BUSFIN 7280 LEGAL BUSINESS ISSUES

Max M. Fisher College of Business, The Ohio State University
Spring 2016 Section #4101
210 Gerlach Hall

INSTRUCTOR: Joseph R. Irvine CPA, MS, JD
240 Fisher Hall
Phone: 614-688-5699
E-mail: Irvine.17@osu.edu

COURSE DESCRIPTION:
Businesses operate in a challenging legal and ethical environment. We will review the practical realities of changing legal trends, analyze current legal events and discuss how they impact businesses. This course will involve discussion and class participation. Course discussion will be focused on how the law and ethics affect the business decisions managers must make.

We will have guest speakers who are attorneys in private law practice or in-house legal counsel.

COURSE OBJECTIVES:

To identify potential legal issues in business and to prepare you to apply critical thinking skills to the legal and ethical issues you will face in your business careers while considering the legal and ethical consequences of your decisions.

To create an awareness of current legal events in our global business environment. Each class will include readings, largely from the textbook. I encourage you to bring articles related to current legal events from any sources you find to class for discussion.

To help you have the information needed to make wise choices regarding the use of legal counsel in business decision-making.

Our specific course goals will address the following topics:

- What are your legal rights and responsibilities as an employee, manager or entrepreneur? How can you learn about them and stay current with this constantly evolving field?
- What legal resources are available to you and how can you easily access those resources?
- How do you decide whether to litigate or settle a lawsuit?
- How can you manage your expensive in-house and external counsel?

TEXTBOOK:

EVALUATION:

**Ongoing Assignments:** Review of current legal issues in an individually selected “focus company”. This might be the company you will be interning with next summer, working for now or your aspirational company.

**Second Assignment:** Analysis and Presentation of a current legal issue in the business world. Each student will be part of a presentation leading the class in the discussion of a current legal issue and will prepare an outline or power point with resources for your fellow students.

**Third Assignment:** Identification of the potential legal concerns regarding an ongoing business.

**Contribution to Class Learning Objectives**
In class discussion and participation.

GRADING SCALE:

<table>
<thead>
<tr>
<th>Score Range</th>
<th>Performance Description</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>94 to 100</td>
<td>Extraordinary Performance</td>
<td>A</td>
</tr>
<tr>
<td>90 to 93</td>
<td>Strong Performance</td>
<td>A-</td>
</tr>
<tr>
<td>86 to 89</td>
<td>Good Performance</td>
<td>B+</td>
</tr>
<tr>
<td>83 to 85</td>
<td>Adequate Performance</td>
<td>B</td>
</tr>
<tr>
<td>80 to 82</td>
<td>Adequate with some Deficiencies</td>
<td>B-</td>
</tr>
<tr>
<td>78 to 79</td>
<td>Weak Performance</td>
<td>C+</td>
</tr>
<tr>
<td>73 to 77</td>
<td>Poor Performance</td>
<td>C</td>
</tr>
</tbody>
</table>

Performance below a C level will be addressed on a case by case basis.

COURSE TOPICS, READINGS AND ASSIGNMENTS:

<table>
<thead>
<tr>
<th>DATE</th>
<th>READING ASSIGNMENT</th>
<th>TOPICS</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 14</td>
<td>Chapter 1: Sources of Law</td>
<td>How does our legal system work? How are laws created and how can I find out about them? How does the Constitution affect laws?</td>
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<td></td>
<td>Chapter 3: Litigation</td>
<td>How does the litigation and discovery process work? How does our court system and litigation work?</td>
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<tr>
<td>January 21</td>
<td>Chapters 8 &amp; 9: Torts</td>
<td>What is a tort and how does it impact my company? What can I do to protect my organization and myself from successful tort claims?</td>
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<tr>
<td></td>
<td>Chapter 10: Product Liability</td>
<td>When are manufacturers liable for defective products?</td>
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January 28  
Chapters 13-18, and 20: Contracts, Consideration, Capacity, Defenses to Contract Enforcement, Discharge and Remedies. (selected pgs.) 
What are the elements of a contract? What is consideration? When can a contract be avoided? Are non-compete, confidentiality and non-solicitation agreements enforceable? What do I need to do to ensure that my contracts are valid?  
When is a contract fulfilled? What is a breach of contract and how are damages determined?  

February 4  
Chapter 12: Intellectual Property 
How can we protect our copyrights, trademarks, trade secrets and patents? How can we legally protect and nurture innovation?  

February 11  
Chapters 35 & 38: Business Organizations, Corporate Formation, and Directors and Officers  
Business Structures: LLC’s, Corporations, Sole Proprietorships, or Partnerships? The pros and cons of each structure.  

February 18  
Chapter 32: Bankruptcy  
Chapter 41, Securities and Investor Protection.  
What happens in a bankruptcy?  
What is a security? What is required to issue securities?  

February 25  
Chapters 42 & 43: Employment Law 
What benefits are employees receiving?  
How can we best manage the tangle of employment laws for our business? How do retirement plans work? Is union avoidance a concern in 2016?  

**ELECTRONIC DEVICES:** The absence of unnecessary distractions and interruptions being essential for an effective learning environment, each and every student must adhere to the following rules regarding the use of electronic devices in the classroom. Your receipt and acceptance of this syllabus shall constitute acceptance of these rules.  
Electronic device includes cell phones (including smart phones), computers (laptops, notebooks, netbooks, and handhelds), mp3 and other digital audio and video players (including DVD players), and analog and digital audio and video recording devices (still and movie cameras). A student may not use an electronic device in the classroom without the express permission of the instructor. Use of cell/smart phones in the classroom is always prohibited, as is leaving the room to answer or make a call.  
A student violating the above rules on the use electronic devices in the classroom shall be subject to confiscation of the device by me for the remainder of the class period or dismissal from the class for the day on which the offense occurs.  

**HONOR CODE:**  
Material submitted for course grade credit **must** be your own work. I will report any suspected case to the University Academic Misconduct Committee for investigation. Past cases have typically resulted in the
assignment of grade of E for the course. Academic misconduct is a serious threat to the integrity and value of the Fisher College diploma. Such behavior is intolerable.

As a member of the Fisher College of Business community, I am personally committed to the highest standards of ethical behavior. Honesty and integrity are the foundation from which I will measure my actions. I will hold myself accountable to adhere to these standards. As a leader in the community and business environment, I will pledge to live by these principles and celebrate those who share these ideals.

GRADE NOTIFICATION POLICIES: In accordance with the 1974 Family Educational Rights and Privacy Act, the following policies dealing with grades have been adopted:

• Student grades earned in the course (individual assignment / case study / exam grades and final grades) will not be posted in any public place including bulletin boards and/or web sites.
• Student grades earned in the course (individual assignment / case study / exam grades and final grades) will not be discussed over the phone as the identification of the student cannot be established with certainty and confidentiality may be violated.
• Student grades earned in the course (individual assignment / case study / exam grades and final grades) will not be discussed using electronic media including personal (non-OSU) e-mail as the identification of the student cannot be established with certainty and confidentiality may be violated.
• Student grades earned in the course (individual assignment / case study / exam grades and final grades) may be discussed using electronic media through the student’s authorized OSU e-mail account at the discretion of the professor. It is the responsibility of the student to keep the confidentiality of correspondence through their OSU e-mail account.
• The preferred method for discussion of student grades is in person. Appointments to discuss grades can be made by calling my office or by stopping in my office during office hours posted for present or subsequent terms.
• Student grades earned by a student will only be discussed with that student. Student grades for other classmates will not be discussed and/or distributed.

• Student assignments and exams during the term will not be distributed to the students to keep but will be stored for a minimum of two quarters to be used as a basis to rectify any and all grade disputes. Student requests to examine stored assignments or exams must be made in writing to allow for the collection of requested materials from the files.

• If a student feels that a mistake was made in the determination of the final grade, that student may petition in writing (or through e-mail) for a recalculation of the grade. The individual assignment / case study / exam grades will be verified and the final grade recalculated; the student will be notified of the results of the recalculation.

DISABILITY ACCOMMODATION:
If you need an accommodation based on the impact of a disability, arrange an appointment with me as soon as possible. We need to discuss the course format and explore potential accommodations. I rely on the Office for Disability Services for assistance in verifying need and developing accommodation strategies. You should start the verification process as soon as possible.

Please let me know how I can be of assistance to you in this course.