



Introduction to Law

Making Decisions, Managing Risks

CIMBA
Fall 2019

Professor:

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Course Description

The course ***Introduction to Law 06J:047 (3)*** is designed to introduce participants to the core concepts of the legal environment as it is related to business with a focus on market regulation and technologies. This course is designed to provide a thorough introduction to the nature of law and the legal system and its importance to any professions (not only the legal professions) and how new forms of regulation can completely affect the way to do business. The regulation of private business behavior will be studied as it is applied in contracts, torts, products liability, intellectual property, information technology and relations with regulators. Specific regulatory laws examined include privacy, antitrust law and consumer protection. The substantive material will be presented in such a manner to encourage participants to develop a logical approach to managerial problem solving and decision making based on critical legal thinking, sound business judgment, and ethical considerations.

To make classes more interesting, I use to compare the US law with Italian law and more generally, with European law. The class sessions will emphasize a combination of lecture and discussion, along with activities, such as presentations and working papers. The discussion will focus on the assigned readings for each specific class and current events that might be reported in newspapers and generally available online. You are encouraged to raise actual legal issues reported by newspapers and share experiences or thoughts that can contribute to the discussion in class.

Course Objectives and Teaching Methods

At the end of the course, it is anticipated that participants will:

- Understand the importance of law in your professional and daily life;
- Become familiar with the law and legal systems impacting business, and to be able to evaluate them critically;
- Be able to identify relevant legal issues posed by situations that confront businesses (**knowledge**), to understand how to use factual information in making legal decisions and in solving legal problems (**process**), and to further develop the persuasion, motivational, inspirational and assistance skills and attributes necessary to effectively manage legal issues (**leadership behavior**);
- Appreciate the extent to which law affects business decision making and problem solving in daily and long-term planning; and,
- Have a greater appreciation of the global business environment in which we live.

The class will be highly interactive – demanding active learning, active listening, and the ability to both respond to and formulate questions. That is, it will be Socratic in style –

placing process responsibility on the professor and content responsibility on the student. Students should expect topics to be developed through questions following a “what, why, how” approach.

Every class will begin with an **Open Forum** in which questions on any topic can be raised, whether that topic is related or unrelated to the class itself. After the Open Forum, the formal class will begin. **Participants will be expected to have read the assigned chapters, readings, and cases before each class. Class preparedness and participation are essential to success in this course. Note that preparedness is also the most important behavioral trait of a successful lawyer.** Emphasis will be placed on process and application, as opposed to rote memorization. Note that because of the nature and volume of the material and information covered in the course, along with the emphasis on active learning, it is not possible to verbally cover every concept (as would be the case if the course emphasized rote memorization). Many of the concepts are simple enough that they will not require detailed explanation. If something in the assigned reading is not understandable, participants are encouraged to ask for an explanation. Students will be provided with a PowerPoint handout.

Consistent with the rules and regulations of the Consortium International University, participants are required to attend class. Failure to attend a class without an acceptable excuse will result in a grade reduction and/or dismissal from the class.

Required and Recommended Materials

Required Book:

- Meiners, Ringleb, and Edwards, The Legal Environment of Business, West Publishing Company.
- Course Packet (with additional readings)

Class Schedule

| Date | Topics | Assignments |
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| Week 1/2 | CAP (CIMBA Advantage Program) Activities | Give 100 Percent; KT will be an integral part of your exams! |
| Week 2/3 | Overview of the Legal Environment The Court System | Chapters 1 and 2 Reading 1 “Court Role and Structure” Reading 2 “Supreme Court Upholds Affirmative Action Program at University of Texas” Discussion “The main differences between U.S. and European law systems” |
| Week 3 | The Trial Process Alternative Dispute Resolution | Chapters 3 Reading 3 “Resolution Before Trial – Settlement” Reading 4 “In the U.S., Expert Witnesses are Partisan” Reading 5 “Facebook Agrees to Pay Record \$5 Billion Settlement in Privacy Investigation” Discussion “Trial Process in Italy” |

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| Week 4 | Business and the Constitution | <p>Chapter 4</p> <p>Reading 6 “The Constitution of the United States”</p> <p>Reading 7 “Judge blocks Missouri 8-week abortion Ban”</p> <p>Reading 8 “Supreme Court case tests the limits of free speech on Facebook and other social media”</p> <p>Reading 9 “European Union Treaties”</p> <p>Reading 10 “Factsheet on the ‘Right to be Forgotten’ ruling”</p> <p>Discussion “Comparative Constitutional Law: US vs Italy/Europe”</p> |
| Week 5 | Business and Criminal Law | <p>Chapter 5</p> <p>Reading 11 “This is a complete list of Wall Street CEOs Prosecuted for their Role in the Financial Crisis”</p> <p>Reading 12 “Tesla’s Elon Musk reaches deal with SEC over Twitter use”</p> <p>Reading 13 “Supreme Court ruling: Digital Realty Trust, Inc., Petitioner, v. Paul Somers”</p> <p>Reading 14 “‘Criminal mastermind’ of \$4bn bitcoin laundering scheme arrested”</p> <p>Reading 15 “Why Is the US Not Yet a Leader in Crypto Regulation? Experts Answer”</p> <p>Discussion “Differences between the Italian criminal law vs the US criminal law”</p> |
| Week 5 | Examination I | Chapters 1, 2, 3, 4, and 5 |
| Week 6 | Business and the Law of Torts | <p>Chapters 6 and 7</p> <p>Reading 16 “Civil Liability on the Internet”</p> <p>Reading 17 “Supreme Court ruling: Exxon Shipping Company, et al., Petitioners v. Grant BAKER et al.”</p> <p>Reading 18 “Products Liability and the Samsung Galaxy Note 7”</p> <p>Reading 19 “Johnson & Johnson opioid ruling explained 2 the key points”</p> <p>Reading 20 “Equifax Data Breach Settlement: What You Should Know”</p> |

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| Week 7 | Intellectual Property and Information Technology Law | <p>Chapter 9 plus extra-material (readings/slides)</p> <p>Reading 21 “Google Beats Oracle on Copyright, Defeating \$9 Billion Claim”</p> <p>Reading 21 “Apple, Qualcomm Reach Courthouse-Steps Settlement to Suits”</p> <p>Reading 22 “Open Source Paradigm: Beyond the Solution to the Software Patentability Debate”</p> <p>Reading 23 “Facebook’s week of shame: the Cambridge Analytica fallout”</p> <p>Reading 24 “Hundreds of millions of phone numbers once tied to Facebook accounts posted online”</p> <p>Reading 25 “European Commission launches EU-U.S. Privacy Shield: stronger protection for transatlantic data flows”</p> <p>Reading 26 “Our minds can be hijacked’: the tech insiders who fear a smartphone dystopia”</p> <p>Reading 27 “Crypto Anarchy and Virtual Communities”</p> <p>Reading 28 “A Hundred Years of Crypto Anarchy”</p> |
| Week 8 | Travel Break | |
| Week 9 | Contracts | <p>Chapter 10</p> <p>Reading 29 “The General Duty of Good Faith – Its Recognition and Conceptualization”</p> <p>Reading 30 “To Agree or Not to Agree: Legal Issues in Online Contracting”</p> <p>Reading 31 “Smart Contracts”</p> <p>Discussion/Workshop on contracts (Guest Speaker, TBA)</p> |
| Week 9/10 | Business Organizations | <p>Chapter 13</p> <p>Reading 32 “The Legal Forms of Business”</p> <p>Reading 33 “Amended and Restated Certificate of Incorporation of Google Inc.”</p> <p>Reading 34 “Spotify Plans to go Public on April 3”</p> <p>Reading 35 “Tensions Rising at Facebook Libra as Backers Consider Quitting: Report”</p> <p>Reading 36 “Blow To Bitcoin As Top Accountants Make Serious Facebook Warning”</p> <p>Discussion “U.S. companies compared with Italian companies”</p> |
| Week 10 | Examination II | Chapters 6, 7, 8, 9, 10, 13 |
| Week 11 | Regulation & Consumer Protection and Antitrust Law | <p>Chapter 15, 19 and 20</p> <p>Reading 37 “The FCC’s Net Neutrality Rules are Officially Repealed Today. Here’s What that Really Means”</p> |

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| | | <p>Reading 38 “Antitrust: Commission fines Google €2.42 billion for abusing dominance as search engine by giving illegal advantage to own comparison shopping service”</p> <p>Reading 39 “Antitrust: Commission fines Google €4.34 billion for Illegal Practices regarding Android Mobile Devices to Strengthen Dominance of Google's search engine”</p> <p>Reading 40 “FDA Investigates Multistate Outbreak of E. coli O26 Infections Linked to Chipotle Mexican Grill Restaurants”</p> <p>Discussion “EU Competition and Consumer Protection Law”</p> |
| Week 12 | Cases and Practice for the Final Exam | Case Questions on the Textbook |
| Week 12 | Final Examination | |

Grades and Examinations

Grades will be based on three (3) examinations, with each having equal weight. The examinations will be based on any material assigned or discussed in class, as well as on plant trips or guest speakers. Consistent with both the rules and regulations of CIMBA and with the fundamental concept of active learning, none of the examinations will contain multiple-choice questions.

The first exam will be a questionnaire made up of eighteen questions that concern mainly legal definitions/concepts. The second exam consists of a drafting a paper on an actual legal case. Cases discussed in the paper will need to be chosen by the end of week 7. Each paper will be presented and discussed in class. The final exam is an open book exam with two cases with an open question each one. Further instructions on each exam will be provided during the course.

Exams missed with a certified medical excuse or prior instructor approval will be dealt with individually.

Final Grades will be assigned on the following basis:

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| A | ---> 90 percent and above |
| At least the grade of: | B+ ---> 85 percent to 89 percent |
| At least the grade of: | B ---> 80 percent to 84 percent |
| At least the grade of: | B- ---> 75 percent to 79 percent |
| At least the grade of: | C+ ---> 70 percent to 74 percent |
| At least the grade of: | C ---> 65 percent to 69 percent |
| At least the grade of: | C- ---> 60 percent to 64 percent |
| At least the grade of: | D ---> 55 percent to 59 percent |
| | F ---> Below 55 |

Gray Areas Between Letter Grades. There is always a “gray area” of a few points around the specified numerical cutoff; for the most part, the ± grading system manages this fairly well. However, two participants getting the same average score (say, 73 or 74) could receive different course grades (C+ versus B- or even possibly a B). If a participant is in one of these gray areas, whether he/she receives the higher or lower grade will depend upon participation in class – if it has been good, the grade will go up, and if it has been inadequate, it will remain as it is.

Structural Policies

Virtually everything that concerns the structural mechanics of this class, including among other things course credit, dropping and adding, and academic misconduct is governed by the Tippie College of Business, University of Iowa. Specific structural policies in that regard include:

Accommodating Disabilities: If you have a disability that may require some modification of seating, testing, or any class requirement, please let me know as soon as possible so that appropriate arrangements

can be made. Similarly, if you have any emergency medical information that I should be aware of, or if you need special arrangements in the event of the building being evacuated, please let me know. Please see me after or outside of class to discuss these issues.

Policy on Cheating: It is my sincere hope that no student in this class submits work which is not his or her own. However, it seems prudent to clarify in advance the policy on cheating. If I determine that any assignment was not written solely by the student whose name appears on the assignment, the student will receive a zero (0) for the assignment and may receive an "F" for the class. All incidents of cheating will be reported to the CIMBA Undergraduate Office and the Associate Dean of the Tippie College of Business and the student may be placed on disciplinary probation for the remainder of the semester. In general, the decision of the professor may be appealed to the CIMBA Undergraduate Staff and/or the College of Business Judicial Board, then to the Associate Dean for the Undergraduate Program. The Honor Code for the Tippie College of Business will determine the appropriate process. The Honor Code is located on the University of Iowa website.

Sexual Harassment: CIMBA, The Tippie College of Business and the University of Iowa are committed to providing students with an environment free from sexual harassment. If you feel that you are being or have been harassed or you are not sure what constitutes sexual harassment, we encourage you to visit the University of Iowa website: <http://www.sexualharassment.uiowa.edu/index.php> to seek assistance from the department chairs, Dean's Office, the University Ombudsmen Office, or the Equal Opportunity and Diversity Office.

FERPA Requirement: To participate in this class, it may be necessary to reveal to other students the names of students who are enrolled in this course. If you do not want your name revealed to other students enrolled in this course, please contact me in writing by the end of the first week of class.

Complaints: According to the policies regarding academic courses at the University of Iowa, student concerns regarding this course should first be discussed with the faculty member teaching the course. If you cannot resolve the issue, you may contact the Campus Coordinator, Ms. Anna Fiumicetti, 0423-932160, anna@cimba.it. If you cannot resolve the issue by speaking with the Campus Coordinator, you may contact the Associate Director of CIMBA, Dr. Cristina Turchet, 0423-932162, turchet@cimba.it.

Class Attendance Policy

Attendance at all classes and CIMBA sanctioned activities is MANDATORY. All unexcused absences will have the following consequences:

- 1st absence will result in the loss of 1/3 of a letter grade in the class
- 2nd absence (cumulative) will result in the loss of an entire letter grade
- 3rd absence (cumulative) will result in dismissal from the program

Absences due to illness require a note from the CIMBA Undergraduate Office Staff and/or the Istituto Filippin medical staff. If you are sick and cannot attend class, you must inform the CIMBA Staff immediately with failure to do so will result in an unexcused absence.

Setting Appointments

I sincerely want you to feel free to contact me if you are having trouble or need more detailed instruction. As the Director of CIMBA, my schedule can, unfortunately, be quite unpredictable. Still, if you call my Executive Assistant, Deborah, at 0423-932120, an appointment will be set with you.