



To: NC Mock Trial Coaches and Students

Date: November 30, 2022

Re: 2022-2023 NCAJ High School Mock Trial Competition Case

- **Case Clarification #1**

- **Witness Familiarity with Exhibits**

- **Rule Clarification #1**

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### **CASE CLARIFICATION #1**

Please note that there **is** a discrepancy in the retainer fee amount that Morgan Matthews paid to Pat Patel. Morgan statement has been **amended** to say that he/she paid **\$3,000.00** (Page 23) while Pat Patel says he/she received \$3,000.00 (Page 29). Also in Jordan Quick's witness statement (Page 49), he/she indicates that it was \$3,000.00.

Typos corrected:

- The day the “award-winning story” aired is 06/24/2021. Morgan’s affidavit was corrected to reflect this change (Page 22, Line 50).
- The day that Jordan was terminated is 06/23/2021. Morgan’s affidavit was corrected to reflect this change (Page 22, Lines 61-65).
- The word “second” was added to the Affidavit given by Jamie Chen (Page 33, Line 6).
- Please note that there is **not** a discrepancy in the number of hotel rooms that were booked. Morgan indicates that on June 19<sup>th</sup> and June 20<sup>th</sup> it was four each day (Page 23, Line 87) and Jordan indicates it was five each day (Page 49, Lines 110-112).
- In Exhibit 1, the phone number has been updated to reflect ten digits rather than nine.
- In Exhibit 8, the year for the date at the top has been updated to reflect 2021 rather than 2022.

**WITNESS FAMILIARITY WITH EXHIBITS added at the end of each Affidavit:**

**Prosecution**

1. Morgan Matthews, plaintiff

Of the available exhibits, I am familiar with the following and only the following: the flyer I provided to Dr. Patel (Exhibit 1); a photograph from Dr. Patel depicting bed bug bites (Exhibit 2), a photograph of the bed bug-infested mattress in my hotel room (Exhibit 3); the partial transcript from my “Bed Bugs Live” exposé (Exhibit 4); the news article from *Utopia Gazette* (Exhibit 5); and the handwritten note found in Guest Room # 116 (Exhibit 9).

2. Pat Patel, M.D., plaintiff’s dermatologist

Of the available exhibits, I am familiar with the following and only the following: a copy of the flyer that Morgan Matthews asked me to share with my patients (Exhibit 1); a photograph from one of my medical textbooks depicting bed bug bites (Exhibit 2); the photograph of the bed bug-infested mattress in Morgan Matthew’s hotel room (Exhibit 3); and my Curriculum Vitae (Exhibit 6).

3. Jamie Chen, general manager at Global Broadcast Company

Of the available exhibits, I am familiar with the following and only the following: the news article from *Utopia Gazette* (Exhibit 5).

**Defense**

4. Toni Gomez, defendant’s hotel manager

Of the available exhibits, I am familiar with the following and only the following: the photograph of the bed bug-infested mattress in Morgan Matthew’s hotel room (Exhibit 3); the partial transcript from Morgan Matthew’s “Bed Bugs Live” exposé (Exhibit 4); the news article from *Utopia Gazette* (Exhibit 5); the Bed Bug Inspection Protocol information sheet used by Utopia Resort and Spa (Exhibit 7); the Housekeeping Checklist used by housekeeping staff of Utopia Resort and Spa (Exhibit 8); and the handwritten note found in Guest Room # 116 occupied by Morgan Mathews (Exhibit 9).

5. Jordan Quick, former UFIB-TV producer

Of the available exhibits, I am familiar with the following and only the following: the partial transcript from Morgan Matthew's "Bed Bugs Live" exposé (Exhibit 4); the news article from *Utopia Gazette* (Exhibit 5).

6. Casey Buhler, pest control expert

Of the available exhibits, I am familiar with the following and only the following: the photograph of the bed bug-infested mattress in Morgan Matthew's hotel room (Exhibit 3); and the Bed Bug Inspection Protocol information sheet used by Utopia Resort and Spa (Exhibit 7).

**The updated Version of the Case can be accessed on our website:**

<https://ncmocktrial.org/compete/case-materials/>

### **RULE CLARIFICATION #1**

Regarding Rule 3.3, the following was incorrectly italicized in the Rule publication: **\*\*No exhibits may be modified before trial, but attorneys and witnesses may highlight, underline, or otherwise mark exhibits during direct or cross examination. Such marked documents may be used as demonstrative exhibits during the trial and during closing arguments, but may not be entered into evidence.\*\*** This Rule **also applies** for in-person competitions. Attorneys and witnesses can highlight, underline or mark exhibits DURING direct and cross if they follow the process outlined in the rule.