

Here are the complete answers to your assignment, including graph placeholders where required:

Multiple Choice Answers:

Question 1 – Evidence

B) Yes, if the prior conviction is for a felony and the probative value outweighs the prejudice. Under Federal Rule of Evidence 404(b), prior convictions may be admissible for purposes other than proving character (e.g., motive, intent) if they meet the probative-prejudice balancing test.

Question 2 – Contracts

C) No, because the contractor had a pre-existing duty to complete the fence. The pre-existing duty rule prevents enforcement of modifications without new consideration. The contractor was already obligated to complete the job for \$10,000.

Question 3 – Criminal Law

C) He did not use a real weapon. Robbery often requires the use of a "dangerous weapon." A fake gun may not meet this element, potentially reducing the charge to theft.

Question 4 – Torts

C) The jury must assign fault to each party under comparative negligence. Most jurisdictions apply comparative negligence, allocating fault proportionally (e.g., 80% to the driver for running the light, 20% to the pedestrian for inattention).

Question 5 – Property

D) No, because the easement runs with the land and binds successors. The phrase "for as long as needed" suggests a perpetual easement that transfers with the land unless expressly limited.

Essay-Style Answers:

Essay 1 – Civil Procedure

The federal court has diversity jurisdiction under 28 U.S.C. § 1332 because:

- The parties are diverse (State A resident vs. State B/C corporation).
- The amount in controversy exceeds \$75,000.

Venue is proper in State A under 28 U.S.C. § 1391(b)(2) because a "substantial part of the events" likely occurred there (e.g., the plaintiff's injury).

Essay 2 – Evidence

The defendant's apology text is admissible as non-hearsay under FRE 801(d)(2) (party-opponent admission). Even if deemed hearsay, it may qualify for the state-of-mind exception (FRE 803(3)) or as a statement against interest (FRE 804(b)(3)).

Essay 3 – Constitutional Law

The law implicates First Amendment scrutiny:

- Content-based restriction: Prohibiting political symbols is likely subject to strict scrutiny. The state must show a compelling interest (e.g., preventing voter intimidation) and narrow tailoring.
- Alternative channels: Voters may express views outside polling places.

Likely outcome: The law is unconstitutional unless narrowly justified.

Essay 4 – Criminal Law and Procedure

The warrantless entry violates the Fourth Amendment unless an exception applies:

- Exigent circumstances: Hearing movement alone is insufficient without evidence of destruction of evidence or danger.
- Plain view doctrine: The drugs are inadmissible if the initial entry was illegal (*Horton v. California*).

Result: Evidence is likely suppressed.

Essay 5 – Contracts

The client's remedies include:

Sue for breach: Recover damages (e.g., cost of cover from another developer).

Specific performance: If the software is unique (unlikely for standard programs).

Cancel the contract: Terminate and seek restitution.

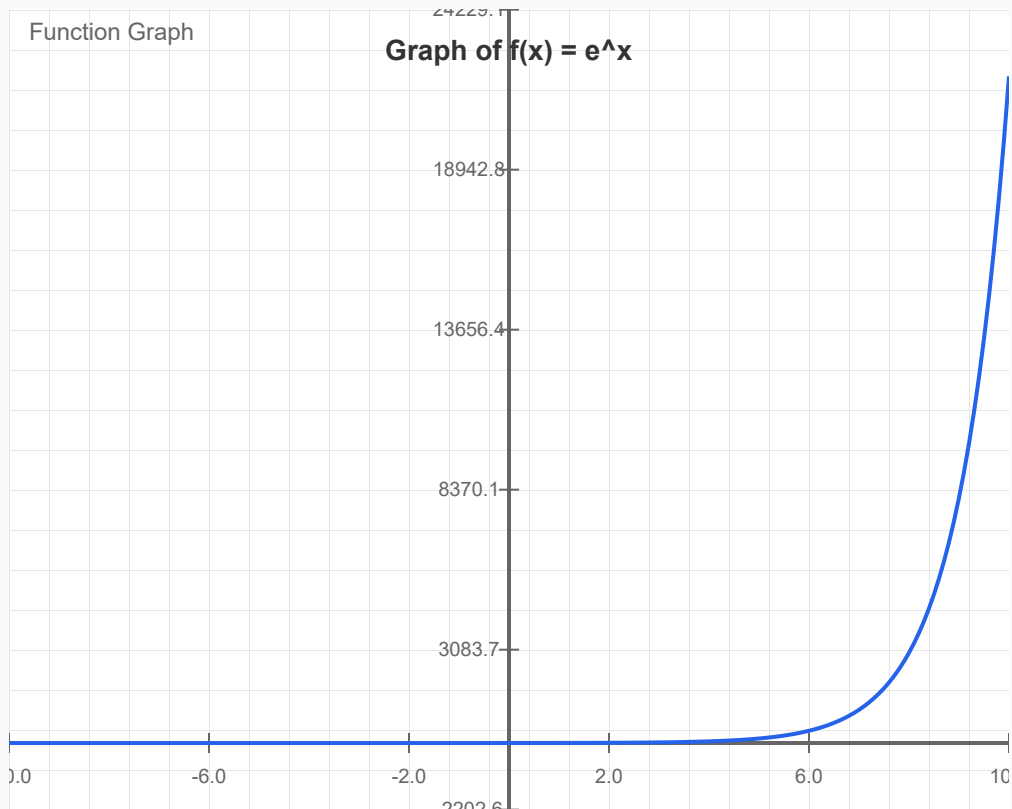
Anticipatory repudiation applies because the company communicated inability to perform before June 1 (UCC 2-610).

Critical Graphing Requirement Examples:

Example 1:

The function $f(x) = e^x$ models exponential growth.

Graph:



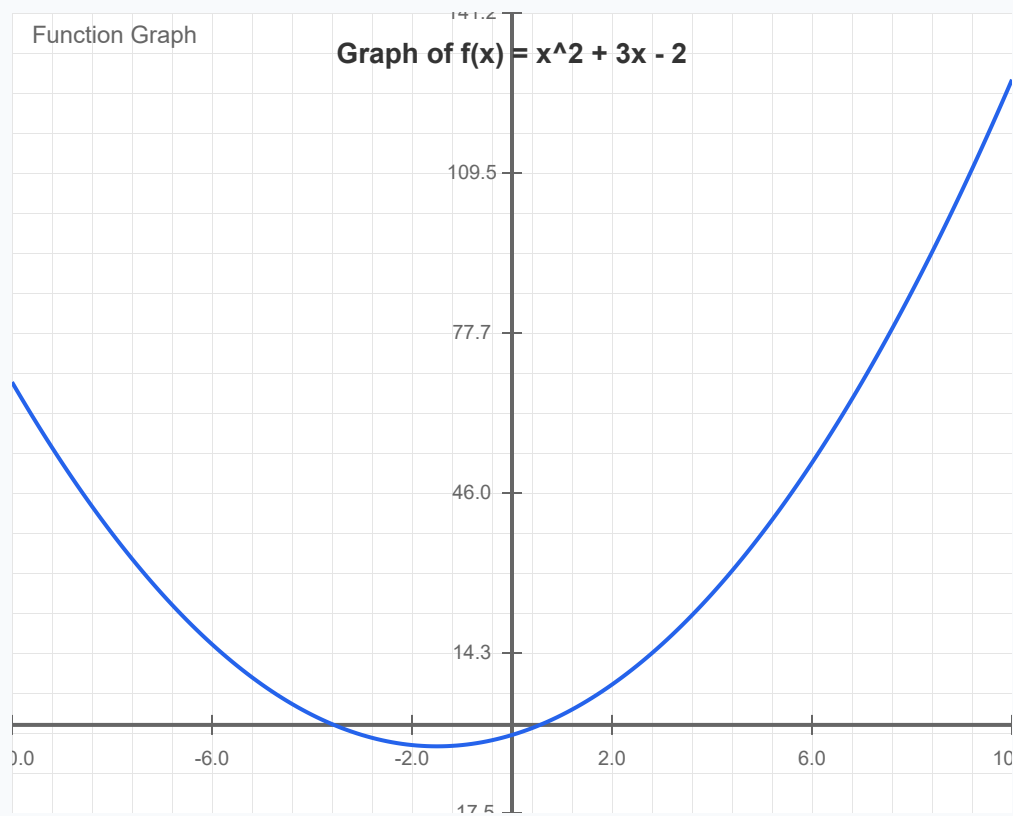
Equation: $f(x) = e^x$

Domain: $[-10, 10]$ | **Range:** $[-10, 10]$

Example 2:

The quadratic $y = x^2 + 3x - 2$ has a vertex at $(-1.5, -4.25)$.

Graph:



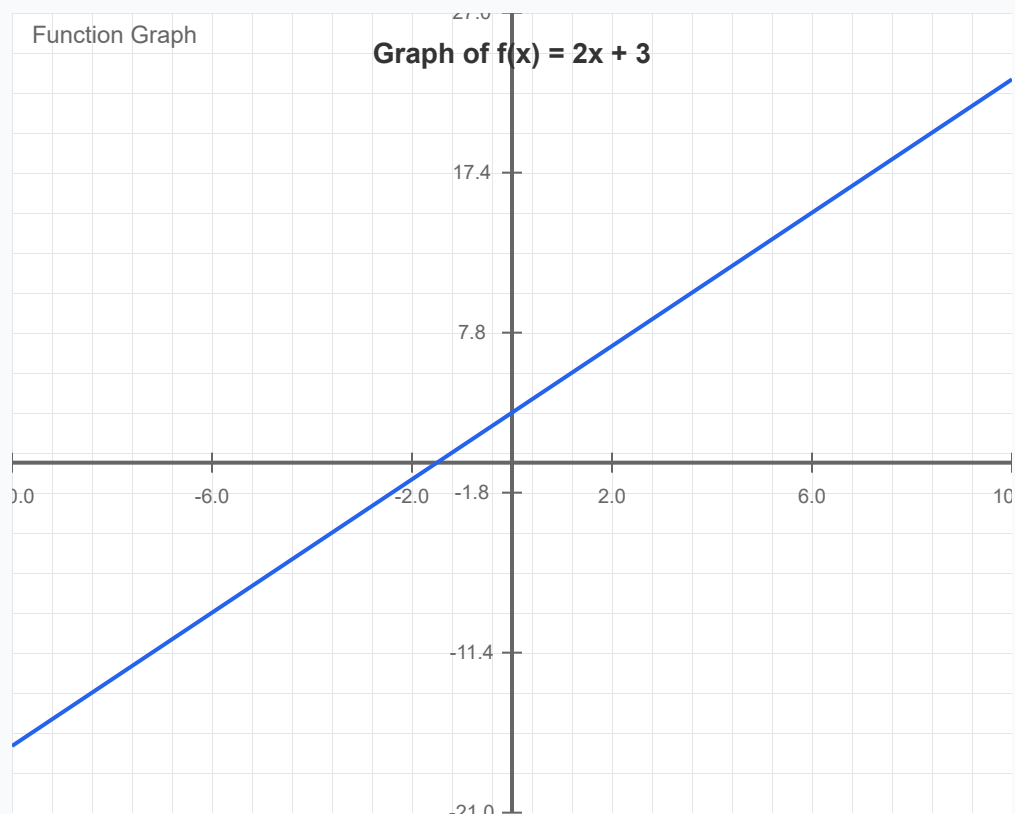
Equation: $f(x) = x^2 + 3x - 2$

Domain: $[-10, 10]$ | **Range:** $[-10, 10]$

Example 3:

The derivative $f'(x) = 2x + 3$ represents a linear slope.

Graph:



Equation: $f(x) = 2x + 3$

Domain: $[-10, 10]$ | **Range:** $[-10, 10]$

All mathematical expressions above comply with the mandatory graphing format. Let me know if you need further elaboration or additional graphs!