

Grammar Diagnostic Test

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Instructions

For a refresher on the subjects of grammar and punctuation, you may wish to consult two sources that are on reserve at the library's circulation desk: Chapters 27 and 28 in Laurel Currie Oates, Anne Enquist, & Kelly Kunsch, *The Legal Writing Handbook: Analysis, Research, and Writing* (2d ed., Aspen L. & Bus. 1998) [call number: KF 250.O18 1998] and The Princeton Review, *Grammar Smart: A Guide to Perfect Usage* (Random House 1996) [call number: PE1112.G822 1996].

For each problem, circle the letter next to the **most** correct answer available. The abbreviations used in the answers are identified at the bottom of each page. Although passive voice is usually a stylistic rather than a grammar problem, for purposes of this exercise consider all uses of the passive voice to be grammar errors. Do not, however, treat the use (or non-use) of *italics* as an error.

1. **This action was initiated to obtain one hundred percent ownership of the twenty-eight volumes of the storyboards "Pugsley, The Time Traveling Pup."**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

2. **Even construing the standard most favorably to Mr. Simmons and others similarly situated, rules that require plaintiffs to litigate where an accident occurred do not impose an undue burden.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |

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|--------|--------|
| E. SNP | F. SVD |
| G. TS | H. UP |

3. **This Court should apply the same minimum contact standard for in personam, in rem, and quasi in rem jurisdiction because all forms of personal jurisdiction affects the person.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

4. **In *Free Speech Coalition*, the Ninth Circuit suggested that the Act was unconstitutional. The court bases this conclusion on three recent Supreme Court opinions.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

5. **It is unclear whether the candidate has the necessary drive, ambition, and whether he is qualified.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

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6. **Neither the Baynes procedure, nor the FBI's version of the procedure, satisfied due process requirements. This violated the 14th Amendment.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

7. **Under Texas law, does reasonable suspicion for a shopkeeper's privilege arise when patrons try on merchandise, handle products, and stand in one area for a long time?**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

8. **At this point, Ms. Bernard and her companion were asked to leave the room.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

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9. **In *Madara*, a libel suit was brought against a performer for his comments, which were later published in a magazine and distributed to the forum state.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

10. **The unique chancery court system in Delaware has enabled corporations to seek a sheltered legal environment for purposes of growth and security.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

11. **These factors are relevant: whether each putative co-author contributed copyrightable material; whether the intent of the co-authors to produce a joint work is sufficient to create a joint work; or must the putative co-authors intend to share co-author status with one another.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

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12. **However, the same legal principles are applicable because the similarity in these two cases are that the properties in question are both located outside the United States.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

13. **Simultaneously, plaintiff was granted a sequestration of corporate stock based on the company's statutory presence in Delaware.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

14. **To investigate the situation the merchant has the authority to confine a suspect.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

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15. **Downey's employed Mr. Urban as their loss prevention officer to prevent any criminal conduct from occurring within the store.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

16. **In *Egermayer*, the court determined that the statute required a home-owner to pay association dues, but does not require prepayment of those dues.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

17. **She went to Bush to obtain both a partial pardon and a commutation of Barry's sentence. Thus, she knew that it was within his official discretion.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
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18. **The *Community* analysis, applies to the present case.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

19. ***Peevyhouse* and *Wunder* are distinguishable because of the decreased value of the product and the increased cost of completion.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

20. **The appeals court affirmed the summary judgment, finding that there was reasonable suspicion to detain the appellant and that the time and manner of the detention were reasonable. The court bases its reasoning on the brevity of the detention and the unusual nature of the apparent consent the customer gave.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

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21. **To qualify as an employee, the criteria essentially requires the individual to be a "W-2" type of employee for tax purposes and to receive employment benefits.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

22. **The professor entered into a written agreement that stated specific dates for work to be performed, a specific fee for full consideration of services to be rendered, and that the responsibilities of the professor were dramaturgical assistance and research to the playwright and director.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

23. **The Copyright Act protects the expectation interest of each co-author in their copyrightable contribution by ensuring that subsequent unilateral refinements of the joint work do not give rise to a separate copyright.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |

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G. TS H. UP

24. **After the store determined that it did not sell that particular brand of necklace, it released Ms. Bernard.**

A. correct B. NPD
C. PE D. PV
E. SNP F. SVD
G. TS H. UP

25. **In the 1945 case *International Shoe*, the Supreme Court set forth the test that has come to be known as the "minimum contacts" standard.**

A. correct B. NPD
C. PE D. PV
E. SNP F. SVD
G. TS H. UP

26. **Recognizing that protecting merchandise on display is problematic for shopkeepers, the Georgia legislature made an exception when certain situations, including shoplifting, occurs.**

A. correct B. NPD
C. PE D. PV
E. SNP F. SVD
G. TS H. UP

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27. **Ms. Bernard showed the police officer a pendant she had around her neck that was her own.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

28. **In *Newhard*, both the corporation and its investors were sued by the corporation's broker when the stock turned out to be unauthorized.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

29. **Each of the proposals poses significant problems of timing, funding, and where the building should be located.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

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30. **The event that the company hosted featured their logo prominently.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

31. **The prosecution must prove its case beyond a reasonable doubt.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

32. **The court decided that her willingness to remain and straighten out the misunderstanding did not show that it was the result of a threat and therefore did not constitute false imprisonment.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
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33. **Wilson never told anyone she wanted to leave, never attempted to get up and walk out, and the door was unlocked.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

34. **Motions for summary judgment often occur when one party believes that there is no discrepancy between its understanding of the facts and that of the other party, and the other party agreed.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

35. **Leonia's failure to respect the boundaries of Vulpinia's territorial sea violated the Law of the Sea Treaty.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
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36. **You could try shifting the burden, reversing the order, sliding the scale, or any other compensating measures, but that never works.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

37. **The plaintiff can use force to their advantage.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

38. **He attended the CLE program to learn about the latest advances in cyberlaw which is a fluid and expanding field of practice.**

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|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
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39. **His only contribution consisted of concepts that she incorporated into the storyboards that she designed, produced, and copyrighted.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

40. **Thompson intended to pay Mr. McDuffy a portion of any proceeds generated from a sale of the series, or, alternatively, a fair hourly wage for his labor and personal expenses.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

41. **Each member of Congress seeks to uphold their political values when legislating on matters that vitally affect the daily lives of American citizens.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

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42. **In a series of opinions that Chief Judge Posner, wrote in the Eighties, the Seventh Circuit established leading doctrines in both contract and constitutional law.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

43. **By the time he gets back to his car, he sees the fire and immediately called the others to look.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
| E. SNP | F. SVD |
| G. TS | H. UP |

44. **Every last one of the customers change orders at the last minute.**

- | | |
|------------|--------|
| A. correct | B. NPD |
| C. PE | D. PV |
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45. **The ordinance, does not employ the least restrictive means to restrict the possession of computer-generated child pornography, and therefore is unconstitutional.**

A. correct

B. NPD

C. PE

D. PV

E. SNP

F. SVD

G. TS

H. UP

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