

Michael J. O'Hara

CBA 502 UNO Omaha NE 68182

(402) 554-2823 (with voice mail)

mohara@unomaha.edu

fax (402) 554-2680

<http://cba.unomaha.edu/faculty/mohara/web/ohara.htm>**Office Hours: by appointment,****before class**, Mon. & Wed. 5:30 - 6:00 PM**and after class**, Mon. & Wed. 9:05 - 9:30 PM

(after class office hours often are in the classroom)

Legal, Ethical, and Social Environment

Summer 2001

BSAD 8010-101 # 00179 **Monday & Wednesday 6:00 - 9:05 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.

10% QUIZZES six quizzes, each worth 2% of the course grade; no Make-Up

70% EXAMS

30% Midterm Exam solo effort exam of 52 true-false questions

40% Comprehensive Final Exams

20% Solo Final Exam comprehensive, 60 true false questions

20% Group Final Exam comp., 20 zero-guess multiple-choice

10% LEGAL ANALYSIS PAPER of a play or a movie attended by class

10% CLASS PARTICIPATION no Make-Up

EXTRA CREDIT

up to +3% contract for specific task negotiated with instructor, must include an oral report to class

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.

QUIZZES:

There will be six quizzes. Each quiz will be worth 2% of the course grade, but with a maximum total of 10% of the course grade.

Each quiz will test material from that day's assigned reading and/or previously covered memorization material. Each quiz will have five True-False questions. Each quiz will be administered after the mid-class break (e.g., after 7:30). Each quiz will be graded on the following truncated scale:

4 or 5 correct	100%
2 or 3 correct	50%
0 or 1 correct	0%

The is no Make-Up work for Quizzes. Your quiz with your lowest score will not be counted.

EXAMS:

There are three (3) exams, one midterm and two comprehensive finals, one solo and one group. The Midterm Exam is worth 30% of the course grade, will be 35 True-False questions graded as if there were 33 questions, and is on **May 23**. The Comprehensive Final Exams are at the Regent's scheduled final exam time **June 20** and are worth 40% 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 **June 4**. 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 June 4, 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 PAPER:

The Legal Analysis Paper (LAP) will analyze a play for contracts and torts. The LAP is worth 10% of the course grade. The class as a whole will attend a live performance of a play. One class meeting will be devoted to attending the play. On **May 16** the instructor will announce the play that the class will attend on **May 30**. (If no play acceptable to the instructor is available (e.g., theater will not set aside 35+ seats for the class), then on May 16 the class will be allowed to select, by majority vote, from a list of movies).

The LAP is a two-page assignment with *two, separate, one-page assignments*. The LAP may be typed either single or double-spaced.

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%. Because course related discussion will follow the movie, any student who does not attend both the play and the discussion will earn a maximum grade of 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. Accordingly, the instructor's comments will not appear on the papers of individual students, rather global comments on the LAPs of all students will be sent by email to all students. Also note, student papers may be read by other students in class and may be discussed as part of class participation. (See *Dr. O'Hara's web page for examples of prior Legal Analysis Papers.*) See TYPING REQUIREMENTS.

CLASS PARTICIPATION:

Class Participation is worth 10% 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. Your daily Class Participation effort will be graded on the truncated scale of:

clearly excellent	=	A	=	90%
expected quality	=	B	=	80%
suspect quality	=	C	=	70%
present and fail	=	F	=	50%
absent and fail	=	F	=	0%.

At the end of the semester, from those students that have earned a course Class Participation grade of "A", the instructor will select a single student who will be awarded a course Class Participation grade of 100% signifying "best in class". Attendance is not directly graded. During the summer session the importance of regular attendance is a far greater contributor to successful performance than during a fall or spring semester. See QUIZZES.

EXTRA CREDIT:

To earn Extra Credit a student must contract with the instructor. All Extra Credit contracts must be written and signed *prior* to the start of the Midterm Exam on **May 23**. All Extra Credit contracts must be completed prior to the end of class on **June 13**. Poor performance on an Extra Credit contract can earn the student *negative extra credit*.

The instructor welcomes suggestions from students for law related Extra Credit contracts. The instructor strongly recommends that students who enroll in BSAD 8060 *after* Spring 2001 design an Extra Credit assignment around the firm for their business case. The instructor has a specific Extra Credit task that requires a group of five students.

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 "name of play"; June 11, 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.**

MAKE-UP WORK:

Make-up work is strongly discouraged. **There is no make-up work for either Class Participation or Quizzes, 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>
May 7	Syllabus and discussion of web slides ethics, judicial process, contracts, torts, and constitutional law
May 9	Cav. Preface, Foreword, & 1 (process & ADR); B&D 1, 2, & 3 (plunge, leaving, attorney) [64 pages]
May 14	B&D 10 (contracts), 11 (torts), & 12 (product liability) [94 pages]
May 16	B&D 4 (incorporate), 5 (ownership), 9 (Board of Directors) [81 pages] announce play or vote on movie
May 21	B&D 6 (money) & 7 (bankruptcy) [87 pages]
May 23	6:00 - 7:00 student questions and study time 7:00 MIDTERM EXAM
May 28	<i>NO CLASS MEMORIAL DAY</i>
May 30	<i>attend play _____ at _____ curtain time _____ phone number for reservations _____</i>
June 4	B&D 13 (human resources) & 14 (intellectual property) [132 pages] form Study Groups
June 6	B&D 8 (venture capital) & 15 (going public) [93 pages]
June 11	Cav. 2 (USPS), 3 (Sandia), 4 (Darden), & 5 (\$ General) [83 pages] LAP due
June 13	Cav. 6 (Air), 7 (BP), 8 (G-P), 9 (snap), 10 (concl.), & Apx. 1 & 2 [101 pages] <i>last due date for Extra Credit contracts</i>
June 18	review whole course via all Class Partic. student evaluations
June 20	6:00 - 7:00 review 7:00 - 9:05 Solo and Group Comprehensive Final Exams