

BUSINESS LAW I: ACCT 350
CLASS SYLLABUS
Fall 2011
Prof. Sheldon D. Pollack
Department of Accounting & MIS

This course is the first semester in a two-course sequence designed to acquaint accounting majors with the U.S. legal system. The topics we will cover this semester are: tort law, product liability, intellectual property, the common law of contracts, sales contracts under the Uniform Commercial Code (UCC), secured transactions, creditors' rights, bankruptcy law, and UCC negotiable instruments. These topics are of particular concern to those who conduct business in the U.S.

You are expected to read *all* assigned chapters and cases from the text *before* class! My teaching generally consists of lecturing; however, questions and discussion are always welcome. Please feel free to interrupt me with a question. In fact, some classroom participation is *required* of all students. Occasionally, I will call on students at random to discuss the readings. In addition, you will be asked to "present" one case during the semester. This involves reading your assigned case extra carefully and presenting to the class a brief description (about 5 minutes) of the facts and legal issues.

Attendance: Students *must* attend at least 75% of classes to receive credit! Attendance will be taken at each class.

Electronic Devices: Use of a laptop in class without my permission is *forbidden*. Texting during class is *forbidden*. Texting during an exam is grounds for *suspension* from the University. Please turn off cell phones before class!

Text: Henry R. Cheeseman, *Business Law: Legal Environment* (Prentice Hall, 7th edition). I ordered a two-volume paperback version that is less expensive, but the one-volume hardback version from last year can be used. (Although the pages are different, the text is the same.). There is an optional study guide that may be useful to some students. **Note:** The volume 2 of the text is used in ACCT 351, so keep it for next semester!

Casebook: This is an online collection of cases from which we will read selections during the semester. Print out the assigned cases as we go along. This casebook is posted online (along with the syllabus and other course materials) on the homepage for Accounting 350: <http://www.buec.udel.edu/pollacks/acct350.htm>

Legal Research: Cases and other legal materials also can be found by using the online research service "Lexis/Nexis." Lawyers and legal researchers use this research tool, which is available for free through our library. Lexis (the law database) can be reached at the library homepage: <http://www.lib.udel.edu/> Click on "Databases" and scroll down to "Lexis/Nexis Academic." Go into the library "Legal" (top left corner). On the left-hand margin, you will find libraries for "Federal and State Cases," "Federal and State Codes" (i.e., statutes and regulations), "Taxes," and "Law Reviews."

Exams & Grading: There will be two common exams during the semester (held at 5:00 pm) and a non-cumulative final exam. Each of the three exams is worth 30% of your grade. Class participation will count for the remaining 10% of your grade. (Warning: Failure to show up to class to present your case will result in a failing grade in participation! Likewise, if you are not prepared to discuss the readings in class, I will lower your grade.) Grading will use the plus/minus system. Make-up exams will be permitted *only* under the most compelling of circumstances, and *only* with my prior permission. Otherwise, make-up exams will be given during finals week. The grading scale is:

A	93 – 100%	C+	77 – 79.9%	D-	60 – 62.9%
A-	90 – 92.9%	C	73 – 76.9%	F	< 60%
B+	87 – 89.9%	C-	70 – 72.9%	I	Incomplete
B	83 – 86.9%	D+	67 – 69.9%		
B-	80 – 82.9%	D	63 – 66.9%		

Office Hours: My office is Purnell 216, and my secretary is in Purnell 206B. Office hours are Tuesday & Thursday at 10:20 a.m. to noon and 5:00 to 6:00 pm. I am around other times as well; please feel free to set up a meeting. The best way to contact me is via e-mail at: pollack@udel.edu

ASSIGNMENTS

pages for hardback edition of text

(revised 11/15/11)

<u>Class:</u>	<u>Date:</u>	<u>Topic:</u>	<u>Assignment:</u>
1	Sept 1	Intro to Law & Legal Research	Cheeseman textbook, Chapter 1, pp. 2–15
2	Sept 6	U.S. Judicial System	text, Chapter 2: Casebook: Carnival Cruise v. Shute;
3	Sept 8	U.S. Judicial System (continued)	Sierra Club v. Morton; W-W Volkswagen; Erie RR v. Tompkins;
4	Sept 13	U.S. Judicial System (continued)	Wendelken v. Sherrill; Problem 3.2 (p. 49)
5	Sept 15	Litigation & ADR	Chapter 3: Casebook: Ferolito v. Johnson & Johnson
6	Sept 20	Intentional Torts	Chapter 5: Case 5.1; Problem 5.1 (p. 90) Casebook: Perna v. Pirozzi; Roach v. Stern
7	Sept 22	Unintentional Torts	Chapter 5: Case 5.2, 5.3; Problem 5.5, 5.6 (p. 91) Casebook: Fischer v. Pepsi; Schick v. Ferolito
8	Sept 27	Product Liability	Chapter 6: Cases 6.1, 6.2, 6.3 Casebook: Nowak v. Faberge; Elsroth v. J & J
9	Sept 29	Common Exam #1	5:00 pm in Purnell room 115
10	Oct 4	Intellectual Property: torts	Chapter 5: pp. 77, 79; Chapter 7, pp. 108–10 Casebook: White v. Samsung; Saderup v. Comedy III
11	Oct 6	Intellectual Property: copyright & trademarks	Chapter 7: Cases 7.1, 7.2; Problems 7.6, 7.7 (pp. 126–27); Casebook: Campbell v. Aucuff-Rose; Two Pesos v. Taco Cabana
12	Oct 11	Contracts: Introduction	Chapter 9: Case 9.1; Casebook: Dynes v. Liberty Mutual Ins. Co.
13	Oct 13	Contracts: Agreement	Chapter 10: Case 10.3; Problem 10.8 (p. 179) Casebook: Everett City v. Mitchell; Lucy v. Zehmer; Mesaros v. US; Lefkowitz v. Great Minneapolis; Soldau v. Organon Inc.
14	Oct 18	Contracts: Consideration	Chapter 11: Cases 11.1, 11.2; Problem 11.1 (p. 189) Casebook: Alden v. Presley; Hammer v. Sidway
15	Oct 20	Contracts: Capacity & Legality	Chapter 12: Casebook: Jones v. Free Flight; Flood v. Fidelity; Ryno v. Tyra; Zivich v. Mentor; Problems 12.2, 12.4 (p. 205)
16	Oct 25	Contracts: Assent	Chapter 13: Cases 13.1, 13.2; Problems 13.1, 13.3, 13.7 (pp. 215–16)
17	Oct 27	Contracts: Form	Chapter 14: Cases 14.1, 14.2; Problems 14.1, 14.8 (pp. 228–29) Casebook: Sutton v. Warner; Doherty v. Doherty Insur. Agency
18	Nov 1	Contracts: Remedies	Chapter 16: Casebook: Parker v. 20th Century Fox; C & H v. Sun Ship; Hadley v. Baxendale; Sharick v. SE University; Super Valu Stores v. Peterson
19	Nov 3	Exam #2	in Willard 110 at regular class time
20	Nov 8	UCC Sales and Lease Contracts	Chapter 18: Case 18.1; Problem 18.1 (p. 292) Casebook: Miller v. Newsweek; Union Carbide v. Oscar Mayer
21	Nov 10	UCC Sales and Lease Contracts	Chapter 19: Case 19.1; Problems 19.3, 19.4, 19.9 (pp. 306–07)
22	Nov 15	UCC Sales and Lease Contracts	Chapter 20: pp. 315–22
23	Nov 17	Creditor's Rights & Liability	Chapter 26: Casebook: Bank of S. Palm v. SWD; Security Nat'l Bank v. Reiginger; Prob. 26.1, 26.4 (p. 417); Prob. 27.10 (p. 433)
24	Nov 22	Secured Transactions	Chapter 27: Case 27.1; Casebook: McGowen v. Nebraska Bank; In re: Phillips; Problems 27.1, 27.2, 27.10 (pp. 431–33)
25	Nov 24	Thanksgiving Day:	No class
26	Nov 29	Bankruptcy: liquidations	Chapter 28 (pp. 434–46); Problems 28.3, 28.6 (pp. 454–55) Casebook: Kawaauhau v. Geiger
27	Dec 1	Bankruptcy: reorganizations	Chapter 28 (pp. 446–51); Problem 28.5 (p. 455)
28	Dec 6	finish & review	
	Dec. 9	Final Exam @ 1:00 pm in SHL 130	