II  Corpus
   A  Real security
      1  Volitional real security
         a  Concept
         b  Classifications
            1) Volitional real movable security (“Article 9 security interests” &
               related interests)
               a) Permissible range
               b) Creation of the security
               c) Effects of the security
                  1] Priority
                     a] Lien creditors v. Article 9 secured parties
                        1} Prolegomena: about “lien creditors”
                           a} Definition: what is a “lien creditor” (§9-
                              102(a)(52)
                           b} Inception of lien: when does the lien arise
                           c} Ranking system: on what basis are the liens
                              of lien creditors generally ranked (La. Code
                              Civ. Proc. Art. 2292(B))
                        2} The priority rules
                           a} General rule (§9-317(a)(2)(A))
                           b} Exceptions
                              1/ Still unattached, but as yet otherwise
                                 perfected Article 9 security interests,
                                 provided attachment later occurs (§9-
                                 317(a)(2)(B))
                              2/ Already attached but as yet
                                 unperfected PMSIs, provided
                                 perfection later occurs within 20 days
                                 of delivery (§9-317(e))
                              3/ Future advances: the secured party
                                 prevails if --
                                 a/ he makes the advance without
                                 knowledge of the lien at the time
                                 of the advance

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b/ even though he knows of the lien at the time of the advance, he makes the advance within 45 days of the lien’s inception

c/ even if he knows of the lien at the time of the advance and he makes the advance more than 45 days after the inception of the lien, he committed himself to make the advance “in advance” and, at the time of this commitment, did not know of the lien

b] Articles 9 secured parties inter se

2) Volitional real immovable security (“mortgages”)

2 Legal real security

B Personal security (suretyship)

Assignment:
(1) Work Problem 38.2
(2) Read Assignment 13, Parts A - C & E (5th ed., pp. 211-22, 227-28)