

**Mock Trial**

**2018 Case Revisions**

Conversion/damage to property claim:

The Plaintiff’s team has the choice to drop one of the two claims (either conversion or damage to property) prior to the start of the trial.  We included a stipulation to that effect, and included in the stipulation that the decision to drop one or the other of the two claims should not impact scoring.  If a Plaintiff’s team wishes to exercise this option, I would suggest that the team addresses it in a pretrial motion with the judge by bringing the stipulation to the attention of the judge.  While we will try to have regional coordinators instruct judges on this issue, sometimes judges come late to the meetings, miss instructions, and sometimes coordinators have other things to run and things get missed.  **Therefore, if your team elects to drop one of the two claims, the onus is on your team to bring the stipulation to the attention of the judges prior to the start of the trial to ensure it does not impact scoring.**

Special verdict: we did add in a special verdict.  Please note that we actually added three special verdicts—one to reflect all three claims, one excluding damage to property, and one excluding conversion. Your teams will have to ensure they are using the correct verdict form for that particular trial.

Green’s Affidavit: the word “white” was removed from the last line of paragraph 6 of Jesse Green’s affidavit

Affidavits: All affidavits have had line numbers added, and page numbers have been added to the entire case, with the exception of the exhibits.  Some formatting was also changed in the affidavits, but there were no other substantive changes other than the one previously mentioned in Green’s affidavit.

Exhibits**:** All exhibits now have exhibit stickers and are labeled in the order in which they appear in the case.  Exhibit A has been enlarged, to try to make it a bit more visible.

Experts:  We have had some questions as to who are the expert witnesses in the case.  The committee traditionally does not designate what witnesses, if any, teams must use as experts, and will not be doing so this year.  It is up to each team to decide how it would like to present and offer witnesses, and up to each individual presiding judge to determine how that judge would like to accept the testimony that has been offered.