## **CONTENTS**

Prefa	Preface	
	I	
	JURY SELECTION	
Intro	duction	
1.1	Civil: Automobile Negligence	
1.2	Civil: Products Liability	
1.3	Civil: Medical Malpractice	
1.4	Civil: Wrongful Death	1
1.5	Criminal: Armed Robbery and Aggravated Battery	1
1.6	Criminal: Sexual Assault	1
1.7	Criminal: Tax Evasion	1
1.8	Criminal: Murder	1
	II	
	OPENING STATEMENTS	2
Intro	duction	2
	III	
	DIRECT AND CROSS-EXAMINATION	2
Intro	duction	2
3.1	Conversations and Telephone Calls	2
3.2	Conversations and Telephone Calls	2
3.3	Refreshing Recollection and Recorded Recollection	3
3.4	Refreshing Recollection and Recorded Recollection	3
3.5	Homicide Victim's Widow	4
3.6	Alibi Witness	۷
3.7	Witness to Car Collision	2
3.8	Pedestrian at Car Collision	4
3.9	Police Officer on Surveillance	4
3.10	Police Officer at Sexual Assault Scene	4
3.11	Robbery Victim	5

3.12	Accident Victim	57
3.13	Battery Victim: Changed Testimony	59
3.14	Accident Investigator at Intersection Collision	61
3.15	Robbery Victim and Bank Diagram	65
3.16	Robbery Victim and Lineup Photograph	69
3.17	Records Witness and Exhibit	73
3.18	Character Witness	77
3.19	Adverse Witness	79
3.20	Stipulations	83
3.21	Judicial Notice	89
	IV	0.1
	EXHIBITS	91
Introd	duction	93
4.1	Gun	95
4.2	Monogrammed Card Case	99
4.3	Knife	103
4.4	Sexual Assault Evidence Collection Kit	107
4.5	Brake Tube	113
4.6	Photograph of Police Officers and Plaintiff	119
4.7	Photographs of Accident Victim	123
4.8	Photograph of Building	129
4.9	Photograph of Building	133
4.10	Photograph of Building	137
4.11	Diagram of Intersection	141
4.12	Diagram of House	145
4.13	Map	149
4.14	Promissory Note	153
4.15	Contract	157
4.16	Photocopies of Check	161
4.17	Letters	165
4.18	Stock Purchase Order	171
4.19	Theft Report	177
4.20	Accident Report	181
4.21	Time Card	185
4.22	Deposit and Withdrawal Slips	189
4.23	Summary Chart	195
4.24	Prison Logbook	199
4.25	E-mail and Website Messages	207
4.26	Chat Room Transcript	219
4.27	Social Media Post	235

	V	
	IMPEACHMENT AND REHABILITATION	
Introd	luction	
5.1	Oral Statement	
5.2	Oral Statement	
5.3	Oral Statement	
5.4	Written Report of Oral Statement	
5.5	Written Report of Oral Statement	
5.6	Job Application Form	
5.7	Letter	
5.8	Q and A Signed Statement	
5.9	Deposition Transcript	
5.10	Deposition Transcript	
5.11	Deposition Transcript	
5.12	Grand Jury Transcript and Police Report	
5.13	Police Report	
5.14	Written Statements	
5.15	Grand Jury Transcript and Q and A Signed Statement	
5.16	Deposition Testimony	
5.17	Diagram  Constal Liver Transported	
5.18 5.19	Grand Jury Transcript	
5.20	Police Report Written Report of Oral Statement	
5.21	Deposition	
5.22	Armed Robbery Identification	
3.22	Affiled Robbery Identification	
	VI	
	EXPERTS	
Introd	luction	
6.1	Medical Expert Qualification	
6.2	Fingerprint Expert Qualification	
6.3	Treating Physician and Diagrams of Spine	
6.4	Treating Physician	
6.5	Treating Physician	
6.6	Economist	
6.7	Impeachment with Treatise: Fingerprint Expert	
6.8	Impeachment with Treatise: Microanalyst	
6.9	Impeachment with Treatise: Physician	
6.10	Medical Examiner in Murder Case	

6.11	Psychiatrist Testimony in Murder Case	43		
6.12	Psychiatrist Testimony in Civil Case	45		
6.13	Hearing Regarding Admissibility of Expert Opinion	47		
	VII	= 48:		
	ADVANCED DIRECT AND CROSS-EXAMINATION			
Introd	luction	48		
7.1	Vehicle Collision Case	48		
7.2	Civil Rights Case	49		
7.3	Theft of Trade Secrets Case	49		
7.4	Home Purchase Contract Case	49		
7.5	Age Discrimination Employment Case	49		
7.6	Murder Case	49		
7.7	Drug Entrapment Case	50		
7.8	Criminal Fraud Case	50		
7.9	Armed Robbery Case	50		
7.10	Bribery Case	50		
7.11 7.12	Insider Trading Case Cell Phone from Search Incident to Arrest Case	50 51		
1.12	Cell Fholie from Search incident to Affest Case	31		
	VIII	— <i>E</i> 1/		
	CLOSING ARGUMENTS	= 515		
Introd	luction	51		
8.1	Liability Argument in Contract Action	51		
8.2	Damages Argument in Negligence Action	52		
8.3	Damages Argument in Products Liability Action	52		
8.4	Identification Argument in Robbery Case	52		
8.5	Identification and Alibi Argument in Robbery Case	52		
8.6	Self-Defense Argument in Murder Case	52		
	IX			
	TRIALS	= 531		
Inter	Justian	53		
Introduction  Congred Lymy Instructions				
General Jury Instructions General Civil Jury Instructions				
	General Civil Jury Instructions General Criminal Jury Instructions			
UUIIU.	. w	53		

Suggested Verdict Forms 5				
9.1	False Arrest, Malicious Prosecution, and Defamation: Karen Adams			
	v. Chandler Department Store	541		
9.2	Contract: Whitney Thompson v. Thermorad Corporation	545		
9.3	Negligence (Contribution Claim): Jordan Minor Construction			
	Company v. Mid-American Concrete Company	549		
9.4	Products Liability and Wrongful Death: Shirley Harte, Administrator			
	of the Estate of Marion Harte, Deceased v. Acme Manufacturing Co.	553		
9.5	Gender Discrimination, Wrongful Termination, and			
	Defamation: Sharon Donaldson v. Empire Car Rental Company	557		
9.6	Murder: State v. Merle Rausch	561		
9.7	Murder and Attempted Armed Robbery: State v. John Hudson	563		
9.8	Aggravated Sexual Assault: State v. Michael Miller	567		
9.9	Murder: State v. Frank Fletcher and Arthur Morris	569		
9.10	Bribery: State v. Avery Wentworth and Chris Benson	573		
9.11	Criminal Mail Fraud or Civil Fraud: United States of America or			
	Rock Insurance Co. v. Chris Manning	577		
9.12	Medical Negligence: Jennifer Smith v. Kelly Davis, M.D.	581		
9.13	Driving While Intoxicated and Careless and Imprudent Driving: State			
	v. Brad Smithton	585		
9.14(A)	Misdemeanor Battery and Assault of a Law Enforcement			
	Officer: State v. Todd Wearl	589		
9.14(B)	Intentional Tort (Battery): George Otta v. Todd Wearl	593		
9.14(C)	42 U.S.C. § 1983 Suit: Todd Wearl v. Dan Kinger	597		
9.15	Oil and Gas: Claim for Use of Pore Space: Kit and Reese Lanik			
	v. Dauntless Oil and Gas, Inc.	601		
9.16	Products Liability (Semester-Long Exercise): Riley Johnson v. Best			
	Helmets	607		
	${f X}$			
		611		
	HISTORIC TRIALS			
Introduc	etion	613		
Using H	Iistoric Trials to Teach About History and Trials	615		
Rules for Historic Trials		637		
10.1	Lewis and Clark Canoe Heist: United States v. Meriwether Lewis and			
	Silas Goodrich	641		
10.2	Lincoln Assassination: United States v. John Wilkes Booth	645		
10.3	Killing of Jesse James: State of Missouri v. Thomas T. Crittenden	651		
	Japanese-American Internment Draft Resistance (Alleged			
	Defamation): Frank Emi v. Nobu Kawai	659		
10.5	Rock Springs Massacre (Wrongful Death): Ming Lee, on behalf of			
	Ah Lee, decedent v. Union Pacific Railroad Company	665		

