

1)



Question1

Objection: BEYOND THE SCOPE OF THE QUESTION

A proper objection is raised if the witness gives more answer to the question asked. Here, the attorney was asking whether Paul has sued before. The response should be either Yes or No. The response that added "five times that I personally know about" is more than the question asked for and therefore is beyond the scope of the question and is a proper objection.

MOTION TO STRIKE

An attorney can request the court the strike to answer of the testifying witness if the court sustains the objection. When a motion to strike is granted, the answer given that is beyond the scope of the question is stricken from the record and the jury is instructed to disregard the stricken answer.

IMPEACHMENT OF WITNESS

If the objection is overruled, Paul's attorney can ask the witness if Paul has ever sued for personal injuries before because the attorney opened the door for this question. If the answer is NO, then this will show that Paul's claim is different from the other claims that the witness is stating and will help Paul's case.

Question 2

Objection: LEADING

When an attorney asks a witness a question that already contains the answer, this is a leading question and should be stricken from the record. A leading question is only

allowed when questioning an adverse witness or in order to refresh a witness' recollection. Here, the witness is not adverse to the defendant because he was working for Dell and was testifying in favor of Dell's position and the question, "No one saw the accident. Right?" is leading the witness to say that the answer to the question is Right . The objection, therefore should be sustained and the answer entire answer should be stricken from the record.

MOTION TO STRIKE

If the judge sustains the attorney's objection, the attorney can ask the court to strike the statement and instruct the jury to disregard the stricken answer. Here, a proper objection was raised because the question was leading and therefore the motion to strike should be granted.

IMPEACHMENT OF WITNESS

If the objection is overruled, Paul's attorney could ask the witness if Carol, who he was conversing with and would be facing the steps because the witness' back was towards steps. If the answer is Yes, then this could impeach the witness as he would be making a statement that is contradicting his past statement.

Question #1 Final Word Count = 407

END OF EXAM