
FINAL EXAMINATION - PART ONE

Closed-book. One hour.

Write your exam number here: _____

All exam materials (including this booklet and the answer sheet) must be turned in at the end of the period. You will not receive credit unless you return this booklet with your exam number written above.

Do not turn the page until instructed to begin.

General Notes and Instructions

1. Assume that today's date is December 12, 2007, unless indicated otherwise.
2. You may write anywhere on the examination materials – e.g., for use as scratch paper. Only answers and material recorded in the proper places, however, will be graded.
3. Your goal is to show your mastery of the material presented in the course and your skills in analyzing legal problems. It is upon these bases that you will be graded.
4. During the exam: You may not consult with anyone – necessary communications with the proctors being the exception. You may not view, attempt to view, or use information obtained from viewing student examinations or from viewing materials other than your own.
5. After the exam: You may discuss the exam with anyone, except that you may not discuss the exam, at all, with any enrolled member of the class who has not yet taken the exam.

Specific Notes and Instructions For PART ONE:

- a. All facts take place in the United States, unless otherwise noted. Except where a question (including the responses offered therefor) specifically identifies the name of a real state, e.g., North Dakota, you must answer the questions based on the prevailing common law and typical statutory law in the United States, including all rules, procedures, and cases as presented in class,

- as well as, where appropriate, the theory and history discussed in class.
- b. Each correct answer is worth one point. There is no penalty for incorrect answers.
- c. This section of the examination is "closed book." You may not use any materials at all, other than writing instruments and the materials provided as part of the examination.
- d. Do not assume any additional facts not presented in the questions.
- e. Choose the most correct answer based on the materials assigned and presented in class. Each question has only one most correct answer. For example, where choices (a) through (d) are correct and choice (e) is "All of the above," the last choice (e) would be the most correct answer and the only answer that will be accepted. Where two or more choices are correct, the most correct answer is the answer that refers to each and every one of the correct choices.
- f. All exam materials, including this booklet, any scratch paper you use, and your answer sheet, must be turned in at the conclusion of the period for taking this Part One.
- g. Subsequent to the exam's administration, in the sole discretion of the instructor, if error or irregularity is discovered, any affected question may be thrown out, or alternative answers may be given credit.
- h. This Part One is worth approximately 1/3 of your exam grade.

18. Which of the following is most accurate?
- (a) In North Dakota, punitive damages are limited to \$500,000 per plaintiff.
 - (b) In North Dakota, punitive damages are limited to \$5 million per plaintiff.
 - (c) In North Dakota, punitive damages are limited to \$15 million per plaintiff.
 - (d) In North Dakota, punitive damages are limited to five times the amount of compensatory damages, on a per-plaintiff basis.
 - (e) None of the above.

ANSWER TO QUESTION 18:

(e) None of the above.