

**IT 820: Contemporary Problems in Information Technology Law**  
The John Marshall Law School  
Professor David E. Sorkin  
Spring 2008

**Project 3: Moot Court Problem File and Bench Memorandum**

For the final project, each student is to prepare a complete problem for possible use in a future IT and privacy law moot court competition. The problem may but need not be based upon one of the problem outlines submitted for Project 2. Students are encouraged to discuss their work in progress with one another and with the class as a whole, and may collaborate with one another in preparing problems for this Project with the advance approval of the instructor.

The problem must meet the following criteria:

- It must involve at least two main issues, such that the problem can reasonably be divided among two advocates on each side in an oral argument.
- The substance of the problem must be suitable for the IT and privacy law moot court competition. Generally this means that at least one main issue must involve a privacy tort or some other aspect of privacy law, and that either at least one issue or the entire factual scenario must relate to information technology.
- Unless previously approved by the instructor, it should be an appeal to the Supreme Court of the State of Marshall (i.e., a hypothetical state high court) from an intermediate appellate court.

Each problem submission should include the following:

- A problem file for distribution to moot court competition participants. Typically this file takes the form of an abbreviated record on appeal: the lower court decision being appealed from (often with exhibits), and an order of the court in which the appeal is now pending setting forth the issues on appeal.
- A bench memorandum prepared for the use of competition judges and brief scorers, and for publication subsequent to the competition.

The problem file and bench memorandum should be submitted no later than April 28, 2008, unless other arrangements have been made with the instructor in advance of that date. Thereafter, a late penalty of one full letter grade will be imposed for each week or portion thereof.