# BUSINESS LAW, LW443, Spring, 2014

**CALENDAR AND READING ASSIGNMENT**

**T/TH, 7:00 p.m.**

**Date Chapter Subject\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**January**

**23 First meeting of class, distribution of calendar, syllabus,**

**introduction to course, discussion concerning legal**

**research, discussion concerning negotiable instruments.**

**28 31 Negotiable Instruments**

**30 32 Negotiation and Holder in Due Course**

**February**

**4 33 Liability of Parties**

**6 34 Checks and Documents of Title**

**11 First Examination, Chapters 31-34**

**13 35 The Agency Relationship**

**18 36 Third Party Relations of the Principal and the Agent**

**20 37 Intro. to Forms of Business & Formation of Partnerships**

**25 38 Operation of Partnership and Related Forms**

**27 39 Dissolution, Winding Up, and Termination of Partnerships**

**March**

**4 40 Limited Partnerships and Limited Liability Companies**

**6 Second Examination, Chapters 35-40**

**13 41 History and Nature of Corporations**

**18 42 Organization of Financial Structure of Corporations**

**20 43 Management of Corporation**

**April**

**1 44 Shareholders’ Rights and Liabilities**

**3 45 Securities Regulation**

**8 Third Examination, Chapters 41-45**

**10 46 Legal and Professional Responsibilities of Auditors, etc.**

**15 47 Administrative Agencies**

**17 48 Federal Trade Commission & Consumer Protection**

**22 49 The Sherman Act**

**24 49 The Sherman Act, continued**

**29 50 The Clayton Act**

**May**

**1 50 Clayton Act, continued**

**6 51 Employment Law**

**8 52 Environmental Law**

**13 52 Environmental Law, continued**

**15 Final Examination, Chapters 46-52**

***Course Description:* This calendar and assignment sheet and the Course Description constitute the content and requirements of the course.**

***Required Text Book:* Business Law, The Ethical, Global, and E-Commerce Environment, Fifteenth Edition, Jane P. Mallor, et al., (Irwin, McGraw-Hill, 2013. (14th edition cannot be used)**

***Instructor:* Professor John C. Dierking, MA, JD**

**UNIVERSITY OF GUAM**

**COLLEGE OF BUSINESS AND PUBLIC ADMINISTRATION**

**LW 443, T/TH, 7:00 P.M., Spring, 2014**

**INSTRUCTOR: Professor John C. Dierking, MA, JD**

**TEXT: Business Law, The Ethical, Global, and E-Commerce Environment, Fifteenth Edition, Jane P. Mallor, et al., (Irwin, McGraw-Hill, 2013. Each student must have a book, either hard cover or soft cover. An E-book is not allowed to be used as a text in class; in such case a hard copy of assigned chapter is brought to class. (A paper back book of text can be purchased at Amazon.)**

**OBJECTIVES: OBJECTIVES: To consider the aspects of law that fall within the realm of business law, but limited to the following areas: Negotiable Instruments, Agency, Corporations, Administrative Agencies, Federal Trade Commission, Consumer Protection, The Sherman Act, The Clayton Act, Employment Law, and Environmental Law.**

**The historical development of each of the above systems of law will be considered, with an emphasis on the American system of law. Text and cases pertinent to the above areas of law, as related to business, will be studied and discussed. The subject matter of each chapter of the text is set out in the attached course outline, and the objectives are set out in the text. The historical background and the manner in which economic conditions, politics, public policy, and social philosophy have caused changes in the law will be considered. Techniques in legal analysis and reasoning will be examined so that the course will introduce the student to the manner in which attorneys approach the solution of legal problems.**

**TESTS AND ASSIGNMENTS:**

**1. The reading assignment sheet is attached hereto. Reading assignments will be completed before each class and students must be prepared to discuss the assigned material. Typed or handwritten or typed case outlines must be prepared for each assigned case before class, which may be required to be handed in and graded. Pop quizzes and case outline preparation will count for 20% of the course grade. An assigned research paper and presentation is a requirement for completion of the course.**

**2. In the course of the semester there will be four (4) examinations, which will have the same weight in grading and will count for 80% of the course grade.**

**GRADING: 90-100-A. 80-89- B. 70-79-C. 60-69-D. 0-59- F**

**ATTENDANCE/PARTICIPATION: Students are expected to participate in discussions and ask questions, exchange ideas, and share knowledge. Class attendance is therefore required, and students are expected to arrange their family, personal, academic, and work schedules to allow for regular class attendance. Nonattendance and lack of class participation will be reflected in the course grade. More than three absences are not authorized. Repeated tardiness will be reflected in the course grade. In the event that there are more than three unexcused absences or three tardies, the student must meet with instructor regarding the same.**

**PREPARATION: Reading assignments will be completed before class. Students who are unprepared to answer questions about the assignment on three occasions may lose one letter grade from the class participation portion of their final grade.**

**COMPUTERS, CELL PHONES AND ELECTRONIC COMMUNICATION DEVICES: All cell phones, computers, electronic communication devices, and games will be turned off during class. Students will not leave class for the purpose of making or answering phone calls. In the event there are emergency concerns of child care providers, they should be instructed to call the CBPA office or the Campus Security Officer who can deliver an emergency message to the student in the classroom. No tape recording or video photography is allowed without specific permission.**

**LEAVING THE CLASSROOM: Students will not leave the classroom during the course of the class session without permission. The professor should be approached in the event of an unexpected personal emergency. If there is a reoccurring physical condition involved, the ADA policy set out below must be complied with. If the student is permitted to leave the classroom while in session, his or her electronic communication devices must be left at their desk.**

**FOOD AND DRINK POLICY, DRESS: The professionalism required of CBPA students will not permit eating food and drinking soft drinks in class. Water bottles will be kept off the desk top. Shower slippers, tank tops, hoodies, and ball-caps will not be worn in the professional environment of the class. Gum chewing is not permitted. Possession of weapons is not allowed by law and university policy.**

**MEETINGS WITH THE PROFESSOR: Students are encouraged to meet with the professor in the event of difficulties or need for information. Please make an appointment with the professor before dropping the class. Meetings are by appointment and will normally be held immediately after class in the classroom.**

**SKILLS REQUIRED: Professional demeanour, respect, and courtesy are expected.**

**TEACHING METHODOLOGY: The course is based on case studies in the text, which the student is expected to analyse, outline, and be prepared to present during class. The students will prepare an outline of each case in the form prescribed (Facts, Issue, Decision, Reasons.) Any class notes will be taken on the reverse side of each outline. The professor may allow the outlines to be use during examinations, but will not be used for quizzes.**

**RESEARCH PROJECT: A research project will be assigned to each student, which will require independent individual research at the Guam Territorial Law Library. A five (5) page report will be completed and a five (5) minute presentation by each student may be required. Completion of the project is a requirement of the course.**

**STUDENT CONTACT INFORMATION: The University requires that each student supply to the professor a telephone number or cell phone number, and e-mail address if available. Emails will be used by the Professor for communication with students. A form is provided for such information.**

**AMERICAN WITH DISABILITIES ACT (ADA) POLICY:**

**If you are a student with a disability who will require accommodation(s) to participate in this course, please contact me privately to discuss your specific needs. You will need to provide me with documentation concerning your need for accommodation(s) from the University of Guam’s EEO/ADA Office. If you have not registered with the EEO/ADA Office, you should do so immediately at 735-2244/2971/2243 to coordinate your accommodation request.**

**CANCELED CLASSES: In the event any class session is cancelled, the next class session will cover the material assigned for *both* sessions.**

**Law Library Legal Research Assignment**

**Prior to January 15, 2014, each student will visit the Guam Territorial Law Library (adjacent to the Courthouse in Agana) and accomplish the following:**

1. **Tour the library shelves and become aware of the layout and legal resource material.**
2. **Using the computers available to the public, access the Guam Supreme Court cases and the Guam Code.**
3. **Using the computers, access the Westlaw System and learn to research a legal issue of interest to you.**

**A quiz will contain questions concerning this assignment.**

**A legal research project will be assigned by mid-semester;**

# Please hand in this sheet

**LW 443, Spring, 2014**

**Professor Dierking**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Telephone No. Land:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Cell:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**E-mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**FORM FOR CASE OUTLINES, LW443, (please copy multiples)**

**Names of Case: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (page no.)**

**FACTS (may use diagram):**

**ISSUE (one sentence each):**

**DECISION (one sentence for each issue):**

**REASONS FOR DECISION (bullet point summary):**

**1.**

**2.**

**3.**

**4.**

**Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_**