

BLAW 3400 Validation Exam Study Questions

The text book used for BLAW 3400, from where these questions are taken, is “The Legal and Regulatory Environment of Business” by Cross and Miller, 8th or 9th editions.

1. What are damages?
2. What is a remedy?
3. What is an injunction?
4. What is standing?
5. What is a counterclaim?
6. What is a deposition?
7. What is in rem jurisdiction?
8. What are the bases for a federal district court to exercise original jurisdiction?
9. What is negotiation?
10. What is a mini-trial?
11. What is arbitration?
12. What is the principle of rights doctrine?
13. What is utilitarianism with respect to ethics?
14. What are police powers?
15. What is the full faith and credit clause to the U.S. Constitution?
16. What are checks and balances?
17. What is the supremacy clause to the U.S. Constitution?
18. What happens if a state law violates the commerce clause to the U.S. Constitution?
19. What is a legislative rule of an administrative agency?
20. What happens during the notice-and-comment rulemaking phase of an administrative agency?
21. What is a subpoena?
22. What is the Government-in-the-Sunshine Act?
23. What is the principle of comity?

24. What is licensing in international law?
25. What is dumping?
26. What is the tort of invasion of privacy?
27. What is the tort of appropriation?
28. What is the tort of wrongful interference with a business relationship?
29. What is the Good Samaritan statute?
30. What are the elements of negligence?
31. What is the doctrine of respondent superior in negligence?
32. What must be shown for defamation of a public figure?
33. What is the tort of malicious prosecution?
34. What is required to prove liability for the tort of fraud?
35. What could act as a complete defense to the tort of trespass to land?
36. What are some possible defenses for the tort of trespass to personal property?
37. What is the reasonable person standard of care?
38. What is the contributory negligence doctrine?
39. What are some fact situations where strict liability would be imposed?
40. Is fault relevant under the theory of strict liability?
41. Must there be a reasonable alternative design to impose liability for a design defect?
42. What is the commonly known danger defense in a strict liability case?
43. What is a service mark?
44. What is trademark infringement?
45. What is patent infringement?
46. What is copyright infringement?
47. What is a sole proprietor?
48. Is a sole proprietor's liability unlimited?

49. What is a franchise?
50. What is a manufacturing franchise?
51. What determines how voting rights are apportioned in an LLC?
52. What is a dissociation?
53. What could cause a limited partner in an LP to lose his or her limited liability?
54. Upon an LP's dissolution, who gets first priority on its assets?
55. What is a corporate de jure existence?
56. Which body is responsible for a corporation's policy decisions?
57. Is a director considered a fiduciary in a corporation?
58. What is a proxy?
59. What determines whether someone is an employee in a business organization?
60. What is agency authority by means of ratification?
61. What is the employment-at-will doctrine?
62. What is the maximum number of hours one can work per week without overtime pay?
63. What is required to recover under state workers' compensation laws?
64. Which party pays tax to provide for unemployment compensation?
65. What is disparate-treatment discrimination?
66. What is a constructive discharge from a job based on gender discrimination?
67. What is quid pro quo harassment?
68. What is hostile-environment harassment?
69. What parties may be liable for sexual harassment of an employee in a company?
70. What is the effect when a prima facie case of gender discrimination is established?
71. What is bait-and-switch advertising?
72. What is a counter advertising order?
73. What is the main concern that the Truth-in-Lending Act regulates?

74. What is the Fair Credit Reporting Act?
75. Which federal entity regulates deceptive or unfair advertising?
76. What is puffing?
77. What must a plaintiff show to win an environmental injury case based on negligence theory?
78. Would it violate the Clean Water Act for a company to spill oil into the sea and onto the shore?
79. Is it ever legal to dump chemical waste into the ocean?
80. Who are the various parties from whom the EPA can recover the cost of cleaning up a hazardous waste disposal site?
81. What is market power in an antitrust case?
82. What is an exclusive-dealing contract?
83. What is required to prove attempted monopolization?
84. What is a price-fixing agreement?
85. What is a market division?
86. What is a vertical restraint?
87. What is a unilateral refusal to deal?
88. Recognize an example of a per se violation of the Sherman Act.
89. What could cause the Clayton Act to prohibit the merger of two companies?
90. What is a security?
91. What does a tombstone ad tell prospective investors?
92. What is the significance of six months regarding insider trading?
93. What is a Ponzi scheme?