

# Business- its legal, ethical, and global environment - quiz



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1. TCO B: The of Arizona has just passed a law requiring that oranges shipped into the from growers located outside of the meet certain minimum size requirements. The size requirements do not apply to oranges grown in Arizona. The new Arizona statute is: (Points: 8)

a permissible regulation of commerce

B permissible so long as the statute promotes the health and welfare of the states residents

an impermissible regulation of interstate commerce

constitutional if there is a regulatory protest means available

2. TCO B: South Dakota is the location for many national banks credit card operations. How much income tax could the state of South Dakota collect on the banks that operate their credit card divisions there? (Points: 8)

South Dakota could collect tax on the banks full income

South Dakota cannot collect income tax unless the banks are headquartered or incorporated there

South Dakota cannot collect any income tax from foreign corporations

DSouth Dakota can collect income taxes from earnings on the credit card operations

3. TCO B: An FOIA [Freedom of Information Act] request (to be valid): (Points: 8)

A must be in writing

must describe the reason the documents are sought

can request any information in an agencys file

must include prepayment of copy fees

4. TCO B: Four of the five commissioners for the Federal Trade Commission were working late one evening in their Washington, D. C. offices. The four  
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were catching up on their electronic mail. The four soon discovered each others presence on electronic mail. One commissioner wrote to the other three, “ Lets get some business done so long as were all here. We could resolve that unfair competition case thats pending for next month. We can iron out our differences via e-mail.” The electronic exchanges of the commissioners would: (Points: 8)

Abe protected because they are internal agency actions  
violate the Government in the Sunshine Act open meeting laws  
be considered law enforcement issues and would be protected from open-meeting laws  
not be a meeting without some staff members present

5. TCO C: Susan Sandren purchased a toaster from Standard Electric. While using the toaster the day after it was purchased, Susan discovered that the toaster slots were too small for a thick piece of bread. The bread was stuck in the slot. With the toaster still plugged in, Susan used a knife to pry loose the toast and was electrocuted. In a suit by her family against Standard Electric: (Points: 8)

Standard will lose because the slots should have been made wider  
Standard will win because of misuse of the product  
CSusans family will win because of a design defect  
Susans family would win if there were no warnings about knives and electrocution

6. TCO C: Describe three defenses to product liability claims. (Points: 25)

Misuse of the product is where the defense can claim that the product was misused by the customer after purchase.

Tort defense includes Volenti not fit injuria, which means there was no  
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intentions to cause harm and the injured took a risk of being injured. For example, if a person goes to a hockey game and they get hit by puck, they are taking the risk of getting hit, which is not the fault of the hockey player. Illegality is where the injured is in the wrong doing while being the defendant's property. In a case, a thief jumps out of a building to avoid being arrested, the property owner cannot be held liable.

7. TCO C: Will Chancit, a 36-year-old attorney, was killed when his Ford Fairlane collided with some metal fence on the Harbor Freeway in Los Angeles. He was traveling at a speed between 50 and 70 mph. After the collision, the car spun and the driver's door flew open. Chancit was ejected from the car and sustained fatal head injuries. Had the door stayed closed, his injuries would have been relatively minor. Chancit was not wearing his seat belt. Discuss the negligence theory for recovery in the suit Chancit's widow has brought against Ford Motor Company, the makers of the Ford Fairlane. Also discuss any defenses Ford Motor Company might have.

(Points: 25)

The Ford Company should be held responsible because they were neglectful since they sold product that was very weak and could not keep the doors close during the fatal accident. They were neglectful by not doing further testing on the car during the manufactory process. However, the Ford Company could use the tort defense of illegality because the man was not wearing his seatbelt, which was a wrongdoing on his part.

8. TCO B: The FTC has proposed a series of regulations to require disclosure of repair/accident history in the sale of used cars. The Classic Car Club believes that historical vehicles (1960 and earlier) should be exempt from the requirements. What can the club do to voice its concerns? (Points: 25)  
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The club can appeal to the FTC because there are cars that came before the regulations and it would be a big financial loss for the club/

9. TCO B: The Lake Nixon Club near Little Rock, Arkansas, had a racial restriction on the use of its 232-acre amusement area, which included areas for swimming, boating, sunbathing, picnicking, miniature golf, and snack bars. Discuss how an interstate commerce connection might be found so that the federal civil rights act could be used to invalidate the restriction.

For example, “ the Court can sustain the Act as applied to a downtown Atlanta motel which did serve interstate travelers, 824 to an out-of- the-way restaurant in Birmingham that catered to a local clientele but which had spent 46 percent of its previous year’s out-go on meat from a local supplier who had procured it from out-of-state, 825 and to a rurally-located amusement area operating a snack bar and other facilities, which advertised in a manner likely to attract an interstate clientele and that served food a substantial portion of which came from outside the State” (CRS Annotated Constitution, 2008).