

INSTRUCTIONS FOR EACH PAPER: Write a two-page, well-reasoned decision for each of the following legal questions. You are the judge. Incorporate the relevant case(s) located in your text, Understanding Law in a Changing Society, 3rd Ed. Grammar, sentence structure and spelling will be considered in determining your grade. **USE NO CONTRACTIONS** in your papers.

If you have questions about any or all of these assignments please raise those questions in class or with a teaching assistant.

PAPER #1

Congress passed a law that defined waterboarding as a form of “intensive interrogation.” The law also said that no lawsuits may be brought against the government that involve “intensive interrogation.” Richard Cheney is waterboarded by the CIA. He sued the CIA and the U.S. government for violation of his civil rights and for violation of his Eighth Amendment right against cruel and unusual punishment.

Who wins? Using the *Ezell v. Bowen* case, you, as the judge, decide if the plaintiff may sue or not. Write your paper as though you are the judge making the decision in this case. It is important that you remember that your reasoning is more important than your conclusion. You may decide this case either way and earn full credit. (Do not let my political views, or yours, influence your decision. As the judge, you must be impartial.)

The first draft is due at the beginning of class on **Wednesday, February 6, 2008**. The final draft is due at the beginning of class on **Wednesday, February 20, 2008**. No late papers will be accepted.

PAPER #2

Marshall Arts sold his hair replacement clinic to Dr. Philip McGraw. The contract stated that all the unattached hair on the premises went with the sale. The contract did not mention an armoire, an aboveground pool, or a tanning bed. When Dr. McGraw took possession of the clinic, those three items were missing and he was “madder than a wet hen.” McGraw sued Arts. Who won and why?

Using the *Gomez v. Dykes* case, define each party’s position and decide who wins and why. You will need to determine, as judge, whether each of the three items at issue is real or personal property. Write your paper as though you are the judge making the decision in this case.

The first draft is due at the beginning of class on **Monday, March 3, 2008**. The final draft is due at the beginning of class on **Monday, March 17, 2008**. No late papers will be accepted.

PAPER #3

Mitt Romney contracted with Harry Stiff to buy 6 cases of hair spray, to keep his coif “just so.” Romney ordered the “extra hold” spray. Stiff delivered “no extra hold.” When Romney landed at O’Hare Airport and his hair blew all over the place he realized the hairspray snafu. Romney sued Stiff for breach of contract.

Who won and why? Consider the case of *O’Keefe v. Lee-Calan Imports* when you formulate your answer. Write your paper as though you are the judge making the decision in this case.

The first draft is due at the beginning of class on **Friday, April 4, 2008**. The final draft is due at the beginning of class on **Friday, April 18, 2008**. No late papers will be accepted.