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Question: 35

Select the answer choice that correctly provides the missing premise: _____ .Darlene is an automobile driver who breached the duty of care.Darlene was negligent.

- A. All automobile drivers who breach the duty of care owed to others are negligent.
- B. All automobile drivers breach the duty of care to others.
- C. All automobile drivers owe a duty of care to others.
- D. All automobile drivers named Darlene are negligent.

Answer: A

All automobile drivers who breach the duty of care owed to others are negligent. To draw the conclusion that Darlene was negligent, the major premise must establish a connection between automobile drivers who breach the duty of care and negligence. Only answer A makes that connection by establishing that all automobile drivers are negligent if they breach the duty of care owed to others. Since Darlene is within the class of drivers who breached the duty of care (the minor premise), the conclusion can be reached. Answer B and Answer C are both incorrect because they do not establish a connection to negligence. Answer D is incorrect because the minor premise would not be necessary for the conclusion.

Question: 36

Select the answer choice that correctly completes the following: All negligent drivers can be liable if the driver's negligence caused the plaintiff's injury.Darlene's negligence caused Plaintiff Paul's injury.

- A. Darlene caused Plaintiff Paul's injury.
- B. Darlene was negligent.
- C. Darlene can be liable for Plaintiff Paul's injury.
- D. Darlene has no defense to Plaintiff Paul's negligence suit.

Answer: C

Darlene can be liable for Plaintiff Paul's injury. The major premise establishes that any driver who was negligent (that is, who had a duty and breached that duty) can be held liable if that negligence was the cause of the plaintiff's injury. Since the minor premise states that Darlene's negligence was within the category of negligence that caused Paul's injury, Darlene can be liable. Answer A is incorrect because it does not state that Darlene can be liable. Answer B is incorrect because the issue is causation and (potential) liability, not negligence. Answer C is not correct because the issue is causation and (potential) liability, not Darlene's defenses.

Question: 37

Select the answer choice that correctly completes the following: All negligent drivers who caused a plaintiff's injury are liable if the plaintiff suffered actual damages. Plaintiff Paul suffered actual damages from Darlene's negligent driving that caused his injury.

- A. Darlene caused Plaintiff Paul's injury.
- B. Plaintiff Paul suffered actual damages.
- C. Darlene is liable for negligent driving.
- D. Darlene is liable for Plaintiff Paul's actual damages.

Answer: D

Darlene is liable for Plaintiff Paul's actual damages. Here, the major premise establishes the liability of (1) negligent drivers (requiring duty and breach of duty), (2) who cause a plaintiff's injury, (3) if the plaintiff suffered actual damages. The minor premise states (1) that Darlene was a negligent driver ("Darlene's negligent driving"), (2) that the negligent driving cause Plaintiff Paul's injury ("that caused his injury"), and (3) that "Plaintiff Paul suffered actual damages." Since Darlene is within the class of negligent drivers who cause a plaintiff's injury, with the plaintiff also suffering actual damages, Darlene is liable. Answers A and B are incorrect because they merely restated facts from the minor premise. Answer C is incorrect because it is incomplete - it does not state Darlene is liable for actual damages.

Question: 38

At a press conference, a reporter asked a candidate for mayor, “Did you sleep with Annie Actress?” The candidate responded, “Definitely not.” Another reporter asked, “Is that false?” The candidate responded, “Yes.” Select the answer choice that correctly describes the candidate’s responses:

- A. The candidate slept with Annie Actress between the first and second question.
- B. If the candidate’s second answer is true, his first answer is true.
- C. If the candidate’s first answer is false, his second answer is true.
- D. If the candidate’s first answer is false, his second answer is false.

Answer: C

If the candidate’s first answer is false, his second answer is true. If the candidate did sleep with Annie Actress, and the candidate falsely answered that he did not do so, then his second answer is true. Answer A is not correct because it adds facts that are not a part of the question. Answer B is incorrect because George’s responses cannot both be true. Answer D is incorrect because George’s responses cannot both be false.

Question: 39

Select the answer choice that correctly completes the following: Some human beings are mortal. Plato is a human being.

- A. Plato may need a will.
- B. Plato may be mortal.
- C. Some mortals are human beings.
- D. Some human beings are Plato.

Answer: B

Plato may be mortal. The first sentence is a major premise and establishes a general principle taken as true-that some human beings are mortal. The second sentence is a minor premise and establishes that a specific person is a human being. In reaching a conclusion, however, the test-taker must recognize that the major premise is not an absolute. Answer B properly connects the major and minor premises by concluding that Plato (a human being) comes within the

principle established in the major premise and that conclusion is limited by the same limitation of the major premise.

Question: 40

Select the answer choice that correctly completes the following: All human beings are mortal. George is an extraterrestrial.

- A. All human beings are extraterrestrials.
- B. George is not mortal.
- C. George is not a human being.
- D. None of the above.

Answer: D

None of the above. No conclusion can be reached because George does not fall within the general principle of the major premise. Answer A is not correct because the major premise does not establish a connection between human beings and extraterrestrials. Answer B is not correct because the major premise does not establish anything about whether extraterrestrials are mortal-so it is possible they could be either mortal or immortal. Answer C is not correct because it repeats the minor premise in different words and does not draw a conclusion based on the major premise.

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