

# THE LEGAL ENVIRONMENT OF BUSINESS

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A  
CRITICAL  
THINKING  
APPROACH

**NANCY K. KUBASEK**  
**BARTLEY A. BRENNAN**  
**M. NEIL BROWNE**

THIRD EDITION

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# The Legal Environment of Business

A CRITICAL THINKING APPROACH

Third Edition

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*To the numerous students who appreciate the importance of  
developing their critical thinking skills for their personal growth  
and development.*

NANCY K. KUBASEK AND M. NEIL BROWNE

*To Sandra for everything.*

BARTLEY A. BRENNAN



# PREFACE

As I sit down to write this preface to the third edition of *The Legal Environment of Business: A Critical Thinking Approach*, much of the country, indeed, much of the world, is still recovering from the shock of the attack on the World Trade Center. These events are so vividly etched in our minds, and so fresh, that it is hard to concentrate without having your thoughts drift back to the World Trade Center. However, as horrible as this tragedy was, one positive aspect of the aftermath has been a renewed sense of community in the United States, and the beginning of a greater degree of global cooperation than many have ever experienced. It is definitely a different world now than it was before September 11th.

Thinking about the attack on the WTC in juxtaposition with thinking about this new edition, it strikes me that perhaps one of the reasons that we, the authors, are so excited about this book is that in addition to teaching our students the fundamental legal principles that are essential to their success in the business world, it will teach them the fundamental critical thinking skills that they will need to survive and thrive in whatever new world they are confronted with when they graduate. And it will provide them with a practical approach to ethics to help them make the many important ethical decisions they will confront in the future.

The authors are also excited about this new edition of the book because we believe it does something that no other textbook has tried to do, and that is, it helps students clearly see the links between the legal environment and all of the other core disciplines in business. Many of us have discussed the role of the legal environment with our colleagues in other disciplines, and we have talked about the need for an integrated curriculum. We believe this book, with its new feature, Linking Law and Business, is an important first step in creating a truly integrated curriculum.

## INTRODUCTION

Law can be conceptualized as either a set of rules or as a process whereby current rules have developed and new rules will evolve. This latter approach, which we will take in this book, sees law as an intricate, always incomplete tapestry, a piece of art with an identifiable, yet evolving, structure. It emerges and develops. This dynamic approach to the law as it relates to the business world is what our book hopes to encourage.

The readers of this book will typically be prospective managers of public and private enterprises. How can a text best prepare these future managers for functioning in the ever-changing global legal environment of business? Critical thinking skills are the essential ingredient for understanding current legal rules

and making future business decisions that both comply with and contribute to emergent law. The importance of these skills for contemporary organizations has been recognized not only by educators, but also by those in the business community.

The initial motivation for this book was the authors' perception that there was no legal environment book available that explicitly and adequately facilitated the development of students' critical thinking skills. Teaching students in a systematic manner that developed their critical thinking skills required the use of an additional supplemental critical thinking textbook.

Some people may argue that merely using the traditional method of case analysis allows them to develop their students' critical thinking skills. The problem with such an approach, however, is that the case method focuses only on the students' analytical skills, ignoring the evaluative component that is really the essence of critical thinking. Another problem with the traditional method of case analysis is that it does not include an ethical component. To engage in critical thinking necessarily includes consideration of the impact of values on the outcome being considered.

The use of cases in the legal environment of business classroom, however, can provide an excellent opportunity for the development of students' critical thinking abilities when the traditional case method is modified to emphasize the development of critical thinking skills. So, the initial two authors of this text contacted M. Neil Browne, one of the authors of the best-selling critical thinking textbook, *Asking the Right Questions* (Prentice Hall, 6th Edition, 2001), and asked him whether he would be interested in collaborating on a legal environment of business textbook that incorporated the teaching of critical thinking skills. Because he has a law degree, and in fact, has written articles about the relationship between critical thinking and traditional case analysis, he was interested in the project.

The result of this collaboration is a textbook that explicitly lays out in the first chapter the critical thinking skills that the students are to acquire. It provides a modified approach to case analysis that gives students the opportunity to practice these skills throughout the semester, whenever they read either a case or an article containing legal analysis. Case questions that focus on various critical thinking skills appear after several cases throughout the book.

The feedback we received from the users of the first edition of this book told us that many faculty did in fact want to use a critical thinking approach, however, they did not want this approach limited to just the cases. Thus, an especially significant change to the second edition was the addition of critical thinking questions at the beginning of each chapter to get the students thinking critically about the material from the start.

The response to this change was positive, but some users still wanted more critical thinking. We struggled with how to balance the desires of some users to have more critical thinking with those of others who felt that we had already achieved a good balance. Then one afternoon, in the midst of a long run with our editor, the answer came to us: a paperback guide to critical thinking, *Asking the Right Questions About the Legal Environment of Business*, that could be shrink wrapped with our text. Each chapter of the supplement, which draws heavily on the best selling *Asking the Right Questions*, explains in detail and models a different critical thinking skill. This exciting new supplement will be described in more detail in the next section of this preface.

## DISTINCTIVE FEATURES OF THE TEXT

### (1) CONTAINS AN EXPLICIT CRITICAL THINKING MODEL THAT IS CLEARLY SUPPORTED BY THE SUPPLEMENTS PACKAGE

This is the first legal environment of business textbook that defines critical thinking for the students and gives them the opportunities to explicitly work on developing those critical thinking skills. The critical thinking materials were developed by M. Neil Browne, a recognized authority in the field of critical thinking, who also has a law degree.

The model of critical thinking provided in the book is one that can also be easily adapted to essays, so that students can internalize the kinds of questions they ask when analyzing cases or an editorial in the newspaper.

The book was written in a manner that will give instructors maximum flexibility in terms of the degree to which they want to emphasize the development of the students' critical thinking skills. Faculty members who do not wish to emphasize critical thinking with their students, may simply instruct the students to think about their responses to questions in the critical thinking boxes when they read the material, but then concentrate their class discussions on the substantive material in the text.

Those who want to maximize the development of students' critical thinking skills, have a plethora of options available with this text. Some of these options include the following:

- **An explicit critical thinking model explained in Chapter 1.** The authors have modified the traditional approach to case analysis to incorporate some of the fundamental critical thinking questions. Chapter 1 explains this model in detail, and those emphasizing critical thinking skills may find it helpful to spend a significant amount of time discussing Chapter 1 and having the students apply the model it develops to cases in the subsequent chapters.
- **Critical thinking boxes at the beginning of each chapter and following selected cases.** The beginning of chapter critical thinking boxes serve a dual function of introducing the chapter material in a more thoughtful and challenging way, while also providing another opportunity for the students to practice one of their critical thinking skills. Some of the cases are written in a manner that makes them an especially good vehicle for practicing one or two specific critical thinking skills. We have tried to take advantage of those cases by following them with appropriate critical thinking questions. Any of these questions should provide the basis for classroom discussion, or may be used for a written assignment.
- **Asking the Right Questions About the Legal Environment of Business.** This exciting new supplement, introduced in the previous section, is designed to provide additional critical thinking material for those who really want to emphasize the development of the students' critical thinking skills. The supplement, which comes shrink wrapped with the text upon request, is adapted from the best selling critical thinking text, *Asking the Right Questions* 6th Edition, Prentice Hall, 2001), and may be read and discussed in class in its entirety, or any of the individual chapters may be selected to emphasize particular critical thinking skills. The supplement is written clearly so that it may be assigned to students for them to read indepen-

dently to clarify aspects of the critical thinking approach that they may be having difficulty grasping. The book in some ways can almost serve as the student's personal critical thinking tutor, making the professor's job much easier!

The supplement contains six chapters. Chapter 1 explains the importance of critical thinking, not just in the legal environment of business, but in every day life. Chapters 2 and 3, in some ways, could be a part of any primer in reading comprehension, as they help the students learn to identify the critical aspects of any argument: the issue, the conclusion, and the reasons. With Chapter 4, the supplement really begins to focus on the specific critical thinking skills, explaining in some detail the danger of ambiguity in words and provides hints about how to locate and explain the effect of whatever ambiguity is present in an argument. Chapter 5 reminds readers that our values and ethical norms are a common basis for belief and action, and introduces a wider list of values that influence legal reasoning and decision making in the legal environment of business. For those who want to place a greater emphasis on the role ethics should play in decision making, this chapter is crucial. Chapter 6 then focuses on the last critical thinking skills emphasized in this approach: identification of missing information. With ample practice passages in each chapter, this supplement should go a long way toward helping the students refine their critical thinking skills.

- **Newly Revised Student Study Guide.** In addition to providing the traditional kinds of questions that test students' mastery of the subject matter, this study guide, written by M. Neil Browne, also provides additional opportunities for students to practice their critical thinking skills.
- **Revised Instructor's Manual.** The new instructor's manual, written by Professor Andrea Giampetro-Meyer, winner of her university's top teaching award, and author of numerous articles on critical thinking and teaching, provides supplemental study questions that instructors wishing to emphasize critical thinking may hand out to their students as a further guide for classroom discussion. She also provides editorials on topics relevant to each chapter for professors interested in having their students apply the critical thinking approach to not just cases, but to prescriptive articles. Many instructors, when talking about Professor Giampetro's instructor's manual, have said that they never use instructor's manuals, but this is the rare exception that they have found to be extremely useful.
- **Revised Test Bank.** The test bank has been completely revised with this edition to incorporate essay questions that explicitly test students' critical thinking abilities. Students often will study primarily what they are going to be tested over, so they will work harder to develop their critical thinking skills if they know that these skills are going to be essential for doing well on exams!

With all of these options, every instructor should be able to tailor this text and its accompanying supplements to incorporate the level of critical thinking emphasis that is desirable for his or her own situation. What some of our long-term users have found is that they tried to do just a little critical thinking at first, but their emphasis on these skills grows from year to year. And what they have found is that as they increase their focus on developing their students' critical thinking skills, their students' understanding of the substance of the law also seems to improve.



## (2) EXPLICITLY LINKS THE LAW TO OTHER BUSINESS DISCIPLINES

This new feature, Linking Law and Business, (shown, in context, below) is designed to respond to a call for more *integration* among the courses in colleges of business. This call is coming from deans, who want to have more cohesive programs, as well as faculty members teaching legal environment of business courses who want to be able to respond to questions from colleagues from other disciplines who are not all that certain that there is a real need for students to have a law course.

This feature provides small, boxed discussions of concepts from other disciplines that are directly related to the material in the legal environment chapter. In addition to showing students how integrally law is related to other business disciplines, this box can be pointed out to faculty members of other disciplines who might question how the law fits into the business curriculum.

Following is an illustration of this feature from the Product Liability chapter:

### LINKING TO MANAGEMENT

In your management class, you learned about total quality management (TQM), a process by which all members within an organization function to achieve goals associated with product quality. TQM places a strong emphasis on the importance of high-quality products for three reasons: (1) To promote a positive image for the organization; (2) To lower costs and increase market share; and (3) To decrease liability costs associated with defective products. By improving quality, an organization is less likely to manufacture potentially dangerous products. Thus, it is probable that the organization will be faced with fewer lawsuits based on strict product liability.

When a plaintiff is seeking recovery based on a design defect, he or she is not impugning just one item, but an entire product line. If a product is held to be defectively designed in one case, a manufacturer or seller may recognize that this particular case may stimulate a huge number of additional lawsuits. Thus, defendants are very concerned about the outcome of these cases. Therefore, the availability of this type of action has a greater impact on encouraging manufacturers to produce safe products than does the availability of any other type of product liability action.

## (3) FEATURES A NEW EMPHASIS ON TECHNOLOGY

No one can ignore the sweeping changes that technology is bringing to many areas of the law. If our students are to thrive in the new workplace, they are going to have to understand the changes technology is bringing to the legal environment of business. Realizing the growing importance of technology induced changes in the law, we considered both adding a separate chapter on cyberlaw, as well as the primary alternative, introducing these changes in the other substantive areas of the law where they would be relevant, e.g., Antitrust Law and the Microsoft case in Chapter 23. To ensure that our students are up to date on how technology is affecting the law, we decided to do both. We have added a new chapter on cyberlaw, Chapter 7, and inserted Technology and the Legal Environment boxes in other chapters, where we feel these changes need to be highlighted.

Following is an example of a typical technology box from Chapter 6:



## TECHNOLOGY IN THE LEGAL ENVIRONMENT OF BUSINESS

### Mediating Internet Disputes

Internet-related disputes can now be resolved online through mediation. The Online Ombuds Office offers mediators with experience in both law and Internet use. The advantage of the online mediation is that it can be even less expensive and time consuming than traditional mediation. Ombuds mediators have resolved disputes between Webmasters as well as persons who have bought or sold items on online auction sites.

Here is how the process works:

To request that your dispute be heard by online mediators, visit the Ombuds Office Web site at <http://aaron.sbs.umass.edu/center/ombuds> and fill out an online request form. Once the organization receives your information, it assigns a mediator who then e-mails you. Parties typically communicate through e-mail or conferencing software. The Ombuds Office helped mediate 175 disputes online in Spring 1999.

Various other Web sites can help individuals and firms resolve disputes that are not Internet related. For example, ClickNSettle, <http://www.clickNsettle.com>, a subsidiary of a private firm, allows any two parties with Internet access to resolve their dispute online through a form of negotiation. Each party must pay \$20 to begin the dispute. Each time the party enters an offer or demand, that party must pay \$10. Parties are charged a settlement fee according to the settlement amount. If the parties settle for less than \$1000, each party must pay \$50. However, if the case settles for \$250,000 or above, each party must pay \$500.

#### (4) EMPHASIZES THE ROLE OF ETHICS

One of the issues professors continually grapple with is how to integrate ethics into the legal environment of business course. The critical thinking model introduced in Chapter 1 incorporates ethics into the case analysis. Questioning how a person's ethics influences his or her decision making therefore becomes a routine part of a student's evaluative behavior. For those who want to emphasize this approach to ethics, Chapter 5 in the new shrink-wrapped supplement will be essential.

The book also contains a chapter on ethics and social responsibility (Chapter 9) for those who prefer a more traditional approach to ethics, or who would like to spend additional time discussing ethics.

#### (5) CONTAINS CURRENT AND CLASSIC CASES

The textbook contains many of the most significant contemporary cases, including important United States Supreme Court decisions handed down as recently as 2001. Yet it also retains many of those classic cases whose holdings have continued to have a significant impact on the legal environment of business for years after they were decided. Some of the more recent cases excerpted or discussed in the text include:

**Christy Brzonkala v. Antonio J. Morrison et al.,**  
 120 S. Ct. 1740 (2000)  
*(excerpted in Ch. 4);*

**Lorillard Tobacco Co., et al., v. Thomas F. Reilly,**  
2001 WL 721016 (US)  
(discussed in Ch. 4);

**United States v. Kyllo Kendall Penn,**  
233 F. 3d 1111(2000), Cert. Denied, 69 U.S. L.W. 2001  
(discussed in Ch. 4);

**Trailmobile Trailer, LLC v. International Union of Electronic, Electrical,  
Salaried, Machine and Furniture Workers, AFL—CIO**  
Local Union No. 1149,  
223 F.3d 744 (Eighth Cir. 2000)  
(excerpted in Ch. 6);

**Traffix Devices, Inc. v. Marketing Displays, Inc.,**  
121 S. Ct. 1225 (2001),  
(discussed in Ch. 14)

**Kimberly Miller v. AT&T Corporation,**  
250 F3d 820 (2000)  
(excerpted in Ch 18 )

**Reeves v. Sanderson Plumbing Products, Inc.,**  
v. 120 S. Ct. 2097 (2000)  
(excerpted in Ch. 20).

**United States v. Microsoft Corporation,**  
253 F.3d 34 (D.C. Cir. June 28, 2001)  
(excerpted in Ch. 23).

## (6) EMPHASIZES THE IMPORTANCE OF THE GLOBAL ENVIRONMENT

In recognition of the growing importance of the global environment, we have introduced the international environment of business to the students in the third chapter of the text. Of course, individual instructors may always choose to have the students read this chapter later, but its placement reflects the importance the authors place on international considerations, an importance stressed recently by the AACSB.

We have also incorporated into every chapter a section that focuses on the global dimensions of the subject matter of the chapter. In this way, international issues may be discussed throughout the semester.

## (7) STRESSES VOCABULARY DEVELOPMENT

We all recognize the importance of being able to use the “language of the law.” Our text recognizes the importance of students’ acquiring the necessary vocabulary to discuss legal issues by providing a running glossary in the margin.

## (8) CONTAINS NUMEROUS CHARTS, TABLES, AND EXHIBITS

Student learning is facilitated by the use of charts, tables, and exhibits. These matters convey the material to the students in a slightly different form, sometimes making concepts easier to comprehend. We have therefore incorporated them wherever possible. The publisher has carefully designed these elements in full color for effective comprehension by the student.

### (9) CONTAINS WEB SITES FOR EACH CHAPTER

We cannot ignore the fact that many of our students feel more comfortable on the Web than in the library. Therefore, at the end of each chapter, we have provided numerous Web sites to which they can go to learn more about the topics covered in the chapter.

### (10) COVERAGE THAT SATISFIES THE AACSB STANDARDS

The AACSB mandates coverage of global and ethical issues; the influence of political, social, legal and regulatory, and environmental and technological issues; and the impact of demographic diversity on organizations. This book covers every one of the topics listed in the AACSB mandate and is especially strong in its emphasis on ethics and international issues. The critical thinking approach of the book makes the students recognize that ethics plays a significant role in every business decision they make.

## CHANGES MADE TO THE THIRD EDITION

Most of the changes made to this edition have been described in detail in the foregoing section on unique features of the text, but for those current users of the text who just want a quick run down of how the text has changed, the following list highlights the most significant changes:

- Added Linking Law and Business, a new boxed feature that explicitly shows how the legal environment of business is related to all of the other business disciplines;
- Added *Asking the Right Questions About the Legal Environment of Business*, the new critical thinking supplement that can be shrink-wrapped with the text;
- Added a new chapter about Cyberlaw and integrated changes brought about by technology into other chapters with new Technology and the Legal Environment boxes; and
- Added numerous new business examples throughout the text.

## SUPPLEMENTS

Many of the supplements are described in the “Unique Features of the Text” section of this preface, as they are crucial to the flexible approach to critical thinking that distinguishes this text from the others in this field. However, the supplements are important enough to warrant listing them altogether so that the instructor may conveniently review this list when deciding which supplements to select.

### ASKING THE RIGHT QUESTIONS ABOUT THE LEGAL ENVIRONMENT OF BUSINESS

As described earlier in this preface, this supplement, which may be shrink-wrapped with the text, is the most exciting addition to our list of resource materials designed to help you develop your students critical thinking skills while

developing a better understanding of the legal environment of business. A number of professors already use *Asking the Right Questions*, on which this supplement is based, as a second text in their law related courses. This supplement has the advantage of being tailored specifically to the legal environment of business classroom. You can think of it as your students' private critical thinking tutor.

## **INSTRUCTOR'S RESOURCE MANUAL**

Once again, our instructor's resource manual has been expertly prepared by Andrea Giampetro-Meyer, of Loyola College, a recipient of teaching awards from the ALSB, her college, and Beta Gamma Sigma. Because she uses the textbook, she is able to incorporate ideas into the manual that have actually been tested in her classroom. The author is also someone who has expertise in the area of critical thinking, having written numerous articles on the topic. The manual includes the following features:

- discussion outlines for each chapter, with references to other supplements when appropriate
- answers to questions in the Critical Thinking About the Law boxes;
- answers to end-of-the chapter questions;
- additional critical thinking questions and assignments;
- editorials from the *Wall Street Journal* that are related to the substance of the chapters that can be used to apply the students' critical thinking skills to the kinds of reading materials they are likely to encounter in the business; and
- general teaching tips and teaching related research that professors can use to improve their teaching.

## **STUDENT STUDY GUIDE/CRITICAL THINKING SUPPLEMENT**

M. Neil Browne, who authored the critical thinking materials in the text, has once again written the *Student Study Guide* for the third edition. This study guide provides significant opportunities for students to practice and improve their critical thinking skills, in addition to providing them with exercises to test their knowledge of the substantive materials provided in the text. The idea for this supplement grew out of users' requests that we provide more opportunities for students to focus on developing their critical thinking skills.

## **POWERPOINT SLIDES**

Enhance your classroom presentations with this well-developed PowerPoint presentation set prepared by Laurie Ann Ray of Unique Services Enterprises. More than 500 text-specific PowerPoints highlight fundamental concepts and integrate key figures and illustrations from the text.

## **PRENTICE HALL CUSTOM TEST**

The test bank was completely revised this year by Phil Williams, of Gardner-Webb University, to incorporate essay questions that test students' critical think-



ing skills, in addition to their knowledge of the substance of the chapters. The test bank also includes objective questions that are designated as easy, moderate, and difficult, to allow the instructor maximum flexibility in constructing exams.

## WEB SITE SUPPORT

### **Introducing the Companion Web Site for *The Legal Environment of Business: A Critical Thinking Approach, Third Edition***

The Companion Web Site is a guide to the free online resources for your book and is located at [www.prenhall.com/kubasek](http://www.prenhall.com/kubasek). It is the most advanced, text-specific site available on the Web!

The Companion Web Site features one-click access to all of the resources created by an award-winning team of educators. Here is a preview of its exciting features:

- **Access** pages – Your access page unites all your texts.
- **Notes** – Add personal notes to our resources for personal reminders and references.
- **Messages** – Instructors can send messages to individual students or all students linked to a course.
- **Student Resources** – Add premium resources for your students to view and download (such as PowerPoint slides, videos, and spreadsheets).
- **Business Headlines** – Check out links to articles in today's business news.
- **Search** – Search all resources for relevant articles and exercises.
- **Instructor's Manual** – For instructors, the Instructor's Manual provides tips and suggestions from the faculty for integrating resources into your course.

## CASE UPDATES

Adopters of the book may subscribe to a list that will provide regular case updates via e-mail, consisting of edited versions of newly decided cases and accompanying critical thinking questions that may be used to stimulate discussions about these cases. To take advantage of this opportunity, just send an e-mail to Nancy Kubasek, at [nkubase@cba.bgsu.edu](mailto:nkubase@cba.bgsu.edu), and ask to be added to the CTLEB list, and you will be subscribed to the list.

## ACKNOWLEDGMENTS

Numerous people have contributed to the success of this project, without which this book would not have become a reality. We would therefore like to acknowledge their contributions. Our sincere thanks for all of their work go to the professionals at Prentice Hall: David Parker, our editor; Virginia Sheridan, his assistant; Jennifer Surich, assistant editor; Theresa Festa, our production editor; Deborah Dwyer, our copy editor; and Debbie Clare, our marketing manager.

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One other important group whom we wish to thank for their assistance on this project is our research assistants: Melissa Hinds, currently a law student at the University of Michigan; Anne Hardenberg, currently working on her Master's Degree at the Maxwell School of Public Policy at Syracuse University; and Steve Weigand and Christine Howard, both students at Bowling Green State University contributed significantly to the revision of this text. Additionally, Steve Weigand and Justin Esarey helped in the development of the *Student Study Guide*. And we do not want to forget the work done on previous editions of this text by our former assistants Wesley J. Hires, Carrie Williamson, and Michael Meuti.

We also thank the word processing staff at Bowling Green State University who retyped numerous versions of this manuscript without complaint: Karen Masters and Tami Thomas. They have worked on as many editions of this text as the authors!

And finally, we thank the numerous students who have used the book and made suggestions for improving it.

The authors hope that this book will help fulfill its purpose of providing a useful tool for students who wish to develop their critical thinking skills while gaining a better understanding of the legal environment of business. Toward that end, the authors would be happy to correspond with any readers via e-mail. So if you have any questions while reading the text, please feel free to contact Nancy Kubasek at [nkubase@cba.bgsu.edu](mailto:nkubase@cba.bgsu.edu) or Neil Browne at [nbrown2@cba.bgsu.edu](mailto:nbrown2@cba.bgsu.edu).

## ABOUT THE AUTHORS

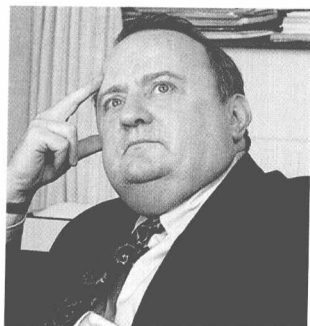
**Nancy Kubasek** is a Professor of Legal Studies at Bowling Green State University, where she teaches the Legal Environment of Business, Environmental Law, and an Honors Seminar on Moral Principles. For eight years she team-taught a freshman honors seminar on critical thinking and values analysis. She has published an undergraduate textbook titled *Environmental Law, Fourth Edition* (Prentice Hall, 2002) and more than 50 articles. Her articles have appeared in such journals as the *American Business Law Journal*, the *Journal of Legal Studies Education*, the *Harvard Women's Law Journal*, the *Georgetown Journal of Legal Ethics*, and the *Harvard Journal on Legislation*. She received her J.D. from the University of Toledo College of Law and her B.A. from Bowling Green State University.



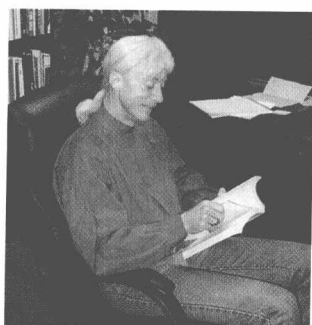
Active in her professional associations, she has served as President of the TriState Regional Academy of Legal Studies in Business, and is currently the Vice-President of her national professional association, The Academy of Legal Studies in Business (ALSB). Committed to helping students become excited about legal research, she organized the first Undergraduate Student Paper Competition of the ALSB's Annual Meeting, an event that now provides an annual opportunity for students to present their original legal research at a national convention. She has also published several articles with students, and has received her university's highest award for faculty-student research.

"The most important thing that a teacher can do is to help his or her students develop the skills and attitudes necessary to become lifelong learners. Professors should help their students learn the types of questions to ask to analyze complex legal issues, and to develop a set of criteria to apply when evaluating reasons. If we are successful, students will leave our legal environment of business classroom with a basic understanding of important legal concepts, a set of evaluative criteria to apply when evaluating arguments that includes an ethical component, and a desire to continue learning.

To attain these goals, the classroom must be an interactive one, where students learn to ask important questions, define contexts, generate sound reasons, point out the flaws in erroneous reasoning, recognize alternative perspectives, and consider the impacts that their decisions (both now and in the future) have on the broader community beyond themselves."



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"When students come into contact with conflicting claims, they can react in several fashions; my task is to enable them to evaluate these persuasive attempts. I try to provide them with a broad range of criteria and attitudes that reasonable people tend to use as they think their way through a conversation. In addition, I urge them to use productive questions as a stimulus to deep discussion, a looking below the surface of an argument for the assumptions underlying the visible component of the reasoning. The eventual objectives are to enable them to be highly selective in their choice of beliefs and to provide them with the greater sense of meaning that stems from knowing that they have used their own minds to separate sense from relative nonsense."