

SAMPLE EXAM QUESTIONS

I. Short Answer Questions

The instructions for the short answer questions on the exam will look very much like this:

Part I of this exam contains _____ brief fact scenarios. One to _____ questions follow each scenario (_____ questions in all in Part I). Please answer these questions. To receive credit, you must

- (1) **answer the question correctly and**
- (2) **in ten words or fewer justify your answer.**

At least one law we have studied resolves each question. Justify your answer by identifying the applicable law(s) or rule(s) (by writing it out or by reference using case name, statute subsection, or the like, if applicable). Occasionally you may have to explain briefly the law's application. Each question is designed to require fewer than ten words of justification; most require only one to four words. I recommend that you spend not more than _____ hours (_____ minutes) responding to these questions (that is just _____ minutes per question not counting time to read the fact scenarios—you will have to hurry). Your answers to them will be worth approximately _____% of your grade.

1. Willard filed out an Articles of Incorporation form that he obtained from a formbook, signed and dated it, and sent it by U.S. mail with a check for the filing fee to the Secretary of State's office. The corporate name he chose and placed on the form was "Wahzu, Inc." Three days later, Willard received back in the mail from the Secretary of State an acknowledgment stating that the Articles of Incorporation for Wahzu, Inc. had been filed by the Secretary of State's office the day after Willard sent them in. Willard checked with the Secretary of State's office and found that Wahzu, Inc. was in good standing, and a copy of the Articles appeared in the files. That afternoon, Willard and his friend Bob, the initial board of directors named in the Articles, at a board meeting resolved that Willard was Wahzu, Inc.'s agent for all purposes including signing a certain lease. Then Willard signed the lease for Wahzu, Inc.; he signed it, "Wahzu, Inc., by Willard Smith as agent of and for Wahzu, Inc." Two days later, Willard's Articles of Incorporation and check were returned in the mail with a notice stating that the name and filing of Wahzu, Inc. would not be allowed because it was too similar to another corporate name. Willard called the Secretary's office, where a minor bureaucrat explained that the filing had been a mistake and had been withdrawn. When later Willard is sued in court on the lease, can he defend himself by claiming it was a corporate obligation? Please answer and briefly justify.

[You should be able to answer this question after Syllabus Day 4.]

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