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The McGraw-Hill Companies

Proceedings

A monthly newsletter from McGraw-Hill

February 2011 Volume 2, Issue 7

Contents

Dear Professor,

I hope Spring Semester 2011 is off to a great start! Welcome to McGraw-Hill's February 2011 issue of Proceedings, a newsletter designed specifically with you, the Business Law educator, in mind. Volume 2, Issue 7 of Proceedings incorporates "hot topics" in business law, video suggestions, an ethical dilemma, teaching tips, and a "chapter key" cross-referencing the February 2011 newsletter topics with the various McGraw-Hill business law textbooks.

You will find a wide range of topics/issues in this publication, including:

1. An increasing number of employment discrimination claims filed during the "Great Recession";

2. A recent United States Supreme Court decision allowing manufacturers to require retailers to charge minimum prices for their products;

3. A recent $10 million settlement related to the Toyota product recall;

4. Videos related to a) a "bedbug" lawsuit filed against the Waldorf-Astoria hotel; and b) the recent criminal conviction and sentencing of former United States House of Representatives Majority Leader Tom DeLay for conspiracy and money laundering;

5. An "ethical dilemma" related to the trading of United States businesses with Iran; and

6. "Teaching tips" related to Article 1 ("Dismal Job Market Fuels Job Bias Claims") and Video 2 (""Tom DeLay Sentenced to Three Years in Prison") of the newsletter.

Here's to continued academic fulfillment in 2011!

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Of Special Interest

This section of the newsletter covers three (3) topics:

1) An increasing number of employment discrimination claims filed during the "Great Recession";

2) A recent United States Supreme Court decision allowing manufacturers to require retailers to charge minimum prices for their products; and

3) A recent $10 million settlement related to the Toyota product recall.

Hot Topics in Business Law

Article 1: "Dismal Job Market Fuels Job Bias Claims"

http://www.msnbc.msn.com/id/41023184/ns/business-eye_on_the_economy/

According to the article, in the worst job market since the Great Depression, a record number of fired workers are not going quietly.

The Equal Employment Opportunity Commission said recently that it received more job discrimination complaints in the latest fiscal year than at any time in its 45-year history. In addition to getting almost 100,000 new complaints, the federal agency filed 250 lawsuits, settled another 285 suits, and resolved 104,999 private sector claims.

Those enforcement actions, mediations and other litigation cost employers a record $404 million in payments to workers filing claims.

The agency cited a number of factors for the jump in claims, including greater diversity in the work force. But the brutal job market and dismal economy have played a major role, according to attorneys representing workers filing discrimination claims.

"There's nothing that stimulates employment litigation like a bad economy," said Ron Cooper, a former general counsel of the EEOC who is now in private practice. "People who have lost their jobs are a whole lot more likely to think about bringing a lawsuit than people who continue to be employed."

The increase comes as the commission has added more workers to handle the surge in new claims and clear a big backlog of pending actions. EEOC chairwoman Jacqueline Berrien said the agency has spent the past two years boosting its staff, reversing deep cuts during the Bush administration.

"Discrimination continues to be a substantial problem for too many job seekers and workers," Berrien said. "We must continue to build our capacity to enforce the laws and ensure that workplaces are free of unlawful bias."

The higher number of claims also comes as the commission spreads the word about employment laws to those who may be the subject of discrimination.

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The EEOC said it provided educational training and staged public outreach events to 250,000 people in the latest fiscal year, which ended Sept. 30, 2011.

Those sessions also helped workers sort out what types of layoffs may be illegal — a distinction that isn't always easy for a terminated worker to gauge.

"We get so many calls from people coming in saying that they had a personality dispute with the boss of some sort, or that they were loyal employees," said Brent Pelton, a New York lawyer who specializes in employment law. "There's nothing we can do to help. Employees have to remember that they are employed at will and can be hired and fired at will so long as it's not based on race, gender, nationality, age or disability."

Pelton said the weak economy has also brought an increase in the number of fired workers owed back wages.

"We have a significant number of cases involving companies — construction, restaurants, retailers — where employees are just willfully not paid overtime," he said.

Discrimination claims rose in every category and, as in past years, claims based on race, sex and retaliation were most frequent. Race discrimination claims rose 7 percent, while retaliation claims jumped 8 percent.

Disability bias claims posted the biggest jump in the latest fiscal year — up 17 percent, the EEOC said. That spike came shortly after Congress changed the Americans with Disabilities Act in 2009, making it easier for people with treatable conditions like epilepsy, cancer or mental illness to claim they are disabled.

The unemployment rate for disabled workers is 14.3 percent, compared with 8.9 percent for persons with no disability, according to the most recent Labor Department figures.

"Layoffs often impact people with disabilities first and more severely than others," said Robin Shaffert, senior director of corporate social responsibility for the American Association of People with Disabilities. "People are losing their jobs and they believe it's for discriminatory reasons."

Discussion Questions

1. What forms of discrimination are prohibited by federal and/or state law? What forms of discrimination are not prohibited by federal and/or state law?

Numerous laws, particularly at the federal level, prohibit particular forms of discrimination. For example, the Civil Rights Act of 1964 prohibits discrimination on the basis of race, gender, national origin, culture and religion. The Age Discrimination in Employment Act prohibits age discrimination against anyone over the age of 40. The Americans With Disabilities Act prohibits discrimination on the basis of a physical or mental condition that "substantially limits one or more major life

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activities." It is important to note, however, that if a particular form of discrimination is not prohibited by state or federal law, such discrimination is not illegal. An employer, for example, can currently terminate an employee on the basis of that employee's political opinions. Also, an employer can terminate an employee whose personal appearance does not meet organizational expectations (for example, if an employee is morbidly obese), unless the termination is actually based on an outlawed form of discrimination, such as on the basis of race or culture.

2. According to the article, in the last fiscal year, the Equal Employment Opportunity Commission (EEOC) filed 250 lawsuits, settled another 285 suits, and resolved 104,999 private sector claims. Does it surprise you that such a small percentage of cases actually result in EEOC litigation (i.e., the filing of a lawsuit)? In your reasoned opinion, does this represent a lack of due process for employees who have been subject to discrimination?

The statistics clearly indicate that the goal of the EEOC is to settle or otherwise resolve outside of litigation as many discrimination complaints as possible, if for no other reason than the fact that the EEOC does not have the resources (financial and otherwise) to litigate even a substantial portion of the discrimination claims it receives each year. Whether settlement constitutes a lack of due process for employees who have been subject to discrimination is an issue for intense debate, but it must be emphasized that even without the EEOC's support, an employee still has the right to pursue a discrimination claim in federal court.

3. Do you accept the premise that a "bad" economy causes an increase in discrimination claims? Why or why not?

Although it would be difficult to prove whether a "bad" economy actually causes an increase in discrimination claims, it is easy to explain the relationship. If a terminated employee has few prospects of employment with other organizations, it is logical to assume that the terminated employee will pursue all potential avenues of recovery against his or her previous employer. It is the EEOC's (and ultimately, the court's) responsibility to determine whether such claims are legitimate.

Article 2: "States Try to Counter Supreme Court's Minimum Price Ruling"

http://www.usatoday.com/news/washington/judicial/2010-12-22-robertscourt22_CV_N.htm?csp=hf&loc=interstitialskip

According to the article, when a United States Supreme Court majority let manufacturers require retailers to charge minimum prices for their products, dissenting justices warned that the ruling would hit American households hard and could cost some families $1,000 more a year in retail bills.

The 5-to-4 decision provoked an outcry from groups such as the Consumers Union and set off a rush of hearings and concern in Congress and the states. The dispute, *Leegin Creative Leather Products v. PSKS*, involved the maker of Brighton brand silver-studded belts and other accessories, which had cut off a Texas boutique for discounting its items.

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That 2007 decision was one of the first major rulings of the changing court under Chief Justice John Roberts. It also was one of the first in a series of decisions that Senate Judiciary Committee Chairman Patrick Leahy and other critics say demonstrate the Roberts Court favors corporations above consumers.

Three years later, against the backdrop of a struggling economy, the momentum in response to the decision is in the states. State officials are trying to ensure that manufacturers don't punish retailers for slashing prices — and consumers don't end up paying extra.

Legislatures have tried to beef up their own laws against price fixing, and attorneys general are bringing cases, based on state statutes, against manufacturers that try to force retailers to set a certain price and inhibit discounters.

Before the ruling and for nearly a century, minimum-pricing requirements were an automatic violation of antitrust law. The high court's decision does not make such deals outright legal, yet it sets a high standard for retailers who want to challenge them in court. Among state and federal efforts to offset the decision's impact:

•In New York, in a case heard this fall by a trial judge and still awaiting resolution, state Attorney General Andrew Cuomo alleged that Tempur-Pedic violated state law by warning retailers it will only do business with them if they charge certain prices, including at least $1,699 for its "classic" bed and queen mattress.

State lawyers said the premium-mattress maker actively polices retailers to verify that discounts do not occur and encourages other retailers to report violators. As a result, their claims say, "New York consumers are paying more for Tempur-Pedic mattresses than would result from competition." Tempur-Pedic has denied any wrongdoing.

•In California, officials in February settled a case with DermaQuest after the state attorney general's office alleged the cosmetic maker had entered into price-fixing deals with distributors for minimum pricing, in violation of state law. DermaQuest agreed to pay $70,000 in civil penalties and $50,000 in legal costs.

Since the *Leegin* ruling, says Kathleen Foote, a senior lawyer in the California attorney general's office, "California and other states have stepped up their state law-enforcement work in this area."

•In Maryland, the Legislature last year passed a law that prohibits all minimum pricing, as federal law had until the high-court action.

Ellen Cooper, chief of the antitrust division of the Maryland attorney general's office, said state lawyers are seeking the "right" first case to bring under the prohibition.

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"We're looking for something that is going to affect Maryland retailers and consumers specifically," she said. "We want one that would set a good precedent and that would be a warning to manufacturers out there who might be thinking" about imposing minimum-pricing agreements.

•On Capitol Hill, Democrats led by Sen. Herb Kohl of Wisconsin and Rep. Henry Johnson of Georgia have been pushing legislation to reverse the *Leegin* decision. Among the retailers who testified or wrote letters saying the ruling had hurt their business was Scott Mulder, who runs Tree Fort Bikes in Ypsilanti, Mich.

Mulder said if his company, which sells bike supplies mostly through the Internet, is pressured "to price things exactly the same as everyone else, the competitors who have enormous amounts of money to dump into advertising and huge 'big box' stores are sure to grab the sale."

On December 8, the House Judiciary Committee issued a report that found the Supreme Court's decision appears to have had "an adverse impact on consumer prices."

Yet Harvard law professor Einer Elhauge, an antitrust scholar, says the economic downturn, among other factors, makes it difficult to know the real impact of *Leegin* on consumers nationwide.

Elhauge now represents Texas retailer Phil Smith, who lost the high-court case and is trying to get a new hearing at the Supreme Court on price fixing. Elhauge says some lower-court interpretations of antitrust law in the wake of *Leegin* "effectively make retail price fixing per se legal if a wholesaler agrees to it."

Smith, who operated Kay's Kloset in Lewisville, Texas, had won a $4 million judgment after lower courts found Leegin illegally fixed prices and cut off Smith's shop when he wouldn't go along with the Brighton price tags.

The Supreme Court threw out that verdict. Lower courts have since ruled that Smith lacked sufficient grounds — under the 2007 ruling — to bring a claim against Leegin. Rohit Singla, Leegin's lawyer, declined to comment on the new appeal pending at the high court.

Until the justices' June 2007 decision, it had long been automatically illegal for a manufacturer to force a retailer to charge a minimum price for its products.

The case arose after conservative Justice Samuel Alito had succeeded moderate Sandra Day O'Connor in early 2006. A powerful five-justice conservative bloc — Roberts, Alito, Antonin Scalia, Anthony Kennedy and Clarence Thomas — was beginning to flex its muscle. In that pivotal 2006-07 term, several longstanding precedents were reversed.

In the *Leegin* case, the five conservatives threw out a high-court principle that dated to 1911. Writing for the majority, Kennedy said minimum-pricing deals should be assessed by a "rule of reason." That now requires a judge to weigh all the circumstances to decide whether a restriction

on price inhibits competition. The theory behind the rule is that some price restraints hurt competition, while others might stimulate competition in the consumer's best interest.

Kennedy said that sometimes minimum-pricing deals could lead to more consumer options, for example, between low-service and high-service brands. He suggested some manufacturers, such as Leegin, might prefer to sell only to high-quality shops that offer a certain ambience — including higher prices associated with more emphasis on customer service.

Justice Stephen Breyer, who wrote for the liberal dissenters, estimated that permitting all minimum pricing could cost a family of four roughly $750 to $1,000 annually.

Yet, he noted, "Just how much higher retail bills will be after this court's decision ... depends upon what is now unknown, namely, how courts will decide future cases under (the new standard). But ... figures indicate that the amounts involved are important to American families and cannot be dismissed as 'tiny.' "

In a recent interview, Breyer noted that he had taught antitrust law for many years before becoming a judge, and said, "I thought it was important to have a bright, clear rule that price fixing was, per se, illegal. ... My reaction was we shouldn't overturn" the 1911 ruling.

Members of Congress who support reversing the *Leegin* ruling emphasize that it came just as millions of consumers were about to face a serious recession.

Among them is Wisconsin Sen. Kohl, whose family founded a department-store chain.

"Consumers have been pounded by the headwinds of a bad economy and sluggish unemployment and have stretched their dollars to the limit," Kohl said this month. "We'll continue to build support for our bill ... so that consumers can get the discounts they so badly need."

Yet, Rep. Darrell Issa said the legislation could hurt retailers who specialize in a single product, such as a computer, and want to keep up the product's value rather than face competition from discounters peddling several brands.

The legislation has been championed in both chambers by Democrats. Some observers of the debate, including Federal Trade Commission member Thomas Rosch, say the new GOP control of the House diminishes the chance legislation will pass.

Minneapolis lawyer Michael Lindsay, an antitrust specialist who tracks related developments in the states, says it is hard to sort winners from losers in the wake of the court's decision.

"If *Leegin* encourages policies that enable retailers to spend more time educating customers, and you're a consumer who values that service, then you should like *Leegin*," he says. "But if you're a consumer who goes out and gets information on your own, then you don't want to pay retailers to do it for you, and you probably don't like *Leegin*.

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"... Likewise, if you're a retailer with an 'everyday low price' strategy, you may not like *Leegin*, but if you're a retailer that wants to cover the costs of educating a sales team to teach consumers about product features, then you like the decision."

The American Bar Association has urged Congress not to reverse the high court. In testimony before a Senate Judiciary subcommittee, James Wilson, a Columbus, Ohio, lawyer representing the ABA's antitrust law section, said such price arrangements can encourage retailers to provide better customer service and prevent discounters from "free riding" on services by others.

Yet, retailers such as Mulder, who sells bicycle parts and accessories at his Ypsilanti store and online, say shop owners should be able to set their own prices without distributors threatening to cut off products.

"My problem with the ruling is that it makes the playing field unfair and non-competitive," Mulder says. "Consumers cannot easily shop around" if retailers fear that offering a better deal would bring trouble from some manufacturers.

He says his business has offset the effects of the court ruling by diversifying the products he sells and allowing customers to report a lower price that Tree Fort Bikes will then try to match.

Mulder, who still hopes Congress passes legislation, insists, "It's inherently anti-competitive and anti-free-market for manufacturers to control prices across the supply chain."

Discussion Questions

1. Define “price-fixing.” As the article indicates, before the *Leegin Creative Leather Products v. PSKS* ruling and for nearly a century, minimum-pricing requirements were an automatic violation of antitrust law. In your reasoned opinion, which source of law is correct: a century of federal judicial precedent declaring minimum-pricing requirements a violation of antitrust law, or the United States Supreme Court’s *Leegin* decision? Explain your response.

Price fixing is an agreement between participants on the same side in a market to buy or sell a product, service, or commodity only at a fixed price, or maintain the market conditions such that the price is maintained at a given level by controlling supply and demand. Student opinions will likely vary in response to the question regarding which source of law is correct. The argument for the century of federal judicial precedent declaring minimum-pricing requirements a violation of antitrust law is that such requirements artificially suppress competition, resulting in a higher-than-market price for consumers. The argument in favor of the Leegin decision is that manufacturers should have the right to preserve the integrity and status of their products by establishing minimum price thresholds for their products. Would consumers think as highly of Mercedes-Benz if a new Mercedes was priced the same as a Hyundai?

2. As the article indicates, on Capitol Hill, Democrats led by Senator Herb Kohl of Wisconsin and Representative Henry Johnson of Georgia have been pushing legislation to reverse the *Leegin*

decision. In terms of a conflict between the legislative and the judicial branches of government, who prevails and why?

Since the legislative branch of government has the right to make law and the judicial branch has the right to interpret the law, a clearly-written statute should take precedence over a conflicting judicial decision. The challenge for the legislature is on two (2) "fronts": 1) to gather the political support required in Congress to enact such a law; and 2) to write a clear law that is not subject to ambiguity and/or interpretation!

3. As the article indicates, in response to the *Leegin* decision, certain state legislatures have tried to "beef up" their own laws against price fixing, and attorneys general are bringing cases based on state statutes against manufacturers that try to force retailers to set a certain price and inhibit discounters. In terms of a conflict between state legislatures and the federal judiciary (namely, the United States Supreme Court), who prevails and why?

Based on your author's opinion, due to the Supremacy Clause of the United States Constitution, a United States Supreme Court decision will take precedence over a conflicting state statute. However, it must be emphasized that state legislative action in a certain area may create the political momentum necessary for the United States Congress to address the issue in terms of enacting a statute to "trump" the Leegin decision.

Article 3: "Report: Toyota to Pay $10 Million in Runaway Lexus Suit"

http://www.foxnews.com/us/2010/12/23/report-toyota-pay-m-runaway-lexus-suit/

According to the article, Toyota Motor Corporation has agreed to pay $10 million to the family of four people killed in a runaway Lexus near San Diego, California last year that led to recalls of millions of the automaker's vehicles.

Attorney Larry Willis, who represents the dealership that loaned the Lexus, released the amount recently to the Los Angeles Times.

The dealership was privy to the confidential September settlement agreement, but has not yet reached a deal with those who sued it.

A Los Angeles judge recently denied a motion by Toyota and the plaintiffs to keep the settlement sealed. Toyota had 48 hours to file a stay with a California court of appeal.

The August 2009 crash killed off-duty California Highway Patrol Officer Mark Saylor, his wife, their daughter and Saylor's brother-in-law.

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Discussion Questions

1. Is Toyota's settlement payment of $10 million a legal admission of liability? Explain your response.

Toyota's settlement payment of $10 million is not a legal admission of liability. As a general rule, settlement agreements do not constitute an admission of liability on the part of the defendant, and well-written settlement agreements will include such language in the wording of the agreement.

2. As the article indicates, a judge recently denied a motion by Toyota and the plaintiffs to keep the $10 million settlement "sealed" (i.e., confidential.) In your reasoned opinion, should a court keep such a settlement confidential? Why or why not?

In your author's opinion, if Toyota and the plaintiffs agreed to keep the settlement confidential, it should remain confidential. How could it be argued (within reason) that other parties have a "need to know" the exact details of a particular settlement? Obviously, potential plaintiffs would love to know this information, since it would help them determine the value of their claims ("If Jane Doe received $10 million for her injuries resulting from a Lexus with defective brakes, why shouldn't I receive the same amount of damages for my defective Corolla?") Remember, a settlement agreement is not an admission of liability, nor is it a concession on the part of the defendant as to the actual value of a particular case (or cases like it.)

3. Thousands of Toyota consumers will likely pursue product defect litigation against Toyota, based on alleged faulty brakes and other problems that were the impetus for Toyota's recent recall. In your reasoned opinion, should these consumers, as plaintiffs in product defect litigation, be allowed to introduce in court (i.e., to the jury) evidence of Toyota's $10 million settlement in the subject case? Why or why not?

In one word, "NO!"Such evidence would adversely affect the fact-finder (i.e., the jury) in terms of deciding the true value of a particular claim. The judge controls the admissibility of evidence, and in this context, the judge would have to determine whether the probative (evidentiary) value of the evidence outweighs the potential prejudicial effect such evidence would have on the jury and its determination of liability and damages. A judge would most likely exclude such evidence due to the overwhelming effect (adverse to the defendant) this evidence would have on the jury's determination of liability and damages.

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Video Suggestions

Video 1: "Waldorf-Astoria Faces Another Bedbug Lawsuit"

http://abcnews.go.com/Travel/waldorf-astoria-york-hotel-faces-bedbug-lawsuit/story?id=12566844

Note: In addition to the video, please reference the following accompanying article:

New York's famed Waldorf-Astoria has been hit with a third lawsuit, accusing the luxury hotel of not doing enough to prevent bedbugs. Unlike other recent suits, the Maryland guest seeking $10 million in damages claims to have been bitten back in August 2007.

The suit by Svetlana Tendler is the latest in a long string of high-profile cases against hotels from guests who say they've had bad experiences with the pests.

There was the $20 million suit in 2006 against a Catskills resort from a couple who said they got 500 bites while staying at the now-closed Nevele Grande Hotel. A few months later came another multi-million suit from a couple who said they got red, itchy welts from the insects after a five-night stay at the Mandarin Oriental Hyde Park Hotel in London.

Suing for millions of dollars is one thing; winning the case is something else.

Timothy M. Wenk, a lawyer who defends hotels and apartment landlords from bedbug suits, said the landmark case in the field is Mathias v. Accor Economy Lodging, where a brother and sister were awarded $372,000 in punitive damages.

"I don't think that (large of an amount) would happen today given the notoriety of the bedbugs," Wenk said.

Hotels have become more proactive about bedbugs, he said, and tend to immediately provide new rooms or refunds to people who experience issues. The "shock value" and stigma of bedbugs has gone away, Wenk said, and with it the large settlements.

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"I predict in a few years it will be like being bitten by a mosquito," Wenk said.

So why the big multi-million lawsuits?

"Some people, as in human nature, get greedy," Wenk said.

A successful bedbug lawsuit must show not that just that a guest was bitten by the pests but that the hotel management had prior knowledge of the problem and choose to ignore it.

Take the case of Mathias v. Accor Economy Lodging. Burl and Desiree Mathias checked into a Motel 6 on East Ontario Street in Chicago (now a Red Roof Inn) back in November of 2002. They had a reservation but almost every room was rented. So the motel put them in Room 504, even though it was on "Do not rent" status.

After the first night, welts started to appear, according to testimony. On the second night, Burl Mathias found two bugs, but did not know what they were so "he killed them with a tissue and went to sleep." Then he woke in the middle of the night and saw numerous bugs rushing from his body to the sheets and the bed. Horrified, the guests asked the motel to put them up elsewhere but were only given another room on the same floor.

The motel had long known about the bugs, according to the trial record. In 1998, EcoLab, an extermination service the motel used, had discovered bedbugs in several rooms and recommended that it be hired to spray the entire property. The cost: $500. The motel refused. EcoLab was hired again the following year to spray just one room. By 2000, the manager was noticing that front desk clerks were receiving several complaints from guests who reported bugs and bites.

The manager eventually suggested to her corporate bosses to close the entire building so it could be sprayed by an exterminator. That request was denied.

As for the Waldorf-Astoria, its corporate parent, Hilton, would not comment on the particular cases because of the pending litigation. But a company spokesman said the hotel trains employees in the tell-tale signs of bedbugs. It also has a pest control service on retainer to perform appropriate inspections and treatments, if warranted.

"At the Waldorf-Astoria Hotel, hotel management and our guests take the issue of pest control, including bedbugs, very seriously and share a concern with keeping pests out of the hotel. The safety and comfort of our guests are our top priority. To that end, our hotel maintains high levels of vigilance, and we perform regularly scheduled inspections," the spokesman said. "In the unlikely and unusual event the hotel or a guest suspects a problem, the area in question is isolated to determine whether a problem exists and the situation is immediately remedied."

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Discussion Questions

1. In any civil action, the plaintiff must set forth in his or her complaint the legal theory (or theories) entitling the plaintiff to recover damages from the defendant. In this case, what legal theory or theories of recovery should be included in the plaintiffs' complaint?

Theories of recovery (or "causes of action") in this case could include the following:

a. *Negligence (based on the Waldorf-Astoria's failure to satisfy a reasonable standard of care it owes to patrons);*
b. *Negligent Infliction of Emotional Distress (based on the emotional pain and suffering the plaintiffs experienced due to the Waldorf-Astoria's negligence); and*
c. *Loss of consortium (for those jurisdictions recognizing such a claim, this cause of action is based on the defendant's "interference with the marital relationship"—Discussion of this cause of action with students could soon cause the professor's face to turn red!)*

2. Does the subject case justify the award of punitive damages (in addition to compensatory) damages? Why or why not?

Although compensatory damages (based on actual "out-of-pocket" financial losses) are certainly within the realm of recovery, assuming the plaintiffs are able to prove one or more causes of action listed in response to Discussion Question 1 above, recovery of punitive damages would be doubtful in this case. Punitive damages are based on the defendant's intentional, extremely reckless or grossly negligent actions (as contrasted with mere negligence) that "shock the collective conscience" of the court. At most, the evidence in this case would seem to indicate mere negligence on the part of the Waldorf-Astoria hotel, meaning that only compensatory damages are recoverable.

3. In the subject case, the plaintiff is seeking $10 million in damages from the defendant Waldorf-Astoria. In your reasoned legal opinion, is this damage request excessive? Is it grossly excessive? Does such a request cause you to favor tort reform capping liability (and damages)? Explain your response.

Student answers will likely vary in response to these questions. These are purely opinion questions that should spark lively debate in your classroom!

Video 2: "Tom DeLay Sentenced to Three Years in Prison"

http://abcnews.go.com/Politics/tom-delay-texas-republican-congressman-sentenced-years-prison/story?id=12584476

Note: In addition to the video, please reference the following accompanying article:

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Former United States House Majority Leader Tom DeLay was sentenced recently to three years in prison for helping divert corporate funds into Texas candidates' coffers in 2002.

In November, a 12-member jury convicted DeLay of money laundering and conspiracy to commit money laundering. A Texas judge recently sentenced DeLay to a three-year term on the conspiracy charge and five years for the money laundering charge, but allowed DeLay to accept 10 years of probation instead of the extra five years in prison.

DeLay, once one of the most powerful members of the U.S. House of Representatives, could have faced life in prison.

"The Hammer" -- as the Houston-born DeLay came to be known for his hard-hitting ways -- continued to assert his innocence today, telling the judge he couldn't be remorseful for a crime he didn't think he committed.

After 19 hours of deliberation and a three-week trial, a jury concluded that DeLay and two of his associates illegally funneled $190,000 in corporate donations through the Republican National Committee to GOP candidates for the Texas legislature. Under Texas law, candidates cannot use private funds for campaigns.

The prosecution alleged that it was part of a strategy to ensure that Republicans were in charge of drawing the Texas district map that would favor the GOP in Washington.

Republicans won the majority in the Texas House of Representatives in 2002 for the first time since the Civil war period.

DeLay's sentencing comes at the start of the year that is once again expected to feature a redistricting bloodbath as Republicans and Democrats fight over how to draw congressional and district boundaries.

DeLay blamed Democrats and a "rogue" Texas district attorney for indicting him so that he would be removed from his powerful position in Congress.

"All they wanted was the indictment, because the Republicans have a rule that if one of their leaders is indicted he has to temporarily step aside from his leadership position," DeLay told ABC News' Brian Ross in an interview in August. "So the Democrats, all they wanted was the indictment, and that's how they could get rid of me."

The former No. 2 House Republican resigned from his post in 2005 following allegations of ethical misconduct. That same year, his former deputy chief of staff, Tony Rudy, pleaded guilty to conspiracy and corruption charges, further damaging the congressman's reputation. At the time, DeLay said he wasn't aware of some of his staff's illegal activities.

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In his interview with Ross, DeLay blamed the media for perpetuating the idea that political corruption is more widespread than it actually is.

"It's not bad enough now to just beat them at policy or let them ruin your reputation," DeLay told Ross. "They've got to bankrupt you, ruin your family, put you in jail, put you in the grave, and then dance on your grace. That's not good for the country."

In November, DeLay blamed the guilty verdict on the "abuse of power."

"This is an abuse of power. It's a miscarriage of justice, and I still maintain that I am innocent. The criminalization of politics undermines our very system and I'm very disappointed in the outcome," DeLay told reporters.

DeLay, who represented a district in Houston, has mostly remained out of the public eye since he was indicted by a Texas grand jury in 2006, but he did make an unusual appearance in 2009 on "Dancing with the Stars."

However, the former congressman had to bow out of the competition early because of twin stress fractures.

"I love to dance," DeLay told Ross. "I had a great time doing it."

Discussion Questions

1. As the article indicates, Mr. DeLay was convicted of two (2) crimes: money laundering and conspiracy to commit money laundering. Define money laundering and conspiracy. These crimes are often referred to as “white collar” crimes. Generally speaking, what is a “white collar” crime?

A “white collar” crime falls within a wide-ranging category of crimes that do not typically involve the use of force, fear, or violence, are typically committed in the context of a profession, and that can have dramatic impact (financial and otherwise) on a wide-ranging number of victims, and on society as a whole. In terms of understanding white collar crimes, explain Bernard Madoff’s “Ponzi scheme” to students.

Money laundering, a particular type of white collar crime, is generally regarded as the practice of engaging in financial transactions to conceal the identity, source, and/or destination of illegally gained money by which the proceeds of crime are converted into assets which appear to have a legitimate origin. Conspiracy, another type of white collar crime, involves an illegal agreement between two (2) or more individuals to commit an intended crime. A conspiracy is a crime in and of itself, regardless of whether the intended crime is actually attempted or committed.

2. As the article indicates, in the sentencing phase of Mr. DeLay’s trial, a Texas judge sentenced DeLay to a three-year prison term on the conspiracy charge and five years for the money laundering charge, but allowed DeLay to accept ten years of probation instead of the extra five

years in prison for money laundering. In your reasoned opinion, in terms of allowing Mr. DeLay ten years of probation instead of five years of prison for the money laundering charge, was the judge being "soft on crime?"

Student opinions will likely vary in response to this opinion-based question. Some students may argue that ten years of probation equates to five years of prison (with the added benefit of the state of Texas not having to pay tens of thousands of dollars each year to incarcerate Mr. DeLay), while others will argue that those who "do the crime must spend the time" in prison.

3. Do you agree with Mr. DeLay that the jury's guilty verdict represented an "abuse of power?" Is it possible to answer this question without the personal influence of political views and ideology?

Since there is no evidence presented in the article as to the jury's rationale for its verdict, it would be difficult (impossible?) to conclude that the verdict indeed represented an "abuse of power." Although an appellate court can (and will likely) overturn a verdict based on the jury's abuse of power, the defendant-appellant must prove on appeal that the jury in fact abused its power. Most likely, if "abuse of power" is Mr. DeLay's only argument on appeal, the appellate court will likely affirm the verdict. Admittedly, since Tom DeLay was (and still is) such a polarizing political figure, answering this question without the personal influence of political views and ideology would be difficult. In fact, it could be argued that Mr. DeLay's own contention that the jury's verdict represented an abuse of power was politically-based.

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Proceedings

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The McGraw-Hill Companies

Of Special Interest

This section of the newsletter addresses the question of whether is illegal and/or unethical for United States businesses to trade with Iran.

Ethical Dilemma

"NYT: US Businesses Licensed to Trade with Iran"

http://www.cbsnews.com/stories/2010/12/24/world/main7180785.shtml?tag=stack

The United States Treasury Department has granted nearly 10,000 special licenses to American companies over the past decade so they could sell some types of products in Iran and other countries the U.S. considers terrorist sponsors, The New York Times reported recently.

Companies such as Kraft Food and Pepsi and some of the largest U.S. banks benefited, the newspaper said. Most licenses were granted under a law allowing trade in humanitarian goods, even if that ended up including products as diverse as cigarettes and chewing gum.

The story posted on the Times' website implies no illegal activity by administration officials or company personnel. Rather, it suggests the various deals for goods ranging from Louisiana hot sauce to body-building supplements undermine America's moral and diplomatic authority as the leading purveyor of tough sanctions on Iran, North Korea and other nations.

The newspaper said one American company was allowed to bid on a pipeline job to help Iran sell natural gas to Europe even though the United States opposes such deals. Other American companies were permitted to deal with Iranian firms suspected of involvement in terrorism or weapons proliferation, the Times said.

"Allowing the export to Iran of food items like hot sauce or salad dressing from the United States is required by statute and, in any event, is trivial in the context of our Iran policy," Stuart Levey, the Obama administration's sanctions chief, said in a recent statement to The Associated Press. "Our efforts are focused on matters like the illicit conduct of the Iranian government and financial institutions that are facilitating it."

Treasury officials noted that the permitted trade was inconsequential compared with the broad scope of U.S. sanctions, as goods sold to Iran amounted to only 0.02 percent of all U.S. exports in the first quarter of this year. And they were but a fraction of a percent of all Iranian imports, officials said.

Congress passed the law easing sanctions for some goods in 2000, largely

with Cuba in mind.

Levey said those rare cases don't conflict with the larger American effort to apply international pressure on Iran, which is already facing four rounds of U.N. Security Council sanctions over its disputed uranium enrichment program. Instead, they are part of the attempt to ensure that sanctions don't affect the availability of food, medicine and medical devices to Iranian people as the U.S. pressures Tehran on the nuclear issue, alleged links to terrorism and missile programs.

Kraft Food Inc. and PepsiCo Inc. didn't immediately respond to requests for comment.

Part of the problem is that in many countries facing U.S. or international sanctions, the government is a large player in the economy. The Times noted that the documents it obtained through a public records request showed the U.S. approved sale of luxury items to stores owned by blacklisted banks.

In response, administration officials said decisions are made on a case-by-case basis and reflect the realities of import chains, which can link some companies unwittingly to others.

"I haven't seen any licenses that I thought we should have done differently," Adam Szubin, the director of the Treasury's Office of Foreign Assets Control, which grants the licenses, told the Times.

But he conceded that U.S. officials weren't fully investigating every importer.

Discussion Questions

1. As the article indicates, The United States Treasury Department has granted nearly 10,000 special licenses to American companies over the past decade so they could sell some types of products in Iran and other countries the U.S. considers terrorist sponsors. Most licenses were granted under a law allowing trade in “humanitarian” goods. Do products such as cigarettes, chewing gum, hot sauce, salad dressing and body-building supplements constitute “humanitarian” goods? Explain your response.

It stretches the imagination to the “breaking point” to rationalize how items such as hot sauce and body-building supplements constitute “humanitarian” goods! When most individuals think of humanitarian goods, they think of the basic necessities of life, such as bread and water. In your author’s opinion, the original intent of the “special licensing” law was to strictly construe the definition of a humanitarian good.

2. Appraise the following recent statement by Stuart Levey, the Obama administration’s sanction chief: "Allowing the export to Iran of food items like hot sauce or salad dressing from the United States is required by statute and, in any event, is trivial in the context of our Iran policy...Our efforts are focused on matters like the illicit conduct of the Iranian government and financial institutions that are facilitating it."

Mr. Levey is essentially arguing "no harm, no foul" in terms of granting special licenses for United States companies to sell food items like hot sauce or salad dressing; however, it is still difficult for your author to understand why the United States should be trading non-necessary food items (again, think hot sauce and body-building supplements!) with Iran when our government (during the George W. Bush administration) has described Iran as part of the so-called "Axis of Evil" (along with Iraq and North Korea).

3. Even if companies like Kraft and Pepsi are technically within their legal rights to trade with Iran, is their conduct ethical? Why or why not?

Since students often have their own personal interpretations of ethics, their opinions will likely vary in response to this question. Admittedly, it would be difficult for Kraft and Pepsi to ignore an international market for their products, especially when their government has "green-lighted" such trade. In your author's opinion, it is more the government's responsibility to decide what is right in this case, rather than individual United States companies. Not all citizens or corporations within the United States will necessarily agree that Iran is an "evil empire," and even if the United States opposes a sitting government in a particular country, that is not to say that the people of that country should be made to suffer, especially if they are subject to dictatorial control.

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Of Special Interest

This section of the newsletter will assist you in covering:

1) Article 1 of the "Hot Topics in Business Law" Section ("Dismal Job Market Fuels Job Bias Claims") and

2) Video 2 of the "Video Suggestions" Section ("Tom DeLay Sentenced to Three Years in Prison.")

Teaching Tips

Teaching Tip 1 (Related to Article 1): "Scalia: Women Don't Have Constitutional Protection Against Discrimination"

http://www.huffingtonpost.com/2011/01/03/scalia-women-discrimination-constitution_n_803813.html

Note: To enhance classroom discussion regarding Article 1 and the issue of discrimination in the workplace, you may want students to refer to the following article regarding the specific issue of gender discrimination:

According to United States Supreme Court Justice Antonin Scalia, the Equal Protection Clause of the 14th Amendment to the United States Constitution does not protect against discrimination on the basis of gender or sexual orientation

In a newly-published interview in the legal magazine *California Lawyer*, Scalia said that while the Constitution does not disallow the passage of legislation outlawing such discrimination, it doesn't itself outlaw that behavior:

Interviewer: In 1868, when the 39th Congress was debating and ultimately proposing the 14th Amendment, I don't think anybody would have thought that equal protection applied to sex discrimination, or certainly not to sexual orientation. So does that mean that we've gone off in error by applying the 14th Amendment to both?

Scalia: Yes, yes. Sorry, to tell you that. ... But, you know, if indeed the current society has come to different views, that's fine. You do not need the Constitution to reflect the wishes of the current society. Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't. Nobody ever thought that that's what it meant. Nobody ever voted for that. If the current society wants to outlaw discrimination by sex, hey we have things called legislatures, and they enact things called laws. You don't need a constitution to keep things up-to-date. All you need is a legislature and a ballot box. You don't like the death penalty anymore, that's fine. You want a right to abortion? There's nothing in the Constitution about that. But that doesn't mean you cannot prohibit it. Persuade your fellow citizens it's a good idea and pass a law. That's what democracy is all about.

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It's not about nine superannuated judges who have been there too long, imposing these demands on society.

For the record, the 14th Amendment's equal protection clause states: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Marcia Greenberger, founder and co-president of the National Women's Law Center, called the justice's comments "shocking" and said he was essentially saying that if the government sanctions discrimination against women, the judiciary offers no recourse.

"In these comments, Justice Scalia says if Congress wants to protect laws that prohibit sex discrimination, that's up to them," she said. "But what if they want to pass laws that discriminate? Then he says that there's nothing the court will do to protect women from government-sanctioned discrimination against them. And that's a pretty shocking position to take in 2011. It's especially shocking in light of the decades of precedents and the numbers of justices who have agreed that there is protection in the 14th Amendment against sex discrimination, and struck down many, many laws in many, many areas on the basis of that protection."

Greenberger added that under Scalia's doctrine, women could be legally barred from juries, paid less by the government, receive fewer benefits in the armed forces, and be excluded from state-run schools -- all things that have happened in the past, before their rights to equal protection were enforced.

"In 1971, the Supreme Court unanimously ruled that they were protected, in an opinion by the conservative then Chief Justice Warren Burger," Adam Cohen wrote in *Time* in September. "It is no small thing to talk about writing women out of equal protection -- or Jews, or Latinos or other groups who would lose their protection by the same logic. It is nice to think that legislatures would protect these minorities from oppression by the majority, but we have a very different country when the Constitution guarantees that it is so."

In 1996, Scalia cast the sole vote in favor of allowing the Virginia Military Institute to continue denying women admission.

UPDATE: Observers have pointed out that Scalia and his interviewer, UC Hastings law professor Calvin Massey, are wrong when they say that no one ever considered the 14th amendment applying equal protection for women. In fact, Elizabeth Cady Stanton, Susan B. Anthony and other women's rights advocates publicly pushed to include explicit mentions of women's rights in the 14th and 15th amendments. (The National Woman Suffrage Association was born out of Stanton and Anthony's opposition to the shape of the 14th amendment.) Republican Rep. Thaddeus Stevens introduced a petition for universal suffrage in 1866.

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Their version, however, was defeated, and as Linda Gordon, New York University professor of history, told The Huffington Post, "the women who had led that felt they had been absolutely sold out by the post-Lincoln Republican Party because the 14th and 15th amendments are the first times that this notion of black people as a separate category was added" to the Constitution.

Legal scholar Jack Balkin writes that while the 14th amendment doesn't end up explicitly mentioning sex, that doesn't mean it doesn't grant women equal protection:

First, the central purpose of the Fourteenth Amendment was to guarantee equal citizenship and equality before the law for all citizens and for all persons. It does not simply ban discrimination based on race. The fact that the word race is not mentioned in the text (as it is in the fifteenth amendment) was quite deliberate.

Scalia argues that the 14th Amendment was not intended to prevent sex discrimination. That's not entirely true. The supporters of the 14th Amendment did not think it would disturb the common law rules of coverture: under these rules women lost most of their common law rights upon marriage under the fiction that their legal identities were merged with their husbands. But these rules did not apply to single women. So in fact, the 14th Amendment was intended to prohibit some forms of sex discrimination-- discrimination in basic civil rights against single women.

Moreover, the Constitution was subsequently amended. After the 19th Amendment, the common law coverture rules made little sense. If married women had the right to vote, why did they not have the right to contract or own property in their own names? If we read the 14th Amendment's guarantee of civil equality in light of the 19th Amendment, the guarantee of sex equality should apply to both single and married women. The conservative court during the Lochner era thought as much in a case called Adkins v. Children's Hospital, decided immediately after the ratification of the Nineteenth Amendment.

Discussion Questions

1. Do you agree with Justice Scalia's opinion that the United States Constitution does not prohibit discrimination on the basis of gender? Why or why not?

A "strict constructionist" such as Justice Scalia would contend that since the original Constitution did not specifically prohibit discrimination on the basis of gender, it would not be unconstitutional to engage in such discrimination. The 14th Amendment to the United States Constitution, however, does provide for "Equal Protection" under the law, and it seems rational to conclude that equal protection includes the right of women to be treated in a non-discriminatory fashion. Emphasize to your students that the United States Constitution specifically provides for express constitutional amendment, and the 14th Amendment was duly enacted by Congress.

2. In your reasoned opinion, is it appropriate for Justice Scalia to discuss, outside of the courtroom and to the media, his opinion regarding gender discrimination? Why or why not?

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Justice Scalia certainly has the right to his opinions, and the expression of his opinions are protected under the First Amendment to the United States Constitution (especially when you consider that his statements represent political speech, and since political speech has been accorded the highest level of free speech protection under the First Amendment.) Whether it is appropriate for a sitting Supreme Court justice to express those opinions outside the courtroom is an entirely different issue subject to healthy debate.

3. In terms of his service as a United States Supreme Court justice, should Justice Scalia "recuse" (i.e., excuse) himself from all gender discrimination cases subject to Supreme Court review? Why or why not?

Recusal is a decision for the individual judge to make. In terms of the argument for recusal, one could contend that it would be virtually impossible for Justice Scalia to divorce his subjective opinions from his interpretation and application of law in a certain case. In terms of the argument against recusal, one could contend that Justice Scalia (or any other justice, for that matter) is enough of a professional to subordinate personal opinions to the objective interpretation and application of law. It would be naïve, however, to assume that any judge could divorce his or her own views from the process of presiding over (and, in the context of a Supreme Court justice, deciding) a particular case.

Teaching Tip 2 (Related to Video 2): "Tom DeLay Sentenced to Three Years in Prison"

Note: To assist students in understanding the "white collar" crimes of criminal conspiracy and money laundering, I suggest that you have them research the definition of these crimes, as established by state statute. Since Mr. DeLay was convicted in a Texas court, I have included below the Texas Penal Code statutes addressing criminal conspiracy and money laundering. From a comparative law standpoint, I also encourage you to have students compare the Texas statutes regarding these white collar crimes with other state statutes addressing the same crimes.

CHAPTER 15: PREPARATORY OFFENSES

§ 15.02. CRIMINAL CONSPIRACY.

(a) A person commits criminal conspiracy if, with intent that a felony be committed:

(1) he agrees with one or more persons that they or one or more of them engage in conduct that would constitute the offense; and

(2) he or one or more of them performs an overt act in pursuance of the agreement.

(b) An agreement constituting a conspiracy may be inferred from acts of the parties.

(c) It is no defense to prosecution for criminal conspiracy that:

(1) one or more of the coconspirators is not criminally responsible for the object offense;

(2) one or more of the coconspirators has been acquitted, so long as two or more coconspirators have not been acquitted;

(3) one or more of the coconspirators has not been prosecuted or convicted, has been convicted of a different offense, or is immune from prosecution;

(4) the actor belongs to a class of persons that by definition of the object offense is legally incapable of committing the object offense in an individual capacity; or

(5) the object offense was actually committed.

(d) An offense under this section is one category lower than the most serious felony that is the object of the conspiracy, and if the most serious felony that is the object of the conspiracy is a state jail felony, the offense is a Class A misdemeanor.

CHAPTER 34: MONEY LAUNDERING

§ 34.02. MONEY LAUNDERING.

(a) A person commits an offense if the person knowingly:

(1) acquires or maintains an interest in, conceals, possesses, transfers, or transports the proceeds of criminal activity;

(2) conducts, supervises, or facilitates a transaction involving the proceeds of criminal activity;

(3) invests, expends, or receives, or offers to invest, expend, or receive, the proceeds of

criminal activity or funds that the person believes are the proceeds of criminal activity; or

(4) finances or invests or intends to finance or invest funds that the person believes are intended to further the commission of criminal activity.

(a-1) Knowledge of the specific nature of the criminal activity giving rise to the proceeds is not required to establish a culpable mental state under this section.

(b) For purposes of this section, a person is presumed to believe that funds are the proceeds of or are intended to further the commission of criminal activity if a peace officer or a person acting at the direction of a peace officer represents to the person that the funds are proceeds of or are intended to further the commission of criminal activity, as applicable, regardless of whether the peace officer or person acting at the peace officer's direction discloses the person's status as a peace officer or that the person is acting at the direction of a peace officer.

(c) It is a defense to prosecution under this section that the person acted with intent to facilitate the lawful seizure, forfeiture, or disposition of funds or other legitimate law enforcement purpose pursuant to the laws of this state or the United States.

(d) It is a defense to prosecution under this section that the transaction was necessary to preserve a person's right to representation as guaranteed by the Sixth Amendment of the United States Constitution and by Article 1, Section 10, of the Texas Constitution or that the funds were received as bona fide legal fees by a licensed attorney and at the time of their receipt, the attorney did not have actual knowledge that the funds were derived from criminal activity.

(e) An offense under this section is:

(1) a state jail felony if the value of the funds is $1,500 or more but less than $20,000;

(2) a felony of the third degree if the value of the funds is $20,000 or more but less than

$100,000;

(3) a felony of the second degree if the value of the funds is $100,000 or more but less than $200,000; or

(4) a felony of the first degree if the value of the funds is $200,000 or more.

(f) For purposes of this section, if proceeds of criminal activity are related to one scheme or continuing course of conduct, whether from the same or several sources, the conduct may be considered as one offense and the value of the proceeds aggregated in determining the classification of the offense.

(g) For purposes of this section, funds on deposit at a branch of a financial institution are considered the property of that branch and any other branch of the financial institution.

(h) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

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Chapter Key for McGraw-Hill/Irwin Business Law Texts

	Hot Topics	Video Suggestions	Ethical Dilemma	Teaching Tips
Kubasek et al., Dynamic Business Law	Chapters 10, 43 and 47	Chapters 7 and 9	Chapter 6	Chapters 7 and 43
Kubasek et al., Dynamic Business Law: The Essentials	Chapters 24 and 25	Chapters 2 and 5	Chapter 1	Chapters 2 and 24
Mallor et al., Business Law: The Ethical, Global, and E-Commerce Environment, 14th Edition	Chapters 20, 49 and 51	Chapters 5 and 7	Chapter 21	Chapters 5 and 51
Barnes et al., Law for Business, 10th Edition	Chapters 20, 25 and 45	Chapters 5 and 7	Chapter 9	Chapters 5 and 25
Brown et al., Business Law with UCC Applications Student Edition, 12th Edition	Chapters 19, 35 and 40	Chapters 5 and 6	Chapter 43	Chapters 5 and 35
Reed et al., The Legal and Regulatory Environment of Business, 15th Edition	Chapters 10, 16 and 20	Chapters 10 and 12	Chapter 13	Chapters 12 and 20
McAdams et al., Law, Business & Society, 9th Edition	Chapters 7, 10 and 13	Chapters 2 and 7	Chapter 16	Chapters 2 and 13
Melvin, The Legal Environment of Business: A Managerial Approach	Chapters 9, 12 and 19	Chapters 9 and 22	Chapter 25	Chapters 12 and 22

This Newsletter Supports the Following Business Law Texts:

Barnes et al., Law for Business, 10th Edition, 2009© (007352493X)
Brown et al., Business Law with UCC Applications Student Edition, 12th Edition, 2009© (0073524948)
Kubasek et al., Dynamic Business Law, 2009© (0073524913)
Kubasek et al., Dynamic Business Law: The Essentials, 2010© (0073377686)
Mallor et al., Business Law: The Ethical, Global, and E-Commerce Environment, 14th Edition, 2010© (0073377643)
McAdams et al., Law, Business & Society, 9th Edition, 2009© (0073377651)
Reed et al., The Legal and Regulatory Environment of Business, 15th Edition, 2010© (007337766X)
Melvin, The Legal Environment of Business: A Managerial Approach, 2011© (0073377694)