

Michael J. O'Hara, J.D., Ph.D.

Mammel Hall 228
 UNO Omaha NE 68182
 (402) 554 - 2823 (with voice mail)
 fax (402) 554 - 2680 (group fax: not private)
<http://cba.unomaha.edu/faculty/mohara/web/ohara.htm>

Office Hours:

First, read this web page.
<http://cba.unomaha.edu/faculty/mohara/web/ToOfficeHours.htm>
Second, Tuesday & Thursday 9:00 AM until 10:30 AM in MH 228.
Third, after reading the web page above, by private appointment.

Business Law Fundamentals

With an Honors Contract, this section of this course may be taken for Honors credit.

Fall 2011

LAWS 3930-001 #15862 Monday & Wednesday 10:30 AM - 11:45 AM MH 113

LAWS 3930-003 #15866 Tuesday & Thursday 10:30 AM - 11:45 AM MH 119

<http://cba.unomaha.edu/faculty/mohara/web/BLF-f11-Syllabus.pdf>

Hereby INCORPORATED BY REFERENCE¹ in this Syllabus is the Boilerplate Document.

<http://cba.unomaha.edu/faculty/mohara/web/Syllabus-Boilerplate-f11.pdf>

COURSE DESCRIPTION:

3 credit hours. "LAWS 3930 introduces students to the legal system governing business transactions. This course emphasizes constitutional law, the Common Law, and relevant statutory law. The legal topics covered include litigation and ADR, torts, contracts, Sale of Goods, insurance, international law, and regulation of business.

Prereq.: ENGL 1160; SPCH 1110 or higher; ECON 2200 all with C (2.0) or better; 2.5 GPA."

[NOTE: by implication, also need MATH 1310 with "C" (2.0) or better as well as 12 hours earned.]

NOTE: WARNING from UPC on **TWO STRIKE RULE:**

*only **enroll** twice (audit = enroll) AND all prerequisites **before** enroll.*

TEXTS:

1. Clarkson *et al.*,
Business Law: Text and Cases: Legal, Ethical, Global, and E-Commerce Environments.
12th (BLACK) Edition. USA: South-western Cengage Learning, 2012.
ISBN-13: 978-0-578-47081-0.
2. *Recommended: BarChart's plastic covered 4 page USA Constitution.*

¹ Do you know what "incorporate by reference" means? If not, then go find out.

http://en.wikipedia.org/wiki/Incorporation_by_reference

If you know you do not know, and yet you do not remove your self identified ignorance, especially if both you and a Reasonable Person would suspect the unknown knowledge was material to the transaction at hand, that that is a sure path to legal liability.

This syllabus has how many pages?

GRADED EVENTS:

*Each student shall have a written contract with the professor detailing graded events. **This document** shall be that contract **unless** and until it is replaced by an **individually negotiated replacement contract**. Any replacement contract must be **written**, authored by the student, and **signed** by both the professor and the student. If you desire to consider an individually negotiated replacement contract, then contact your professor for information on mandatory negotiation processes. Any individually negotiated replacement contract must contain a Comprehensive Final Exam.*

The course letter grade of "A" is earned with total course points of 900; "A-" is earned with total course points of 870; "B+" with 830; "B" with 800; "B-" with 770; "C+" with 730; "C" with 700; "D" with 600; and an "F" is earned with 599 or fewer total course points.

In upper level undergraduate classes, your professor does **not use** the course letter grades of "C-", "D+", or "D-".

POINTS	GRADED EVENT
200	Quizzes: Solo
200	Mini-Exams: Group
300	Midterm Exam
300	Comprehensive Final Exam
<i>extra credit</i>	<i>50 points via solo quizzes</i>
	<i>50 points via mini-exams</i>
	<i>if any other extra credit is available it solely will be announced in class</i>

QUIZZES: Solo:

There are ten solo quizzes worth a total of 200 course points. The dates are not announced in advance. All ten quizzes will count towards your course points. However, only eight of the ten are required to earn all 200 course points: thus, two solo quizzes provide the student with opportunities to earn 50 course points of extra credit. Solo quizzes test over that day's assigned readings.

Each solo quiz has five questions. The solo quiz questions will be in one of two formats: [i] true/false, or [ii] multiple choice. Most solo quiz questions will be multiple choice with the answer options a, b, c, all, and either none or two of the above. All multiple choice format questions will be in the question form of "Which of the following is/are true?" followed by stems a, b, and c each being a true/false question. When the solo quiz question is in the true/false format 5 course points is earned with a correct answer and 1 course point is earned with an incorrect answer. When the solo quiz question is in the multiple choice format a correct answer on the first try earns 5 course points, a correct answer on the second try earns 3 course points, and a correct answer on the third try earns 1 course point.

The maximum course points available via solo quizzes is 250 (i.e., 10 quizzes * 5 questions * 5 points); that is, 50 points of that maximum of 250 would be extra credit.

All solo quizzes are closed book and closed notes. All solo quizzes seek to objectively detect and to measure your subjective knowledge.

MINI-EXAMS: Group:

There are five mini-exams worth a total of 200 course points. The dates are not announced in advance. A mini-exam might be administered the same day as a solo quiz. All five mini-exams will count towards your course points. However, only four of the five are required to earn all 200 course points: thus, one mini-exam provides the student with an opportunity to earn 50 course points of extra credit. Mini-exams are more difficult than solo quizzes and comprehensively test over all assigned readings to date as well as all lectures to date.

Each mini-exam has ten questions. All mini-exam questions are in the multiple choice format with the answer options a, b, c, all, and either none or two of the above. All multiple choice format questions will be in the question form of "Which of the following is/are true?" followed by stems a, b, and c each being a true/false question. A correct answer to a mini-exam multiple choice question on the first try earns 5 course points, a correct answer on the second try earns 3 course points, and a correct answer on the third try earns 1 course point.

Groups that take a mini-exam shall have 3 or 4 members (except as noted below). For the first mini-exam all students will be randomly assigned to groups. Starting with the second mini-exam, any individual student who has earned a 90% average on the solo quizzes as of that date may, in a signed contract with the instructor and all group members, form a permanent group of 3 or 4 students for the remainder of the semester. All students not in a permanent group will be randomly assigned to groups on the day of a mini-exam. Only students in the class room for the mini-exam earn credit for that mini-exam, otherwise, all group members receive the same grade for that mini-exam.

The maximum course points available via solo quizzes is 250 (i.e., 5 mini-exams * 10 questions * 5 points); that is, 50 points of that maximum of 250 would be extra credit.

All mini-exams are closed book and closed notes. All mini-exams seek to objectively detect and to measure your subjective knowledge.

MIDTERM EXAM and COMPREHENSIVE FINAL EXAM:

There are two required exams: the Midterm Exam worth 300 course points and the Comprehensive Final Exam worth 300 course points.

Both the Midterm Exam and the Comprehensive Final Exam are in the objective format of true versus false. Both required exams are closed book and closed notes. Both required exams seek to objectively detect and to measure your subjective knowledge.

The dates of the Monday and Wednesday class' required exams are as follows:

Wednesday October 19th and Wednesday December 14th.

The dates of the Tuesday and Thursday class' required exams are as follows:

Thursday October 20th and Thursday December 21st.

MONDAY AND WEDNESDAY class schedule

<u>Date</u>	<u>Chapters</u>	
M Aug 22	intro to class & chapter 1	legal reasoning
Aug 24	2 & 3	courts & procedure
M Aug 29	1 & 2 & 3	legal reasoning & courts & procedure
Aug 31	4 & 23	constitution & international
M Sep 5	4 & 23	constitution & international
Sep 7	4 & 23	constitution & international
M Sep 12	9	crime
Sep 14	6 & 7	torts: intentional and negligence & strict liability
M Sep 19	6 & 7	torts: intentional and negligence & strict liability
Sep 21	10 & 11	contracts: terminology & agreement
M Sep 26	12	contracts: consideration
Sep 28	13	contracts: capacity & legality
M Oct 3	14 & 15	contracts: genuineness & Statute of Frauds
Oct 5	16	contracts: 3rd party
M Oct 10	17	contracts: performance & discharge
Oct 12	18	contracts: breach & remedies
<i>M Oct 17</i>	<i>no UNO classes: Fall Break</i>	
Oct 19	Midterm Exam: chapters 1 - 4; 6, 7, 9 - 18, and 23	
M Oct 24	19	UCC2: formation
Oct 26	20	UCC2: title & risk of loss & insurable interest
M Oct 31	21	UCC2: performance
Nov 2	22	UCC2: warranties
M Nov 7	review all of UCC2	
Nov 9	review of ECON 2200, http://cba.unomaha.edu/faculty/mohara/web/BLFf10-Econ-Slides.pdf	
M Nov 14	47	antitrust and review of ECON 2200
Nov 16	47	antitrust
M Nov 21	44	administrative agencies
<i>Nov 23</i>	<i>no classes: Thanksgiving Break</i>	
M Nov 28	45	consumer
Nov 30	52	wills
M Dec 5	51	insurance (<i>wait to read this chapter until after instructions</i>)
Dec 7	review for final exam	
W Dec 14	10:30 AM until 12:30 PM	Comprehensive Final Exam

TUESDAY AND THURSDAY class schedule

<u>Date</u>	<u>Chapters</u>	
T Aug 23	intro to class & chapter 1	legal reasoning
Aug 25	2 & 3	courts & procedure
T Aug 30	1 & 2 & 3	legal reasoning & courts & procedure
Sep 1	4 & 23	constitution & international
<i>T Sep 6</i>	<i>no UNO classes: Labor Day</i>	
Sep 8	4 & 23	constitution & international
T Sep 13	9	crime
Sep 15	6 & 7	torts: intentional and negligence & strict liability
T Sep 20	6 & 7	torts: intentional and negligence & strict liability
Sep 22	10 & 11	contracts: terminology & agreement
T Sep 27	12	contracts: consideration
Sep 29	13	contracts: capacity & legality
T Oct 4	14 & 15	contracts: genuineness & Statute of Frauds
Oct 6	16	contracts: 3rd party
T Oct 11	17	contracts: performance & discharge
Oct 13	18	contracts: breach & remedies
<i>T Oct 18</i>	<i>no UNO classes: Fall Break</i>	
Oct 20	Midterm Exam: chapters 1 - 4; 6, 7, 9 - 18, and 23	
T Oct 25	19	UCC2: formation
Oct 27	20	UCC2: title & risk of loss & insurable interest
T Nov 1	21	UCC2: performance
Nov 3	22	UCC2: warranties
T Nov 8	review all of UCC2	
Nov 10	review of ECON 2200, http://cba.unomaha.edu/faculty/mohara/web/BLFf10-Econ-Slides.pdf	
T Nov 15	47	antitrust and review of ECON 2200
Nov 17	47	antitrust
T Nov 22	44	administrative agencies
<i>Nov 24</i>	<i>no classes: Thanksgiving Break</i>	
T Nov 29	45	consumer
Dec 1	52	wills
T Dec 6	51	insurance (<i>wait to read this chapter until after instructions</i>)
Dec 8	review for final exam	
R Dec 15	10:30 AM until 12:30 PM	Comprehensive Final Exam