



Indiana High School Mock Trial 2021-2022

Q&A Round 1 (December 2021)

Questions that were submitted might have been reworded from the original submission for clarity and conciseness. Duplicative questions from multiple advisors might have been combined together using different phrasing.

- 1. Q: There seemed to be some occurrences of witnesses not being consistent about a topic (like location of a home, timing of an event, or where within the home someone was). The inconsistencies sometimes happen within a statement or when compared to other witness statements. What are we to do when this happens?**

A: The case writers wrote inconsistencies intentionally. Factual disputes are part of trials, and an important part of the judicial process, especially when alcohol is involved. Teams must work through the issues and facts as presented.

- 2. Q: In what months does the HSU's volleyball team compete? Is volleyball a fall, winter, or spring sport in the Utopian League?**

A: Teams may assume the party/incident in this case takes place during the volleyball off-season.



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Q&A Round 2 (January 2022)

- 3. Q: Did Dr Strickland actually examine Patel in person once hired by Cameron Miller? If so, when did this exam occur?**
A: Dr Strickland examined Patel as seen through Strickland's statement lines 44-45 ("I conducted a comprehensive independent medical examination of Claimant Patel at my office prior to preparing my opinions.") and line 61 ("On examination, Patel did not demonstrate...") as a few examples. It can be assumed the exam was done in a timely manner to have Dr Strickland come to the conclusions drawn in the statement.
- 4. Q: In the list of exhibits, Exhibit 2 is labelled as an MRI taken at Patel's follow up appointment with Dr. Diaz. However, the picture in the exhibit seems to look like an x-ray, not an MRI. Is this right?**
A: Teams should proceed as if that image is an MRI, fitting in the narrative of the story, as the case writers were limited in what was graphically available for publication. Teams can use this as described in the list of exhibits when discussing this exhibit during trial.
- 5. Q: An excerpt of the Indiana Code is provided in the case material to devise our strategies. While it is not specifically stated in the provided code, is it safe to assume that dramshop does not protect plaintiffs whose injuries were caused by their own intoxication as is the case in the Indiana Code.**
A: Regardless, there is still potential liability to the person/entity furnishing the alcoholic beverage causing the intoxication. That is the purpose of this lawsuit: to determine if the defendant is liable for the action as applied through IC 7.1-5-10-15.5.
- 6. Q: Our reading of the provided statute contemplates a third-party plaintiff case. Is this case also able to be seen as a first party plaintiff case in addition to being a third party plaintiff case?**
A: The trial is to determine if the defendant is liable for their action as applied through IC 7.1-5-10-15.5, regardless if it's a first- or third-party action as there is still potential liability to the person/entity furnishing the alcoholic beverage causing the intoxication.
- 7. Q: Additional questions were submitted regarding location of people in relation to being inside or outside the home at any given time. Can you provide any clarity?**
A: Questions about inconsistent facts has been asked and answered. Please refer to Q&A #1 for explanation.