

QUESTION 1
(One hour)

Andy owned and milked cows for milk and cheese production. After he pasteurized the milk, he sold the products out of his barn. Business had been slowed after his neighbor, an organic goat farmer, Bill, opened a business selling organic products. To increase his sales, Andy started putting “organic”, on his labels, even though his cows were fed grain and grass adulterated with nonorganic pesticides.

Celia bought cheese and milk from Andy and became extremely ill. She was allergic to pesticides. Suffering extreme pain, and thinking that she was dying, she jumped off a silo to her death, as not to have to suffer any longer. She actually would have survived her illness.

Business did not pick up much, so Andy decided to go into the goat business. One night, he snuck over to Bill’s, opened the barn door barn, and took two of Bill’s largest goats and replaced them with two of his puniest cows. Unbeknownst to Andy, the two that he took were infected with disease and were worthless. Bill had planned to sell them the next morning to Don, who wanted them for goat meat. Don, not knowing that the goats were infected, thought that he was buying the healthiest goats for \$150.00 each.

The next morning, Bill saw that his two sick goats were not in the barn, but two cows stood there. He assumed that Don took the goats and left him two cows in their stead. Bill, furious, and wanting his money and not cows, loaded up the cows and headed off to Don’s to get his \$300.00.

Don came out of his house with a big grin, which infuriated Bill even more. Bill unloaded the two cows, and demanded \$300.00. Not knowing what Bill was talking about, Don approached laughing, at which time Bill tried to tip the cows over onto Don to hurt him, but the cows would not tip.

What crime or crimes have been committed by the parties, if any? Answer at common and modern law where appropriate.

QUESTION 2
(One hour)

One night, Able, an on duty police officer, responded to a silent alarm at Baker's house. When he arrived he saw Baker and Baker's wife, Cathy, exiting the front door with a suitcase. Baker tried to explain that he accidentally tripped the alarm as they were leaving for vacation. Able, anxious to try out his new service revolver, but believing Baker was telling the truth, shot low at Cathy, hitting her in the leg. After Baker showed his ID, Able apologized, while a frantic Baker rushed Cathy to a hospital. The Doctor could not save Cathy's leg and had to amputate.

Later that evening when Baker was leaving the hospital, he noticed an envelope on the ground in the parking lot. The envelope contained 5 \$100.00 bills in a birthday card that read "With love, Mom". Baker kept the money to help pay for Cathy's hospital bills.

Meanwhile, Able took advantage of the alarm, entered Baker's house through the closed unlocked door and began loading Baker's stereo equipment and a TV into his patrol car to drop off at his own house. Unbeknownst to Able, the TV and stereo were actually his and the very ones that were stolen from him the week before. In a hurry to drop the stuff off, he turned on his sirens and sped off toward his home. On his way, he did not see David, a nighttime jogger, and hit him with his patrol car. David died at the scene.

When Able arrived at his home, he unloaded the goods and told his wife, Dotti, that the items were a gift to her to replace the stolen ones. Happy to be rid of the TV and stereo stolen the week before, she ordered him out of the house and to take the crap with him. She hated music and TV. When he refused, she took out her own pistol and shot at Able. The bullet missed, but hit the neighbor's nearby propane tank causing it to explode, catch fire, and burn down the neighbor's house.

What crime or crimes have been committed by the parties, if any? Answer at modern and common law where appropriate.