

MGT-2000-M02 Spring 2018
Legal Environment of Business

Professor: Daragh Michael Brehony

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Office Hours: I will stay after class to meet with students and answer any questions. If this is not suitable please email me to arrange an appointment.

Credits: 3

Prerequisite: ENGL-1500 or equivalent level of English

Course Book: The Legal Environment of Business and Online Commerce by Henry R. Cheeseman (7th Ed.) (Please note that there are different versions of this same edition of the book in circulation. The main distinction appears to be the page numbering, so course readings from this book will refer to chapters and topics instead of page numbers.)

Course Description:

Introduction to the U.S. legal system and to specific areas of the law such as Torts, Contracts, the law agency and of business organizations. The course also covers American public law affecting businesses, including securities regulations, antitrust law, consumer protection, and employment law. International law, online commerce, global and ethical issues considered throughout.

Tuesday/Thursday, 14:30-15:45: due to my travel schedule, some classes may be cancelled throughout the semester. Advance notice will be given to students, as well information regarding when the missed classes will be made up.

Common Course Objectives:

1. To acquire an awareness of business ethics as well as potential conflicts between the law and ethics; to acquire a basic understanding of the court/legal system in the United States; to acquire a general knowledge of administrative, agency, constitutional, contract, corporation, employment, intellectual property, labor, partnership, product liability, securities and tort law.
2. To recognize areas of potential legal concern in the business environment.
3. To understand legal reasoning and to be able to apply legal principles mastered in the classroom to business situations.

Midterm and Final Exams:

Exams may include questions in the following forms: Short Answer, Short Essay, Long Essay, Problem Question; and Multiple Choice.

Grades: Final grades will be calculated as follows:

First Midterm Exam	15%
Second Midterm Exam	15%
Final Exam	50%

Class Participation/Preparation	10%
Attendance	10%

Letter Grades:

A = 93-100%	A- = 90-92%	
B+ = 87-89%	B = 83-86%	B- = 80-82%
C+ = 77-79%	C = 73-76%	C- = 70-72%
D = 60-69%		
F = 59% and below		

Late Policy:

Midterm and final examinations must be written on their respective dates. No alternative examinations will be scheduled except in the case of excused medical absences. Cases of excused medical absences must be petitioned for through the Chair of the Department. Make-up midterms are subject to approval by the professor, the Chair and the Department of Business and Economics. All changes to the final examination must be approved by the Academic Dean.

Reading Assignments:

At least one week before any given class, students will be provided with the relevant reading materials through Blackboard. Class discussion will proceed on the understanding that students have already studied the materials prior to coming to class and are prepared to engage in a high-level discussion of these materials.

The readings will normally consist of sections from the course book, as well as relevant case law and news/opinion articles that we will be discussing in class. Everything that we discuss in class is examinable. If something is included in the readings but not discussed in class, it will not be on the exam. Therefore, it is highly recommended that students obtain class notes from their colleagues for any missed classes.

Students should further note that Class Participation/Preparation will go towards a significant part of a student's grade. Students are therefore encouraged to speak up and to actively and meaningfully engage in class discussion. Absences from class will be excused for valid reasons. In this regard I ask that students **email** me with their reason for missing class so that your grade will not be affected. Without written confirmation any absences will be marked as unexcused.

Important Dates:

January 21	Last day to drop a class without a grade of W or to add a class. Last day to choose audit (AU) or pass/no pass (P/NP) options.
March 9	Last day to drop a class and receive a grade of W.
April 4	Registration for Fall 2018 semester begins.

Accommodation Statement:

In recognition that people learn in a variety of ways and that learning is influenced by multiple factors (e.g., prior experience, study skills, learning disability), resources to support student success are available on campus. Students who think they might benefit from these resources can find out more about:

1. Course-level support (e.g., faculty member, departmental resources, etc.) by asking your course instructor.
2. University-level support (e.g., tutoring/writing services, Disability Services) by visiting the Academic Dean's Office (San Ignacio Hall) or by going to <http://www.slu.edu/madrid/learning-resources>.

Students with a documented disability who wish to request academic accommodations **must** contact Disability Services to discuss accommodation requests and eligibility requirements. Once successfully registered, the student also **must** notify the course instructor that they wish to access accommodations in the course. Please contact Disability Services at disabilityservices-madrid@slu.edu or +915 54 58 58, ext. 230 for an appointment. Confidentiality will be observed in all inquiries. Once approved, information about the student's eligibility for academic accommodations will be shared with course instructors via email from Disability Services. For more information about academic accommodations, see "Student Resources" on the SLU-Madrid webpage.

Note: Students who do not have a documented disability but who think they may have one are encouraged to contact Disability Services.

Academic Integrity Statement:

Academic integrity is honest, truthful and responsible conduct in all academic endeavors. The mission of Saint Louis University is "the pursuit of truth for the greater glory of God and for the service of humanity." Accordingly, all acts of falsehood demean and compromise the corporate endeavors of teaching, research, health care and community service via which SLU embodies its mission. The University strives to prepare students for lives of personal and professional integrity, and therefore regards all breaches of academic integrity as matters of serious concern.

The governing University-level Academic Integrity Policy can be accessed on the Provost's Office website at:

http://www.slu.edu/Documents/provost/academic_affairs/University-wide%20Academic%20Integrity%20Policy%20FINAL%20%2006-26-15.pdf.

As a member of the University community, you are expected to know and abide by these policies, which detail definitions of violations, processes for reporting violations, sanctions and appeals

Student Outcome Assessment:

Saint Louis University-Madrid Campus is committed to excellent and innovative educational practices. In order to maintain quality academic offerings and to conform to relevant accreditation requirements, we regularly assess our teaching, services, and programs for evidence of student learning outcomes achievement. For this purpose we keep on file anonymized representative examples of student work from all courses and programs such as: assignments, papers, exams, portfolios, and results from student surveys, focus groups, and reflective exercises. *Thus, copies of your work for this course, including any exams, assignments and/or submitted papers may be kept on file for institutional research, assessment and accreditation purposes.* If you prefer that Saint Louis University-Madrid Campus does not keep your work on file, you will need to communicate your decision in writing to your professor.

Title IX:

Saint Louis University and its faculty are committed to supporting our students and seeking an environment that is free of bias, discrimination, and harassment. If you have encountered any form of sexual misconduct (e.g. sexual assault, sexual harassment, stalking, domestic or dating violence), we encourage you to report this to the University. If you speak with a faculty member about an incident of misconduct, that faculty member must notify SLU's Title IX deputy coordinator, Marta Maruri, whose office is located on the ground floor of Padre Rubio Hall, Avenida del Valle, 28 (mmaruri@slu.edu; 915-54-5858 ext. 213) and share the basic fact of your experience with her. The Title IX deputy coordinator will then be available to assist you in understanding all of your options and in connecting you with all possible resources on and off campus.

If you wish to speak with a confidential source, you may contact the counselors at the SLU-Madrid's Counseling Services on the third floor of San Ignacio Hall (counselingcenter-madrid@slu.edu; 915-54-5858 ext. 230) or Sinews Multiplertherapy Institute, the off-campus provider of counseling services for SLU-Madrid (www.sinews.es; 91-700-1979) To view SLU-Madrid's sexual misconduct policy and for resources, please visit the following web address: http://spain.slu.edu/student_life/docs/SLUMadridSexualMisconductPolicy.pdf

Maintaining of Records:

In order to maintain quality academic offerings and to conform to accreditation requirements, SLU-Madrid regularly assesses its teaching, services and programs for evidence of student learning. For this purpose, SLU-Madrid keeps representative examples of student work from all courses and programs on file, including assignments, papers, exams, portfolios and results from student surveys, focus groups and reflective exercises. Copies of your work for this course may be kept on file for institutional research, assessment and accreditation purposes. If you prefer SLU-Madrid not to retain your work for this purpose, you must communicate this decision in writing to your professor.

Class Schedule Spring 2018*

Introduction / Sources of Law and Legal Theory Definition of law; functions of law in society; development of law; United States legal system; common law vs. civil law; federal law and state law; sources of law; theories of law; international law.
Ethics and Social Responsibility of Business Law and ethics; ethics in professions; Madoff; theories of ethics; whistleblowers; social responsibility of business.
Court System and Jurisdictional Issues (2 classes) State court system; federal court system; special courts; U.S. Supreme Court; federal court jurisdiction; state court jurisdiction; standing; choice of law and forum selection clauses; litigation process and procedure; class actions; statutes of limitation; trial.
Constitutional Law for Business Federalism and delegated powers; legislative branch; executive branch; judicial branch; supremacy clause; commerce clause; dormant commerce clause; Bill of Rights; standards of review; freedom of speech and expression.
Formation of Contracts (2 classes) Offer and acceptance; bilateral and unilateral contracts; auctions; consideration; capacity to contract; intention to create legal obligations; illegal contracts; unconscionability;
Performance & Breach of Contracts (2 classes) Mistake; fraud; misrepresentation; duress and undue influence; statute of frauds; performance and breach of contract; types of damages; equitable remedies.
Sales and Lease Contracts Uniform Commercial Code; sale and lease of goods and services; entrustment rule; warranties.
First Midterm Exam: February 15
Torts (2 classes) Duty of care; negligence; causation; foreseeability; professional malpractice; negligent infliction of emotional distress; egg shell skull rule; assumption of risk; contributory negligence; intentional torts; damages.
Strict Liability and Product Liability Strict liability; defect in manufacture; defect in design; defect in packaging; failure to warn; defenses; damages.
Business and Online Crimes Criminal process; burden of proof; punishment; classification of crimes; actus reus and mens rea; securities fraud; conspiracy; insider trading; search and seizure; 5 th amendment rights; cybercrimes.
U.S. Employment Law (2 classes)

EEOC; Title VII of the Civil Rights Act of 1964; protection at state and federal levels; types of discrimination; defenses; affirmative action; worker's compensation; Fair Labor Standards Act; minimum wage.
Consumer and Data Protection The FDA; regulation of food and drugs; unfair and deceptive practices; Dodd-Frank Act; fair debt collection; data protection in the U.S. vs. the EU; Facebook and Safe Harbor.
Second Midterm Exam: March 20
Entrepreneurship, Sole Proprietorships and Partnerships Sole proprietorship; general partnership; limited partnership; tort liability of partners; dissolution.
Corporate Formation Shareholders; board of directors; corporate officers; forming a corporation; articles of incorporation; registered agent; public and private corporations; Delaware; S. Corp and C. Corps; types of stock; piercing the corporate veil;
Corporate Directors, Officers, Shareholders and Corporate Liability (2 classes) Duties of board of directors and officers; business judgment rule; derivative actions; duty of loyalty; mergers and acquisitions; dissolution.
Intellectual Property Law Trade secret; patents; trademarks; copyright; fair use.
Antitrust / Competition Law State law vs. federal law approaches; government and private actions; Sherman Act; price fixing; division of markets; boycotts; monopolies; Clayton Act; mergers.
Course Review
FINAL EXAM: Tuesday May 8 from 12:00-15:00

*Please note that this schedule is tentative, and may be amended over the course of the semester depending on our progress. Furthermore, this is not intended to be an exhaustive list of the topics we will be covering, but more a general guide to the course.