



THE UNIVERSITY OF TEXAS AT AUSTIN
McCOMBS SCHOOL OF BUSINESS

SYLLABUS
Business Law
LEB 323
Spring 2010

MWF 9:00 – 9:50 a.m. GSB 2.126 UNIQUE # 03405

Lecturer: Joseph P. Cathey, J.D.
Office: CBA 5.252
Cell Phone: (512) 585-7683
Office Hours: By appointment (I'll have office hours during the week on a week-by-week schedule)
E-Mail: joseph.cathey@mcombs.utexas.edu
Text: Business Law, 11th Edition, Allison and Prentice

COURSE DESCRIPTION:

As our capitalist world has become more complicated and complex, a firm understanding of the growing number of legal issues affecting business is required by anyone pursuing a business career. Rarely can a company enter into a contract, hire or fire an employee or raise capital without having to evaluate a number of legal considerations. This course will focus on the legal framework in which business is conducted and will provide a basic understanding and awareness of the ways in which our legal system impacts business. In other words, I'm going to give you a crash course in law, why it's important to business and hopefully prove to you that not all attorneys are really dull.

COURSE MATERIALS:

Business Law

John R. Allison & Robert A. Prentice
11th Edition, 2008 (*selected chapters*)

(note: there are significant differences between the 10th and 11th editions. Thus, if you decide to try and save cash by using the 10th edition, you're rolling the dice grade-wise)

GRADING:

Unlike some professors (they know who they are) it hasn't been that long since I've been a student myself, and thus I'll do my best to be as fair as possible. I'll be grading on a curve and the mean GPA for the class will be approximately 3.2. Despite the fact that I hope to give out more high grades than low ones, I will not hesitate to dole out a C (or worse) in the event it becomes warranted. In setting the curve, I will assign the following weights:

| | |
|-------------------------------------------------|-------------|
| Class Contribution | 20% |
| Exam # 1 (Friday, February 26) | 20% |
| Exam # 2 (Friday, April 9) | 20% |
| Final Exam (Wednesday, May 12, 7pm-10pm) | 40% |
| <hr/> | |
| TOTAL | 100% |

CLASS CONTRIBUTION:

I know some students don't like to participate in class any more than they have to (I'm well aware of this since I was one of those students for many, many years), but since it accounts for 20% of your overall score, class contribution is a relatively easy way to boost your grade. Since UT is being a stickler and insisting that I need to actually show up for these classes, I'm going to ask you to do the same for the most part. I promise to do my best to make the 50 minute class sessions as painless as possible. In addition, I am well aware that from time to time real life intrudes on our class time, so you have a free pass to miss six (6) classes during the course of the semester without explanation or penalty. Any more than six (6) absences, unless you have cleared such absence with me beforehand, will be counted against your class contribution grade.

Your Class Contribution grade will consist of:

- (1) attendance;
- (2) any homework/writing assignments;
- (3) cases, assigned in advance, that you brief and present in class;
- (4) your involvement in class discussions (asking/answering questions, general participation, etc.)

I'm not asking anyone to strain a shoulder raising their hand each class (since let's face it, nobody likes a brown noser), but if you volunteer occasionally, refrain from drooling on yourself too often, and chip in something constructive to the discussion from time to time, you should be just fine.

BRIEFS:

A brief is a written summary of a case. It contains: (1) the name of the case, (2) the essential facts (what happened between the parties and, if the case has been appealed, the decision of the lower court), (3) the issue(s) presented for resolution, (4) the court's resolution of the issue(s), and (5) the rationale for the court's decision. **After you have prepared your brief, please submit to me an electronic version of the brief via email. Any other written assignments that you may be assigned should be submitted via email as well.** I've learned that hard copies get lost too easily. Don't worry - you will be assigned cases to brief in advance so you'll have time to prepare. I'll also put up an example of the briefs on Blackboard.

EXAMS:

Exams are open-book and open-note, testing your ability to analyze hypothetical situations and determine the extent to which various legal rules apply. The final exam will be comprehensive.

There will be no make-up exams for the first two exams unless there is an extraordinary reason (ex: illness, travel, interview and/or other tests will not cut it). The final exam may be made-up only in the event of an unforeseen and extremely serious situation such as (i) the death of a loved one, (ii) severe bodily injury or (iii) Bono is your uncle and you can get me backstage passes to a U2 show.

If you miss one of the first two exams this will mean that the percentage assigned to that exam will be applied to the final exam. Therefore, if you miss either exam #1 or exam #2, your final exam will be worth 60% of your overall grade. If you miss both exam #1 and exam #2, your final exam will be worth 80% of your overall grade...and you will be walking a fine line between courage and foolishness. I certainly recommend taking all of the exams and minimizing the importance of one test. Remember that anybody can have a bad day. After 3 years of law school I possess plenty of experience with classes in which 100% of your entire grade is decided solely by one final exam, and to be perfectly honest, it really sucks.

CLASS RULES:

(1) Though I experimented with allowing laptops last semester, I'm going to follow the lead of my colleagues and ask that you not use them during class. In return, I promise to do my best to not put you to sleep so early in the morning.

(2) Cell phones and wireless devices must be either turned off or set to vibrate mode. If your cell phone rings in class AND your ring happens to be a terrible song (e.g. something by Beyonce) I reserve the right to throw things at you.

(3) Being an early morning class, please feel free to bring in food or drink to class as long as it's not distracting to everyone else. Of course, if you bring in some for me, and it's delicious, then I really don't care if everyone else is distracted.

LEGAL ADVICE:

Please do not ask me to provide specific legal advice. This is not because I don't want to be of assistance or because I enjoy being unhelpful, but it is for simple liability purposes. **To be clear, I am not your attorney, I am your professor.** That being said, if you do have legal issues requiring the assistance of an attorney please let me know and I will be glad to put you in touch with someone who can help.

SCHOLASTIC DISHONESTY:

The College of Business Administration has no tolerance for acts of scholastic dishonesty. The responsibilities of both students and faculty with regard to scholastic dishonesty are described in detail in the Policy Statement on Scholastic Dishonesty for the CBA. By teaching this course, I have agreed to observe all faculty responsibilities described in that document. By enrolling in this class, you have agreed to observe all student responsibilities described in that document. If the application of that Policy Statement to this class and its assignments is unclear in any way, it is your responsibility to ask me for clarification. Policy on Scholastic Dishonesty: Students who violate University rules on scholastic dishonesty are subject to disciplinary penalties, including the possibility of failure in the course and/or dismissal from the University. Since dishonesty harms the individual, all students, and the integrity of the University, policies on scholastic dishonesty will be strictly enforced. You should refer to the Student Judicial Services website at <http://www.utexas.edu/depts/dos/> or the General Information catalog to access the official University policies and procedures on scholastic dishonesty as well as further elaboration on what constitutes scholastic dishonesty.

Note: The University of Texas at Austin provides upon request appropriate academic accommodations for qualified students with disabilities. For more information, contact the Office of the Dean of Students at 471-6259, 471-4641 TTY.

TOPICS TO BE COVERED:

- Ch. 1: Nature and Sources of Law
- Ch. 2: Court Systems, Jurisdiction, and Functions
- Ch. 3: Dispute Resolution
- Ch. 4: Common and Statutory Law
- Ch. 7: Criminal Law and Business
- Ch. 8: The Law of Torts
- Ch. 9: Intellectual Property
- Ch. 10: Nature and Classification of Contracts
- Ch. 11: The Agreement
- Ch. 12: Consideration
- Ch. 13: Illegality
- Ch. 14: Voidable Contracts
- Ch. 15: Contracts in Writing
- Ch. 16: Rights of Third Parties
- Ch. 20: Sales: Products Liability
- Ch. 22: Agency: Nature, Creation, Duties, and Termination
- Ch. 23: Agency: Liability of the Parties
- Ch. 28: Securities Regulation
- Ch. 30: Employment Law
- Ch. 36: Business Ethics and the Law
- Ch. 37: Business Ethics and Individual Decision Making
- Ch. 38: Ethics, Organizations, Corporate Social Responsiveness