



Carleton
UNIVERSITY

SPROTT
SCHOOL OF BUSINESS

**SPROTT SCHOOL OF BUSINESS
BUSI 2601B
WINTER 2021
BUSINESS LAW**



Instructor: Sam Schwisberg

Office Hours: By appointment over phone, Zoom, Facetime or as mutually agreed

Email: SamSchwisberg@cunet.carleton.ca OR for a faster response:

sam@tslegaloffice.com

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

Day & Time: Please check Carleton Central for current Class Schedule.
Room: All Courses in the Winter 2021 term are offered online. LECTURES WILL BE PRE-RECORDED (ASYNCHRONOUSLY DELIVERED) BUT THERE WILL BE OPTIONAL DISCUSSION WITH THE ASSIGNED TEACHING ASSISTANT AND TIME FOR QUESTIONS VIA ZOOM AT THE START TIME FOR THE CLASS PER THE CLASS SCHEDULE FOUND AT CARLETON CENTRAL – the professor will periodically attend part of these discussion meetings to address issues and points of confusion, if any

Course 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.

Lectures Pre-recorded augmented by TA led discussion groups

Learning Outcomes:

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.

Reading(s)/Textbook(s)/Required Materials:

Legal Guide for the Ontario Entrepreneur, published by Top Hat, 2019

Author: Samuel Schwisberg,

Top Hat Textbook ISBN: 978-1-77412-144-3

Top Hat 1 Semester Subscription ISBN: 978-0-9866151-0-8

EVALUATION

This term, in order to provide as much flexibility as possible given the current pandemic, the course evaluation will be based on the completion of 4 modules which will require the submission of relatively brief written assignment for each module. There will be no midterm or scheduled final examination.

The 12 pre-recorded lectures are spread among 4 modules with a mark allocation as follows:

Module 1 - Lectures 1 and 2	20%	(Assignment due February 2, 2021)
Module 2 - Lectures 3,4 and 5	25%	(Assignment due February 23, 2021)
Module 3 - Lectures 6,7 and 8	25%	(Assignment due March 23, 2021)
Module 4 - Lectures 9, 10, 11 and 12	30%	(Take Home Exam due April 27 2021)

A rubric will be posted at the start of the course.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

MODIFIED APPROACH TO COURSE DURING THE COVID-19 PANDEMIC

Lectures will be pre-recorded. It is highly recommended that a student view a video before reading the related material since the lecture will explain some concepts in advance and support the student by indicating what elements in the reading material are most important.

A recorded lecture should be viewed first, followed by reading the related written material and before attending the optional group session allocated to that material and video. At this time, it is my intention to post these videos and related supplementary information on CU Learn.

The optional Zoom enabled group sessions present students with an opportunity to ask questions, raise points of discussion and explore any challenges in assimilating the material that may have been encountered. These sessions will be facilitated by the TA assigned to your group. The instructor will attend parts of some of these discussion groups.

There are questions embedded in each chapter. Your TA will raise these questions during the Zoom enabled group session and invite discussion.

So, approach each session in the following order:

1. View the pre-recorded lecture, which may be divided into more than one video segments;
2. Read the related material;
3. Attend the optional group session at the specified time if you wish;
4. Complete the Module Assignment after all sessions within the module are completed by the due date.

Course Schedule:

Chapter references are to the Top Hat Textbook

January 13, 2021 6:05 PM Optional Zoom Enabled Group Session #1

FOUNDATIONS OF LAW

Before this optional Zoom enabled discussion group, you should have completed the related, prerecorded lecture posted on CU Learn entitled “Lecture 1- Foundations of Law” and have read the following material either posted on CU Learn or in the course textbook:

Viewing: Lecture 1 Video on CU Learn

Readings: Slides and any notes posted on CU Learn under Lecture 1
Chapter 1 of the Text

January 20, 2021 6:05 PM Optional Zoom Enabled Group Session #2

FROM PHILOSOPHY TO THE CANADIAN LEGAL FRAMEWORK

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 2 – From Philosophy to the Canadian Legal Framework” and the following material posted on CU Learn and in the course textbook:

Viewing: Lecture 2 Video on CU Learn

Readings: Slides and Notes posted on CU Learn under Lecture 2
Chapter 2 of the Text

MODULE 1 ASSIGNMENT COVERING LECTURES/SESSIONS 1 AND 2

Due: 11:59 PM on Tuesday, February 2, 2021

Mark Allocation: 20% of Final Grade

Length: 1200 – 1500 words

Topic: Why is the rule of law important to democracy? Use the course material to explain your position in your own words.

January 27, 2021 6:05 PM Optional Zoom Enabled Group Session #3

DISPUTE RESOLUTION

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 3 –Dispute Resolution” and the following material posted on CU Learn and in the textbook:

Viewing: Lecture 3 Video on CU Learn

Readings: Slides and any Notes posted on CU Learn
Chapter 3 of the Text

February 3, 2021 6:05 PM Optional Zoom Enabled Group Session #4

CONTRACTS

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 4 –Contracts” and the following material posted on CU Learn

Viewing: Lecture 4 Video on CU Learn

Readings: Slides, articles and any Notes posted on CU Learn under Lecture 4
Chapter 4 of the Text

February 10, 2021 6:05 PM Optional Zoom Enabled Group Session #5

CONTRACT DISPUTES

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 5 – Contract Disputes” and the following material:

Viewing: Lecture 5 Video on CU Learn

Readings: Slides and any Notes posted on CU Learn
Chapter 5 of the Text

MODULE 2 ASSIGNMENT COVERING LECTURES/SESSIONS 3, 4 and 5

Due: 11:59 PM on Tuesday, February 23, 2021

Mark Allocation: 25% of Final Grade

Length: 1400 – 2000 words

Topic:

Beta Inc. is a Canadian corporation located in Ottawa Ontario. It manufactures spare parts for aircraft engines and starts negotiations with a potential distributor located in New Delhi, India, called Para Inc.

Early in the negotiations, on October 15, 2019, it sends an email indicating that its pricing will be in US dollars. Almost two months later, on December 12, 2019, following further negotiations, it sends its standard template contract which obligates Para to buy 20,000 spare parts for \$1,500,000, with the shipping date to be March 31, 2020. Both parties sign the contract and exchange them by email. Unfortunately, through an error, Beta forgets to show that the pricing is in US dollars and the contract is silent as to which national currency forms the basis of the contract.

In accordance with the contract, Beta places the goods on the ship in Montreal on March 31, 2020, at which point Para wires Beta payment of \$1,500,000 in Canadian funds. By this time, the Canadian dollar has tumbled 15% against the US dollar. Beta says that this is unacceptable and halts the shipment. Para threatens to sue as it needs the spare parts to honour a contract with the Government of India.

Based on your reading of the course so far, what legal arguments in contract law do the parties have? If Para decides to sue, where should it do so? What court? What remedy should it seek? Might there be an alternative to litigation to resolve this dispute?

February 15 – 19, 2021

Winter Break, No Classes

February 24, 2021

6:05 PM

Optional Zoom Enabled Group Session #6

TORTS

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 6 – Torts” and the following material:

Viewing: Lecture 6 Video on CU Learn

Readings: Slides and any Notes posted on CU Learn
Chapter 6 of the Text

March 03, 2021 6:05 PM Optional Zoom Enabled Group Session #7

STRUCTURING BUSINESS

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 7 – Structuring Business” and the following material:

Viewing: Lecture 7 Video on CU Learn
Readings: Slides and any Notes posted on CU Learn,
 Chapter 7 of the Text

March 10, 2021 6:05 PM Optional Zoom Enabled Group Session #8

A CLOSER LOOK AT CORPORATIONS

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 8 – A Closer Look at Corporations” and the following material:

Viewing: Lecture 8 Video on CU Learn
Readings: Slides and any Notes posted on CU Learn,
 Chapter 8 of the Text

MODULE 3 ASSIGNMENT COVERING LECTURES/SESSIONS 6, 7 and 8

Due: 11:59 PM on Tuesday, March 23, 2021

Mark Allocation: 25% of Final Grade

Length: 1400 – 2000 words

Topic:

Gertrude operates a sky diving business outside Ottawa in partnership with Ike and Tina. They are equal partners, and they own one aircraft for skydiving purposes, 20 parachutes and they have 2 employees. Gertrude is married to Gerry while Ike and Tina are married to each other.

They also operate a small restaurant on the premises which serves local residents and customers who take skydiving lessons from them.

Gertrude, Ike, and Tina come to you and ask whether they should incorporate. Do you recommend that they do so? Why or why not? What are the advantages and disadvantages? If they do, how should they structure the corporation? Should they have a shareholder agreement? Why or why not?

March 17, 2021 11:35 AM Optional Zoom Enabled Group Session #9

THE REGULATION OF BUSINESS

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 9 – The Regulation of Business” and the following material:

Viewing: Lecture 9 Video on CU Learn
Readings: Slides and Notes posted on CU Learn,
 Chapter 9 of Text.

March 26, 2021 6:05 PM Optional Zoom Enabled Group Session #10

THE REGULATION OF BUSINESS CONTINUED

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 9 – The Regulation of Business” and the following material:

Viewing: Lecture 10 Video on CU Learn
Readings: Slides and Notes posted on CU Learn.

This session will go into greater depth in certain areas of regulation such as employment law and privacy law.

April 2, 2021 6:05 PM Optional Zoom Enabled Group Session #11

PROPERTY LAW

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 11 – Property Law” and the following material:

Viewing: Lecture 11 Video on CU Learn
Readings: Slides and any Notes posted on CU Learn,
 Chapter 10 of the Text

April 9, 2021 6:05 PM Optional Zoom Enabled Group Session #12

DEBT FINANCING, INSOLVENCY AND RISK MANAGEMENT

Before this optional Zoom enabled group session, you should have completed the related prerecorded lecture posted on CU Learn entitled “Lecture 12 – Debt Financing, Insolvency and Risk Management” and the following material:

Viewing: Lecture 12 Video on CU Learn

Readings: Slides and Notes posted on CU Learn
 Chapter 11 of the Text

TAKE HOME EXAM - COVERING LECTURES/SESSIONS 9, 10,11 AND 12

Due: 11:59 PM on Tuesday April 27, 2021

Mark Allocation: 30% of Final Grade

Length: 1700 – 2200 words

Topic:

To Be Assigned

April 14, 2021

Winter Term Ends

April 16 – 27, 2021

Formally Scheduled Final Exams

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

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

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 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

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

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

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/>

** Note that the office is physically closed. However, e-drop in is available between 8:30-4:30 until social distancing requirements are updated by the Province.*

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.

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 <https://carleton.ca/its/get-started/new-students-2/>
-