

BUSINESS 308**Business Law II**

SPRING 2008

Monday, Wednesday and Friday 9:00 AM

K. Greenhalgh

OFFICE HOURS: Monday 10:00 AM – 11:00 AM;
Wednesday 8:00 AM – 9:00 AM;
Friday Noon – 1 PM; and by
appointment.

Office: Business Building 3254

Phone: (818) 677-3578

E-mail: kim.greenhalgh@csun.edu.

TEXTBOOK: Beatty and Samuelson, *Business Law and the Legal Environment*, Fourth Edition.

METHOD OF INSTRUCTION AND CLASS PARTICIPATION:

This class will be taught by a combination of the lecture and class discussion methods. Discussion in class is a very important part of this course. All students are expected to be prepared to discuss the cases and problems assigned for each class. Students will be called upon to participate in class discussion. The instructor will evaluate each student's class participation. While no numerical weight will be assigned to class participation for grading purposes, class participation will be considered in determining the course grade when a student's performance on the exams and written homework assignments places that student on the borderline between two grades.

Every student will be excused for being unprepared to participate in class discussion on two class days during the semester. A student who is not prepared should leave a note with the instructor before the beginning of the class containing the student's name and indicating that he or she is not prepared to discuss that day's assignments.

HOMEWORK ASSIGNMENTS: Several times during the semester problems will be distributed for which all students are required to prepare a written answer. At the beginning of the class period at which that assignment is due the instructor may collect written answers to the assigned problem. At least two written assignments

will be collected from each student during the course of the semester.

Students will not be told in advance whose assignments will be collected on any particular day. Each student may, if called upon to submit a written assignment, decline to submit the assignment without any penalty. However a student may use this privilege *only one time* during the semester. Each student will also be allowed to submit a problem answer to be graded even though the instructor has not called upon that student to submit that particular assignment.

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All answers to questions must be either typed or done on a word processing computer. Handwritten answers will NOT be accepted.

TESTS AND GRADING: There will be three exams for this course. Each exam will count for 20% of the course grade. The other 40% of the course grade will be based upon the written homework assignments as discussed above. The exams may include essay questions; tests may also include multiple choice and true-false questions. The course will be graded on a + and - basis. This means that in addition to such letter grades as "A" and "C", grades such as "A-" and "C+" will also be used.

The tests and homework assignments will be graded on a scale with a maximum score of 100 points. Letter grades for the course will be based on the total score earned on all tests and homework assignments in accordance with the following scale:

95% or more of the total points possible: A

90% or more of the total points possible: A-

87% or more of the total points possible: B+

84% or more of the total points possible: B

80% or more of the total points possible: B-

77% or more of the total points possible: C+

74% or more of the total points possible: C

70% or more of the total points possible: C-

67% or more of the total points possible: D+

64% or more of the total points possible: D

60% or more of the total points possible: D-

Less than 60% of the total points possible: F

The instructor may award a grade higher than the grade indicated in the scale listed above for good reasons. For example a higher grade may be awarded to a student who has an outstanding record of class participation.

I will be happy to discuss a test or your grade with you, but the grade assigned is not subject to negotiation. The grade will be changed only if I have made a clear mistake in evaluating the exam or calculating the grade.

MISSED EXAMS: No make-up exams will be given. If a student is unable to take the first exam, he or she must produce documentary evidence establishing a valid excuse for failure to take the exam. If this is done the course grade will be determined by the final exam and the homework assignments. If no valid excuse is established, the student will receive a score of 0 points for the missed exam. If a student knows in advance that he or she will be absent for good reason on the day that the test is to be given, it may be possible to arrange for an alternative test time. Arrangements must be made in advance with the instructor. If a student is unable to take the second test, he or she must apply for an Incomplete in accordance with University regulations.

ATTENDANCE:

Students are expected to attend all class sessions. Each student will be excused from two absences during the course of the semester -- failure to attend class on these two days will not affect the course grade. Being absent from class for more than two class periods can result in the reduction of a student's grade by one grade interval for each absence from the grade to which that student would be entitled based on the exams and written course assignments. For example this means that one three absences during the semester could lead

to a student's grade being reduced from "B" to "B-". The total reduction in the grade for absences from class will be limited to one full grade. (This means for example that a student otherwise entitled to receive a grade of "B" could instead receive a "C" if that student was absent from class on 5 or more days during the semester.)

Students may be excused from class attendance for good cause (such as serious illness). A student will be excused for such reasons only upon production of documentary evidence of the cause for missing the class periods. (For example if a student missed class due to illness a written statement from a medical doctor would be necessary for the absences to be excused.)

SYLLABUS OF TOPICS

This syllabus contains the topics to be covered during each class period and gives the assignment of material to be read, cases to be read and briefed and problems to be answered before that class. Unless otherwise specified all assignments will be found in the textbook.

21 and 23 January: Terminology of Agency Law; Creation of Agency.

Read pp. 650-654.

Week of 26 January: Agency Authority; Ratification.

Read pp. 671-681; *Dickinson v. Charter Oaks*, p. 674; Problems # 9 and 10 on p. 691-692.

Week of 2 February: Undisclosed Agency; Tort Liability of Principals.

Read pp. 677-689; *Weil v. Murray*, p. 680; *Kavanagh v. Trustees*, p. 682; *Duran v. Farr's Supermarkets*, p. 684; *O'Connor v. McDonald's*, p. 687; Problems #3 and #5, pp. 691-692.

Week of 9 February: Tort Liability (continued).

Marsh v. Tilley Steel (to be distributed by e-mail).
Problems #5 and #11 on pp. 691-692.

16 February through 23 February: Fiduciary Duties of Agent; Right and Power to Terminate an Agency.

Read pp. 654-667 and *Termination of Agency* (to be distributed by e-mail); *Abkco Music v. Harrisongs Music*, p. 656; *Reading Radio v. Fink*, p. 658; *Grigsby v. O.K. Travel*, p.660; Problems #1, #8, and #10 on pp. 668-670.

25 February: Review

27 February: Exam #1

Week of 2 March: Employment Discrimination Law.

Read pp. 707-720 and *Outline of Equal Employment Law* (to be distributed by e-mail).

Week of 9 March: Introduction to Business Organizations and Formation of Partnerships.

Read pp. 754-759; 777-784; Problems #1 and #2 on p. 800.

Week of 16 March: Operation and Termination of Partnerships.

Read pp. 785-798; *Hooper v. Hooper*, p. 787; *Moren v. Jax Restaurant*, p. 790; *Marsh v. Gentry*, p. 791; *Jefferson Insurance Co. v. Curle*, p. 797; Problems 10 and 12 on p. 801.

23 March: Review

25 March: Midterm #2

Week of 27 March: Nature and Formations of Corporations.

Read pp. 802-815; 819-821; 760-762; *Hardy v. Southwestern Bell*, p. 804; *Brooks v. Becker*, p. 820; Problem #1, p. 822.

Week of 6 April: Spring Break. The class will not meet.

13 and 15 April: Nature and Formations of Corporations (conclusion).

15 April through 22 April: Rights and Liabilities of Shareholders.

Read pp. 845-867 and pp. 817-818.

