



Robert L. Galloway
Tournament Director

To: Participants and Coaches

From: Rob Galloway

Date: March 6, 2020

Re: **Bulletin 3**

(Clarifications to the Rules and Problem, No Coaches Meeting, Assigned South Texas Witnesses, Saturday Night Event, Company for Enlargements in Houston, Coronavirus Concerns)

The revised problem you received early yesterday will be posted to the website soon. The new version incorporates the changes addressing the clarification requests. The affected pages were sent with the revisions highlighted.

The judges will receive the revised problem.

Most of the clarifications are reflected in the revised pages. But in addition to those corrections, we have the following responses to clarification requests:

- Rule 5.015 is not meant to prevent teams from giving judges entries of appearances.
- The genders of particular witnesses are governed by the pretrial conference report. For example, if a team has a male play the role of a witness that the pretrial conference report says must be female, then the male witness must play the role as a female.

- The South Texas witnesses may play any role you wish. If you would like for your South Texas witness to be particular gender, please send an email with this information to mocktrialchallenge@stcl.edu by Friday, March 13th.
- No line citations will be provided.
- Teams are permitted to read portions of the unavailable witness depositions to the jury/judges. *See* Local Rule 5.003.
- The testifying witnesses have reviewed the depositions of the other witnesses.
- Team members and witnesses may switch roles during the trials. It is up to each team how to present its case. In each round, a team must provide two attorneys and one witness. In addition, one South Texas student will play the second witness role.
- A team's fourth member (not serving as an attorney or witness in a particular round) may confer with team members during breaks in the trial.
- Team members may read in as many depositions as they choose.
- Local Rule 7.003 contemplates the conferral discussion to take place following closing argument before a team is permitted to protest. That requirement does not preclude teams from having discussions earlier to address issues that may be corrected. Teams are reminded, however, that protests are not encouraged and the ordinary means of addressing disagreements is cross-examination and redirect.

We have declined to answer the following clarification requests:

- Depositions are said to be constructively in the record. Does this mean we can use these in opening and closing? Or do we need to find an evidentiary rule to admit this into evidence?

- What can the jury know about settlement?
- Is the pre-trial conference report admissible?
- How do we introduce the deposition testimony into evidence?
- What may we argue in pretrial?
- Can the defense read a deposition into the record as well?

We will not hold a formal coaches or team meeting before the competition begins. If you have questions, find me and I'll answer them for you.

I will send you an e-mail with the name and contact information for your assigned South Texas witness on Friday, March 20th. Once you receive the e-mail, there are no limitations on what you may do to prepare for trial with your assigned witness. You may talk to your witness on the phone. You may have a video-conference with your witness. You may have your witness come to the hotel. It is entirely up to you.

We will not have evening events on Wednesday, Thursday or Friday. We will provide a list of our favorite restaurants. We will post pairings on Thursday and Friday nights at the Four Seasons when we complete them. We will predetermine sides so teams may go to dinner and view the pairings once they return to the Four Seasons.

The Saturday night event will be a Pete's Piano Bar, which is adjacent to the Four Seasons. We have titled the event the Boots, Bluejeans and Barbecue Party. If you don't want to wear boots or blue jeans, dress casually. We will serve dinner, present awards, and have a good time.

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Teams may use whichever enlargements they want and as many enlargements as they want. If teams wish to avoid the cost of transporting the enlargements to Houston, they may contact Russell Watkins at Flash Data (the vendor South Texas uses). russell.watkins@flashdata365.com. 281.686.3177 (mobile). 713.873.1700 (office). He will deliver the enlargements and supplies to the convention center, and we will have them available for you when you check in for the first round Thursday morning. Russell will have a copy of the revised problem.

We are aware of and are monitoring concerns related to the coronavirus. We have no current plans to alter the tournament. In the unlikely event that changes, we will notify you immediately.

Let me know if you have any questions or need anything.