

# BLAW 280

## Business Law I – Torts and Contracts

---

**Instructor:** Professor Carr  
**E-Mail:** nanci.carr@csun.edu

**Phone:** 818/677-3984

**Office:** JH 3251

**Office Hours:** Tues: 10:45pm –12:00pm  
Thurs: 10:45pm –12:00pm  
and by appointment

---

### Overview

Business Law I (BLAW 280) is designed to provide students with an understanding of the legal environment in which business decisions are made. The course will cover the topics of the court system and procedure. We will analyze how the legal system has been created, and how it is modified to address changing concerns. We will study the law of torts - the legal concept of "private wrongs" which set standards of conduct in our society. We will then cover the law of contracts.

You will analyze how law applies to factual settings. You will read court decisions, prepare written briefs of the decisions, orally defend your interpretations of the cases and answer hypothetical questions in open class discussion. You will learn to distinguish the application of rules depending on changing circumstances in various cases and hypotheticals. You will learn to argue alternate sides of a dispute regardless of personal belief. You will learn to identify the functions, policies, and trends in the law, and to consider social, economic and ethical influences on the law.

### Class Preparation

The assignments are listed below. Normally we complete one assignment each class, however, always be one full assignment ahead. If we begin but do not finish an assignment, prepare the next full assignment for the next class. Assignments include reading from the text and written preparation, some of which will be turned in. If you have questions about the assigned material, please ask.

It is your responsibility to be prepared for every class. If you are absent, it is still your responsibility to be prepared for class. Exchange contact information with another student in the class to find out any missed information from an absence. Once during the term, you may turn in a note at the start of class stating that you are unprepared for class discussion and no negative mark will be made. You must be present in class to give such a note. It is not available as an excuse for a brief that is to be turned in through Moodle.

As you read the text, it is strongly recommended that you outline the chapter, take notes as you go, and/or make flashcards. You are responsible for making a study guide; it will not be provided for you. In addition, there are cases and problem cases which must be briefed in writing. A "case" is a court case which is contained in the text. A "problem case" ("PC") is an end-of-chapter case, which, again, must be briefed. These PCs are also actual court cases, but do not include the court's decisions - that will be your job to analyze. When a PC contains questions, simply ignore them, and instead brief it as a case.

### Textbook

BUSINESS LAW: THE ETHICAL, GLOBAL AND E-COMMERCE ENVIRONMENT, 16<sup>th</sup> ed., Mallor *et al.*, (2016). (*Yes, the 16<sup>th</sup> ed. is required. An older text will not match the assignment list.*) The textbook is available in hardcopy at the campus bookstore and elsewhere. A custom electronic version, with just the chapters that we will use in class, is available at a significant discount online at:

<https://create.mheducation.com/shop/#/catalog/details/?isbn=9781308556369>

**create.mheducation.com/shop/**

**Enter ISBN 9781308556369**

**The price is \$39.90.**

---

### Professionalism

You are expected to show respect for your classmates, your professor, and the university, and not to engage in disruptive behavior. If you walk in late, please do so quietly and take a seat in the back of the room. Food is not permitted in the classroom, nor is sleeping during class or raising your voice to fellow students or the professor. You may be asked to leave class for disruptive behavior and you may be required to speak with the Student Conduct Coordinator before returning to class.

### Plagiarism

Plagiarism will not be tolerated on homework or exams. **You may not copy from any source, including the textbook.** Your work must be your own, and turnitin will report on the amount of your homework briefs that are copied. Plagiarism will result in failure of the course.

## Reading Briefs in Class and Submitting Through Moodle

You will be called on at random throughout the semester to read your briefs in class. You will not be graded on the briefs because these are learning tools, not finished product. However, if you are unprepared or absent, this will affect your grade.

Some of these briefs, as noted on the assignment list, must be turned in, using [turnitin.com](https://www.turnitin.com), through Moodle, prior to the beginning of class, for credit/no credit. **Hard copies and emails of the briefs will not be accepted for any reason**, so don't wait until the last minute to turn in an assignment only to be frustrated by a technical difficulty. These turned-in briefs are credit/no credit, but please be aware that simply turning in something is not sufficient to receive credit. You must have made a good faith effort to complete all elements of the assignment.

## How to Brief a Case - IRAC

To brief cases and PCs, use the following "IRAC" format:

*Issue:* The issue is a question that must be answered in order to reach a conclusion in the case. Make it specific (e.g. "Is defendant liable for false imprisonment if plaintiff was asleep at the time of 'confinement?") rather than general (e.g. "Will the plaintiff be successful?") It is best to use the parties' names in the specific case being briefed (e.g. "Can Tom recover from Ralph for negligence?")

*Rules:* The rules are the laws which apply to the issue. They should be stated as general principles, (e.g. "A duty of care is owed whenever the defendant should anticipate that her conduct could create a risk of harm to the plaintiff") not a conclusion to the particular case being briefed, (e.g. "The plaintiff was negligent.") Rules must be in the form of sentences, not questions. Present the rules as a list, not a paragraph.

*Application:* The application is a discussion of how the rule applies to the facts of a particular case. The application must be at least two paragraphs, one for each of plaintiff's and defendant's arguments. It should be written debate, not simply a statement of the conclusion. Present both sides of any issue. The application shows how you are able to reason on paper and is the most difficult (and, on exams, the most important) skill you will learn. It is called an application because you are applying the facts to the rules, so be sure to use all of the facts presented to make your arguments.

*Conclusion:* What was the result of the case? When briefing a case, make sure you give the result reached by the court, rather than your opinion of what should have happened. When briefing a problem case or writing an exam essay, be sure to draw a reasoned conclusion based on the rules and application you presented. The conclusion should not be more than a couple of sentences and should answer your issue.

Most briefs that you prepare for class will be about one typewritten page. If you choose to handwrite them, they will be longer. Each brief must be brought to class on the day it is scheduled to be discussed, and thereafter in the event that we are behind, and you should take notes on them as we discuss them. Once a case has been discussed in class, you no longer need to bring it to class, but you should keep it to study for the exam. The briefs may be handwritten if they are not scheduled to be turned in.

## Grading

Your grade will be based upon participation (attendance, discussions, turned-in briefs), and three exams. Plus/minus grading may be used. The grade allocation is as follows:

<b>Participation:</b>	30 points
<b>First exam:</b>	55 points
<b>Second exam:</b>	55 points
<b>Third exam:</b>	<u>60 points</u>
<b>Total:</b>	200 points

The grade reached after calculating the participation, midterm, and final exam will be the minimum grade you can receive in the course. At the professor's sole discretion, your course grade may be raised based on effort and/or improvement.

---

## Attendance

Attendance is mandatory and will be taken at every class meeting. You may have two absences during the semester, but any other absences will result in a loss of 5 points for each absence. Tardiness is disruptive to the entire class. You may have two tardies during the semester, but any other tardies will result in a loss of 5 points for each tardy. Your grade is affected by whether you have been late, left class early, prepared when called on, and whether you have turned in required briefs. If you are late, absent, or unprepared when called on, that will be noted, and will have a negative impact when calculating your final grade.

---

## Exams

Exams are composed of multiple-choice questions and one or more essay questions which require you to analyze factual situations, identify legal issues and apply the law in determining the outcome of hypothetical cases.

---

## No recording class; No photos

You may not audio or video record the class, nor take any photos in the classroom.

## Mission Statement, Learning Goals and Objectives

The mission of the Department of Business Law is to enable students, through excellence in teaching, to recognize and analyze legal issues arising in the business environment.

Classes are taught using the Socratic method, with its goal of participatory learning and the development of reasoning skills. This active learning process requires students to articulate, develop and defend positions, to think critically and to engage in problem-solving. Students learn to formulate an effective legal analysis by synthesizing information, identifying legal issues, distinguishing relevant from irrelevant facts, using facts and law to support argument, reasoning by analogy and reaching conclusions based on analysis. In addition, students in all BLAW courses study ethical issues in a business context, with actual topics depending on course content.

LIFE LONG LEARNING OVERALL GOAL: Students will develop cognitive, physical and affective skills that will allow them to become more integrated and well-rounded individuals within various physical, social, cultural, and technological environments and communities.

Life Long Learning GE SLO #1: Students will identify and actively engage in behaviors conducive to individual health, well-being, or development, and understand the value of maintaining these behaviors throughout their lifespan.

BLAW 280 helps students learn the law relevant to engaging in business. This includes laws that help their own progress in life as well as those that help maintain a healthy and well-functioning society. In addition, students learn the process of legal analysis, so that they can develop their skills of critical thinking and problem solving. This is helpful to students to become fully developed students and adults.

Life Long Learning GE SLO #2: Students will identify and apply strategies leading to health, well-being, or development for community members of diverse populations.

BLAW 280 teaches students to learn how to identify issues and apply law to situations. Doing this, students learn skills of issue identification and analysis, furthering the development of legal rights and duties in our diverse society.

## GE Paths – Social Justice Pathway

The primary goal of the Social Justice Pathway is to encourage students to think critically about social justice, to recognize it as foundational for peaceful societies, and to look for ways to promote it. BLAW 280 is included in the Pathway and addresses two of its student learning outcomes: (1) students will be able to recognize and critically analyze the inter-relationship between cultural recognition and economic justice, and (2) students will be able to identify and practice the methods people use to fight for social justice at local, national, and international levels.

## Moodle

It is your responsibility to check Moodle regularly for announcements and other information related to the course.

---

## Disability Resources and Educational Services

If you have a disability and need accommodations, please register with the Disability Resources and Educational Services (DRES) office or the National Center on Deafness (NCOD). The DRES office is located in Bayramian Hall, room 110 and can be reached at 818/677-2684. NCOD is located on Bertrand Street in Jeanne Chisholm Hall and can be reached at 818/677-2611. If you would like to discuss your need for accommodations with me, please contact me to set up an appointment.

---

## Legal Advice

**Faculty members may not provide legal advice or legal services to students.** If you need legal advice or information regarding the law, resources can be found on the Department of Business Law web page at <http://www.csun.edu/blaw/student-resources>.

## Questions

**If you have any questions about the material contained in this syllabus, please contact Professor Carr.**

Your continued enrollment in the course evidences your agreement to the policies contained herein.

## General Instructions on Taking Exams

Answer each question fully, clearly, and in the order given. Mere conclusions receive no credit. You should:

- Use the IRAC format, just as we do in class. Discuss the issues involved, the applicable legal rules, and an application of the law to the facts to reach your conclusion.
- Do not ignore any facts.
- Write for “grandma.” Do not assume that the reader knows what you’re talking about, so be sure to define every legal term used.
- You must base your conclusions on complete and intelligent applications of the facts to the legal principles involved. Thoughtful arguments and detailed analysis are more important than the conclusion that you reach.
- If further facts could affect the outcome of the problem, state with particularity what they are, and how they could affect the outcome.
- If you need scratch paper to make notes, use the typed exam. Although you must turn in the exam, your notes will not be graded. You may also designate a page of your examination book (available for purchase at the bookstore and Arbor Grill) as “notes” and that page will not be graded.

### Be sure to:

- Use non-erasable dark blue or black ink for your essays.
- Use pencil on the scantron, and write your name on it. If you do not write your name on the scantron, you will receive a zero (0) on that portion of the exam.
- Do not use white-out or tear pages out of your examination book.
- Bring one large examination book and one 882 scantron to each exam.
  - Do not write your name on the examination book - it will be exchanged in class prior to the start of the exam.
  - When you get the examination book in class that you will use for your exam, write your name on the **inside back cover**. Do not write your name elsewhere on the examination book. The purpose of this requirement is to ensure blind grading. If you do not write your name in the examination book, you will receive a zero (0) for that portion of the exam.
  - Write on only one side of each page; however you may use the facing page to insert information.
- Write your name on the typed exam itself. Failure to return the exam itself will result in a grade of “F” for the exam and may be referred to the Dean's office for further proceedings. So, in order to give you credit for turning it in, it must have your name on it.
- A minimum of one point will be deducted from your exam grade for each instruction you fail to follow.

## Exams are Closed Book

All exams are closed book. Make sure that all study materials are completely out of sight. Make sure that all books, notes, bookbags, and purses are placed in front of the class at the start of the exam. **Cell phones must be turned off and stowed away.** There is a presumption of cheating if any study materials are within view during exams. There are no restroom breaks during exams as they, too, carry a presumption of cheating. Note: all cases of cheating result in a grade of “F” for the course and are referred to the Dean's office for further action.

## Course Topics and Assignments (tentative – subject to change)

Date	Class topics	Work due
1/26	Intro, Learn IRAC	Read Syllabus.
1/28	Legal system, court system	Read Ch. 1; Brief <i>Hagan</i>
2/2	Civil Procedure	Read Ch. 2.
2/4	Civil Procedure, con't	Ch. 2 continued
2/9	Remedies	Begin reading Ch. 6; brief <i>Mathias</i>
2/11	Battery and Assault	Continue Ch. 6; brief PC2 and <i>Manning</i> (posted in Moodle).
2/16	Intentional infliction of emotional distress & false imprisonment	Continue Ch. 6; brief PC8, <i>Durham</i> and <i>Pope</i> (turn in).
2/18	Defamation	Continue Ch. 6; brief <i>DeNardo</i> and <i>Fleming</i> (both posted in Moodle)
2/23	Invasion of privacy	Continue Ch. 6; brief <i>Jordan</i> ; be prepared to discuss <i>Ethics in Action</i> on page 202
2/25	Nuisance, trespass, & conversion	Continue Ch. 6; brief <i>Stephens</i> and <i>Bhattal</i> (posted in Moodle)
3/1	Negligence	Begin reading Ch. 7; brief PC5, <i>Currie</i> , and PC1
3/3	Negligence, con't.	Continue Ch. 7; brief <i>Black</i> (turn in), <i>Stahlecker</i> , and PC9
3/8	Defenses and Strict Liability	Continue Ch. 7; brief PC12, <i>Gonzalez</i> (posted in Moodle) and <i>Dyer</i>
3/10	Review	
3/15	<b>First exam</b>	
3/17	Exam wrapper	
3/22	Spring Break	
3/24	Spring Break	
3/29	Contracts: introduction and begin offer	Read Ch. 9, pgs 320-323 and Begin Ch. 10; brief <i>Crunden-Martin</i> (posted in Moodle)
3/31	Offer	Continue Ch. 10, brief PC1, PC5, and PC8
4/5	Offer: termination	Ch. 10; brief PC6 and PC10
4/7	Acceptance	Begin Ch. 11; brief PC2, PC4, and PC 1
4/12	Acceptance, con't.	Continue Ch. 11; brief PC10, and PC 7 (turn in PC 7)
4/14	Consideration	Continue Ch. 12; brief <i>Gottlieb</i> , PC6, and PC7
4/19	<b>Second exam</b>	
4/21	Promissory estoppel and quasi-contract	Finish Ch. 12; brief PC1. Read Ch 9, pgs 331-335; brief PC3 (from Ch 9) and <i>Calabro</i> (posted in Moodle)
4/26	Misrepresentation, mistake, duress, undue influence	Read Ch. 13; brief PC3 and PC4
4/28	Capacity	Read Ch. 14; brief <i>Green</i> (posted in Moodle) and PC9.
5/3	Legality	Read Ch. 15
5/5	Statute of Frauds	Read Ch. 16; brief PC10
5/10	Review	
5/12	<b>Third exam</b>	