

**CLASS SYLLABUS**  
**ACCT 350: BUSINESS LAW I**  
Spring 2017  
Prof. Sheldon D. Pollack  
Department of Accounting & MIS

This course is the first semester of a two-course sequence designed to acquaint students with the basics of the U.S. legal system. The topics we will cover this semester are: the US court system, constitutional law, torts, product liability, intellectual property, the common law of contracts, sales contracts under the Uniform Commercial Code (UCC), secured transactions, creditors' rights, and bankruptcy law.

You are expected to read **all** assigned chapters and cases from the text **before** class! Feel free to raise questions in class. In fact, some classroom participation is **required** of all students. You will be asked to "present" at least one case during the semester. This involves reading your assigned case carefully and presenting a brief description of the facts and legal issues. Here is a description of the format for outlining your case presentation: [http://udel.edu/~pollack/Acct350/Handouts/briefing\\_court\\_case.pdf](http://udel.edu/~pollack/Acct350/Handouts/briefing_court_case.pdf)

**Attendance:** Students **must** attend at least 70% of classes to receive credit! Attendance will be taken in class.

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

**Text:** Henry R. Cheeseman, *Business Law: Legal Environment* (Pearson, 9th edition). This is a one-volume hardback edition. There also are loose-leaf and electronic editions available. **Note:** This text is used in ACCT 351, so keep it for next semester and reviewing for the CPA exam!

**Casebook:** This is a collection of cases from which we will read selections during the semester. Do **not** print out the entire document! Instead, just print out the assigned cases as we go along. This collection is posted online (along with the syllabus and other course materials) on the homepage for Accounting 350: <http://udel.edu/~pollack/Acct350.htm>

**Legal Research:** Law cases and other legal materials can be found by using the online research service "Lexis/Nexis." Lawyers and 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/> Under "Databases" plug in "Lexis/Nexis Academic." Go into this database and click on the library "Look up a Legal Case" (on center bottom margin). Or go to "Advanced Options" (top left). Here you will find libraries for "Federal and State Cases" and "Law Reviews."

**Exams & Grading:** There will be two exams in class during the semester and a 90-minute non-cumulative final exam. I will count each of the two highest grades from the three exams as 30% of your grade and the lowest of the three exams as 25% of your final grade. A short writing exercise will count as 5% of your grade, and class participation (including your case presentation) 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!) Grading will use the plus/minus system. Make-up exams will be permitted **only** under the most compelling circumstances and **only** with my prior permission. The grading scale for the course 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. Office hours are Tuesdays & Thursday at 10:30 a.m. and after 4:45 p.m. You can set up a meeting at another time. I often will be around on Wednesdays. To set up an appointment or ask questions about the class or materials, contact me via email: [pollack@udel.edu](mailto:pollack@udel.edu)

## ACCT 350 ASSIGNMENTS

(revised 4/26/17)

<u>Class:</u>	<u>Topic:</u>	<u>Assignment:</u>
1	Intro to Law & Legal Research	Chapter 1 (pp. 2–16) (skip court cases in text)
2	U.S. Judicial System	Chapter 2 (pp. 21–30)
3	U.S. Judicial System	Chap 2 (pp. 31–40); Casebook: Sierra Club v. Morton;
4	U.S. Judicial System	W-W Volkswagen v. Woodson; Carnival Cruise v. Shute Casebook: Erie RR v. Tompkins; Wendelken v. Sherrill
5	Litigation & ADR	Chapter 3 (pp. 44–62): Casebook: Ferolito v. Johnson & Johnson
6	Constitutional law	Chap 4 (pp. 68–75): Heart of Atlanta (p. 74 of text); Casebook: U.S. v. Darby;
7	Intentional Torts	U.S. v. Lopez; read U.S. Constitution, Article I, Section 8, 3rd sentence Chapter 5 (pp. 94–99); Casebook: Wal-Mart v. Cockrell; Perna v. Pirozzi;
8	Unintentional Torts	Roach v. Stern; James v. Meow Media; Chapter 5 (pp. 101–11); Casebook: Fischer v. Pepsi; Schick v. Ferolito;
9	finish & review	Lilya v. Greater Gulf State Fair
10	March 9	<b>Exam #1</b> (in class)
11	Product Liability	Chapter 6 (pp. 115–26); Casebook: Shoshone Coca-Cola v. Dolinski;
12	Intellectual Property: torts, patents	Nowak v. Faberge; Elsroth v. J & J Chapter 7 (pp. 130–38) and Chapter 5 (bottom of p. 97 page only);
13	Intellectual Property: © and ™	Casebook: White v. Samsung; Saderup v. Comedy III Chapter 7 (pp. 139–52); Casebook: Campbell v. Aucuff-Rose; Ty v. GMA;
14	Contracts: Introduction	Two Pesos v. Taco Cabana; Victoria's Secret v. Moseley Chapter 9 (pp. 186–96); Case 9.2 (Wrench v. Taco Bell, on p. 194 of text)
15	Contracts: Agreement	Casebook: Dynes v. Liberty Mutual Insurance Co.; Lucy v. Zehmer Chapter 10 (pp. 199–210); Casebook: Everett City v. Mitchell; Lefkowitz v. Great
16	Contracts: Consideration	Minneapolis; Mesaros v. US; Soldau v. Organon; Critical Legal Case 10.1 (p. 211) Chapter 11 (pp. 213–20); Casebook: Cooper v. Smith; In Re Estate of Wirth;
17	April 18	Hammer v. Sidway; Alden v. Presley <b>Exam #2</b> (in class)
18	Contracts: Capacity & Legality	Chapter 12 (pp. 222–35); Casebook: Flood v. Fidelity & Guaranty;
19	Contracts: Assent	Jones v. Free Flight; Ryno v. Tyra; Zivich v. Mentor Chapter 13 (pp. 238–45); Casebook: Krysa v. Payne; Wells Fargo v. Martin;
20	Contracts: Form	Beachcomber Coins v. Boskett; Critical Legal Case 13.4 (p. 246) Chapter 14 (pp. 248–58); Casebook: Page v. Gulf Coast; Sutton v. Warner;
21	Contracts: Remedies	Doherty v. Doherty; Sawyer v. Mills; Critical Legal Cases 14.1, 14.3 (p. 258) Chapter 16 (pp. 277–91); Casebook: Parker v. 20th Century;
22	UCC Sales Contracts Creditor's Rights & Liability	Hadley v. Baxendale; Super Valu v. Peterson; Sharick v. SE Univ. Chapter 18 (pp. 315–18 and pp. 320–25) Chapter 26 (pp. 430–39 and p. 287): Casebook: Bank S. Palm v. SWD;
23	Secured Transactions	Security Nat'l Bank v. Reiginger Chapter 27 (pp. 447–59); Casebook: Pankratz v. Citizens Bank; In re: Phillips;
24	Bankruptcy: liquidations & consumer debt	Critical Legal Case 27.2 (p. 460) Chapter 28 (pp. 462–75); Casebook: Kawaauhau v. Geiger Ethics Case 28.7 (p. 483)
25	Bankruptcy: reorganizations	Chapter 28 (pp. 475–81)
May 24 @ 3:30 pm in Kirkbride 206		<b>Final Exam</b>