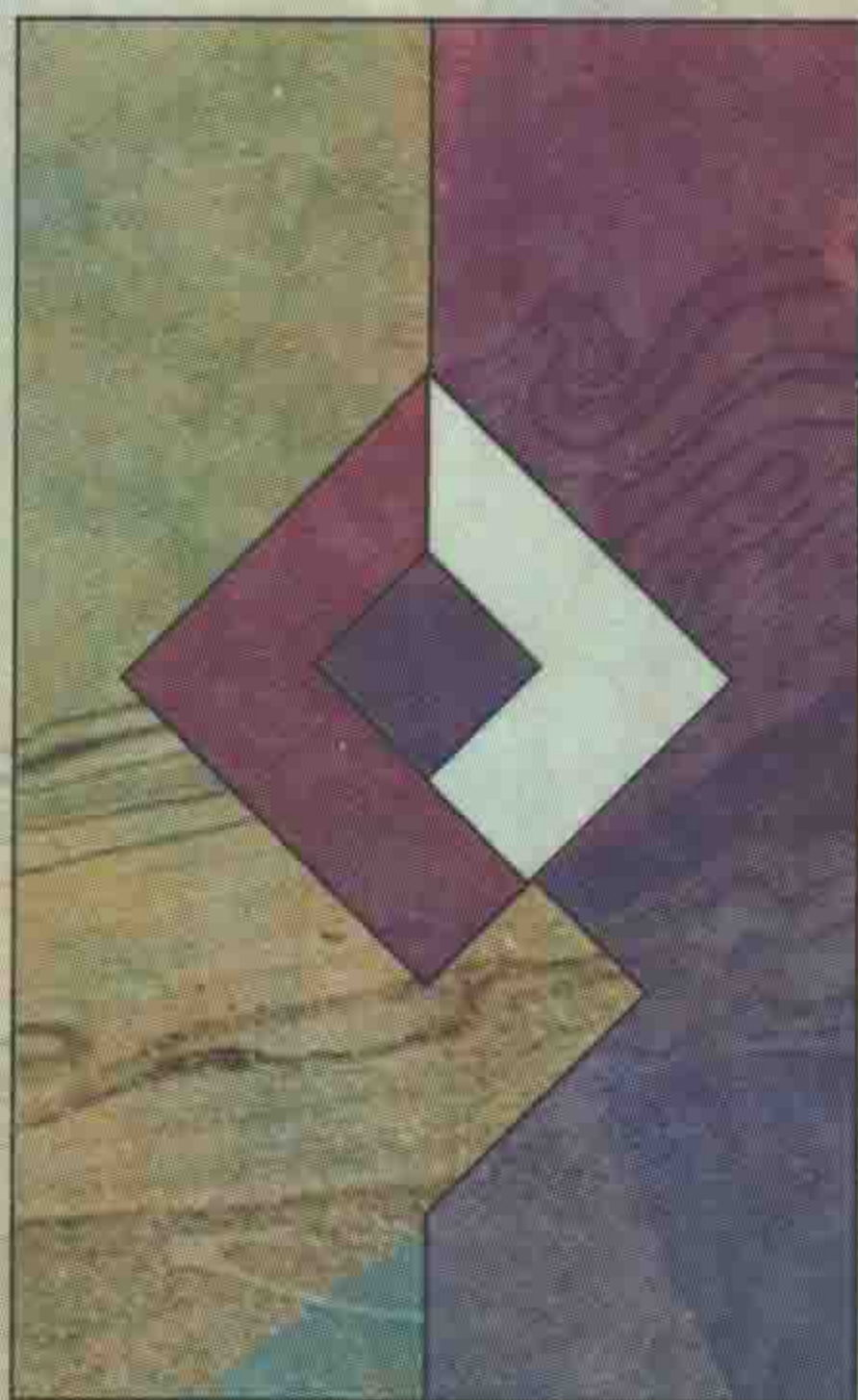


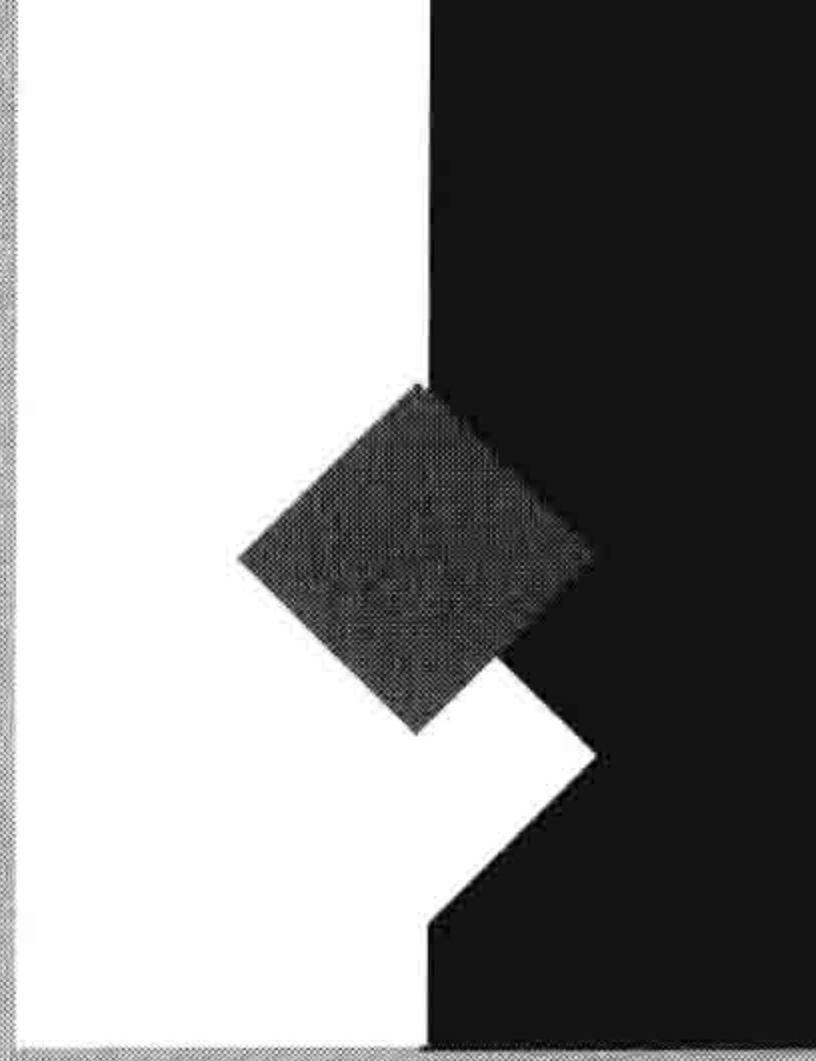
T H I R D E D I T I O N



IRWIN'S LEGAL
AND REGULATORY
ENVIRONMENT
OF BUSINESS



F. WILLIAM MCCARTY
JOHN W. BAGBY



IRWIN'S LEGAL
AND REGULATORY
ENVIRONMENT
OF BUSINESS

F. WILLIAM McCARTY
Western Michigan University

JOHN W. BAGBY
Pennsylvania State University

T H I R D E D I T I O N

IRWIN

Chicago • Bogotá • Boston • Buenos Aires • Caracas • London • Madrid • Mexico City • Sydney • Toronto



IRWIN Concerned about Our Environment

In recognition of the fact that our company is a large end-user of fragile yet replenishable resources, we at IRWIN can assure you that every effort is made to meet or exceed Environmental Protection Agency (EPA) recommendations and requirements for a "greener" workplace.

To preserve these natural assets, a number of environmental policies, both companywide and department-specific, have been implemented. From the use of 50% recycled paper in our textbooks to the printing of promotional materials with recycled stock and soy inks to our office paper recycling program, we are committed to reducing waste and replacing environmentally unsafe products with safer alternatives.

©Richard D. Irwin, a Times Mirror Higher Education Group, Inc. company, 1990, 1993 and 1996

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of the publisher.

Irwin Book Team

| | |
|-----------------------------|--------------------------------|
| Executive editor: | Craig Beytien |
| Sponsoring editor: | Karen Mellon |
| Marketing manager: | Brian Kibby |
| Project editor: | Lynne Basler |
| Production supervisor: | Pat Frederickson |
| Assistant manager, graphics | Charlene R. Breeden |
| Designer: | Keith McPherson |
| Interior designer: | Stuart Paterson |
| Cover designer: | Stuart Paterson |
| Art studio: | Weimer Graphics, Inc. |
| Composer: | Weimer Graphics, Inc. |
| Typeface: | 10.5/12 Times Roman |
| Printer: | R. R. Donnelley & Sons Company |

Times Mirror
 Higher Education Group

Library of Congress Cataloging-in-Publication Data

McCarty, F. William, date
The legal environment of business / F. William McCarty, John W. Bagby — 3rd ed.
p. cm.
ISBN 0-256-14071-5
1. Industrial laws and legislation—United States. 2. Commercial law—United States. 3. Law—United States. I. Bagby, John W.
II. Title
KF1600.M39 1996
346.73'07-dc20
[347.3067] 95-24860

*To:
Alma, Julie, Cari, Chris, David,
Dianne,
and to:
Robin, Julia Marie, and Jack.*



PREFACE

The legal and regulatory environment of business continues to be of significant concern for both small firms and large global enterprises. The regulatory environment within the United States is changing as existing federal legislation and regulations are reviewed, revised and sometimes totally eradicated. Globally, new international institutions, such as the World Trade Organization, and changing regional agreements, such as the North American Free Trade Agreement and the Maastricht Treaty of the expanded European Union, have altered the rules affecting many business activities.

The countries of Europe are moving closer together as laws within the European Union are harmonized and those in former Eastern Bloc countries like Bulgaria, the Czech Republic and Poland are altered to enhance their free enterprise developments. In Asia, China is adopting new intellectual property laws and establishing commercial banks to make loans based on business criteria rather than political considerations. The opening up of China, the demise of the Soviet Union, the continued growth of southeast Asia economies, and the integration of North American economies have globalized the business environment.

This third edition integrates international perspectives into topical legal problems. The business manager preparing for the twenty-first century needs to understand the legal environment wherever business is transacted. What are some of the differences in the legal environments in Germany and in Korea? How are contract disputes usually resolved in business relations with Japan? What actions are prohibited by the competition policies in the European Union? How can firms protect their intellectual property in countries without a long history of enforcement of property rights?

As the first chapter of the text notes, ethical and legal analysis of problems are each important of business managers. As business customs, practices, and legal rules often differ from one country to the next, firms transacting global business must carefully establish, review and communicate clear guidelines for ethical behavior to managers as they move from one culture to another.

Critical thinking skills are essential to legal analysis. By analyzing the issues, reasons and conclusions reached by judges in court cases, one can better determine how particular legal policies are applied. Just as evidence presented in courts is subject to cross-examination, the business manager reading a report, article or memorandum of understanding must question assumptions and challenge illogical assertions based on faulty data. In this edition of the text, we have brought to the fore the need for critical thinking. Each chapter begins with several critical thinking questions, cases and contextual introductions are followed by critical thinking questions, and each chapter concludes with questions and exercises that review legal principles, apply legal reasoning to problems and reinforce critical thinking skills.

We have retained our use of chapter introductions that provides historical, political, economic and social context to the subjects of each chapter. This provides a framework for present legal concerns by noting past, present, and possible future developments. The case extracts which illustrate important chapter principles, include many classic and well-received cases from prior editions as well as newer cases on develop-

ing legal issues. Each case is followed by several case questions, usually including at least one calling for a critical thinking analysis. By posing questions at the beginning of each chapter, after each case, at times within the textual material, and at the end of the chapter, this edition continues the proven SQ3R pedagogy: study, question, read, recite and review.

We have designed this text to respond to the accreditation standards of the American Assembly of the Collegiate Schools of Business (AACSB). Those standards state:

Both undergraduate and MBA curricula should provide an understanding of perspectives that form the context for business. Coverage should include:

- Ethical and global issues
- The influence of political, social, legal, regulatory, environmental and technological issues, and
- The impact of demographic diversity on organizations.

In the beginning chapter, we introduce the reader to both ethical as well as legal analysis. Throughout the subsequent chapters, ethical dilemmas are presented within the chapters and the concluding chapter focuses specifically on the social responsibility of business firms. The international environment of business, which was the penultimate chapter in the previous edition, has been moved to the first part of the text so that the understanding of the global legal environment is studied alongside the national legal environment of the United States.

This is a comprehensive text. We have added a new chapter on commercial transactions and new material on intellectual property while condensing, where appropriate, some material from previous chapters into fewer pages and chapters.

TEXT ORGANIZATION

The text is organized into eight parts, based on concepts important to an understanding of the social, political, legal and regulatory environment of modern, competitive business firms. Throughout the chapters contained in each part there are discussions of ethical, international, and controversial matters.

Part 1 introduces the legal systems of the United States and contrasts this with systems in other nations. This focuses on topics concerning legal process and institutions, and dispute resolution techniques. Chapter 3 provides comprehensive coverage of the legal environment of international business and creates a framework from which to study the remaining international matters throughout the book. Chapter 4 consolidates ADR and the court systems into one chapter.

Part 2 focuses on governmental powers over business as dictated by constitutional and administrative law. Fundamental constitutional rights are organized numerically by amendment and placed within the framework of a business environment. Regulatory matters such as agency controls, hearing requirements, administrative remedies, etc. are simplified and made more accessible.

Part 3 focuses on the private law concerns of property, torts, contracts and commercial transactions. Property law is fundamental to nations with a tradition of market economics, capitalism, and democracy, like the United States. The discussion of torts addresses the responsibilities between individuals. Contract and commercial law is the basis of all transactions and provides the foundation for international

commerce. The separate commercial law chapter in this edition provides comprehensive business law topic coverage.

Part 4 addresses several particular legal problems that business firms face. The United States offers consumers more legal redress than most other nations. However, product liability and consumer financing laws are spreading throughout the world, changing the relationship between consumers and producers of goods and services.

Part 5 discusses the formation, financing, operation, and internal and external problems of operating business organizations. A wide variety of forms are discussed: sole proprietorships, Subchapter S corporations, and corporations. Regulations of the securities markets govern firms' access to the public capital markets.

Part 6 addresses the competition laws known as antitrust in the United States. While antitrust enforcement diminished during the 1980s, there are signs of its resurgence. The European Economic Community (EC), Japan, and other industrial nations are now beginning to adopt and enforce anti-monopoly laws largely based on the U.S. model. These considerations are likely to become more important considerations as the 21st century approaches.

Part 7 addresses the important considerations of employee relations. The expanding direct regulation of employment by the federal, state, and local governments has led to somewhat greater coverage of these areas in this edition. Workplace safety, compensation matters, employment contract conditions, and equal employment laws are discussed in two separate chapters.

Part 8 provides an integrative capstone to the study of the legal environment. This part focuses on environmental law and the social responsibility of business. These matters have received increasing attention during the 1990s but are placed last to highlight how they apply concepts discussed earlier. This also provides an opportunity for students to integrate other concepts learned earlier into a more complex framework.

CASE FEATURES

The text combines our analysis of important legal principles with extracts from court cases that apply some of the principles to specific situations. Each chapter includes three to six cases. All cases are introduced by a factual summary in the authors' language so that the reader can understand the situation being discussed by the court. Both recent and later cases are used to portray both a historical context for the development of the law and the current conditions in which legal problems occur. New cases have been added in every chapter so that students can see how contemporary legal problems are being addressed.

Because the law is subject to individual opinions and different interpretations, some dissenting opinions are included. They present contrasting legal views and often pose different approaches to solving particular problems. We continue to include case questions so that vital concepts of each situation are addressed by the reader.

CHAPTER PEDAGOGY

Each major topic is introduced with contextual matters covering the historical, social, political, and economic influences that have shaped the legal environment of business. The text employs the SQ3R study method that is introduced more fully in Chapter 1. This method enhances students' critical thinking skills by emphasizing the survey, question, read, recite, and review method of study.

Each chapter begins with several survey techniques to engage student interest:

- **Critical Thinking Questions** open each chapter, identifying important topics and encouraging students to strive for higher levels of learning related to important topics.
- **Introduction . . . Past, Present, and Future** sections present contextual matters that provide integrative perspective for the issues that have been addressed by law and regulation.
- **Thought Questions** at the end of the introductory section draw attention to the core concepts presented.

Within the Chapters, other techniques are used to highlight content and features:

- **Case questions** follow each judge's decision. These questions address important expressed or implied concerns raised by the case.
- **Ethical Dilemma boxes**, identified with the ■ symbol, draw points of law into the context of ethical considerations.
- **International Perspective and Commentary** boxes, identified with the ▼ symbol, focus the student's attention on the global impact of points of law in business.
- **Margin Glossary** terms provide students an immediate definition for key words and phrases presented in the body of the text.
- **Readings** from the business press coverage of key controversies, presented in shaded boxes, enhance students' ability to question important contemporary issues.

At the end of each chapter, there are three elements that review important concepts:

- **Summary** text restates main ideas in a brief, narrative form to provide a quick review for the student.
- **Critical Thinking Review Questions** encourage students to describe, compare and contrast, distinguish between, and make assumptions about issues raised by the authors.
- **Critical Thinking Exercises** probe to deeper levels of learning, urging students to interpret, apply, analyze, and identify differences among issues.

ADDITIONAL FEATURES

The text includes both a brief and a detailed table of contents to enhance the survey features of the text. The end-of-book glossary, which is more detailed than that in many texts, defines each term that is boldfaced or italicized in the text. This frees the reader from constantly consulting outside references and legal dictionaries. The appendixes present the U.S. Constitution, excerpts from the Uniform Commercial Code, and Spanish-English equivalents for important legal terms.

SUPPLEMENTS

The Instructor's Manual, prepared by the authors, contains answers to case and problem questions, transparency masters, and excerpts from important laws and regulations. Computest 4, a computerized text bank, is also available to enhance the preparation of quizzes or examinations.

A C K N O W L E D G M E N T S

We wish to acknowledge the collegial support received from faculty, staff, and administrators at Pennsylvania State University and the Haworth College of Business at Western Michigan University. The insights and recommendations of our colleagues have been useful. We also wish to thank the following reviewers for their valuable suggestions as they reviewed our draft manuscripts for the first two editions of this text:

William Burke, *Trinity University*
Sandra Burns, *Arkansas State University*
Larry Clark, *Louisiana State University*
Theodore M. Dinges, *Longview Community College*
Michael Engber, *Ball State University*
Gamewell Gant, *Idaho State University*
James Hill, *Central Michigan University*
Jack Hires, *Valparaiso University*
Susan Jarvis, *Pan American University*
Paul Lansing, *University of Iowa*
Nancy Mansfield, *Georgia State University*
Keith Maxwell, *University of Puget Sound*
John Norwood, *University of Arkansas*
Steve Palmer, *Creighton University*
Sheelwant Pawar, *Idaho State University*
Daniel Reynolds, *Middle Tennessee State University*
Ira Schwartz, *Towson State University*
Burke T. Ward, *Villanova University*
William Wines, *Boise State University*
Larry Zacharias, *University of Massachusetts at Amherst*

We also give our thanks to the reviewers who helped shape this current, third edition:

Jack M. Hires, *Valparaiso University*
Paul Lansing, *University of Illinois*
Janice Loutzenhiser, *California State University—San Bernardino*
John Norwood, *University of Arkansas*
Lloyd Peake, *California State University—San Bernardino*
Leo Stevenson, *Western Michigan University*

Our special thanks and gratitude to our editor, Karen Mellon; and our project editor, Lynne Basler, at Richard D. Irwin. Both of these talented individuals gave wise counsel and extended their efforts to bring this edition to publication.

Finally, we appreciate the patience, support, and encouragement of our spouses, Alma McCarty and Robin Bagby.

F. William McCarty
John W. Bagby

CONTENTS

PART 1

THE LEGAL SYSTEM AND BUSINESS, 3

CHAPTER 1

INTRODUCTION TO LEGAL AND ETHICAL ANALYSIS, 4

- Law and the Legal Environment, 6
- Legal Analysis, 10
- The Nature of Law and Legal Theories, 15
- Law and Ethics, 18
- Ethical Analysis, 19
- Textual Treatment of Ethics, 22

CHAPTER 2

LAW AND THE LEGAL SYSTEM, 30

- The Legal System, 32
- Classification of Law, 38
- Tasks of a Legal System, 43
- Significant Characteristics of the U.S. Legal System, 45
- The Legislative Branch, 54
- The Executive Branch, 54
- The Judicial Branch, 55

CHAPTER 3

THE LEGAL ENVIRONMENT OF INTERNATIONAL BUSINESS, 66

- Overview, 68
- Conducting International Business, 69
- Sources of Law, 70
- International Trade, 81
- Laws Affecting Exports, 83
- Laws Affecting Imports, 84
- Licenses, 86

- Ethical Dilemmas and International Business Law, 89
- International Investments, 92

CHAPTER 4

LITIGATION AND ALTERNATIVE DISPUTE RESOLUTION, 104

- Litigation in the U.S. Legal System, 106
- The Civil Litigation Process, 110
- Participants in Civil Litigation, 120
- Alternative Dispute Resolution, 132
- Arbitration, 134
- Mediation, 138
- The Minitrial, 140
- Private Trials, 141
- Comparing Litigation and ADR, 142

PART 2

GOVERNMENTAL POWERS OVER BUSINESS, 153

CHAPTER 5

CONSTITUTIONAL LAW, 154

- The Basis for Constitutional Powers, 156
- Specific Powers of Government, 164
- Constitutional Rights of Businesses and Individuals, 173

CHAPTER 6

ADMINISTRATIVE LAW, 190

- Administrative Agencies: General Concerns, 192
- Controls Over Administrative Agencies, 195
- General Functions of Administrative Agencies, 198
- Administrative Rulemaking, 199
- Administrative Adjudication, 202

Informal Administrative Activities, 204
 Judicial Review and Administrative Agencies, 206
 Business Interaction with an Administrative
 Agency, 215
 Regulation and Deregulation, 217

PART 3

PRIVATE LAW AND BUSINESS, 223

CHAPTER 7

PROPERTY, 224

The Nature of Property, 226
 Intellectual Property, 230
 Computer Law, 244
 Ownership and Transfer of Personal Property, 246
 Ownership of Real Property, 247
 Sale of Transfer or Real Property, 252
 Legal Control of Real Property, 255

CHAPTER 8

TORTS, 264

Business and Vicarious Liability, 266
 Classification of Torts and Business Activities, 267
 Intentional Torts, 270
 Negligence Torts, 277
 Strict Liability Torts, 288
 Tort Law Reform, 290

CHAPTER 9

CONTRACTS, 294

Importance of Contracts, 297
 Classification of Contracts, 297
 Mutual Assent: The Agreement, 298
 Consideration, 305
 Capacity, 310
 Reality of Consent and Defenses to Contract
 Formation, 311
 Illegality, 313
 Written Contracts, 317
 Interpretation of Contracts, 319
 Third-Party Rights, 321
 Contract Performance and Remedies for
 Breach, 325

CHAPTER 10

COMMERCIAL LAW, 330

Sales of Goods, 333
 Leases of Goods, 346
 Commercial Paper, 346
 Creditor's Rights, 355
 International Sales Transactions, 363

PART 4

CONSUMER LAW AND BUSINESS, 373

CHAPTER 11

PRODUCT AND SERVICE LIABILITY, 374

Introduction, 376
 Product Liability Theories, 379
 Liability of Parties in Distribution Chain, 393
 Affirmative Defenses, 402
 Product Liability Reform, 405
 Product Liability Risk Management, 408

CHAPTER 12

CONSUMER PROTECTION, 412

Consumer Protection by the Federal Trade
 Commission, 414
 Advertising Regulation, 418
 Trade Regulation Rules and Deceptive Trade
 Practices, 424
 Consumer Financing, 427
 Consumer Product Safety Regulation(s?), 438

PART 5

BUSINESS ASSOCIATIONS, 445

CHAPTER 13

AGENCY, 446

The Nature of an Agency Relationship, 448
 Creation and Termination of an Agency
 Relationship, 449
 Duties Owed by Principal and Agent to Each
 Other, 457

The Contract Liability of the Principal for Agency Activities, 467
 The Tort Liability of the Principal for Agency Activities, 470

CHAPTER 14

BUSINESS ORGANIZATIONS, 480

The Forms of Business Organization, 482
 The Proprietorship Form of Business Organization, 482
 The Partnership Form of Business Organization, 485
 Franchises and Business Organizations, 494
 The Corporation Form of Business Organization, 495
 Types of Corporations, 500
 The Role of Corporate Participants, 503
 Comparison of Business Organization Forms, 510

CHAPTER 15

SECURITIES REGULATIONS, 516

The Primary Federal Securities Statutes, 518
 Registration of Securities, 520
 Insider Trading, 531
 Proxy Solicitations and Tender Offers, 541
 Miscellaneous Securities Laws, 549

PART 6

ANTITRUST LAW AND BUSINESS, 553

CHAPTER 16

MONOPOLIES AND MERGERS, 554

U.S. Antitrust Laws, 558
 Trusts and Monopolies, 561
 Enforcement of Antitrust Law, 564
 Monopolies, 571
 Mergers, 578

CHAPTER 17

RESTRAINTS OF TRADE, PRICE DISCRIMINATION AND UNFAIR TRADE PRACTICES, 592

Horizontal Combinations and Restraints of Trade, 594
 Vertical Restraints of Trade, 603
 Price Discrimination, 618
 Unfair Trade Practices, 626

PART 7

EMPLOYMENT LAW AND BUSINESS, 631

CHAPTER 18

TERMS AND CONDITIONS OF EMPLOYMENT, 632

The Employment-at-Will Doctrine, 634
 The Fair Labor Standards Act, 641
 Unemployment Compensation, 645
 Retirement Income and Pensions, 646
 Workers' Compensation, 650
 Occupational Safety and Health Act, 655

CHAPTER 19

LABOR-MANAGEMENT RELATIONS, 666

Role of the NLRB, 671
 Representation Elections, 672
 Employer Interference with Union Organization, 675
 The Labor Negotiation Process, 683
 Labor Dispute Resolution: Concerted Activities, 689
 Internal Union Democracy, 699

CHAPTER 20

EQUAL EMPLOYMENT OPPORTUNITIES, 706

Equal Pay Act, 709
 The Civil Rights Act of 1964, 711
 Enforcement of the Antidiscrimination Laws, 728

PART 8

SOCIETAL POWERS AFFECTING BUSINESS, 739

CHAPTER 21

ENVIRONMENTAL LAW, 740

The Environment and Legal Regulation, 742

The National Environmental Policy Act, 743

Environmental Compliance Audits, 746

Air Pollution, 746

Water Pollution, 754

Land Pollution, 755

Other Federal Environmental Concerns, 760

State and Local Concerns, 762

CHAPTER 22

THE SOCIAL RESPONSIBILITY OF BUSINESS, 768

White-Collar Crime, 770

Business Crimes, 773

Corporate Social Responsibility, 782

The Divergent Goals of Business and Society, 786

APPENDIX A THE CONSTITUTION OF THE UNITED STATES OF AMERICA, A-1

APPENDIX B UNIFORM COMMERCIAL CODE, B-1

APPENDIX C SPANISH-ENGLISH EQUIVALENTS FOR IMPORTANT LEGAL TERMS, C-1

GLOSSARY, G-1

CASE INDEX, CI-1

INDEX, I-1

LIST OF CASES

- Allied Structural Steel Co. v. Spannaus, 170
Amax, Inc. v. Water Quality Control Commission, 209
American Academy of Pediatrics v. Heckler, 200
Anheuser-Busch, Inc. v. Stroh Brewery Co., 237
Atari Games Corp. v. Nintendo of America Inc., 240
Board of Regents of State College v. Roth, 229
Bowsher v. Synar, 51
Brooks v. Brooks, 35
Brown Shoe Co. v. United States, 583
Business Electronics Corp. v. Sharp Electronics Corp., 611
California Retail Liquor Dealers Assn. v. Midcal Aluminum, Inc., 606
Central Hudson Gas & Electric Corp. v. Public Service Commission, 175
Chevron, USA, Inc. v. Natural Resources Defense Council, Inc., 748
Cipollone v. Liggett Group, Inc., 391
Citizens to Preserve Overton Park v. Volpe, 214
Commission on Human Rights and Opportunities, et al., 60
Conklin Development v. Acme Markets, Inc., 250
Cooke v. Lynn Sand & Stone Co., 507
Dirks v. SEC, 536
Dolan v. City of Tigard, 159
Dolan v. City of Tigard, 258
Donovan v. Burger King Corp., 642
Eastern Dist. Co., Inc. v. Flynn, 316
Edmonson v. Leesville Concrete Company, Inc., 123
Escott v. BarChris Construction Corp., 529
Federal Trade Commission v. Procter & Gamble Co., 585
Gallagher & Ascher v. Simon, 203
Harris v. Forklift Systems, Inc., 721
Hensley v. Sherman Car Wash Equipment Co., 403
Hoffman v. Red Owl Stores, Inc., 309
In re Playboy Enterprises, Inc., 780
Intern. Ass'n of Machinists v. OPEC, 79
International B'hd. of Teamsters v. United States, 727
J. Apablaza v. Merritt & Co., 303
Joseph Albanese's Case, 653
Joseph v. Norman's Health Clubs, Inc., 428
Katko v. Briney, 25
Lechmere v. National Labor Relations Board, 677
Macke Co. v. Pizza of Gaithersburg, Inc., 324
MacPherson v. Buick Motor Co., 376
Marshall v. Barlow's, Inc., 205
Martin v. McDonald's Corp., 291
Massey v. Tube Art Display, Inc., 475
Masterson v. Sine, 320
McCabe v. L.K. Liggett Drug Co., 381
McGowan v. St. Regis Paper Co., Inc., 287
McQuade v. Tucson Tiller Apartments, Ltd., 256
Merrill, Lynch, Pierce, Fenner & Smith, Inc. v. Boeck, 458
Metro Edison v. People Against Nuclear Energy, 744
Miller v. City Bank & Trust, 486
Mills Co. v. Crawfish Capitol Seafood, 497
Mitsubishi Motors Corp. v. Soler Chrysler-Plymouth, Inc., 136
Mitsubishi Motors v. Soler Chrysler-Plymouth, 91
N.L.R.B. v. Gissel Packing Co., Inc., 679
O'Leary v. Moyer's Landfill, Inc., 757
Orkin Exterminating Co. v. F.T.C., 426
Pacific Mutual Life Ins. Co. v. Halsip, 184
Palmer v. United States, 116
Perez v. U.S., 166
Price Waterhouse v. Hopkins, 713
Principe v. McDonald's Corp., 614
Quinnipiac Council, Boy Scouts of America, Inc. v. Commission on Human Rights and Opportunities, et al., 60
Rasmussen v. South Florida Blood Service, 272
S.E.C. v. Howey, 525
Schoenberger v. Chicago Transit Authority, 454
Science Accessories v. Summagraphics, 462
Smith v. American Express Travel Services, 472
State v. McGraw, 774
Sztejn v. J. Henry Schroder Banking Co., 365
T.S.C. Industries v. Northway, 544
Texaco, Inc. v. Pennzoil Co., 275
Texaco v. Hasbrouch, 623

- Thompson Printing Machinery Co. v. B. F. Goodrich Co., 338
- Timberlane Lumber Co. v. Bank of America, 76
- Trans World Airlines, Inc. v. Hardison, 717
- Twigg v. Hercules Corp., 639
- United States v. Nachtigal, 34
- United States of America v. Economy Muffler & Tire Center, Inc., 751
- United States v. Socony-Vacuum Oil Co., Inc., 597
- United States v. Park, 440
- United Paperworkers Int'l. Union v. Misco, Inc., 698
- United Parcel Service v. Fetterman, 652
- United States v. Beusch, 792
- United States v. Aluminum Co. of America, 575
- United States v. E.I. du Pont de Nemours & Co., 574
- United Steelworkers of America v. Weber, 731
- Upjohn v. United States, 129
- Van Hooser v. Keenon, 490
- West Michigan Environmental Action Council, Inc. v. Natural Resources Commission of the State of Michigan, 762
- Westinghouse Electric Corp. v. Nutt, 397
- Whirlpool Corp. v. Marshall, 661
- Williams v. Jackson Co., 278
- Williams on Behalf of Williams v. Bowen, 212
- Wisconsin Public Intervenor v. Mortier, 47

IRWIN'S LEGAL
AND REGULATORY
ENVIRONMENT
OF BUSINESS