

Name: KEY

March 13, 2019

Score: 100 / 100

+5 = 105

**MIDTERM EXAM Answer Sheet**

**Matching**

Set I:

- 1. F
- 2. E
- 3. C
- 4. D
- 5. A
- 6. B

Set II:

- 7. E
- 8. F
- 9. A
- 10. D
- 11. C
- 12. B

**Name the Courts**

- 13. NY Supreme Court, Richmond County
- 14. NY Supreme Court, Appellate Division
- 15. First Department
- 16. US District Court for the Eastern District of NY
- 17. US Court of Appeals for the Second Circuit

**Long Arm Jurisdiction**

- 31. (a) yes
- 32. (b) 1
- 32. (a) yes
- 33. (b) 1 or 4
- 33. (a) yes
- 34. (b) 2
- 34. (a) no
- 34. (b) 2 or 3

**Multiple Choice**

- 17. C
- 18. B
- 19. C
- 20. D
- 21. B
- 22. B
- 23. C
- 24. B
- 25. A
- 26. B
- 27. E
- 28. D
- 29. A
- 30. B

**Chief Justices**

- 35. Chief Justice John G. Roberts Jr.
- 36. Chief Judge Janet DiFiore

**BONUS:** The NY civil court probably can NOT exercise personal jurisdiction over R. Kelly in this case. CPLR § 302(a)(3) applies because he committed the tortious act outside ("without") the state of NY. However, the facts provided here indicate that neither of subparts (i) or (ii) are satisfied because

R. Kelly derives no revenue

in NY or in interstate or international commerce.

**Short essays on the back of this page, and Bonus question anywhere!**  
**Please submit this answer sheet and your exam paper when you finish the exam.**

**THANK YOU!! ☺**

ESSAY responses will vary. Examples of good ones are attached!!

SEE next p

## Short Essay I

To begin with, Civil law and procedure is law regarding two private parties who settle dispute regarding businesses transactions, property, accident ect in court. In Civil procedure there are two parties. A plaintiff who feels wronged by person/entity, and brings a claim against a defendant to seek relief. The defendant is the alleged wrongdoer, the party whom the plaintiff brings case against. Relief is usually money damages or any other rights given to the plaintiff. In Criminal Court there are two parties as well, the state/government and the defendant. In criminal court you are being charged with a crime, that can result in, if proven guilty without reasonable doubt, in a fine, prison or Death. The rules that govern civil procedure is the CPLR book, Civil Practice Law and Rules. Plus comprehensive Appendix of Related Statute.

## Short Essay II

D, The CLR provision we studied that pertains to the quote is the NYS Long Arm Statute. (§ 302, Personal jurisdiction by Acts of Non-Domiciliaries). The statement is related to the CPLR provision because due process is the basis of the Long Arm Statute. The Long arm Statute gives the courts authority to exercise personam jurisdiction on non-domiciliaries. Due process is important in this statute because due process gives the courts authority to exercise personam jurisdiction only if the person/entity had minimal contact with the state. Without the minimal contact ordained in due process the court would lack personam jurisdiction.

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