



MOCK TRIAL EXERCISES

Featuring winning cases from the
New Jersey State Bar Foundation's

Law Fair 2019
COMPETITION

FOR GRADES 3–6



PREFACE

Since 1992, the New Jersey State Bar Foundation has sponsored a unique, law-related education opportunity for elementary school students—the Law Fair Competition.

Students in grades three through six are invited to create original mock trial cases. The cases are judged on the basis of originality and educational value in teaching students about their legal rights and responsibilities. Winners are selected in each grade level. The trials are then conducted before student audiences at special Law Fair programs in the spring. The third- through sixth-grade audiences serve as juries.

Following are the winning students' cases from the Law Fair 2019

Competition. They may be used as a guide to prepare a submission to the Law Fair Competition or as a classroom exercise. Please note that some of the cases may contain “laws” created by the students for the purposes of this competition, which may not necessarily be actual laws. Since these mock trials were written by children, the content should not be

considered technically accurate.

These materials are produced for educational purposes only. All characters, names, events and circumstances are fictitious. No resemblance or reference to real individuals, events or circumstances is intended or should be inferred.

Because this booklet contains cases written by students from third through sixth grades, teachers should review the cases written by students in the upper grades before distribution in order to determine whether they are appropriate for younger children.

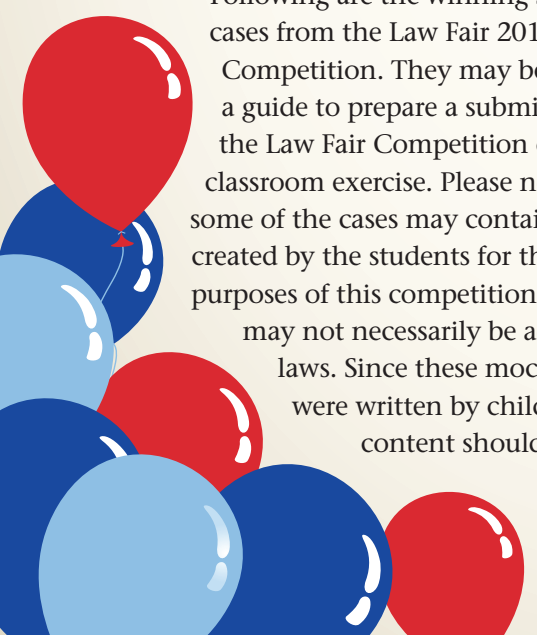
Law Fair has won national recognition for educational excellence from the American Bar Association and the American Society of Association Executives.

This project is made possible by funding from the IOLTA Fund of the Bar of New Jersey.

If you would like to participate in the Law Fair Competition, please call 732-937-7519 or e-mail sboro@njsbf.org.

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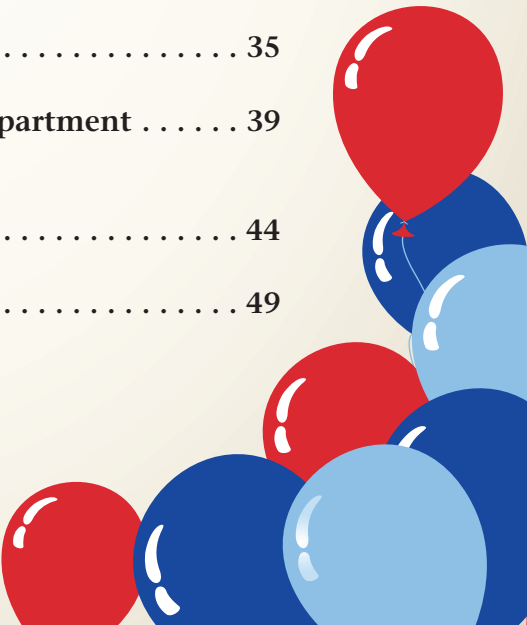
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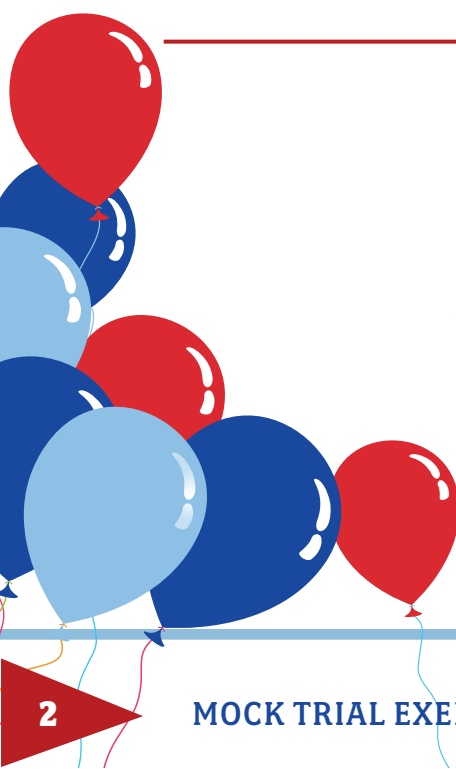
THE STORY OF TINY

SCHOOL

Johnnie L. Cochran, Jr. Academy
East Orange
Grade 3
First Place

TEACHER

Patricia Hurt



STUDENTS

Gregory Little
Zaire McConnell
Nylah Marrero
Janasia McGhee
Arielle Mercy
Roberto Michel

LeOnie Nowlin
Ka'Mya Payne
Makayla Rose
Camila Rufino
Saniyah Thurman

FACTS

Suzy Love lives with her mom in a small apartment in East Orange, New Jersey. Suzy would like a puppy. Under the terms of her mom's lease, any dog that resides in their apartment cannot weigh more than four pounds and must be confined to a kennel cage when no one is home. Suzy and her mom travel to Puppy Petite, a store which specializes in very tiny teacup and pocket size dogs.

Suzy was desirous in purchasing a teacup Yorkie. A Yorkie is a toy breed dog that weighs between four to seven pounds. A teacup Yorkie is the smallest dog in the litter and is called a runt. Two runts in a litter are mated to create a teacup and will not weigh more than three and a half pounds. The store employee, Ms. Gotcha, stated that the Yorkie puppy that the Loves were interested in was a teacup. Relying on that representation, Suzy's mom, Mrs. Love, purchased the teacup Yorkie and named her Tiny. The teacup Yorkie is very popular and breeders are rushing to produce them. Teacup Yorkies average between \$1,200 to \$2,000 per dog. Ms. Gotcha informed the Love Family that Tiny would cost \$1,800 because of their popularity. The standard Yorkie is priced at \$1,000. Ms. Gotcha assured them that they were purchasing a teacup.

Tiny is six months old and now weighs five pounds and still growing. It is evident by looking at her paws and observing her eating habits that she may eventually weigh seven pounds. The Loves claim Puppy Petite misrepresented the type of Yorkie that they were purchasing, and they are suing for reimbursement of their money.

ISSUE

Has Puppy Petite or Mr. Breeder violated any laws under the State of New Jersey?

WITNESSES

For the Plaintiff

Suzy Love
Momma Love

For the Defense

Ms. Gotcha
Mr. Breeder

WITNESSES STATEMENTS

Testimony of Suzy Love

My name is Suzy Love. I am in the fourth grade and I am a great animal lover. My mom promised to purchase a small puppy for me since I made the honor roll last marking period. On December 1, 2018, my mom and I traveled to Puppy Petite, a store that specializes in small dogs. My mom reminded me that under the terms of the apartment lease we cannot have a dog that weighs more than four pounds or we may be subject to eviction. Puppy Petite is a store that specializes in pocket size dogs. I fell in love with the cutest black and brown female Yorkie. Ms. Gotcha, a saleswoman at Puppy Petite, informed me that the puppy I was interested in was a teacup and the puppy's size would be between three pounds to three and one half pounds.

I mentioned to Ms. Gotcha that my mom had restrictions on the size of the dog that could reside in our apartment. She assured me that the puppy would be suitable for our needs. I named my female puppy Tiny because at the time of purchase she was two pounds and could fit in the palm of my hand. She is a very lovable puppy and easily housebroken.

The only problem now, is at six months old, Tiny isn't tiny anymore. Tiny doesn't eat dog food. Her favorite meal is chicken and rice. Tiny has a big appetite. I chose table food because I have read that there

are many lawsuits about dog food and treats that have made animals sick or even die. Tiny can eat a balanced diet with table food.

Tiny weighs five pounds and she is still growing. It is obvious now that Tiny is a regular sized Yorkie rather than a teacup. My mom paid \$800 more for Tiny's size. I believe Puppy Petite has tricked us. My mom intends to sue for reimbursement for all monies spent on Tiny. She is also worried that we may be evicted if Tiny continues to grow, thereby violating our lease. I love my dog and would never give her back to Puppy Petite despite her size.

Testimony of Momma Love

My name is Momma Love. I am the mother of Suzy Love. My daughter loves dogs. There are so many pictures of tiny Yorkies in cups on the internet. After Tiny began growing, I researched teacup Yorkies on the internet. I read that there is no such classification of "a teacup Yorkie" according to the American Kennel Club. My understanding of a teacup was that it is smaller than the standard Yorkie. The difference between teacup Yorkie and standard Yorkie is that regular Yorkies are from four to seven pounds and a teacup is less than four pounds.

When I purchased Tiny, the saleswoman told me Tiny was a teacup and would be less than four pounds. To date, Tiny is six months old and, at her last checkup at the veterinarian, she weighed five pounds and she's still growing. The veterinarian confirmed that Tiny was a regular size Yorkie. I love our family dog and would not return her under any circumstance. I feel that the store misrepresented that I was buying a teacup dog when in fact it wasn't. I believe the store committed fraud.

I paid for a teacup Yorkie but the reality is it was a standard size dog. I believe the store was irresponsible in advertising this puppy. A regular size Yorkie costs \$1,000 and the teacup puppy cost \$1,800. I was told I was paying extra because of her unique size. As far as I am concerned, Puppy Petite owes me all of my money.

Testimony of Ms. Gotcha

My name is Ms. Gotcha and I am an employee of Puppy Petite. Our store specializes in selling small dogs. All our dogs come from legitimate breeders with papers authenticating their pedigree. I do recall Suzy and Momma Love purchasing the teacup Yorkie several months ago. At the time of purchase, the Loves were given written instructions of how to care for the puppy. Included in the instructions was the type of diet recommended to maintain a healthy dog. If the Loves are feeding the Yorkie table food, that might explain the rapid weight gain of Tiny. The Loves have chosen to deviate from the recommended balanced diet and now blame us that the dog is too big when they failed to follow the dietary instructions. Yorkies have sensitive stomachs and are intolerant to a lot of table food. The type of food they eat often decides how long the dog will live and weigh.

Testimony of Mr. Breeder

My name is Mr. Breeder and I only sell my healthy pups to commercial stores such as Puppy Petite. All my pups are healthy and I supply each new owner with an efficient method to register the dog with the American Kennel Club. All puppies are checked by the vet prior to finding their new homes and given the necessary shots. The Love Family's dog is in fact a petite

teacup. It appears that there are dietary issues that the Love Family have failed to adhere to. We give every new pet owner a sixty-day warranty as to the health of the dog and recommended food and vaccination instructions. My understanding is that Tiny was a healthy dog at the time of the sale. I have no control as to the weight of Tiny especially when new owners fail to follow the dietary instructions. I'm sorry but there is no fraud by me or Puppy Petite.

INSTRUCTIONS

Momma Love must prove by a preponderance of the evidence that Puppy Petite and Mr. Breeder have violated the New Jersey Pet Protection Act or committed consumer fraud pursuant to state law.

SUB-ISSUES

1. Is the New Jersey Pet Protection Act applicable to teacup dogs?
2. Does Momma Love have grounds to sue when teacup dogs are not recognized as a breed by the American Kennel Club or any other dog organization?

CONCEPTS

Are consumer fraud laws applicable to designer dogs such as teacups?

LAW

The New Jersey Pet Protection Act protects pet purchasers who receive “defective” companion animals. A purchaser of a defective pet must have his or her pet examined by a veterinarian within fourteen days to receive a refund or exchange. The buyer may retain the pet and be reimbursed for vet bills up to two

times the cost of the dog or cat. Under the definition of “unfit for purchase” means any disease, deformity, injury, physical condition, illness or defect which is congenital or hereditary and severely affects the health of the animal.

The elements of consumer fraud in New Jersey are (1) a material misrepresentation of a presently existing or past fact; (2) knowledge or belief by the defendant of its falsity; (3) an intention that the other person rely on it; (4) reasonable reliance thereon by the other person; and (5) resulting damages. To maintain a claim under the Consumer Fraud Act, a private litigant must establish (1) unlawful conduct by the defendants, (2) an ascertainable loss on part of the plaintiff, and (3) a causal relationship between the defendant's unlawful conduct and the plaintiff's ascertainable loss.



THE CASE OF THE BANK ROBBERY

STATE V. MACK

SCHOOL

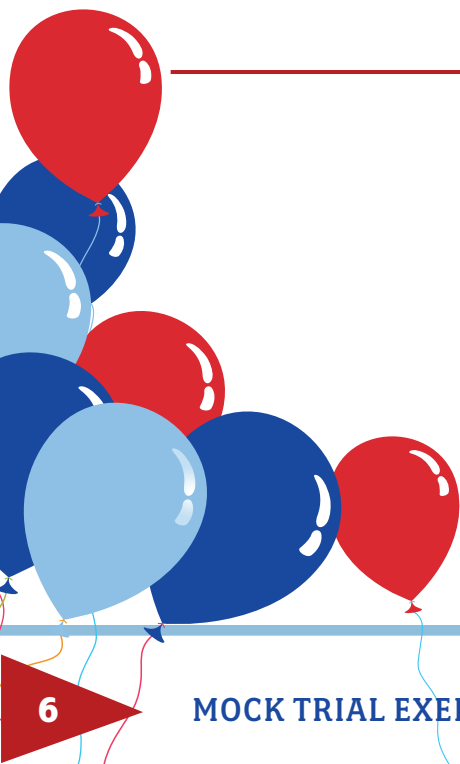
Frelinghuysen Township
Newton
Grade 3
Second Place

TEACHER

Jennifer Moriarty

STUDENTS

Audrey Bonner
Desmond Boyd
Marguerite Goetz
Stephen Gruba
Isabella Harvey
Anna Hasselman
Lucas Kronmiller
Sophie Stefankiewicz



FACTS

On December 22, 2018, there was a reported bank robbery in Snowtown, NJ. The police were investigating the incident. The bank was robbed in the afternoon after it had closed for the holidays. At the scene the police discovered a Starbucks coffee cup with the name “Bob” written on it. The police used fingerprints from the cup to identify Bob Mack as the main suspect. Bob Mack claims that he is innocent because he works at the bank as a bank teller. He always drinks a coffee while he works. He said he went to the mall after work to get some presents for his family, so he couldn’t have robbed the bank. The police said that the robbery was an inside job because the alarm wasn’t set. It is always Bob’s job to set the alarm at the end of the day.

On December 22, 2019, Sue was driving to work on a snowy day and she saw a man dressed in all black walking on the side of the road. He was headed toward the mall away from town. Sue worked at Starbucks in the mall. The same man ordered a caramel mocha from Sue at Starbucks. Sue was scared and shocked because he looked scary. She gave him the caramel mocha and spilled it on him. He said it was Ok in a deep voice but he seemed angry.

That night after work, she watched the news at her apartment and heard of a bank robbery. A Starbucks cup was found at the scene and had the name “Bob” on it. She remembered writing “Bob” on the cup earlier that day.

Sue called the police to tell them that she thinks she saw the man who robbed the bank. The police investigated the robbery and took Sue’s statement.

ISSUE

Did Bob Mack rob the bank?

WITNESSES

For the Prosecution

Officer Larry Lazman
Sue Stella

For the Defense

Bob Mack
Ruby Mack

WITNESS STATEMENTS

Testimony of Larry Lazman

I was working on reports in my office when the call came in for the bank robbery. I grabbed my coat and headed over to the bank. When I arrived at the bank, the bank had closed early for the holiday season. It was robbed after they closed for the day.

The cameras in the bank were blacked out so the man couldn’t be identified. But before he painted the cameras, the police said the man wore a mask but had on jeans and a jacket. We also found a Starbucks cup at the scene and dusted for fingerprints. We then interviewed all of the bank employees at the station. All had solid alibis except for Bob Mack.

Testimony of Sue Stella

I work at the mall in Starbucks. My ex-boyfriend’s name is Bob Mack. He didn’t make very good choices and changed a lot. On the day of the robbery, he texted me and said I really miss you and hope you are doing Ok. He asked me to get some coffee with him and hang out. I said no thanks, which made him angry. He came to my work and ordered a caramel mocha that morning before he went to work at the bank. Later that night while watching the

news, I saw the bank was robbed where he works. I texted him to see if he heard about the robbery, he read the text but didn't answer me until the next day. He told me he quit his job.

Testimony of Bob Mack

I work at Snowtown Bank in New Jersey. On December 22, 2018, I stopped at Starbucks to get a coffee before work. After work I went shopping with my mom for Christmas presents. I left work and forgot to set the alarm.

Testimony of Ruby Mack

I went shopping with my son at the mall to buy Christmas presents. He never left my side. He met me at mall after work.

INSTRUCTIONS

The prosecution must prove beyond a reasonable doubt that Bob Mack robbed the bank where he works.

SUB-ISSUES

1. Did Bob Mack intentionally forget to set the alarm?
2. Did Bob Mack go shopping with his mom?
3. Did the police get evidence from the video surveillance?

CONCEPTS

1. Circumstantial Evidence: Evidence in a trial which is not directly from an eyewitness or participant and requires some reasoning to prove a fact.
2. Direct Evidence: Real, tangible or clear evidence of a fact, happening or thing that requires no thinking or consideration to prove its existence, as compared to circumstantial evidence.
3. Eyewitness: A person who has actually seen an event and can testify in court.

LAW

Grand Theft or Grand Larceny: The crime of theft of another's property (including money) over a certain value (for example, \$500), as distinguished from petty (or petit) larceny in which the value is below the grand larceny limit.

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THE CASE OF THE CONSPIRACY THEORY

STATE v. HELPER AND STEALER

SCHOOL

Thomas Edison Intermediate
Westfield
Grade 3
Honorable Mention

TEACHER

Esther Van Riper

STUDENTS

Anya Balakumaran
Madeline Schlitzer
Evie Shen
Roshan Talati
Marisa Villere-Reidy
Antonio Zappulla
Jessica Zhou

FACTS

There was a jewelry store in the downtown of Crimeville, Texas. The jewelry store's name was Super Gems. Savandra Stealer heard on the news that there was a new necklace made out of precious diamonds that cost \$500,000. Savandra thought that they were beautiful. She wanted them really badly. Her friend had just bought them and she was so jealous and now wanted them even more. Sadly, there was no way she could afford them which made her furious.

Her next-door neighbor felt the same way, her name was Helen Helper. Savandra's and Helen's husbands were both guards at Super Gems. On May 13, Friday, 2013, at 10:13 p.m., police responded to a breaking and entering at Super Gems. When they arrived, no criminal was apprehended. The police investigated and questioned all of the employees at Super Gems, including Savandra's and Helen's husbands. One of the employees told the police that they overheard the guards speaking about the necklaces and how much their wives each wanted one and that they seemed suspicious the day of the break-in. The police also checked the security camera feed and the cameras were shut off prior to the two guards closing down for the night, which is not company protocol.

The store was locked, however, as the back door showed signs of being broken into and the back window was broken. Two necklaces were missing from the jewelry case, which was also broken into. Currently, Henry and Gregory, the two security guards, are charged with the crime of the stolen necklaces. The two guards are claiming innocence and told the police they had nothing to do with the crime.

ISSUE

Are the guards responsible for breaking and entering into Super Gems and for stealing the two diamond necklaces?

WITNESSES

For the Prosecution

Officer Frank
Madame Meade

For the Defense

Helen Helper
Savandra Stealer

WITNESS STATEMENTS

Testimony of Officer Frank

I'm Officer Frank. I am the police officer who was on duty that night. At 10:13 p.m., on May 13, 2013, I came to Super Gems to investigate a breaking and entering crime. The next day I asked all of the employees that were there and Madame Meade told me that she overheard the two guards, Gregory Guard and Henry Husband, talking about how their wives both wanted the necklace really badly. She also said that they seemed suspicious. I took notes on all of the clues and I saw that the back window was broken. Then I checked the video camera and it was shut off prior to the two guards leaving for the night. Madame Meade told me that shutting off the video camera at the end of the day was not company protocol. The glass case that used to contain the necklaces was broken into also. Gregory and Henry were the only suspects identified to be at the scene of the crime.

Testimony of Madame Meade

I was cleaning up the store and wrapping stuff up. I heard Henry and Gregory talking about their wives and how

much they wanted the diamond necklaces. This is what they said, “My dear Savandra would love this thing! Yeah, it would look sooo nice on my Helen. And it’s so expensive I just know that my Savandra would love on. I hope she doesn’t decide to steal it though. ”At that point they saw me and dropped their voices to a volume that I just couldn’t hear. So then I just went home at 8:47 p.m. The next day Officer Frank asked me about the breaking and entering at Super Gems. Apparently they wanted to question all the employees that work at Super Gems. I told them what I overheard and then they went off to question Henry and Gregory.

Testimony of Helen Helper

My name is Helen Helper. I’m the other defendant’s wife. I can tell you everything that happened that night. First of all, I loved that amazing diamond necklace. But even though I really loved that necklace, my husband would never have stolen it for me. There is no way that the guards did this because both of our husbands came home a little early because we were going to have some friends over for a celebration. There is no concrete evidence to prove my husband or Savandra’s husband committed these crimes.

Testimony of Savandra Stealer

My name is Savandra Stealer. I am the defendant’s wife. I would like to tell you the story about what happened on Friday the thirteenth in Crimeville, Texas. In the morning I was just watching TV and then I saw the diamond necklace ad at Super Gems. It said it was worth \$500,000. That’s a lot of money. I am a fifth-grade teacher who does not earn very much, but my husband definitely did not steal it. I know

that my husband would not have done this. We were at a party at Helen’s house after my husband got off of work. We arrived at 10:00 p.m. and had fun and then drove home. We switched into our PJs and tried to sleep. Minutes later the police came to our house to knock on the door to let us know about the breaking and entering at Super Gems. They wanted to speak with each employee that worked there. He is innocent, I was with him from the minute he came home on time to the time we got to our Helen’s party.

INSTRUCTIONS

The prosecution must prove beyond a reasonable doubt that the defendants are guilty of breaking and entering and theft.

SUB-ISSUES

Is there evidence to prove that the wives are also guilty of the crime?

CONCEPTS

1. Physical harm: No one should physically harm someone (killing, beating up, kidnapping).
2. Damages: No one should damage anything and if they do, they would have to pay for it.

LAW

1. Theft: No one is allowed to steal anything.
2. Conspiracy: You can agree to rob something and if you do, you’re guilty just the same as the person who robs it.



PET SHOP SHENANIGANS

THE FINGERS FAMILY v. DAN'S PET SHOP

SCHOOL

Demarest Elementary
Bloomfield
Grade 4
First Place

TEACHER

Jessica Cappello
Karen Magliacano
Lorajean Tice

STUDENTS

Jake Buccieri
Jackson Calleros
Jude Casas
Leila Colon
Jack Del Purgatorio
Morgan Fulston
Isla Gales
Maxwell Lisa
Rebecca Mehring
Hailey Woodson

FACTS

On Saturday, May 14, 2017, a little boy named Mikey Fingers was visiting Dan's Pet Shop in Smalltown, New Jersey with his mom. They entered the pet shop located on Hysteria Road at 11:45 a.m. Once they were in the pet shop, Mrs. Fingers went to get dog food for their pug, Snuffles.

Mikey, a typical five-year-old, got very bored and wandered off. He noticed a pretty green snake in a cage. He approached the cage with no hesitation. The snake appeared to be sleeping. Shortly before that, Nate Alfred, who worked in the pet shop, was cleaning out the cage. He suddenly heard his phone ringing, expecting an important phone call about his college application. For a matter of seconds, he looked at the phone. As this was happening, Mikey stuck his hand inside the cage to pet the snake. Then, all of a sudden, the snake bit him. Mikey screamed, and his mom, the store owner, and all the workers came running to see what had happened. Nate immediately dialed 911.

Mikey suffered a mild case of shock as well as a snake bite, which was not poisonous, but which required immediate medical attention. The Fingers family is suing Dan's Pet Shop for all medical expenses incurred from their son's injuries, which included swelling, puncture wounds, and a minor infection.

ISSUE

Is Dan's Pet Shop responsible for Mikey Fingers' injuries and medical expenses?

WITNESSES

For the Plaintiff

Mikey Fingers
Mrs. Fingers

For the Defense

Nate Alfred
Dan E. Mull

WITNESS STATEMENTS

Testimony of Mikey Fingers

My name is Mikey Fingers and I am five years old. I just love snakes! My daddy reads me books about them all the time. I saw a snake in the shop and it was so pretty. I didn't see my mommy to ask her if I could pet it, so I went to the cage and it just opened. I figured if it was open, then it must be a friendly snake. Then I tried to pet the pretty snake, just like I do to my doggie at home. But the snake bit me and it hurt so so bad! I got a big boo boo! My mommy came over, and she was so scared and really mad that I was hurt and there was no grownup near me. Then I was put into a super big truck with flashing lights. They took me to a big building that mommy said was a hospital. I will never go near a snake again, and I don't want to read about them ever again either! They are so scary!

Testimony of Mrs. Fingers

My name is Angela Fingers, mother of Mikey Fingers. My son and I were at the pet shop to purchase dog food. My husband had to go to work so he couldn't watch Mikey. This was going to be my son's first time at the pet store. I went to go check out and thought my son was right behind me but he wasn't.

I frantically looked around when I heard a blood curdling scream! It was Mikey! I noticed his hand in a snake cage! I ran over and immediately saw puncture wounds on his hand that were starting to swell. I was scared to death! A snake bite is a very serious injury. The cage should not have

been left unlocked under any circumstances. I was told by another customer that the worker was on his cell phone when this incident occurred. That is unacceptable! My son cried for days after his traumatic treatment at the hospital. Now my son is scared of snakes, an animal he used to love. If the worker was not on his phone, my son would not have been bitten.

Testimony of Nate Alfred

My name is Nate Alfred. I am 18 years old and have been an employee at Dan's Pet Shop for three years. My job consists of cleaning animal cages, feeding the animals, sweeping the floor, and other odds and ends. I was feeding the snake involved in this incident when I felt my phone vibrating. I was expecting a call regarding my college application. I was told that day was the day that I would find out if I was accepted into Ohio University. I hope to become a vet one day, so this call was very important to me. I looked away for a matter of seconds when this all happened. The boy was there on the floor screeching in pain. I immediately dialed 911.

I think I should be able to check my phone at least once a day while the college application process is going on. Dan, the pet shop owner, even knew I was expecting an important call and said it was fine. I also think that the boy's mom should have been keeping an eye on him. There are warning signs all over the store, including one by every snake cage that says, "Do not stick hands into cage." I mean, the boy's mother should have known better than to let her kid wander around unsupervised.

Testimony of Dan E. Mull

My name is Dan E. Mull and I am the owner of Dan's Pet Shop. I was watching

the store when I saw the little boy's hand in the cage. I ran over, but it was too late. He screamed and his mother bolted towards him. Nate, my best worker, hung up from his phone call and called 911. I allowed him to answer his phone that day, because he was expecting an extremely important phone call, and he has always been such a responsible worker. He whispers to the dogs and all of the animals love him. My customers do as well! I didn't see any harm in letting him take the call.

Then the ambulance came and asked what happened. I told them the details including what type of snake it was, and they left for the hospital. I still don't understand why the mother was so irresponsible. Her kid was a five-year-old child! You can't let a little kid roam around in a pet shop all alone! I have warnings posted all over the store that animals are not to be handled by customers. Animals can be dangerous, especially when a strange hand invades their space! What was she thinking and why did she not keep her son with her the whole time? I am not responsible for this accident and neither is my employee. The child's parent is the one at fault here for being negligent, plain and simple.

INSTRUCTIONS

The plaintiff must prove, by a preponderance of the evidence, that Dan's Pet Shop is responsible for the injuries of Mikey Fingers.

SUB-ISSUES

1. Was Mrs. Fingers negligent in not watching her young child in the pet shop where warning signs were posted?
2. Should Dan E. Mull have let Nate Alfred use his cell phone during work hours?

3. Should the pet shop be allowed to have potentially dangerous animals, such as snakes, within reach of children?

CONCEPTS

1. Contributory negligence.
2. Parental responsibility.
3. Damages.
4. Negligence.
5. Causation.

LAW

1. Danger Signs Notice Act: Posting signs at your establishment that make your customers and employees aware of your policies or the law.
2. Dan's Pet Shop Rules and Regulations: Store customers may not handle animals under any circumstances.
3. Tort Law: A child under seven cannot be deemed negligent in his/her behavior.
4. Attractive Nuisance: It states that a landowner may be held liable for injuries to children trespassing on the land if the injury is caused by an object on the land that is likely to attract children. The doctrine is designed to protect children who are unable to appreciate the risk posed by the object, by putting liability on the landowner.
5. Causation (tort law): In order to find the defendant liable, you must find the defendant's negligence was a proximate cause of the injury.
6. Contributory Negligence: A doctrine of common law that if a person was injured in part due to his/her contribution to the accident, the injured party would not be entitled to collect any damages from another party who supposedly caused the accident.



IDENTITY CATASTROPHE

CONNOR CUSHION v. ANNA STESIA AND CENTRAL TREATMENT HOSPITAL

SCHOOL

Yavneh Academy
Paramus
Grade 4
Second Place

TEACHER

Cheryl Frankel

STUDENTS

Eli Friedman
Jillian Greenfield
Yonah Hoenig
Donny Perlman
Esti Schreiber
Ayeler Yolkur

FACTS

On November 29, 2018, 12-year-old Connor (Con) Cushion fell at the Trip and Step Hotel and suffered a serious head injury. He was rushed to Central Treatment Hospital to be treated. In the emergency room, he gave his name and date of birth to Dr. Anna Stesia, the doctor on duty. She input the information into the hospital computer which contains all the hospital records of all prior hospital admissions. The records indicated that Con had been treated in the hospital six months earlier for an ankle injury and had no known allergies. Connor was screaming not to give him any medication until his mother arrived, but Dr. Anna Stesia gave him a dose of medication anyway to prevent infection and Con started to experience difficulty breathing.

Con's mother, Ally (Al) Urgies arrived at the hospital shortly thereafter. She saw Con struggling to breathe and immediately started shouting at the hospital personnel that Con had severe allergies and seemed to be experiencing a reaction to a drug. She also stated that Con had never been previously hospitalized.

An investigation determined that Con had been the victim of identity theft. Someone had used his name, birth date and Social Security number to receive medical treatment from the hospital six months earlier. It was not clear how the person had gotten hold of Connor's personal information.

As a result of the allergic reaction to the medication, Connor's lungs were severely damaged and he still has difficulty breathing. He is unable to participate in certain sports which he previously enjoyed. Connor's mother is suing the hospital for the damages he suffered and continues to suffer.

ISSUE

Are Dr. Anna Stesia and Central Treatment Hospital liable for the injuries suffered by Con Cushion?

WITNESSES

For the Plaintiff

Connor (Con) Cushion

Ally (Al) Urgies

For the Defense

Dr. Anna Stesia

John Identity

WITNESS STATEMENTS

Testimony of Connor (Con) Cushion

My name is Con Cushion. I am 12 years old. On November 29, 2018, I was at the Trip and Step Hotel with some of my friends. We sometimes go there after school because they have a really cool ice cream shop. While I was there, I tripped and hurt my head. My friends called 911 and before I knew it, I was in an ambulance on the way to Central Treatment Hospital. I was scared as I had never been in a hospital before. My friends also called my mom and she was going to meet me there.

When I got to the hospital, I was rushed to the emergency room. I gave the doctor my name and date of birth. She said she was going to give me medicine to prevent infection. I started to scream at her not to give me any drugs without my mom. I know I have severe allergies to certain drugs, although I'm not sure what they are. Doctor Anna Stesia was not paying attention to me. I tried to explain about my allergy, but she didn't listen. Of course, my records say I have allergies and I couldn't possibly have any records in that hospital. She kept telling me not to worry and that it would be okay. Suddenly, I

couldn't breathe. I felt like something was pressing on my chest and I couldn't get any air. The doctor saw that I was in distress and tried giving me oxygen. It didn't help. My mother arrived at the hospital while I was struggling to breathe. She recognized right away that I was having an allergic reaction. When she confronted the doctor, the doctor explained that my medical records from my prior hospital admission specifically stated that I had no allergies. I don't understand what they were talking about. I had never been hospitalized before!

Eventually, it became clear that I was a victim of identity theft. Doctor Anna Stesia was clearly negligent in refusing to listen to me when I told her that I was allergic and NOT to give me medication before my mother arrived. As a result of her negligence, I continue to have trouble taking deep breaths and am unable to participate in many sports that I enjoyed. I may never get better! If only the doctor had listened to me.

Testimony of Ally (Al) Urgies

My name is Ally Urgies, but my friends call me Al. I am the mother of Con Cushion. Con has had serious allergies to some forms of medication and I am very careful to make sure he does not receive these drugs. The information is included in his school records and the medical records of any doctor that has treated him.

On November 29th I received a phone call from one of Con's friends alerting me that he had been rushed to the hospital after a fall at the Trip and Step Hotel. I rushed to the hospital where Con was in great distress and having trouble breathing. I saw an open bottle of medication on a tray beside his bed. I was

appalled! How could Doctor Anna Stesia have administered this medication to my allergic son? Hadn't Connor informed her of his allergy? Doctor Anna Stesia informed me that according to Connor's medical records on file in the hospital, Connor had no allergies. I was completely baffled. Connor's medical records clearly state his allergy and he had never been a patient in any hospital before this. Apparently, someone obtained Connor's information and used it to receive medical treatment at Central Treatment Hospital. The hospital says that I should have received a statement from my insurance company detailing the services they paid for for this other person and that should have alerted me to the problem. I don't remember ever seeing such a statement. Besides, the bills I sometimes get from them are so confusing that as long as I don't owe any money, I am not concerned.

I don't know why Doctor Anna Stesia didn't listen to Connor. Because of her failure to do so, he was required to stay in the hospital for a week instead of for a few hours. He still suffers the effects of the wrongfully given medicine today. It is heartbreaking to see him unable to run on the basketball court with his friends like he used to.

Testimony of Doctor Anna Stesia

My name is Doctor Anna Stesia and I am an emergency room physician at Central Treatment Hospital. I am a graduate of New York University Medical School and have been working at Central Treatment Hospital since my graduation five years ago. I have an excellent reputation and pride myself on the medical care I give to my patients.

On November 29, 2018, Connor

Cushion was brought into the emergency room after injuring his head in a fall. He gave his name, birthdate and Social Security number which, following standard hospital procedure, was entered into the hospital computer. His hospital record from an admission six months earlier appeared and indicated that he had no allergies. I evaluated his condition and again, following standard hospital procedure in cases of head injury, administered a shot of medication. Connor did scream at me not to administer the drug without his mother's presence, but I thought this was typical behavior for a child nervous about getting a shot. I wasn't concerned about an allergic reaction because his hospital records from six months earlier said he had none. I was shocked when his mother arrived and told me he was allergic. I feel terrible for Connor but I am not responsible for his injuries. I did not deviate in any way from the standard of care accepted in the medical community.

Testimony of John Identity

My name is John Identity and I am employed in the records department of Central Treatment Hospital. I have worked there for the last 10 years. It is my responsibility to input patient information into the hospital computer system and to maintain the privacy of those records as required by law. In accordance with hospital procedure, anytime a patient is admitted certain forms must be completed. The information provided includes name, date of birth, Social Security number, insurance coverage, allergies, and medications. According to our records, 12-year-old Con Cushion was admitted to Central Treatment Hospital in May, 2018

for a leg injury. He provided all the requested information and stated that he had no allergies. His bill for the services rendered was paid in full by his insurance. Con would have had to show proof of his identity at the time.

I am shocked that when Con Cushion was admitted to the hospital in November, he claimed to have no allergies. To the best of my knowledge, this has never happened in this hospital before. We always rely on the records from prior admissions to save patients the trouble of filling out all the information again. If Con was the victim of identity theft, he or his mother should have discovered it before November. I know that insurance companies send statements to their insureds of all bills paid. Ally Urgies should have reviewed her statement and picked up on the fact that the insurance company paid for services that Con never received.

INSTRUCTIONS

The plaintiff must prove, by a preponderance of the evidence, that the defendants deviated from the accepted standards of care in the medical community, causing them injury.

SUB-ISSUES

1. Should Al Urgies have been aware from health insurance bills that Con's identity had been stolen?
2. Should Doctor Anna Stesia have listened to Con when he told her not to give him medication before his mother arrived?
3. Was Doctor Anna Stesia justified in relying on the medical records?
4. Was Con responsible for his own injuries for failing to wear a bracelet identifying his allergies?

CONCEPTS

1. Negligence.
2. Proximate cause.
3. Damages.
4. Burden of proof: preponderance of evidence.
5. Credibility of witnesses.

LAW

1. Medical malpractice occurs when a hospital or doctor through a negligent act or omission causes injury to a patient.
2. A patient has the right to expect that health care professionals will follow the standard of care that would be given by a reasonably prudent health care professional under similar circumstances.



INDIANA DRONES AND THE PROPERTY OF DOOM

DRONES v. ERR

SCHOOL

Glenwood Elementary
Short Hills
Grade 4
Honorable Mention

TEACHER

Kate Naso

STUDENTS

Chloe Benjamin
Samantha Calanog
Anthony Cassano Jr.
Richard Chen
Cathy Du
Ethan Kim

Teo Levin
Hayden Moon
Eugene Shen
Noah Snider
Oron Wang
Ian Xu

FACTS

On September 26, 2018, Hurricane Ark hit Crystal Skull, NJ. The high winds damaged many trees in the area, including the home of Owen Err on Last Crusade Boulevard. It damaged the tree in his front yard. The next day Owen Err called Teo Tree, the local landscaper, to inspect the tree. Teo revealed that the tree was in bad condition and needed to be chopped down. He put caution tape around the damaged tree to warn people away from it. Teo Tree was going to remove it the next week.

Later that afternoon, 10-year-old Indiana Drones was flying his drone. Mr. Noah Zee, the busybody neighbor who lives across the street, heard the drone and came out to see what was happening. When Indiana tried to do some fancy move, he accidentally got the drone stuck in the tree of his next-door neighbor, Owen Err.

Indiana climbed over the fence into the neighbor's yard and approached the tree which was surrounded with caution tape. Ignoring the caution tape, Indiana began to climb. When he climbed about 10 feet, he saw the drone. As he reached out for it, the limb shook, snapped, and crashed to the ground with the boy. He immediately felt pain in his leg and his head. Indiana screamed in agony.

Fortunately, Mr. Noah Zee, who saw the whole thing, called 911. An ambulance came and Indiana Drones was taken to the hospital emergency room. They took an x-ray of his leg and found it was broken. They put a cast on his leg and gave him six stitches in his forehead.

The family is now suing Mr. Owen Err because his damaged tree caused the injuries to Indiana Drones.

ISSUE

Is Mr. Owen Err responsible for Indiana Drones' injuries, even though the boy trespassed on his property?

WITNESSES

For the Plaintiff

Indiana Drones

Noah Zee

For the Defense

Owen Err

Teo Tree

WITNESS STATEMENTS

Testimony of Indiana Drones

It was a beautiful afternoon. So I decided to take my Tello drone for a spin. I asked my mom if I could go out. After she said yes, I went outside. The wind was fine for flying the small drone. It went up and down, up and down. I moved it forward and it got closer to my neighbor's yard. I tried to do some fancy move, but ended up getting my drone stuck into Mr. Owen Err's tree. I paid for the drone myself and it cost around \$200. It was my prized possession, so I had to get it back. Also, if I came home without it, I would get in big trouble.

So even though I had trespassed many times, and I know Mr. Owen Err didn't like me on his property, I still went to get it. I climbed over Mr. Owen Err's fence into his yard and snuck to the tree. It was surrounded by caution tape, but I didn't see what the danger was, so I started climbing the tree. I climbed to about 10 feet to the limb my drone was on. I lunged for the drone. Crack! The limb fell and I screamed in pain. My head hit a rock and my leg was twisted. I couldn't move because of the pain in my leg and blood was pouring from my head. My drone was

lying on the ground next to me all smashed up. Mr. Noah Zee heard me crying and called an ambulance.

At the hospital, they put stitches in my head and put a cast on my broken leg. I wish Mr. Owen Err had a sign telling me the tree was dangerous! I wouldn't have climbed it if I knew that!

Testimony of Noah Zee

My name is Noah Zee. That day I was eating lunch when I heard a slight buzzing noise, so I went outside to see what was going on. I love to know what's going on in the neighborhood. It turned out that young man, Indiana Drones, was flying his drone again. He is such an adventurous kid!

It looked like a good shiny new drone. I watched the wind pick up the drone and it got stuck in a tree. I was going to help him get it out of the tree, but he jumped the fence so fast and was climbing the tree in no time. There was caution tape around the tree, but the tree looked fine and sturdy. I started to go to help him and I heard a crack and a scream. I saw Indy on the ground with his leg twisted. I called 911 ASAP. The ambulance came and took him away. I felt sorry for him getting hurt.

Testimony of Owen Err

On September 26, 2018, Hurricane Ark struck my hometown. It damaged the tree in the front yard, so the next day I called Teo Tree, an expert landscaper, to come to my house to check my tree. Teo Tree put caution tape around the damaged tree and said he would come back next week to remove the damaged tree.

That afternoon I was sitting in my living room, just peacefully eating my donut and watching the news. I heard that annoying

kid, Indiana Drones, flying his drone again.

I ignored him and went back watching the news. I thought he was smart enough to pay attention to the caution tape and be careful, but apparently he wasn't. He still climbed the tree to retrieve the drone. It's his own fault that he got hurt. I did everything I should have as a homeowner to ensure my property was safe. Indiana should not have trespassed. If he had not ignored the caution tape to climb the tree, he would not have been injured.

Testimony of Teo Tree

Hurricane Ark hit Crystal Skull, NJ with such high winds that it damaged many trees in town. I got lots of calls from different people that wanted to get their tree inspected. I remember I was called to check on Owen Err's property. He had one tree that lost branches and seemed unstable. I followed the Crystal Skull Town Code #461, which is to put caution tape around the damaged area. I made an appointment with Mr. Err to remove the tree the next week.

A few days later I heard that a child had trespassed, ignored my caution tape, climbed the damaged tree, and had fallen. Owen Err is not responsible for this boy's actions. I followed the town code that was required after a tree was inspected and found damaged. Mr. Err is not at fault.

INSTRUCTIONS

The Drones must prove by a preponderance of the evidence that the defendant Owen Err was negligent and that the defendant's negligence caused Indiana's injuries. The Drones want Owen Err to pay for all medical expenses and the cost of the drone due to the accident.

SUB-ISSUES

1. Why did Indiana Drones fly his drone on Owen Err's property?
2. Why didn't Indiana Drones tell an adult to help him get his drone down from the tree?
3. Even though Owen Err followed town code, should he have taken better precautions for his damaged tree?
4. Should Indiana Drones have trespassed on Owen Err's property?
5. If Indiana Drones had not ignored the caution tape, would he have been injured?

CONCEPTS

1. Contributory negligence.
2. Negligence.
3. Trespassing.
4. Preponderance of the evidence.
5. Damages.
6. Parental responsibility.

LAW

1. Contributory negligence is the failure of an injured plaintiff to act prudently, considered to be a contributory factor in the injury suffered, and sometimes reducing the amount recovered from the defendant.
2. Negligence is a failure to exercise appropriate care expected to be exercised amongst specified circumstances. The area of tort law known as negligence involves harm caused by failing to act as a form of carelessness possibly with extenuating circumstances.
3. Trespassing means entering onto land without the consent of the landowner.
4. Crystal Skull Town Code #461 states that damaged trees only need caution tape around them until they can be removed.

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BREAKING POINT

STATE v. LAW

SCHOOL

Yeshivat Noam
Paramus
Grade 5
First Place

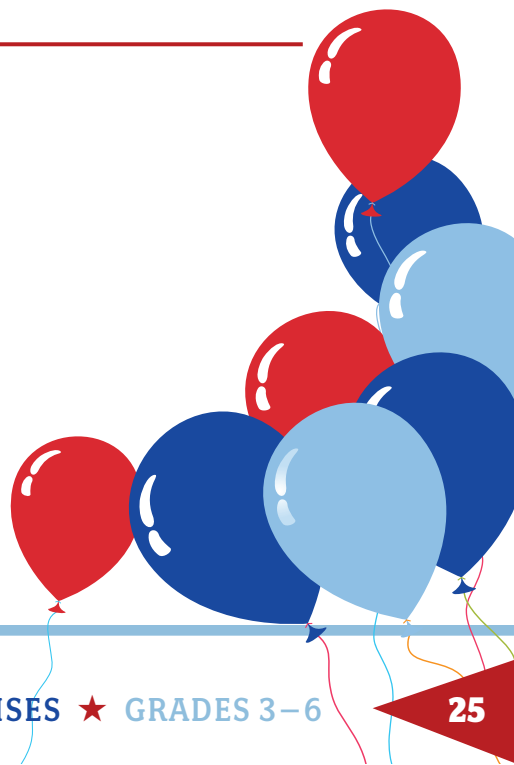
TEACHER

Margi Saks

STUDENTS

Noam Bieler
Yoni Bodoff
Zachary Cohen
Eliezer Dimbert
Ari Goffstein
Jacob Goldin
Dovi Heidings
Jonathan Kaplan
Amitai Kessler
Adiv Korn

Gabriel Melnikov
Sammy Mohl
Sam Resnick
Gavriel Saks
Saadya Schulder
Tani Shields
Eli Stein
Ilan Sugarman
Noah Weiss



FACTS

Murphy Law, a seventh-grader, had just moved to Thomas Jefferson School in Edison. He wasn't nervous because he had a lot of friends in his former school and made friends easily. On the first day at his new school, Murphy went to his class and sat down in his seat. Every time Murphy looked down at his work, he felt something hit his back. He turned around and saw Tony Tormentor throwing paper balls at his back. Every time the teacher saw this, she would quickly look away.

The next two months were like this for Murphy until he snapped. On November 21 Tony Tormentor was walking around the classroom screaming in people's ears. The teacher told him to leave but before he left, he walked up to Murphy, stopped and screamed so loud it seemed as if the windows were going to shatter. Murphy looked furious and fed up. The class started chanting "Murphy, Murphy, Murphy," cheering him on once they saw his fists go up. The class knew something was about to happen and was rooting for the underdog.

Then, in what no one could have expected, Murphy, with arms extended like loose cannons, hit Tony Tormentor directly on the nose, shattering it in three places. The class started freaking out when they saw blood everywhere and Tony laying on the floor and crying. Murphy looked shocked. The teacher restrained the boys and called the nurse. The state has charged Murphy for assaulting Tony in the classroom.

ISSUE

Is Murphy guilty of assaulting Tony Tormentor?

WITNESSES

For the Prosecution

Tony Tormentor
Mrs. Sees

For the Defense

Murphy Law
Tyler Spectator

WITNESS STATEMENTS

Testimony of Tony Tormentor

I am Tony and I was having a really bad day on November 21. My lunch fell off of my lunch tray and I did not have enough money to pay for seconds. I forgot to do my homework the night before and had to complete it during morning recess. I was really angry so I screamed. Screaming helps me get out my anger. Screaming does not physically hurt anyone. I happened to be standing next to Murphy. So I screamed in his ear, but that does not mean it is OK for him to break my nose. There is a rule in the school and in the State of New Jersey that no one is allowed to punch or hit anyone else. Murphy broke the law and my nose! I did not bully him. I never tripped him or threw things at him. I am so embarrassed to have all this tape all over my nose. I look awful. Murphy caused me a lot of physical and emotional trauma. He wronged me and should be punished.

Testimony of Mrs. Sees

I am the teacher of Tony's and Murphy's class. Tony is a very nice boy. He was having a very bad day. He had to finish up some homework during the morning recess. During the afternoon recess, the boys would not include him in their game of basketball. Murphy was in charge of the game and did not let him play. This is the same Murphy who shattered Tony's nose.

I saw Tony was having a hard time and he started screaming. Screaming, although inappropriate in the classroom, is a safe way to get out his frustration and anger. I asked Tony to leave the classroom and take a walk around the school to calm himself down. On his way out, he gave one last scream in Murphy's ear. Instead of Murphy understanding the tough time Tony was having, he punched and broke his nose. Murphy should be responsible for the injury he caused Tony.

Testimony of Murphy Law

I am a new student at Thomas Jefferson School. Tony has been tormenting me since the beginning of the year. From calling me names like "Murphy the Smurf" to tripping and throwing stuff at me. He always does this in a sneaky, quiet way and kisses up to the teacher so she thinks he is an angel. I told the teacher what Tony does to me, but she doesn't do anything. This was the last straw. This was not an act of anger, this was not assault, this was self-defense. Tony was screaming in my ear. He would not stop screaming. Why is it understandable for Tony to scream in my ear because he had a bad day and not understandable for me to defend myself from his bullying me.

Testimony of Tyler Spectator

I saw the whole thing. Tony has been throwing paper balls and calling Murphy names ever since he arrived at this school. Tony screamed loudly in people's ears. The teacher told him to leave the class but he did not. Then he yelled in Murphy's ear. Tony started the screaming; Murphy just had enough of it. Murphy then punched him and shattered his nose. Murphy looked shocked and told him he

was sorry. Anyway, I totally think Tony deserved it. While he bullied Murphy the most since he was the new kid, he was tormenting everyone for years, including me.

INSTRUCTIONS

The prosecution must convince the jury beyond a reasonable doubt that Murphy is guilty of assault for breaking Tony Tormentor's nose.

SUB-ISSUES

1. Did Murphy tell any adults that Tony was bullying him?
2. Did Mrs. Sees see that Tony was bullying Murphy?
3. Was the teacher showing favoritism to Tony at the expense of Murphy's safety?
4. Was the punch in self-defense?
5. How did the school deal with Murphy after the incident?
6. Did Tony purposely scream in Murphy's ear or just passed him as he was leaving the classroom?

CONCEPTS

1. Beyond a reasonable doubt.
2. Credibility of the witness.
3. Assault and battery.
4. Simple assault and aggravated assault.

LAW

1. 2013 New Jersey Revised Statutes Title 2C—THE NEW JERSEY CODE OF CRIMINAL JUSTICE Section 2C:12-1—Assault.
2. 2C:12-1. Assault. a. Simple assault. A person is guilty of assault if he: Attempts to cause or purposely, knowingly or recklessly causes bodily injury to another; ...

3. New Jersey Statutes (Disorderly Persons Offense): Simple assault is a disorderly persons offense punishable by up to 6 months in jail and/or a maximum \$1,000 fine.
4. Although assault and battery are technically different, The State of New Jersey will charge you with aggravated assault due to causing bodily injury if you committed a criminal battery. Battery requires physical touching.



THE GREAT LIGHT FIGHT

NATALIA JOY v. TOWN OF LUMIERE, FL

SCHOOL

Valley View Elementary
Montville
Grade 5
Second Place

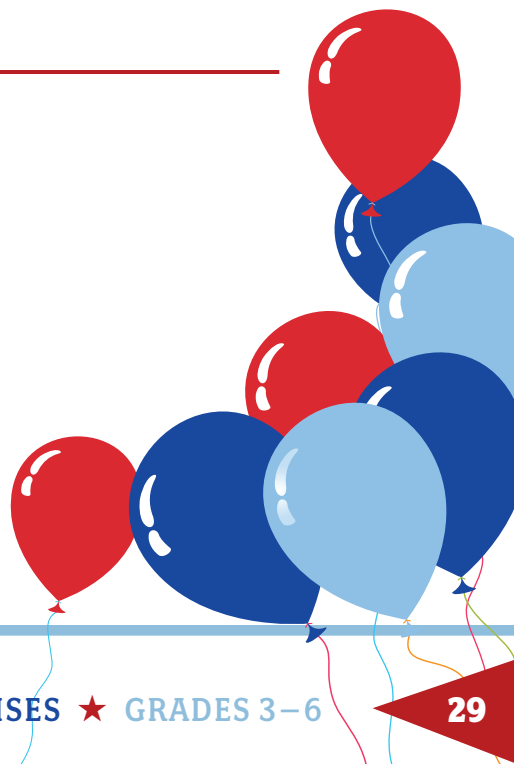
TEACHERS

Jessica Burke
Carolyn Ford

STUDENTS

Carina Buonsanto
Amitha Gavvala
Victoria Gomes
Rijul Hadawale
Nicole Hafley
Natalie Lovaglio
Daniyal Mohammed
Anisha Mulinti

Cecilia Romary
Shaan Shah
Karina Siegel
Christina Suppa



FACTS

On November 10, 2018, the town of Lumiere, FL passed an ordinance that limits the amount of decorations on the outside of residential property. Specifically the ordinance states, on each property, there will be no more than 1 inflatable decoration; no music or sound system; no blinking lights; lighting limited to 1 string of lights or no more than 200 bulbs; decorations at least 10 feet back from the road; no decorations on the roof. Additionally, the ordinance states that decorations may be put up on December 1st and must be removed by January 1st of the following year.

The town council voted for this ordinance in response to citizen complaints concerning a specific neighborhood that has, in the past, put up thousands of lights and decorations and played music during the Christmas holiday season. The town claims the excessive decorations cause stress on local law enforcement, endanger public safety, and take away from business in the center of the town.

A local resident, Natalia Joy, who also owns a business in town, is suing the town claiming that the ordinance is harmful to the development of the town community and violates the First Amendment Right to freedom of religion and freedom of expression. She feels this interferes with her pursuit of happiness, another American right.

ISSUE

Is it legal for the town council to limit the exterior decoration of personal residences, particularly decorations relating to holidays?

WITNESSES

For the Plaintiff

Natalia Joy
Matthew Fields

For the Defense

Mayor Morris Blokker
Lillian Petite

WITNESS STATEMENTS

Testimony of Natalia Joy

Hi. My name is Natalia Joy. I am a longtime resident of Lumiere and I own a small holiday business in town called Joyful Holiday Decor.

In my store I sell a lot of holiday decorating supplies, indoor and outdoor, so I think the traffic these displays bring to town help my business...a lot! Like many businesses, Christmastime is my most profitable season. Without the lights, I won't have a successful business. If the town limits the decorations people can put up, my store will lose a lot of business.

I have been in business here for many years and enjoy being part of the business community and helping this town to grow. However, I believe that this law will cut my sales by approximately 40%; this could ruin my store!

I believe the lights bring joy to our town; they attract people to town. Everyone looks forward to this time of year! I feel that this ordinance is targeting the Christmas holidays, as it only limits displays in the month of December, and that is unfair to Christians who like to celebrate their faith with displays.

Also, as a resident, I enjoy living in a town where people can share their holiday spirit. When I'm having a bad day, the lights and music cheer me up. When I put up lights at my house, it attracts people to

my neighborhood. I love that people come to see the displays and visit; I've met a lot of people because of the displays and made many friends.

I think activities like this help to bring our community together and help us all to develop pride in our town. This is why this ordinance is wrong for our town.

Testimony of Matthew Fields

My name is Matthew Fields and I am the coordinator for the town's recreation department. As a Christian, I believe it is appropriate to celebrate the holidays by putting up lights and decorations. That is an important right in America; the ability to practice our religion as we want.

Every year my family decorates with lights, a tree with "snow," and a beautiful nativity scene on the front lawn. We enjoy creating our display every year; the whole family participates in the planning and decorating. It's become a family tradition that my children look forward to more and more every year. And remember, we live in Florida. If we don't put up displays to remind ourselves of the season, we might forget about the wonder of snow, fir trees, Santa, and reindeer!

Our family just loves to get creative and share our joy for the season on our own property. Isn't that the American way? We bought our own house and practice our religion on our property; what is wrong with that? And, even if it's not about religion, isn't it our right to share what brings us joy with others...on our own property? It doesn't make sense that I shouldn't be able to decorate my property simply because other people want to come and enjoy it. I believe that would be the right to freely express ourselves...isn't that in the Bill of Rights too?

Also, I think that community activities like these have actually raised property values in our town. When we do things like this as a town, we build our community, we get to know our neighbors, we look out for one another and become friendly. Because of events like this, crime is going down. Our community is like one big family, you can feel it! It's made our town so welcoming and that has raised our property values. People want to live in a town that shares traditions openly and respectfully.

My wife Noelle is the principal at the local elementary school. She tells me all about how the kids at school get so excited during the holidays and how much the school community benefits from the positive spirit in town. In her school, they decorate their classrooms, sing holiday songs, and support the local Toys for Tots campaign. These are holiday-based activities, is the town going to limit them too? That certainly wouldn't be right.

It's such a wonderful feeling to live in a community like this, where we all share our holiday spirit so openly. Most families I know just love it; you can feel the happiness!

When people come to see the decorations in our town, I see smiles on their faces. That's the spirit of the season; that's the spirit of community, and that's why this ordinance clearly limits our rights as Americans to express our beliefs and to pursue happiness.

Testimony of Mayor Morris Blokker

My name is Morris—most people call me Morrie—Blokker; I am the mayor of Lumiere. I support this ordinance because it addresses many problems that occur in our town as a result of excessive

decorations around the holidays. One issue is that some of our businesses are actually losing money because of the excessive decorations. Apparently, everyone bypasses the center of town where our stores are located, and goes straight to the neighborhoods with decorations. Our downtown is not mixed in with these houses; it's downtown! Some of those houses give out candy, so even our candy store is losing business!

Another important reason I think we need this ordinance is that there is too much traffic caused by these displays. The roads in that area get clogged and no one can get through. If there were an emergency, first responders could not get through and that is a safety hazard that the town can and should prevent.

Additionally, the large crowds that these displays attract have caused problems in the past. They disturb whole neighborhoods! In fact, last year we began providing police assistance to these neighborhoods because the crowds are so out of hand. Our police officers need to direct traffic so that the people on foot are not in danger from all the cars. Plus, most of these people are from out of town; to do our job protecting the citizens of Lumiere, we need to monitor crowds of unknown people carefully. This means that our police department has to work overtime because these patrols are in addition to our regular duties. That costs a lot of money!

And that's not the only cost! Last year we also decided to add mobile lights to make the patrolman and the pedestrians more visible at night. This is important for everyone's safety, but lights require electricity—which is expensive!

I think as long as we're talking about costs, I should mention that when the

town council was discussing whether or not we should pass this ordinance, the public expense of these displays was one factor. If these displays are allowed to continue without limitations, the town will have to raise taxes to cover the added expenses. By passing this ordinance, we will not have to ask the taxpayers for more money; that's always a good thing...right?

Now I understand that people like holiday lights and all, but really it's just too expensive and dangerous for a small town like ours. I am concerned about the well-being of the entire town of Lumiere and that's why this ordinance is a good idea.

Testimony of Lillian Petite

My name is Lillian, you can call me Lil. I have a boutique in town that sells women's clothing; it's called The Trend. I love what I do, selecting trendy clothes and making the women who shop here look gorgeous and fashion-forward. It's so rewarding!

Unfortunately, nobody comes to my shop when those decorations are up! Everyone ignores my shop; they are preoccupied with seeing the displays! Because people are attracted to these homes outside of town, I am losing money. Last year, during the holiday months, my sales were down 25%! Down by 25% during the busiest shopping season of the year! That's not good!

Each year, these displays get bigger and bigger; I even heard one of the families has requested to be on that TV show, *The Great Holiday Light Fight*! Unfortunately, I think this will put a lot of businesses like mine out of business. I don't think it will be good for our community if that happens—our downtown area will be store-less!

More importantly, I believe these

holiday displays violate my rights as an American. I am a Jehovah's Witness; I do not celebrate any of these holidays: Christmas, Easter, Hanukkah, whatever! Why should people be allowed to disturb my life and business just because they want to show off their beliefs? These holiday fanatics disrupt the lives of normal people like me because they create such crazy displays that attract traffic to the wrong parts of town and ruin our businesses. That is unfair to people who find these displays unnecessary.

Finally, as Morrie Blokker mentioned, the town is going to raise our taxes if these displays continue. I don't think I should have to pay more money in taxes just so that some people can show off their religious beliefs. This new ordinance is the best way to protect my rights as guaranteed in the Constitution! And to save my finances!

INSTRUCTIONS

The plaintiff must prove by a preponderance of evidence that this ordinance limits the citizens rights to freely practice their religion, freely express themselves, or interferes with the individual's right to pursue happiness.

SUB-ISSUES

1. Is it fair that this ordinance only applies to the month of December? Does that mean decorations may be put up in the other months without any of these limitations?
2. What if a business wants to put up these types of decorations? What if a business is run from a home?
3. Why do decorations have to be 10 feet from the road?
4. Do decorations like these really pose a

"hazard" or put people's safety at risk?

5. Should town council decisions be influenced by businesses in town? Which businesses should have more influence?
6. Can't business owners make decisions to improve sales if needed when seasons change?
7. How much can the town raise taxes for expenses like these?
8. Do community activities like these develop community spirit and lower crime? Is the town council responsible for helping to develop community spirit?
9. Does decorating for the holidays qualify as a way of "practicing" religion? Or does decorating for the holidays qualify as the American right to freedom of expression?

CONCEPTS

1. Preponderance of evidence.
2. Credibility of witness testimony.
3. The Declaration of Independence states that "Life, Liberty and the pursuit of Happiness" are unalienable rights.

LAW

In the state of Florida, towns are permitted to regulate displays on personally owned property; this is based on the 9th Amendment which allows local government to decide issues that are not covered by federal and state laws. Additionally, the First Amendment allows for freedom of religion and freedom of expression, including the ability to express yourself or your religion as you please, as long as it does not interfere with another's rights to do the same.

The ordinance passed by the Lumiere town council specifically states that

holiday displays on personal property must meet specific standards set by the town council or the property owners will be subjected to daily fines. The standards include: there will be no more than 1 inflatable decoration; there will be no music or sound system; there will be no blinking lights; lighting is limited to 1 string of lights or no more than 200 bulbs; decorations must be at least 10 feet back from the road; there will be no decorations on the roof; decorations may be put up on December 1st and must be removed by January 1st of the following year.



THE CASE OF THE DRONE DISASTER

THE CANT'LIE FAMILY v.
TREND WEEKLY MAGAZINE

SCHOOL

Demarest Elementary
Bloomfield
Grade 5
Honorable Mention

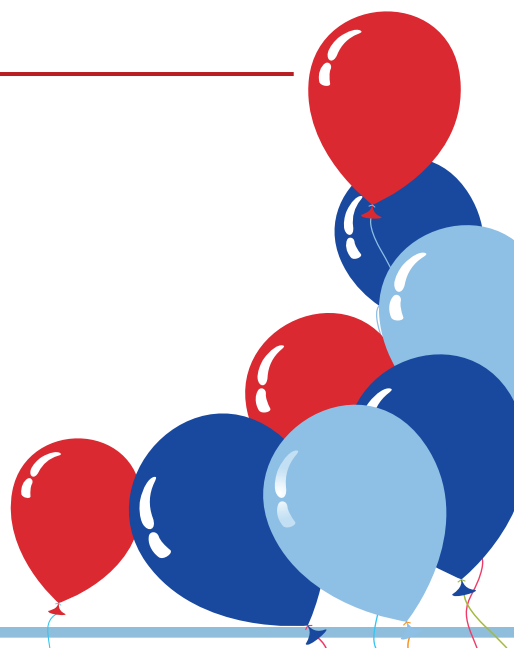
TEACHER

Jessica Cappello
Karen Magliacano
Lorajean Tice

STUDENTS

Aria Abalos
Benjamin Cholet
Nina Foncello
Zaid Hamdan
Hayley Jackson
Nicholas Johnson

Jongchan Lee
Megan Lu
Reese McGowan
Fiona O'Broin
Lilah Velez



FACTS

At approximately 7 p.m. on July 4, 2018, a reporter for *Trend Weekly* magazine named Jesse Tatum was covering a private fireworks show at Snobby Shores Country Club in New Jersey. Her editor, Penny Parker, had requested she take pictures of the famous singer, Jason Beaver, who was going to sing the National Anthem at the event.

The crowds at the show were very large and the view of the stage was obstructed. Jesse's assistant, Kamilla Cammera, was going to fly a drone over the stage where they could get an aerial look at the celebrity. The area to the left of the stage had been taped off earlier in the day by the staff at Snobby Shores to ensure guest safety. Jesse and Kamilla stepped through the tape to gain better access to the stage.

As Jason Beaver finished his song, fireworks were to be set off to begin the celebration. Kamilla Cammera was unaware of this and wasn't able to remove her drone out of the area fast enough. A firework hit one of the drone's propellers, sending it tumbling down through the sky.

At the same time, five-year-old Cristian Cant'lie was bouncing a tennis ball and it rolled into the restricted area. Cristian followed the tennis ball behind the ropes that surrounded the restricted area. Mrs. Cant'lie, Cristian's mother, had just received a phone call from her boss. The noise from the fireworks left her unable to hear clearly and she stepped away to take the call, leaving Cristian with her good friend, Amanda Springs. Mrs. Cant'lie came back just in time to see a drone tumbling down toward her unsuspecting son and he was struck in the head.

Cristian incurred several lacerations on the forehead along with a mild concussion

and was taken to Mountainview Hospital where he was treated for his injuries. The Cant'lie family is suing *Trend Weekly* for all of their son's medical bills.

ISSUE

Was *Trend Weekly's* reporter's and her assistant's negligence and disregard for posted warnings directly responsible for the injuries suffered by Cristian Cant'lie?

WITNESSES

For the Plaintiff

Mrs. Cant'lie

Cristian Cant'lie

For the Defense

Jesse Tatum

Kamilla Cammera

WITNESS STATEMENTS

Testimony of Mrs. Cant'lie

My name is Elizabeth Cant'lie. My son and I were going to the Fourth of July celebration at Snobby Shores Country Club. I brought a ball for Cristian to play with in case he got bored while Jason Beaver was singing. He was playing with his ball when I received an important phone call from my employer. I answered, but couldn't hear him well because of all the noise. So, I stepped out to take the call, leaving him with my friend, Amanda Springs. His ball rolled into the restricted area, and he ran to get it. The fireworks started going off, and one of them went sideways and hit a drone that Kamilla Cammera was flying for *Trend Weekly* magazine. The drone fell onto my son, and as a result, he incurred a mild concussion and many bruises and scratches. I am suing *Trend Weekly* magazine for flying their drone too close to the fireworks and

injuring my son. I want them to pay for his hospital bills as well. This should never have happened! I am lucky that he wasn't more seriously injured.

Testimony of Cristian Cant'lie

My name is Cristian Cant'lie. At the time of this incident, I was just tossing my tennis ball around. It then rolled into a patch of grass by a place surrounded by yellow tape. I ducked under the tape, and picked up my ball. All of a sudden, from the sky above, I heard a loud BOOM! I looked up to the sky. I saw a bright flash from above. People started to scream. I could not hear what the people were yelling, so I stayed where I was. It just looked like another awesome firework. Why were they going crazy?

Then, *whoosh!* A weird-looking plane came down and hit me on the head. I don't remember that much, but I do remember my head hurt a lot. I also remember seeing bright blue and red lights coming towards me and very loud sounds. I was getting a terrible headache. I recognized my mom's voice. She didn't seem calm, though. She was yelling and crying. I was getting dizzy and tired. So many people were surrounding me, and most were wearing white with red plus signs on them! I dozed off and, when I woke up, I was in a hospital. I had a big Band-Aid on my forehead. It hurt a lot!

Testimony of Jesse Tatum

My name is Jesse Tatum. On the day in question, I was instructing my assistant, Kamilla Cammera, on where to fly the drone. We were aiming on trying to get a closeup view of pop superstar Jason Beaver. What we didn't know, was that the Recreational Department that was running

the show was planning to start the fireworks right after the song. We thought we could fly the drone right above the stage without causing trouble. After the final verse of the song, I heard a loud *crack!* I saw our drone was on fire and was wobbling uncontrollably in the air. It came down fast and flew into the crowd. We saw people running around and screaming.

When we got to the scene, I saw a little boy lying on the ground. He was unconscious and had several cuts and bruises on him. I got very nervous, and I feared that our drone had hit the little boy and badly hurt him.

This was fully Mrs. Cant'lie's fault for being unaware of her child's whereabouts. I cannot believe she left her young son unattended in a large crowd during such a big event! There was yellow tape all around the area he was in! Why didn't he know that the tape meant danger? Didn't this mother teach her son anything about staying safe? My company is in no way at fault for this incident!

Testimony of Kamilla Cammera

My name is Kamilla Cammera. I was responsible for flying the drone close to Jason Beaver to get a picture of him. I was simply following my instructions, and the owner of Snobby Shores did give me a small sum to fly my drone. When Jason was done singing, they shot the fireworks right away, and I didn't have time to fly my drone back to the ground safely. I didn't know that they would set them off right after the show because the owner of Snobby Shores did not mention this to us when we originally spoke.

I believe Mrs. Cant'lie was irresponsible for not taking care of her child. If she had been supervising him, her child would not

have run off into the restricted area or gotten hurt. It is Mrs. Cant'lie's fault for being careless about her child's safety and *Trend Weekly* should not have to help pay for medical costs.

INSTRUCTIONS

The plaintiff must prove by a preponderance of the evidence that *Trend Weekly's* negligence and recklessness directly caused Cristian Cant'lie's injuries.

SUB-ISSUES

1. Was Mrs. Cant'lie negligent by leaving her child during a crowded concert and fireworks display?
2. Was Snobby Shores Country Club negligent in not informing Jesse Tatum and Kamilla Cammera that they would start the fireworks immediately after the song?

CONCEPTS

1. Contributory negligence.
2. Parental responsibility.
3. Damages.
4. Negligence.
5. Causation.

LAW

1. Danger Signs Notice Act: Posting signs at your establishment that make your customers and employees aware of your policies or the law.
2. Tort Law: A child under seven cannot be deemed negligent in his/her behavior.
3. Causation (tort law): In order to find the defendant liable, you must find the defendant's negligence was a proximate cause of the injury.
4. Contributory Negligence: A doctrine of common law that if a person was

injured in part due to his/her contribution to the accident, the injured party would not be entitled to collect any damages from another party who supposedly caused the accident.



BLACK v. WHITEMAN AND THE LOS ANGELES POLICE DEPARTMENT

SCHOOL

Luis Munoz Marin School for Social Justice
Newark
Grade 6
First Place

TEACHER

Bridget S. Charles

STUDENTS

Mariya Carlo
Roselynn Lopez-Erazo
Tanae Meeks
Allessa Mina
Zuleika Payamps
Lesly Torres
Shelsea Valle
Daniel Vallejo
Nataysia Williams

FACTS

On Thursday, March 8, 2018, a married black couple, Marquise Black and Diamond Black, were driving to a fancy restaurant named Titanic in Los Angeles to celebrate Diamond's 24th birthday. In the car, Diamond thought her hair looked messy, so she tidied up her hair. As she was doing so, her Transformable Hair Brush Three-in-One fell onto the floor of the car just as they got pulled over by Police Officer Lillian Whiteman. Marquise did not understand why he was being pulled over, when just yesterday he went to the Motor Vehicles Inspection Center, and they said that the car was perfectly fine.

They had been riding along in the car, talking and laughing, when suddenly they saw flashing lights behind them, and knew it was the police. Marquise pulled the car over onto the shoulder of the road. He wondered what he had done to be pulled over. As he waited for the officer to approach the car, Marquise being a gentleman, and knowing that the brush was on the floor, bent down to pick it up. As he picked up the brush, Police Officer Whiteman asked for Marquise to step out of the car. Marquise still had the brush in his hand as he obeyed the police officer's command. Officer Whiteman said she thought the brush was a gun, so she pulled out her service revolver and shot Marquise Black straight into the chest with no questions asked.

Officer Whiteman called the ambulance through her Baofeng BF-S112 Two-Way Radio Speaker, stating "We have someone lying shot outside a car." The ambulance came straightaway and rushed Marquise to the hospital. He was bleeding profusely, and had to be taken into surgery immediately for an emergency operation. The surgeons had to make a quick

decision, so they put Marquise in a coma to stabilize his vital organs, and keep him alive. When Marquise emerged from the coma, he was paralyzed from the waist down, and the doctors said he would remain that way for the rest of his life.

Mrs. Diamond Black is suing for \$5 million to pay for her husband's medical expenses. She is asking for additional sensitivity training for LAPD Police Officers. Mrs. Black is also demanding that Officer Lillian Whiteman be fired from the Los Angeles Police Department, and for her never to be allowed to work as a police officer again.

ISSUES

Did the police officer shoot Mr. Black because of his skin color?

Was the gun faulty?

WITNESSES

For the Plaintiff

Diamond Black
James Robinson

For the Defense

Officer Lillian Whiteman
Michael Stevens

WITNESS STATEMENTS

Testimony of Diamond Black

My name is Diamond Black and I am here fighting for my husband's rights and justice. My husband, Marquise Black, was in a coma for six weeks, and now he is paralyzed for life. This has damaged our quality of life severely. My husband and I were planning to have children, and now that may not even be possible. Even if we have a child in the future, Marquise can never be a "normal" dad—running around with his child at the park, or even dropping off and picking up the child from

school. There are so many things that Marquise can never do. Truthfully, I can no longer have a happy life with my husband, all because of the color of our skin. I am demanding justice today!

On Thursday March 8, 2018, my husband and I were on our way to the Titanic restaurant to celebrate my 24th birthday. I believed my hair seemed horrible at the moment, so I leaned over to grab my Three-in-One Transformable Hair Brush out of my purse. However, it accidentally fell onto the floor of the car. All of a sudden, my husband was pulled over by a white police officer named Lillian Whiteman. He and I did not understand why we were being pulled over when just yesterday he had gone to the Department of Motor Vehicles to make sure the car was in perfect condition.

The reason we got pulled over wasn't because of the car, it's straightforwardly because of our skin tone. My husband realized that my hairbrush was still laying on the floor, so being a gentleman, he bent over and picked it up. Once he picked up the brush, Officer Lillian Whiteman asked him to get out of the car. My husband attempted to follow the directions, but he still had the brush in his hand. Suddenly, the officer shot my husband in the chest, and that was a horrible experience to witness. That was the worst day of my life.

Officer Lillian Whiteman claims that she is innocent, but she is not. She shot my husband in cold blood at point blank range. What she did after shooting him was calmly call the ambulance saying these exact same words, "We have someone laying shot outside a car," through her radio speaker. The ambulance came and rushed Marquise right away to the hospital. The doctors asked for my consent for him to go straight into surgery and I

said yes, so I said my goodbyes. I also agreed that it would be best if they put him into a coma to allow his internal organs to absorb the shock as a result of the shot, so they did. My husband was put into a coma for six weeks. When Marquise was brought out of the coma, the surgeons tested him extensively. They said that he would be paralyzed from the chest down for the rest of his life. Consequently, Officer Lillian Whiteman and the LAPD are responsible for my husband's injuries, and must make retribution.

I am suing for \$5 million for my husband's medical expenses and punitive damages. I am demanding for Officer Lillian Whiteman's badge to be taken away by the Los Angeles Police Department, and that all police officers must receive sensitivity training regarding racial profiling. I also demand that Lillian Whiteman is never allowed to be a police officer again anywhere in the United States of America.

Testimony of James Robinson

My name is James Robinson, and I am a paramedic at Mountaintop Hospital. On March 8, 2018, my partner and I hurried to the scene of a shooting on SR (State Road) 170: The Hollywood Freeway. When we got there, we realized that a police officer was involved. As a matter of fact, Officer Lillian Whiteman had shot a motorist named Marquis Black. He was losing a lot of blood, so we rushed him to Mountainside Hospital. The surgeons operated on him immediately, and after his emergency surgery, they placed him in a coma so his body could heal.

All I know is that Officer Whiteman kept saying over and over. "He had a gun. I saw him with a gun." There were many police vehicles and several police officers on the scene by the time I got there. There

was no gun found at the scene of the scene of the accident. The wife of the shooting victim kept saying that her husband did nothing wrong. She said he did not have a gun, and that he was just picking up her hair brush from the floor of the car when Officer Whiteman shot him. Mrs. Black kept saying, "Why? Why? Why?" The police officer did not respond to her questions. From what I could see as I arrived on the scene of the shooting, Marquise Black's body was laying half in and half out of the car.

Testimony of Officer Lillian Whiteman

I am Officer Lillian Whiteman from the Los Angeles Police Department. I am trying to make Los Angeles a better, safer environment for all. I have never in my five years of working as a police officer ever had an incident where I have had to shoot at an individual.

On March 8, 2018 I was being accused of attempted murder because of Mr. Black's race. This is absolutely wrong. I had no intention of physically harming Marquise Black because of his race. I simply tried to solve a different case.

I got assigned on my Baofeng BF-2112 Two-Way Radio Speaker to a robbery on SR (State Road) 170: The Hollywood Freeway. I was informed that the vehicle in the robbery that got away was a Black Mercedes Benz on SR 170. The vehicle that Diamond and Marquise Black were in was the same make and model vehicle as the one that the thieves utilized in evading the police. Due to the BOLO (Be on the lookout) message, I pulled over the Blacks' vehicle. There was nothing wrong with the car from what I could see, and again, all I was trying to do was to apprehend a suspect.

I pulled Marquise and Diamond Black

over onto the shoulder of the road. As I stepped out of my police vehicle, I patted my gun, the Glock 22, because I had no idea if the occupants of the vehicle were armed or not. I did not know what to expect. I asked the driver to show me his license and registration. I then realized that Marquise Black fit the description of the robber that was transmitted over the radio. I asked for him step out of vehicle. I saw that he had something in his hand that looked very much like a gun. I was standing there thinking he was going to shoot me with it, the way he was holding it.

He raised the gun and I thought he was pointing it at me, and that is when I felt very scared about what would happen next. It gets very tricky here, because I don't remember pulling the trigger. It all happened so fast. The gun must be faulty, because the next thing I knew I shot Marquise before he had a chance to shoot me.

When Marquis Black's body fell onto the ground, I realized that the gun was just a hairbrush that looked like a gun. I immediately called for an ambulance to pick him up. I remained calm, and followed all the protocols and procedures that I learned at the police academy.

I felt so badly after the incident occurred, and I apologize for everything. Everyone makes mistakes in life, and this was one of my major mistakes. I don't think that the Los Angeles Police Department should be held accountable for my mistake, and I don't think I should be labeled a racist. I take full responsibility for my actions, but I should not lose my job over a mistake. The shooting was not intentional or racially motivated.

Testimony of Michael Stevens

My name is Michael Stevens, and I am a firearms expert. I work at Decreed

Professional Aim in Los Angeles. I am testifying on behalf of Officer Lillian Whiteman. I am familiar with many different types of guns, such as the Glock 22, AK-47, SIG Sauer, P226, and many more guns. In this case, the Glock 22 was the gun that was used in the unfortunate incident during a traffic stop on Thursday, March 8, 2018.

The gun known as the Glock 22 is a very sensitive weapon, and when Officer Lillian Whiteman was on duty and pulled over a male driver, she got her gun out just in case she had to use it in self-defense. Officer Whiteman had her finger on the trigger, and when the male picked up what later turned out to be a brush, the situation escalated, and the officer quickly reacted.

In Los Angeles things can escalate very quickly, so Officer Whiteman had to make a snap decision. In the tense moment, she must have inadvertently applied a little bit more pressure on the trigger, and the gun fired. It happened in a split second, and like I said before, the Glock 22 is a very sensitive gun. The police have a very tough job to do, and Officer Whiteman had to make a difficult decision.

INSTRUCTIONS

The plaintiff must prove by a preponderance of evidence that Officer Lillian Whiteman failed to perform her duties to protect and serve the public, and that she shot and paralyzed Marquise Black due to racial prejudice and lack of proper training.

SUB-ISSUES

1. Did Officer Whiteman have a valid reason for pulling Marquise Black over?
2. Is Officer Whiteman prejudiced against black people?

3. Has Officer Whiteman ever been brought up on charges of racial profiling?
4. Was Marquise Black obeying the officer's orders when she shot him?

CONCEPTS

1. Police brutality.
2. Racism.
3. Credibility of witnesses.

LAW

The Alvin W. Penn Racial Profiling Prohibition Act prohibits police officers and law enforcement agencies from engaging in racial profiling (CGS § 54-11 et. seq.). This means they cannot stop, search, detain, interdict, or treat people differently solely because of their race or ethnicity. And they may not use a person's race or ethnicity as the sole factor (1) in determining probable cause for an arrest or (2) constituting reasonable suspicion that an offense was, or is being committed, so as to justify the detention of an individual or an investigatory motor vehicle stop. The law prohibiting racial profiling contains no penalties for police or law enforcement agencies that violate it.

The law requires police departments to (1) adopt written policies prohibiting discriminatory stops, searches, and detentions and (2) collect and provide annual data on traffic stops, offenses, dispositions, and complaints of discriminatory stops to the African American Affairs Commission and chief state's attorney. Since 2003, the law has also required the commission to review the data and submit annual reports to the governor and legislature on the prevalence and disposition of discriminatory traffic stops and related complaints.



THE CASE OF THE CHOKING CHICKEN NUGGET

CHASE CHOKEN v.
HENRIETTA HEIMLEEK

SCHOOL

Veterans Memorial Middle
Brick Township
Grade 6
Second Place

TEACHER

Elayne Reilly

STUDENTS

Katherine Andras
Julianna Azzarello
Madelyn Barrera
Luca Buckno

Nathan Devlin
Arthur Ehrmantraut
Makenna Ellis
Kayla Elmer
Summer Reilly
Michael Townley

FACTS

At Mystery Meat Middle School (aka “MMM”), the sixth-grade students eat lunch in a large cafeteria. During any given lunch period, over 200 students are “enjoying” their lunch with a minimum of four teachers supervising and a maximum of 10 teachers supervising. “MMM” is known by the students for having horrible food sold in their cafeteria.

On September 18, 2018, Chase Choken forgot her lunch at home and had to buy the school lunch. It was “chicken” nugget day. Chase Choken sat down with her friend, Fred Frenchfryz, and started to eat the chicken nuggets. Within moments, Chase’s face turned pale and her lips turned blue; she could not breathe. Her hands went to her throat and no sounds were coming out of her mouth. Mrs. Hiemleek, a teacher at the school who was on cafeteria duty, came running to her rescue and performed a lifesaving procedure known as abdominal thrusts (formerly known as the Heimlich maneuver) to clear Chase’s airway. Chase spit out the undigested nugget, but suffered multiple fractured ribs. Chase and her parents are suing MMM for negligence, child endangerment, and for the cafeteria’s inedible food.

ISSUE

Is Henrietta Hiemleek responsible for the fractured ribs suffered by Chase Choken or is she a hero who saved Chase Choken’s life?

WITNESSES

For the Plaintiff

Chase Choken
Fred Frenchfryz

For the Defense

Henrietta Hiemleek
Lisa Lunch Lady

WITNESS STATEMENTS

Testimony of Chase Choken

My name is Chase Choken. I am in court today to sue my school for making inedible food and for my fractured rib cage from one of the staff members, Mrs. Hiemleek. I am in the sixth grade and go to Mystery Meat Middle School, but we all call it MMM, which doesn’t really make any sense since the food is so horrible. Our school is known for the disgusting cafeteria food. On September 18, I forgot my lunch, and I had to buy. It was chicken nugget day. I was starving, so I had to eat something. When I was attempting to chew my “chicken” nugget, I started choking. My friends were goofing around and all six teachers were talking. Finally, a teacher named Mrs. Hiemleek performed the abdominal thrusts. I managed to stop choking, but suffered a fractured rib cage.

The teachers supervising the lunch room were being neglectful and ignored me. Isn’t the point of having teachers in the cafeteria to keep the children safe? Mrs. Hiemleek is a very strong woman, which is one of the factors of the cause of my fractured rib. After I stopped choking, I had to go to the nurse. I was in so much pain I had to leave school early and go to the emergency room! There, I got an X-ray and I was told I had multiple fractured ribs.

Don’t get me started on how painful the experience was! Just imagine having to eat gross cafeteria food, and the next thing you know you can’t breathe! I tried to call for help, but I couldn’t make a sound! Nobody knew what was going on! I felt so much pain that day. The worst part was

that I had to wait for a teacher to notice me. I couldn't tell anyone I needed help. After a while, Mrs. Hiemleek came up to me and helped me stop choking, but she left me with fractured ribs. Now I can't play any sports! So the reason I am in court today is to sue Henrietta Hiemleek and the school for being negligent, serving horrible food, and leaving me with pain and suffering.

Testimony of Fred Frenchfryz

My name is Fred Frenchfryz. I am in sixth grade. I have been here at Mystery Meat Middle School, also known as MMM, for something like two weeks by now. I went to the same elementary school as Chase, and I have known her since third grade. The food was awesome at our elementary school, at least compared to Mystery Meat Middle School, and as far as I know, there were never any choking incidents. Chase and I have always sat next to each other, ever since third grade to now, and she has never choked on her food before.

I do not know how the school lunch tastes because I never bought before, but it does not look promising. Like, how do you burn AND freeze a chicken nugget at the same time?! One thing that I can say is that the lunch lady is not too fond of me. I may have started a food fight before...so this whole thing is probably going to be blamed on me when she speaks.

When Chase sat down at the lunch table, I looked at that chicken nugget and said, "How do they keep the flies out of the cafeteria? They let them taste the chicken nuggets." Chase started to giggle while attempting to eat the nugget. I turned my head for a second, and when I turned back to face her, she was turning blue, and she

was speechless. The teachers sent me straight to detention because they thought that I made her choke. Although I do get in trouble sometimes, the chicken nugget was so bad, it made her choke! When the chicken nugget came out of her mouth, it looked like a piece of coal.

On that day, I personally believe that Mrs. Hiemleek was extremely rough performing the procedure on Chase. The one thing that I did observe is that Mrs. Hiemleek was holding her finger after the procedure. I tried to give it a better look and to me it looked pretty swollen. She may have done it incorrectly, and injured herself in the process.

It is 100% the school's fault Chase choked on that chicken nugget. I am probably more devastated in this situation than her because it was terrible what she had to go through, and a fractured rib... ouch!

Testimony of Henrietta Hiemleek

My name is Henrietta Hiemleek. I have been the librarian at MMM for 23 years. I was on cafeteria duty on September 18, 2018. In all my years at MMM, I have been assigned lunch duty for about 10 of my 23 years. On lunch duty, I am expected to keep students safe and make sure they are following the rules. Something that has come in handy is that I know how to do abdominal thrusts (formerly known as the Heimlich maneuver). So far, I have only had to perform abdominal thrust four times. In all situations, the blockage was partial and the students made full recoveries.

I was on cafeteria duty on Tuesday, September 18, supervising my assigned section, when I noticed that Chase Choken's face was turning blue. I dropped

my coffee and ran across the cafeteria to help. When I got closer, I realized Chase was unable to breathe. Chase was doing the universal sign for choking, her hands were at her throat. When I asked her if she was okay, she was incapable of answering. So I placed my hands below her ribs, but above her belly button, and thrust upwards twice. The undigested chicken nugget flew out of her mouth. I was so relieved and happy because I had saved her life. I walked Chase down to the nurse's office. She was visibly shaken and crying from the scary experience.

Later, I heard that Chase was blaming everything on the lunch lady and myself. Lisa Lunch Lady and I have been very good friends for 19 years. She is a very good cook and would never try to harm a student or make bad food. I was only trying to help Chase that day. I was the one who noticed she was unable to breathe. I did what I had to do to save her life. In fact, Fred Frenchfry and his goofy antics were probably the cause of Chase's choking. Fred was stacking spoons on his nose and making Chase laugh.

I believe that Chase is simply overreacting. What would you have done if you were in my place, and you saw someone who needed help, and you had the capability to help them?

Testimony of Lisa Lunch Lady

My name is Lisa Lunch Lady. I have been a lunch lady at MMM for 20 years. I have always loved cooking, and I finally got my dream job at this school when I was 32 years old. Since that time I have never gotten any complaints about inedible food. Even the teachers at MMM love the food I make. The teachers and I are great friends, and I've observed that

even though the teachers are talking during the lunch period, they still pay attention to the children, especially Henrietta Hiemleek. At any period there are over 200 students eating lunch, and the teachers try their best to pay attention to every table.

On September 18, 2018, the incident involving Chase Choken happened. It was just a normal chicken nugget day with my homemade, crispy, warm, delicious tater tots and a large variety of different dipping sauces. It is the kids' favorite day of the week! Suddenly I looked over and saw Henrietta Hiemleek running toward Chase Choken like her life depended on it. She did the abdominal thrust (formerly known as the Heimlich maneuver) and the chicken nugget came flying out of Chase's mouth, which saved her life!

Chase Choken was helpless that day, and without Mrs. Hiemleek's lifesaving treatment, Chase would have never recovered. Never in a million years would Henrietta Hiemleek intentionally hurt ANYONE! Then, when I heard Mrs. Hiemleek was being sued, I thought it was outrageous. I believe that Mrs. Hiemleek is not liable. She helped Chase from the kindness of her heart. Mrs. Hiemleek was a hero!

INSTRUCTIONS

The plaintiff must prove by a preponderance of the evidence that Henrietta Hiemleek was noticeably negligent and did not properly perform the abdominal thrust correctly, thereby fracturing Chase Choken's ribs.

SUB-ISSUES

1. Does Mystery Meat Middle School have a AED (Automated External

Defibrillator) team for these situations?

2. Did Henrietta receive specialized training to perform abdominal thrusts?
3. Were the school's lunch ladies trained to make food, because according to most of the staff and students, the food was disturbingly bad?
4. Is the food at Mystery Meat Middle School (MMM) a health hazard?
5. Did Fred Frenchfryz cause Chase to choke?
6. Did Chase Choken chew her food, or did she just swallow it whole to get it over with quickly?
7. Is Henrietta abnormally strong?
8. Was Henrietta all amped up on caffeine because she was drinking coffee and thrust too hard?

CONCEPTS

1. Credibility of the witnesses.
2. Preponderance of the evidence.
3. Liability.

LAW

Liability Under the Good Samaritan Emergency Response Act (N.J.S.A. 2A:62A-1) The New Jersey Good Samaritan statute encourages and protects bystanders, including doctors and paramedics, at an accident scene to render assistance to someone in need without fear of being sued if things go wrong.

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THE FOOTBALL STORYLINE

BROWN v. YOO

SCHOOL

Holy Trinity
Westfield
Grade 6
Honorable Mention

TEACHER

Margaret Knapp

STUDENTS

Robert Canada
Drew Costalos
James Freshwater
Isabelle Gurango
Giacomo Imperiale
Brady Kelly
Anna Maliakal
Cooper Vito

FACTS

Jeff Brown XXII and Kai Yoo are high school seniors at High Valley High School who play football together. The positions they play are quarterback and wide receiver. They are seniors and have been friends since kindergarten, but now they are feuding. It all started when they had to do their college essays.

They were discussing the essays on the sideline by themselves with only the first down marker and the mascot able to hear. They were both sharing ideas until they had to go back in. The topic they were talking about was last year's championship game. They won the championship game because of a perfect pass from Jeff and a spectacular diving catch by Kai.

Both boys wrote an essay about the game and submitted applications to Rutgers. When acceptance letters were sent out, Kai Yoo was accepted, but Jeff Brown was not. While happy for his friend, Jeff was devastated. He asked Kai for a copy of his essay so he could see what he should have written. Kai sent a copy to Jeff. At first Jeff was happy and excited for Kai, but when he read his essay, he noticed that a couple of sentences were very similar to his own, and got super mad at Kai.

ISSUE

Did Kai Yoo plagiarize Jeff Brown XXII's college application essay?

WITNESSES

For the Plaintiff

Jeff Brown XXII

Don Mark

For the Defense

Kai Yoo

The Bulldog

WITNESS STATEMENTS

Testimony of Jeff Brown XXII

Football taught me that life is a team sport. Football requires everyone on the team to work together if they are going to succeed. The same is true in life. No one can do it all alone. Everyone needs some assistance along the way. You must give 110 percent effort and have a good attitude. Even when you lose, you must keep trying and never give up. I have also learned that making friends is a key part of life. I believe friends help one another in football and in life. Football means being responsible and supportive of your teammates, which is also like having a job. You must work hard, never give up, and be kind to everyone and you will have an amazing life.

That is exactly how I treated my friend for 10 years, Kai Yoo. But it turns out that Kai did not treat me the same way. He stole my college essay idea, which was how football taught me the life lessons I mentioned earlier. What Kai did was plagiarism, plain and simple.

Testimony of Don Mark

I heard people thought Jeff Brown and Kai Yoo got into a fight because Kai stole Jeff's paper. That's absolutely true. I heard Jeff and Kai talking on the sidelines during the championship game about their college essays. Jeff said he thought football taught him a lot. He said football was like life itself. It is all about teamwork and that good teamwork means everyone has a better chance at winning. I saw Kai standing there, not saying much at all and just listening to Jeff. I could tell by the look on Kai's face that he thought Jeff's idea was a good one. Jeff's idea was going to get Kai into college. Now, Kai is saying that he

did not steal Jeff's idea. That is not true. I know for a fact that had it not been for Jeff, Kai would never have had the inspiration to write about his football career on his college essay. It was wrong of Kai to do it.

Testimony of Kai Yoo

I am a wide receiver from High Valley High School who has attended this school for all four years. I am on the football team, and I am a leader of all my friends. I was persuaded to join the team by my friend Jeff Brown XXII. I have been friends with Jeff since kindergarten. I started thinking about writing my college essay when I was a freshman. I knew it would be about football, because football is such an important part of my life. And when my friend asked me where I wanted to go to college, I immediately said I wanted to apply to Rutgers because they have a great football program and have been undefeated three of the past four years. I ended up writing about our championship game when we were down 28–3 in the third quarter and I gave a quick speech to inspire the team to win. We pulled it out with 10 seconds left when I caught the game winning pass, in overtime.

A week later, I wrote a compelling account of how I helped the team win the game, and mailed it to Rutgers. Now Jeff Brown is accusing me of stealing his paper, but I started thinking about it many years ago.

Testimony of The Bulldog

I am the football mascot for the team. I wear a bulldog outfit for all the games. It really gets me close to the players. I heard Jeff and Kai talking. They were discussing what they were going to write on their

college essays. They were both contributing ideas, but Kai had the bold topic. Jeff was saying how much he liked being a football star and how it made him better than others who would be applying to Rutgers. But I heard Kai talk about how football is a team effort. Jeff said several times, "You got that right, Kai. You are always thinking!"

INSTRUCTIONS

Jeff Brown XXII must prove by a preponderance of the evidence that Kai Yoo committed plagiarism.

SUB-ISSUES

Did Kai steal Jeff's thoughts and ideas?

CONCEPTS

1. Are witnesses telling the truth?
2. Are the witnesses able to shed light on whether there was plagiarism?

LAW

The Rutgers University Admissions Board rules provide: Anyone who knowingly takes an idea of another and presents it as his/her own original idea is deemed to have committed plagiarism.



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