



**CARLETON UNIVERSITY  
SPROTT SCHOOL OF BUSINESS  
BUSI 2601B  
WINTER 2019  
BUSINESS LAW**

**Instructor: Sam Schwisberg**

**Office: Loeb B442**

**Office Hours: By appointment**

**Email: [SamSchwisberg@cunet.carleton.ca](mailto:SamSchwisberg@cunet.carleton.ca) OR for a faster response:  
*sam@tslegaloffice.com***

**Phone Number: 613 236 8000 X229**

**Cell Phone: 613 262 2951 (feel free to text me)**

**TA: owing to the large size of the class, students will be assigned to a groups and each group will have a different TA**

**Course meets: Every Tuesday from 6:05 PM to 8:55 PM commencing January 8, 2019 and ending April 9, 2019 inclusive EXCEPT FOR February 19 (Winter Break)**

---

**PREREQUISITES: Open to all programs with priority access to BCom students  
The School of Business enforces all prerequisites**

---

**UNDERGRADUATE CALENDAR DESCRIPTION**

The legal system and legal ordering as they affect those engaged in business activities. Emphasis on the law of tort, law of contract, agency and bailment, business associations (partnerships/proprietorships/corporations) and real estate.

Lecture three hours a week

**LEARNING OBJECTIVES:**

The broad objective of the course is to give students an understanding of the legal environment's impact on Canadian businesses. After the course, students who apply themselves will be able to appreciate the implications of the law on business at the operational and strategic levels. They will come to know that compliance with the law forms not only an essential part of operating a business but should also form a key element within the strategic planning process of any well-run business.

The textbook is focused less on substantive legal information and is designed more to stimulate an awareness of legal issues. It leaves considerable latitude to the instructor to supplement the course content. **Attendance at lectures is therefore highly recommended since the examinations will cover information reviewed during the lectures that is sometimes not fully covered by the text and will also suggest to student what elements in the text should be considered in greater depth.**

Supplemental and examinable information may also be posted on CU Learn from time to time.

### **REQUIRED TEXTBOOKS:**

Duplessis, O'Byrne, King et al., *Canadian Business and the Law*, 6<sup>th</sup> Edition, 2016 (Nelson Education) available at the Carleton University Bookstore.

Schwisberg. Samuel, "*Swarm Before Me*" 2015 published by Friesen Press, available at the Carleton University Book Store or, in a much less expensive format, on-line at Amazon, iTunes bookstore, Google Play, the Nook Store, or the Kobo Store where the e-book is available at considerable savings

### **EVALUATION**

The first evaluation will consist of an essay style take home examination which will be assigned on January 29, 2019 and will be due at the conclusion of the lecture of February 5, 2019. **The paper must be delivered in person at the class.** It will be worth **35%** of the final grade and cover the first four lectures. Students should not conduct external research and should base their response exclusively on the material covered in the course. Footnotes and a bibliography are not required. The length of the paper should range from 12 to 15 double spaced typed pages.

*The only valid excuse for missing a deadline is for medical reasons or death in the family and must be documented with a medical certificate. Any other reason (such as travel, religious accommodation etc.) may be considered, but specific arrangements must be made well in advance and at least one week before the deadline. If you miss a deadline for a reason that is not deemed legitimate, your mark will be reduced by 2.5 marks daily every day it is late. For example, a submission on January 29, 2019 at 10 PM will be penalized by 2.5 marks because it has been submitted within the first 24 hours following the deadline.*

Past experience has shown that scheduled in class examinations are very difficult to manage in a large class such as this one because of the large number of illness related absences, the need to reschedule missed midterm examinations for many students with varying schedules, and PMC related accommodation for many students. A take home examination should address the bulk of these administrative challenges.

The second evaluation will be worth the remaining **65%** of the course and take the form of a multiple-choice examination during the formal examination period. It will cover lectures 5 through 13 inclusive.

There will be opportunities to earn up **to 5 bonus marks** through class participation in various problems and scenarios to be presented in class.

### **COURSE SCHEDULE:**

**Unless otherwise indicated, chapter references are to chapters in the Duplessis textbook**

- |             |  |
|-------------|--|
| January 8   | <i>LECTURE ONE</i> – <u>Introduction to Course and Philosophical and Societal Foundations of Canada’s Legal System</u> , Slides on CU Learn, No assigned Readings  |
| January 15  | <i>LECTURE TWO</i> - <u>Introduction to Canada’s Legal System</u> , Slides on CU Learn and Chapter 2   |
| January 22  | <i>LECTURE THREE</i> - <u>Dispute Resolution</u> , Chapter 4, Slides on CU Learn   |
| January 29  | <i>LECTURE FOUR</i> – <u>Civil Litigation in Canada Under the Microscope – Worst Case Scenario</u> , “Swarm Before Me” by Samuel Schwisberg. Students are not required to read the entire book before the lecture. The lecture will direct students to key parts of the book for study and review. <b><u>THE TAKE HOME EXAMINATION WILL BE ASSIGNED AT THE CONCLUSION OF THIS LECTURE.</u></b> |
| February 5  | <i>LECTURE FIVE</i> - <u>Introduction to Contracts</u> , Slides on CU Learn, Chapters 5 & 6<br><br><b><u>THE TAKE HOME EXAMINATION IS DUE AT THE CONCLUSION OF THE CLASS.</u></b>  |
| February 12 | <i>LECTURE SIX</i> - <u>Contracts continued</u> , CU Learn Slides, Chapters 7, 8 & 9   |
| February 19 | Winter Break – No Class  |
| February 26 | <i>LECTURE SEVEN</i> - <u>Torts</u> , CU Learn Slides, Chapters 10, 11 & 12  |

- March 5                    *LECTURE EIGHT - Structuring Business*, CU Learn Slides, Chapters, 13, 14
- March 12                   *LECTURE NINE - Structuring Business*, CU Learn Slides, Chapters, 15 and 16
- March 19                   *LECTURE TEN - Property*, CU Learn Slides, Chapters 17, 18 and 19
- Family Law – Business and Property*, CU Learn Slides
- March 26                   *LECTURE ELEVEN - Sales and Marketing* CU Learn Slides, Chapters 23 and 24
- April 2                     *LECTURE TWELVE -Employment and Consultants* CU Learn Slides, Chapters 20 and 21
- April 9                     *LECTURE THIRTEEN - Financing the Business*, CU Learn Slides, Chapter 25, 26 and 27
- Insurance* CU Lean Slides and Chapter 28

#### **ADDITIONAL INFORMATION**

##### **Course Sharing Websites**

Materials created for this course (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the author(s). They are intended for personal use and may not be reproduced or redistributed without prior written consent of the author(s).

##### **Required calculator in BUSI course examinations**

If you are purchasing a calculator, we recommend any one of the following options: Texas Instruments BA II Plus (including Pro Model), Hewlett Packard HP 12C (including Platinum model), Staples Financial Calculator, Sharp EL-738C & Hewlett Packard HP 10bII

##### **Group work**

The Sprott School of Business encourages group assignments in the school for several reasons. They provide you with opportunities to develop and enhance interpersonal, communication, leadership, follower-ship and other group skills. Group assignments are also good for learning integrative skills for putting together a complex task. Your professor may assign one or more group tasks/assignments/projects in this course. Before embarking on a specific problem as a group, it is your responsibility to ensure that the problem is meant to be a group assignment and not an individual one.

In accordance with the Carleton University Undergraduate Calendar (p 34), the letter grades assigned in this course will have the following percentage equivalents:

|              |             |             |             |
|--------------|-------------|-------------|-------------|
| A+ = 90-100  | B+ = 77-79  | C+ = 67-69  | D+ = 57-59  |
| A = 85-89    | B = 73-76   | C = 63-66   | D = 53-56   |
| A - = 80-84  | B - = 70-72 | C - = 60-62 | D - = 50-52 |
| F = Below 50 |             |             |             |

Grades entered by Registrar:

WDN = Withdrawn from the course

DEF = Deferred

### **Academic Regulations**

University rules regarding registration, withdrawal, appealing marks, and most anything else you might need to know can be found on the university's website, here:

<http://calendar.carleton.ca/undergrad/regulations/academicregulationsoftheuniversity/>

### **Requests for Academic Accommodation**

You may need special arrangements to meet your academic obligations during the term.

For an accommodation request, the processes are as follows:

#### **Pregnancy obligation**

Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Equity Services website:

[carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

#### **Religious obligation**

Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Equity Services website:

[carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

### **Academic Accommodations for Students with Disabilities**

If you have a documented disability requiring academic accommodations in this course, please contact the Paul Menton Centre for Students with Disabilities (PMC) at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation or contact your PMC coordinator to send your instructor your Letter of Accommodation at the beginning of the term. You must also contact the PMC no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with your instructor as soon as possible to ensure accommodation arrangements are made. [carleton.ca/pmc](http://carleton.ca/pmc)

### **Survivors of Sexual Violence**

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and is

survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: [carleton.ca/sexual-violence-support](http://carleton.ca/sexual-violence-support)

### **Accommodation for Student Activities**

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist.

<https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: [students.carleton.ca/course-outline](http://students.carleton.ca/course-outline)

### **Academic Integrity**

Violations of academic integrity are a serious academic offence. Violations of academic integrity – presenting another's ideas, arguments, words or images as your own, using unauthorized material, misrepresentation, fabricating or misrepresenting research data, unauthorized co-operation or collaboration or completing work for another student – weaken the quality of the degree and will not be tolerated. Penalties may include; a grade of Failure on the submitted work and/or course; academic probation; a refusal of permission to continue or to register in a specific degree program; suspension from full-time studies; suspension from all studies at Carleton; expulsion from Carleton, amongst others. Students are expected to familiarize themselves with and follow the Carleton University Student Academic Integrity Policy which is available, along with resources for compliance at: <https://carleton.ca/registrar/academic-integrity/>.

### **Sprott Student Services**

The Sprott student services office, located in 710 Dunton Tower, offers academic advising, study skills advising, and overall academic success support. If you are having a difficult time with this course or others, or just need some guidance on how to successfully complete your Sprott degree, please drop in any weekday between 8:30am and 4:30pm. Our advisors are happy to discuss grades, course selection, tutoring, concentrations, and will ensure that you get connected with the resources you need to succeed! <http://sprott.carleton.ca/students/undergraduate/learning-support/>

### **Centre for Student Academic Support**

The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at: [carleton.ca/csas](http://carleton.ca/csas).

### **Important Information:**

- Students must always retain a hard copy of all work that is submitted.

---

- All final grades are subject to the Dean's approval.
  - For us to respond to your emails, we need to see your full name, CU ID, and the email must be written from your valid CARLETON address. Therefore, in order to respond to your inquiries, please send all email from your Carleton CMail account. If you do not have or have yet to activate this account, you may wish to do so by visiting <http://carleton.ca/ccs/students/>
-