

# Exploring the Use of Technology in the Law School Classroom.

## Workshop 6A

### Webby Book Workshop: Interactive Content Within a Universal Design

*Dr. Tim Kaye and Anna Parsons  
Stetson University College of Law*

**Dr. Tim Kaye** is a Professor of Law at Stetson University College of Law in Gulfport, Florida, where he teaches torts, advanced torts, products liability, remedies, and jurisprudence. He co-founded the Stetson Journal of Advocacy and the Law — the first online law review designed to be read online — and is the founder of webby-books.com, the publisher of online Webby Books.

Since taking up his post at Stetson, Dr. Kaye has published books on torts, products liability, and jurisprudence. He has also written articles on torts, remedies, legal reasoning, education law, and comparative law. He also is the Co-Chair of Stetson's Legal Tech Task Force, which has acquired campus-wide licenses at Stetson for note-taking, outlining, and legal practice management software.

Before moving to Stetson, Dr. Kaye was an Associate Dean at the University of Birmingham in the United Kingdom, where he taught contracts, torts, jurisprudence, and education law. He contributed to the United Nations project on the Right to Education and was commissioned on three occasions by the government of Estonia to carry out evaluations of law teaching at law schools in Estonia. After eight top British law schools decided to create LNAT Consortium Ltd, a multi-million-dollar company formed by to oversee the introduction of a new admissions test, he was elected its very first Chairman and CEO.

Dr. Kaye led the Independent Inquiry into the corrupt working practices of the West Midlands Police Serious Crime Squad, whose work was cited with approval by both the Runciman Commission on Criminal Justice and by the UK's Court of Appeal, and which led to the exoneration of over 150 innocent people. It also led to the creation by statute of the UK's Criminal Cases Review Commission, with the responsibility for investigating alleged miscarriages of justice in England, Wales, and Northern Ireland.



# Webby Books: Access & Cheatsheet

Please complete the form at <https://webby-books.com/torts/iltl/>, using your law school email address and promotion code GONZAGA2018 to register for a year's access to the *Law of Torts* Webby Book.

ACTION	METHOD
Add comment	Click or touch paragraph, then press c
See comment(s)	Click or touch comment balloon icon
Close comment(s)	Press Escape, or click or touch comment balloon icon
Go to a footnote	Click or touch footnote number in text
Return to the text from a footnote	Click or touch footnote number in sidebar or footer
Go to the next page	Click or touch arrow on right, or swipe left, or click or touch breadcrumb at top or bottom of page
Go to the previous page	Click or touch arrow on left, or swipe right, or click or touch breadcrumb at top or bottom of page
Go to a specific chapter	<p>In the Table of Contents in the left-hand sidebar, clicking or touching an arrow next to the title of a Part will make the titles of Chapters within that Part appear.</p> <p>Clicking or touching Part or Chapter titles themselves will take you to a list of all the pages within that Part or Chapter.</p>
Go to a specific page	<p>In the Table of Contents in the left-hand sidebar, clicking or touching an arrow beside a Chapter title will make the titles of pages within that Chapter appear.</p> <p>Clicking or touching a page title will take you to the page itself.</p>
Obtain the URL for a specific paragraph	Hover over or touch the paragraph, then right-click on or touch the ¶ symbol, then copy the link
Open a hyperlink in new tab	Middle-click on the hyperlink, or press Ctrl or Cmd while left-clicking on it
Highlight a passage	<p>This requires an extension for your browser:</p> <p><i>Firefox</i>: Persistent Highlighter</p> <p><i>Chrome</i>: either Super Simple Highlighter or Noted</p> <p><i>Opera</i>: first install the Download Chrome Extension, then choose one of the Chrome extensions</p>
Change the color scheme	Click or touch the Grayscale and/or High Contrast buttons at the top of the right-hand sidebar
Change the font size	Click or touch the font icon buttons at the bottom of the right-hand sidebar

Note that, for users unable to use a mouse, it is also possible to use standard accessibility alternatives, such as the tab key, spacebar, or arrow keys.

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 Anna Parsons [amparsons@law.stetson.edu](mailto:amparsons@law.stetson.edu)



# Exploring the Use of Technology in the Law School Classroom.

## Workshop 6B

### Just for the Record: Learning Lawyers' Negotiation Skills Through Video Recording

*Andrew Nobel*  
*Anglia Ruskin University, Cambridge*

**Dr Andy Noble** is currently a Senior Lecturer in Employment Law at the Lord Ashcroft International Business School, Anglia Ruskin University, Cambridge, UK, where he is also the Course Leader for Business Management. After graduation with a LLB degree from the University of Sheffield, Noble practiced as a litigation solicitor in the UK for many years, before returning to academia to undertake a PhD (Law) at the University of Birmingham. Since completion of his PhD, Noble has held positions of Lecturer in Law and Course Leader for Law & Practice at Coventry University, before his appointment to his current position in September 2017. Noble has wide experience in teaching a range of legal topics to law students and business students at both undergraduate and postgraduate levels, but has a particular interest in employment law. Noble also pursues research interests in all aspects of employment law and legal education, and regularly contributes papers on these research topics to conferences and journals.



## **BACKGROUND:**



Anglia Ruskin  
University

Cambridge & Chelmsford

## **Just for the Record: Learning Lawyers' Negotiation Skills Through Video Recording**

**Presenter:**

**Dr Andy Noble,**

**Senior Lecturer in Employment Law,**

**Lord Ashcroft International Business School,**

**Anglia Ruskin University, Cambridge, UK**

## **Case Study Documents**

The Plaintiff, Brandi Samuels, worked for The Hump Corporation as the Secretary to the CEO of the Company, Mr Ronald T. Hump, for a period of just under 6 years between 1<sup>st</sup> January 2012 and 15<sup>th</sup> December 2017. Ms Samuels' date of birth is 9<sup>th</sup> June 1968 and her salary prior to termination of her employment was \$77,000 plus medical insurance cover.

Due to the circumstances of the termination of her employment, which are set out in the correspondence and other documents on the following pages, Ms Samuels is seeking redress for wrongful termination and/or discrimination on the grounds of gender against her former employer. The basic facts of the case are as set out in the enclosed documents. The employer has denied any liability and so far has fiercely resisted any attempt at resolution or settlement. The former employee has exhausted the employer's internal appeals procedure and correspondence between attorneys has not produced any settlement offers.

The former employee has now filed a complaint of discrimination with the EEOC (details not provided here), and this has prompted an offer from the employer's attorneys for a without prejudice meeting to negotiate a settlement agreement.

### **YOUR INSTRUCTIONS**

To work in a small team (2/3 lawyers) acting for either employee or employer, to attempt to negotiate the terms of a settlement agreement between the parties.

**Letter of Appeal Against Termination**



Brandi Samuels  
1230 Mountain View  
Spokane, WA, 99202

18<sup>th</sup> December 2017

Mr Ronald T. Hump, CEO  
The Hump Corporation  
Hump Towers  
1890 Melania Street  
Spokane, WA, 99224

Dear Mr Hump,

This letter is written to appeal against the wrongful termination of my employment on 15<sup>th</sup> December 2017.

On the above date, I was summoned to your office where you accused me of stealing a company laptop and misuse of the company's computer system by using it to send personal emails and for shopping online. I pointed out that the laptop was one that you had given me to allow me to work at home or when I was away from the office on business. I told you the laptop was still at my house and I could return it the next day. I agreed that I had occasionally sent personal emails, but pointed out that all other employees do that and you had never questioned this before. As for shopping online, I had done this on one previous occasion, several weeks ago, during my lunch break, and you were fully aware of this because I told you about the circumstances and you did not raise any objections at the time. You then told me that I was in "real trouble" but you could "make it all go away" if I agreed to have sex with you. I was very offended and distressed by this suggestion. I told you that I was happily married, that I thought you were a sexist, disgusting old pervert, and that I would rather sleep with dogs in the street than with you. You then told me that if that was how I felt about it, I was fired. I was told to leave immediately, which I did.

I feel that this is a disgraceful way to behave towards someone who has given you nothing but faithful and loyal service over a number of years. I am still very upset and distressed by the whole incident and intend to seek legal advice as I feel that all my treatment by you has been unfair and discriminatory. There have been other incidents in the past, of which we are both aware, which support my view. In the meantime, however, I am appealing against the termination of my employment under the Company's Appeals Procedure. I trust that under the circumstances my appeal will be dealt with by another senior member of the Company's management and will be dealt with favorably.

Yours Sincerely

Brandi Samuels

**Response from The Hump Corp**

Mr Ronald T. Hump, CEO  
The Hump Corporation  
Hump Towers  
1890 Melania Street  
Spokane, WA, 99224

22<sup>nd</sup> December 2017

Brandi Samuels  
1230 Mountain View  
Spokane, WA, 99202

Dear Brandi,

Your letter appealing against the termination of your employment has been received and the appeal has been dealt with in accordance with the Company's procedures. In view of the serious allegations which your letter makes against me personally, I have asked the Company's Director of Human Resources, Mr Richard Cranium, to deal with the appeal.

Mr Cranium has now carried out an investigation of all the circumstances of the termination of your employment and the allegations you have made. The results of that investigation are that no evidence has been found to support your allegations. The facts as found by Mr Cranium's investigation are that we have for some time been concerned about the theft of property from the Company and misuse of the Company's emails and Internet facilities by employees for their personal use. You, amongst other employees, had been identified as possessing Company property, namely a laptop computer, which had been removed from the Office and had not been returned. You had also been identified as one of a number of employees who had sent and received emails on their personal email accounts during office hours on a Company computer and had shopped for personal items online during office hours using the Company's computer. The purpose of the meeting on 15<sup>th</sup> September was to give you the opportunity to explain yourself and to warn you about your conduct at work in the future. No conversation took place about me having sex with you – this did not happen. After initially admitting the misconduct, you then became very distressed and hysterical, and you became verbally abusive towards me and told me that you would never work for me again. You then left the office.

In the circumstances, the outcome of the appeal is that it is found to be without merit and is dismissed. The decision to terminate your employment for misconduct therefore stands. You will receive your pay until the end of this month. I am sorry that our association has ended this way, but your behavior towards me and the Company left me with no choice. I wish you the best for the future.

Yours sincerely

Ronald T. Hump

**Demand Letter**

Screwem Goode  
Attorneys at Law  
2847 University Street  
Spokane, WA, 99202

25<sup>th</sup> January 2018

Mr Ronald T. Hump, CEO  
The Hump Corporation  
Hump Towers  
1890 Melania Street  
Spokane, WA, 99224

Dear Mr Hump,

We act on behalf of Ms Brandi Samuels in connection with the recent termination of our client's employment with your Company as the Secretary to the CEO. We understand that our client was employed by your company in this position from 1<sup>st</sup> January 2012 until termination on 15<sup>th</sup> December 2017.

A number of incidents concerning our client in recent months have led us to the conclusion that our client has been the victim of sexual assault, sex discrimination, harassment, and pretextual wrongful termination, in violation of her employment and civil rights. These incidents culminated in the termination of our client's employment on 15<sup>th</sup> December 2017.

The first such incident occurred on Friday 28<sup>th</sup> July 2017, when, as our client was bending over her desk in the office to retrieve a pen, you walked past and slapped our client on the buttocks with your hand. When our client protested, you said that it was "just a bit of harmless fun", but you apologized to our client if she felt you had overstepped the mark. Our client decided to accept your apology and take the matter no further. Then, between the end of August and the beginning of October, you exchanged a series of inappropriate emails and text messages with our client. An example of one such email is attached, but our client has provided us with copies of all such emails and text messages. Eventually these messages stopped, but then, on the 13<sup>th</sup> December 2017, in the office, you propositioned our client to have sex with you. Our client declined, but believes that this refusal led directly to the events of 15<sup>th</sup> December and our client's employment being terminated.

We understand that on the 15<sup>th</sup> December 2017, our client was called into your office, where you and she were alone. You accused our client of stealing company property and misuse of the company's computer system for personal emails and shopping online. Our client disputed the allegations, but you persisted with the accusations against our client. You then told our client that you could "make this all go away" if she agreed to have sex with you. Our client was appalled by this suggestion and became very distressed. At this point you told our client that her employment was terminated with immediate effect.

Your behavior towards our client, as demonstrated by this series of events, is not an isolated incident, and there is clear evidence of a pattern of discrimination against both our client and other employees on the grounds of gender. We attach a copy of a witness statement we have obtained from Ms Amanda Wilson, who was also subjected to similar discriminatory treatment and termination of her employment with your company.

The purpose of this letter is to ask you to confirm your acceptance of our client's claims against you and your company, and to propose a suitable severance package for our client. Our client has suffered and will suffer financial loss of her salary and medical insurance protection, together with intentional inflation of emotional distress and injury to her feelings.

Whilst our client is anxious to resolve this matter with the minimum amount of acrimony, we should advise that failure to respond favorably to this letter within 7 days will result in our client filing complaints with the Equal Employment Opportunity Commission and/or lawsuits in the federal court for violations of her Title VII rights.

We look forward to hearing from you or your attorneys in due course  
Yours sincerely

Indira Screwem  
SCREWEM GOODE

Exhibit 1 - Emails

**From:** humpRT@hump.com  
**To:** brandi5.samuels@yahoo.com  
September 17, 2017 23:10

Hi Sexy,

What are you up to? Been thinking about you all day

Hump

**From:** humpRT@hump.com  
**To:** brandi5.samuels@yahoo.com  
September 17, 2017 23:30

Hi,

Drinking alone, hey – that's not a good sign – sounds like you could do with some company?

Hump

Exhibit 2 - Witness Statement, Amanda Wilson

Amanda Wilson, will say:

- 1) My name is Amanda Wilson and I live at 785 Foothills Drive, Spokane, WA. My date of birth is 5<sup>th</sup> May 1998
- 2) I am currently employed as a hotel receptionist, but between May 2017 and September 2017 I was a student intern at The Hump Corporation at their office at Hump Towers in Spokane, working in the office of the CEO, Mr Ronald T. Hump. I was engaged in mainly clerical and administrative duties.
- 3) During my time at The Hump Corp, I became increasingly concerned about the behavior of Mr Hump towards me and some of the other female employees of the Company. On many occasions when he came into the office, Mr Hump would engage in inappropriate touching of the female employees. Mr Hump has on numerous occasions touched me on my buttocks, head, neck and shoulders without my consent. I have also seen him do this to other female employees, but never to male employees. Mr Hump's behavior was so well known amongst the female employees in the office that he was known as 'The Octopus'.
- 4) The most serious example of inappropriate behavior was when I accompanied Mr Hump, along with a number of other employees of the Company, to a business meeting in San Francisco. All the employees stayed in a hotel overnight, paid for by the Company. During this stay, Mr Hump kept trying to persuade me to let him into my room so he could have sex with me. When I refused, he became quite angry and said that I would be sorry I crossed him.
- 5) Shortly after this trip, Mr Hump called me into his office and told me the internship was being terminated. He said that he had discovered that I had dishonestly claimed for expenses I was not entitled to. This was not true – I had only claimed the expenses Mr Hump said I was entitled to. Mr Hump was not prepared to listen and terminated the internship anyway.
- 6) I was fortunate enough to obtain new employment straightaway, so did not pursue the matter further.

## **Response Letter**

JustAbout Legal  
Attorneys at Law  
5678 Smart Suit Plaza  
Seattle, WA, 98122

1<sup>st</sup> February 2018

Screwem Goode  
Attorneys at Law  
2847 University Street  
Spokane, WA, 99202

Dear Sirs,

We have received your letter dated 25<sup>th</sup> January 2018 addressed to our client, Mr Ronald T. Hump of The Hump Corporation on behalf of your client, Ms Brandi Samuels. Please note that we are now acting on behalf of our client in this matter and all future correspondence should be directed to ourselves.

Your letter asserts numerous claims on behalf of your client. Although our investigation is at an early stage, the information currently in our possession has revealed that it is clear that your client's claims are completely without merit.

The incident in July to which you refer in your letter was, so far as our client is concerned, resolved quickly at the time. Our client apologized for the misunderstanding and your client accepted our client's apology in the spirit in which it was offered. It was believed that both parties had moved on and the incident put behind them. As for the exchange of emails and text messages, this was something in which your client was a willing participant, as demonstrated by the attached copy of the reply which your client sent to our client. Our client denies entirely propositioning your client for sex on 13<sup>th</sup> December 2017 or at any other time. The witness statement you have provided from Ms Wilson adds nothing of value to your client's case. Ms Wilson is a disgruntled former employee, who suffered from mental health issues and who developed an infatuation with our client, which was not reciprocated. It is clear that her statement is an attempt to seek revenge upon our client. Our client abhors any form of discrimination of any kind, and treats all his employees equally, regardless of gender, race, disability or any other characteristic.

The fact is that your client's employment was terminated after she was found to have stolen company property and misused the company's computer system on numerous occasions. When discovered and confronted with these findings, your client initially admitted the allegations but then became verbally abusive towards our client. After a heated altercation, your client was informed that her employment was being terminated for misconduct. Given your client's serious misconduct, we do not believe she is entitled to any severance payments at all and our clients will oppose her application for employment insurance.

In the circumstances, our client has no proposals to make your client and any action she sees fit to bring against our client will be strenuously resisted.  
Yours faithfully

Stephen Hark  
JUSTABOUT LEGAL

Attachment - Series of emails, September 17, 2017

**From:** humpRT@hump.com  
**To:** brandi5.samuels@yahoo.com  
September 17, 2017 23:10

Hi Sexy,

What are you up to? Been thinking about you all day

Hump

**From:** brandi5.samuels@yahoo.com  
**To:** humpRT@hump.com  
September 17, 2017 23:27

Hi,  
Just drinking some wine and chillin on my own at home. What you been up to?

Brandi

**From:** humpRT@hump.com  
**To:** brandi5.samuels@yahoo.com  
September 17, 2017 23:30

Hi,

Drinking alone, hey – that’s not a good sign – sounds like you could do with some company?

Hump

**From:** brandi5.samuels@yahoo.com  
**To:** humpRT@hump.com  
September 17, 2017 23:37

Hi,

Company would be nice, but it’s kinda late – maybe some other time

Brandi

**Letter from Employer's lawyers proposing settlement meeting**

JustAbout Legal  
Attorneys at Law  
5678 Smart Suit Plaza  
Seattle, WA, 98122

4<sup>th</sup> April 2018

Screwem Goode  
Attorneys at Law  
2847 University Street  
Spokane, WA, 99202

Dear Sirs,

**Our Client: The Hump Corporation/ Mr Ronald T Hump**  
**Your Client: Brandi Samuels**

Further to our previous correspondence and exchange of emails in this matter, our investigation into your client's allegations is now complete. As a result of our investigations, we are satisfied that your client's claim is without merit and our clients will be able to successfully defend any action that your client sees fit to bring against them.

We are aware that your client has now filed a discrimination claim against our clients with the EEOC. Our clients have taken the view that litigation over this matter will be financially and reputationally damaging to both parties and this is something that they are anxious to avoid.

In these circumstances, and despite our clients' confidence that they can resist any action your client sees fit to take, our client proposes that the parties' attorneys meet to engage in without prejudice negotiations with a view to drawing up an appropriate settlement agreement.

Please advise us of your availability within the next month so that we can facilitate such a meeting. We look forward to hearing from you.

Yours faithfully

Stephen Hark  
JUSTABOUT LEGAL



# Exploring the Use of Technology in the Law School Classroom.

## Workshop 6C

### Maximum Engagement - Utilizing Technology To Engage Law Students in Doctrinal Courses

*April G. Dawson,*

*North Carolina Central University School of Law*

**April G. Dawson** is a professor of law at North Carolina Central University School of Law. She received a Bachelor of Science degree in computer science and was a computer programmer before attending law school. April received her law degree cum laude from Howard University School of Law in 1994. After law school, April joined the Civil Division of the U.S. Department of Justice through its Attorney General's Honors Program. While at the Department of Justice, she argued cases before the United States Courts of Appeals for the Fifth, Seventh and Ninth Circuits. In 1996, she served as law clerk to the Honorable Emmet G. Sullivan of the U.S. District Court for the District of Columbia. Following her clerkship, she worked as a litigation associate at a Washington, D.C. firm. While at the firm, she was also an adjunct legal writing professor at the George Washington University School of Law.

April joined the faculty at NCCU Law in 2006 where she teaches, among other classes, Constitutional Law, Administrative Law, and a Supreme Court Seminar. In addition to researching and writing about the U.S. Supreme Court, April researches, writes, and speaks about legal pedagogy and the use of technology in legal education. She was voted professor of the year by the day students for the 2013-2014 school year, and voted professor of the year by students in both the day and evening programs for the 2016-2017 school year. April also co-hosts The Legal Eagle Review, a weekly radio show which can be heard on Sundays from 7-8p on WNCU 90.7 FM in Durham, North Carolina.

