

## Reading list / JUS282-2-A International Business Contracts

**Note! Spring 2016:** As some of the material was not available when the course ran, amendments have been made to the listings below for the spring 2016 semester. See My Space for more information.

### A. Contracts from a Drafting Perspective

**SCHANZE ERICH**, What is Law and Economics Today? A European View, in: **NOBEL/GETS** (eds.), *New Frontiers of Law and Economics*, Zürich/Basel/Genf 2006, 99-113.  
(Available in the Literature Kiosk)

**MNOOKIN ROBERT/PEPPET ROBERT/TULUMELLO ANDREW**, *Beyond Winning – Negotiating to Create Value in Deals and Disputes*, Cambridge/London 2000, 249-271.  
(Available in the Literature Kiosk)

**SCHANZE ERICH**, *Complex Business Contracts – Lessons from Mining Agreements*, in *St.Thomas Law Journal*, 2016 (Available in the Literature Kiosk)

**SCHANZE ERICH**, Legalism, Economics, and Professional Attitudes Toward Institutional Design, in: *Journal of Institutional and Theoretical Economics*, 149/1 (1993), 122-140.  
<http://www.jstor.org/stable/40751588>

**LANGBEIN JOHN**, Comparative Civil Procedure and the Style of Complex Contracts, in: *American Journal of Comparative Law*, 35 (1987), 381-394.  
[http://www.jstor.org/stable/840395?seq=1#page\\_scan\\_tab\\_contents](http://www.jstor.org/stable/840395?seq=1#page_scan_tab_contents)

**KÖTZ HEIN/FLESSNER AXEL**, *European Contract Law* (Vol. 1), Oxford 1997, 52-77.

**TREBILCOCK MICHAEL**, *The Limits of Freedom of Contract*, Cambridge/London 1993, 248-261.

**KÖTZ HEIN/FLESSNER AXEL**, *European Contract Law* (Vol. 1), Oxford 1997, 124-153.  
(Available in the Literature Kiosk)

**AKERLOF GEORGE**, The Market for "Lemons": Quality Uncertainty and the Market Mechanism, in:

**GOLDBERG** (ed.), *Readings in the Economics of Contract Law*, Cambridge 1989, 24-28.  
<http://ebooks.cambridge.org/ebook.jsf?bid=CB09780511528248>

**TELSE L.G.**, A Theory of Self-enforcing Agreements, in: *Journal of Business*, 53 (1980), 27-44.  
<http://www.jstor.org/stable/2352355>

### B. Hybrids: Franchising, Mining, Agreements, M&A Transactions

**SCHANZE ERICH**, Symbiotic Contracts: Exploring Long-Term Agency Structures Between Contract and Corporation, in: **JOERGES** (ed.), *Franchising and the Law: Theoretical and Comparative Approaches in Europe and the United States*, Baden-Baden 1991, 67-103.

**SCHANZE ERICH**, Symbiotic Arrangements, in: *The New Palgrave Dictionary of Economics and the Law* (3. Ed.), London 1998, 554-559.

**DNES ANTONY**, The Economic Analysis of Franchise Contracts, *Journal of Institutional and Theoretical Economics*, 152 (1996), 297-324.  
<http://www.jstor.org/stable/40752958>

**COLLINS HUGH**, Regulating Contracts, Oxford 1999, 232-246.

**KIRCHNER CHRISTIAN/SCHANZE ERICH**, The Law of International Mining Agreements, in: Law and State, 37 (1988), 75-80.

**(Available in the Literature Kiosk)**

**SCHANZE ERICH**, Regulation by Consensus: The Practice of International Investment Agreements, in: Journal of Institutional Economics, 144 (1988), 152-171.

**(Available in the Literature Kiosk)**

**SCHANZE ERICH**, Constructive Jurisprudence in Mining Agreements, Institutional Innovative and Practical Drawbacks, in: **JAENICKE** et al. (eds.), International Mining Investment: Legal and Economic Perspectives, Deventer/Frankfurt am Main 1988, 161-170.

**GILSON RONALD**, Law and Economics in the Law Firm: The Case of MACs, in: **NOBEL/GETS** (eds.), New Frontiers of Law and Economics, Zürich/Basel/Genf 2006, 99-113.

### **C. Formality, Conflict Resolution, Examples**

**MILLER GEOFFREY**, Bargains Bicoastal: New Light on Contract Theory, Cardozo Law Review 31 (2010), 1476-1493; 1522.

[HTTP://WWW.CARDOZOLAWREVIEW.COM/VOLUME-31-ISSUE-5.HTML](http://www.cardozolawreview.com/volume-31-issue-5.html)

**SCHANZE ERICH**, Dispute Resolution in the Shadow of Uniform Contract Law? In: Baudenbacher (ed.), International Dispute Resolution Volume 2: Dialogue Between Courts in Times of Globalization and Regionalization, Stuttgart 2010, 153-160.

**Sample Contract One: A Joint Venture Agreement for Seabed Mining** in: **JAENICKE, SCHANZE, HAUSER**, A Joint Venture Agreement for Seabed Mining, Frankfurt and Deventer 1981, 9-91. **(Available in the Literature Kiosk)**

**Sample Contract Two: Turnkey Contract for Major Projects**, International Chamber of Commerce, Commission on Commercial Law and Practice, Document 460-16/56rev18. **(Available in My Space)**