

BUSINESS LAW



AGENCY

Principal-agent	Agent may replace principal • Agent acts on own discretion
Employer-employee	Employer's right to manage employee's physical conduct
Employer-independent contractor	Contractor is not an employee • No control over details of physical performance

PRINCIPAL-AGENT

Agreement	Formed by express consent or implied from conduct
Ratification	Principal, by act or agreement, ratifies conduct of third person who acted outside authority
Estoppel	Principal causes third person to act on the belief that another person is the agent
Operation of law	Social duty or emergency where principal not available

TERMINATION OF AGENCY

Act of the parties	Lapse of time • Purpose achieved • Mutual revocation • Termination by one party
Operation of law	Death or insanity • Impossibility • Changed circumstances • Bankruptcy • War between trading countries

AGENT'S AUTHORITY

Express	Expressly given to agent
Implied	Custom, or position of the agent through principal's actions
Apparent	Principal's conduct leads third party to follow agent

CARELESS

Contracts	Principal bound where agent has authority • Agent bound by express agreement • Agent contracts without authority
Agent's torts	Principal's own tortious conduct • Principal authorizes tortious conduct • Doctrine of respondent superior • Managementism
Independent	Employer not liable
Contractor's torts	Except negligent activities
Agent's crimes	Employer not liable
Subagent's acts	Principal is liable where authority exists

PARTNERSHIP

- Uniform Partnership Act governs the operation of partnerships in absence of express agreements
- Association of two or more persons acting as co-owners of business

CREATION OF PARTNERSHIP

Intent	Consent of parties involved
Formalities	Oral, written, or implied by conduct
Duration	Term or at will
Capacity	Legally capable
Estoppel	Third party liability

TAX STATUS

- Partners are taxed on proportional shares of income; taxes include accumulated & distributed earnings
- Proportionate share of capital gain; no tax on exempt income which is received from item
- Partnership plan may vary (for example, 50% self-employment tax required)
- No exemption for payments to partner's beneficiaries; not subject to state taxes

DISSOLUTION OF PARTNERSHIP

- Death of partner(s)
- Either partner may end it; winding up requires notice
- Bankruptcy, and so on

TYPES OF PARTNERSHIPS

General	Created by mutual agreement of parties involved • Not treated as entity (limited partners) • Unlimited debt liability • Equal management unless agreement states otherwise • Capital contribution set by agreement
Limited	Comply with statutory requirements • One or more general partners, and one or more limited partners • Limited partners not involved in management • Liable for contribution amount only

SOLE PROPRIETORSHIP

- Created at will by the owner
- Owner is the business; not separate entity
- Duration depends on owner; dissolved upon death
- Transfer of interest ends individual's ownership
- Management at owner's discretion
- Unlimited liability
- Owner pays personal taxes on business income
- Generally no limit on out-of-state business transactions

PRIVATE FRANCHISE

- Distributorship, chain-style business, or manufacturing/processing plant
- Agreement: Franchisee pays for license • Serves specific territory by franchisor's firm • Purchases goods from franchisor • Abides by standards • Conditions provided for in franchise • Retail price of goods cannot change

COMMON DUTIES

Duty of care	Discharged in good faith with care in reasonable manner • Best interests of business entity • Liability limited to gross negligence or willful misconduct
Duty of loyalty	Intrinsic, dispassionate • Not seeking business opportunities • Disclosed confidential information

Notes: Please be advised that this chart does not account for jurisdictional differences • It is an informational tool that should be supplemented by more comprehensive materials and/or professional legal counsel

Lslbc Business And Law Study Guide

Daniel F McAuley



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Jentz, 1999-07-12 This study guide provides a chapter by chapter review of Business Law Today The chapter by chapter review offers the following for each chapter of the text Key point covered in each chapter Brief chapter introduction Chapter outline True false questions Fill in questions Multiple choice questions Short essay problems Issue spotters Answers to all of the questions and issue spotters are found in a separate appendix at the end of the Study Guide a section entitled Uniform CPA Business Law Examination Information

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Mann, Barry S. Roberts, 1995-01-01 The Fifth Edition of this popular text offers complete coverage of business law and its environment in a non technical straightforward style Coverage is less technical than that in Smith and Roberson Ninth Edition Cases are summarized and integrated into the chapters Legal issues and court decisions are carefully explained with a minimum of legal jargon Essentials covers all required business law topics for the CPA exam The Fifth Edition includes a

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Study Guide for Business Law Henry R. Cheeseman,2012-05-05 *Business Law (Speedy Study Guides)* Speedy Publishing,2015-02-04 A business law study guide helps students study by breaking down the essentials of the subject One will be able to see case examples terminology and other associated information listed as concrete examples These allow one to reinforce the information presented within lectures and note areas which he or she may not have properly grasped within that context **Smith and Roberson's Business Law** MANN.,Richard A. Mann,Barry S. Roberts,2005-04 By Peter T Kahn of the University of Minnesota Twin Cities The Study Guide provides for each chapter a brief statement of purpose chapter objectives key terms and true false multiple choice and short essay questions Each part has a sample examination The study guide also includes a CPA exam business law review **Study Guide and Workbook to Accompany Law for Business**

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Study Guide Barbara Crutchfield George,Robert Neil Corley,William J. Robert,1974 *Business Law* National Learning Corporation,2002 The Fundamental Series consists of subject review books summarizing basic principles in various disciplines of learning They are ideal study guide companions to our PASSBOOK Q A test preparation books providing subject

area text review **Dynamic Business Law** Nancy Kubasek, M. Neil Browne, Andrea Giampetro-Meyer, Linda Barkacs, Dan Herron, Carrie Williamson, Lucien Dhooge, 2011-01-06 3 things to know about the focus of Dynamic Business Law 2e

Emphasis on ETHICAL DECISION MAKING In chapter 2 the authors introduce a framework for making ethical business decisions that students can use on a regular basis Following each case there are questions designed to train students to apply this approach Then repeatedly throughout the chapters questions about business ethics are raised in the text This framework is designed to help improve the learning process of students and to give a sense of relevancy to the ethical decision making process

Emphasis on CRITICAL THINKING Neil Browne one of the co authors of this text has written a successful text on critical thinking His framework is included in Dynamic Business Law as well to help students learn how to frame and reframe a question issue Critical thinking questions are also included at the end of each case to further tie in this component

Emphasis on the BUSINESS in business law Dynamic Business Law emphasises the tie of legal issues back to the core business curriculum This will help both students and faculty Students need to understand how the concepts they learn in this course tie into their business careers Instructors can easily show that the study of business law is best seen as a foundational component of the larger study of business administration Dynamic Business Law now includes Connect Business Law as a packaging option Connect includes Interactive Applications for each chapter of the textbook and helps students apply legal concepts to business stimulates critical thinking and reinforces key topics

Overview Dynamic Business Law 2e is appropriate for the two term business law course

Emphasis on the BUSINESS in business law Dynamic Business Law emphasizes the tie of legal issues back to the core business curriculum This will help both students and faculty Faculty need to know how this is integrated as they are constantly defending the inclusion of this course in the business curriculum And students need to understand how the concepts tie to their future business careers

Emphasis on TEACHING Many professors teaching this course are attorneys first and academics second They do not have a lot of time to prepare or think about how to apply this information effectively for their business students Dynamic Business Law contains a helpful instructor s manual particularly for the many adjuncts teaching this course

Emphasis on CRITICAL THINKING Neil Browne one of the co authors of this text has written a successful text on critical thinking His framework is included in Dynamic Business Law as well to help students learn how to frame and reframe a question issue Critical thinking questions are also included at the end of each case to further tie in this component

Instructor s Supplements The Online Learning Center contains the complete IM Test Bank PowerPoint image library and video clips

Instructor s Manual The Instructor s Manual provides a clear outline of how to begin using this text and is especially helpful to adjuncts who teach Business Law Sample syllabi are included as well as detailed lecture outlines incorporating PowerPoints and other materials professors can bring into their lectures Exciting and new examples from outside the text are also included and can be discussed in class to help generate excitement and involvement in the course from students

Test Bank The Test Bank developed by Vonda Laughlin of Carson Newman College

contains a variety of true false multiple choice and essay questions as well as scenario based questions which are application based and use a situation described in a narrative with 3 5 multiple choice test questions based on the situation described in the narrative We ve aligned our Test Bank with the new AACSB guidelines tagging each question according to its knowledge and skills areas Categories include Global Ethics and Social Responsibility legal and other External Environment communication Diversity Group Dynamics Individual Dynamics Production and IT Designations aligning questions with Learning Objectives features and case exist as well PowerPoint Presentation slides Developed by Jeff Penley at Catawba Valley Community College we offer two different sets of slides for professors The Basic set consists of an outline of each chapter The Premium set expands on this outline to include hypotheticals and ethical dilemmas allowing the instructor to incorporate application into the lecture Instructor Video DVD ISBN 0077339118 13 digit 9780077339111 The Instructor Video DVD contains video clips from CBS that highlight current legal issues Instructor Notes located on the OLC give insight into how to incorporate segments into the classroom and offer questions to stimulate discussion Most of these videos are also part of Premium content a big plus for instructors teaching online hybrid courses **Business Law Today** Jentz Miller,Roger LeRoy Miller,1999-07-01 This study guide provides a chapter by chapter review of Business Law Today The chapter by chapter review offers the following for each chapter of the text Key point covered in each chapter Brief chapter introduction Chapter outline True false questions Fill in questions Multiple choice questions Short essay problems Issue spotters Answers to all of the questions and issue spotters are found in a separate appendix at the end of the Study Guide a section entitled Uniform CPA Business Law Examination Information **Business Law (Speedy Study Guides)** Speedy Publishing LLC,2015-01-30 A business law study guide helps students study by breaking down the essentials of the subject One will be able to see case examples terminology and other associated information listed as concrete examples These allow one to reinforce the information presented within lectures and note areas which he or she may not have properly grasped within that context **Study Guide: Sg Law for Business** Barnes,2003

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