



Proceedings

A monthly newsletter from McGraw-Hill



March 2014 Volume 5, Issue 8



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Dear Professor,

The long, hard slough of winter is almost behind us! Welcome to McGraw-Hill's March 2014 issue of Proceedings, a newsletter designed specifically with you, the Business Law educator, in mind. Volume 5, Issue 8 of Proceedings incorporates "hot topics" in business law, video suggestions, an ethical dilemma, teaching tips, and a "chapter key" cross-referencing the March 2014 newsletter topics with the various McGraw-Hill business law textbooks.

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

1. Judicial rejection of the NFL's proposed concussion settlement;
2. The arrest of Bitcoin's CEO for alleged money laundering;
3. A judicial ruling regarding government examination of laptop computers at the United States border without probable cause;
4. Videos related to a) a judicial ruling regarding the removal of a mother from life support and b) the arrest of a teacher who allegedly brought marijuana-laced food to a "potluck" dinner;
5. An "ethical dilemma" related to the bankruptcy filing of Freedom Industries, a company allegedly responsible for polluting the water supply in West Virginia; and
6. "Teaching tips" related to the bankruptcy filing of Freedom Industries.

I hope you enjoy the newsletter!

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Of Special Interest

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

- 1) Judicial rejection of the NFL's proposed concussion settlement;
- 2) The arrest of Bitcoin's CEO for alleged money laundering; and
- 3) A judicial ruling regarding government examination of laptop computers at the United States border without probable cause.

Hot Topics in Business Law

Article 1: "NFL's Roger Goodell Calls \$765M Concussion Settlement Review 'Appropriate'"

<http://www.cbsnews.com/news/nfls-roger-goodell-calls-765m-nfl-concussion-settlement-review-appropriate/>

According to the article, National Football League (NFL) commissioner Roger Goodell, speaking about the \$765 million NFL concussion settlement -- recently denied approval by a federal judge -- called the judge's review of the case "appropriate."

"The judge is properly going through everything -- all of our analyses -- to make sure that the money that's in the fund, in the settlement, will be sufficient for the projected needs, and that's appropriate," Goodell said. "So we will continue to work with her, obviously, and do the best we can to convince her that the appropriate funds are there."

The judge, United States District Court Judge Anita B. Brody, denied preliminary approval of the settlement of NFL concussion claims, fearing it may not be enough to cover 20,000 retired players. She asked for more financial analysis from the parties, a week after players' lawyers filed a detailed payout plan.

"I am primarily concerned that not all retired NFL football players who ultimately receive a qualifying diagnosis or their (families) ... will be paid," Brody wrote in a 12-page opinion.

The proposed settlement, negotiated over several months, is designed to last at least 65 years.

Goodell said, "Both sides want to have this, and we believe it is the right thing because we can get money to the people who need it immediately, and that is really the initiative, and we think that the funds that are in there are necessary and sufficient to be able to handle it."

Asked about President Obama's recent public comments -- that he would not let his son play pro football -- Goodell remarked, "People do not understand that NFL players are living longer on average than the average male -- three years. And they are also living higher quality lives from a medical standpoint



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and a quality of life standpoint. These are important facts for people to understand. There's a lot of misinformation out there, but our players, we want to continue to do what we can to help them while they're playing the game, when they leave the game, but our players are doing great. We always will continue to do more for our players."

In March, the NFL and General Electric (GE) launched a four-year \$60 million plan to fight brain injuries. Recently, they announced the first round of 16 companies and universities who develop new forms of diagnosis and treatment.

GE Chief Executive Officer Jeffrey Immelt, discussing the initiative's two challenges so far, noted that the work with the NFL may have a wider impact on society at large. He said, "Brain science is a place where GE is invested heavily through our health care business. It is bigger than just the NFL. It has to do with Alzheimer's disease, traumatic brain injury that the military kids are experiencing when they come back, and certainly concussions are a big part of that. We felt that there would be an opportunity to unleash the technical might of the country to be a part of this. The NFL is just a great convener. ... When they do something, people listen. So Roger and I started talking about this about a year ago, and we made it happen last March. So far, so good. We're getting a ton of great ideas how to treat, how to diagnose, and that's the power of two great brands."

Goodell added, "What we hope will come out of it, is obviously to an objective standard that will advance science by using technology so that we can identify the injury and then we can get into better prognosis and obviously treatment and there are some great treatments there. ... Player health and safety is important, but I think really what inspires Jeff and I here is I think we can make changes in all of sports, the military, and frankly, we believe in the greater society, because these are issues not only injury, but also disease."

Discussion Questions

1. What is a settlement agreement?

A settlement agreement is a contract between the plaintiff and the defendant that effectively resolves the dispute between the parties. A settlement agreement does not constitute an admission of liability on the part of the defendant; rather, it represents a mutual agreement to end the dispute prior to a final determination of liability.

2. Should a judge have the power to reject a settlement agreement?

Since the judge is ultimately responsible for the administration of justice in the courtroom, he or she does (and should) have the power to reject a settlement agreement. Such discretion is especially appropriate for the settlement of a class action lawsuit, since the judge must determine whether the settlement agreement adequately addresses the interests of all plaintiffs participating in the class action.



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3. In your reasoned opinion, will the NFL's concussion-related settlement agreement ultimately be upheld by the federal court?

This is an opinion question, so student responses will likely vary. Although the final settlement amount may change, in your author's opinion, the settlement agreement will be approved since it represents an agreement between parties "at arm's length" in the negotiation process—the National Football League, team owners and players.

Article 2: "BitCoin Exchange CEO Arrested for Money Laundering"

<http://money.cnn.com/2014/01/27/technology/security/bitcoin-arrest/>

According to the article, United States government agents have arrested Charlie Shrem, the CEO of Bitcoin exchange BitInstant, charging him with laundering money for customers of online drug bazaar Silk Road.

The U.S. attorney in the Southern District of New York said Shrem helped someone he hadn't met in person, Robert Faiella, sell more than \$1 million worth of bitcoins to Silk Road customers. Faiella, a 52-year-old Florida man, allegedly ran an underground Bitcoin exchange using the alias BTCKing.

Shrem was arrested at John F. Kennedy International Airport in New York on Sunday, and Faiella was arrested at his home in Cape Coral, Fla., on Monday, prosecutors said. Both are charged with conspiracy to launder money and operating an unlicensed money transmitting business. Additionally, Shrem faces a charge for not tipping off the feds to what was allegedly going on.

Shrem, 24, is a major player in the Bitcoin world. The BitInstant exchange, based in New York City, lets people buy bitcoins locally at more than 700,000 locations in the United States, as well as Brazil, Russia and elsewhere. It received a \$1.5 million investment last year from Cameron and Tyler Winklevoss. Shrem is also vice chairman of the Bitcoin Foundation, one of the currency's biggest advocates.

The Winklevoss twins said in an emailed statement that they are "deeply concerned" about Shrem's arrest.

"When we invested in BitInstant in the fall of 2012, its management made a commitment to us that they would abide by all applicable laws - including money laundering laws - and we expected nothing less," they said.

According to the criminal complaint filed in federal court, Faiella first appeared on Silk Road as BTCKing in late 2011. The black market website only let people buy and sell goods with bitcoins, and Faiella made a business of exchanging cash for bitcoins. That's where Shrem's bitcoin exchange came in handy.



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Shrem sold Faiella the bitcoins that eventually made their way to drug buyers and sellers, according to an investigation by the Internal Revenue Service. Though Shrem knew where the money ultimately ended up, he never reported it to the Treasury Department, according to the U.S. attorney.

Federal documents cite email exchanges between Shrem and Faiella that show how close they worked together. Although Shrem never knew Faiella by his actual name -- only by BTCKing -- the young executive helped the older man avoid trouble. For example, when Faiella's frequent and large cash deposits raised eyebrows at a cash processing company, Shrem advised Faiella on how to avoid sounding alarms.

The IRS claims the partners exchanged \$1.05 million in bitcoins over a 10-month period ending in October 2012.

Faiella eventually ended the partnership with Shrem. By 2013, he was exchanging more than \$20,000 a week for Silk Road clients.

To gather evidence against Shrem and Faiella, federal agents posed as Silk Road users and bought bitcoins from Faiella. According to the court documents, agents then traced the money they paid, which led them to Faiella and eventually Shrem.

This recent news is the latest in the Silk Road bust that began in October with the arrest of the website's alleged founder. Federal agents managed to track down the website's server, which housed transaction information and private messages. Some of that information was used as part of the Shrem and Faiella arrests.

BitInstant's website was down recently after the announcement by federal law enforcement. Several lawmakers have called for increased regulation of Bitcoin in light of the currency's heightened privacy, given that they can be traded without using names and are difficult to trace to an individuals.

During an interview with Russian media news group RT last year, Shrem called the current financial regulations "crazy."

"They're throwing me under the bus," he said of the U.S. government. "They don't like us."

Discussion Questions

1. Define "money laundering."

Money laundering is quite simply defined as any effort(s) to conceal the source of illegally-acquired money. Money laundering is a crime, or a wrong against society as a whole, since it essentially "aids and abets" criminals, and interferes with law enforcement efforts to bring such criminals to justice.



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2. Should the law allow Bitcoins to be used as a substitute for currency? Why or why not?

This is an opinion question, so student responses will likely vary. In your author's good-faith opinion, Bitcoins are an illegal form of unregulated currency, mimicking as a medium of exchange traditional currency, and (thus far) escaping government regulation designed to protect our economy and the public.

3. Assess Charlie Shrem's comment that the current financial regulations regarding bitcoins as "crazy."

Many who are subject to government regulation believe such regulation to be "crazy." Remind students, however, that without smart, reasoned government regulation designed to protect our economy and the public, the "laws of the jungle" apply!

Article 3: "Judge's Laptop Ruling Challenges the Constitution-and Your Privacy"

<http://www.foxnews.com/tech/2014/01/25/judge-laptop-ruling-challenges-constitution-and-your-privacy/?intcmp=obnetwork>

According to the article, it is pretty obvious that we as a society are now made up of two groups. There are those who, for better or worse, have moved their lives into the digital realm, and those who have not.

I would like to introduce you to someone in the latter category. His name is Edward Korman and he is a federal judge in New York state. He had a case before him involving a United States citizen – a Ph.D. student at McGill University in Montreal – who had his computer confiscated while returning to the States. The judge ruled, sweepingly, that, yes, the federal government had a right to confiscate laptops at the border without probable cause.

In other words: You are traveling overseas, with your laptop, tablet or smartphone. As you re-enter the United States, a federal official, for any reason or none, can take it away from you and look through it, and there is nothing you can do about it.

Here is what I have on my laptop. Years of email. Private conversations from close friends about personal matters, some of them tragic, heart-wrenching, and life-changing, and similar messages from my husband. There are thousands of family photos, 99.9 percent of which I would prefer to be private. There is medical information about me and my family. I have business plans that are the culmination of years of work and affect my family's current and future livelihood.

Something else is there as well – something more intimate. What is on my laptop is a reflection of my mind – the unadorned evidence, good and bad, flattering and embarrassing, of my victories and pratfalls, my joys and losses, my most elated moments and deepest thoughts. It's me.



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Either you live in a world in which this extension of your very consciousness – and your constant access to it – is an inextricable part of your life, or you do not. You either appreciate that a laptop is a costly and delicate instrument you would just as soon not be cavalierly tossed around by a TSA employee, or you do not. And you recoil at the thought of strangers pawing through that information on a whim, with trivial legal oversight, or you do not.

The taking of a laptop today is a striking act of confiscation almost without an equivalent 25 years ago. Back then, it would have taken a team of FBI agents days if not weeks to so comprehensively vacuum up a single American's health, business, financial and personal information, not to mention that of so many of his or her friends, family members, and business associates.

Today, Nosy McPatterson, your local TSA staffer, or Roscoe the border agent who got up on the wrong side of the bed that morning, can accomplish the same feat, and in an instant. They can paw through your photos and email during their lunch hour. And anyone present with a 13-year-old's understanding of computing can easily and unnoticeably make a quick copy of it onto a device that slips easily into a pants pocket.

Judge Korman says it doesn't happen very often, though there's evidence he's wrong. I don't think it should happen at all.

It was odd – there is surprisingly little talk about the ruling online. (It came down on New Year's Eve afternoon.) The more you read, the weirder the rules are. The so-called "border exemption" extends 100 miles inland from the border. That includes the population of the Eastern Seaboard, Miami, Houston, the west coast, and Chicago.

I wanted to find a smart legal mind who would considered the issue. I finally found someone who had. He came up with a simple encapsulation to prevent this sort of intrusion into our private lives for no reason. It went like this:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized

That is the Fourth Amendment, of course. The writer was a guy named James Madison, with help from a few friends. Judge Korman, I am quite sure, is not the sort to carry his life around in his laptop. It is OK that he does not. The ironic thing about his ruling is that while initially I thought it encapsulated a division between people who live in the past (the judge) and the future (me and I assume you), but it's obvious this issue was well-debated – and from our point of view, resolved – by some smart people a very long time ago.

In the end, Judge Korman is the one with a different vision for the future. As a professional, mother, friend and citizen, I really do not like the looks of it.



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Discussion Questions

1. Describe the Fourth Amendment to the United States Constitution.

The exact language of the Fourth Amendment to the United States Constitution is as follows:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Based on the Fourth Amendment, courts recognize the individual right to privacy.

2. The author of this article describes the contents of your laptop computer as a “reflection of (your) mind.” Is this a correct assessment? If so, what implications does this have in terms of application of the Fourth Amendment to the United States Constitution to the confiscation and examination of laptop computers at the United States border?

In your author’s opinion, this is a correct assessment—Information on an individual’s laptop computer is, in many respects, a reflection of that person’s mind. Even if this was not the case, the Fourth Amendment speaks to the right of the people to be secure in their “persons, houses, papers, and effects (emphasis added).” A laptop computer is an “effect” for the purposes of the Fourth Amendment right to privacy.

3. In your reasoned opinion, is the examination of laptop computers at the United States border, without a warrant and without probable cause, a violation of the Fourth Amendment to the United States Constitution? Explain your response.

The examination of a laptop computer at the United States border, without a warrant and without probable cause, could very well be a Fourth Amendment violation, since a computer is an “effect,” and since the Fourth Amendment speaks to the right of the people to be secure in their effects. There are always exceptions to the rights expressed in the Bill of Rights, however, and the federal court system (e.g., the United States Supreme Court) could conclude that the Fourth Amendment privacy right is outweighed in this situation by the need for national security.



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Video Suggestions

Video 1: “Texas Hospital Removes Brain-Dead Pregnant Woman Marlise Munoz from Life Support”

<http://www.cbsnews.com/news/texas-hospital-to-remove-brain-dead-pregnant-woman-marlise-munoz-from-life-support/>

Note—In addition to the above-referenced video, please see the following article:

“Family ‘Preparing’ to Bury Mother after Judge’s Life Support Ruling”

<http://abcnews.go.com/Health/family-preparing-bury-pregnant-mother-judges-ruling/story?id=21794363&singlePage=true>

According to the article, after a judge ruled that a brain dead woman should be taken off life support, the family of Marlise Munoz is finally preparing for her burial, according to lawyers.

Munoz has been on life support since a suspected pulmonary embolism rendered her brain dead in November. Recently, a judge ordered the Texas hospital where Munoz was treated must remove her from life support.

The 33-year-old paramedic was 14 weeks pregnant at the time she suffered the suspected embolism. As a result of her pregnancy, John Peter Smith Hospital in Fort Worth said it was bound by state law from removing her from life support until Munoz miscarried or a baby was born.

Munoz's family said she never wanted to be on life support, and they sued to have her removed from it on January 14, arguing that the law did not apply to her because she was legally dead.

Judge R. H. Wallace Jr. agreed. "Mrs. Munoz is dead," the judge ruled. After the ruling, Munoz's husband, Eric, stood with his lawyers as they made a statement on his behalf.

"This is the decision we sought. There is nothing happy about today. This was a sad situation all the way around," Munoz family attorney Heather King told reporters after the ruling. "We are relieved that Eric Munoz can now move forward with the process of burying his wife."



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When asked for his response to the ruling an emotional Eric Munoz could barely answer "No comment."

"He needs to prepare for the future," King responded on Munoz's behalf. John Peter Smith Hospital released a statement after the ruling, but did not say whether or not they would appeal the ruling.

"JPS Health Network appreciates the potential impact of the consequences of the order on all parties involved and will be consulting with the Tarrant County District Attorney's office," read the statement.

The case has sparked a heated debate about whether a woman who is medically dead should be kept on life support for the duration of her pregnancy for the sake of her fetus. Although Munoz's mother said that this is not about abortion for them, the case has also garnered attention from both sides of the abortion debate.

"It is very frustrating because we know what our daughter wanted, and we are not about to honor that because of this law," Munoz's mother, Lynne Machado said before deciding to contest the law.

Recently, the family's lawyers announced that the 22-week-old fetus was "distinctly abnormal," with water on the brain, a possible heart condition and lower extremity deformities.

Texas law states that "a person may not withdraw or withhold life-sustaining treatment under this subchapter from a pregnant patient," but the judge determined it does not apply to Munoz because she is already legally dead. In Texas, death is legally defined as "the irreversible cessation of the person's spontaneous respiratory and circulatory functions," according to the Munoz family's legal filing.

According to the suit, the hospital has interpreted the law in a way that "makes no sense and amounts to nothing more than the cruel and obscene mutilation of a deceased body against the expressed will of the deceased and her family."

They also questioned whether the law was constitutional, but the judge did not make a ruling. Because John Peter Smith Hospital is a local public hospital, the Tarrant County District Attorney's office represented it. On behalf of the hospital, the office filed its response to the suit last week, in which it denied all allegations.

The family's heartbreak began on November 26, when Munoz got out of bed in the middle of the night because her 14-month-old son, Mateo, began to cry, Machado said. When the baby continued to cry and Munoz did not return, Munoz's firefighter husband got up too. That's when he found Munoz on the kitchen floor. She was not breathing and had no pulse. Her skin had taken on a bluish color, Machado said.



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Doctors suspect she had a pulmonary embolism, or a blood clot in the lungs, but they will not know until an autopsy can be performed, Machado said.

"It is hard to reach the point where you wish your wife's body would stop," Erick Munoz said. Machado initially said family members would not fight the law until after her daughter was finally taken off life support because she thought the hospital's hands were tied by the law, and did not blame the doctors for the situation. But they want the public to know that this can happen.

Although Internet commenters have made the family's situation into an abortion rights issue, Machado said the family has shared its story to educate the public about a law it never knew existed. "Hopefully, no family has to go through this hell we have had to go through," she said.

Discussion Questions

1. As the article indicates, Texas law states that "a person may not withdraw or withhold life-sustaining treatment...from a pregnant patient." Evaluate this law. Do you view this case as an abortion rights issue? Why or why not?

Since end-of-life decisions and abortion rights are such volatile topics, the instructor might be best-served by allowing students to do most of the talking while addressing this case! The ultimate question regarding this case is whether there is anything the hospital can do, medically speaking, that is "life-sustaining" for Mrs. Munoz and her child. As the judge in this case noted, the overwhelming weight of the medical evidence indicates that Mrs. Munoz was essentially dead, and her child was not viable out of the womb. In your author's opinion, it is difficult to envision this case as an abortion rights issue, since Mrs. Munoz (the mother) is not making the decision, and since her family members are making their very difficult decision based on their determination as to what Mrs. Munoz would want if she could speak for herself.

2. As the article indicates, Texas law defines death as the "irreversible cessation of the person's spontaneous respiratory and circulatory functions." Was Mrs. Munoz dead according to Texas' legal definition of death?

As the article indicates, the judge in this case ruled that Mrs. Munoz was legally dead, since she experienced the most likely (irrefutable?) irreversible cessation of her spontaneous respiratory and circulatory functions. Short of a "miracle" of "biblical" proportions, Mrs. Munoz had left us.

Religious students might argue that in spite of the best medical evidence, there is always room for a miracle.

3. Who should make difficult decisions such as the ones presented in this article: the government, or the patient's family?



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This is an opinion question, so student responses might vary. Again, since this is such a controversial case involving highly volatile questions of law, morality, religion, and government regulation, the instructor might be best-served by deferring to the expression of student opinion.

Video 2: “Police: Teacher Brought Marijuana-Laced Food to After-Work Potluck”

<http://www.cnn.com/2014/01/25/justice/california-teacher-pot-arrest/>

Note—In addition to the video, please see the following article, also included at the above-referenced web address:

According to the article, police in Northern California have arrested an elementary schoolteacher after she allegedly brought marijuana-laced food to an after-hours employee potluck dinner.

Teresa Gilmete Badger, a 47-year-old teacher at Matthew Turner Elementary School in Benicia, was arrested recently on suspicion of poisoning after a six-week-long investigation, said Lieutenant Frank Hartig of the Benicia Police Department.

After the late-November get-together in the Bay Area town, several people reported feeling ill, a police statement said.

"One of the partygoers was rushed to the hospital with severe reactions; she was hospitalized," Hartig said. "The very next morning, another partygoer was taken to the hospital, because she continued to feel like she was under the influence of something."

At least one of the women tested positive for THC (Tetrahydrocannabinol), the principal intoxicant in marijuana, police said.

A 15-year-old also got sick after someone at the party brought leftovers home, according to police. During their investigation, police said they were told that Badger had "allegedly confessed her involvement to individuals who were also in attendance at the party."

She was arrested and booked into Solano County Jail in Fairfield. Bail was set at \$15,000.

Badger chose not to speak to arresting officers, Hartig said.

Discussion Questions

1. If the allegations referenced in this article are true, did Teresa Badger commit a crime? Did she commit a tort?



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If the allegations referenced in this article are true, Teresa Badger likely committed both a tort and a crime. Food tampering constitutes both a wrong against the individual victim (i.e., a tort), and a wrong against society as whole (i.e., a crime). Food tampering is generally defined as the intentional modification of food in such a way that it would be harmful to another person.

2. In your opinion, if the allegations referenced in this article are true, what specific tort(s) did Ms. Badger commit?

Ms. Badger is responsible for emotional distress if any of her “victims” experienced severe emotional trauma as a result of their unknowing marijuana consumption. This could rise to the level of intentional infliction of emotional distress if the facts demonstrate that Ms. Badger intended to cause emotional trauma to the partygoers, or if a jury concludes that her extremely reckless actions rose to the level of intent. Generally speaking, a damage award associated with an intentional infliction of emotional distress verdict is much greater than a damage award related to a negligent infliction of emotional distress case. The article indicates that one or more individuals might have experienced physical harm (e.g., an allergic reaction) as a result of the unknowing marijuana consumption. Damages for any physical injuries suffered by the partygoers would be recoverable against Ms. Badger as well.

3. If Ms. Badger did commit a tort, what amount of monetary damages would be appropriate in a case like this?

A jury typically decides what amount of monetary damages is appropriate in a tort case. If the jury concludes that Ms. Badger committed intentional infliction of emotional distress during to her intentional or extremely reckless actions, the verdict amount will likely be significant.



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Of Special Interest

This section of the newsletter addresses the recent bankruptcy filing of Freedom Industries, a company that allegedly polluted the water supply in West Virginia.

Ethical Dilemma

“Freedom Industries Files for Bankruptcy”

<http://www.wvgazette.com/News/201401170030>

According to the article, Freedom Industries, the company that fouled thousands of West Virginians' water with a chemical leak into the Elk River recently, filed for Chapter 11 bankruptcy recently.

Freedom owes \$3.6 million to its top 20 unsecured creditors, according to bankruptcy documents. The company also owes more than \$2.4 million in unpaid taxes to the Internal Revenue Service, and the IRS has placed at least three liens on Freedom's property, demanding payment.

The unpaid taxes date back to at least 2000, according to a lien filed in 2010. Under the bankruptcy code, Chapter 11 permits a company to reorganize and continue operating.

The filing also puts a hold on all of the lawsuits filed against Freedom Industries. Since the leak last week, about a mile and a half upriver from West Virginia Water American's plant in Charleston, about 25 lawsuits have been filed against Freedom in Kanawha Circuit Court. The company also faces a federal lawsuit.

The company's assets and liabilities are each listed as between \$1 million and \$10 million in the bankruptcy filing. Chemstream Holdings Inc. is the sole owner of Freedom Industries, according to the filing. Gary Southern, who is identified as Freedom's president, signed all of the bankruptcy documents. On Thursday, a source close to Freedom Industries, who asked to remain anonymous because of pending lawsuits, told The Charleston Gazette that Chemstream Holdings is owned by J. Clifford Forrest of Kittanning, Pa. Forrest is listed as "manager" of Freedom affiliates Etowah River Terminal and Poca Blending in a merger filing from Dec. 31, 2013.

About an hour after its bankruptcy filing, Freedom filed an emergency motion for what is called "debtor-in-possession," or DIP, financing, which would allow it to secure up to a \$5 million loan to continue to function in some capacity. The loan would, according to the filing, "provide additional liquidity to (Freedom) in order to allow it to continue as a going concern."



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The lender in a debtor-in-possession case generally gets first priority when it comes time for the debtor, in this case Freedom, to pay money back.

"Under the bankruptcy code, when there is DIP financing from a DIP lender, 99 percent of the time, they get priority over all the other creditors," said Bob Simons, a prominent bankruptcy lawyer with the Pittsburgh firm Reed Smith. "You're putting your money in at risk, and the debtor is not going to have a lot of options, so the bankruptcy clerk permits the DIP lender to get priority over all the other lenders."

Freedom's proposed lender is a company called WV Funding LLC. That company does not exist in West Virginia, according to business records on file with the West Virginia secretary of state. Pennsylvania's secretary of state also has no records online for it.

The DIP agreement has places to sign for Freedom Industries and for WV Funding "by Mountaineer Funding LLC."

Mountaineer Funding was incorporated with the West Virginia secretary of state on Friday. Its one listed member is J. Clifford Forrest, Freedom Industries' owner.

The DIP agreement states that the terms "were negotiated by the parties in good faith and at arm's length."

The West Virginia Bureau of Employment Programs has placed at least two liens on Freedom's property, for about \$4,000 in unpaid unemployment compensation insurance. Those liens were filed in 2002 and 2003.

On January 9, the day the leak contaminating the Elk River was discovered, Freedom and its subsidiary, Etowah River Terminal, also owed nearly \$93,000 in Kanawha County property taxes, about half of which was due on Oct. 1, 2013, and had become delinquent.

Freedom paid the full amount, \$92,694.98, to Kanawha County on January 10, the day after the leak was discovered. Of that amount, \$47,618.87 had been overdue since October 1.

A Freedom spokesman said Friday that, on the advice of legal counsel, the company would make no comment. Mark Freedlander, of McGuireWoods LLP in Pittsburgh, is representing Freedom. Topping the list of Freedom's unsecured creditors, at \$648,221, is Atlanta-based FloMin Coal Inc. Freedom owes Silverlake Holding LLC, of Evansville, Ind., \$615,954.

Eastman Chemical, the maker of "Crude MCHM," the chemical that spilled into the Elk River, is owed \$127,474, documents show.

Eastman, headquartered in Tennessee, is named, along with Freedom and West Virginia American Water, in the federal lawsuit filed recently.



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Charleston-based Liberty Tank Lines is owed \$117,812, according to the bankruptcy documents. Documents in the bankruptcy filing allege that a water line break adjacent to the Barlow Drive facility might have contributed to the ground beneath a storage tank freezing during frigid temperatures in the days immediately preceding the incident.

"The debtor and investigative authorities have taken note of the hole in the affected storage tank that appears to have come from an object piercing upwards through the base of the affected storage tank. Investigations by multiple agencies are ongoing with full cooperation by the debtor," bankruptcy documents state.

Freedom and its Etowah subsidiary own four parcels of land along the Elk River, with a total appraised value of about \$1.6 million, according to Kanawha County tax filings. Freedom and Etowah own personal property -- in the form of machinery and equipment -- with a total appraised value of about \$3.7 million, according to tax filings.

A full account of filings that Freedom and its subsidiaries have made with the West Virginia secretary of state helps reveal a little bit more of the company's opaque corporate history. Since 1992, Freedom and its associates have made 12 filings, to found companies, dissolve companies, merge companies and change officers.

The company, as currently constituted, has existed for less than three weeks. On December 31 2013, four companies merged under the umbrella of Freedom Industries: Freedom Industries Inc., Etowah River Terminal LLC, Poca Blending LLC and Crete Technologies LLC.

Of those four companies, Freedom was the oldest. It was founded by Carl L. Kennedy II, a longtime Charleston businessman, on February 10, 1992. Its listed address at that time was 8 Capitol St. Seven years later, on October 13, 1999, Kennedy was listed as the incorporator of Poca Blending, with partners listed as Freedom Industries and SD Asset Partners. Poca Blending is the facility in Nitro where chemicals were moved a few days after the leak on the Elk River was discovered.

Four years after that, on September 27, 2001, Etowah River Terminal was founded by Dennis P. Farrell. Etowah River Terminal is the tank farm on the Elk River where the leak occurred. The facility was formerly owned by Pennzoil-Quaker State.

On July 27, 2005, Kennedy, the founder of Freedom and Poca, pled guilty to federal income tax evasion for not paying the government more than \$1 million he had withheld from employee paychecks.

A week later, on August 3, 2005, Etowah and Poca Blending had their licenses revoked by the secretary of state for failing to file annual reports.

Two months after that, on October 5, 2005, Farrell replaced Kennedy as president of Freedom Industries.



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On March 1, 2007, Andrew G. Fusco, a Morgantown partner in the law firm Bowles Rice, was listed in a secretary of state filing as "agent of service of process" for Freedom Industries.

Six months after that, on October 8, 2008, Crete Technologies was established as a limited liability corporation in Delaware. Dennis P. Farrell was listed as the organizing agent, and Freedom Industries was the sole owner of Crete.

On November 15, 2011, Etowah River Terminal, which had its license revoked six years earlier, was reorganized as an LLC for the purposes of "providing investment advice" and "acting as owner of a river terminal facility." Dennis P. Farrell was listed as the organizer.

Just two months ago, on November 26, 2013, Poca Blending reorganized as an LLC. The manager was Dennis P. Farrell and the organizer was Daniel J. Cohn, an attorney with Bowles Rice in Charleston.

There is no record of Chemstream Holdings, the company listed as Freedom's owner on the bankruptcy filing, with the West Virginia secretary of state.

Freedom owed federal taxes for the years 2000, 2001, 2003, 2004, 2005, 2006, 2007 and 2008. The total amount owed to the IRS is \$2,433,449.15, according to the three liens.

Harry Bell, whose law firm has filed lawsuits on behalf of plaintiffs, said Freedom's bankruptcy filings puts all the lawsuits on hold.

"(The filing) stays the litigation until bankruptcy court addresses the matters involved," Bell said.

West Virginia Department of Environmental Protection Secretary Randy Huffman said: "At this point, Freedom has committed to continuing its cleanup effort. Any contingency to that would consist of a plan developed by many parties, including [the] DEP. Funding determination would be part of that planning process."

"While details have not yet been fully developed regarding how to fund the remediation in such a scenario, the remediation efforts will still continue as long as necessary."

Discussion Questions

1. Describe Chapter 11 bankruptcy.

Chapter 11 bankruptcy is debt reorganization bankruptcy for businesses. Although there can be substantial debt forgiveness in Chapter 11, the primary focus of this type of bankruptcy is debt restructuring. A Chapter 11 petition results in an automatic stay prohibiting debt collection efforts and other civil litigation against the debtor outside of bankruptcy court.



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2. In your reasoned opinion, should a company like Freedom Industries be allowed to file Chapter 11 bankruptcy in order to avoid financial obligations resulting from illegal and/or unethical practices, such as polluting the water supply? Explain your response.

This is an opinion question, so student responses will likely vary. Currently, there is no law prohibiting a company from filing Chapter 11 bankruptcy in order to avoid financial obligations resulting from illegal and/or unethical practices.

3. Describe “debtor-in-possession” financing. In your reasoned opinion, is it appropriate for the bankruptcy court to permit debtor-in-possession financing? Is it fair to other creditors for the bankruptcy court to prioritize the claim of a creditor who extends such financing? Explain your responses.

A debtor in possession continues to operate the bankrupt company during the bankruptcy proceeding. Debtor-in-possession financing is a loan given to a business during the bankruptcy proceeding. In terms of whether it is appropriate for the bankruptcy court to permit debtor-in-possession financing, or whether it is fair to other creditors for the bankruptcy court to prioritize the claim of a creditor who extends such financing, these are opinion questions, so student responses will likely vary.

Students should know that without the bankruptcy court’s permission for debtor-in-possession financing, the bankrupt company will be more likely to permanently fail, since such capital might be essential to the survival of the business. Students should also know that without prioritizing the claim of a debtor-in-possession creditor, debtor-in-possession financing might never occur. Debtor-in-possession financing represents a tremendous risk for a creditor. Keep in mind that by definition, such financing already involves a company in serious financial straits, with the bankruptcy court already exercising jurisdiction over its troubled financial condition.



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Of Special Interest

This section of the newsletter will assist you in covering the Ethical Dilemma ("Freedom Industries Files for Bankruptcy") of the newsletter.

Teaching Tips

Teaching Tip 1 (Related to Ethical Dilemma--"Freedom Industries Files for Bankruptcy"):

Note—Please see the following article for supplemental material in class coverage of the "Freedom Industries Files for Bankruptcy" Ethical Dilemma:

"West Virginia Spill: Where "Regulation" Is a Dirty Word, Shady Businesses Flourish"

<http://billmovers.com/2014/01/16/west-virginia-spill-where-regulation-is-a-dirty-word-shady-businesses-flourish/>

According to the article, asked about the spill of thousands of gallons of toxic chemicals into a West Virginia river – a disaster that shut down schools and businesses, sent hundreds of residents seeking medical treatment and left an estimated 300,000 mountain-staters without potable water – Speaker John Boehner told reporters that he is "entirely confident that there are ample regulations already on the books to protect the health and safety of the American people."

Others were not as sanguine. "We have a culture of deregulation – regulation has been turned into a dirty word down here," says Russell Mokhiber, the West Virginia-based editor of the *Corporate Crime Reporter*. "Both the Democratic and Republican parties are complicit," he told *Moyers & Company*. "The chemical and coal industries have a stranglehold on most institutions in the state. The political situation is locked up."

Jennifer Sass, a lecturer in environmental health at George Washington University told *The New York Times*, "West Virginia has a pattern of resisting federal oversight and what they consider EPA interference, and that really puts workers and the population at risk."

A 2009 investigation by the *Times* found that "hundreds of workplaces in West Virginia had violated pollution laws without paying fines."

Current and former West Virginia Department of Environmental Protection employees said their enforcement efforts had been undermined by bureaucratic disorganization; a departmental preference to let polluters escape



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punishment if they promised to try harder; and a revolving door of regulators who left for higher-paying jobs at the companies they once policed.

But this is not just a story of anti-regulatory zeal – and the price hundreds of thousands of West Virginians paid for it. As new details emerge about Freedom Industries, the company responsible for the leak, it's becoming clear that it's also a tale of how shady businesses can prosper in an environment where regulatory capture by an industry is so deeply entrenched.

Even the history of Freedom Industries is murky. It was co-founded in 1992 by Carl Kennedy and Gary Southern — who during a Friday press conference sipped bottled water and told reporters that he'd had a really trying day. Southern had been president but the firm's website now lists Dennis Farrell, a college friend of Kennedy's (with whom he also opened a sports bar in 2002), as president instead. As *Businessweek* put it, "That clearly needs sorting out."

According to *The Charleston Gazette*, Southern is also the president of Enviromine, "which makes products to help remediate environmental problems from mining."

Kennedy may or may not remain with the company; according to *The Gazette*, he's still listed on documents the firm filed with the Secretary of State's office, but a woman who answered the phone at the company said he was no longer with Freedom Industries.

That may be a distinction without a difference. Only weeks ago, the firm merged with several others: Etowah River Terminal, Poca Blending and Crete Technologies. According to *The Gazette*, in 2007, Kennedy claimed to have stakes in both Etowah River Terminal and Poca Blending. Prior to the merger, these companies already had complementary operations in the Kanawha Valley, known as "Chemical Valley."

Carl Kennedy's history reads like that of a character in an Elmore Leonard or Carl Hiaasen novel. In 1987, he pleaded guilty to selling between 10 and 12 ounces of cocaine in a case that would lead to the federal prosecution of then-Charleston Mayor Mike Roark, a former prosecutor himself who, according to *The New York Times*, "was once nicknamed 'Mad Dog' for his zeal in fighting drug abuse." He was charged with 30 counts of cocaine possession.

The Gazette's David Gutman reports that in the early 2000s, when Kennedy was the accountant for Freedom Industries, Poca Blending and New River Chemical Co., he pled guilty to withholding \$1 million in taxes from employees' paychecks and pocketing it rather than sending it to Uncle Sam. He also owed \$200,000 in unpaid state taxes. Sentenced to three years in prison, Kennedy got his time cut in half "after he cooperated with authorities by making controlled cocaine buys and wearing a wire in conversations with a former business associate."

In 2005, Etowah River Terminal lost its license for failing to file an annual report. It was resurrected in 2011, according to *The Gazette*.



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Despite Kennedy's reluctance to send tax dollars to Washington, in 2009 Freedom Industries was happy to accept stimulus funds which helped the company stay afloat. David Gutman recalled that "sand, silt and mud had built up in the river, making it difficult for barges to travel the 2.5 miles from the company's river terminal to the Elk's confluence with the Kanawha."

The company was in deep trouble until the Army Corps of Engineers dredged the waterway, thanks to a \$400,000 grant from the American Recovery and Reinvestment Act. "It could've put us out of business," Dennis Farrell told the *Charleston Daily Mail*. "At some point we wouldn't have been economically fit to run the facility. That's our claim to fame: the barges."

Questionable Response

Recently, Gary Southern told reporters that Freedom Industries' employees had discovered the spill, but that claim was contradicted by reports that officials from the state's Environmental Protection Agency found it independently after nearby residents complained of a suspicious odor.

According to the *Daily Mail*, a team of inspectors visited the facility this week, and issued five violations for poor maintenance and operations, insufficient employee training and reporting, and storing chemicals in an above-ground tank without a secondary containment wall.

As *The New York Times* noted, "lawmakers have yet to explain why the storage facility was allowed to sit on the river and so close to a water treatment plant that is the largest in the state." The facility hasn't been inspected since 1991 because, unlike other states, West Virginia requires it only of chemical manufacturers and emitters, not storage facilities.

According to *The Gazette*, in 2010, experts from the US Chemical Safety Board asked the state to create a new program to prevent accidents and releases in Chemical Valley. Those recommendations followed a 2008 fatal explosion at a Bayer Chemicals plant. They were ignored.

The chemical released last week, 4-methylcyclohexane methane, isn't classified as a hazardous material, which under state law would have required the leak to be reported within 15 minutes. The *Daily Mail* reported that "a different legislative rule states a facility must give 'immediate' notice of a spill, but leaves it up to the head of the (state's Department of Environmental Protection) to determine what 'immediate' means in each case."

The chemical's classification as non-hazardous may also explain why state officials didn't have an emergency response plan in place, despite the facility's close proximity to a major water supply.

That 4-methylcyclohexane methane isn't considered hazardous doesn't mean it is safe. Richard Denison, a senior scientist at the Environmental Defense Fund, told *Mother Jones* that little is known about its potential effects in humans. According to Denison, studies have found the substance to be lethal in rats at high doses, but it's impossible to extrapolate from those data how humans might respond to smaller quantities of the chemical.



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Today, many West Virginia residents are angry that they had no idea of the hazards posed by the storage facility. Angie Rosser, executive director of the West Virginia Rivers Coalition, told *The Huffington Post*, “No one seemed to be aware or care that this dangerous chemical was upstream from our largest drinking water intake in the state. It was a recipe for disaster.” The same chemicals are stored in above ground tanks across the state, but it’s difficult for public health and environmental activists to know where.

That is why Russell Mokhiber cautions against focusing too much on Freedom Industries itself. “It’s really not about an individual corporation,” he said. “It is a question of why the state has allowed the chemical and coal industry to get away with this. Because however you slice it, you see privatization and deregulation at the heart of these kinds of cases.”

Teaching Tip 2 (Related to Ethical Dilemma--“Freedom Industries Files for Bankruptcy”):

“Bumbling, Blame and Bankruptcy in Wake of West Virginia Chemical Spill”

<http://billmoyers.com/2014/01/24/bumbling-blame-and-bankruptcy-in-wake-of-west-virginia-chem-spill/>

Note—Please see the following article for supplemental material in class coverage of the “Freedom Industries Files for Bankruptcy” Ethical Dilemma:

As the article indicates, as lawsuits piled up over the chemical spill that left hundreds of thousands of West Virginia residents without potable water for days, Freedom Industries, the company responsible for the leak, declared bankruptcy.

The filing set off a battle between several private companies trying to avoid liability for the damages suffered by West Virginians. It also provided new insight into the previously murky ownership of Freedom Industries, and a sense of what the company’s foreclosure strategy may look like.

Who Owns Freedom Industries?

It took some “detective work” to figure out exactly who owns Freedom Industries. The company, first founded in 1986, merged with several other small operators on December 31, just weeks before the spill.

According to *The Wall Street Journal*, a company called Chemstream Holdings paid \$20 million and is now the sole owner of Freedom Industries. Chemstream Holdings is owned by Pennsylvania coal magnate J. Clifford Forrest, president of Rosebud Mining Corporation.

Barrett notes that separate West Virginia filings also list Forrest as the manager of two of the companies that merged with Freedom last month.



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Forrest and Rosebud are heavy political donors. According to Open Secrets, during the 2012 election cycle, Rosebud and its officers donated almost \$600,000 to Republican candidates, PACs and outside spending groups.

Among other donations, last year, Forrest personally maxed out his contribution to Rep. Bill Johnson (R-OH), who sits on the House Committee on Energy and Commerce. He also donated to Speaker John Boehner (R-OH), Sen. David Vitter (R-LA), the ranking member of the Senate Committee on Environment and Public Works, and Rep. Shelley Moore Capito, a West Virginia Republican who sits on both the House subcommittee on railroads, pipelines, and hazardous Materials and the subcommittee on water resources and environment.

What Does the Filing Mean?

Freedom Industries filed under Chapter 11 of the bankruptcy code. That temporarily halts all litigation against the firm as it reorganizes.

John Pottow, an expert in bankruptcy and commercial law at the University of Michigan Law School, tells BillMoyers.com that most claims are “dischargeable” by the bankruptcy court. That means that the company’s creditors, state regulatory agencies and anyone suing for damages would have to get in line for a piece of Freedom’s assets proportional to their claims.

There are “narrow” exceptions, he said. A company can’t get bankruptcy relief for damages resulting from “fraud, or intentional personal injury.” The company can also still be stuck with some kinds of government fines. Criminal investigations aren’t impacted by the bankruptcy.

But the courts will likely treat any fines that regulators may levy on Freedom — and they could add up — like any other debt. Asked whether the company could use the court to shirk responsibility for those sorts of liabilities, Pottow said that there’s “a gatekeeping power in the bankruptcy code, so when a company files a Chapter 11 petition, they can get thrown out of bankruptcy for bad faith.” But, he continued, “there’s a perverse reasoning here: The worse they are, the more likely they are to incur penalties and fines, which makes it more likely that they have a legitimate need to file for bankruptcy.”

According to the *Charleston Gazette*, Freedom claims to have between \$1 to \$10 million in assets. Aside from those mounting lawsuits, it owes creditors \$3.6 million, and Uncle Sam has a lien on the company for \$2.4 million in back taxes.

A Fast One?

Here’s where things get interesting. At *Businessweek*, Paul Barrett notes that “Freedom’s filings also show that entities called VF Funding and Mountaineer Funding are seeking to lend as much as \$5 million to keep Freedom Industries operating during its reorganization.” But Mountaineer Funding was only formed last week, and is owned by none other than J. Clifford Forrest.



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According to West Virginia University College of Law's Joshua Fershee, there is a third company seeking to finance the re-organization: WV Funding. He writes, "WV Funding LLC was organized by the same Wheeling attorney who formed Mountaineer Funding LLC for Forrest. The sole listed member of WV Funding LLC? Mountaineer Funding LLC."

Liability Battle

In bankruptcy proceedings, creditors who bail out a company in bankruptcy move to the front of the line for their share of its assets.

This is where West Virginia-American Water comes in. The private company that supplies drinking water to the area — and had an intake just a mile and a half downstream from Freedom's chemical storage tanks — made its own filing on January 19, claiming that it had incurred massive damages, and would likely end up being Freedom's largest creditor. According to Barrett, the company is alleging that Forrest's loan to Freedom "is actually a disguised tool to manipulate the bankruptcy process."

In its filing, West Virginia American Water claims that Freedom's ownership is trying to use the loan to hold onto "those parts of the business that it deems valuable, abandoning the rest, taking the going concern value from the debtor, and leaving the debtor and its many creditors 'holding the bag.'"

John Pottow, the University of Michigan scholar, says that there's precedent for these kinds of maneuvers. "This happened in the car company bankruptcies," he said. "When 'old GM' sold itself to 'new GM,' the purchasers wanted to buy the nice cherries from the company, but they said, 'Oh we don't want to buy those pieces of land that have leaking gas on them.' They didn't want to pick up the claims from people that were hurt." Eventually, public outcry led the company to change course, but Pottow says "it was pretty clear that the court couldn't force them to do so."

The Wall Street Journal reported that the litigants ultimately agreed to a deal that would allow Forrest's WV Holdings to loan his troubled company \$4 million, but wouldn't grant it special status as a creditor.

Meanwhile, Freedom Industries' filing claims that a water main underneath the ruptured chemical tanks may have been responsible for the leak in the first place, which would shift liability for the mess back onto the water company. So everyone is suing everyone, and a big question is how much insurance Freedom carries — according to the water company, it didn't specify in its filing.

Poor Response Continues



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Recently, it became clear that early communication issues between West Virginia-American Water and Freedom may have aggravated the impact of the spill. Both firms have continued to bumble the aftermath.

After being cited for numerous violations at its Elk River depot, Freedom Industries moved the remaining mining chemicals to a second facility in Nitro, West Virginia. Several days later, according to the Associated Press, state environmental inspectors found similar violations at the Nitro site.

West Virginia-American Water, meanwhile, was using water from tanker trucks to service its customers, who then reported that they smelled the same licorice-like odor that had accompanied the spill in the first place. The water company told local officials that the trucks were being filled, “off site, out of Charleston.” But according to the *Gazette*, the company was actually filling up their trucks near the plant where the original spill occurred.

Second Chemical Discovered

We previously reported that little is known about the potential health effects of Crude MCHM, the chemical discharged into the Elk River. On Wednesday, the *Gazette* reported that state and federal health officials had been informed by Freedom that a second chemical was also contained in the tank.

According to the *Gazette*, the “health impacts of the [second] chemical remain unclear, and Freedom Industries has claimed the exact identity of the substance is ‘proprietary.’” In an email to state officials Tuesday night and a press statement this morning, the U.S. Centers for Disease Control noted that data about the potential health effects of the chemical “PPH” are — like the information on Crude MCHM — “very limited.”

Unlike with food or drugs, the government doesn’t require most chemicals to be tested for harmful effects in humans before they’re put on the market.



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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 3, 5 and 7	Chapters 2, 7 and 8	Chapters 2 and 32	Chapters 2 and 32
Kubasek et al., Dynamic Business Law: Summarized Cases	Chapters 3, 5 and 7	Chapters 2, 7 and 8	Chapters 2 and 32	Chapters 2 and 32
Kubasek et al., Dynamic Business Law: The Essentials	Chapters 2, 4 and 5	Chapters 1, 5 and 6	Chapters 1 and 18	Chapters 1 and 18
Mallor et al., Business Law: The Ethical, Global, and E-Commerce Environment	Chapters 2, 3 and 5	Chapters 4, 5 and 6	Chapters 4 and 30	Chapters 4 and 30
Barnes et al., Law for Business	Chapters 2, 4 and 5	Chapters 3, 5 and 6	Chapters 3 and 44	Chapters 3 and 44
Brown et al., Business Law with UCC Applications	Chapters 2, 3 and 5	Chapters 1, 5 and 6	Chapters 1 and 21	Chapters 1 and 21
Reed et al., The Legal and Regulatory Environment of Business	Chapters 4, 6 and 13	Chapters 2, 10 and 13	Chapters 2 and 18	Chapters 2 and 18
McAdams et al., Law, Business & Society	Chapters 4 and 5	Chapters 2, 4 and 7	Chapters 2 and 15	Chapters 2 and 15
Melvin, The Legal Environment of Business: A Managerial Approach	Chapters 2, 4 and 22	Chapters 5, 9 and 22	Chapters 5 and 20	Chapters 5 and 20
Bennett-Alexander & Harrison, The Legal, Ethical, and Regulatory Environment of Business in a Diverse Society	Chapters 1, 3 and 8	Chapters 1, 6 and 8	Chapters 1 and 9	Chapters 1 and 9



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This Newsletter Supports the Following Business Law Texts:

- Barnes et al., Law for Business, 11th Edition 2012© (0073377716)
- Bennett-Alexander et al., The Legal Environment of Business in A Diverse Society, 1st Edition 2012© (0073524921)
- Brown et al., Business Law with UCC Applications Student Edition, 13th Edition 2013© (0073524956)
- Kubasek et al., Dynamic Business Law, 2nd Edition 2012© (0073377678)
- Kubasek et al., Dynamic Business Law: The Essentials, 2nd Edition 2013© (0073524972)
- Kubasek et al., Dynamic Business Law: Summarized Cases, 1st Edition 2013© (0078023777)
- Mallor et al., Business Law: The Ethical, Global, and E-Commerce Environment, 15th Edition 2013© (0073377643)
- McAdams et al., Law, Business & Society, 10th Edition 2012© (0073525006)
- Reed et al., The Legal and Regulatory Environment of Business, 16th Edition 2013© (0073524999)
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