



Quiz

The Nominal Defendant v Cordin

1. When did the plaintiff say he must have been hit by a car?
 - a. When passers by came to his aid
 - b. When the ambulance officer took a history of him
 - c. When he was airlifted to Princess Alexandra Hospital
 - d. The day after the accident when visited by his wife and daughter.
2. When does a nominal defendant come into being?
 - a. When a driver doesn't stop
 - b. When a person identifies a number of people as possible drivers or owners of a motor vehicle causative of the plaintiff's injuries
 - c. When a person cannot identify a driver or owner of a motor vehicle causative of the plaintiff's injuries
 - d. Where no owner or driver of a vehicle is identified and the plaintiff has carried out due search and enquiry.
3. Why did the Court of Appeal dismiss the appeal?
 - a. Because of the witnesses' demeanour
 - b. Because there was no forensic evidence in favour of the nominal defendant

- c. Because the trial judge had taken into account that one party was at a disadvantage and evidence against it had to be evaluated with care
 - d. Because the plaintiff had described himself as being 'propelled forward'.
- 4. What is rehearing of a case based on?
 - a. The credit of a witness's testimony
 - b. Review of paper evidence including the judgment and transcript of the trial
 - c. Review of the trial judge's findings of fact
 - d. Review of oral evidence.
- 5. When is it advisable for the solicitor to put in an offer of compromise?
 - a. When damages cannot be agreed
 - b. After damages have been agreed
 - c. Before a plaintiff has provided the defendant with all relevant material on which a considered evaluation of damages can be made
 - d. After a plaintiff has provided the defendant with all relevant material on which a considered evaluation of damages can be made.

Answers:

1. d 2. d 3. c 4. b 5. d