

BLAW (308)

BUSINESS LAW II

Professor Campbell

Friday 9:00-11:45, BB 1234

Spring 2022

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Office Hours: Friday 8:30-9:00 a.m., Friday 11:45 a.m.-12:15 p.m., and by appointment

BLAW 308 COURSE DESCRIPTION

Study of the role of law in business, including the study of legal institutions and their role in facilitating and regulating business. Topics include agency and employment law, the various forms of business organizations and securities law.

DEPARTMENT OF BUSINESS LAW

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.

STUDENT LEARNING OUTCOMES OF THE UNDERGRADUATE PROGRAM

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.

OBJECTIVES OF THE COURSE

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

Textbook:

BUSINESS LAW: *The Ethical, Global and Digital Environment*, 18th ed., Prenkert, et al. (ISBN: 9781260736892)

Note: The current edition (18th) is required; the older text will not match the assignment list.

The textbook is available in hardcopy at the campus bookstore and elsewhere. It is also available as an eBook (starting at \$55.00) at the McGraw Hill bookstore website:

<https://www.mheducation.com/highered/product/business-law-ethical-global-digital-environment-prenkert-barnes/M9781260736892.html>



learn the process of legal analysis, so that they can develop their skills of critical thinking and problem solving. This is helpful to student to become fully developed students and adults

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.

COURSE GOALS

Life Long Learning Overall Goal: Students will develop cognitive, physical and affective skills which will allow them to become more integrated and well-rounded individuals within various physical, social, cultural, and technological environments and communities.

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CLASS PREPARATION

The assignments are listed below. Normally we complete one assignment each class. Always be one full assignment ahead. If, for instance, we begin but do not finish an assignment, prepare the next full assignment for the next class. Assignments include reading from the text. In addition, there are cases, case problems and questions which must be briefed in writing. A “case” is a court case which is contained in the text. A “case problem” is an end-of-chapter question, which, again, must be briefed. These case problems are also actual court cases, but do not include the court’s decisions - that will be your job to analyze. When a case problem contains questions, simply ignore them, and instead brief the case. If you have questions about the assigned material, please ask.

You will be called on at random throughout the semester to read your briefs and problems in class. Normally, you will not be asked to turn in your written briefs or problems, as these are learning tools, not graded product. However, I reserve the right to change this policy in the event that students are not fully prepared during class. If you are unprepared or absent, this will affect your grade as discussed below. It is your responsibility to be prepared for every class. If you are absent, it is still your responsibility to be prepared.

RECORDING OF CLASS

You may not audio or video record the class, or take any photos in the classroom. You may not distribute course materials, whether obtained hardcopy or electronically, including but not limited to the professor’s course materials, work from other students, or material from the textbook publisher.

BRIEFING CASES

To brief cases, case problems and questions, use the following "IRAC" format:

Issue: What question must be answered in order to reach a conclusion in the case? This should be a legal question which, when answered, gives a result in the particular case. Make it specific (e.g. "Has there been a false imprisonment if the plaintiff was asleep at the time of 'confinement'?") rather than general (e.g. "Will the plaintiff be successful?") You may make specific to the case being briefed (e.g. "Did Miller owe a duty of care to Osco, Inc.?") or general to apply to all cases which present a similar question, (e.g. "Is a duty owed whenever there is an employment relationship?") Most cases present one issue. If there is more than one issue, list all, and give rules for all issues raised.

Rule: The rule is the law which applies to the issue. It should be stated as a general principal (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.")

Application: The application is a discussion of how the rule applies to the facts of a particular case. While the issue and rule are normally only one sentence each, the application is normally paragraphs long. It should be written debate - not simply a statement of the conclusion. Whenever possible, present both sides of any issue. Do not begin with your conclusion. 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.

Conclusion: What was the result of the case?

With cases, the text gives you a background of the facts along with the judge's reasoning and conclusion. When you brief cases, you are basically summarizing the judge's opinion. With case problems, the editors have given you a summary of the facts of an actual case, but have not given you the judge's opinion. Your job is to act as the judge in reasoning your way to a ruling, again using the IRAC format. Most briefs are one page long. They must be brought to class on the day they are to be discussed. Once an assignment has been discussed, you no longer need to bring it to class. Since the briefs are not normally turned in, they may be either handwritten or typed.

DRES

If you have a disability and need accommodations, please register with the Disability Resources and Educational Services (DRES) office at <http://www.csun.edu.dres> or the National Center on Deafness.

EXAMS AND GRADING

Your course grade will consist of the following:

- Participation – 15 points (5% of your overall grade)
- Attendance – 15 points (5% of your overall grade)
- 2 Midterms – 75 points each (25% each of overall grade)
- Final Exam – 120 points (40% of your overall grade)

Exams are composed of 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. Exams may include multiple-choice questions.

There will be two midterms and a final examination. The midterms will each constitute 25% of your course grade. The final will constitute 40% of your grade and will be given on the date and time indicated in the Schedule of Classes.

Your grade is affected by whether you have been prepared when called on for case briefs. Each student starts with 15 participation points. However, if you are called on and are not prepared, or are absent you will receive an “unprepared” mark. Each unprepared mark will cause your participation grade to drop by 5 points.

Similarly, you will start with 15 attendance points, and will lose one point for every class you miss.

The grade reached after averaging the exams, participation and attendance 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 classroom participation and improvement.

Grading System (taken from “Regulations”, CSUN catalog)

<u>Grade</u>	<u>Definition</u>	<u>Grade Points</u>
A	Outstanding	4.0
A-		3.7
B+		3.3
B		3.0
B-		2.7
C+	Average	2.3
C		2.
C-		1.7
D+		1.3
D		1.0
D-	Failure	0.7
F		0

GENERAL INSTRUCTIONS ON TAKING EXAMS

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

- Discuss the issue.
- Define and discuss any principles of law, legal theories, etc., relevant to the question.
- Fully apply the given facts to the legal principles on which you rely. Do not ignore any facts, even if they do not support your conclusions. Do not assume that I know that you know something - tell me in your exam what you know, defining every legal term used.
- The actual conclusions you reach could be the least important part of your answer - but you must base your conclusions on complete and intelligent applications of the facts to the legal principles involved.
- 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 your exam itself. Although you must turn it in, it will not be graded. You may also designate a page of your bluebook as "notes" and it will not be graded.

ACADEMIC HONESTY

Plagiarism and cheating will not be tolerated on homework or exams. All cases of cheating result in a grade of "F" for the course and are referred to the Dean's office for further action. Students are responsible for knowing and complying with all College and University rules and regulations. University regulations are set forth in the catalog at <https://catalog.csun.edu/policies/academic-dishonesty/>.

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 www.csun.edu/~hfbus019/legalresearch.html.

**Reading List – BLAW 308
Prof. Campbell**

Date	Pages¹	Problems
1/28	Chapter 35	1, 4 and 10
2/4	Chapter 36	1, 5 and 11
2/11	Chapter 51 pp. 1-21	1 and 2
2/18	Chapter 51 pp. 22-40	7 and 11
2/25 ²	Midterm I (may use beginning of class to complete any unfinished assignments)	n/a
3/4	Chapter 37	4, 8 and 11
3/11	Chapter 38	5 and 11
3/18	Chapter 39	2 and 9
3/25	<u>Spring Break</u>	
4/1	Chapter 40	2, 5 and 8
4/8 ³	Midterm II (may use beginning of class to complete any unfinished assignments)	n/a
4/15	Chapter 41	9 and 12
4/22	Chapter 42	2 and 11
4/29	Chapter 43	4 and 9
5/6	Chapter 44	1, 4 and 9
5/13	Review session (may use beginning of class to complete any unfinished assignments)	n/a
5/20 (8:00-10:00 a.m.)	Final (cumulative)	n/a

¹ You will **not** be held responsible for information in “Cyberlaw in Action”, Ethics in Action” or “The Global Business Environment.” These sections are optional reading.

² Midterm I

³ Midterm II