

# 2017 ROBERT LEE TULLIS MOOT COURT COMPETITION

## *Responses to Questions and Requests for Clarification*

*Last Updated: September 11, 2017*

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**Rules Clarification:** All references to the email address “[mootcourt@law.lsu.edu](mailto:mootcourt@law.lsu.edu)” are hereby corrected to read “[mootcourt@lsu.edu](mailto:mootcourt@lsu.edu).”

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**Q.** Are we supposed to assume that Bohemia is a limited purpose public figure?

**A.** Yes. In accordance with the Supreme Court’s order granting a writ of *certiorari* on page 1 of the Record on Appeal, Bohemia is a limited purpose public figure for purposes of this briefing.

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**Q.** Are we allowed to challenge Bohemia’s designation as a limited purpose public figure?

**A.** No. In accordance with the Supreme Court’s order granting a writ of *certiorari* on page 1 of the Record on Appeal, Bohemia is a limited purpose public figure for purposes of this briefing.

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**Q.** For the second question presented (regarding actual malice), do we address the ruling from the trial court since the appellate court abstained from ruling on the matter?

**A.** Yes. While all parties should be aware of the procedural posture of the case, and may of course discuss the procedural posture and jurisdictional issues as a component of their argument, the parties are bound by the Supreme Court’s writ of *certiorari* and must fully brief both issues. Judges will be instructed that all teams must address both issues on the merits.

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**Q.** On the second question presented (regarding actual malice) are we supposed to only argue which standard should be used, or are we supposed to also make an argument if the comments were made with "actual malice" versus negligence?

**A.** This question is answered by the language of the questions presented in the Supreme Court’s writ of *certiorari*.

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**Q.** Should we use outside cases and sources or are we only supposed to use what is given and cited in the case file for our argument?

A. The case file is an “open universe.” Competitors are free and encouraged to do additional legal research. Bear in mind, however, that the Court will not consider legal issues not contained within its order granting *certiorari*, nor will it look at facts that are not in the Record on Appeal.

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Q. Regarding the oral argument, does each partner present a full argument on their issue, or do we each present one-half of the same argument? In other words, should each person have a fully constructed introduction, body & conclusion, or should there be one overall introduction and conclusion?

A. Each student will present oral arguments on one of the two issues. That is to say, Student A will argue the domestic relations jurisdictional issue, Student B will argue the defamation issue. Student A’s introduction should introduce both counsel and both issues and then segue into the first issue. Student B should have a conclusion that encompasses both issues.