

**Supplemental Exercise #3**  
(due April 16, 2002)

1. **Subsequent case history:** Write a full citation, in ALWD format, for each of the following cases. Include subsequent case history. (You should be able to construct the citations based upon the attached materials, without further research.)

a) Cite to *Kleiman v. Northwestern Memorial Hospital* for a proposition that appears on page 286 of the case.

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b) Cite to the appellate court decision in *John Burns Construction Co.* for a proposition that appears on page 767 of the case. (Assume that the supreme court reversed the case without considering that proposition.)

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2. **Statutory construction:** Complete the following questions using one of the cases in the Statutory Construction Materials handout, as indicated below:

| <u>Your last name</u> | <u>Use this case</u>                           |
|-----------------------|--|
| A – C                 | <i>Bagcraft Corp. v. Indus. Commn.</i>         |
| D – G                 | <i>People v. Bowden</i>                        |
| H – M                 | <i>Newland v. Budget Rent-A-Car Sys., Inc.</i> |
| N – Z                 | <i>Petersen v. Wallach</i>                     |

a) What statutory construction issues are addressed in the case?

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b) What is the underlying problem—for example, ambiguous statutory language, or an apparent contradiction between two separate statutes?

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c) What techniques of statutory construction did the court use (or could it have used) to resolve the issue? (Include specific canons of construction, reliance upon precedent, use of legislative history, and anything else that seems relevant.)

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**Note:** The electronic version of this assignment does not include the attached materials that are needed for the first problem. You will need to look up and Shepardize the following cases in order to complete that problem:

- a) *Kleiman v. Northwestern Memorial Hospital*, 625 N.E.2d 284
- b) *John Burns Construction Co. v. Indiana Insurance Co.*, 700 N.E.2d 763