GROUND RULES
Treat this like an examination. No collaboration, no discussion, no assistance from any live person, except for me. While you may want to complete it earlier, it is due no later than May 16, 2019. Any requests for extensions beyond that must go through Student Affairs. Page limits are noted below, but they will not be strictly enforced. If you feel like you are stuck or have been spinning your wheels on any question without progress, come see me. Submit it via email (not Slack) with name only on cover sheet before first page.

SIMULATION No. 1
We’re suing a prosecutor’s office, which will undoubtedly assert prosecutorial immunity as a defense. An earlier intern identified a 9th Circuit case, Sanders v. City and County of San Francisco, 226 Fed. Appx. 687 (9th Cir. 2007), as having similarities to our case, so we are looking closer at it. We already have the Sanders appellate briefs in the Circuit court from Westlaw. We talked the Sanders plaintiffs, though, who said the government defendants used some arguments related to prosecutorial immunity at the trial court that, for some reason, they did not raise in the Circuit court briefs. I need you to locate the government defendants’ Memorandum in support of its motion to dismiss in the District Court so we can examine these additional prosecutorial immunity arguments. Explain briefly how you located it, and to show you found it, please either paste a screen shot of the first page of that filing below or enclose the first page of the motion with your answer.

SIMULATION No. 2
We are assisting a nonprofit involved in environmental and land use issues. Among other things, they are involved in a slow-moving dispute involving a piece of remote property over which the Department of the Interior asserts ownership. The Department of the Interior told them that it obtained the land through a land exchange agreement with a third party and cited 54 U.S.C. § 102901 as providing the Secretary of the Interior the authority to do so. Two years ago, we asked an intern to look into this statute and examine any cases in which a court had interpreted it. In a memo, the intern noted that they had Shepardized the statute on Lexis and found no court decisions interpreting the statute, which they said was perhaps not surprising because the law only came into being in 2014.
We had left the issue there until yesterday when we learned that the supposed land exchange occurred in 2004 prior to when our previous intern said this law was passed! Can you double check and update our previous intern's research? In particular, can you check whether any courts have interpreted the authority granted to the Secretary of the Interior in this statute and did it only become law in 2014? Please confirm our earlier research or tell me what you find on these points and briefly describe what steps you took to do so. No more than 1 page.

**SIMULATION No. 3**

We have a client charged with, among other things, insurance fraud in the first degree under N.Y. Penal Law § 176.30 for allegedly submitting false materials related to a health insurance policy. I found a Court of Appeals case with almost identical facts, *People v. Boothe*, 16 N.Y. 3d 195 (2011) in which the Court examined a similar indictment for alleged health insurance fraud and held that the “Legislature plainly failed to criminalize the conduct at issue” given that the legislature never expanded §176.30 to include health insurance fraud. I had an intern doing research on other charges and the intern delivered a memo on those issues on their last day. At the end of our meeting, my phone starting ringing and the intern said quickly on their way out the door, “Oh, and finally, you didn’t ask me to research this, but I do not think that Boothe case is going to help us, I don’t think it is still good law on the health insurance fraud point.” I simply nodded because I needed to take the phone call and didn’t want to admit that I had no idea what they were talking about. I’m hoping you can confirm that the intern is mistaken. Can we rely on Boothe and is its holding still good for our client in challenging the health insurance fraud charge? Whether the answer is yes or no, please explain your answer and what steps you took to arrive at your answer. No more that 1.5 pages.

**SIMULATION No. 4**

A First Amendment organization is researching issues involving the nature of government partnerships with faith-based organizations. There appears to be a complicated latticework of Executive Orders related to this. We have a long list of them to check on. Can you take Executive Order 13,498 (Feb 5, 2009) and identify subsequent Executive Orders (if any) that have an effect on it? Please describe the steps you took to confirm the status of this Executive Order. No more than 1 page.
SIMULATION No. 5

Your supervisor had a call from an NGO in Miami that focuses on hate crime issues and was calling to get some information about NYC law for the sake of comparison. Your supervisor’s notes from the conversation state that our colleagues in Miami were interested in the idea of advocating for the creation of a hate crimes office within city government. They had heard that the NY City Council was perhaps looking at the idea of law mandating the creation of an “Office for the Prevention of Hate Crimes” in NYC? They ran a search in Westlaw and was unable to locate any such law in NYC and thought maybe it was just a proposed law? Can you see if you can find whether there is such a law in NYC? If so, when was it passed and has it taken effect? Explain how you located it or how you got comfortable that there is no such law. No more than 1.5 pages.

SIMULATION No. 6

We’re looking into some possible human rights violations that affected our client and her children in Somalia. Can you check to see whether Somalia is a party to the 1983 Convention on the Rights of the Child and if so, when they became a party and a copy of reservations or declarations (if any)? Briefly explain how and where you checked. No more than 1 page.