

Accounting
Course Number: 22:010:692
Course Title: Advanced Topics in Business Law

COURSE DESCRIPTION

The first part of this course offers a detailed analysis of the fundamental principles of the common law of contracts. All phases of the contract process, including formation, performance, termination, and remedies are studied.

In addition, the course offers a detailed review of Articles 2 and 2A of the Uniform Commercial Code, the scope of which includes the sale and leasing of goods and merchandise. As with the study of the common law of contracts, all aspects of the process of contract formation, performance, termination, breach and remedies under the U.C.C. are explored.

The second half of the course focuses primarily on business structures. Various forms for doing business, along with agency law, are studied. They include sole proprietorships, partnerships, limited partnerships, limited liability partnerships, corporations, and limited liability companies. The formation, operation and termination of these entities examined and discussed.

Accountant’s legal liability issues and real estate law are also studied.

COURSE MATERIALS

TEXT: **Business Law, 10th Edition**

By Henry Cheeseman

Option 1: MyBLawLab access code (all digital option)	with e-text	0134728939 ^{SEP} 97801 34728933
Option 2: MyBLawLab code + Loose-leaf PACKAGE	with e-text	0134831446 ^{SEP} 97801 34831442
Option 3: MyBLawLab code + Bound text PACKAGE	with e-text	0134832280 ^{SEP} 97801 34832289

LEARNING GOALS AND OBJECTIVES

1. A working knowledge of legal terms, principles and ethics, and a demonstrated ability to apply these in an appropriate manner.
2. An understanding of how the legal system operates, with emphasis on the courts and the legislative process.
3. An ability to analyze contemporary ethical, international, and business related legal issues.
4. An understanding and appreciation of the need for objectivity, restraint and fairness in the legal system.
5. An understanding of the principles and concepts critical to success on the CPA Examination.
6. An appreciation of the importance of ethics in business

COURSE PHILOSOPHY AND APPROACH

You are enrolled in a business school in anticipation of a successful career in the business world. In an effort to help prepare you for that career, to the extent possible, this course will mirror the realities of that environment. Accomplishment in business requires a significant expenditure of time, energy and effort. The same is true for this class.

Furthermore, in business, you are responsible for your actions, and the harsh reality is that failure to live up to expectations and meet deadlines has very real and immediate consequences. Your success (or failure) in this course is in your hands. If you have the maturity and dedication to learn the material, meet the standards, and follow the rules, you will do well.

The requirements for this course are specific. They are set out in detail in this syllabus and on Canvas. You will be expected to know them and abide by them, just as you would in a business or workplace environment. You will be objectively evaluated on your performance, as specifically set forth below. **Failure to read, understand and follow all course directions, requirements and announcements and to meet any course deadlines is INEXCUSABLE at this level of study.**

REQUIREMENTS:

All students must be prepared to actively participate in any scheduled online lectures and discussions. Students are expected to be up to date on current legal issues affecting businesses in order to facilitate these discussions. For this reason, required that all students be up to date on readings in the textbook, it is recommended that all students make an effort to read the *Wall Street Journal* and/or other recognized business periodicals on a regular basis. Other books and recommended readings will be announced from

time to time. In addition, all cases in the text must be studied in preparation for participation in online discussions.

The format for examinations will be announced early in the semester, as will the dates and times for online discussions, and the availability of recorded lectures. This course **is not** graded on a curve. You will receive the grade you earn. I do not, under any circumstances, offer extra credit work, nor do I negotiate grades...No Exceptions. Refer to more detailed information below.

ACADEMIC INTEGRITY

I do NOT tolerate cheating. Students are responsible for understanding the RU Academic Integrity Policy (<http://academicintegrity.rutgers.edu/>).

I will strongly enforce this Policy and pursue *all* violations. On all examinations and assignments, students must sign the RU Honor Pledge, which states, “On my honor, I have neither received nor given any unauthorized assistance on this examination or assignment.” I will screen all written assignments through *SafeAssign* or *Turnitin*, plagiarism detection services that compare the work against a large database of past work. Don’t let cheating destroy your hard-earned opportunity to learn. See business.rutgers.edu/ai for more details.

Please take special note of the fact that I take academic integrity violations very seriously.

The following constitute violations of the University Academic Integrity Policy:

- Copying on any examinations;
- Acting to facilitate copying during an examination;
- Collaborating before or after an exam to develop methods of exchanging information and implementation thereof;
- Acquiring or distributing an examination from unauthorized sources prior or subsequent to the examination;
- Having a substitute take an exam or taking an exam for someone else;

The penalty for violations is a failing grade for the course and a minimum one semester suspension from the University.

The penalty for a Level Four Violation is permanent expulsion from the university.

Any violations of the Academic Integrity Policy before, during or after an examination will be prosecuted to the maximum extent possible.

<p>UP TO DATE, DETAILED INFORMATION ABOUT CLASS POLICIES AND REQUIREMENTS AND CHANGES IN THE SYLLABUS WILL BE POSTED ON CANVAS OR MyLab FROM TIME TO TIME AS MAY BE APPROPRIATE.</p>

ATTENDANCE AND PREPARATION POLICY

Participation in online discussion sessions (chats) and discussion threads is mandatory. Attendance will be taken during each chat session by way of the system software.

IMPORTANT: Emails sent to me that do not contain class information (including Section) in the subject line are automatically deleted without being read! Note further that I will not respond to emails seeking information about details of the course that are set forth clearly in the instructions in this syllabus, on the University website, or in other course materials. You are expected to READ AND UNDERSTAND this information in advance of the start of the course.

PEARSON'S MYLAB

MyLab is a required component of the course. The purpose of the MyLab assignments is to assist you in learning the subject matter. All students must purchase, register and use the feature and must complete and are expected to pass all assignments and quizzes found on the MyLab website for this course. For your reference, a score of 70 or above is deemed to be a passing grade for a quiz or assignment.

Instructions for registering for MyLab are found in the course instructions on Canvas. You must complete the assignments by the deadlines noted on the main page of the MyLab site. **Note that material found in MyLab will be included in the examination materials. Therefore, failing to complete the assignments can potentially have a substantial adverse effect on your grade. *You are solely responsible for keeping track of and meeting all deadlines.***

You can earn a 5 point extra credit bonus, to be added to your final average, if you meet the following requirements: (1) You must complete **ALL** MyLab assignments and quizzes for all relevant chapters, in full; **AND** (2) all graded MyLab assignments and quizzes **MUST** be passed with a score of 90% or above, except for video questions, which require a minimum score of 80%. No exceptions. **Note that this 5 point bonus is designed to reward excellence. It is NOT a means for making up points for poor performance in the course. You are expected to complete ALL MyLab assignments as a part of the course requirement whether or not your scores qualify you for this extra credit.**

Make certain you have a reliable Internet connection when taking quizzes and completing all online work, as all work is automatically submitted if you lose your Internet connection or go beyond the allotted time. The MyLab assignments and quizzes **CANNOT** be reset under any circumstances - no exceptions. If you lose your connection while taking the quiz, your grade will stand as submitted by the system.

NOTE:

RECORDING OF LECTURES IS ABSOLUTELY PROHIBITED!

Students may **NOT** use any audio or video devices to record lectures or online discussions.

Students with special needs who wish to use recording devices must present a signed Letter of Accommodation from the Office of Disability Services. Nonetheless, permission to use any recording device will remain at the sole and final discretion of the Instructor.

If permitted, such recordings are to be used solely for the purposes of individual study by students enrolled in this class. They may not be reproduced, shared with those not in the class, or uploaded to publicly accessible web environments.

Rutgers University welcomes students with disabilities into all of the University's educational programs. In order to receive consideration for reasonable accommodations, a student with a disability must contact the appropriate disability services office at the campus where you are officially enrolled, participate in an intake interview, and provide documentation: <https://ods.rutgers.edu/students/documentation-guidelines>. If the documentation supports your request for reasonable accommodations, your campus's disability services office will provide you with a Letter of Accommodations. Please share this letter with your instructors and discuss the accommodations with them as early in your courses as possible. To begin this process, please complete the Registration form on the ODS web site at: <https://ods.rutgers.edu/students/registration-form>.

Students found in violation of this policy will be subject to disciplinary action under the University's Code of Student Conduct.

Disclaimer and Warning

This course, lectures, presentation, and other content are not intended to, nor do they constitute, legal advice in any manner or of any sort. It is incumbent upon any student with specific legal questions or concerns to obtain independent legal advice to ascertain their individual situation and to determine the application of the topics and laws discussed to their own situation.

GRADING POLICY

MID-TERM EXAM	40%
FINAL EXAM	40%
PARTICIPATION	20%
MyLab Adjustments (As explained below)	Possible +5 points

Examination and Grading Procedures:

Examinations:

Mid-term exams are scheduled as close to the halfway mark of the class as possible. The exact dates are found above and in Canvas Course Content. Final examinations will be given during the last week of the term. **A special browser will be required for the exams. Information on the use of this browser will be found on Canvas.**

No make-up exams are given for missed midterms. If you miss the exam, you will get a “0” for the test. **No exceptions.**

Make-up examinations for the final are a matter of discretion, not a matter of right. They will be given only in the most compelling circumstances, only in full compliance with University policy, and must be arranged in advance of the test date where appropriate. If you miss an exam without prior notice to me, you must contact me by email within 24 hours. **No exceptions.**

No make-up final exam is given for medical reasons without a physician’s note or other valid, written excuse. Failure to follow these instructions means a failing grade (“0”) on the exam.

Grading:

Grades will be based upon the **average** score of two examinations, consisting of the mid-term and a final examination, coupled with credit for active, meaningful participation in discussion threads, online discussions (chat sessions). Each exam will be worth a maximum of 100 points, and shall count for 40% of the final course grade. The remaining 20% of your grade will be for participation in online discussions. To obtain the full 20% credit for participation, you must contribute meaningfully to EVERY discussion thread and participate in **all** online discussion (chat) sessions. The maximum final point score for the course shall be 100 points.

Completion of all of the MyLab assignments quizzes is another course requirement. Detailed information about this aspect of the course is found below. There are no exceptions to these requirements.

Letter grades are assigned as follows:

90-100 = A
85-89.99 = B+
80-84.99 = B
75-79.99 = C+
70-74.99 = C
60-69.99 = D
59.99 and below = F

Under no circumstances will the grades be curved or adjusted in any manner.

Your final grade will be based solely upon exam results and other factors as listed in this syllabus. There are no provisions in this course for extra credit. **There will be absolutely no exceptions to the grading policy under any circumstances. An essential part of the law is fairness. Any request for special consideration demonstrates a fundamental lack of understanding of this concept. Therefore, any such request for special consideration, deadline extensions, any grade adjustment (except for grading errors), or extra credit will not be considered.**

In this course, you will receive the grade that you earn. I just keep score.

No aspects of grades/grading will be discussed by email – it must be done in person. Any inquiries or reviews of exams must take place within two weeks of the administration of the exam, by appointment, during office hours.

COURSE OUTLINE:

(Subject to change at Instructor's discretion)

NOTE: It is anticipated that two chapters will be covered per week. Assignments , threaded discussions, exams and all other items open and close as per the dates shown below or as shown on the MyLab website.

Week 1:

CHAPTER 9 NATURE OF TRADITIONAL AND E-CONTRACTS

CHAPTER 10 AGREEMENT

Week 2:

CHAPTER 11 CONSIDERATION AND PROMISSORY ESTOPPEL

CHAPTER 12 CAPACITY AND LEGALITY

Week 3:

CHAPTER 13 GENUINENESS OF ASSENT AND UNDUE INFLUENCE

CHAPTER 14 STATUTE OF FRAUDS AND EQUITABLE EXCEPTIONS

Week 4:

CHAPTER 15 THIRD PARTY RIGHTS AND DISCHARGE

CHAPTER 16 BREACH OF CONTRACT AND REMEDIES

Week 5:

CHAPTER 18 FORMATION OF SALES AND LEASE CONTRACTS

CHAPTER 19 TITLE TO GOODS AND RISK OF LOSS

Week 6:

CHAPTER 20 REMEDIES FOR BREACH OF SALES AND LEASE
CONTRACTS

CHAPTER 22 CREATION OF NEGOTIABLE INSTRUMENTS

Week 7:

CHAPTER 23 HOLDER IN DUE COURSE AND TRANSFERABILITY

CHAPTER 24 LIABILITY DEFENSES, AND DISCHARGE

MID TERM EXAMINATION

Week 8:

CHAPTER 27 SECURED TRANSACTIONS

CHAPTER 28 BANKRUPTCY AND REORGANIZATION

Week 9:

CHAPTER 29 AGENCY FORMATION AND TERMINATION

CHAPTER 30 LIABILITY OF PRINCIPALS, AGENTS AND OTHERS

Week 10:

CHAPTER 36 CORPORATE FORMATION AND FINANCING

CHAPTER 37 CORPORATE GOVERNANCE AND SARB-OX

Week 11:

CHAPTER 38 CORPORATE ACQUISITIONS AND MULTINATIONALS

CHAPTER 39 LLC'S AND LLP's

Week 12:

CHAPTER 41 INVESTOR PROTECTION, E-SECURITIES
AND WALL STREET REFORM

CHAPTER 43 ADMINISTRATIVE LAW

Week 13:

CHAPTER 44 CONSUMER PROTECTION AND PRODUCT SAFETY

CHAPTER 46 ANTITRUST LAW AND UNFAIR TRADE PRACTICES

Week 14:

CHAPTER 48 REAL PROPERTY

CHAPTER 51 ACCOUNTANT'S DUTIES AND LIABILITY

FINAL EXAMINATION –

SUPPORT SERVICES

If you need accommodation for a *disability*, obtain a Letter of Accommodation from the Office of Disability Services. The Office of Disability Services at Rutgers, The State University of New Jersey, provides student-centered and student-inclusive programming in compliance with the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments of 2008, Section 504 of the Rehabilitation Act of 1973, Section 508 of the Rehabilitation Act of 1998, and the New Jersey Law Against Discrimination. More information can be found at ods.rutgers.edu.

[Rutgers University-New Brunswick ODS phone (848)445-6800 or email dsoffice@echo.rutgers.edu]

[Rutgers University-Newark ODS phone (973)353-5375 or email ods@newark.rutgers.edu]

If you are *pregnant*, the Office of Title IX and ADA Compliance is available to assist with any concerns or potential accommodations related to pregnancy.

[Rutgers University-New Brunswick Title IX Coordinator phone (848)932-8200 or email jackie.moran@rutgers.edu]

[Rutgers University-Newark Office of Title IX and ADA Compliance phone (973)353-1906 or email TitleIX@newark.rutgers.edu]

If you seek *religious accommodations*, the Office of the Dean of Students is available to verify absences for religious observance, as needed.

[Rutgers University-New Brunswick Dean of Students phone (848)932-2300 or email deanofstudents@echo.rutgers.edu]

[Rutgers University-Newark Dean of Students phone (973)353-5063 or email DeanofStudents@newark.rutgers.edu]

If you have experienced any form of *gender or sex-based discrimination or harassment*, including sexual assault, sexual harassment, relationship violence, or stalking, the Office for Violence Prevention and Victim Assistance provides help and support. More information can be found at <http://vpva.rutgers.edu/>.

[Rutgers University-New Brunswick incident report link: <http://studentconduct.rutgers.edu/concern/>. You may contact the Office for Violence Prevention and Victim Assistance at (848)932-1181]

[Rutgers University-Newark incident report link: https://cm.maxient.com/reportingform.php?RutgersUniv&layout_id=7 . You may also contact the Office of Title IX and ADA Compliance at (973)353-1906 or email at TitleIX@newark.rutgers.edu. If you wish to speak with a staff member who is confidential and does **not** have a reporting responsibility, you may contact the Office for Violence Prevention and Victim Assistance at (973)353-1918 or email run.vpva@rutgers.edu]

If students who have experienced a temporary condition or injury that is adversely affecting their ability to fully participate, you should submit a request via <https://temporaryconditions.rutgers.edu>.

If you are a military *veteran* or are on active military duty, you can obtain support through the Office of Veteran and Military Programs and Services. <http://veterans.rutgers.edu/>

If you are in need of *mental health* services, please use our readily available services.

[Rutgers University-Newark Counseling Center: <http://counseling.newark.rutgers.edu/>]

[Rutgers Counseling and Psychological Services–New Brunswick: <http://rhscaps.rutgers.edu/>]

If you are in need of *physical health* services, please use our readily available services.

[Rutgers Health Services – Newark: <http://health.newark.rutgers.edu/>]

[Rutgers Health Services – New Brunswick: <http://health.rutgers.edu/>]

If you are in need of *legal* services, please use our readily available services: <http://rusls.rutgers.edu/>

Students experiencing difficulty in courses due to *English as a second language (ESL)* should contact the Program in American Language Studies for supports.

[Rutgers–Newark: PALS@newark.rutgers.edu]

[Rutgers–New Brunswick: eslpals@english.rutgers.edu]

If you are in need of additional *academic assistance*, please use our readily available services.

[Rutgers University-Newark Learning Center: <http://www.ncas.rutgers.edu/rlc>

[Rutgers University-Newark Writing Center: <http://www.ncas.rutgers.edu/writingcenter>]

[Rutgers University-New Brunswick Learning Center: <https://rlc.rutgers.edu/>]

[Optional items that many faculty include:

- Students must sign, date, and return a statement declaring that they understand the RU Academic Integrity Policy.

- Students must sign, date, and return a statement declaring that they understand this syllabus.]