checks prices for comparison shopping
- [RunTracker](#) - track your run using GPS
- [SafeWallet](#) - secure storage of passwords, etc.
- [Star Walk](#) - identifies constellations
- [Things for iPad](#) - organizational tool for iPad
- [ToDo](#) - create checklists, etc.
- [TriplT](#) - keeps track of your travel info



“Vuvuzela ... is great for annoying people in the newly renovated reading room. It makes the sound of everyone's favorite World Cup noisemaker when you press the horn on the screen or shake your iPhone.”

– Alex Hermanny



“[Star Walk] uses your GPS location and the iPad’s gyroscopes to act as a guide to the stars, displaying constellations in real time as you move it around above your head. It may not be as impressive as rattling off Latin names off the top of your head, but its excellent for finding cool constellations.”

– Bridget Nugent



“The only thing better than Chipotle is being able to cut the line at Chipotle. The [Chipotle Ordering] app allows you to order your food from anywhere.”

– Starr Rayford

“Dropbox ... allows me to sync files across several devices... [and] allows me to easily share files with friends, through folders that can be shared with multiple people ... The best part is the whole thing is free, and includes over 3GB of storage space that can be accessed anywhere I have my phone or an internet connection.”

– David Thaxton

To download these and many more applications, check out the iTunes [app store!](#)



Thank you to all the students who participated in this survey, and congrats to the winner of our prize drawing for participants: Joseph Ganahal!

Recipe Box

Recipe courtesy of Susan Hamilton.

Spinach Balls

Ingredients:



- 4 eggs
- 2 cup herb-seasoned stuffing
- 1 medium onion finely chopped
- 1/2 cup parmesan cheese
- 1/2 tsp. salt
- 1/2 tsp. pepper
- 1/2 tsp. garlic powder
- 2 pkgs. (10 oz. size) frozen chopped spinach, cooked and drained
- 1/2 cup melted butter

Directions:

Beat eggs well. Combine stuffing, onions, cheese, and seasonings, then mix together with the eggs and spinach. Pour melted butter over mixture and mix well. Chill thoroughly. Roll into 1-inch balls.



NOVEMBER 2010

Sun	Mo	Tue	We	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	
14	15	16	17	18	19	20
21	22	23	24		26	27
28	29	30				

Schedule of Events

Home football games:

- vs. Tulsa October 30
- vs. Utah November 13

Thanksgiving break November 24-28

Last class day December 7

Study days December 8-9




Final exams December 10-18

Holiday break December 19-
January 16

Library Birthdays

- Mary Cowsert November 4
- Laurel Cochrane November 11
- Patti Ogden December 8
- Joe Thomas December 13
- Dan Manier December 16
- Dave Thornton December 25

DECEMBER 2010

Sun	Mo	Tue	We	Thu	Fri	Sat
			1		3	4
5	6	7		10	11	
12	13	14	15	16	17	18
19	20	21	22	23	24	
26	27	28	29	30	31	



UNIVERSITY OF NOTRE DAME

Kresge Library

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Fax: 574-631-6371
E-mail: lawlib@nd.edu

The primary mission of the law library is to provide services and to acquire and organize legal information in support of the research and curricular goals of the Law School. It also supports the legal research requirements of the University community and provides legal information to appropriate members of the local community.

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Ed Edmonds, *Associate Dean for Library and Information Technology*
Terri Welty, *Administrative Assistant*

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Mary Cowser, *Day Access Services Supervisor*
Anita Lutz, *Access Services Library Specialist*
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Jeff Morgan, *Network Manager*
Susan Good, *Webmaster and Desktop Consultant*
Eric McCartney, *Student Computing Manager*
Scott Hengert, *Audio-Visual Technician*

Library Hours

Fall semester hours:

Monday – Friday	8:00 a.m. – 10:00 p.m.
Saturdays	9:00 a.m. – 10:00 p.m.
Sundays	10:00 a.m. – 10:00 p.m.

Thanksgiving week hours

Weds. Nov. 24	8:00 a.m. – 5:00 p.m.
Thurs Nov. 25	Closed
Fri. Nov. 26	9:00 a.m. – 6:00 p.m.
Sat. Nov. 27	9:00 a.m. – 6:00 p.m.
Sun. Nov. 28	10:00 a.m. – 10:00 p.m.

Winter break hours

Mon.–Thurs. Dec. 20–23	8:00 a.m. – 5:00 p.m.
Fri.–Sun. Dec. 24–Jan. 2	Closed
Mon.–Fri. Jan. 3–7	8:00 a.m. – 5:00 p.m.
Sat.–Sun. Jan. 8–9	Closed
Mon.–Fri. Jan. 10–14	8:00 a.m. – 5:00 p.m.
Sat. Jan. 15	9:00 a.m. – 6:00 p.m.
Sun. Jan. 16	10:00 a.m. – 10:00 p.m.

Law Library News

Editor: Beth Given

**Managing Editors: Susan Good, Susan Hamilton,
Chris O'Byrne, Anita Lutz**

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Unsolicited contributions are encouraged! All contributions are subject to editorial review. The deadlines for submissions are Feb 15, April 15, June 15, Aug 15, Oct 15, and Dec 15. Send contributions, questions, or comments to Beth Given (given.1@nd.edu).