

2018 ROBERT LEE TULLIS MOOT COURT COMPETITION

Corrections and Clarifications

The Board of Advocates is providing the following answers to questions and requests for clarification of the 2018 Tullis Problem (*University of New Plymouth v. Sanderson*) and the 2018 Tullis Competition Rules. The Board of Advocates reminds all parties and participants of the following:

1. Any request for clarification not addressed below has been considered by the parties to be answered already within the four corners of the case file or to be a subject addressed by advocates' own research and argument.
2. Advocates are strongly reminded to review all competition rules prior to submitting their brief, as the rules address many of the procedural points that were raised in requests for clarification.
3. Except to the extent that corrections and clarifications are set out below, participants are to assume that the Tullis Problem is accurate and complete in all respects. In particular, both parties stipulate as to the authenticity of all documents contained in the Problem.
4. With respect to the pronunciation of the various proper names used in the Tullis Problem, all parties and the Court have agreed that they will not take formal or informal offense at any reasonable effort to pronounce proper names correctly.

Q. In the 2nd paragraph on page 16 of the Tullis Problem, the Record on Appeal states that "Marblehead gave Dr. Sanderson sufficient due process." Does this refer to the University of New Plymouth?

A. Yes. This is a typo, and it has been corrected to read "The university gave Dr. Sanderson sufficient due process."

Q. The case file at various points states that the incident in question happened in June of 2015 and in June of 2016. Which date is correct?

A. All of the dates in question in the packet occurred in 2016. The Complaint included in the Problem has been corrected at multiple points to reflect that the events involving Ms. Sanderson all occurred in 2016.

Q. Should we use outside cases and sources or are we only supposed to use what is given and cited in the case file for our argument?

- A.** The case file is an “open universe.” Competitors are free and encouraged to do additional legal research. Bear in mind, however, that the Court will not consider legal issues not contained within its order granting *certiorari*, nor will it look at facts that are not in the Record on Appeal.

Teams are also reminded that per Tullis Rule 2.7, teams cannot cite to or discuss any judicial decision from any tribunal that was decided after December 31, 2017.

- Q.** Regarding the oral argument, does each partner present a full argument on their issue, or do we each present one-half of the same argument? In other words, should each person have a fully constructed introduction, body, and conclusion, or should there be one overall introduction and conclusion?
- A.** Each student will present oral arguments on one of the two issues. That is to say, Student A will argue the liberty interests issue; Student B will argue the First Amendment issue. Student A’s introduction should introduce both counsel and both issues and then segue into the first issue. Student B should have a conclusion that encompasses both issues.