

Name: Key! Date: Dec. 9, 2021 in class! Score: 20 / 20**QUIZ 4: Venue, Pleadings and Requirements; Statutes of Limitations!** (C&W chs. 6, 9, 14) ^{+2 =}**Instructions:** In the spaces at the left, write the CAPITAL letters of the best answers. 2 points each! 22

- C 1. The "venue" of an action, as addressed in CPLR Article 5, is: (A) where the cause of action occurred (B) where defendant lives (C) the place of trial (D) the amount of damages plaintiff seeks 😊

Questions 2-4 (and the bonus questions) address this scenario: Oliver, a resident of New York County, wants to sue Prof. Coughlin, a resident of Kings County, in New York Supreme Court, for injury to property and personal injury in connection with a car accident that occurred in Albany County on December 10, 2018. All of these counties are in New York State. This case does NOT involve a consumer credit transaction.

- D 2. What venue(s) is/are proper under CPLR § 503(a)? (A) New York County (B) Kings County (C) Albany County (D) any of these three counties, but no others (E) any county in NY that Oliver chooses

- C 3. By the time Oliver commences the case described above, he has moved out of NY, to the state of Texas. Prof. Coughlin still lives in Kings County, NY. Now what venue(s) is/are proper under CPLR § 503(a)? (A) New York County, Kings County, or Albany County only (B) New York County or Kings County only (C) Kings County or Albany County only (D) any county in NY that Oliver chooses

- B 4. Now suppose that when Oliver commences his case in New York Supreme Court, he lives in Texas and Prof. Coughlin lives in the state of Alaska. Now what venue(s) is/are proper under CPLR § 503(a)? (A) New York County, Kings County, or Albany County only (B) any county in NYS that Oliver chooses (C) the state of Texas (D) the state of Alaska

- A 5. A summons is a document in which: (A) P notifies D that P is suing D (B) P informs D why P is suing D (C) P tells D how much P loves D (D) D responds to the allegations in P's complaint.

- D 6. Under CPLR R. 305(a), a summons shall include: (A) the case index number (B) the basis (reason) for the venue selected (C) the date the summons was filed with the clerk of court (D) all of the above

- A 7. A complaint is a "pleading" that must follow requirements stated in CPLR Article 30. (A) true (B) false

- D 8. Which of the following does CPLR R. 3014 not require in pleadings? (A) plain and concise statements (B) numbered paragraphs (C) one allegation per paragraph (D) topic sentence in each paragraph

- B 9. Under CPLR § 201, a court may extend the time limit for commencing an action to promote the just, speedy, and inexpensive determination of the action, as required by CPLR § 104. (A) true (B) false

BONUS! (1 point each—ONLY IF you answer ALL questions above, in accordance with instructions!)

- C What section of CPLR Article 2 provides the statute of limitations for the scenario in questions 2-4 above? (A) 202 (B) 209 (C) 214 (D) 214-a

What is the approximate date by which Oliver must commence his action against Prof. Coughlin in the scenario in questions 2-4 above? (Write it here.) Dec. 10, 2021