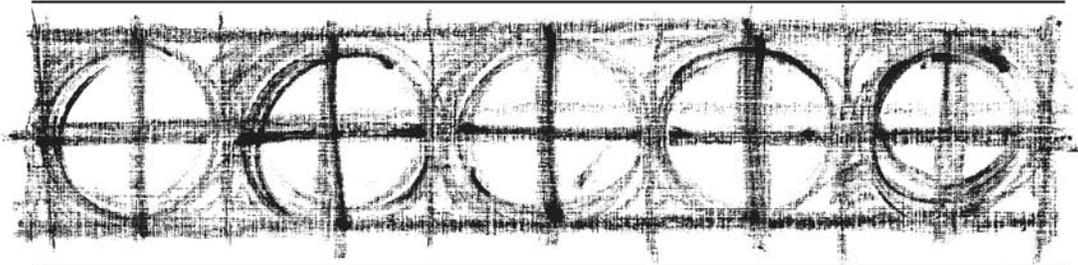


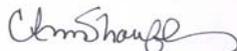
IDAHO LAW FOUNDATION



Helping the profession serve the public

10 February 2010

TO: 2010 Mock Trial Teacher Sponsors

FROM: Carey Shoufler 

RE: 2010 Case Material Updates

We have received the following inquires regarding the 2010 mock trial case materials. Each question is followed by the response to the specific inquiry. These responses will be incorporated into the case materials. To the extent that any response modifies previously provided case materials, teams must follow the modifications as stipulated to.

1. Do we need a stipulation on authenticity and chain of custody for exhibits?

The following stipulation has been added to the case materials: *All exhibits included in the case materials are authentic and accurate and the proper chain of custody with regard to the exhibits has been maintained.*

2. The handwritten date and signature on Exhibit 2 (the check) don't seem very clear. Is there a problem with the reproduction of the materials?

No change. The case materials are correct as presented.

3. In Jax McParland's statement, page 9, paragraph 4 the year is listed as 1984. Should it be 1884?

The witness statement has been changed to read 1874.

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Hon. Carl B. Kerrick
Zoe Ann Olson

Diane K. Minnich,
Executive Director

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4. Regarding the jury instructions: in order to prove conspiracy, does the State need to prove all elements of Instruction 2 and all elements in Instruction 3?

No change or clarification will be provided. The jury instructions are correct as written.

5. Are we in a tendering jurisdiction for expert witnesses?

Refer to Mock Trial Rules of Evidence, Article VII.

6. Is this case being tried in current times or in 1907?

**The following stipulated fact have been added to the case materials:
*This case is being tried in the summer of 1907.***

7. How are the Stipulated Facts to be used in the trial?

**The following stipulated fact have been added to the case materials:
*Stipulated Facts are part of the evidence admitted for trial. All parties have voluntarily agreed that the stipulated facts are true and therefore all parties may refer to these stipulated facts during trial.***

8. Is the date on Exhibit 2 December 21 or 27?

The date is open to interpretation. Case materials are correct as written.
