

**Management 380 – Fall 2010
Cases for Term Paper**

CALIFORNIA SUPREME COURT DECISIONS

Hernandez v. Hillsides Inc., (Cal. Supreme Ct. – August 3, 2009 - No. S147552)
Expected right to privacy in private office.

Martinez v. Combs (Cal. Supreme Ct. – May 20, 2010 – No. 121552)
Addresses question of who is and is not an “employee” under California wage law.

FEDERAL SUPREME COURT DECISIONS

Ricci et al. v. Destefano Et Al. (No. 07–1428. Argued April 22, 2009—Decided June 29, 2009)
City violated Title VII by discarding racially disproportionate test results.

Lewis v. City of Chicago (No. 08-974) Decided May 24, 2010
In disparate impact case, the use of an earlier unlawful employment practice states a claim.

IMPORTANT CASE BRIEF INSTRUCTIONS

A brief is a succinct condensation of essential case information in an organized manner. In briefing the case, organize the relevant information in accordance with the following format:

- 1) **Cite case at top center of page.** Example of correct citation:
Price Waterhouse v. Hopkins, 490 U.S. 228 (1989)
- 2) **Facts:** In a paragraph or two, explain what happened as if you were telling a story. If there are lower court decisions, include them.
- 3) **Issue:** This is the main issue the Court must decide. Normally it is presented as a question. It is as though you were the judge and you are telling someone what the question is that you must decide to resolve on a certain problem; specify the issue which the highest court must resolve. The case citation will tell you which court or body is deciding the case. This will be a few sentences, depending upon how many issues the court is addressing.
- 4) **Holding:** This is the Court's decision. This section will be a paragraph or two, depending on the number of issues the court was considering.
- 5) **Rationale:** What is the Court's reason for doing what it did? You should be concerned with the decision of the highest court. This section will be several paragraphs long and will likely include citations from other cases upon which the court relied in making their decision.
- 6) **Impact:** In this section, address what employers and managers must do to comply with the new case law. This will be a couple of paragraphs.
- 7) **Your Analysis:** Your case analysis is your statement of why you agree or disagree with the Court's decision. The concurring or dissenting opinion, if there is one, will provide

you with ideas. Your analysis should be no more than an additional three or four paragraphs.

In total, your paper should be no less than 4 pages and no more than 6 pages, double spaced, 1-inch margins, Ariel font preferred, 11 point. Logic, Grammar, and Style will also be graded. Your brief must be typed.

Cases must be submitted through TurnitIn.com by November 29, 2010!

MGT 380 - 11 AM - Ticket #12553

The class ID number is 3437147
The enrollment Password is n2eq9s

MGT 380 - 2 PM - Ticket #12362

The class ID number is 3437138
The enrollment Password is lveq9s

It is suggested that you turn your paper in early so you will have the time to make any adjustments.