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<http://cba.unomaha.edu/faculty/mohara/web/ohara.htm>**Office Hours: by appointment,****before class**, Wed. & Thurs. 5:30 - 6:00 PM**and after class**, W & R 8:40 - 9:30 PM

(after class office hours often are in the classroom)

T & R, 11:00 - 11:30 AM & (after class) 12:45 - 1:00

Legal, Ethical, and Social Environment

Spring 2001

BSAD 8010-001 # 00400

Wednesday**6:00 - 8:40 PM CBA 218**

BSAD 8010-002 # 00401

Thursday**6:00 - 8:40 PM CBA 218****COURSE DESCRIPTION:**

3 credit hours. "Focus upon law and ethics. Business law, legal processes, and regulations will be the subject matter focus. Business ethics will be a recurring focus of analysis. Analysis of the social environment will include public policy. Both subject matter and analysis will be integrated to build the student's critical thinking skills. Prereq.: MBA Foundation courses."

GRADED EVENTS:

A course letter grade of "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.

70% EXAMS**20% Midterm Exam** solo effort exam of 52 true-false questions**50% Comprehensive Final Exams****20% Solo Final Exam** comprehensive, 60 true false questions**30% Group Final Exam** comp., 20 zero-guess multiple-choice**10% Legal Analysis of "Othello"**, two pages**20% CLASS PARTICIPATION****EXTRA CREDIT****up to +2%** Leadership Series Summary, one page each, all students**up to +5%** actors in "Brazen", need five or ten students from class
(random assignment if too few volunteers)**TEXTS:**

1. Bagley, Constance E. and Dauchy, Craig E.
The Entrepreneur's Guide to Business Law. USA: West Ed. Pub. Co., 1998.
2. Cavenagh, Thomas D.
Dispute Resolution in Business. USA: West Ed. Pub. Co., 1999.

3. "Brazen". <http://cba.unomaha.edu/faculty/mohara/web/ALSBbrazen.htm>

EXAMS:

There are three (3) exams, one midterm and two comprehensive finals, one solo and one group. The Midterm Exam is worth 20% of the course grade, will be 52 True-False questions graded as if there were 50 questions, and is on **February 28-March 1**. The Comprehensive Final Exams are at the Regent's scheduled final exam time **May 2-3** and are worth 50% of the course grade. The Solo Comprehensive Final is worth 20% and the Group Comprehensive Final is worth 20%. The Solo Final will be 60 true-false questions graded as if there were 58. The Group Final will be 20 zero-guess (*i.e., a, b, c, all, none, a+b, a+c, or b+c*) multiple-choice questions based on the Solo Final questions. Each Study Group will get four attempts at successfully completing the Group Final exam. Questions will come from the two textbooks, the lectures, and class handouts covered to-date. See *Dr. O'Hara's web page for examples of prior exams.*

Study Groups will form no later than the end of break on **March 7-8**. Study Groups may have 3 or 4 members. All Study Groups must be voluntary associations: no student may be forced to join a group and no group may be forced to accept a student. ***If all students are not in voluntary groups by the end of break on March 7-8, then none are and the instructor will randomly assign all students to involuntary groups.*** **No group exists until the instructor certifies that all students are in voluntary groups or the instructor assigns involuntary groups.**

LEGAL ANALYSIS OF "OTHELLO":

This paper will analyze a play for contracts and torts. All students shall **attend a live performance** of the play "*Othello*". (See *Dr. O'Hara's web page for examples of prior Legal Analysis Papers.*) The two classes shall select, on **January 17-18** a night for their joint attendance at the play with the instructor. The play will be staged at UNOmaha *February 22, 23, 24, 28, March 1, 2, and 3*. The Legal Analysis Paper is due **March 21-22**.

Performances are staged in the Weber Fine Arts Building: between and south of the UNO Library and the Durham Science Center. Performances start promptly at 8:00 p.m. and generally are *over about 10:30 PM*. The instructor will be available both before and after the play to discuss the assignment. Family members and guests are most welcome to attend the play and discussions. **Tickets** for students cost \$5 and reservations may be made through the UNO Theatre Box Office at **554-2335** (with voice mail). Tickets for reservations must be *picked up no later than 5:00 PM the night of the show*. The Theatre Box Office and theatre entrances are near the south door of Weber FAB. A person who does not attend the play, but does author an otherwise objectively good faith effort will **earn a 50%** for Legal Analysis. To avoid a maximum score of 50% a student must either "check-in" with Dr. O'Hara the night of the play or staple a ticket stub to the assignment.

By collapsing preference voting, the two classes shall by majority vote select the day that the instructor will attend. In collapsing preference voting each voter rank orders their preferences. Rounds of counting continue until a majority of those voting identify a majority preference. If no preference earns a majority in round one, then in round two all voters who voted for the bottom two dates have their ballots counted again, this time counting their second preference. If a third round is necessary, the bottom four dates are eliminated. Rounds continue until a majority is obtained. Ties will be broken, first, by avoiding a class night (e.g., Friday beats Wednesday) and second by the flip of a coin (e.g., Wednesday versus Thursday)

This two-page assignment has two (not necessarily, but usually separate) one-page assignments. On your first page you will analyze a transaction in the play for a "contract." On your second page you will analyze a transaction in the play for a "tort." In one of these two transactions you shall conclude that there is "no adequate remedy at law" and then proceed to an analysis of the most appropriate equitable remedy. The words "no adequate remedy at law" **must** be bolded **and** the analysis of equitable remedy or remedies **must** consume at least one-fourth of that page.

This assignment will be graded on a pass-fail scale with "pass" equal to 100% and "fail" equal to 0%. Recall, student who do not objectively attend the play only will earn 50% for a "pass". A "pass" is earned when the legal analysis is, objectively (*preponderance of the evidence*) a good faith effort at a complete analysis. Student papers may be read by other students in class and may be discussed as part of class participation.

CLASS PARTICIPATION:

Class Participation is worth 20% of the course grade. There is NO MAKE-UP WORK for Class Participation. *You are a graduate student* and you are expected to perform at that level. *A close and thoughtful reading of the assigned readings prior to class is expected.* Each student will have excluded one day's class participation grade from the calculation of his or her course Class Participation grade. For the course, each student typically will earn a grade of 80% on Class Participation. Class Participation effort will be graded on the truncated scale of:

best in class	=	A+	=	100%
clearly excellent	=	A	=	90%
expected quality	=	B	=	80%
suspect quality	=	C	=	70%
fail	=	F	=	50%.

TYPING REQUIREMENTS:

Whether the assignment may be single-spaced or double-spaced is specified in the assignment as is the page length. All typed assignments shall be in a #12 font typeface, shall use one-inch margins on all four sides of a page, and shall be typed on 8 1/2" x 11" white paper. DO NOT USE A COVER SHEET, instead **use a single line header (e.g., see top of this page)** on each page identifying, from left to right: (1) the student author; (2) the assignment; (3) the date submitted [e.g., *BillyJoe DonBob Baleu; Legal Analysis of "Othello"; March21, 2001*]. For two page assignments you have two options: either you may print on both sides of one sheet of paper (*the preferred method*) or you may staple two sheets together. (*NOTE: Because the CBA computer labs' printers are networked, the labs will not let you print front-to-back. For you to print front-to-back you need to have control of the print queue, which is an inappropriate breach of security for the CBA computer lab's networked printers.*)

You have been charged a \$5 *per credit hour* technology fee for the ENRON Computer Lab in CBA 403 and the campus computing rooms in CBA 007, EAB 009, and DSC 104 all of which have word processing software and provide computer support for you. *You also have paid for a UNO email account. CBA will, upon your timely request, give you a print card for use in the ENRON lab and worth \$5.* Grammar, punctuation, and spelling do influence your grade. For page limits and other assignment specific typing requirements, see the specific assignment. **EACH FAILURE to comply with the typing requirements (e.g., incorrect header or not using a staple) will cause an AUTOMATIC LOSS OF 5% from your earned assignment grade.**

EXTRA CREDIT: LEADERSHIP SERIES:

The MBA graduation requirements include attending three (3) **Leadership Series** presentations prior to graduation. The presentations start at **5:30 PM** and run until 7:00 PM in the **CBA Auditorium's** main room, Pod A. During Spring 2001 the presentations are scheduled to be on Tuesday, **February 6** and on Wednesday, **March 7**. You may earn 1% on each presentation.

To earn 1% Extra Credit you need to do two things. First, attend a Leadership Series presentation, including "checking-in" with the MBA Advisor Lex Kaczmarek. Second, submit on the appropriate due date a one-page, a single-spaced or a double-spaced summary of the presentation, including your comments on how the presentation relates to law and/or ethics. The Extra Credit assignments will be graded Pass = 100% and Fail = 0% where Pass is an objectively (*probable cause*) good faith effort.

Assuming the tentative dates turn into actual dates, then on January 30 class will start at 5:30 in the CBA Auditorium; and the Extra Credit due date for the

(Tuesday) February 6 presentation is **February 21-22**; and the Extra Credit due for the (Wednesday) March 7 presentation is **March 21-22**.

EXTRA CREDIT: "BRAZEN":

One or two groups of five students may earn up to +5% Extra Credit by staging the play "Brazen". The five roles are Kerry, Chris, Pat/moderator, and two attorneys. If two groups of five volunteer, then the play will be staged twice. The attorneys will have two roles, first to outline the law for the audience prior to the play and second to make an oral argument for their client's final offer. Kerry, Chris, and Pat need not completely memorize their lines, however, any actor that rarely uses the script is assured of +5%.

Students may volunteer on a first-come-first-served basis. If too few students volunteer by March 7-8, then the instructor will randomly assign students. A randomly assigned student is clearly is not prepared for their part will earn **minus** 5% Extra Credit.

An additional handout will be distributed for how the class meeting on April 18-19 will be conducted.

MAKE-UP WORK:

Make-up work is strongly discouraged. **There is no make-up work for Class Participation and really is not feasible for the Group Final Exam.** 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. timely, **written verification** by an impartial third party
(e.g., from mortician on letterhead).

ACADEMIC DISHONESTY:

Any form of academic dishonesty (e.g., looking on another student's Solo Final Exam) will be grounds for a course grade of "F."

<u>DATE</u>	<u>CHAPTERS and EVENTS</u>
Jan 10-11	Syllabus and discussion of web slides ethics, judicial process, contracts, torts, and constitutional law
Jan 17-18	Cav. Preface, Foreword, & 1 (process & ADR); B&D 1, 2, & 3 (plunge, leaving, attorney) [64 pages] vote for night of play
Jan 24-25	B&D 10 (contracts), 11 (torts), & 12 (product liability) [94 pages]
Jan 31-Feb 1	B&D 4 (incorporate), 5 (ownership), 9 (Board of Directors) [81 pages]
Feb 7-8	B&D 6 (money) & 7 (bankruptcy) [87 pages] Leadership February 6 at 5:30 in CBA 010 A
Feb 14-15	B&D 13 (human resources) [70 pages]
Feb 21-22	B&D 14 (intellectual property) [62 pages] Leadership EC#1 due attend play on _____
Feb 28-Mar 1	6:00 - 7:00 student questions and study time 6:30 MIDTERM EXAM
Mar 7-8	B&D 8 (venture capital) & 15 (going public) [93 pages] form Study Groups last day to volunteer for "Brazen" Leadership March 7 at 5:30 in CBA 010 A; class starts at 7:00
<i>Mar 14-15</i>	<i>no class SPRING BREAK</i>
Mar 21-22	"Brazen" & baseball arbitration by Study Groups Legal Analysis due Leadership EC#2 due
<i>Mar 28-29</i>	<i>NO CLASS</i>
Apr 4-5	Cav. 2 (USPS), 3 (Sandia), 4 (Darden), & 5 (\$ General) [83 pages]
Apr 11-12	Cav. 6 (Air), 7 (BP), 8 (G-P), 9 (snap), 10 (concl.), & Apx. 1 & 2 [101 pages]
Apr 18-19	"Brazen" & mediation within Study Groups
Apr 25-26	review whole course via all Class Partic. student evaluations
May 2-3	6:00 - 7:00 review 7:00 - 9:00 Solo and Group Comprehensive Final Exams