

INTRODUCTION TO LEGAL STUDIES: MIDTERM TAKE-HOME TEST

This make-up test is meant to help you improve the grade you got in the midterm. As discussed in class, if you do not need to raise your midterm grade, you can still do this test, in which case the three questions will count toward your final take-home exam.

Complete **ALL THREE scenarios/questions**. 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 **Thursday, April 1, 2021 5.30 pm EST**. **Please note that there are two different places to submit this test in the platform depending on whether you are doing this test as a make-up test for the midterm or as part of the final take-home exam. Since this test is not mandatory and is considered a privilege (cf. course outline), no extensions are allowed.**

1. Analyze whether or not Rosa committed the crime defined in this scenario.



Rosa had a supply of a prescription drug she took for her chronic pain condition. She noticed that she was running out of her pills before her prescription was due for renewal, and she realized that her 5-year old daughter, Rosita, was taking them from her medicine cabinet. The Criminal Code criminalizes facilitating minors' access to drugs as follows: "It is a crime to intentionally or negligently give any prescription drug to any person to whom such drugs have not been prescribed."

2. Analyze Cookie Monster's possible claim against Oscar the Grouch.



Oscar the Grouch Computer, Inc. is a manufacturer and retailer of personal computers. Cookie Monster went to Oscar the Grouch Computer retail store and bought a laptop for \$2,500.00 for use in his Chocolate Chip Cookies store. The entirety of the sale transaction consisted of Cookie Monster stating to Oscar the Grouch "I'll take one of those \$2,500.00 models." Oscar gave him the computer and told him that it was a final sale, no returns allowed. Cookie Monster nodded and paid the price in cash. As you might guess, the laptop constantly crashed. Cookie Monster called Technical Support, but the lines were always busy and he could never get through. Cookie Monster was never able to use the computer.

3. Analyze whether Ernie committed a tort or not.



Bert was injured when the car in which he and Ernie were traveling slid off an icy Highway 17 in the Sault during a winter storm and overturned. At the time of the accident, Ernie was driving the car. Bert was sitting in the front passenger seat, wearing his seat belt. Ernie was driving 76 km/h at the time of the accident, although the posted speed limit was 80 km/h. Ernie and Bert were both seriously injured.