## BUSINESS LAW AND STRATEGY

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<u>Schroeder & Associates, 72 Wis. 2d 38, 240 N.W.2d 124</u> (1976)

- 4. <u>CASE SUMMARY 18.4 Consumers Power Co. v.</u> <u>Mississippi Valley Structural Steel Co., 636 F. Supp. 1100</u> (E.D. Mich. 1986)
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- 2. <u>CASE SUMMARY 24.2 On the Level Enterprises, Inc. v. 49</u> <u>East Houston LLC, 2013 NY Slip Op. 01614 [104 A.D.3d</u> <u>500]</u>
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- 13. <u>Quick Quiz Answers</u>
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- 6. <u>Unit Five: Regulation of Securities, Corporate Governance, and Financial</u> <u>Markets</u>
  - 1. <u>Chapter 32: Overview of the Securities Market: Definition, Categories,</u> <u>and Regulation</u>
    - 1. <u>Unit Five: Regulation of Securities, Corporate Governance, and</u> <u>Financial Markets</u>
    - 2. Introduction
    - 3. <u>Chapter Overview</u>
    - 4. Fundamentals of Securities Transactions
    - 5. Role of the Parties in a Securities Transaction
    - 6. <u>Defining a Security</u>
      - 1. Federal Securities Law
      - 2. Modern Application of the Howey Test
      - 3. Family Resemblance Test
      - 4. <u>Defining a Seller of Securities</u>
      - 5. <u>Stock Market Games</u>
      - 6. Crowdfunding
      - 7. <u>Blue-Sky Laws: State Securities Law</u>
    - 7. <u>Categories of Securities</u>
      - 1. Equity Instruments
      - 2. <u>Debt Instruments</u>
      - 3. <u>Peer-to-Peer Lending</u>

- 8. <u>Securities Regulation</u>
- 9. <u>The Securities and Exchange Commission</u>1. <u>EDGAR</u>
- 10. <u>State Regulation of Securities</u>1. <u>Risk Capital Test</u>
- 11. Thinking Strategically
  - 1. <u>Considering Legal Issues in Financing</u>
- 12. Key Terms
- 13. <u>Case Summaries</u>
  - 1. <u>CASE SUMMARY 32.1 Mark v. FSC Securities</u> <u>Corporation, 870 F.2d 331 (6th Cir. 1989)</u>
  - 2. <u>CASE SUMMARY 32.2 SEC v. ETS Payphones, Inc., 408</u> <u>F.3d 727 (11th Cir. 2005)</u>
  - 3. <u>CASE SUMMARY 32.3 Eberhardt v. Waters, 901 F.2d 1578</u> (<u>11th Cir. 1990</u>)
  - 4. <u>CASE SUMMARY 32.4 Foltz v. U.S. News and World</u> <u>Report, Inc., 627 F. Supp. 1143 (D.D.C. 1986)</u>
- 14. Chapter Review Questions
- 15. Quick Quiz Answers
- 16. <u>Chapter Review Questions: Answers and Explanations</u>
- 2. Chapter 33: Regulation of Issuance: The Securities Act of 1933
  - 1. Introduction
  - 2. <u>Chapter Overview</u>
  - 3. <u>The Securities Act of 1933</u>
  - 4. <u>The Process of a Public Offering</u>
    - 1. Preregistration Documentation
    - 2. <u>Registration</u>
    - 3. Filing the Registration Statement and Waiting Period
    - 4. <u>Postregistration</u>
  - 5. Exemptions from Registration
    - 1. <u>Regulation D: Private and Small Transactions</u>
    - 2. Accredited Investors
    - 3. Rule 504: Smaller Offerings
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    - 5. <u>Regulation A: Large Exempt Offerings</u>
    - 6. Disclosures Required
  - 6. <u>Regulation of Crowdfunding</u>
    - 1. <u>Rules for Issuers</u>
    - 2. <u>Rules for Investors</u>

- 7. Liability for Violations
  - 1. <u>Section 11: Misrepresentations in the Registration Statement</u>
  - 2. <u>Section 12(a)(2): Misrepresentations in Public Offerings</u>
  - 3. Section 17(a): Liability for Negligent Misrepresentation
  - 4. <u>Penalties and Remedies</u>
- 8. Safe Harbors and Other Defenses
  - 1. <u>Safe Harbors: The Private Securities Litigation Reform Act</u> of 1995
- 9. <u>Materiality as a Defense</u>
  - 1. Bespeaks Caution Doctrine
- 10. <u>Thinking Strategically</u>
  - 1. Facebook's Special Purpose Vehicle
- 11. Key Terms
- 12. Case Summaries
  - 1. <u>CASE SUMMARY 33.1 In re The Vantive Corporation</u> <u>Securities Litigation, 110 F. Supp. 2d 1209 (N.D. Cal. 2000)</u>
  - 2. <u>CASE SUMMARY 33.2 Mark v. FSC Securities</u> <u>Corporation, 870 F.2d 331 (6th Cir. 1989)</u>
  - 3. <u>CASE SUMMARY 33.3 P. Stolz Family Partnership L.P. v.</u> Daum, 355 F.3d 92 (2d Cir. 2004)
  - 4. <u>CASE SUMMARY 33.4 Panther Partners v. Ikanos, 681</u> <u>F.3d 114 (2d Cir. 2012)</u>
- 13. <u>Chapter Review Questions</u>
- 14. <u>Quick Quiz Answers</u>
- 15. <u>Chapter Review Questions: Answers and Explanations</u>
- 3. <u>Chapter 34: Regulation of Trading: The Securities Exchange Act of 1934</u>
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  - 2. <u>Chapter Overview</u>
  - 3. The Securities Exchange Act of 1934
  - 4. <u>Reporting Companies</u>
    - 1. Mandatory Disclosures and Records
    - 2. <u>Section 13: Periodic Disclosure</u>
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    - 4. Tender Offers
    - 5. <u>Delisting</u>
  - 5. <u>Anti-Fraud Provisions</u>
    - 1. <u>Material Fact</u>
    - 2. <u>Right of Private Suit</u>

- 6. <u>Insider Trading</u>
  - 1. Traditional Insider Trading
  - 2. <u>Misappropriation Theory</u>
  - 3. <u>Tipper-Tippee Liability</u>
  - 4. <u>Personal Benefit Test</u>
- 7. <u>Section 16 Restrictions</u>
  - 1. Rule 10b-5 and Section 16 in Tandem
- 8. <u>Scienter</u>
- 9. Thinking Strategically
  - 1. Noncompliance
- 10. <u>Key Terms</u>
- 11. Case Summaries
  - 1. CASE SUMMARY 34.1 Dirks v. SEC, 463 U.S. 646 (1983)
  - 2. <u>CASE SUMMARY 34.2 United States v. Nacchio, 519 F.3d</u> <u>1140 (10th Cir. 2008)</u>
  - 3. <u>CASE SUMMARY 34.3 United States v. Chestman, 947</u> <u>F.2d 551 (2d Cir. 2008)</u>
  - 4. <u>CASE SUMMARY 34.4 SEC v. Switzer et al., 503 F. Supp.</u> <u>756 (W.D. Okla. 1984)</u>
  - 5. <u>CASE SUMMARY 34.5 SEC v. Obus et al., 693 F.3d 276</u> (2d Cir. 2012)
- 12. <u>Chapter Review Questions</u>
- 13. <u>Quick Quiz Answers</u>
- 14. <u>Chapter Review Questions: Answers and Explanations</u>
- 4. Chapter 35: Regulation of Corporate Governance
  - 1. Introduction
  - 2. <u>Chapter Overview</u>
  - 3. Governance of Public Companies
    - 1. <u>The Enron Scandal</u>
  - 4. <u>The Sarbanes-Oxley Act of 2002 (SOX Act</u>)
    - 1. Reforms in the Accounting Industry
    - 2. Financial Reporting
    - 3. <u>Corporate Governance</u>
    - 4. <u>Emergency Escrow</u>
  - 5. <u>The Dodd-Frank Act</u>
    - 1. Troubled Assets Relief Program (TARP)
    - 2. Financial Stability Oversight Council
    - 3. Expansion of SEC Jurisdiction and Enforcement
    - 4. <u>Corporate Governance</u>

- 5. Dodd-Frank Whistleblower Provisions
- 6. Thinking Strategically
  - 1. <u>Cybersecurity and Disclosures</u>
- 7. <u>Key Terms</u>
- 8. <u>Case Summaries</u>
  - 1. <u>CASE SUMMARY 35.1 SEC v. Platforms Wireless, 617</u> <u>F.3d 1072 (9th Cir. 2010)</u>
  - 2. <u>CASE SUMMARY 35.2 Leon v. IDX Systems Corporation</u>, <u>464 F.3d 951 (9th Cir. 2006)</u>
  - 3. <u>CASE SUMMARY 35.3 In re Huffy Corp. Securities</u> Litigation, 577 F. Supp. 2d 968 (D.C. S.D. Ohio 2008)
  - 4. <u>CASE SUMMARY 35.4 Asadi v. GE Energy, 720 F.3d 620</u> (5th Cir. 2013)
- 9. <u>Chapter Review Questions</u>
- 10. Chapter Review Questions: Answers and Explanations
- 5. <u>Chapter 36: Regulation of Financial Markets</u>
  - 1. Introduction
  - 2. <u>Chapter Overview</u>
  - 3. Types of Financial Markets
  - 4. Primary and Secondary Capital Markets
  - 5. The Main Parties in Capital Markets
  - 6. The Strategic Problem of Systemic Risk
  - 7. Dodd-Frank
    - 1. Expanded SEC Jurisdiction and Enforcement
    - 2. Financial Stability Oversight Council
    - 3. CEO Pay Ratio Disclosure Rule
    - 4. Say-on-Pay on Executive Compensation
    - 5. <u>Consumer Financial Protection Bureau</u>
  - 8. <u>Whistleblower Protections</u>
  - 9. Thinking Strategically
    - 1. Dodd-Frank and the Moral Hazard Problem
  - 10. <u>Key Terms</u>
  - 11. Case Summaries
    - 1. <u>CASE SUMMARY 36.1 MetLife, Inc. v. Financial Stability</u> <u>Oversight Council, 177 F. Supp. 3d 219 (2016) (sealed</u> <u>opinion)</u>
    - 2. <u>CASE SUMMARY 36.2 PHH Corporation v. Consumer</u> <u>Financial Protection Board, 839 F.3d 1 (D.C. Cir. 2016)</u>
    - 3. CASE SUMMARY 36.3 Digital Realty Trust, Inc. v.

<u>Somers, 583 U.S.</u> (2018)

- 12. Chapter Review Questions
- 13. <u>Quick Quiz Answers</u>
- 14. Chapter Review Questions: Answers and Explanations
- 7. <u>Unit Six: Agency and Employment Law</u>
  - 1. Chapter 37: Agency Formation, Categories, and Authority
    - 1. <u>Unit Six: Agency and Employment Law</u>
    - 2. Introduction
    - 3. <u>Chapter Overview</u>
    - 4. Definitions and Sources of Agency Law
      - 1. <u>Agency Transactions</u>
    - 5. <u>Creation of an Agency Relationship</u>
      - 1. Manifestation and Consent
      - 2. <u>Control</u>
      - 3. Formalities
    - 6. <u>Classification of Agents</u>
      - 1. Employee Agents
      - 2. Independent Contractors
      - 3. Gratuitous Agents
      - 4. <u>Employee Agents versus Independent Contractors: Direction</u> <u>and Control</u>
    - 7. ABC Test
      - 1. IRS Three-Prong Test
      - 2. Liability for Misclassification
    - 8. Termination of an Agency Relationship
      - 1. Express Acts
      - 2. <u>Operation of Law</u>
    - 9. Thinking Strategically
      - 1. Limiting Liability for Misclassification
    - 10. Key Terms
    - 11. Case Summaries
      - 1. <u>CASE SUMMARY 37.1 Futrell v. Payday California, Inc. et</u> al., 190 Cal. App. 4th 1419 (8th Div. 2010)
      - 2. <u>CASE SUMMARY 37.2 Harris v. Vector Marketing Corp.</u>, 753 F. Supp. 2d 996 (D.C. N.D. Cal. 2009)
      - 3. <u>CASE SUMMARY 37.3 A. Gay Jensen Farms Co. v.</u> <u>Cargill, Inc., 309 N.W.2d 285 (Minn. 1981)</u>
      - 4. <u>CASE SUMMARY 37.4 Estrada v. FedEx Ground Package</u> System, Inc., 64 Cal. Rptr. 3d 327 (2007)

- 12. <u>Chapter Review Questions</u>
- 13. Quick Quiz Answers
- 14. Chapter Review Questions: Answers and Explanations
- 2. Chapter 38: Duties and Liabilities of Principals and Agents
  - 1. Introduction
  - 2. <u>Chapter Overview</u>
  - 3. Principals, Agents, and Third Parties
  - 4. <u>A Principal's Liability for the Agent's Contracts</u>
    - 1. Actual Authority
    - 2. <u>Apparent Authority</u>
    - 3. <u>Ratification</u>
  - 5. <u>Agent's Contract Liability to Third Parties</u>
    - 1. Fully Disclosed Agency
    - 2. Partially Disclosed Agency
    - 3. <u>Undisclosed Agency</u>
  - 6. <u>A Principal's Liability for the Agent's Torts</u>
    - 1. Physical Injury Requirement
    - 2. <u>Scope of Employment</u>
    - 3. Intentional Torts
    - 4. Negligent Hiring Doctrine
    - 5. Independent Contractors
  - 7. Thinking Strategically
    - 1. Employee Authority and Supplier Liability
  - 8. Key Terms
  - 9. <u>Case Summaries</u>
    - 1. <u>CASE SUMMARY 38.1 Hannington v. University of</u> <u>Pennsylvania, 809 A.2d 406 (Pa. Super. Ct. 2002)</u>
    - 2. <u>CASE SUMMARY 38.2 Estrada v. FedEx Ground Package</u> System, Inc., 64 Cal. Rptr. 3d 327 (2007)
    - 3. <u>CASE SUMMARY 38.3 Edgewater Motels, Inc. v. A. J.</u> <u>Gatzke and Walgreen Company, 277 N.W.2d 11 (Minn.</u> <u>1979)</u>
  - 10. Chapter Review Questions
  - 11. Quick Quiz Answers
  - 12. <u>Chapter Review Questions: Answers and Explanations</u>
- 3. <u>Chapter 39: Employment at Will</u>
  - 1. Introduction
  - 2. <u>Chapter Overview</u>
  - 3. Employment-at-Will Doctrine

- 1. Express Contracts
- 2. <u>Labor Contracts</u>
- 4. <u>Common Law Exceptions</u>
  - 1. <u>Public Policy Exception</u>
  - 2. Implied Contracts
  - 3. <u>Covenant of Good Faith and Fair Dealing</u>
  - 4. Common Law Tort-Based Exceptions
- 5. <u>Statutory Protections for At-Will Employees</u>
  - 1. False Claims Act
  - 2. <u>State Laws</u>
- 6. <u>Whistleblower Statutes</u>
  - 1. State Whistleblower Laws
  - 2. Separate and Independent Defense
- 7. Thinking Strategically
  - 1. Avoiding Implied Contracts
- 8. Key Terms
- 9. <u>Case Summaries</u>
  - 1. <u>CASE SUMMARY 39.1 Brundridge v. Fluor Federal</u> Services, Inc., 164 Wash. 2d 432 (2008)
  - 2. <u>CASE SUMMARY 39.2 Haynes v. Zoological Society of</u> <u>Cincinnati, 652 N.E.2d 948 (Ohio Ct. App. 1995)</u>
  - 3. <u>CASE SUMMARY 39.3 Gardner v. Loomis Armored, Inc.</u>, <u>913 P.2d 377 (Wash. 1996)</u>
- 10. <u>Chapter Review Questions</u>
- 11. Quick Quiz Answers
- 12. <u>Chapter Review Questions: Answers and Explanations</u>
- 4. Chapter 40: Employment Regulation and Labor Law
  - 1. Introduction
  - 2. <u>Chapter Overview</u>
  - 3. The Fair Labor Standards Act and State Laws
    - 1. Minimum Wage
    - 2. Maximum Workweek and Overtime Compensation
    - 3. <u>Child Labor</u>
    - 4. <u>State Laws</u>
  - 4. <u>Retirement and Health Care Benefits</u>
    - 1. <u>Regulation of Pensions and Retirement Accounts</u>
    - 2. <u>Social Security Act</u>
    - 3. <u>Health Care Benefits</u>
  - 5. <u>Workers' Compensation and Unemployment Benefits</u>

- 1. Defenses to Workers' Compensation Claims
- 2. Intentional Actions or Recklessness of the Employer
- 3. <u>Course of Employment</u>
- 4. <u>Regulation of Workplace Safety</u>
- 5. <u>Unemployment Compensation</u>
- 6. The Family and Medical Leave Act (FMLA)
  - 1. FMLA Scope and Coverage
  - 2. FMLA Protections
  - 3. <u>Key Employees</u>
- 7. Employee Privacy
  - 1. Monitoring of E-mail, Internet Usage, and Social Media
  - 2. <u>Telephone and Voicemail</u>
  - 3. Drug and Alcohol Testing
  - 4. Polygraph Testing
- 8. Labor Laws and Union Membership
  - 1. Labor Law
  - 2. Labor Management Relations Act
  - 3. Labor-Management Reporting and Disclosure Act
  - 4. <u>Union Formation</u>
  - 5. <u>Collective Bargaining</u>
  - 6. Grievances
  - 7. Strikes and Other Work Stoppages
- 9. Employment Licensing Requirements
- 10. Thinking Strategically
  - 1. Employee Classification
- 11. Key Terms
- 12. <u>Case Summaries</u>
  - 1. <u>CASE SUMMARY 40.1 Sisco v. Quicker Recovery, Inc.,</u> <u>180 P.3d 46 (Or. Ct. App. 2008)</u>
  - 2. <u>CASE SUMMARY 40.2 Sullivan v. U.S. Postal Service</u>, 2011-3220 (Fed. Cir. 2012)
  - 3. <u>CASE SUMMARY 40.3 Bonilla v. Baker Concrete</u> <u>Construction, 487 F.3d 1340 (2007)</u>
- 13. Chapter Review Questions
- 14. Quick Quiz Answers
- 15. <u>Chapter Review Questions: Answers and Explanations</u>
- 5. <u>Chapter 41: Employment Discrimination</u>
  - 1. Introduction
  - 2. <u>Chapter Overview</u>

- 3. Definitions and Sources of Law
  - 1. Equal Employment Opportunity Commission (EEOC)
  - 2. Asserting a Discrimination Claim
- 4. Primary Federal Workplace Antidiscrimination Statutes
  - 1. Prescott v. WidgetCo
  - 2. <u>Title VII</u>
  - 3. <u>Protected Classes</u>
  - 4. <u>Sexual Orientation</u>
  - 5. Theories of Discrimination
- 5. <u>Sexual Harassment</u>
  - 1. Theories of Sexual Harassment
  - 2. <u>Same-Sex Harassment</u>
  - 3. <u>Vicarious Liability of Employers</u>
  - 4. Strict Liability for Harassment by Supervisor
  - 5. Impact of #MeToo Movement
- 6. <u>Remedies</u>
- 7. <u>Age Discrimination</u>
  - 1. Substantially Younger Requirement
- 8. <u>Americans with Disabilities Act</u>
  - 1. Documented-Disability Requirement
  - 2. ADA Amendments Act of 2008
  - 3. <u>"Regarded-as" Test</u>
  - 4. <u>Qualified Individual</u>
- 9. Equal Pay Act
  - 1. <u>Lilly Ledbetter Fair Pay Act of 2009</u>
- 10. Employer Defenses
  - 1. Faragher/Ellerth Defense
  - 2. Business Necessity Defense
  - 3. Bona Fide Occupation Qualification
  - 4. <u>Seniority</u>
  - 5. Employee Misconduct
- 11. <u>Affirmative Action Programs</u>
  - 1. <u>Legality</u>
- 12. State Antidiscrimination Statutes
- 13. Thinking Strategically
  - 1. Proactive Harassment Prevention Framework
- 14. Key Terms
- 15. <u>Case Summaries</u>
  - 1. CASE SUMMARY 41.1 Dumas v. Union Pacific Railroad

Co., 294 Fed. App. 822 (5th Cir. 2008)

- 2. <u>CASE SUMMARY 41.2 Harding v. Careerbuilder, LLC, 168</u> Fed. App. 535 (3d Cir. 2006)
- 3. <u>CASE SUMMARY 41.3 U.S. Airways, Inc. v. Barnett, 535</u> <u>U.S. 391 (2002)</u>
- 4. <u>CASE SUMMARY 41.4 Aquino v. Honda of America, Inc.</u>, <u>158 F. App'x 667 (6th Cir. 2005)</u>
- 16. <u>Chapter Review Questions</u>
- 17. Quick Quiz Answers
- 18. <u>Chapter Review Questions: Answers and Explanations</u>
- 8. Unit Seven: Regulatory Environment of Business
  - 1. <u>Chapter 42: Torts and Products Liability</u>
    - 1. Unit Seven: Regulatory Environment of Business
    - 2. Introduction
    - 3. <u>Chapter Overview</u>
    - 4. <u>Overview of Tort Law</u>
      - 1. <u>Sources of Law</u>
      - 2. Products Liability
    - 5. <u>Tort Classification</u>
    - 6. Intentional Business-Related Torts
      - 1. Defamation
      - 2. <u>Public Figure Standard</u>
      - 3. <u>Privilege Defenses to Defamation</u>
      - 4. Trade Libel and Product Disparagement Laws
      - 5. Fraudulent Misrepresentation
      - 6. Negligent Misrepresentation
      - 7. False Imprisonment
    - 7. Business Competition Torts
      - 1. Tortious Interference with Existing Contractual Relationship
      - 2. Tortious Interference with Prospective Advantage
    - 8. <u>Negligence</u>
      - 1. Elements of Negligence
    - 9. <u>Defenses to Negligence Claims</u>
      - 1. <u>Comparative Negligence</u>
      - 2. <u>Assumption of the Risk</u>
    - 10. <u>Strict Liability Torts</u>
      - 1. <u>Abnormally Dangerous Activities</u>
    - 11. Products Liability
      - 1. <u>Negligence</u>

- 2. <u>Warranty</u>
- 3. <u>Strict Liability</u>
- 4. <u>Causation and Damages</u>
- 5. <u>Seller's Defenses</u>
- 12. Thinking Strategically
  - 1. Managing Risk through Liability Waivers
- 13. <u>Key Terms</u>
- 14. <u>Case Summaries</u>
  - 1. <u>CASE SUMMARY 42.1 Mattison v. Johnston, 730 P.2d 286</u> (Ariz. App. 1986)
  - 2. <u>CASE SUMMARY 42.2 Maher v. Best Western Inn, 717 So.</u> 2d 97 (Fla. App. 5th Dist. 1998)
  - 3. <u>CASE SUMMARY 42.3 Wurtzel v. Starbucks Coffee Co.</u>, 257 F. Supp. 2d 520 (E.D.N.Y. 2003)
  - 4. <u>CASE SUMMARY 42.4 Coker v. Wal-Mart Stores, Inc., 642</u> So. 2d 774 (Fla. App. 1st Dist. 1994)
  - 5. <u>CASE SUMMARY 42.5 Burton v. MDC PGA Plaza Corp.</u>, <u>78 So. 3d 732 (Fla. App. 4th Dist. 2012)</u>
- 15. <u>Chapter Review Questions</u>
- 16. Quick Quiz Answers
- 17. Chapter Review Questions: Answers and Explanations
- 2. <u>Chapter 43: Administrative Law</u>
  - 1. Introduction
  - 2. <u>Chapter Overview</u>
  - 3. Administrative Law in a Business Context
  - 4. <u>Sources of Administrative Law</u>
    - 1. <u>The U.S. Constitution</u>
    - 2. <u>Enabling Statutes</u>
    - 3. The Administrative Procedure Act (APA)
    - 4. <u>Common Law</u>
  - 5. Primary Functions of Administrative Agencies
    - 1. <u>Rulemaking</u>
    - 2. Licensing
    - 3. Investigation and Enforcement
    - 4. Adjudications
    - 5. Administering Public Benefits
  - 6. Limits on Administrative Agencies
    - 1. Legislative Oversight
    - 2. Executive Control

- 3. Judicial Review
- 4. Public Accountability
- 7. <u>State Administrative Law</u>
- 8. Thinking Strategically
  - 1. <u>Responding to an Administrative Investigation</u>
- 9. <u>Key Terms</u>
- 10. <u>Case Summaries</u>
  - 1. <u>CASE SUMMARY 43.1 American Medical Association v.</u> <u>United States Internal Revenue Service, 887 F.2d 760 (7th</u> <u>Cir. 1989)</u>
  - 2. <u>CASE SUMMARY 43.2 Federal Express Corporation v.</u> <u>Holowecki, 128 S. Ct. 1147 (2008)</u>
  - 3. CASE SUMMARY 43.3 Ranchers Cattlemen Action Legal Fund United Stockgrowers of America v. U.S. Department of Agriculture, 499 F.3d 1108 (9th Cir. 2007)
- 11. Chapter Review Questions
- 12. Quick Quiz Answers
- 13. <u>Chapter Review Questions: Answers and Explanations</u>
- 3. <u>Chapter 44: Consumer Protection</u>
  - 1. Introduction
  - 2. <u>Chapter Overview</u>
  - 3. <u>State Lemon Laws</u>
  - 4. <u>Deceptive Trade Practices</u>
    - 1. False Advertising
    - 2. <u>Telemarketing and the Do Not Call Registry</u>
    - 3. <u>CAN-SPAM Act</u>
    - 4. Consumer Review Fairness Act of 2016
  - 5. Food and Drug Safety
  - 6. <u>Automobiles</u>
    - 1. <u>Odometers</u>
  - 7. <u>Consumer Debt</u>
    - 1. <u>Credit Transactions</u>
    - 2. <u>Debt Collection</u>
  - 8. <u>Thinking Strategically</u>
    - 1. <u>Negative Online Reviews</u>
  - 9. Key Terms
  - 10. Case Summaries
    - 1. <u>CASE SUMMARY 44.1 Phoenix of Broward, Inc. v.</u> <u>McDonald's Corp., 489 F.3d 1156 (11th Cir. 2007)</u>

- 2. <u>CASE SUMMARY 44.2 Barrer v. Chase Bank USA, 566</u> <u>F.3d 883 (9th Cir. 2009)</u>
- 3. <u>CASE SUMMARY 44.3 Myers v. LHR, Inc., 543 F. Supp.</u> 2d 1215 (S.D. Cal. 2008)
- 4. <u>CASE SUMMARY 44.4 U.S. v. Facebook, Inc., Case No.</u> <u>19-cv-2184 (D.D.C. 2019)</u>
- 11. <u>Chapter Review Questions</u>
- 12. <u>Quick Quiz Answers</u>
- 13. <u>Chapter Review Questions: Answers and Explanations</u>
- 4. Chapter 45: Criminal Law and Procedure
  - 1. Introduction
  - 2. <u>Chapter Overview</u>
  - 3. Criminal Law versus Criminal Procedure
  - 4. <u>Criminal Law and Civil Law</u>
    - 1. <u>Burden of Proof</u>
  - 5. <u>Criminal Liability</u>
    - 1. <u>Act Requirement</u>
    - 2. Mental Requirement
    - 3. <u>Defenses</u>
    - 4. Types of Crimes
  - 6. Criminal Law and Business Entities
    - 1. Individual Liability for Business Crimes
    - 2. <u>Responsible Corporate Officers: The Park Doctrine</u>
  - 7. <u>White-Collar Crime</u>
    - 1. <u>Fraud</u>
    - 2. <u>Ponzi Schemes</u>
    - 3. Conspiracy
    - 4. Obstruction of Justice
    - 5. <u>Racketeer Influenced and Corrupt Organizations Act</u>
    - 6. <u>Securities Crimes</u>
    - 7. <u>Foreign Corrupt Practices Act</u>
    - 8. Computer Fraud and Abuse Act
  - 8. <u>The Criminal Justice System</u>
    - 1. Investigation
    - 2. <u>Adjudication</u>
  - 9. <u>Criminal Procedure</u>
    - 1. Searches and Arrest
    - 2. Expectation of Privacy
    - 3. <u>Plain View Doctrine</u>

- 4. <u>Search Incident to Arrest</u>
- 5. <u>Search of Business Premises</u>
- 6. <u>Self-Incrimination</u>
- 7. Production of Business Records
- 10. Exclusionary Rule
  - 1. Good Faith Exception
- 11. Thinking Strategically
  - 1. <u>Developing Corporate Compliance Programs</u>
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