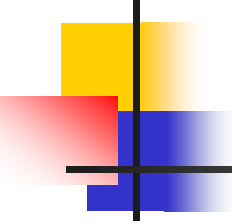


EDITING EXERCISES -- POSSIBLE ANSWERS

Justice John Laskin
January 2011



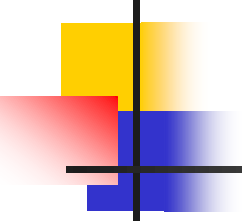
Ask yourself two questions

- What is the problem?
- How do I fix it?

- The intention of the parties is that the resolution of disputes under the agreement be governed by the application of Quebec law.
- The parties intend that all disputes under the agreement be resolved by applying Quebec law.

- The County sent an inspector who made observations as to the condition of the sidewalk and concluded that it was uneven.
- A County inspector observed the condition of the sidewalk and concluded that it was uneven.

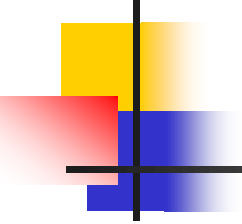
- The court examined a number of cases and stated that there only appeared to be a limited number of instances in which there would exist a duty to disclose the illegal conduct of persons who, through political campaigns, seek election to public office.

- 
-
- The court examined many cases and found few that imposed a duty to disclose the illegal conduct of candidates for elected office.

- The fact that the buyer failed to inspect the goods constitutes waiver.
- The buyer's failure to inspect the goods constitutes waiver.

- Meditrust's assertion that it is not a proper defendant in this case and, therefore, relief cannot be granted is incorrect.
- Meditrust incorrectly asserts that it is not a proper defendant in this case and that therefore relief cannot be granted.

- Several nations in response to what they thought to be an inappropriate extraterritorial investigation by the United States enacted blocking statutes intended to frustrate the investigation.

- 
-
- In response to what they thought to be an inappropriate extraterritorial investigation by the United States, several nations enacted blocking statutes intended to frustrate the investigation.

- Ms. Hall, during the course of her struggle to provide for her children as a single parent, accrued considerable debt to her family and others.
- While struggling as a single parent to provide for her children, Ms. Hall accrued considerable debt to her family and others.

- Affidavit evidence was filed by the plaintiff and by three witnesses on behalf of the defendant corporation.
- In response to the plaintiff's affidavit, three witnesses filed affidavits for the defendant corporation.

- The amount of damages is determined by the measurement of the profit the dealer would have made by the sale of the car.
- The damages are the profit the dealer would have made had it sold the car.

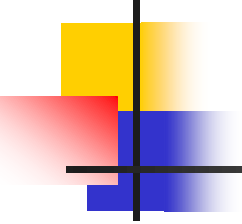
- Service will not be effective unless the document is delivered personally or by mail with an acknowledgment of receipt card.
- Service will only be effective if the document is delivered in person or by mail with an acknowledgment of receipt card.

- In the absence of any proof to the contrary, the court should presume that the administrator's functions have not ceased.
- Without contrary proof, the court should presume that the administrator's functions continue.

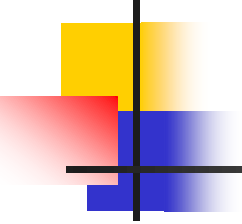
- The right to stop the work is the single most important factor in determining whether a party is in charge of the work within the meaning of the Act.
- The single most important factor in determining whether, within the meaning of the Act, a party is in charge of the work is the right to stop the work.

- The plaintiff is not in a position to provide additional affidavits to support its contention that W Corp. and Y Corp. are an integrated enterprise at this time.
- The plaintiff is not now in a position to provide additional affidavits to support its contention that W Corp. and Y Corp. are an integrated enterprise.

- A case management conference was held on Sept. 27, 2006, and the result of said conference was that Williams was given an extension of time until Oct. 13 to respond to Damon's motion. Williams subsequently failed to file any response thereto.

- 
-
- On Sept. 27, at a case management conference, the court extended Williams' time to respond to Damon's motion until Oct. 13. But Williams failed to file a response.

- In the event that any employee is requested to testify in any judicial or administrative proceeding, said party will give the company prompt notice of such request in order that the company may seek an appropriate protective order.

- 
-
- An employee who is subpoenaed to testify in a judicial or administrative proceeding must give the company prompt notice of the subpoena so that it can decide whether to seek a protective order.

- The professional fees in this project are entirely dependant upon the planning techniques that the architects are in favour of implementing.
- The professional fees in this project depend entirely on what planning techniques the architects favour.

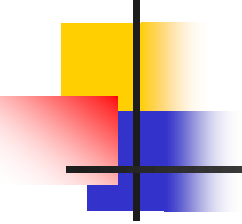
- The court is of the opinion that it is within sound judicial discretion to determine whether, once the claim is asserted, the fraud exception is applicable.
- The court believes it has discretion to determine whether the fraud exception applies.

- There are many cases that deal with adverse possession of islands.
- Many cases deal with adverse possession of islands.

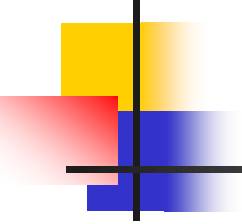
- The effect of the decision is to abrogate the doctrine of sovereign immunity.
- The decision effectively abrogates the doctrine of sovereign immunity.

- If it had been the intention of the court to do otherwise, it would have said so.
- If the court had intended to do otherwise it would have said so.

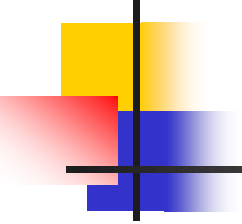
- Each distributor is subject to the following requirements:
 - Keeping accurate books
 - A valid driver's licence
 - Under no circumstances shall a distributor work for a competitor

- 
-
- Each distributor must:
 - Keep accurate books
 - Have a valid driver's licence
 - Refrain from working for a competitor

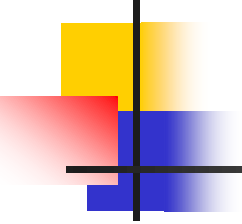
- Under questioning, Dr Jones testified that Smith had been merely simulating the symptoms of neck injuries, and in fact presented no observable trauma that could explain the pains of which he complained. However, doctors often treat patients who complain of precisely the same symptoms, but who also present no visible trauma, as Dr Jones was forced to acknowledge concerning her own experience. Therefore the issue of whether Smith suffered an injury cannot be held to be resolved by Dr Jones' testimony.

- 
-
- Under questioning, Dr Jones testified...
 - However, Dr Jones was forced to acknowledge that she and other doctors often treat patients who complain of precisely the same symptoms but who also present no visible trauma.
 - Therefore, Dr Jones' testimony cannot be held to resolve the issue of whether Smith suffered an injury.

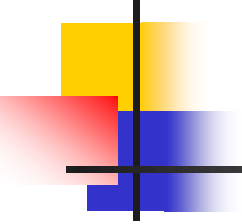
- An award of spousal support is within the discretion of the trial court, and its decision will not be disturbed unless it has abused that discretion. A failure to consider relevant factors is an abuse of discretion.

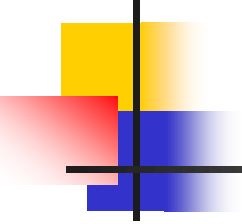
- 
-
- An award of spousal support is within the discretion of the trial court, and its decision will not be disturbed unless it has abused that discretion. An abuse occurs when it fails to consider relevant factors.

- Some astonishing questions about the universe have been raised by scientists exploring the nature of black holes in space. The collapse of a dead star into a point perhaps no larger than a marble creates a black hole. So much matter compressed into so little volume changes the fabric of space around it in profoundly puzzling ways.

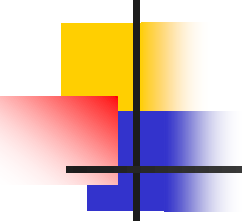
- 
-
- Some astonishing questions about the universe have been raised by scientists exploring the nature of black holes in space. A black hole is created when a dead star collapses. So much matter compressed into so little volume changes the fabric of space around it in profoundly puzzling ways

- This case involves the novel issue of whether or not a minor is responsible for the damages sustained by a restaurant in lost profits resulting from a liquor licence suspension caused when the minor orally misrepresented his age to the owner of the restaurant who thereafter sold liquor to him.

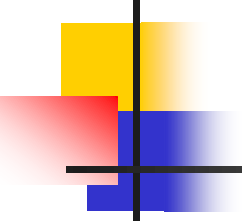
- 
-
- The issue in this case is novel: If a minor orally misrepresents his age to a restaurant owner who sells liquor to him and as a result has his liquor licence suspended, is the minor responsible for the damages sustained by the restaurant in lost profits?

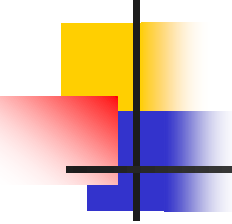
- 
-
- The issue in this case is novel. A minor orally misrepresented his age to a restaurant owner who then sold liquor to him. As a result, his liquor licence was suspended. Is the minor responsible for the damages sustained by the restaurant in lost profits?

- Section xxx of the BIA provides that the trustee in bankruptcy may avoid a transfer of a debtor's interest in property or an obligation incurred by the debtor made within one year before the date of bankruptcy if there existed actual intent to defraud creditors or the debtor received less than reasonably equivalent value in the transfer and the debtor was insolvent prior to the transfer or was rendered insolvent by it.

- 
-
- When a debtor's interest in property, or an obligation incurred by the debtor, is transferred within a year before the filing of bankruptcy, the trustee in bankruptcy may avoid the transfer if:
 - A there existed actual intent to defraud creditors, or
 - B the debtor received less than reasonably equivalent value in the transfer and was insolvent prior to the transfer or was rendered insolvent by it.

- When enforcing the rules against parking next to a fire hydrant, the police are under no obligation to take into account the value or condition of the parked vehicle when determining whether to remove it.

- 
-
- When the police are deciding whether to tow away a car parked illegally next to a fire hydrant, they have no obligation to treat a new \$100,000 Maserati any differently than an old and rusty Chevrolet.



With thanks to:

- Bryan Garner, Legal Writing in Plain English
- Thomas Haggard, The Lawyer's Book of Rules for Effective Legal Writing
- Stephen Armstrong and Timothy Terrell: Thinking Like a Writer
- John Laskin