

THE WHARTON SCHOOL  
UNIVERSITY OF PENNSYLVANIA

**LGST 101: INTRODUCTION TO LAW AND THE LEGAL PROCESS**

**SPRING 2007\***

Professor:	Dr. Tara J. Radin	Office Hours:	Tues. 12:00 p.m. – 1:30 p.m.
Office:	664 Huntsman Hall		Thurs. 12:00 p.m. – 1:30 p.m.
Phone:	(215) 898-7143		
E-mail:	RadinT@wharton.upenn.edu		And by appointment

**COURSE DESCRIPTION**

This course presents law as an evolving social institution, with special emphasis on the legal regulation of business. It considers basic concepts of law and legal process, in the United States and as compared with other legal systems, and it introduces the fundamentals of rigorous legal analysis. Topics covered include the structure of the legal system, jurisprudence, civil procedure, property law, constitutional law, torts, and contract law.

**COURSE OBJECTIVES**

The purpose of this course, through classroom presentations, discussions, and completion of course assignments, is to acquaint the student with a varied but limited number of important concepts in law and the application of these concepts in the business environment. The goal is not to train students to be lawyers, but to prepare them to be good clients—to avoid problems when possible and to know appropriate questions to ask.

**OFFICE HOURS**

The designated “office hours” are the hours each week I will regularly be in my office and available for assistance. I am also available at other times by appointment. Please contact me via e-mail or telephone if you would like to set up an appointment. The best way to reach me is via e-mail.

**CLASS FORMAT**

This course meets twice a week. It will be conducted primarily according to the “case method.” This means that you will do most of the talking. My primary role is to moderate, not to lecture. We, as a class, will discuss business situations (cases). Students are expected to have read the assigned materials prior to class and to be able to incorporate learnings from the readings in class discussions. Students should come to class prepared to discuss the cases and share both their analysis and recommendations. During classtime we will focus on applying information covered in the readings to real-world situations through our discussions of cases.

The purpose of classtime is to provide you with the opportunity to learn about law and business beyond what is available in the readings. This means that much of the material covered in class is not available in the readings. Your most important learning will come from what you hear from your peers during class discussions.

*\*This version of syllabus is current as of 1/9/07.*

## **CLASS PARTICIPATION**

Participation is expected and required in this class—it constitutes 35% of your grade. Although good participation involves good listening, listening alone does not constitute satisfactory participation. Participation involves making valuable contributions to class discussions through thoughtful comments or questions. Although voluntary class participation is expected, I will “cold call” individuals when necessary to engage the class. Absences will detract from your grade.

## **ATTENDANCE POLICY**

Attendance will be taken on a regular basis. Class participation contributes to your grade, and you cannot participate if you are not present. A seating chart will be created in class on the first day and students will be expected to sit in the same seats for the rest of the term. In addition, please write your first name on a name card (placard) and place it in front of you so that we as a class can refer to each other by name. Please notify me in advance via e-mail when you are going to be absent. If you miss class, it is your responsibility to contact a classmate to find out what you have missed. After you have checked with your classmates, feel free to contact me with any additional questions.

## **CLASS ETIQUETTE**

Students are expected to arrive for class on time. Cell phones and computers should be turned off.

## **ACADEMIC HONESTY**

Academic honesty is expected with regard to individual and group work. Incidents of academic dishonesty will not be tolerated. Such incidents will be handled in accordance with Wharton policies.

## **COURSE MATERIALS**

- ✓ Bulk Pack to be purchased from Wharton Reprographics.
- ✓ Additional materials will be available on **Web Cafe** or handed out in class.

Reading assignments might be added or altered to accommodate unanticipated current events and/or extended discussions of specific topics.

## **GRADING POLICY**

Grading will be at my discretion and in accordance with Wharton policies. Wharton requires that grades be on a curve. With the exception of clerical/coding errors, no change of grades will be issued after final grade sheets are delivered to the University Registrar.

The following percentage breakdown is a basic guideline:

Paper 1	20%
Paper 2	30%
Debate	5%
Jury Simulation	5%
Contract Simulation	5%
Class Participation	35%

**PAPERS**

Specific instructions for assignments will be passed out in class during the first few weeks of the semester. Paper 1 will be due on February 16, 2007, in webCafé by midnight. The Paper 2 will be due on April 20, 2007, in webCafé by midnight.

Assignments submitted after the deadline are penalized 10 points for every 24 hours of lateness.

**DEBATES**

Early in the semester, the class will be divided into teams consisting of 3-5 students. Each debate will focus on a particular perspective of an assigned topic. Additional instructions will be distributed in class.

**JURY SIMULATION**

Class will include an extra session focusing on jury behavior. Additional instructions will be distributed in class.

**CONTRACT SIMULATION**

Class will include a contract simulation. Additional instructions will be distributed in class.

**OTHER SIMULATIONS**

Other simulations may be assigned as appropriate. Additional instructions will be distributed in class.

**COMMUNICATION COACH**

Anita Singh will serve as the Communication Coach. You will work with her on written and oral assignments.

## COURSE SCHEDULE

SESSION	SECTION	DATE	READINGS
Session 1	What is Law?	1/9	<ol style="list-style-type: none"> <li>1. Law and Language: A Preliminary Note</li> <li>2. Introduction to Law</li> <li>3. Jurisprudence and Legal Reasoning</li> <li>4. There are No Secret Books</li> <li>5. The Case of the Speluncean Explorers</li> <li>6. An Introductory Note on Jurisprudence</li> <li>7. Reading Legal Cases in Legal Studies 101</li> <li>8. Writing Law Examinations</li> <li>9. Glossary</li> </ol>
Session 2		1/11	
Session 3		1/16	
Session 4		1/18	
Session 5	Criminal Law/Criminal Procedure	1/23	<ol style="list-style-type: none"> <li>1. The Constitution of the United States of America</li> <li>2. Criminal Law</li> <li>3. Regina v. Dudley &amp; Stephen</li> <li>4. Criminal Law</li> <li>5. <i>Illinois v. Wardlow</i></li> <li>6. <i>Rochin v. California</i></li> </ol>
Session 6		1/25	
Session 7	<i>Civil Procedure</i>	1/30	<ol style="list-style-type: none"> <li>1. Legal Process and Civil Procedure</li> </ol>

<b>SESSION</b>	<b>SECTION</b>	<b>DATE</b>	<b>READINGS</b>
Session 8		2/1	<ul style="list-style-type: none"> <li>2. Your Day in Court</li> <li>3. Sue First, Ask Questions Later</li> <li>4. The Court System</li> <li>5. Old Law Bares Its Teeth</li> <li>6. What About the Jury</li> <li>7. Jury Reform</li> <li>8. The American Jury</li> </ul>
Session 9	Constitutional Law	2/6	<ul style="list-style-type: none"> <li>1. Constitutional Law</li> </ul>
Session 10		2/8	<ul style="list-style-type: none"> <li>2. The Takings Clause</li> </ul>
Session 11		2/13	<ul style="list-style-type: none"> <li>3. Privacy and the Fourth Amendment</li> <li>4. When can the Police Conduct a Search and Seizure</li> </ul>
Session 12		2/15	<ul style="list-style-type: none"> <li>5. Introduction to Law and the Legal Process</li> <li>6. <i>Dow Chemical v. U.S.</i></li> <li>7. Privacy in Daily Life</li> <li>8. <i>Smythe v. Pillsbury</i></li> <li>9. <i>McLain v. Boise Cascade</i></li> <li>10. Barriers to the Constitutional Right to Privacy</li> </ul>
Session 13	Torts	2/20	<ul style="list-style-type: none"> <li>1. Torts</li> </ul>
Session 14		2/22	<ul style="list-style-type: none"> <li>2. Intentional Torts</li> <li>3. <i>Peterson v. Sorlien</i></li> </ul>
Session 15		2/27	<ul style="list-style-type: none"> <li>4. Negligence and Strict Liability</li> </ul>

<b>SESSION</b>	<b>SECTION</b>	<b>DATE</b>	<b>READINGS</b>
Session 16		3/1	5. Negligence and Strict Liability 6. Negligence and Strict Liability 7. <i>Osterlind v. Hill</i> 8. <i>Lombardo v. Niemeyer</i> 9. <i>Wood v. Groh</i> 10. <i>BMW of North America v. Gore</i> 11. <i>Riley v. Warren Manufacturing, Inc.</i>
<b>SPRING BREAK - SPRING BREAK - SPRING BREAK</b>			
Session 17		3/13	1. Property Law: Personal Property 2. You are What You Own, 3. <i>Popov v. Hayashi</i> 4. <i>Swift v. Gifford</i> 5. <i>Keron v. Cashman</i>
Session 18	Property	3/15	6. Dispute over a Bonds home run arises again 7. Real Property 8. <i>Sturges v. Bridgman</i> 9. <i>Borton v. Forest Hills</i> 10. <i>Nome 2000 v. Fagerstrom</i>
Session 19		3/20	1. The Strategist's Dream

<b>SESSION</b>	<b>SECTION</b>	<b>DATE</b>	<b>READINGS</b>
Session 20		3/22	2. Four Kinds of Intellectual Property in the U.S. 3. Copyright Law: An Overview 4. Patent Law: An Overview 5. Trademark Law: An Overview 6. Company Isn't Afraid to Take Copycats to Court 7. <i>MGM v. Grokster</i> 8. Suing Your Customers: A Winning Business Strategy 9. <i>DuPont v. Christopher</i>
Session 21	Contracts	3/27	1. Contracts
Session 22		3/29	2. Introduction to Contracts 3. <i>Steinberg v. Chicago Medical School</i>
Session 23		4/3	4. Contracts in Writing 5. <i>Iacono v. Lyons</i>
Session 24		4/5	6. Consideration 7. Intent to Contract
Session 25		4/10	8. International Filter Co. v. Conroe Gin, Ice & Light Co. 9. Termination of the Power of Acceptance

<b>SESSION</b>	<b>SECTION</b>	<b>DATE</b>	<b>READINGS</b>
Session 26		4/12	<ul style="list-style-type: none"> <li>10. <i>Lyon v. Adgraphics, Inc.</i></li> <li>11. Remedies</li> <li>12. <i>McCallister v. Patton</i></li> <li>13. Equitable Remedies</li> <li>14. Damages</li> <li>15. <i>Sullivan v. O'Connor</i></li> <li>16. Damages Under the UCC</li> <li>17. <i>Laredo Hides v. H&amp;H</i></li> <li>18. <i>Teradyne v. Teledyne</i></li> <li>19. A Note on Limitations to Contract Remedies</li> <li>20. <i>Ericson v. Playgirl</i></li> <li>21. <i>Freund v. Washington Square Press</i></li> <li>22. A Note on Promissory Liability Outside the Bargain Model</li> <li>23. <i>Allegheny College v. National Chautauqua County Bank of Jamestown</i></li> <li>24. <i>Gorham v. Benson Optical</i></li> <li>25. <i>Hoffman v. Red Owl Stores</i></li> <li>26. <i>Drennan v. Star Paving Co.</i></li> <li>27. A Note on Unconscionability, Duress and Illegality</li> <li>28. <i>Austin Instrument v. Loral</i></li> </ul>
Session 27	Topics in Law	4/17	<b>Debates</b>
Session 28		4/19	<b>Debates</b>