LGST 1010: LAW AND SOCIAL VALUES  
SPRING 2023

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Class Meeting Times: Tuesday & Thursday, 12:00 – 1:30 p.m.

Course Description and Objectives: This class seeks to introduce students to U.S. law and the legal process with a particular emphasis on business-relevant areas of law. We will focus on a number of specific areas of law including constitutional law, torts, criminal law, corporate and administrative law. Subject to confirmed availability, you will also hear from lawyers, business leaders and regulators with real world experience.

Office Hours: Thursday 10:30 – 12:00 pm or send me an email to arrange a time. I’m happy to meet virtually on most other days of the week. Depending on the size of our class, I may make several of the office hours mandatory as I’d like to get the opportunity to talk with each of you.

Materials: Cases and materials will be posted on Canvas and may be accessed through the tab Course Materials @ Penn Libraries on Canvas. Although there is not a textbook for this class, chapters and excerpts from Mann and Roberts, Business Law and the Regulation of Business will be used throughout the semester. The book will be on reserve for student use at the library.

Grading: Your grade is divided into four parts: (1) 20% class participation, (2) 30% for the first in-class exam, (3) 30% for the second in-class exam; (4) 20% for the final group projects.

Participation: To make this class meaningful, we’ll need to have some good discussions. I’ll alternate between soliciting comments, cold calling on students and facilitating discussions by framing hypotheticals. We will also use case studies in a number of our classes. Depending on the size of our class, I may also assign each student an “In the News” item that each student will be able to briefly present on during the relevant class. It is important to foster a respectful and productive learning environment that includes all students in our diverse community of learners. All opinions and experiences must be respected in the tolerant spirit of academic discourse. Treat your classmates and instructor with respect in all communication, class activities, and meetings.

Exams: The exams will be a mix of multiple choice, short answer and brief essay questions. I will have in-class review sessions prior to the mid-term and final exams.

Group projects: Later in the semester, you will be put into groups to draft comments on a current government policy area, potential topic for legal reform or an area of case law. You will present the comments at the end of the semester.
CLASS SUBJECTS

Class 1 (1/12):
Introduction to the Legal System
Assigned readings:
1. Orin Kerr, How to Read Judicial Opinions
2. Mann & Roberts, Introduction to Law, ch 1, pp. 2-14
3. Vehicles in the Park

Class 2 (1/17):
Business Ethics
Assigned readings:
1. Mann & Roberts, Business Ethics, ch 2, pp. 15-23

Class 3 (1/19)
Role of the Lawyer in Business - Panel Discussion
Invited Panelists:
- Bob Cobuzzi, President, CEO and Board Member, Diffusion Pharmaceuticals
- John Ryan, Executive Vice President, Chief Counsel Officer and Corporate Secretary, Temple University
- Eric Schwartz, Executive Vice President, Chief Legal Officer & Secretary, Integra LifeSciences
Assigned readings:
1. Ben Heineman, Inside Counsel Revolution (excerpt)

Class 4 (1/24):
Litigation & Arbitration
Assigned readings:
1. Mann & Roberts, Civil Dispute Resolution, ch. 3, pp. 53-65
2. Jury Exercise

Class 5 (1/26)
Federal Court System
Assigned readings:

Class 6 (1/31)
Constitutional Law I - Introduction
Assigned readings:
1. Mann & Roberts, Constitutional Law, ch. 4, pp. 71-89

Class 7 (2/2)
Constitutional Law II - First Amendment
Assigned readings:
1. Feinman, Law 101, ch. 3, Constitutional Rights, pp. 60-74
Class 8 (2/7)
Torts – Negligence and Strict Liability
Assigned readings:

Class 9 (2/9)
Torts – Negligence and Strict Liability
Assigned readings:
1. Mann & Roberts, Negligence and Strict Liability, ch. 8, pp. 160-171

Class 10 (2/14)
Introduction to Criminal Law
Assigned readings:
1. Mann & Roberts, Criminal Law, ch. 6, pp. 111-116, 123-126

Class 11 (2/16)
U.S. Anti-Bribery Laws
Assigned readings:

Class 12 (2/21)
U.S. Sentencing Guidelines and Compliance & Ethics Programs
Assigned readings:

Class 13 (2/23)
Case Study – Walmart
Assigned readings:
2. David Barstow and Alejandra Xanic von Bertab, How Wal-Mart Used Payoffs to Get its Way in Mexico, N.Y. Times (December 17, 2012)

Class 14 (2/28)
Mid-Course Review and Discussion

Class 15 (3/2)
In Class Mid-Term Exam

Spring Break – March 6th-12th

Class 16 (3/14)
Corporations – Corporate Purpose and Business Judgement Rule
Assigned readings:

Class 17 (3/16)
Corporations – Board of Directors - Oversight
Assigned readings:

Class 18 (3/21)
Case Study – Wells Fargo
Assigned readings:
1. Independent Directors of the Board of Wells Fargo & Company Sales Practices Investigation Report, pp. 97-110
2. In re Wells Fargo & Company Shareholder Derivative Litigation (order granting in part and denying in part motion to dismiss) (May 4, 2017)

Class 19 (3/23)
Panel – Independent Directors
Invited Panelists:
• Dennis Maple, Director, Descartes Systems Group
• Edward Ryan, CEO and Director, Descartes Systems Group
• Mary Kay Wold, Director, The Jackson Laboratory
No readings

Class 20 (3/28)
Introduction to Administrative Law
Assigned readings:
1. Mann & Roberts, Administrative Law, ch. 5, pp. 93-107

Class 21 (3/30)
Administrative Law II - Federal Trade Commission and Deceptive Practices
Assigned readings:
1. A Brief Overview of the Federal Trade Commission’s Investigative and Law Enforcement Authority

Class 22 (4/4)
Administrative Law III - Federal Trade Commission and Unfair Practices
Assigned readings:
2. FTC Policy Statement on Unfairness (Appended to International Harvester Co., 104 F.T.C. 949, 1070 (1984)).
Class 23 (4/6)
Case Study – FTC Regulatory Overreach?
Assigned readings:
2. Dissenting Statement of Commissioner Christine S. Wilson, Trade Regulation Rule on Commercial Surveillance and Data Security (August 11, 2022)

Class 24 (4/11)
International Data Privacy
Assigned readings:

Class 25 (4/13)
Panel – Regulators (TBD)

Class 26 (4/18)
Group Projects

Class 27 (4/20)
Group Projects

Class 28 (4/25)
Exam Review

April 27-30: Reading Days
May 1-9: Exam Period