

Q: The last sentence of the first para reads, "Defendant-Appellee Spicy Peach, Inc. appeals to this Court." If the defendant indeed lost summary judgement and appealed (and this is an appeal to the relevant court of appeals), they should be labeled Appellant, as in the header.

A: Defendant is Defendant-Appellant, as in the header. The first paragraph should read "Defendant-Appellant Spicy Peach, Inc. appeals to this Court."

Q: What version of Bluebook should we use?

A: Competitors will be graded based off on the 20th edition. However, competitors will not be counted off for using the 21st edition, which came out in July 2020.

Q: On Page 12, a sentence reads: "As an initial matter, Fauci's request for an extension of time to file objections to the R&R is granted, and therefore the January 27, 2020, Memorandum and Order is hereby vacated." Was the underlined portion intended to be "February 14, 2020 Memorandum and Order"? (Per the Problem, Judge Cuomo issued his R&R on January 27, 2020, while the district court issued an order adopting the R&R on February 14, 2020.)

A: The problem should read "As an initial matter, Fauci's request for an extension of time to file objections to the R&R is granted, and therefore the February 14, 2020 Memorandum and Order is hereby vacated.

Q: Are we limited to the circuit court tests/approaches that are provided in the problem? Or can we branch out to other circuits that were not mentioned in the problem if we find them to be relevant to our argument?

A: You are not limited to the approaches presented, and may present any circuit approach that you think would be an effective argument.