

QUESTION 1 – One Hour

Punch and Judy live on land that is straddling the border between the states of Woe and Flux. The parties are romantically linked but not married. Together they purchased a 100 acre parcel that is 70% in the State of Flux and 30% in the state of Woe, for \$700,000. The \$100,000 down payment was advanced by Judy, and they took title as Joint Tenants. The monthly payments are made 60% by Judy and 40% by Punch. This was approximately two years ago. Judy also owns an adjoining 10 acre parcel with her home on it, also straddling both states. The home is in Flux, and the couple planned to live there. The property is worth \$500,000. They entered into a written contract that Judy would convey to Punch for a consideration of \$50,000 an undivided one-half interest in the parcel. The contract contains a standard clause for attorney's fees to the prevailing party. However, unknown to Judy, Punch had another girlfriend, Deedee, whom he has been seeing for six months. He has told Deedee that he will eventually leave Judy and marry Deedee.

When Judy learns of this relationship the contract with Punch has been signed and an escrow opened but it has not yet been completed. Judy becomes furious. She tells Punch that she will not allow him any interest in either parcel. And she says, "You and Deedee won't get a cent. I don't care what any judge says." Punch lives in an apartment in Woe.

What are the rights and remedies of Punch and Judy?

QUESTION 2 – One Hour

Wyatt is a volunteer auxiliary patrolman serving without pay in the City of Pain. He is authorized to wear a uniform, but he is not paid. While on patrol, he spots Ook, an Eskimo walking in the neighborhood. Wyatt says to him, "What are you Eskimos doing here? You don't belong here. You're cold people. Get out." They get into an argument, and Ook throws an ice cube at Wyatt and in response, Wyatt pulls his gun and shoots Ook. Ook survives three days in agony and then dies. This causes community uproar and when the police department investigates they immediately discharge Wyatt.

Ook, 35, was employed as a security guard. He was hoping for a promotion soon, as he had a good record there. There are witnesses to these events.

Ook is survived by his wife, Oog, but their relationship is strained, as he lives with Lover, a live-in gay significant other. They have two children, Blubber and Harpoon. All four of them are so upset they need psychiatric care.

What are the rights and remedies of the parties?

QUESTION 3 – One Hour

Because drainage has been a significant problem for years in a certain neighborhood, The City of Refuge enters into a written agreement with Arg, a property owner, to construct a drainage culvert and drain pipes under his land and emptying unto Splat Street, near the property of Peter, Paul and Mary. When it is completed water gushes down the pipes onto Splat Street and then on to the lands of Peter, Paul and Mary, seriously undermining their properties and damaging their homes and threatening to undermine their homes completely. Peter complains to the city but to no avail. Peter, a contractor, constructs a temporary diversion wall on his land and on Paul's and Mary's lands, which diverts the water into a storm drain, and this solves the drainage problem for at least several months, but a permanent structure is needed. He wants to file an action against the city for his damages and construction costs. He feels that the city was negligent in constructing the drainage system in that proper engineering studies should have been done before such construction was undertaken. Peter is also an African American and feels the city has discriminated against him. He spent \$50,000 on his temporary diversion wall, and a permanent one will cost \$150,000 more. While Paul and Mary consented to the building of the diversion structure, they don't want to help pay for this or for the litigation. However, now that the drainage problem has been solved, the properties of Peter, Paul and Mary have been increased in value by at least \$150,000.

Peter wants to be reimbursed for his costs of construction of the diversion wall and for his attorneys' fees. He consults you.

What are his rights and remedies?