

WHITWORTH UNIVERSITY  
SCHOOL OF GLOBAL COMMERCE AND  
MANAGEMENT  
DEPARTMENT OF ECONOMICS AND  
BUSINESS

PROF. WALTER HUTCHENS

**BUSINESS LAW**  
BU 240 Section 2

Fall 2009  
Mondays, Wednesdays and Fridays  
11:45 am – 12:40 pm Hawthorne 103

**COURSE INTRODUCTION**

If you want to do business, law matters. Law will sometimes enable you to do unexpected things, and sometimes law will constrain the options available to you in a given situation.

Law has tremendous practical relevance; it will affect your answers to questions such as, “Can I fire this person?” “What can we do if our supplier doesn’t deliver as promised?” “Do we have to disclose this embarrassing information to our investors?” “What happens if a customer falls down and gets hurt in our store?” “Can our church have a Super Bowl party to attract new people, showing the game on a big screen with a little evangelism thrown in at half time?”

While this course does not try to make you into a lawyer, it is designed to help you succeed in business by giving you some basic legal literacy. It will acquaint you with some substantive legal doctrines, patterns of legal reasoning and the structure and some of the dynamics of the U.S. legal system. Think of it as a law appreciation course, a basic introduction to the relationship between law and business.

Beyond familiarizing you with some specific legal doctrines and institutions, I want to help you understand how law not only sometimes limits your options but also continually broadens them, making it possible to do things that would not be possible without a modern legal system running in the background. I want to show you how law makes modern business possible.

**REQUIRED READINGS**

1. *West's Business Law Texts and Cases Legal, Ethical, Global and E-Commerce Environment*  
Clarkson, Miller, Jentz & Cross, 11<sup>th</sup> Edition  
ISBN-13: 978-0-324-65522-3  
ISBN-10: 0-324-65522-3
2. *Handouts distributed in class or electronically*
3. *Additionally, students are required to read the business section of the regional or a national newspaper each day or by some other means stay reasonably conversant with current affairs.*

**INSTRUCTOR CONTACT INFO.**

[whutchens@whitworth.edu](mailto:whutchens@whitworth.edu)  
Weyerhaeuser 310E  
(509) 777-4442 office

**OFFICE HOURS**

Mon. 10:30- 11:00, 12:50 – 2:30  
Tues. 9:30 – 11:30  
Wed. 10:30- 11:00, 12:50 – 1:50  
And by appointment.

## TENTATIVE SCHEDULE OF ASSIGNMENTS

<i>Day</i>	<i>Date</i>	<i>Topic</i>	<i>Reading Assignment</i>
Wed.	09/09	Course Overview	None
Fri.	09/11	Introduction to Law & Legal Reasoning	Chapter 1 & U.S. Constitution (The Constitution is in the back of your book at Appendix B, which is numbered pages A-4 through A-11)
Mon.	09/14	Courts & Alternative Dispute Resolution	Chapter 2
Wed.	09/16	Court Procedures	Chapter 3
Fri.	09/18	Gay Agenda	Handouts
Mon.	09/21	Intentional Torts	Chapter 6
Wed.	09/23	Negligence	Chapter 7
Fri.	09/25	Negligence	Chapter 7
Mon.	09/28	Strict & Product Liability	Chapter 7
Wed.	09/30	Property—Real & Personal	Chapter 47 & 48
Fri.	10/02	Property—Real & Personal	Chapter 47 & 48
Mon.	10/05	Property—Intellectual	Chapter 8
Wed.	10/07	Property—Intellectual	Chapter 8
Fri.	10/09	TBD	
Mon.	10/12	<b>Exam I (tentative)</b>	
Wed.	10/14	Contracts Introduction	Chapter 10
Fri.	10/16	Agreement	Chapter 11
Mon.	10/19	Agreement	Chapter 11
Wed.	10/21	Consideration	Chapter 12
Fri.	10/23	Capacity & Legality	Chapter 13
Mon.	10/26	Mistakes & Fraud	Chapter 14
Wed.	10/28	Statute of Frauds	Chapter 15
<i>Fall Break Oct. 30 – Nov 2</i>			
Wed.	11/04	Performance & Discharge	Chapter 17
Fri.	11/06	Breach & Remedies	Chapter 18
Mon.	11/09	E-Contracts	Chapter 19
Wed.	11/11	Information Asymmetries & Ways to Mitigate Them	Handouts
Fri.	11/13	TBD	
Mon.	11/16	<b>Exam II (tentative)</b>	
Wed.	11/18	Constitutional Law	Chapter 4 & US Const.
Fri.	11/20	Constitutional Law	Chapter 4 & US Const.
Mon.	11/23	Constitutional Law	Chapter 4 & US Const.
<i>Thanksgiving Break Nov. 25 - 27</i>			
Mon.	11/30	Constitutional Law	Chapter 4 & US Const.
Wed.	12/02	Administrative Law	Chapter 43
Fri.	12/04	Administrative Law	Chapter 43
Mon.	12/07	Antitrust Law	Chapter 46
Wed.	12/09	Agency Law	Chapter 31
Fri.	12/11	International Law	Chapter 52
Mon.	12/14	TBD	

<b>FINAL EXAM PER UNIVERSITY SCHEDULE</b>
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**COURSE REQUIREMENTS:**

EXAM 1	25%
EXAM 2	25%
FINAL EXAM	25%
CLASS PARTICIPATION—QUIZZES	15%
CLASS PARTICIPATION—DISCUSSION	10%
TOTAL RAW SCORE	100%

**COURSE OBJECTIVES**

After this course you should:

- Appreciate the importance of the legal environment in which business operates, including ways in which the legal system both constrains *and enables* modern commerce.
- Be able to describe the basic structure and some of the procedural rules of U.S. legal institutions.
- Know some substantive law relevant to commerce.
- Have further honed your ability to extract key concepts from complex written texts, separate critical facts from dross and formulate and respond thoughtfully to arguments.
- Identify moments during the course of business that may give rise to legal issues, particularly with respect to torts, contracts, intellectual property, anti-trust, employment and other specific matters.

This course is also aligned with the following general objectives that the School of Global Commerce and Management has established for courses in the Economics & Business Department:

- Understand the sources and uses of data (here, specifically, legal texts that provide rules, fact patterns) and know how to evaluate and use data and other information.
- Think and function independently as professionals, and in particular to be able to foresee and solve problems.
- Understand the legal, economic, business and organizational cultures and environments that frame professional work
- Communicate well.

- Begin to be able to integrate your spiritual and ethical values with those of your chosen professional vocation.

**NOTES:**

- **Exams** will consist mainly of objective questions, such as multiple-choice and true/false problems. The emphasis will be on legal principles, not incidental factual details of cases. Some questions may require brief written responses.
- You are **responsible for all material** presented during class or discussed in class and for all assigned material in the textbook and other readings. You must also be reasonably conversant with current affairs, particularly those with significant business implications. Examples of the type of **current events questions** that may appear on quizzes or exams will be provided early in the semester.
- **Preparation for every class is a basic course requirement.** In order to participate effectively, students must carefully study the assigned reading before each class and bring the textbook (or at least its relevant portions) to class for reference. You must also bring a writing instrument and paper (“duh”).
- **Class participation grades** will be assigned based on the instructor’s judgment regarding the quantity and quality of each student’s participation. Attendance alone does not constitute sufficient class participation. Students may volunteer to speak in class and may also be called upon. Students who are especially reluctant to speak during class should see the instructor during office hours; I am willing to coach you to help overcome apprehensions, but failure to attend and participate robustly in class discussions will negatively affect your grade.
- If you only cram before exams, less learning occurs and class meetings are much less fun. To help encourage you to build your knowledge incrementally, periodic, **un-announced quizzes** will be given. No make-up quizzes are available. However, all students will have an opportunity to earn more than 150 points on quizzes—through extra quizzes and extra credit questions on particular quizzes. Thus, if you bomb a single quiz it should not devastate your final grade.
- There will be a **final exam** in our normal classroom at the times set for each respective section by the University. The exam may include questions from material covered earlier in the semester; however, at least 85% of the question on the final exam will be based on material from the final third of the course. Students should apportion their study time accordingly.
- Make-up exams are allowed only under extraordinary circumstances and at the discretion of Prof. Hutchens.
- **Final grades** are based on consideration of the merit of your raw score *relative to the performance of the class*. This means your final letter grade may not strictly correlate with your average raw score. However, in general students whose averages are in the 90s

are likely to receive an *A*, in the 80s a *B*, in the 70s a *C*, and in the 60s a failing grade, with some possibility of a merciful *D* in exceptional cases.

- Most Whitworth students do not cheat, and I despise academic dishonesty. All acts of academic dishonesty will be dealt with severely. *To be clear, if you get caught cheating, you are likely to fail this class.*
- Different styles of discourse are appropriate for different situations. Writing a professor is akin to professional correspondence, **not an IM chat** with your pals. Thus, in electronic communications, please use your Whitworth email account and identify yourself. Also, please use conventional punctuation and capitalization. I do not respond to unduly cryptic messages nor as a rule to mail from non-Whitworth addresses.
- Any student with **special needs** should bring this to the attention of the instructor as soon as possible and contact the Educational Support Office (extension 4-534) to arrange any appropriate accommodations before the end of the second week of class.
- Best wishes for a happy and intellectually enriching semester. I am looking forward to getting to know you and helping you learn about business law.

**2009-10 Academic Calendar for Undergraduate Programs**

Fall Term 2009	
Advising Days	Sept. 8
Day and evening classes begin	Sept. 9
Last day to add/drop without professor & advisor signatures	Sept. 15
Last day to drop without receiving a "W" grade Last day to register for audit	Sept. 22
Community Building Day (no classes until 12:50 p.m.)	Sept. 22
Last day to request P/NC	Oct. 20
Midterm grades due	Oct. 30
Faculty Development Day (no classes)	Oct. 30
Fall Break (no classes on Oct. 30; classes resume at 5 p.m. on Monday, Nov. 2)	Oct. 30-Nov. 2
Second-half semester courses: Last day to register for audit	Oct. 30
Second-half semester courses: Last day to drop without receiving a "W"	Nov. 1
Advising Week	Nov. 9-13
Pre-registration for Spring Term 2010	Nov. 10-20
Last day to drop a class without receiving a "WF"	Nov. 10
Second-half semester courses: Last day to request P/NC	Nov. 13
Second-half semester courses: Last day to drop without receiving a "WF"	Nov. 20
Thanksgiving Holiday	Nov. 25-27
Last day for course withdrawal	Dec. 14
Final exams	Dec. 15-18
Final grades due at noon	Dec. 23

January Term 2010	
January Term begins	Jan. 4
Last day to add/drop without professor and advisor signatures	Jan. 6
Last day to drop without receiving a "W" grade	Jan. 7
Last day to request P/NC	Jan. 13
Martin Luther King, Jr., Holiday (university closed)	Jan. 18
Last day to drop a class without receiving a "WF"	Jan. 19
Last day of the term	Jan. 26
Final grades due at noon	Feb. 15

Spring 2010	
Advising/Registration Day	Feb. 1
Evening classes begin	Feb. 1
Day classes begin	Feb. 2
Last day to add/drop without professor and advisor signatures	Feb. 8
Last day to drop without receiving a "W" grade	Feb. 15
Faculty Development Day (no classes)	Feb. 26
Last day to request P/NC	March 15
Midterm grades due	March 19
Spring Vacation	March 22-26
Good Friday (no classes)	April 2

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receiving a "W"	
Advising Week	April 5-9
Pre-registration for Fall Term 2010	April 6-16
Last day to drop a class without receiving a "WF"	April 12
Second-half semester courses: Last day to request P/NC	April 16
Second-half semester courses: Last day to drop without receiving a "WF"	April 23
Last day for course withdrawal	May 10
Final exams	May 11-14
Graduate Commencement	May 15
Baccalaureate & Undergraduate Commencement	May 16
Final grades due at noon	May 19

**Note: All calendars are subject to change.**

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### Fall 2009– Final Exam Schedule

Time of Final Exam	Monday December 14, 2009	Tuesday December 15, 2009	Wednesday December 16, 2009	Thursday December 17, 2009	Friday December 18, 2009
8:00-10:00am	Regular Classes	MWF 9:05/9:20 am	Core 250 and MWF 10:25/10:30 am	TTH 8:00 am	MWF 8:00 am
10:30am-12:30pm	Regular Classes	TTH 9:30 am	Core 150 both A & B sessions, MWF 4:20 pm		
1:00pm-3:00pm	Regular Classes	Core 350 and TTH 12:50 pm	MWF, MWThF 11:45 am	TTH 11:45 am	MWF 12:50 pm
3:30pm-5:30pm	Regular Classes	TTH 3:50 pm	MWF 3:15 pm	TTH 2:20 pm	MWF 1:55/2:10 pm
<b>EVENING/NIGHT</b>	Monday Evening & Night Classes	Tuesday Evening & Night Classes	Wednesday Evening & Night Classes	Thurs Evening & Night Classes	

**NOTES:**

1. Final exams are administered in accordance with the above schedule. Determine your exam time by noting the days and times your class meets.
2. Final Exam week is part of the instructional time of the semester. ALL classes will have an exam or other instructional activity during this week.
3. For *Evening and Night* classes that meet twice a week, the final will be on the **SECOND** day of the class during finals week. Day classes will follow the regular schedule.
4. A professor will **NOT** grant permission for an early exam **UNLESS** petitioned and approved through Academic Affairs. Approval will be given only for situations of unavoidable cause, such as illness of student or serious illness or death in the immediate family. All petitions to take an exam at a non-scheduled time must be submitted at least one month in advance.
5. Students may also petition to reschedule a final exam IF the student has more than two finals on a single day.
6. Unless announced by the professor, the final exams will be held in the classroom where the class meets during the first hour of instruction.
7. If you have questions about the time of a final, please call the Registrar's Office, 777-4548.