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Office Hours
Monday, Tuesday, Wednesday, Thursday, and Friday
11:00 to noon
and by appointment

ADVANCED BUSINESS LAW

Summer 2000

LAWS 3920-201 # 01510 Mon., Tues., Wed., Thur., & Fri. 9:15 - 10:50 a.m. CBA 218

COURSE DESCRIPTION:

3 credit hours. "LAWS 3920 focuses on commercial law, employment law, business organizations, and the regulation of business. Ethical and international issues are addressed. Intended primarily as a required course for business administration students, may be an elective for students outside CBA, especially students in the College of Information Sciences and Technology. Prerequisites: LAWS 3910, its equivalent, or approval of the department Chair."

GRADED EVENTS:

An "A" is earned with a total course percentage of 90.0% or more; a "B+" is earned with 85.0% or more; a "B" is earned with 80.0% or more; etc. Assignment grades and course grades will be posted on the O'Hara's web page.

80% EXAMS

10% EXAM #1
20% EXAM #2
20% EXAM #3
30% COMPREHENSIVE FINAL EXAM

20% CASE LAW PRESENTATION

15% SLIDES
5% First Draft
10% Final Draft
5% PRESENTATION

minus 1% each time a student's cell phone rings during class after the first time

TEXTS:

1. **Clarkson, Kenneth W., Miller, Roger LeRoy, Jentz, Gaylord A., and Cross, Frank B. *West's Business Law: Text, Cases, Legal, Ethical, Regulatory, and International Environment, 7th edition.* West Educational Pub. Co., USA, 1998.**

NOTE: BE SURE TO GET THE CORRECT EDITION, BLUE COVER.

INTRODUCTION

As you progress through college you will move increasingly away from the high school pupil-teacher roles and move increasingly towards university student-professor roles. Pupils typically are passive recipients of information, while students are active gatherers and active synthesizers of knowledge. Students do far more studying than do pupils. Teachers typically are dispensers of information, while professors act as guides in the pursuit of knowledge. In this course, many of you will make a major change in your customary roles.

Professors reasonably expect students to:

- [1] give assigned readings a close reading *prior* to lecture, and
- [2] learn what can be learned from the text.

Professors explore issues in depth rather than providing learners with their initial exposure to the material.

Jargon is necessary for precise and efficient communication. Translating legal jargon "into your own words" is a laudable goal and an excellent learning technique. Successful translation is measured by learning of the jargon. Mastery of legal jargon will be one of your main tasks in this course.

It is **not** the object of this course to make you a lawyer. Rather, the course objective is to develop your abilities to think and to talk like a lawyer. Why? The prime objective of this course is to prepare you to be an efficient and knowledgeable consumer of legal services during your business career.

EXAMS:

There are four exams. Exam #1, on the fourth day of class, focuses upon Business Law I and the special contracts of insurance and wills. Exam #2 focuses upon negotiable instruments (i.e., UCC Articles 3 & 4), secured transactions (i.e., UCC Article 9), and bankruptcy; as well as agency law including employment. Exam #3 continues the focuses upon the many forms of agency law, including partnerships, corporations, and government regulations. The Final Exam is comprehensive.

Exam #1 is on Thursday, **June 8** and is worth 10%; Exam #2 is on Monday, **June 19** and is worth 20%; and Exam #3 is on Monday, **July 3** and is worth 20%. Exam #1, Exam #2, and Exam #3 each will have twenty-seven True/False statements, but will be graded as if there are only twenty-five. The comprehensive final exam is at the Regent's scheduled final exam time (i.e., on **July 7** from **9:15 to 10:50 am**). The Comprehensive Final Exam will have fifty-three True/False statements, graded as if there are fifty. Note that the existence of surplus questions will render an ambiguous question as a non-harmless error unless a student wishing to claim injury can identify more ambiguous questions than the number of surplus questions.

During exams students shall not wear or use any clothing, hats, glasses, or any other object which obscures the exam proctor's clear view of the student's eyes.

LAW CASE PRESENTATION:

With the prior written approval of the instructor, each student shall select two reported law cases. *No two students may select the same case.* One case must be from a Nebraska court and the other case must be from the USA Supreme Court. One case must have been reported at least 50 years ago and the other case must have been reported less than 2 years ago. Ideally, a student will select two cases on the same topic (e.g., insider trading).

A student may propose case selection any time prior to the **deadline** of class on Monday, **June 26**. To propose a case selection the student shall submit **TWO COPIES** of a **one-page typed PROPOSAL that lists a total of six cases**. Three of the cases shall be Nebraska cases and three of the cases shall be USA Supreme Court cases; three of cases shall be at least 50 years old and three of the cases shall be at less than 2 years old. The student shall number the cases so as to prioritize the cases by the student's preference and the student will be authorization to use the top two cases that have not already been selected and which satisfy the selection criteria. For each of the six cases the student shall provide the full legal citation and a one-sentence description of the case.

Each student shall present a report to the class on their two cases. Each student shall use PowerPoint slides to make the presentation. The report shall consist of a **total of six PowerPoint slides**, with three slides devoted to each case. *Each slide shall mostly use font sizes of 24 and larger.* SLIDE #1 shall start with the full legal citation and provide a brief of the case. SLIDE #2 shall address the business issues in the case. SLIDE #3 shall address the issue of precedence in the case or shall place the case its social context.

Presentations will be about 10 minutes long, including questions from the class.

All students shall turn in the **First Draft** of their slides on Friday, **June 30**. *When turning slides for grading the student shall print three slides per page.* First drafts will be graded as 100% or as 0% depending on whether the slides are, objectively, a good faith effort at a final draft. Students will make their **presentations** on Wednesday, **July 5** and Thursday, **July 6**. Prior to making their presentation, students shall turn in the **Final Draft** of their presentations. Presentations and Final Drafts will be grades on the truncated scale of 100%, clearly superior; 80%, expected quality; 60%, suspect quality; and 0%, failing.

MAKE-UP WORK: Recall that the professor's office phone (402) 554-2823 has voice mail and the professor's email address is mohara@unomaha.edu.

"Is this absence beyond the control of the student?" will be the central question your professor will explore with you prior to permitting any Make-Up Work. *Vacations are not beyond your control except in the most extra-ordinary circumstances.*

Make-up work is strongly discouraged. There are two **prerequisites** for make-up work.

1. 24 hour prior notice of your intended absence, **unless for sufficient reason** (e.g., death of an immediate family member); **AND**
2. written verification by an impartial third party (e.g., letter from mortician on letterhead).

ACADEMIC DISHONESTY:

Any form of academic dishonesty (e.g., a student looking on another student's exam during the exam) can be a basis for a course grade of "F".

<u>DATE</u>	<u>MATERIAL</u>	<u>TASKS and DEADLINES</u>
June 5	review Business Law I	
June 6	review Business Law I	
June 7	Chaps. 52 & 53: insurance & wills: 39 pages	
June 8	9:15 to 9:30	review via students' questions
	9:30 to 10:30	Exam #1 (review of Business Law I and Chapters 52 & 53)
	10:30 to 10:50	introductory comments on UNIT 4 and UNIT 5
June 9	UNIT 4: Chaps. 26, 27, 28: negotiability, HDC, & liability: 65 pages	
June 12	Chaps. 28, & 29: HDC & liability, checks, & EFT: 41 pages	
June 13	UNIT 5: Chaps. 30, 31, & 32: secured transactions and bankruptcy: 60 pages	
June 14	UNIT 6: Chaps. 33 & 34: agency: 40 pages	CRITICAL CHAPTERS
June 15	UNIT 7: Chaps. 35 & 36: employment & discrimination: 42 pages	
June 16	UNIT 11: Chap. 54: professionals: 18 pages	
June 19	9:15 to 9:30	review via students' questions
	9:30 to 10:30	Exam #2 (Chaps. 26 to 36, and 54)
	10:30 to 10:50	UNIT 8: Chap. 37: business organizations: 18 pages
June 20	Chaps. 38 & 39: partnerships: 30 pages	
June 21	Chaps. 40, 41, & 42: corporations: 52 pages	
June 22	Chaps. 40, 41, & 42: corporations: 52 pages	
June 23	Chap. 43: securities: 24 pages	
June 26	UNIT 9: Chap. 44: administrative agencies: 18 pages	CASE SELECTION
June 27	Chap. 45: consumers: 16 pages	
June 28	Chap. 47: antitrust: 21 pages	
June 29	Chap. 46: environment: 16 pages	
June 30	UNIT 11: Chaps. 55 & 56: entrepreneurs & international: 34 pages	FIRST DRAFT
July 3	9:15 to 9:30	review via students' questions
	9:30 to 10:30	Exam #3 (especially Chaps. 37 to 47, and 55 & 56)
<i>July 4</i>	<i>NO CLASS: INDEPENDENCE DAY</i>	
July 5	students' presentations of case law	FINAL DRAFT
July 6	9:15 until done with students' presentations case law	
	Review	student evaluations
July 7	9:15 to 10:50	Comprehensive Final Exam