

**INTRODUCTION TO LEGAL STUDIES: FINAL TAKE-HOME EXAM**

Complete ALL FIVE scenarios/questions, except if you have already done the test posted on March 30 and you opted to have it count for this final take-home, in which case you have to do only questions 1 and 2. For the analysis of the cases, please follow the format extensively discussed in class. Since the cases on this test aim to evaluate your understanding and your application of the principles and methods discussed in class, **you have to apply the law as discussed in class**, even if that is a simplification of the existing Canadian law. For example, if we discussed a certain rule with no exceptions, then you have to apply that rule as we saw in class, even if there is an exception to that rule in Canada. You are not permitted to consult with anyone about this test. Please do not ask me questions about the test once this test is posted online. As a matter of fairness, I do not want to give answers to some students that others do not have the benefit (or detriment) of hearing. You will simply have to use your own judgment about how to handle any possible difficulties, including the interpretation of the questions and tasks.

**Submission:** You need to send this evaluation to the Algoma University Moodle platform for this course in an **MS Word document** by Tuesday, April 13, 2021 5.30 pm EST.

1. a. Discuss the main similarities and differences between common law and civil law as applied in Canada. Make connections to the topics, issues, examples, discussions, and activities that we discussed in class.

OR

- b. Find a news article or a journal article dealing with any topic that we discussed in class (except for legal careers) in the Civil Law world. Summarize the article, discuss the main aspects of the topic in Civil Law and compare it to what we discussed in class.
2. a. Find a news article dealing with copyright infringement in Canada and analyze it. Make connections to class examples and discussions.

OR

- b. Analyze the following scenario.

Since Jerry Lewis does not know musical notations, he sings the melody of a song he has created to his friend, Dean Martin, who knows how to annotate songs. Dean Martin writes the music as sung by his friend. Later, that same day, Dean Martin adds the lyrics to the music

and sends it to Sony Music, alleging that he is the author of both the music and the lyrics. The company pays Dean Martin \$1,000,000 for the rights to the song, which he doesn't share with his friend Jerry Lewis.

3. Analyze whether Bart committed the crime of aggravated criminal organization as defined in the scenario.

Bart dropped out of school and invited all his friends, most high school dropouts like himself, to hang out during school time, paint graffiti, and drink beer. His former classmates referred to Bart and his friends as "El Barto" gang. After a couple of months since Bart dropped out of school, his gang became popular and other students dropped out to school to join El Barto gang. Admission to the gang consisted of committing a crime. Those who committed a crime and were not arrested were able to join El Barto gang. Unbeknown to Bart, newly admitted members of the El Barto gang intentionally killed a police officer. (a) Analyze whether Bart committed the crime of aggravated criminal organization, which is defined as follows: "a person commits aggravated criminal organization when he or she intentionally joins a street gang and any member of the street gang intentionally, knowingly, or recklessly causes death to another human being."

4. Analyze whether Mr. Ingalls committed the tort of assault.

Mr. Ingalls is driving his car on Main Street, Walnut Grove. He is speeding; and he is perfectly aware that that he may kill a pedestrian if one crosses the street. But, he trusts that if he sees a pedestrian, he will be able to slow down and even brake. Being an experienced driver, Mr. Ingalls is confident that he will not run over anyone. Mr. Olsen crosses the street at an intersection. Mr. Ingalls tries to slow down but runs over Mr. Olsen, who dies instantly.

5. Analyze the following contract scenario.

Elmo, an 18-year old college student, was approached on the street by Grover, who showed him phones and computers he had in a bag. Grover asked Elmo if he wanted to buy a brand new iPhone 11. Elmo

refused because he was saving to buy a new car. Grover insisted. He was verbally abusive and kept following Elmo on the street. A new iPhone 11 is listed at \$1000 on the Apple store, but Grover offered to sell it to Elmo for \$800. Elmo was afraid that if he didn't buy it, Grover might continue with the verbal abuse, so he bought it in cash. When Elmo came home, he was upset because he already had a phone and didn't need a new one.