



## **Table of Contents**

<b>CHAPTER 1: INTRODUCTION</b>	<b>1</b>
I. LEGAL PHILOSOPHIES (DEFINITIONS OF LAW) (p. 3)	
II. EIGHT SOURCES OF LAW (p. 5)	
III. HOW TO FIND CALIFORNIA LAW (p. 17)	
IV. CLASSIFICATIONS OF LAW (p. 22)	
V. ROLE OF ATTORNEYS IN THE LEGAL PROCESS (p. 26)	
VI. BRIEFING A CASE (p. 29)	
VII. CHAPTER SUMMARY (p. 33)	
VIII. CHAPTER PROBLEMS (p. 34)	
IX. TERMS (p. 35)	
X. CHAPTER QUIZ (p. 36)	
<b>CHAPTER 2: COURT SYSTEM AND COURT PROCEDURE</b>	<b>39</b>
I. TYPES OF COURTS (p. 42)	
II. COURT SYSTEM – FEDERAL COURTS (p. 44)	
III. COURT SYSTEM – CALIFORNIA STATE COURTS (p. 49)	
IV. COURT PROCEDURES (p. 59)	
V. TRIAL (p. 65)	
VI. INTERNATIONAL COURT SYSTEMS (p. 71)	
VII. CHAPTER SUMMARY (p. 72)	
VIII. CHAPTER PROBLEMS (p. 73)	
IX. TERMS (p. 74)	
IX. CHAPTER QUIZ (p. 75)	
<b>CHAPTER 3: ALTERNATIVE DISPUTE RESOLUTION</b>	<b>79</b>
I. WHAT IS THE BEST METHOD TO RESOLVE A DISPUTE? (p. 79)	
II. NEGOTIATION (p. 82)	
III. MEDIATION (p. 85)	
IV. EARLY NEUTRAL EVALUATION (ENE) (p. 89)	
V. MINI-TRIALS (p. 90)	
VI. SUMMARY JURY TRIAL (p. 90)	
VII. ARBITRATION (p. 90)	
VIII. PRIVATE JUDGING (p. 98)	
IX. CHAPTER SUMMARY (p. 100)	
X. CHAPTER PROBLEMS (p. 101)	
XI. TERMS (p. 102)	
XII. CHAPTER QUIZ (p. 102)	
<b>CHAPTER 4: ETHICS, LAW, AND BUSINESS</b>	<b>105</b>
I. ETHICS AND VALUES (p. 105)	
II. ETHICAL THEORIES (p. 109)	
III. BUSINESS DECISION MAKING (p. 113)	
IV. BALANCING CORPORATE RESPONSIBILITY (p. 121)	
V. CHAPTER SUMMARY (p. 126)	

VI. CHAPTER PROBLEMS (p. 126)	
VII. TERMS (p. 128)	
VIII. CHAPTER QUIZ (p. 128)	
<b>CHAPTER 5: TORTS: INTENTIONAL, NEGLIGENT, AND LIABILITY</b>	<b>131</b>
I. INTENTIONAL TORTS AGAINST PERSONS (p. 134)	
II. INTENTIONAL TORTS AGAINST PROPERTY (p. 146)	
III. NEGLIGENCE (UNINTENDED TORTS) (p. 149)	
IV. LIABILITY WITHOUT FAULT (p. 159)	
V. TORT REFORM (p. 163)	
VI. CHAPTER SUMMARY (p. 165)	
VII. CHAPTER PROBLEMS (p. 166)	
VIII. TERMS (p. 168)	
IX. CHAPTER QUIZ (p. 168)	
<b>CHAPTER 6: BUSINESS TORTS AND E-COMMERCE</b>	<b>171</b>
I. DISPARAGEMENT (PUBLICATION OF INJURIOUS FALSEHOOD) (p. 174)	
II. APPROPRIATION OF LIKENESS FOR COMMERCIAL PURPOSES (p. 177)	
III. INTERFERENCE WITH ECONOMIC RELATIONS (p. 179)	
IV. E-COMMERCE – ONLINE CRIMES AND TORTS (p. 180)	
V. CHAPTER SUMMARY (p. 186)	
VI. CHAPTER PROBLEMS (p. 187)	
VII. TERMS (p. 187)	
VIII. CHAPTER QUIZ (p. 188)	
<b>CHAPTER 7: CONTRACTS: OFFER, ACCEPTANCE, AND MUTUAL ASSENT</b>	<b>191</b>
I. CREATING A CONTRACT – PROMISE FOR A PROMISE (p. 191)	
II. DEFINING A CONTRACT (p. 193)	
III. TYPES OF CONTRACTS (p. 195)	
IV. HOW A CONTRACT IS FORMED – MUTUAL ASSENT (p. 199)	
V. TERMINATION OF OFFERS ( p. 206)	
VI. ACCEPTANCE OF CONTRACT OFFERS (p. 214)	
VII. E-COMMERCE (ONLINE) (p. 220)	
VIII. ONE-CLICK ONLINE CONTRACTS (p. 221)	
IX. CHAPTER SUMMARY (p. 225)	
X. CHAPTER PROBLEMS (p. 226)	
XI. TERMS (p. 227)	
XII. CHAPTER QUIZ (p. 228)	
<b>CHAPTER 8: CAPACITY AND CONSIDERATION</b>	<b>231</b>
I. CAPACITY TO CONTRACT (p. 231)	
II. CONSIDERATION (p. 241)	
III. CHAPTER SUMMARY (p. 256)	
IV. CHAPTER PROBLEMS (p. 257)	
V. TERMS (p. 258)	
VI. CHAPTER QUIZ (p. 258)	

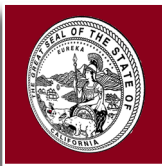


## **TABLE OF CONTENTS**

---

<b>CHAPTER 9: UNLAWFUL AGREEMENTS AND THE STATUTE OF FRAUDS</b>	<b>261</b>
I. UNLAWFUL AGREEMENTS (p. 261)	
II. WAGERS (p. 264)	
III. USURY (p. 270)	
IV. PROMISES NOT TO COMPETE (p. 273)	
V. LICENSING STATUTES (p. 276)	
VI. EXCULPATORY AGREEMENTS (RELEASES) (p. 277)	
VII. WHEN CONTRACTS HAVE TO BE IN WRITING: THE STATUTE OF FRAUDS (p. 284)	
VIII. CHAPTER SUMMARY (p. 294)	
IX. CHAPTER PROBLEMS (p. 295)	
X. TERMS (p. 295)	
XI. CHAPTER QUIZ (p. 296)	
<b>CHAPTER 10: CONSENT AND PERFORMANCE</b>	<b>299</b>
I. CONSENT (p. 299)	
II. MISTAKE (p. 301)	
III. FRAUD (p. 306)	
IV. DURESS AND MENACE (p. 314)	
V. UNDUE INFLUENCE (p. 317)	
VI. ADHESION CONTRACTS AND UNCONSCIONABILITY (p. 319)	
VII. CONTRACT PERFORMANCE (p. 321)	
VIII. CHAPTER SUMMARY (p. 326)	
IX. CHAPTER PROBLEMS (p. 327)	
X. TERMS (p. 328)	
XI. CHAPTER QUIZ (p. 329)	
<b>CHAPTER 11: INTERPRETATION AND THIRD PARTIES</b>	<b>333</b>
I. INTERPRETATION AND LEGISLATION (p. 333)	
II. PAROL EVIDENCE (p. 343)	
III. CONTRACTS AND THIRD PARTIES (p. 346)	
IV. ASSIGNMENT (p. 347)	
V. THIRD PARTY BENEFICIARY CONTRACTS (p. 353)	
VI. CHAPTER SUMMARY (p. 357)	
VII. CHAPTER PROBLEMS (p. 358)	
VIII. TERMS (p. 358)	
IX. CHAPTER QUIZ (p. 359)	
<b>CHAPTER 12: CONTRACT DISCHARGE AND REMEDIES FOR BREACH</b>	<b>363</b>
I. DISCHARGE OF CONTRACTUAL OBLIGATIONS (p. 363)	
II. REMEDIES FOR BREACH OF CONTRACT (p. 374)	
III. HOW BREACH OF CONTRACT REMEDIES WORK (p. 383)	
IV. CHAPTER SUMMARY (p. 395)	
V. CHAPTER PROBLEMS (p. 396)	
VI. TERMS (p. 396)	
VII. CHAPTER QUIZ (p. 397)	

<b>CHAPTER 13: SALES LAW: TERMS, FORMATION, OBLIGATIONS, AND TITLE</b>	<b>401</b>
I. UNIFORM COMMERCIAL CODE (p. 401)	
II. TERMS (p. 404)	
III. FORMATION (p. 405)	
IV. SELLER'S AND BUYER'S OBLIGATIONS (p. 413)	
V. ASSURANCES (p. 419)	
VI. BREACH (p. 419)	
VII. REMEDIES FOR NONPAYMENT (p. 420)	
VIII. TITLE (p. 424)	
IX. CHAPTER SUMMARY (p. 429)	
X. CHAPTER PROBLEMS (p. 432)	
XI. TERMS (p. 432)	
XII. CHAPTER QUIZ (p. 433)	
<b>CHAPTER 14: SALES LAW: RISK OF LOSS AND WARRANTIES</b>	<b>437</b>
I. RISK OF LOSS (p. 437)	
II. INSURABLE INTEREST (p. 446)	
III. WARRANTIES (p. 446)	
IV. CHAPTER SUMMARY (p. 459)	
V. CHAPTER PROBLEMS (p. 461)	
VI. TERMS (p. 461)	
VII. CHAPTER QUIZ (p. 462)	
<b>CHAPTER 15: AGENCY</b>	<b>465</b>
I. THE EMPLOYEE, THE AGENT, AND THE INDEPENDENT CONTRACTOR (p. 467)	
II. CREATION OF THE AGENCY (p. 468)	
III. THE AGENT'S RELATIONSHIP WITH THE PRINCIPAL (p. 471)	
IV. DUTIES OF PRINCIPAL TO AGENT (p. 474)	
V. RELATIONSHIP BETWEEN PRINCIPAL, THIRD PERSON, AND AGENT (p. 474)	
VI. THE RELATIONSHIP BETWEEN THE AGENT AND THE THIRD PERSON (p. 480)	
VII. TERMINATION OF THE AGENCY (p. 482)	
VIII. PRINCIPAL'S LIABILITY FOR TORTS OF THE AGENT (p. 484)	
IX. EMPLOYER'S LIABILITY FOR ACTIONS OF INDEPENDENT CONTRACTORS (p. 489)	
X. CHAPTER SUMMARY (p. 490)	
XI. CHAPTER PROBLEMS (p. 491)	
XII. TERMS (p. 491)	
XIII. CHAPTER QUIZ (p. 492)	
<b>CHAPTER 16: MAJOR FORMS OF OWNERSHIP</b>	<b>495</b>
I. SOLE PROPRIETORSHIPS (p. 497)	
II. C CORPORATIONS (p. 501)	
III. S CORPORATIONS (ELECTION) (p. 503)	
IV. CLOSE CORPORATIONS (p. 504)	
V. SPECIAL/PUBLIC PURPOSE CORPORATIONS (p. 504)	
VI. GENERAL PARTNERSHIPS (PARTNERS IN ALL GAINS AND LOSSES) (p. 506)	



## **TABLE OF CONTENTS**

---

VII. LIMITED PARTNERSHIPS (Special Kind of Partnership) (p. 508)	
VIII. LIMITED LIABILITY PARTNERSHIPS (LLPs) (p. 510)	
IX. LIMITED LIABILITY COMPANIES (LLCs) (p. 511)	
X. OTHER FORMS OF BUSINESS OWNERSHIP - LICENSES, FRANCHISES (p. 514)	
XI. CHAPTER SUMMARY (p. 517)	
XII. TERMS (p. 518)	
XIII. CHAPTER QUIZ (p. 519)	
<b>CHAPTER 17: MAJOR FEDERAL ACTS</b>	<b>523</b>
I. ANTITRUST LAW (p. 523)	
II. EMPLOYMENT LAW (p. 528)	
III. ENVIRONMENTAL LAW (FEDERAL) (p. 533)	
IV. ENVIRONMENTAL LAW (CALIFORNIA) (p. 537)	
V. SECURITIES REGULATIONS (p. 539)	
VI. INTERNATIONAL LAW AND TRADE (p. 541)	
VII. INTELLECTUAL PROPERTY (IP) (p. 548)	
VIII. CHAPTER SUMMARY (p. 549)	
IX. TERMS (p. 552)	
X. CHAPTER QUIZ (p. 553)	
<b>APPENDIX 1 - GLOSSARY</b>	<b>555</b>
<b>APPENDIX 2 - INDEX</b>	<b>569</b>
<b>GREAT BOOKS FROM ETC</b>	<b>590</b>