

PRONOUN EXERCISES ANSWERS

The following are suggested answers; other variations are possible.

1. The false light in which River Rock Inc. placed Eddie in **its** news article would be highly offensive to a reasonable person.
2. In *Dodrill*, the plaintiff sued the *Arkansas Democrat* newspaper for libel and false light invasion of privacy because **it** had published a story claiming that he did not pass the bar examination.
3. A driver with actual physical control of a vehicle can be charged with a DUI.
This sentence avoids the use of the pronoun.
4. Although “actual physical control” was not at issue before the Supreme Court of New Mexico in *Johnson*, **the Court’s** implied acceptance of the “totality of the circumstances test” used in *Boone*, and **the Court’s** brief discussion about “actual physical control” sheds light on how to apply the rule to the client’s case.
5. The court held that a defendant was properly charged with a DWI conviction when exercising actual physical control of an automobile while intoxicated. *State v. Rivera*, 947 P.2d 168, 168 (N. Mex. Ct. App. 1997). **The court reasoned** that someone **who** has actual physical control over an automobile exercises direct influence over the vehicle and may harm innocent people when exercising this influence while intoxicated.
This sentence avoids the use of the pronouns.
6. The court in *Johnson* resisted offering private property as a safe haven. The Court in the present case should follow **the Johnson court’s** example and refrain from creating a dangerous situation on public roadways by encouraging intoxicated drivers to seek safe haven on private property.
7. When enacting the Pregnancy Discrimination Act, Congress was concerned that whenever a woman interviewed for a job, **her** potential to become pregnant while on the job would be a factor in **her** not being chosen for the job.

BETTER:

When enacting the Pregnancy Discrimination Act, Congress was concerned that a woman’s potential to become pregnant while on the job would be a factor in hiring.

8. If this Court determines that infertility is not gender-neutral, a potential claimant with a legitimate Pregnancy Discrimination Act claim may not have enough evidence to show discrimination.

This sentence avoids the use of the pronoun.

9. The purpose of infertility treatments is to achieve pregnancy; therefore, the PDA covers these treatments.

This sentence avoids the use of the pronoun and the passive voice.

10. The *Arkansas Democrat* had a long-standing relationship with the Board, and, because of **this relationship**, the court stated that the *Arkansas Democrat* had no reason to investigate further or to doubt the information provided to **it**.

11. Hale spent six months researching, drafting, and editing her article. Because Eddie did not have a criminal record, she must have known that he was not **a criminal**, but she still made statements in her article about the criminal acts of the Hale and his brothers.

12. The court upheld the jury's finding that Globe had been reckless in using Mitchell's photographs to supplement a fictitious and offensive story. *Peoples Bank & Trust Co.*, 978 F.2d at 1070. **The Court** reasoned that, by using photographs of a known person, Globe acted in reckless disregard as to the falsity of the article because **Globe** avoided the truth regarding the person depicted in the photo, Ms. Mitchell.

13. The concourse in *Jones* was a walkway for pedestrians, but the concourse at Lincoln Field offers food concessions, table dining, and shopping. **The concourse** at Lincoln Field creates distractions for patrons in the concourse.

14. The left side of the concourse at Lincoln Field has protective netting. **The netting could** imply that the stadium foresaw that a ball could reach the concourse.

15. Like the plaintiff in *Jones*, Flossie was injured in a concourse, not in the stands. Unlike **the plaintiff** in *Jones*, Flossie may be able to prove that the defendant failed to consider the customary conduct of patrons.

16. The sound of the bat hitting the ball should have warned Flossie to stay alert. **This argument** should not be overlooked but may be rebutted on the basis that Flossie, at age seven, was too young to recognize such a warning.

17. The plain language of the Pregnancy Discrimination Act **shows** that **the purpose of the Act** is to prevent sex-based discrimination against women.