

Indiana High School Mock Trial
2017-18 Case Material Questions & Answers
Updated: January 19, 2018

NEW QUESTION AND ANSWER (January 2018)

Q1: Does Terry/Terri Fyde OWN the building where he has his business?

A1: The building is owned by Ghostly Paths, LLC, which is owned by Fyde. Fyde's statement on page 9, lines 6 and 7, has been clarified to state that Ghostly Paths owns the building.

Q2: In the statement of Terry Fyde on page 10, line 65, Fyde is referring to statements of Slipps and is "quoting" Slipps. The pronouns in the quotes are causing some confusion. The first quoted phrase says "I underestimated the power of words" and the second quoted phrase was "could destroy my business". Does the "I" in the first quote refer to Slipps or Fyde? In the second quote should "my" actually be "your" ~ referring to Fyde's business?

A2: The "I" refers to Fyde, and the "my" refers to Fyde's business. The quotation marks have been changed on page 10, line 65.

PREVIOUSLY SUBMITTED QUESTIONS AND ANSWERS (December 2017)

Q1: Page 10, Line 87 references the grave of President Benjamin Franklin whereas other references are to President Benjamin Harrison's grave. Is this a mistake or an intentional discrepancy?

A1: The reference to Benjamin Franklin was not intentional. The Case Materials have been revised on page 87 to reflect the correct name of Benjamin Harrison.

Q2: There are discrepancies regarding money on exhibit 6 and time on line 832 and exhibit 6. Are these all mistakes or intentional discrepancies?

A2: The case stands as written. Sometimes the case author intentionally creates discrepancies.

Q3: What is the date that the witness statements were signed?

A3: The Witness Statements were signed on or about July 17, 2017. Stipulation # 2 has been revised to reference that date.

Q4: Are we to assume that Robin Goodes is serving the one year sentence at the time of trial?

A4: Yes.

Q5: Can Robin Goodes be declared a hostile Witness and asked leading questions on direct?

A5: Please refer to existing stipulation #7, which states as follows: "At the discretion of Slipps' legal counsel, and upon court approval, Robin Goodes may be treated as a hostile witness by the defense." If the court permits Goodes to be treated as a hostile witness, then yes, leading questions may be asked on direct of the witness.

Q6: On page 2 of the case under the indictment on the third line it says knowingly and intentionally. We wanted to make sure this was correct, instead of knowingly or intentionally.

A6: The Case stands as written. The Prosecution has discretion to choose the crimes, and the elements of such crimes, it wishes to pursue. Thus, although the indictment states that the defendant knowingly and intentionally committed the crimes, the Prosecution can choose to prove either knowingly or intentionally, or both knowingly and intentionally, that the defendant committed the crimes.

Q7: Stipulation 3 says that Exhibits 1, 2, 4, 5, and 7 are admissible without objection and do not need to be offered through a witness. Does that mean there can be no objection to these exhibits -- including hearsay -- or just no objection to their authenticity?

A7: Stipulation 3 is intended to allow Exhibits 1, 2, 4, 5, and 7 to be admitted. No objections, including hearsay, are permitted.

Q8: The indictment cites IC-35-44-2-1, but IC-35-44-2-1 (Perjury) is not listed in the Applicable Laws section of the Case Background.

A8: Perjury is not a charge against the defendant or a charge relevant to any witness in the case and therefore the text of the statute is not included in the case materials. The reference to IC 35-44-2-1 in the indictment only refers to the Foreperson's sworn statement, under penalty of perjury, to the charges made in the indictment.

Q9: Does exhibit 6 need to be entered through the author of the report? It is not mentioned in the stipulations but the author is not a witness.

A9: The Case Materials stand. Please refer to Rules of Evidence 803 (8)(A)(ii).

Q10: Aaron Guntley implies that he/she was hired by the prosecution but it is not stated outright? Is that a fair assumption to make?

A10: Yes. Aaron Guntley's statement, on page 18, lines 348-49, has been revised accordingly.