

## **INTRODUCTION TO LEGAL STUDIES: MIDTERM TAKE-HOME TEST**

Complete any FOUR scenarios/questions. For the analysis of 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.

**Submission:** You need to send this evaluation to the Algoma University Moodle platform for this course in an MS Word document by Friday, March 5, 2021 4.00 pm EST.

1. Analyze whether Homer Simpson committed a tort or not.

Right before the January Covid-19 lockdown began, Homer Simpson rented a car from Avis, a car rental agency in Sault Ste. Marie, Ontario, which he had to return within two weeks. Because Avis had to be closed during the lockdown, Avis notified Homer that he could keep the car at no extra charge until the lockdown was lifted. The lockdown and stay-at-home orders were lifted on February 16. Homer read about the end of the lockdown on the news, but he completely forgot to return the car to Avis.

2. Analyze whether Moe committed the crime of homicide as defined in the scenario.

Moe was driving on Queen St. in Sault Ste. Marie, Ontario over the speed limit when Larry, a pedestrian crossed the street. Moe thought that he could avoid running over Larry. So, he frantically slammed on the brake and swerved the steering wheel. But, it was too late. Moe ran over Larry, who died instantly. Homicide is defined as “recklessly causing death to another human being.”

3. Analyze whether Moe committed the crime of assault as defined in the scenario.

Moe is mad at Larry because Larry hasn't paid back a loan. Moe wants to hurt Larry, so he throws a baseball ball at Larry on a crowded park. The ball misses Larry but hits Curly, who is walking his dog on the park. Curly's head is injured. Assault is defined as "knowingly or recklessly, directly or indirectly, touching someone without their consent."

4. Analyze each element of the definitional terms of the following offences. Please organize your answer in a chart format.

A person who issues a check for the payment of money, knowing that the check will not be honored commits a crime.

A person is guilty of theft if he/she purposely receives movable property of another knowing that such property has been stolen.

A person commits perjury if he/she willfully makes a false statement in a court proceeding.

5. Determine the standard of care for the following conducts:

Hosting a party for fellow young university students at home on a Saturday night (pre-pandemic).

Baking a cake at home.

Sneezing in a public place such as the mall (during the pandemic).

6. Analyze if there is a valid contract. If so, determine whether Stan Laurel has a valid claim for breach of contract against Oliver Hardy.

Oliver Hardy offers Stan Laurel to sell his white 2020 Toyota Yaris car, whose odometer reads 15000 km for \$16000. Stan Laurel says he can only pay \$14000. Oliver Hardy agrees. But he delivers his wife's white 2019 Toyota Yaris, which was driven only 4000 km.

7. Analyze whether Fred committed a tort or not.

Fred is walking and texting on his phone. Inadvertently, he walks into Barney's property where Barney's 7-year old son, Bamm Bamm, is playing. Bamm Bamm is scared to see a stranger walking in his front yard. Bamm Bamm starts to cry and runs inside the house. Barney shouts at Fred, "Get out of my property." Fred is so absorbed in his chat that he doesn't hear Barney and continues texting in Barney's yard.