

## MEMORANDUM

TO: Lawyering Skills I students  
FROM: Professor David E. Sorkin  
DATE: April 3, 2006  
RE: Chicago Sun-Truth Contest

We represent the Chicago Sun-Truth, a daily newspaper. In order to sell more subscriptions, the Sun-Truth plans to sponsor a promotional sweepstakes with a \$1 million prize. The contest is scheduled to begin on May 1, and the company has already purchased advertising slots on local television and radio stations to promote it. The contest is open to residents of Illinois who are 18 or older as of May 1, 2006, and only one entry per person is permitted. Entries may be submitted by mail or through the newspaper's website. The contest ends on December 31, 2006. The winner will be selected randomly from the eligible entries, and the prize of \$1 million will be awarded in January 2007.

The Sun-Truth makes extensive use of telemarketing campaigns in order to promote subscription sales. Frequently the Sun-Truth will call a particular consumer on numerous occasions within a single month, continuing until the consumer places a subscription order or asks the company to stop calling. In order to enter the sweepstakes, entrants must provide a home telephone number and must agree to accept solicitation calls from the Sun-Truth. Under the sweepstakes rules, an entrant who later asks the company to discontinue its solicitation calls will no longer be eligible to win the \$1 million prize. Of course, the company hopes that the possibility of winning the sweepstakes prize will induce many people to listen to its repeated solicitation calls and lead to an increase in the newspaper's circulation.

I'm concerned that this contest may violate the Illinois gambling statute (720 ILCS 5/28-1). Please research this question and write a memorandum setting forth your analysis.