

1. Under Mock Trial Fact Situation, page 12, line 37, It states, “June 2015 on a TBD-2 temporary work visa for non-agricultural workers,…” Does TBD-2 stand for To Be Decided? If so, is there a place we can find clarification about what that means in terms of visas?

TBD-2 does not stand for To Be Decided. Similar to Tanterra, a fictional country, the TBD-2 visa was created for purposes of the Mock Trial program. Although it is a fictional visa, the validity of TBD-2 cannot be questioned as stated in Stipulation #8.

2. Am I correct that the pretrial facts are off-limits for the trial and that the trial facts are off-limits for the pretrial?

The purpose of the pretrial motion is to argue whether or not the bracketed information in the fact situation and witness statements may be used at trial. The pretrial facts cannot be used for the trial and the trial facts cannot be used for the pretrial.

Case Packet, Page 18, lines 14-20.

The sources for the pretrial motion arguments are a “closed library,” which means that Mock Trial participants may only use the materials provided in this case packet. These materials include: excerpts from the U.S. Constitution, the California Constitution, the California Penal Code, edited court opinions, and Pretrial Facts.

3. Does the clerk compete for the prosecution or the defense? What about the bailiff?

The prosecution provides the clerk and the defense provides the bailiff (and unofficial timer as optional).

4. Can a student take a picture and then sketch from the picture?

Courtroom artists cannot sketch from a picture. To take a photo and then sketch from the picture would be against the rules and unethical.

5. Nowhere in Cameron's statement does it say that the restaurant is now closed yet it does say in Frankie Lyman's statement. If I remember correctly, witnesses cannot use other witnesses' words. Yet, shouldn't Cameron know that Cameron's own restaurant was closed?

This is insignificant and does not materially go toward Awbrey's guilt or innocence, but it is a fair extrapolation in this case that Cameron knows the restaurant is closed.

6. Was Cameron Awbrey handcuffed at the time he made the statement “I don't know who you think you are, but you need to understand something: everything under that roof is mine.”

There is nothing in the pretrial facts that show that Cameron Awbrey was handcuffed at the time Cameron made this statement. In pretrial no witnesses can be called so no extrapolations can be made.

7. Was the police car door open at the time Awbrey made the statement “I don’t know who you think you are, but you need to understand something: everything under that roof is mine.”

There is nothing in the pretrial facts that show that the door to the police car was open at the time Cameron made this statement. In pretrial no witnesses can be called so no extrapolations can be made.

8. Did Officer West provide an opportunity for Cameron Awbrey to leave the police car prior to their arrival at Taste of Tanterra? .”

There is nothing in the pretrial facts that show Officer West told Cameron that Cameron could or could not leave the police car. In pretrial no witnesses can be called so no extrapolations can be made.

9. The team and I were curious why the one apartment door on Exhibit 2 is shown in gray, unlike all the others? The key does not reflect this distinction. Is there some meaning to it?

There is no meaning to the darker gray scale of the door on the second floor. It is just a print production difference in gray scale.

10. Neither expert witness indicates whether they got paid for their services. Also, on the prosecution expert's statement, it doesn't say how she became involved in the case. I assume law enforcement asked her to render an opinion as to whether Lin showed signs of being a victim of human trafficking, but her statement never indicated who hired her or what she was asked to do. Seems like an odd thing to leave out.

It is assumed that both experts, as they are both in private practice and have experience testifying for both sides in trials, were paid a standard fee to testify.

11. Was the Taste of Tanterra open 7 days per week?

Taste of Tanterra was open 6 days a week.

Case Packet: Page 13, lines 4 & 5: Taste of Tanterra opened on December 1, 2015. The restaurant was open Monday through Saturday for lunch and dinner.

12. Can participating Mock Trial students use tablets and/or laptops during the trial- specifically for notes? 3.6(D) says: “Attorneys may use notes while presenting their cases.” However, I was unable to find anything regarding the utilization of electronic notes.

Students cannot use electronic devices. See rule below.

CA Mock Trial Rulebook, Page 3, Rule 1.3 — Trial Procedures

L. Use of laptop computers, tablets, cellular phones, or other electronic devices during trials is prohibited.

13. The case never mentions if Cameron was ever Mirandized. Did Officer West Mirandize Cameron Awbrey?

There is nothing in the pretrial facts that show Officer West gave Miranda warnings to Cameron. In pretrial no witnesses can be called so no extrapolations can be made. (Whether Miranda warnings were properly given or not is only one factor in the inquiry about attenuation between the initial illegal stop and the bracketed statement of Cameron Awbrey.)

14. Can the defendant testify to what she heard prior witnesses say under oath?

No. Unlike a real trial, our witnesses stay in the courtroom. Witnesses may not testify to what they heard previous witnesses say.

CA Mock Trial Rulebook, Page 7, Rule 3.4 Witnesses,

B. Witnesses may not testify or respond to another witness' testimony, unless otherwise stated in the stipulations.

D. Unless otherwise stated, attorneys may not solicit information from a witness that requires the witness to testify to information from another witness' statement or information not included in their own statement.

15. Can we assume that Lin's visa functions like an actual temporary non-agricultural worker visa? Meaning that it was issued to Lin's employer, not to Lin, and that therefore Cameron would have needed to obtain a new certification for Lin so that Lin could legally work in the U.S.?

No. The details of the visa were intentionally kept vague. The necessary information pertaining to the visa is included in the case packet.

16. On an earlier errata, you added that Lin received compensation of \$800-900 a month (p.14 under stipulations) However, on page 35 (Dana Greyjoy's witness facts) it was stated that Cameron paid Lin a total of \$1,700 over a four month period, which breaks down to approximately \$425 a month (Lines 11-12). This witness statement contradicts the earlier stipulation. Could you please clarify this for me?

The cash payment Lin received a month remains the same. The \$800-\$900 a month not only includes the cash payment Lin received but also includes room, board, and utilities.