

# ATLANTA'S JOHN MARSHALL LAW SCHOOL

## WHITE COLLAR CRIME D-450

### Syllabus - Summer 2013

*Professor Timothy R. Saviello*

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Class meets Mondays & Wednesdays, 6:15pm – 9:30pm in Room 609.

#### **OFFICE HOURS:**

Mon: 5:00pm – 6:00pm

Wed: 5:00pm – 6:00pm

#### **REQUIRED TEXTS:**

- Brickley, *Corporate and White Collar Crime* (5th Ed.)(“Casebook”)
- Brickley, *2011-12 Corporate and White Collar Crime: Selected Statutes, Guidelines, & Documents* (“Supplement”)

#### **ADDITIONAL INFORMATION:**

##### **Electronic Devices In Class:**

Class policy is that all audible tones on all electronic devices must be turned off during class. This includes tablets, laptops, cellphones, smartphones, and . . . even pagers should anyone still carry one. Accessing the internet during class via any device is likewise prohibited except when doing so is directly related to the class lesson. The simple fact is that to be successful as an attorney, one of the many

skills you must learn and master is the ability to focus on one task for periods of time, and to avoid distractions. During your legal education, class time is one such situation.

**Attendance:**

You are responsible for knowing and complying with John Marshall Law School's attendance policy. Please be on time and remember to sign-in. Failure to sign the attendance sheet shall be conclusive evidence of absence. If you find that you attended class but forgot to sign in or did not see the attendance sheet go by, please see me immediately.

A successful lawyer is one who appears on-time and prepared. Your attendance is expected, as is your preparation.

**Class Participation:**

Mastery of the material and participation in the process is critical to a successful legal career, and to success in this class. It is imperative to successful learning to engage with the material by participating in the class discussion. If you are not prepared, you will not be actively participating and you will have a much harder time than is necessary. Preparation is not only a good, but critical habit to develop.

**Failure to Prepare for Class:**

I will work under the assumption that you will be prepared for class. Should there be some serious emergency which prevents such preparation, please let me know prior to class by email and I will do my best to adjust the class to accommodate your situation. This privilege is based upon mutual respect.

**TWEN:**

Announcements, scheduling or assignment changes, additional materials and other relevant information will be posted on the class West Education Network (TWEN) site. This is accessible at [www.lawschool.westlaw.com](http://www.lawschool.westlaw.com). You are responsible for checking this site for such announcements and information, and for maintaining an accurate email on TWEN, and for checking that email for class-related information.

**Grading:**

Your final exam will determine your course grade, *except that grades may be increased one grade-step for excellent class participation, or lowered by one grade-step for exceptionally poor class attendance.*

For the final, you will be allowed to bring and use the Casebook & Supplement, but nothing else.

**Syllabus:**

This syllabus provides the approximate rate at and order in which we will cover the material. I will try to stick fairly close to the syllabus, but reserve the right to adjust the pace to match the actual pace of the class, particularly because this is the first time this class has been taught. I encourage you to use the TWEN discussion forum to address subjects in more depth than we were able to during class discussion. You also can see me during office hours or at another time, send me an email, or call me (please, not before 8 a.m. or after 10 p.m., except in case of emergency).

**Course Learning Objectives**

Upon completion of White Collar Crime, when presented with a fact pattern in a timed essay examination, the successful student should be able to demonstrate their competency in the subject matter by meeting the following objectives:

- Identify the white collar crime issues raised by the given fact pattern;
- Correctly state the rules of the law of white collar crime needed for legal analysis of this fact pattern;
- Develop the arguments reasonable lawyers representing each of the parties would make with respect to those issues;
- Assess the relative strength and weaknesses of those arguments;
- Predict how a court would evaluate those arguments and most likely resolve the dispute.

Throughout the semester, you will also demonstrate professional behavior characteristic of well-regarded practicing attorneys by:

- Thoroughly preparing for class,; and presenting thoughtful, nuanced oral arguments during in-class discussions.
- Respecting reasonable opinions of the professor and fellow classmates—even when those opinions run counter to the student’s own understanding of the law—but respectfully offering legally supported, though contrary, viewpoints when you believe those positions are justified under the law or on the facts of a given dispute.
- Working collegially and in good faith with your classmates on group assignments to ensure each student performs a reasonable share of the work provided.

## **SYLLABUS:**

### **ASSIGNMENTS**

<b><u>DATE</u></b>	<b><i>Corporate Criminal Liability, Personal Liability in an Organizational Setting, &amp; Conspiracy</i></b>
5/29/13	Casebook, 1-38
6/3/13	Casebook 39-83
	<b><i>Mail Fraud</i></b>
6/5/13	Casebook, 85-117
6/10/13	Casebook, 117-152
	<b><i>Securities Fraud</i></b>
6/12/13	Casebook, 153-198
	<b><i>False Statements, Perjury &amp; False Declarations</i></b>

6/17/13 Casebook, 199-231, 243-273

***Obstruction of Justice***

6/19/13 Casebook, 275-331

***Bribery of Public Officials***

6/24/13 Casebook, 339-360, 366-73, 386-391

***RICO***

6/26/13 Casebook, 393-430

7/1/13 Casebook, 430-474

***Tax Fraud, Currency Reporting Crimes, & Environmental Crimes***

7/3/13 Casebook, 475-517

7/8/13 Casebook, 519-541, 551-570

7/10/13 Casebook, 571-609

***Sanctions***

7/15/13 Casebook, 637-654

7/17/13 ***Course Review – Final Exam Prep***