Introduction: The Hamilton College Mock Trial Team is a competitive trial advocacy team that competes at the national level through the American Mock Trial Association. Our team is recognized as a powerful competitor at invitational tournaments across the Northeast. After strong performances over the past few years, including winning the University of Rochester’s YellowJacket Invitational two years in a row, a 1st place victory at Cornell’s Big Red Invitational, and placing 32nd at last year’s National Championship Tournament hosting the top 48 of over 600 mock trial teams in the country, Hamilton’s 2015-2016 season is expected to be one of the strongest in our history, and we want you to be a part of it!

Purpose: The purpose of tryouts is to see how candidates perform in scenarios that mimic our competitions. These scenarios will test your rhetorical skills and confidence while speaking and acting. We look for individuals who are capable of acting out unique witness characters and/or have the ability to be strong attorneys.

Format: The tryouts include two sections: a rhetoric/character section and a question/answer section. The first section is intended to test your speaking skills as either an attorney or witness. The second section is intended to test your speaking skills in a more general sense. Note: the second section requires NO preparation. We will ask you some very simple questions, but there is no way to prepare for it, so don’t worry!

Section 1: Rhetoric/Character Appeal (Attorney or Witness)
Chose one of the following:

Option #1 (Attorney): Memorize the two paragraphs below, which come from an opening statement written by a Hamilton team member three years ago. Using rhetorical skills and persuasive speech deliver the following:

“Lee Allen knew the risks, but he dove anyway. What happened on July 7th of 2011 is undoubtedly a tragedy. A man died, a husband was lost, and for that the defense is truly sorry. But today we deal not with emotions, but with fact and law, and as the facts will show Lee Allen knowingly misled employees at Neptune, disobeyed their specific instructions after being told the risks, and ultimately put himself and other divers in serious danger.

Today’s case is about liability, you must decide who is responsible or at greater fault for Lee Allen’s death. While we do not dispute that Neptune owed a duty of care to the plaintiff, we will be arguing an affirmative defense; that Lee Allen himself contributed to and ultimately created the circumstances that killed him on July 7th. If you find that the plaintiff’s own recklessness was the cause of his death, or that he understood yet ignored the risks presented to him; then you must find Neptune not liable.”
Option #2: Briefly play a witness in a Direct Examination:

A Direct Examination is a series of questions attorneys ask witnesses in order to establish a fact pattern. The basic facts about Quinn Brown (the witness you will play) are included in the affidavit that follows this script on page 4. For question number 3, we ask you to make up your own answer that establishes a character. In addition to that, feel free to alter or expand on all of the answers below in a way that is consistent with the character you have created.

For this section memorize the responses to the following questions (feel free to expand or embellish the material). An attorney will ask you the questions during tryouts in the order provided (this is a direct examination).

Direct Examination:

1. Please introduce yourself to the jury.

2. What do you do for a living?
   a. I design children’s toys. I work at HappyLand Toy Company.

3. How did you get interested in designing toys?
   a. The answer to this question isn’t in the affidavit. Feel free to make up a brief answer that gives a back-story appropriate for your character.

4. How are you involved in today’s case?
   a. I designed a toy for HappyLand called Princess Beads. I was asked to come talk about how the Princess Beads were made and the safety measures we took when we were designing them.

5. Could you tell us what the Princess Beads are?
   a. A Jewelry set, but the beads stick together with water instead of string

6. How did you make that toy work?
   a. Our chemistry team at HappyLand found a chemical that gets sticky when it’s wet, and then dries together like glue. So we coated the Princess Beads with that chemical.

7. You told us you were putting that chemical on a toy for children. Do you know if that chemical has any safety risks?
   a. That was one of the first things we looked at—we take safety very seriously. We found that if it’s swallowed in very large quantities, the chemical can be toxic. So we took a bunch of precautions to make sure that wouldn’t happen.

END OF DIRECT EXAMINATION
Section 2: Question/Answer
We will ask you a few questions and give you time to answer them. There is no way to prepare for this section, so don’t worry!

**If you have any questions at all, please do not hesitate to contact Hunter Green at nhgreen@hamilton.edu or Caroline Reppert at creppert@hamilton.edu!**
AFFIDAVIT OF QUINN BROWN

After being duly sworn upon oath, Quinn Brown hereby deposes and states as follows:

My name is Quinn Brown. Toy design has always been my passion. I’ve been designing stuff since I was old enough to hold a glue stick. I kept designing plenty of gadgets through high school. For college, I went to Gershbain Design School in New York where I majored in Product Design. I learned a lot there, and when I got an offer from HappyLand, accepting was a no-brainer. My other offer at the time was from the Haughey Toy Company, famous for developing the line of dolls with big cackles. The pay at the Haughey Toy Company is good, but HappyLand does all its own manufacturing, marketing, and, best of all, designing. I joined HappyLand in 2004 as a Project Leader, which meant my own design team and free reign over what projects I wanted. It was and still is my dream job.

One product that originated from my designs is the make-your-own-jewelry set called the Princess Beads. The idea was completely my own. I first had the idea in January 2008 and I knew right away it was going to be amazing. The idea behind the Princess Beads is really simple: I wanted girls to be able to make their own jewelry. There are already a lot of kits that allow kids to string beads together, but I wanted my product to be even easier for the girls to use. Ideally, I wanted a box of pretty beads that would become sticky when sprayed with water and then harden in place when they dry. The first name that came to me was Princess Beads. I thought this would be a great product for girls in high school. They could make their own jewelry. And since the product was going to be aimed at a more mature crowd, we wouldn’t have to be as worried about choking hazards or other sorts of misuse.

Of course, the challenge was finding the technology to make the toy. I needed the Beads to become sticky only after they became wet. Otherwise, the Beads would clump together in the box and the whole toy would be pointless. Fortunately, being a Project Leader means I can leave
the hard math and science to the whiz kids in our technology department. So I contacted our chief engineer, Colin Rodriguez- he’s the brains behind a lot of HappyLand’s most successful products. On January 3, 2009, I walked into Colin’s office and told him, “Colin, I’m ringing in the new year with a new idea. Princess Beads. Every high school girl will be wearing them by the end of the year.” I told him that I needed two solutions from him. First, I needed a way to make the Beads stick together when wet and then stay stuck together after they dried. Colin promised that his team would figure something out.

Colin figured out how to get the beads stick together that April. The solution was to coat the beads in a chemical called 1,4 butanediol, which would make the beads sticky when they got wet. HappyLand had never used 1,4-butanediol before and I had never heard of it either. But I trusted Colin—I know that he does good work. We also got approval from the CEO of our company, Blake Lexington, to use the chemical on the beads.

We did have concerns that young kids might swallow the beads, so when we decided to coat the Princess Beads with 1,4-butanediol, we labeled the product as being for kids aged 9 and up. HappyLand coated each pearl and ring with 50 milligrams of 1,4-butanediol. With 700 beads in each box, that meant each box contained only 35 grams of 1,4-butanediol.

We started advertising the Princess Beads on June 1, 2009. It was such a thrill to see my product featured on HappyLand’s television commercials! I love the jingle we played on the radio ads: *You don’t need a castle to be a princess! / You don’t need a crown to be the queen! / Just make yourself a Princess necklace / You’ll be the coolest girl your school has ever seen!* By July 1, the Princess Beads were being sold exclusively online to families across the country.

All of that excitement came crashing down when I received an email from our CEO on August 14, 2009. I was vacationing at the time when my Blackberry delivered the worst news of
my career: the Midlands Department of Health was investigating the Princess Beads and we had ordered a halt to the sales of the Princess Beads. We were even contemplating a recall of the Beads we’d already sold. Apparently, one family claimed their kid had been killed by some Princess Beads. Obviously, my heart goes out to that family—the Davises, I think.

But there was nothing dangerous about the Beads. Yes, the chemical binding agent we used in the beads was 1,4-butanediol, which can metabolize into GHB when ingested. Like I said, I’m no scientist. But I read all the literature about 1,4-butanediol and GHB, so I know that GHB is only dangerous in certain quantities. Each of our beads only contained 50 mg of 1,4-butanediol, which, from what I’ve been told, means a child weighing about 30 pounds would need to consume about 50 Princess Beads for the Beads to prove fatal. That’s absurd. When designing the Princess Beads, I assumed no kid would swallow 50 beads. I didn’t do any research on this point, but that’s just common sense.

Of course, I took other precautions—design precautions and labeling precautions. Back in May 2009, I had Colin Rodriguez research different tastes and odors we could apply to the Beads so that children would find the Beads foul and unappealing. The most effective flavor for deterring swallowing was a chemical called denatonium.

Denatonium is an odorless, colorless substance that, even in the smallest amounts, is unbearably bitter to most humans. It has no known health risks to humans. When we put denatonium on the Beads, no kids—not even the ones who put everything in their mouths—ingested a Princess Bead more than once. Of the ten children in the room with the denatonium-coated beads, 1 swallowed a single bead; 4 put a single bead in their mouth and almost immediately spit it out without swallowing; and the other 5 did not mouth any Beads in the first place. In other words, once they tasted the denatonium, they stopped eating the Princess Beads.
This completely assuaged my concerns. There wasn’t nearly enough 1,4-butanediol in a single bead (ring or pearl) to hurt anyone, so if a kid wouldn’t eat more than one Princess Bead, no one could possibly get hurt.

Nonetheless, HappyLand took additional precautions with the packaging. Every box of Princess Beads says, “Not for consumption.” The warning is right there on the box. It’s the parents’ job to monitor their children. Our warning label also included two age restrictions. The box says the Beads are for kids ages 9 and up, and it also says that children younger than 3 years old should not be playing with the Beads. I hear that the child who died was younger than 3.

Again, I feel terrible for that family. But as a toy designer, I can only do so much. I can only tell people how to use the toy—I can’t make someone follow the directions.

Subscribed and sworn before me on this, the 18th of March, 2010.

________________________
Quinn Brown