



# Virginia Mock Trial

## 2012 Tryout Information

### How to try out

- Step 1: Sign up for a tryout time*
- Step 2: Fill out the online questionnaire*
- Step 3: Prepare your witness portrayal(s)*
- Step 4: If you're interested in being an attorney, prepare a 2-3 minute speech*
- Step 5: Attend your tryout!*

### **Step 1: Sign up for a tryout time**

Tryouts will be held Saturday, September 1; Sunday, September 2; and Monday, September 3. Each tryout will last about 20 minutes. You can sign up on the [Join page](#) on our website, [www.virginiamocktrial.org](http://www.virginiamocktrial.org).

### **Step 2: Fill out the online questionnaire**

When you sign up for a tryout time, please fill out our short online questionnaire. It's on [the same page](#) as the tryout sheet. We promise it's not too long; we just ask for a little background and contact info so that we can get in touch with you about your tryout.

### **Step 3: Prepare your witness portrayal(s)**

Everyone who tries out must prepare at least one witness, named Quinn Brown. If you don't plan to give a speech to be considered as an attorney, you'll *also* need to prepare another witness named Chase Tuchmont.

For this part of the tryout, a current program member will act as the attorney and ask you questions, like you're testifying at a trial. Each witness has a brief script of 10-15 questions and answers, which you can find at the back of this packet. You should feel free to alter or expand on all the answers in the scripts we've written, and there's also a question in each script where we give you the chance to write an entire answer yourself. If you're trying out as an attorney, it's fine to have the script with you for your witness

portion. If you're only trying out as a witness, we'd ask you to memorize at least one of the two scripts.

Be creative in preparing your witness(es)—come up with a character, wear a costume, use an accent. For tips about creating a great witness, see the one-page “Tips For Creating A Great Witness” sheet later in this packet.

## **Step 4: Prepare a 2-3 minute speech**

If you want to be considered as an attorney, you'll also need to prepare a 2-3 minute speech. Specifically, we'd like you to write a closing argument for either the prosecution or the defense for a trial involving a fictional character. For example, in the past, we've had people defend Scar against charges of murdering Mufasa or prosecute Batman for violating an anti-vigilante law.

Be creative! You pick the crime, you name the defendant, and you tell us why s/he should or shouldn't go to jail. This can be light-hearted and humorous, or more serious. Feel free to make up any facts, witness testimony, or evidence that you'd like. Have fun with it.

Don't worry: we're not grading you on the format of your speech or your knowledge of the law. What we care about are your public speaking ability and your ability to develop a compelling argument. We're looking for presence, passion, persuasiveness, and poise. For that reason, we'd ask that you not use any notes when giving your speech.

## **Step 5: Attend your tryout!**

Obviously, the most important part of the tryout process is ... the tryout. A few things to remember for the day of:

- Please arrive at least 5 minutes before your scheduled tryout time and call our President, Amanda Swanson, at (865) 804-6225 if you're having any trouble.
- *Dress code:* If you want to be considered as an attorney, wear a suit if you have one. If not, no big deal: we'd suggest a collared shirt or blouse and slacks or a skirt. We strongly encourage costumes for witness tryouts. Please arrive at your tryout dressed for whatever part you'd like to do first.

## **What happens next?**

Our tryout process has two rounds. We'll let you know if you made it to the second round no later than the evening of Tuesday, September 4. The second round of tryouts will be Wednesday, September 5 and Thursday, September 6.

## **Questions?**

Please contact our President, Amanda Swanson, at (865) 804-6225 or [amandaswanson2@gmail.com](mailto:amandaswanson2@gmail.com).

## Tips for Creating a Great Witness

### **1) Come up with a character.**

- a. Creating a great witness starts long before you walk in the room. What is this person's story? How old is (s)he? Where is (s)he from? Does (s)he speak with an accent? Be creative!

### **2) Make them interested in you.**

- a. You only get one shot to make a memorable first impression, so you want to attract the judges' attention before even sitting down on the witness stand.
- b. *Suggestions: Wear an interesting costume that makes sense with your character, have a distinctive walk up to the stand, and make eye contact with the judges before beginning your direct examination. Make your first words count with volume and confidence, and speak slowly enough to be easily understood.*

### **3) Make them like you.**

- a. Our judges are people: They always want to give more points to witnesses that they actually like and that make judging fun.
- b. *Suggestions: Choose a personality that people will enjoy and want to listen to. Smile when appropriate and be enthusiastic about what you're discussing. Don't talk too fast; judges are constantly playing a game of catch-up between writing down comments and paying attention to what's going on in trial.*

### **4) Make them believe you.**

- a. Yes, mock trial is fake. But it's your job is to make everyone forget that, even if it's just for a few minutes. That means creating a character that could be someone you know and talking and acting the way a real-life person would talk and act.
- b. *Suggestions: Avoid overacting or caricature; it will make you seem less believable. Don't be afraid to use your hands when telling a story or making a series of points. If something goes wrong, just keep going as though nothing happened--there are no "right" answers in this activity, and we probably won't even notice.*

## Defense Direct Examination of Quinn Brown

The basic facts about Quinn Brown are included in the affidavit that follows this script. For question number 3, we ask you to make up your own answer that fits with your character. In addition to that, feel free to alter or expand on all of the answers below in a way that is consistent with the character you have created.

### Chapter 1: Introduction

1. **Please introduce yourself to the jury.**
  - a. Good [time of day]. I'm Quinn Brown.
2. **What do you do for a living?**
  - a. I design children's toys. I work at HappyLand Toy Company.
3. **How did you get interested in designing toys?**
  - a. *The answer to this question isn't in the affidavit. Feel free to make up a brief answer that gives a backstory appropriate for your character.*
4. **How are you involved in today's case?**
  - a. I designed a toy for HappyLand called Princess Beads. I was asked to come talk about how the Princess Beads were made and the safety measures we took when we were designing them.

### Chapter 2: Designing the Beads

5. **Could you tell us what the Princess Beads are?**
  - a. Jewelry set, beads stick together with water instead of string
  - b. *Feel free to expand on this answer.*
6. **How did you make that toy work?**
  - a. Our chemistry team at HappyLand found a chemical that gets sticky when it's wet, and then dries together like glue. So we coated the Princess Beads with that chemical.
7. **You told us you were putting that chemical on a toy for children. Do you know if that chemical has any safety risks?**
  - a. That was one of the first things we looked at—we take safety very seriously. We found that if it's swallowed in very large quantities, the chemical can be toxic. So we took a bunch of precautions to make sure that wouldn't happen.
8. **What kind of precautions did you take?**
  - a. We put lots of warning labels on the Princess Beads box saying that they shouldn't be swallowed and that they weren't made for young children. We also coated every bead in a chemical called denatonium.
9. **Why did you use denatonium?**
  - a. That was to make the Princess Beads taste really bad. We used it so that kids wouldn't want to eat the Princess Beads.
10. **Did you ever test to see if the denatonium would be effective?**
  - a. Of course!
11. **What were the results of those tests?**
  - a. The denatonium worked really well. None of the little kids we tested ate more than a single bead, and almost all of them spit out the beads right away.
12. **Well is the amount of that chemical in one Princess Bead enough to hurt someone?**
  - a. No, absolutely not.

1 **AFFIDAVIT OF QUINN BROWN**

2 After being duly sworn upon oath, Quinn Brown hereby deposes and states as follows:

3 My name is Quinn Brown. Toy design has always been my passion. I've been designing  
4 stuff since I was old enough to hold a glue stick. I kept designing plenty of gadgets through high  
5 school. For college, I went to Gershbain Design School in New York where I majored in Product  
6 Design. I learned a lot there, and when I got an offer from HappyLand, accepting was a no-  
7 brainer. My other offer at the time was from the Haughey Toy Company, famous for developing  
8 the line of dolls with big cackles. The pay at the Haughey Toy Company is good, but  
9 HappyLand does all its own manufacturing, marketing, and, best of all, designing. I joined  
10 HappyLand in 2004 as a Project Leader, which meant my own design team and free reign over  
11 what projects I wanted. It was and still is my dream job.

12 One product that originated from my designs is the make-your-own-jewelry set called the  
13 Princess Beads. The idea was completely my own. I first had the idea in January 2008 and I  
14 knew right away it was going to be amazing. The idea behind the Princess Beads is really  
15 simple: I wanted girls to be able to make their own jewelry. There are already a lot of kits that  
16 allow kids to string beads together, but I wanted my product to be even easier for the girls to use.  
17 Ideally, I wanted a box of pretty beads that would become sticky when sprayed with water and  
18 then harden in place when they dry. The first name that came to me was Princess Beads. I  
19 thought this would be a great product for girls in high school. They could make their own  
20 jewelry. And since the product was going to be aimed at a more mature crowd, we wouldn't  
21 have to be as worried about choking hazards or other sorts of misuse.

22 Of course, the challenge was finding the technology to make the toy. I needed the Beads  
23 to become sticky only after they became wet. Otherwise, the Beads would clump together in the  
24 box and the whole toy would be pointless. Fortunately, being a Project Leader means I can leave

25 the hard math and science to the whiz kids in our technology department. So I contacted our  
26 chief engineer, Colin Rodriguez- he's the brains behind a lot of HappyLand's most successful  
27 products. On January 3, 2009, I walked into Colin's office and told him, "Colin, I'm ringing in  
28 the new year with a new idea. Princess Beads. Every high school girl will be wearing them by  
29 the end of the year." I told him that I needed two solutions from him. First, I needed a way to  
30 make the Beads stick together when wet and then stay stuck together after they dried. Colin  
31 promised that his team would figure something out.

32 Colin figured out how to get the beads stick together that April. The solution was to coat  
33 the beads in a chemical called 1,4 butanediol, which would make the beads sticky when they got  
34 wet. HappyLand had never used 1,4-butanediol before and I had never heard of it either. But I  
35 trusted Colin—I know that he does good work. We also got approval from the CEO of our  
36 company, Blake Lexington, to use the chemical on the beads.

37 We did have concerns that young kids might swallow the beads, so when we decided to  
38 coat the Princess Beads with 1,4-butanediol, we labeled the product as being for kids aged 9 and  
39 up. HappyLand coated each pearl and ring with 50 milligrams of 1,4-butanediol. With 700  
40 beads in each box, that meant each box contained only 35 grams of 1,4-butanediol.

41 We started advertising the Princess Beads on June 1, 2009. It was such a thrill to see my  
42 product featured on HappyLand's television commercials! I love the jingle we played on the  
43 radio ads: *You don't need a castle to be a princess! / You don't need a crown to be the queen! /*  
44 *Just make yourself a Princess necklace / You'll be the coolest girl your school has ever seen!* By  
45 July 1, the Princess Beads were being sold exclusively online to families across the country.

46 All of that excitement came crashing down when I received an email from our CEO on  
47 August 14, 2009. I was vacationing at the time when my Blackberry delivered the worst news of

48 my career: the Midlands Department of Health was investigating the Princess Beads and we had  
49 ordered a halt to the sales of the Princess Beads. We were even contemplating a recall of the  
50 Beads we'd already sold. Apparently, one family claimed their kid had been killed by some  
51 Princess Beads. Obviously, my heart goes out to that family—the Davises, I think.

52 But there was nothing dangerous about the Beads. Yes, the chemical binding agent we  
53 used in the beads was 1,4-butanediol, which can metabolize into GHB when ingested. Like I  
54 said, I'm no scientist. But I read all the literature about 1,4-butanediol and GHB, so I know that  
55 GHB is only dangerous in certain quantities. Each of our beads only contained 50 mg of 1,4-  
56 butanediol, which, from what I've been told, means a child weighing about 30 pounds would  
57 need to consume about 50 Princess Beads for the Beads to prove fatal. That's absurd. When  
58 designing the Princess Beads, I assumed no kid would swallow 50 beads. I didn't do any  
59 research on this point, but that's just common sense.

60 Of course, I took other precautions—design precautions and labeling precautions. Back  
61 in May 2009, I had Colin Rodriguez research different tastes and odors we could apply to the  
62 Beads so that children would find the Beads foul and unappealing. The most effective flavor for  
63 deterring swallowing was a chemical called denatonium.

64 Denatonium is an odorless, colorless substance that, even in the smallest amounts, is  
65 unbearably bitter to most humans. It has no known health risks to humans. When we put  
66 denatonium on the Beads, no kids—not even the ones who put everything in their mouths—  
67 ingested a Princess Bead more than once. Of the ten children in the room with the denatonium-  
68 coated beads, 1 swallowed a single bead; 4 put a single bead in their mouth and almost  
69 immediately spit it out without swallowing; and the other 5 did not mouth any Beads in the first  
70 place. In other words, once they tasted the denatonium, they stopped eating the Princess Beads.

71 This completely assuaged my concerns. There wasn't nearly enough 1,4-butanediol in a single  
72 bead (ring or pearl) to hurt anyone, so if a kid wouldn't eat more than one Princess Bead, no one  
73 could possibly get hurt.

74           Nonetheless, HappyLand took additional precautions with the packaging. Every box of  
75 Princess Beads says, "Not for consumption." The warning is right there on the box. It's the  
76 parents' job to monitor their children. Our warning label also included two age restrictions. The  
77 box says the Beads are for kids ages 9 and up, and it also says that children younger than 3 years  
78 old should not be playing with the Beads. I hear that the child who died was younger than 3.  
79 Again, I feel terrible for that family. But as a toy designer, I can only do so much. I can only tell  
80 people how to use the toy—I can't make someone follow the directions.

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Quinn Brown

84 Subscribed and sworn before me on this, the 18<sup>th</sup> of March, 2010.

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Susan Coffey, Notary Public

## Plaintiff Direct Examination of Dr. Chase Tuchmont

The basic facts about Chase Tuchmont are included in the affidavit that follows this script. For question number 10, we ask you to make up your own answer that fits with your character. In addition to that, feel free to alter or expand on all of the answers below in a way that is consistent with the character you have created.

### Chapter 1: Introduction

1. **Please introduce yourself to the jury.**
  - a. Good [time of day]. I'm Dr. Chase Tuchmont.
2. **What do you do for a living?**
  - a. I'm a clinical toxicologist. I work in the Emergency Room at Polk County General Hospital.
3. **How are you involved in today's case?**
  - a. A young boy named Joey Davis was brought into the emergency room on August 8, 2009. I was the doctor who treated him.

### Chapter 2: Events at the Hospital

4. **Could you tell us what Joey's condition was like when he was brought into the hospital on August 8?**
  - a. He was showing the classic symptoms of a poisoning: drowsiness, confusion, and a weak pulse.
5. **What did you do?**
  - a. We were deciding whether to order an ultrasound. But before we could do anything, Joey had a seizure, and less than a minute later he vomited.
6. **Did you notice anything about his vomit?**
  - a. Yes. There were about two dozen small plastic beads in Joey's vomit. I recognized them as Princess Beads, a toy made by HappyLand Toy Company.
7. **What happened to Joey after that?**
  - a. His breathing began to slow, his pulse weakened and he eventually went into a coma. There was nothing we could do. At 2pm, he went into respiratory arrest. A few minutes later, Joey was pronounced dead.

### Chapter 3: GHB

8. **Doctor, were you ever able to figure out the cause of Joey Davis's death?**
  - a. I was. Based on a blood test I ran, I determined that the cause was elevated levels of a poison called GHB.
9. **Were you able to identify the source of that poison?**
  - a. Yes. In Joey Davis's case, the GHB most likely came from an external source, so of course the first place I looked was at the Princess Beads I found in Joey's vomit. I ran a test to see what exactly those beads contain.
10. **Could you tell us how that test works?**
  - a. *Explain how the test works, using an analogy. For example, if you were explaining the function of the parts of a cell, you could say it's like a city—the mitochondria are the power plants, the nucleus is city hall, the DNA is the blueprint of the city, etc.*

**11. What did you learn from that test?**

- a. We found that the beads contained a significant amount of something called 1,4 butanediol.

**12. What's 1,4 butanediol?**

- a. It's a chemical that—when ingested—turns into GHB.

**13. So Doctor, were you ultimately able to come to a conclusion in this case?**

- a. Yes, I was.

**14. What was that conclusion?**

- a. In my medical opinion, the GHB in Joey's system caused his death, and the source of that GHB was the Princess Beads.



25 of which appeared to be rings from a Princess Beads set that I recognized because I had bought a  
26 set for my daughter. I preserved those rings. After seizing and vomiting, Joey looked especially  
27 dazed and, while his eyes remained open, he didn't speak or respond to questions. At 12:37, I  
28 drew blood and sent it to the lab for a toxicology screen

29 At 1:00 p.m., Joey fell into a deep sleep and subsequent efforts to revive him were  
30 unsuccessful. At 1:50, Joey's heart rate began dropping and his breathing slowed. At 2:00, he  
31 went into respiratory arrest and, though we tried everything, it wasn't enough. At 2:02, Joey  
32 died of respiratory arrest.

33 I then ran a toxicology screen. The toxicology screen showed a significant amount of  
34 gamma-hydroxybutyric acid (GHB) in Joey's blood. The mere presence of GHB is unsurprising  
35 since a normal, healthy human body naturally produces small amounts of GHB—usually less  
36 than 10 micrograms per milliliter. (A microgram is a thousandth of a milligram, which is a  
37 thousandth of a gram.) But Joey's blood contained GHB in amounts of 148 milligrams per liter.

38 Given Joey's medical history, all signs pointed to poisoning as the cause of Joey's GHB  
39 levels. The beads were an obvious suspect but I wanted to be sure. I ran a test called a gas  
40 chromatographic / mass spectrometric (GC/MS) test in order to determine the chemical  
41 composition of the beads. The GC/MS tests works in two steps. First it separates the molecules  
42 in the sample based on their size. Then, it identifies the individual elements in each molecule by  
43 bombarding them with electrons and analyzing the resulting ion fragments.

44 The GC / MS test showed that the Princess Beads were made of three compounds: a basic  
45 plastic compound, a nontoxic chemical called denatonium, and a third chemical called 1,4  
46 butanediol. When ingested by the body, 1,4 butanediol metabolizes into GHB.

47 GHB can cause respiratory depression and, at higher blood levels, it can cause respiratory  
48 arrest and death. I assisted the coroner with the autopsy and together we concluded Joey Davis  
49 died from respiratory arrest caused by GHB overdose. In my professional opinion, ingestion of  
50 the Princess Beads resulted in the elevated GHB in Joey's bloodstream, and that GHB caused his  
51 fatal respiratory arrest. In my professional opinion, Princess Beads killed Joey Davis. However,  
52 the Beads were only fatal because they were ingested. Had Joey simply handled, smelled, or  
53 briefly put the beads in his mouth, the Princess Beads would not have produced a fatal result.

54 I've dealt with GHB more than a dozen times, usually after college students decide to  
55 experiment with GHB at a rave and then end up in the emergency room a few hours later.  
56 However, it doesn't require experience or expertise to know that 1,4-butanediol can metabolize  
57 into GHB. Any article, Google search, or textbook that mentions 1,4-butanediol also mentions  
58 that it metabolizes into GHB.

59 I should acknowledge that there is one weakness to my theory that Joey's death was  
60 caused by the Princess Beads. The amount of GHB I found in Joey's blood is not usually  
61 enough to cause death. Given that fatal dose of GHB or 1,4-butanediol is generally 150 mg/kg, a  
62 child of Joey's size would theoretically need to consume 2.25 grams of GHB or 1,4-butanediol.  
63 That is the amount contained in 45 Princess Beads and Joey swallowed 25. Moreover, when the  
64 GHB concentration in blood is 148 mg/L (as in Joey's case), it usually produces a general  
65 anesthetic effect or a comatose state. But I have never seen (except in the case of Joey Davis),  
66 nor has any known study found, a peak GHB blood concentration of 148 (or lower) mg/L to be  
67 fatal. It is important to understand, however, that the concentration of GHB in the blood is not  
68 static. The 148 mg/L concentration I found was probably not at its peak. The body metabolizes  
69 GHB quickly—that's one of the reasons it's so dangerous.

70 Notwithstanding these shortcomings, it is my professional opinion that the only way Joey  
71 Davis could have gotten GHB into his body was through the ingestion of Princess Beads. Based  
72 on his health history and my investigation, it was the 1,4-butanediol from the Princess Beads that  
73 caused his medical emergency. I called Andy on August 10, 2009, the same day I analyzed the  
74 Princess Beads and concluded that they were what killed Joey. Andy seemed devastated and  
75 said HappyLand Toy wouldn't get away with this. I hope Andy is right.

76 \_\_\_\_\_  
77 Chase Tuchmont

78 Subscribed and sworn before me on this, the 18<sup>th</sup> of March, 2010.

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80 Susan Coffey, Notary Public