

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

Roskens Hall 502

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**, Monday & Wednesday 9:00 AM until 9:50 AM.**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 2009****LAWS 3930-001 # 11877 Monday & Wednesday 10:00 AM - 11:15 AM RH 010A**<http://cba.unomaha.edu/faculty/mohara/web/BLFf9Syllabus.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.*

GRADED EVENTS:

The course letter grade of "A" is earned with total course points of 900;

"A-" is earned with total course points of 870

(see below for an alternative means of earning an "A-");

"B+" with 830; "B" with 800; "B-" with 770; "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+", "C-", "D+", or "D-".

POINTS EXAMS

200 Exam #1: chapters 1 - 4, 6, 7, 9, 52

200 Exam #2: all chapters, especially 10 - 19

200 Exam #3: all chapters, especially 20 - 23

200 Exam #4: all chapters, especially 43, 44, 46, 49, 50

200 Exam #5: Comprehensive Final Exam

chapters 1 - 4; 6, 7, 9 - 23; 43, 44, 46, 49, 50, & 52

extra credit (*if any*) these opportunities solely will be announced in class

TEXTS:

1. Clarkson *et al.*, *Business Law: Text and Cases: Legal, Ethical, Global, and E-Commerce Environments*. **11th (RED) Edition**. USA: South-western Cengage Learning, 2009.
ISBN-13: 978-0-324-65522-3.
2. **Hereby incorporate by reference the following four documents:**
 - [A] **Reasonable Expectations**
<http://cba.unomaha.edu/faculty/mohara/web/ReasonableExpectations08.pdf>
 - [B] **Critical Thinking**
<http://cba.unomaha.edu/faculty/mohara/web/CriticalThinking06a.pdf>
 - [C] **Memorization Techniques**
<http://cba.unomaha.edu/faculty/mohara/web/MemorizationTechniques06a.pdf>
 - [D] **USA Constitution**
http://cba.unomaha.edu/faculty/mohara/web/USA_Constitution.htmAlso recommend BarChart's four-page plastic copy of the *USA Constitution*.

ACADEMIC HONESTY:

Any form of academic dishonesty by a student, solely in the discretion of your professor, shall cause the student to earn a letter grade of "F" either on the assignment or the course.

MAKE UP WORK:

Except to the extent of federal preemption or other preemption, there is **no make up work for extra credit opportunities**.

If a student's timely performance of an exam is prevented by a *Force Majeure* (the existence of that *Force Majeure* demonstrated to the professor's personal satisfaction), **then** the professor shall make a reasonable accommodation for that student to complete substantially equivalent make up work.

A student must provide timely notice (e.g., an email sent **prior** to the due date for the student's performance) of the *Force Majeure* as well as provide **seasonable** written verification by an **impartial** third party.

EXAMS:

There are five exams each is worth 200 course points. Each exam is in the objective format (e.g., multiple choice questions) and on each exam each correct answer is worth 10 course points. Each exam will have 21 questions graded as if there are 20 questions. Your fifth exam is your final exam and it is a comprehensive final exam.

All exams are open book: including any notes you have chosen to write by hand on pages published as part of your textbook. You may not add any pages to the text (e.g., a student may not add photocopies of hand written pages to that student's textbook). **All exams require you to have your textbook with you** because the

exam questions will ask questions about the textbook's end-of-chapter questions.

Be sure you buy the correct textbook.

The Comprehensive Final Exam is at the Regent's scheduled final exam time of Wednesday, December 16 from 10AM until noon.

BUT NOTE: Any student with an **87.0% average after Exam #4** (i.e., at least 696 total course points) may elect to not take the Comprehensive Final Exam. That election must be in a signed writing delivered by hand and in-person in the classroom on Dec. 9 between 10:00 and 10:15 AM, time is of the essence. That election must:

- [i] elect to forfeit the potential of earning a course letter grade of "A";
- [ii] elect to skip the Comprehensive Final Exam;
- and
- [iii] elect to settle for the course letter grade of "A-".

COURSE COMMUNICATIONS:

Students are encouraged to ask questions during class and/or during office hours. Strongly encouraged.

Every class meeting will start with the professor asking the assembled students "**Any questions?**". **If you are silent in reply** to such questions by your professor, then your silence creates the binding on you reasonable expectation of both your professor and of UNO that you did not then and you do not now have any unanswered material question(s). That is, **your knowing and voluntary action of silence thereby ESTOPPEES YOURSELF TO DENY that you had all reasonable questions answered and/or that all material question(s) had been answered fully and to your personal satisfaction.** Following that Q&A period, your professor will move on to other course related tasks, such as announcing Syllabus revisions, repeating by the professor of all reasonable and/or material questions raised by students during office hours that are of interest to all students.

Any revision of this Syllabus **solely** shall be announced [a] once, [b] in the classroom, and that will be [c] via a writing on a classroom's writing surface.

Grades earned by individual students will be distributed in-person, either in the classroom or during office hours. Grades will not be distributed in any other manner nor in any other location.

The following topics for questions must be asked during class meetings or office hours:

- [i] about any Syllabus provision(s);
- [ii] about any Syllabus revision(s);
- [iii] grades earned; or
- [iv] about course content.

Reasonable and/or material questions raised by an individual student(s) during office hours will be repeated by the professor to the assembled class near the beginning of the next class meeting. Communication about topics related to items [i] through [iv] must be face-to-face. Any question about [ii] that is global in nature (e.g., "Are there any Syllabus revisions?") solely will be answered in an equally manner: a "Yes." or a "No.". Detailed questions about Syllabus revisions will be answered in detail. If you missed class (i.e., you breached your contract with your professor and with UNO) and thus you missed an announced revision of the Syllabus, then it is your duty to remedy your

breach of contract in some manner other than seeking repeat performance from your professor.

In short, come to class.

In short, there will be zero technologically mediated communications (whether asynchronous or synchronous). All communications shall be face-to-face in-person.

If a student sends an email or a voice mail in violation of the above, then that student already is in possession of the sole answer that student will receive in reply (i.e., this Syllabus section). That is, come to class and ask the question or come to office hours and ask the question.

It only is appropriate to send an email, a voice mail, or leaving a hand written note: when [1] a student is providing timely written notice of a *Force Majeure* **when** make-up work is feasible; or [2] to set up a private appointment. See, <http://cba.unomaha.edu/faculty/mohara/web/ToOfficeHours.htm> .

If a *Force Majeure* prevents both an in classroom announcement and performance by UNO (e.g., flu pandemic) or by your professor (e.g., illness), then your professor will send a simultaneous email to all enrollees to each enrollee's BlackBoard defined email address.

<u>Date</u>	<u>Chapters</u>	
Aug 24	intro to class	& chapter 1 legal reasoning
Aug 26	2 & 3	courts & procedure
Aug 31	4	constitution
Sep 2	4 & 52	constitution & international
Sep 7	<i>no class</i>	<i>Labor Day</i>
Sep 9	6 & 7	torts: intentional and negligence & strict liability
Sep 14	6 & 7	torts: intentional and negligence & strict liability
Sep 16	9	crime
M Sep 21	10:00 - 10:45	self or group study time
	10:45 - 11:15	EXAM #1: chapters 1 - 4, 6, 7, 9, & 52
Sep 23	10 & 11	contracts: terminology & agreement
Sep 28	12	contracts: consideration
Sep 30	13	contracts: capacity & legality
Oct 5	14 & 15	contracts: genuineness & Statute of Frauds
Oct 7	16	3rd party
Oct 12	17	contracts: performance & discharge
Oct 14	18 & 19	contracts: breach & remedies & e-contracts
Oct 19	<i>no class</i>	<i>Fall Break</i>
Oct 21		review all of contracts
M Oct 26	10:00 - 10:45	self or group study time
	10:45 - 11:15	EXAM #2: all chapters, esp. chapters 10 - 19
Oct 28	20	UCC: formation
Nov 2	21	UCC: title & risk of loss & insurable interest
Nov 4	22	UCC: performance
Nov 9	23	UCC: warranties
W Nov 11	10:00 - 10:45	self or group study time
	10:45 - 11:15	EXAM #3: all chapters, esp. chapters 20 - 23
Nov 16	43	administrative agencies
Nov 18	46	antitrust (includes review of ECON 2200)
Nov 23	44	consumer
Nov 25	<i>no class</i>	<i>Thanksgiving Break</i>
Nov 30	50	wills
Dec 2	49	insurance
M Dec 7	10:00 - 10:45	self or group study time
	10:45 - 11:15	EXAM #4: all chapters, esp. 43 - 44, 46, 49, & 50
Dec 9		review whole course in preparation for final exam
Wednesday Dec 16	10:00 AM - noon	Comprehensive Final Exam