

**FIRST UPDATE MEMORANDUM
2020 ISBA High School Mock Trial Invitational**

Dakota Young v. Riley Miller

12/20/19

Question No. 1. Where is Alex? Alex can be called as a witness by virtue of being in the car. Alex is interviewed at the scene by Officer Knight, but not mentioned by Riley in the 911 call, nor is Alex listed on the accident report.

Answer: This is an inadvertent typographical error. Please see the below modifications to the Problem:

Exhibit 4, page 47 is modified to read as follows:

Dispatch: "Okay, who else is in your car?"

Caller 2: "Dakota, Alex, and Guadalupe. Dakota is unconscious."

Exhibit 6, page 51, will be modified to add this additional information:

Unit	Seat	DOB	Sex	SAFT	AIR	INJ	EJCT	Passenger and Witnesses only (Name/Addr/Tel)	EMS	Hosp.
1	4	5/18/02		Y	Y	N	N	Alex Williams	N/a	N/a

Question No. 2. Officer Knight's affidavit indicates that the final text message came at 1:19 am, but the phone evidence says 1:26 am for Taylor's texts with no time indicated for the response.

Answer: The problem will stand as written regarding any information referenced in this question.

Question No. 3. The times on the accident report for when the police and EMTs show up are not the same as in the 911 call record.

Answer: This is an inadvertent typographical error.

Exhibit 6, page 50 will be modified as follows:

EMS Notified LFD	1:30 am
EMS Arrived LFD	1:35 am

Question No. 4. On the accident report, the second citation is for the entire Illinois Vehicle Code (625 ILCS_____) and there is also a citation number missing between the two citations.

Answer: This is an inadvertent typographical error. That part of the Exhibit 6 statutory citation should be deemed to read as follows:

Riley Miller	625 ILCS 5/11-601(a)	Citation 100231
Riley Miller	625 ILCS 5/11-907(c)	Citation 100232
Riley Miller	625 ILCS 5/12-610.2(b)	Citation 100233

The citation numbers will stand as written in the Problem.

Question No. 5. There are other discrepancies between the accident report and the testimony of witnesses:

- a. There is a discrepancy in the type of safety equipment used.

Answer: The problem will stand as written regarding any information referenced in this question.

- b. Guadalupe is listed as injured.

Answer: The problem will stand as written regarding any information referenced in this question.

- c. There are missing codes in boxes on the accident report.

Answer: The problem will stand as written regarding any information referenced in this question.

Question No. 6. The tire damage is explained in both experts' affidavits as being from hitting "the curb." I assume that is left over from when the car originally hit a pole and not a tow truck. We could not figure out any logical way the car could have hit the corner of the tow truck and a curb.

Answer: The problem will stand as written regarding any information referenced in this question.

Question No. 7. Would it be possible to reorient Exhibit 7 so that North is facing up? The necessary changes include moving the Exhibit 7 icon as well as flipping the text for Pitts Avenue East, Pitts Avenue West, and Fisk Avenue. In addition, the letters on the compass would need to be rotated.

Answer: Exhibit 7 will stay as it is currently oriented in the published Mock Trial Problem.