

BLAW 308

Business Law II – Agency & Business Organizations

Welcome!

This course may be unlike any of your other courses, with a different way of analyzing content and new kinds of challenges in addition to being in an online environment for the first few weeks. I am committed to helping all my students, so I hold as many office hours as students request. Come meet with me and together we can discuss the best strategies to help you succeed.

To get the most out of this course, it is critical that you attend all class sessions. While we will be meeting on Zoom at the beginning of the semester, the class is synchronous so you will still have as many opportunities as possible to answer questions and clarify the material. Always feel free to ask questions!

Course Description

Business Law II (BLAW 308) studies the role of law in business including the study of legal institutions and their role in facilitating and regulating business. Includes agency and employment law, the various forms of business organizations and securities law. Prerequisite: BLAW 280. Corequisites/Prerequisites for Business majors: BUS 302/L

You will analyze how law applies to different factual disputes. 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 are also encouraged to comment on and evaluate the law. You will learn to identify the functions and policies in the law, to compare various forms of doing business, and to consider social, economic, and ethical influences on the law.

Class Preparation

The first set of assignments are listed below. On average, we will complete one assignment each week, but please be prepared to move on to a second assignment when necessary. 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 writing briefs of cases and answers to problems. The cases are contained in the text, while the problems appear at the end of the chapter or in the syllabus.

Handouts with instructions on how to brief a case, approach homework problems, and prepare for exams will be posted separately on Canvas.

Class is more fun when you are prepared! Please have your completed briefs of the cases and your answers to the problems with you in class on the day for which they are assigned and until we have gone over them. Briefs

Spring 2022 – Section 4577
Tuesdays 4:00 p.m. – 6:45 p.m.

Instructor: Professor Nina Golden
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Phone: 818/677-3437
Office: BB 3245

Student Office Hours:

Tues.: 12:15 - 1:15 p.m.; 3:15 - 3:45 p.m.
Thurs.: 12:15 p.m. - 1:15 p.m.
And by appointment on Zoom

Textbook

BUSINESS LAW: THE ETHICAL, GLOBAL AND E-COMMERCE ENVIRONMENT, 18th ed., *Prenkert al.*, (2022). (Please be aware that an older text will not match the assignment list.) The textbook is available in hardcopy at the campus bookstore and elsewhere. A custom soft-cover version with only the chapters needed for this class is available at a significant discount in the campus bookstore:

ISBN: 9781307707342

The price is \$74.25

Classroom Policies/Professionalism

You are expected to show respect for your classmates, your professor, and the university, and not to engage in disruptive behavior. Common courtesy is expected.

1. Cell phones should be silent.
2. Staying focused during Zoom sessions can be challenging for some. You will get more out of class if you do not text or use your laptops during lecture, unless accessing an e-book
3. Student participation contributes greatly to the class environment. Think about how you would be most comfortable participating – speaking during class or submitting a question before class.
4. While we are online, do your best to sign in to Zoom on time, using your first and last name. If you are having internet issues, please send an email saying so. Please come to class on time when we are back to meeting in person.
5. Ask questions! Before, during, or after class – if you have a question, it is guaranteed that a number of your classmates would like to know the answer to the exact same question.

and problems must be submitted on Canvas **no later than 7:00 p.m.** on the day they are due in order for you to receive homework credit.

It is your responsibility to be prepared for every class. If you do miss class, you are responsible for the material covered on that day and should find out what you missed from another student. You will be notified in advance when it is your responsibility to answer questions in class, but you will have additional opportunities to earn participation points by being prepared even when you are not "on call."

Reading Homework in Class (for participation points) and Submitting Through Canvas (for homework points)

Each week and on a rotating basis, students will be assigned to an "on-call" group. That group will be responsible for reading answers to the homework in class. Students not in the on-call group may volunteer to read their answers for participation points. You will receive a participation point simply for reading your homework, regardless of whether or not you answered the question correctly. However, if you are unprepared or absent, this will affect your grade. **To make sure you get the information you need, please have your textbook with you and bring your completed homework assignment to class until we have reviewed it.**

Homework is due on Canvas no later than the beginning of class on the day it is due. **Do not submit assignments via email** unless requested to do so. Best not to wait until the last minute to turn in an assignment only to be frustrated by a technical difficulty. You will receive points for completing the homework – the assignments will not be graded. However, in order to receive credit, your answers must be more than a couple of sentences long and you must show a good faith effort to answer all homework thoroughly. Students must submit their own work. Identical answers will trigger plagiarism penalties.

Assessments

Regular concept reviews consisting of multiple choice and/or short answer questions will be used to help prepare you for the exams.

Paper

This paper will give you the opportunity to take an in-depth look into the current law in California that distinguishes employees from independent contractors and the impact that has on an employer's liability. You will demonstrate your understanding of the material through your explanations of the law and attempts made by companies such as Uber and DoorDash to avoid it. Additional information will be provided on Canvas, such as formatting instructions and a grading rubric.

DUE: submit on Canvas by Tuesday, March 29th at 4PM

Communication

I am generally accessible via email; please allow 24 hours for a response. When sending an email, please treat it like a business communication and address me appropriately, indicate which class you are in, and sign your email. I do not check email from Friday night to Saturday night.

Audio Lectures

There may be a few times over the course of the semester when an audio lecture will be posted on Canvas in place of a regularly scheduled class. Audio lectures may also be made available as a resource to review the material discussed in class.

Plagiarism

Plagiarism and cheating will not be tolerated on homework or exams. Any student found to have either submitted work not his/her own (this includes another student's work, information from an uncredited, on-line source, or the textbook) or cheated on an exam will be given an "F" on the assignment/exam, potentially in the class, and may be referred to the Office of Student Affairs for further discipline. You are responsible for following the academic regulations of the University and the standards of academic honesty applicable to all students.

<https://catalog.csun.edu/policies/academic-dishonesty/>

Grading

Grades are based on a 100-point scale, and plus/minus grading will be used. **NO LATE PAPERS WILL BE ACCEPTED AND NO MAKE-UP EXAMS WILL BE GIVEN.**

The grade allocation is as follows:

Attendance & Participation:	10%
Assessments:	10%
Homework:	10%
Paper:	5%
Exam 1:	20%
Exam 2:	20%
Exam 3:	25%

The grade reached after averaging the factors listed in bold above 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 exceptional class participation and improvement.

Attendance

While we are online, sign in to Zoom on time and make sure you are identified by your first and last name. When we return to campus, please come to class on time. Extra points may be awarded to those students with perfect attendance records. Being absent, late or unprepared when called on will have a negative impact when calculating your final grade.

Exams

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

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 Golden.

Your continued enrollment in the course indicates your agreement to the policies contained in this syllabus. Any changes to this syllabus will be announced in class and on Canvas.

Mission Statement, Learning Goals and Objectives

The mission of the Department of Business Law is to equip students with the academic knowledge, problem solving, analytical and professional skills in the areas of business law, business ethics, and real estate necessary to achieve their personal and professional goals.

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.

BLAW 308 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.

CSUN with A Heart

If you are facing challenges related to food insecurity, housing insecurity/homelessness, mental health, access to technology, eldercare/childcare, or healthcare, you can find guidance, help, and resources from [CSUN with A HEART](https://www.csun.edu/heart) (<https://www.csun.edu/heart>).

Canvas

IT IS YOUR RESPONSIBILITY TO CHECK CANVAS REGULARLY FOR ANNOUNCEMENTS AND OTHER INFORMATION RELATED TO THE COURSE.

Canvas Student

Guide: <https://community.canvaslms.com/docs/DOC-10701>

No screen shots or recording

You may not audio or video record the class, nor take any screenshots during class sessions.

BLAW Tutoring

The Business Law Department offers *free* peer-to-peer ½ hour tutoring sessions beginning Sept. 13.

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.

Klotz Student Health Center

Klotz Student Health Center offers health services at little to no cost. The Center is located on campus off of Bertrand Street, near Chaperral Hall and parking structure G3, and can be reached at 818/677-3666.

University Counseling Services

University Counseling Services offers a variety of short-term counseling services, including crisis intervention and psychiatric consultation. UCS is located at Bayramian Hall 520, and can be reached at 818/677-2366.

Course Topics and Assignments

Homework: We will be covering one to two assignments per week. To allow for some flexibility in how much time is spent on each topic, the assignments are numbered rather than dated. All dues dates will be confirmed on Canvas. If we are close to completing an assignment, move on to the next one for the following class.

Briefs and Problems: Please have your written answers to the briefs, problems (P), and syllabus questions (SQ) listed for each assignment accessible during class until we have gone over them. See posted guidance on Canvas.

Assignment	Topic	Homework
1	Introduction to the class The Agency Relationship Ch. 35	<p><u>Read:</u> Syllabus</p> <p><u>Read:</u> p. 35-3 – 35-7 (skip General & Special Agents, Gratuitous Agents)</p> <p><u>Answer:</u> P#1 p. 35-18, SQ #1, SQ #2</p> <p><u>Syllabus question #1:</u> Jack runs a baseball card shop. Linda, who knows little or nothing about baseball or baseball cards, agrees to run the shop for Jack for a fee of \$25/hour while he goes out for a few hours. Jack gives Linda the following instructions:</p> <ol style="list-style-type: none"> 1. She may sell any card for the price marked on the card. 2. Pointing to a case containing the more expensive cards, he tells her that he might negotiate the price on those cards if the customer wants to wait until he returns. <p>Shortly after Jack left, Linda sold Billy, a 10-year-old little league player, an Ernie Banks rookie card for \$12. The card bore a sticker on the back which read “1200.” Billy apparently was unaware of the card’s true value and did not try to negotiate its price. Did Linda have express, implied, or apparent authority to sell the card for \$12? (Your analysis should include a discussion of <i>each</i> type of authority.)</p> <p><u>Syllabus question #2:</u> Karsten was hired as an outside sales agent by Ling Company, a manufacturer of golf equipment and accessories. Karsten’s duties required him to visit golf pro shops at golf courses and other golf equipment and accessory retailers. It was common for an outside sales agent in Karsten’s position to have the power to make contracts to sell any item in his employer’s line of products. However, Ling Company instructed Karsten that he could not contract to sell any Ling golf shoes without first getting permission from Ling’s vice president of sales, Perez. Ling imposed this limit on Karsten’s authority, because Ling was temporarily having problems getting shipments of golf shoes from its supplier in China. Neither Ling nor Karsten, however, had informed pro shops or retailers of the limitation on Karsten’s authority. Nonetheless, Karsten, anxious to make a big sale, made a contract to sell 700 pairs of Ling golf shoes to Pro Golf Company. Was Ling bound to this contract with Pro Golf Company? (Explain thoroughly why or why not.) (from the 15th edition)</p>
2	Duties of Agent to Principal	<p><u>Read:</u> p. 35-9 – 35-12</p> <p><u>Answer:</u> P#4, P#5 (answer the question: which duties do you think the agent may have breached and why?) P#6, P#7 p. 35-18 – 35-19</p>
3	Duties of Principal to Agent	<p><u>Read:</u> p. 35-12 – 35-17 (skip Termination of Agency Powers Given as Security)</p> <p><u>Brief:</u> <i>Gniadek v. Camp Sunshine at Sebago Lake, Inc.</i> p. 35-16</p> <p><u>Answer:</u> P#10 p. 35-19</p>

4	3 rd Party Relations of the Principal and Agent Ch. 36	<u>Read:</u> p. 36-12 – 36-6 <u>Brief:</u> <i>Frontier Leasing Corp. v. Links Engineering, LLC</i> p. 36-5 <u>Answer:</u> P#1, P#2 (answer the question: Did Richard have actual or apparent authority to bind Shelley by signing the bill of lading?) p. 36-15
5	Contract Liability of the Agent/Tort Liability of the Principal and Agent	<u>Read:</u> p. 36-6 – 36-9; p. 36-10 – 36-15 (skip Liability for Agent's Misrepresentations) <u>Brief:</u> <i>Treadwell v. J.D. Construction Co.</i> p. 36-7 <i>Synergies3 Tec Services, LLC v. Corvo</i> p. 36-11 <u>Answer:</u> P#8, P#10 p. 36-17
	EXAM 1	<i>Tentatively scheduled for the week of February 28th or March 7th</i>
6	Employment Law/Title VII Ch. 51	<u>Read:</u> p. 51-11 – 1477 <u>Brief:</u> <i>Gaskell v. University of Kentucky</i> p. 51-13 <i>Bostock v. Clayton County, Georgia.</i> p. 51-18 <i>Johnson v. Fluor Corporation</i> p. 51-25 <u>Answer:</u> P#10 p. 51-43
	Paper	Submit on Canvas by Tuesday, March 29 at 4PM
7	Introduction to Forms of Business and Formation of Partnerships Ch. 37	<u>Read:</u> p. 37-3 – 1048 (skip Creation of Mining Partnerships) <u>Brief:</u> <i>Rasmussen v. Jackson</i> p. 37-12 <i>MP Nexlevel of Cal., Inc. v. CVIN</i> p. 37-15 <u>Answer:</u> P#4 (substitute the term "joint venturers" for the word "partners" in the question) P #8, P#10 p. 37-21 – 37-23