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<http://cba.unomaha.edu/faculty/mohara/web/ohara.htm>**Office Hours:**

Tuesday & Thursday 9:00 AM - 10:30 AM in RH 228.

When justified, by private appointment.

See, <http://cba.unomaha.edu/faculty/mohara/web/ToOfficeHours.htm>**Legal and Ethical Applications***With an Honors Contract, may be taken for Honors credit.***Fall 2011****LAWS 3940-001 #15869 Monday & Wednesday 9:00 AM - 10:15 AM MH 220**<http://cba.unomaha.edu/faculty/mohara/web/LEA-f11-Syllabus.pdf>Hereby **incorporate by reference** into your class Syllabus are:[i] the following document **Boilerplate Syllabus Provisions** :
and[ii] **all** of the **hyperlinks** that are found in that boilerplate document.<http://cba.unomaha.edu/faculty/mohara/web/Syllabus-Boilerplate-f11.pdf>**COURSE DESCRIPTION:**

3 credit hours. "LAWS 3940 exposes students to business organization law and ethics. Emphasis is on business organizations (e.g., agency, partnerships, corporations), financial transactions (e.g., checks, liens, securities), and property (e.g., environment, intellectual). Ethics is a discrete subject area studied and its analytical tools are applied to all of these areas of law.

Prereq: LAWS 3930 and ACCT 2020 both with C+ (2.3) or better; 2.5 GPA."

[NOTE: implies ENGL 1160, SPCH 1110, ACCT 2010, ECON 2200, and MATH 1310 all with "C" or higher.]

TEXTS:**REQUIRED:**

1. Clarkson *et al.*, *Business Law: Text and Cases: Legal, Ethical, Global, and Corporate Environments*. **12th (BLACK COVER) Edition**. USA: South-western Cengage Learning, 2012. **ISBN-13: 978-0-578-47081-0**.
2. Each student must provide a "**blue book**" and an **ink pen** for each of the two exams.

OPTIONAL: (*on reserve at UNO Criss Library; and on shelf of most bookstores*)

3. Hamilton, Alexander *et al.*, *The Federalist Papers*, 1787.¹
4. Heilbroner, R.L. *The Worldly Philosophers*. Any edition; current edition is 7th.

¹ <http://thomas.loc.gov/home/histdox/fedpapers.html>

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 undergraduate classes,

your professor **does not use** the course letter grades of "C-", "D+", or "D-".

POINTS**GRADED EVENTS****200**Three outlines and one lecture on *The Federalist Papers***150**Two outlines and one lecture on *The Worldly Philosophers***300**

Midterm Exam

350

Comprehensive Final Exam

NOTE: both a single **blue book** and an **ink pen** are required for each exam.

Extra Credit: There is no make up work for any extra credit assignment.

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Non-contracted extra credit, *if any*, solely will be announced in the classroom the day it is available to be earned.

100

Contracted extra credit.

OUTLINES AND LECTURES:

Each student shall author a total of five one-page outlines and deliver a total of two classroom lectures of 10 minutes each. Each outline and each lecture is worth 50 course points for a total of 350 course points. Each outline and each lecture is graded on the truncated scale of: A = 100%; B = 85%; C = 70%; and F = zero percent.

The student shall select three papers from *The Federalist Papers* and two chapters from *The Worldly Philosophers* for outlining. From that student's selected papers/chapters from each book the student shall select one paper/chapter for the student's lecture. The selection of all papers/chapters by individual students shall be required to maximize coverage of both books by all students; no two students may select the same paper/chapter until all papers/chapters are selected. Since there are 85 papers in *The Federalist Papers* and there are 8 chapters in *The Worldly Philosophers* (other than the "Introduction", "The Economic Revolution", and "The End of Worldly Philosophy"), repetition only will occur for *The Worldly Philosophers* book.

Selection of papers/chapters by students and, thus, the selection of due dates must be done in face-to-face meetings with the instructor. The first opportunity to do so

will be during the first class meeting on Monday, August 22. **Selections** must be **completed** by the end of class on Wednesday **September 7**. **Or**, if any student has not made all necessary selections by the end of class of Wednesday, September 7th, then that student's papers/chapters shall be **assigned** by the instructor.

Each paper/chapter outline shall be a typed on the front side of a single sheet of white 8.5"x11" paper. The four margins shall be one inch each. The typing shall be single spaced in a font face of size 12. The outline shall use the format I.A.1.a.i. *Every outline item shall be a complete sentence*. Rarely ought any such outline use the a. level of detail; and almost never ought a student's outline use the i. level of detail. The outline's last capital Roman numeral shall be a student identified direct connection between that paper/chapter and that week's assigned readings from the b-law textbook. The outline's page shall have a header. The header shall list, starting at the left margin: [i] the student author's last name; [ii] submission date; [iii] book title; and [iv] paper/chapter number and title.

Each lecture on a paper/chapter shall be 10 minutes in length (+/- 1 minute). The lecture shall be based upon the student's outline; but, since the outline is a summary the lecture ought include information not included in the outline; for example, the lecture **must** include an express treatment of an ethical issue touched upon by the paper/chapter. The student may use the white board during the lecture but may not use any digital device (e.g., no PowerPoint). Merely reading, or substantially merely reading, the outline earns a grade of "F" on the lecture.

The **due day** for all **outlines** shall be the **Monday** prior to the lecture date. The delivery day of all **lectures** shall be **Wednesday**. All outlines delivered after the end of that Monday's class earn a grade of "F". No student may have more than one outline due on a given day (i.e., all students must have outlines due in **five different weeks**).

NOTICE: *plagiarism earns an assignment grade of "F" and may earn a course grade of "F". If you do not have actual knowledge of what is and what is not plagiarism, then get that knowledge before you are expelled from the university.*

EXAMS:

There are two required exams. The Midterm Exam is on **October 19th** and is worth 300 course points. The Comprehensive Final Exam is, as scheduled per order of the UoN Regents, on **December 12th** and is worth 350 course points. All required exams are closed book and closed notes. The student shall provide both a single **blue book** and an **ink pen** for each exam.

Both the Midterm Exam and the Comprehensive Final Exam are essay exams. Each essay exam will contain three questions about a shared set of facts. That shared set of facts will be distributed face-to-face at least one week prior to the exam. Each of those three questions shall require the student to engage in detailed legal analysis. The student shall select one of those three questions to demonstrate the student's mastery of ethical analysis.

Correct use of legal vocabulary (i.e., objectively demonstrate having read and understood the assigned b-law readings) is critical to earning a passing grade on exams. Exams will test the student's master of the assigned readings from the *Business Law: Text and Cases* textbook and the instructor's classroom handouts as well as your professor's lectures over that textbook material and those classroom handouts. Exam

answers may, but are not required to, include appropriate information from other readings and/or lectures.

Each question on each exam will be graded using the truncated scale of:
A = 100%; C = 75%; and F = 30%.

EXTRA CREDIT:

There are two forms of extra credit: non-contracted and contracted. There is no make up work for any extra credit. All extra credit is graded on some truncated scale.

All non-contracted extra credit shall be announced in the classroom the day that extra credit is available to be earned by in classroom activity. There might or not be any non-contracted extra credit.

Contracted extra credit is worth 100 course points and is available to all students that draft a proposed contract that gains the instructor's signature. Contracted extra credit is earned with the output of a student authored review, published in the UNO *Gateway*² newspaper, of a theatrical event. All films screened at Film Streams³ are theatrical events. All live theater productions (e.g., UNO plays⁴) in the Omaha metro area are theatrical events. There might be other events that are equivalent to these listed "theatrical events". The student's review must be published in the *Gateway* prior to the end of that theatrical event's run (e.g., if movie is screened from October 1 through October 10, then the review must be published on October 9 or earlier). The review shall expressly include at least one legal issue and at least one ethical issue, those legal and ethical issues being addressed in manner appropriate to the audience of the readers of the *Gateway*. Contracted extra credit is graded on the truncated scale of A = 100% and F = zero percent.

ACADEMIC DISHONESTY:

Any form of academic dishonesty (e.g., plagiarism) on any one assignment, solely in the instructor's discretion, may earn the student a course grade of "F".

² <http://www.unogateway.com/>

³ <http://filmstreams.org/>

⁴ http://www.unotheatre.com/THEATRE_PAGES/FRAMES.html

Date	TOPIC	Chapters and/or Focus on Ethics (FoE)
M Aug 22	review LAWS 3930 Business Law Fundamentals	
	http://cba.unomaha.edu/faculty/mohara/web/BLFf10-Memorization-Items.pdf	
	as well as	
	review microeconomics and capitalism	
	http://cba.unomaha.edu/faculty/mohara/web/BLFf10-Econ-Slides.pdf	
Aug 24	review LAWS 3930 Business Law Fundamentals	
M Aug 29	<u>ethics</u>	5 and FoE 1, 2, 3, 4, 9, & 10
Aug 31	<u>ethics</u>	5 and FoE 1, 2, 3, 4, 9, & 10
M Sep 5	<i>no class: Labor Day</i>	
Sep 7	<u>ethics</u>	<i>Systems Handout</i>
	http://cba.unomaha.edu/faculty/mohara/web/LEA-f11-SYSTEMS-handout.pdf	
	last day for selecting papers and chapters	
M Sep 12	<u>ethics</u>	<i>Systems Handout</i>
Sep 14	property	49, 50, 8, & 46
M Sep 19	property	49, 50, 8, & 46
Sep 21		1st student lecture
M Sep 26	UCC Art. 3 & Art. 4	24, 25, 26, & 27
Sep 28		2nd student lecture
M Oct 3	UCC Art. 3 & Art. 4	24, 25, 26, & 27
Oct 5		3rd student lecture
M Oct 10	UCC Art. 9 & bankruptcy	28, 29, 30, & 31
Oct 12		4th student lecture
M Oct 17	<i>no class: Fall Break</i>	
Oct 19	Midterm Exam	<u>bring blue book and ink pen</u>
M Oct 24	<u>ethics</u>	FoE Units 2, 5, 6, 9, & 10
Oct 26		5th student lecture
M Oct 31	principal & agent	32, 33, 34, & 35
Nov 2	principal & agent	32, 33, 34, & 35
M Nov 7	partnerships	36, 37, & 38
Nov 9		6th student lecture
M Nov 14	corporations	39, 40, & 41
Nov 16		7th student lecture
M Nov 21	securities	42 & 43
Nov 23	<i>no class: Thanksgiving Break</i>	
M Nov 28	<u>ethics</u>	48 and FoE 7 & 8
Nov 30		8th student lecture
M Dec 5	<u>ethics</u>	all FoE Units and <i>Systems Handout</i>
Dec 7	<u>ethics</u>	all FoE Units and <i>Systems Handout</i>
M Dec 12	9:00 - 11:0 AM	Comprehensive Final Exam <u>bring blue book and ink pen</u>

DATES OF STUDENT LECTURES: outlines due the preceding Monday

- W Sep 21 **1st** student lecture
- W Sep 28 **2nd** student lecture
- W Oct 5 **3rd** student lecture
- W Oct 12 **4th** student lecture
- M Oct 17* *no class: Fall Break*
- Oct 19** **Midterm Exam** **bring blue book and ink pen**
- W Oct 26 **5th** student lecture
- W Nov 2 principal & agent 32, 33, 34, & 35
- W Nov 9 **6th** student lecture
- W Nov 16 **7th** student lecture
- W Nov 23* *no class: Thanksgiving Break*

W Nov 30 **8th** student lecture

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The Worldly Philosophers

- 1st chap. 3 Adam Smith: pp. 42 - 74.
- 2nd chap. 4 Parson Malthus & David Ricardo: pp. 75 - 104.
- 3rd chap. 5 Utopian Socialists: pp. 105 - 135.
- 4th chap. 6 Karl Marx: pp. 136 - 169.
- 5th chap. 7 Victorian World and the Underworld: pp. 170 - 212.
- 6th chap. 8 Thorstein Veblen: pp. 213 - 247.
- 7th chap. 9 John Maynard Keynes: pp. 248 - 287.
- 8th chap. 10 Joseph Schumpeter: pp. 288 - 310.

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The Federalist Papers <http://thomas.loc.gov/home/histdox/fedpapers.html>

- 1st papers 1 through 10 (NOTE: student picks one, not all listed for one day)
- 2nd papers 11 through 22
- 3rd papers 23 through 36
- 4th papers 37 through 49
- 5th papers 50 through 61
- 6th papers 62 through 71
- 7th papers 72 through 77
- 8th papers 78 through 85

<u>lecture date</u>	<u>Federalist Papers</u>			<u>Worldly Philosophers</u>	
	outline	outline	lecture	outline	lecture
1st W Sep 21	_____	_____	_____	_____	_____
2nd W Sep 28	_____	_____	_____	_____	_____
3rd W Oct 5	_____	_____	_____	_____	_____
4th W Oct 12	_____	_____	_____	_____	_____
<i>Midterm</i>					
5th W Oct 26	_____	_____	_____	_____	_____
<i>principal & agent</i>					
6th W Nov 9	_____	_____	_____	_____	_____
7th W Nov 16	_____	_____	_____	_____	_____
<i>Thanksgiving</i>					
8th W Nov 30	_____	_____	_____	_____	_____

INSTRUCTIONS:

1. Select five different dates.
2. Select three different papers from *The Federalist Papers* for outline, one of which is for lecture as well.
3. Select two different chapters from *The Worldly Philosophers* for outline, which automatically selects the corresponding dates, one of which is for lecture as well.
4. No two students may choose the same paper from *The Federalist Papers*.
5. No two students may choose the same chapter from *The Worldly Philosophers* **until** all chapters have been chosen (likewise for three students).
6. There will be no fewer than two lectures per lecture date (i.e., at least one from *The Federalist Papers* and at least one from *The Worldly Philosophers*). Accordingly, a second student seeking to lecture from the same book may not select an already selected lecture date until all lecture dates for that book have been selected.
7. A wise student will arrive at a selection meeting anticipating that at least one of that student's most preferred selections will not be available at that meeting.