Index

	issing children, 28
active participation, x change of ver	
actual physical control, 22 circuit court,	
	of appeals, 37
address the judge, 17 citation, 23	
adequately contained, packaged, and labeled, civil charges,	71
68–69 civil code cou	ıntries, 99
adversarial trials, 8 civil law, 8	
affirmed, 21 claimant, 44,	71
agreeing and disagreeing, 110 clarity, 7, 32	
agreement, 89, 91–92 cocaine, 78	
agency, 41, 88 commercial a	activity, 41
agent, 89–90 commissions	, 90
appeal, 18–19 comparative	fault, 67
appellate, 18 compensator	y damages, 66, 72
appellate argument, 60–61 competent pa	arties, 79–80
appellate court, 37, 87 complaint, 45	5, 51
Appellate Divisions, 37 concurrent ju	ırisdiction, 40
appellant, 107 confidentialit	ty agreement, 64
appropriate relief, 43 confine or co	onfinement, 54–55
argument, 81 consent, 105	
argumentation, 33, 67 consideration	ı, 84
article, 47 contract of en	mployment, 82
attractive nuisance, 113 contract(s), 7	73, 77, 84, 88
award, 49, 72 contributory	negligence, 103
copyright, 40)
bargaining, 91 copyright inf	ringement, 60–61
battery, 54 counterclaim	
bill of sale, 75 court of appe	eals, 19, 38
biological parent, 11 court calenda	
brainstorming, x court of first	instance, 37
breach of contract, 51 court reporte	er, 51
courtesy copy	
carbon copy, or cc. See courtesy copy criminal char	
case law, 87 criminal code	-
casebook, 43 cross-claim, 4	

cultural differences, 131 file complaint, 38 custody, 28, 105, 107. See inter alia custody filing of the dependency, 105 first appellate court, 37 fit for the ordinary purposes, 68 damages, 26, 40, 44, 52-53, 57, 68, 88, 99 debate, 62, 110 fit for the ordinary use, 70 default judgment, 43 forcible seizure, 28 defendant, 18-19, 21, 24, 41, 60, 68-69 FSIA, 41 dependent, 105 fundamental liberty, 34 dependent and neglect action, 107 depose, 51 grand jury, 34 depositions, 20 group work, x describe(-ing), 97 direct speech, 126 he (formal), 29 directness, 32 hedge, 114 disclaimer, 68-69, 71 health care, 65 disclaimer of liability, 70 high-context culture, 130 discovering connections, 37, 63 highest appellate court, 37 discussion, 32, 35 holding, 23, 28 dismiss case, 38 hunting season, 33 dissenting opinion, 78 infer, 22 district court, 38 diversity of citizenship, 40 informal email, 9 divorce, 40, 105-6 information gap, 42 domicile, 47 infringement, 58 draft board, 29 injuries sustained, 49 drunkenness, 26 injurious act, 27 inquisitorial trials, 9 effectuate, 31 instrumentally of a foreign state, 41 emailing, 100 intent, 58 enticement, 28 intentional infliction, 54 intentional torts, 53 exchange of interrogatories, 51 exclusivity, 72 inter alia custody, 105 executrix, 9 interference, 28 explain(-ing), 97 intoxicate, 26 introductions, 4-5 express warranty, 70 issue, 23 fact determinations, 21 facts, 23 judgment of the court, 20 factual allegations, 48 jury bias, 50 juries, 50 fair average quality, 68-69 fair use, 58-59, 107 jurisdiction, 40-41, 44, 87 false imprisonment, 53 juvenile court, 106 federal, 21 file (law-)suit, 40, 51

kidnapping, 28-29

knock and announce, 13-14 of similar kind, 68 opinion(s) 12, 98 lack of jurisdiction, 39, 43 oral argument, 14 lawful justification, 29 oral presentations, 41 lawful parents, 10 original action, 45 lawsuit(s), 43, 51-52, 64 leading a discussion, 10 pair work, x legal citations, 19 paraphrase(-ing), 7, 10, 24, 99 parody, 59-61 legal consideration, 79-80 legal history, 23 pass without objection, 68 legal memoranda, 103 patent, 58 letters, 102, 115 per curiam opinion, 21 liability, 57, 68, 70 personal injuries, 46 libel, 54 personal jurisdiction, 44 licensed, 99 personal responsibility, 26 litigation, 72 personalizers, 25 locking column locks, 9 persuasion, 28 low-context culture, 130 persuasive authority, 9 lower court, 20 plagiarism plaintiff, 18-20, 40, 51, 53, 57, 60, 71 majority opinion, 21 pleading, 45-46 manslaughter, 33 plurality decision, 21 match promises on label, 69 police report, 46 memo, 18, 32-33, 115 politically correct language, 5 merchant, 68-69, 71, 83 possession, 57 merchantability, 70, 76 premeditation, 31. See reasoned merchantable, 68-69 premeditation minor(s), 77, 104 prescription medicine, 10 monetary damages, 52 pre-trial discovery, 51, 64 moral decisions, 63 privacy interests, 14 moral dilemmas, 50 privity of contract, 72 moral responsibility, 25 probate, 40 motion to dismiss, 38, 42 procedures, 17 Ms., Miss, Mrs., 17 proceedings, 106 mutuality of agreement, 79-80 products, 88 mutuality of obligation, 79-80 products liability, 64 professional seller, 68 neglect, 106 progression of a lawsuit, 51 negligence, 26, 57-58, 66, 71, 72 promise made on the container, 68 negotiation(s), 86, 91, 93 promisee, 85 not compete, 82 pronoun(s), 47, 123 nouns, 123 pronunciation, 41 property, 88, 92 of even kind, quality, and quantity, 68 prosecute, 33, 52

proximate cause, 24 punitive damages, 65

quasi in rem jurisdiction, 39

rain checks, 82 reading, 21–23, 40, 43, 68, 72, 80 reasonable consideration, 82 reasoned premeditation, 32

reasoning, 23-24, 63

reckless, 26 register, 7

relevant conduct, 41
remand(ed), 18, 20, 107
rental contracts, 73
reported speech, 125
right to bear arms. *See* Second Amendment

rule of law, 23

sale of goods, 75 sales contract, 83 search warrant, 14 Second Amendment. *See* right to bear arms Selective Service, 29

settle or settlement, 64–65 sexist language, 29 silence, 131

slander, 54 slang, 7

societal responsibility, 26 State Supreme Court, 21

statute(s), 28, 107 statutory elements, 16

statutory exception to immunity, 41

statutory provisions, 60 strict liability, 57, 67, 70

structure, 30

subject matter, 45, 79-80

subject matter jurisdiction, 107

subjective issue, 32

sued, 99 summary, 99

summary judgment, 51

summons, 42 superior court, 31 Supreme Court, 21 surrogate motherhood, 10

sworn testimony, 20

territory, 89 testify, 20 title transfer, 75 tort(s), 53, 70

trade without objection, 69

trademark, 58

transformative use, 59–60 trespass(-ing), 53, 56 trial, 18, 51, 64, 106 trial court, 37 trial procedure, 46

U.C.C. 2 207, 83 U.S. Constitution, 20 U.S. Court of Appeals, 37 U.S. District Court, 37 U.S. Supreme Court, 37 unique(-ness), 88

venue, 38-39

warm-ups, ix

warranty of merchantability, 69 warranty, 68, 70, 72, 76 wrongful death, 24, 52–53

Your Honor, 17