

CLARIFICATIONS

GENERAL CLARIFICATIONS

1. Participating teams are to identify the cause title, court of institution of the suit and the relevant issues.
2. Issues and arguments should be made purely on the basis of the subject matter of the dispute.
3. Issues must be drafted taking into consideration the cause of action involved in the dispute in hand and by referring to the general rules of pleadings.
4. There is no dispute regard to the evidences presented before the court or the facts, participants are to restrain the arguments to the question of Law

5. Quibbler TV is a 24 hours News Channel

- 6. The paragraph 8 of the moot proposition is to be read henceforth as follows :**

“Upon the receipt of the suit summons, Rachel and the other Defendants have filed their Written Statement. While Rachel claimed that truth is her sole defence, the Second Defendant claimed for immunity under the freedom of press, speech and expression. It was further asserted that there was no factual error in the news program that was telecast on 23.11.2018.....”

- 7. The paragraph 17 of the moot proposition is to be read henceforth as follows :**

*“Considering the awkward situation, Wilson thought it would be best if he and Rachel did not work in the same department. The next day Rachel received a mail from the HR of Wade Enterprises informing her that she is no longer with the securities and investment team of **Wade Enterprises** and that she will be reporting to the marketing team henceforth.”*

CLARIFICATIONS ON THE MOOT PROPOSITION

1. Whether the interview of Rachel that was aired by Quibbler TV was a live one or not?
The interview was conducted at the studio of Quibbler TV in the evening and the telecast was deferred for the prime time on 23.11.2018.

2. In Para 19 of the Moot Proposition, an Internal Complaints Committee was set up under the mentioned Act. There have been no further comments about the actions/proceedings that the Committee took. Do we assume that the complaint had been resolved successfully back then or discarded entirely (since Wilson left the Company)?

On resignation of the Petitioner no further proceedings were held by the Internal Complaints Committee.

3. Whether it was Quibbler TV who started the hash tag campaign of #wilsonthepervert and called for opinion poll of viewers or was it started by the TV on behest of Sartaj Singh, the news anchor?

No clarification required. Language adopted in Para 5 of the Moot Proposition is clear to this regard.

4. It is stated that Quibbler TV was made the 3rd defendant. A clarification is sought as to which official of Quibbler TV is made a party.

The 3rd Defendant, Quibbler TV is a Company registered under the Companies Act, 2013 and is represented by its authorized representatives.

5. What is the minimum and maximum number of issues from each side?

It is left to the discretion of the teams.

6. Can the issues from both the sides be different?

It is left to the discretion of the teams.

7. Is it compulsory to defend all 3 defendants or can we choose Rachel and stick to her?

Follow general rules of pleadings. The teams are supposed to frame issues on behalf of all the three Defendants.

8. Do all the issues on either side have to be the same?

No clarification required

9. Do you want us to contest the jurisdiction of the plaintiff from the defendant side?
Also, could you elaborate a bit more about the jurisdiction

No clarification required

10. Could you please clarify what 'trial' means in the fact sheet considering it is a tort law case?

The term "Trial" mentioned in the note towards the end of the proposition refers to the Civil Proceedings which include filing of the Suit, recording of evidence etc.

11. Is Quibbler TV a National TV Channel?

Yes

12. What are the locations of Essex Corporation and Wade Enterprises?

Both are located within the territory of India and the laws applicable are in *pari materia* to Indian law.

13. In which place/state does Rachel give the interview to Quibbler TV?

The location is within the territory of India and the laws applicable are in *pari materia* to Indian laws

14. Can the participants take up additional arguments and defenses other than those mentioned in the moot proposition?

Refer to General Clarifications

15. Whether the twitter campaign #wilsonthepervert was started by Sartajsingh or Quibbler TV?

Refer to Question No 3

16. Can arguments be extended to constitutional law?

Refer to General Clarifications

CLARIFICATION REGARDING WRITTEN SUBMISSION

1. The teams will be given memorial codes on 15th February 2019, which is different from team code. Team Codes will be given to the teams on 8th March 2019 after inauguration.
2. One hard copy of the memorial (both Petitioner & Respondent) with their respective memorial codes must reach the host institution (Ramaiah College of Law) on or

before 20th February, 2019. The teams must ensure that the additional three hard copies of the memorial without the memorial codes are made available to the organizers at the time of draw of lots on 8th March 2019.

3. The soft copies of the memorials must be sent to both mootcourt@msrcl.org & mootcourt@lawindia.com on or before 18th February 2019. The guidelines regarding the format of the soft copy of the memorial that need to be sent to mootcourt@msrcl.org will be sent to the teams along with the memorial codes on 15 February 2019. At the same time the copy of the memorial that needs to be sent to mootcourt@lawindia.com is to be compulsorily in the word format as mentioned in the rules.
4. Font style – **Times New Roman**
5. Citation style (edition) – **Any uniform method of citation can be adopted**
6. Margin - **1 inch on each side**
7. **There is no page limit to the pages of the Memorial. Refer to Rule VIII (d) for page limit for other stipulated contents**
8. **The Arguments Advanced shall be limited to 15 pages which means teams are at discretion to limit themselves to 7 papers printed on both sides plus one paper printed on one side.**
9. **There cannot be any amendment to Rule VIII (e) as this is the standard format of rules followed by Surana & Surana Moot Court Competitions.**