Part I. (30%)

Question 1 ~ 10

Read the following extract from a reference about the U.S. legal system. Choose the best word or phrase to fill each gap from A, B, C or D below.

For each question 1 ~ 10, mark one letter (A, B, C or D) on your answer sheet. Each correct answer will be given 3 points.

The United States Code is a comprehensive, and apparently well integrated, compilation of all statutory law made by the federal (1)_______. In some ways it looks like a traditional European, Asian, or Latin American civil code, and for judges it presents some of the same problems of (2)_______. In the first cases that follow, for example, the U.S. Supreme Court is presented with the basic interpretative issues of the meaning of unclear words and the choice of which conflicting laws to (3)_______. You will see that American courts follow some of the same interpretative rules—legal rules for clarifying legal rules—as courts in traditional civil law nations.

Yet because American law is a mixture of (4)_______ and common law, additional unique problems can arise. Two are very important. First, American (5) often use words, phrases, or concepts from the common law. (6)_______ of statutes and codes, therefore, will often require a knowledge of the traditional common law. Second, American judges continue to be influenced by the common law's idea that consistency in the (7)_______ of law must be demonstrated in each decision. Therefore, American judges will attempt to explain each decision in the context of (8)_______ judicial decisions. This process will create what appears to be a continuous discussion among many past and present judges about the correct interpretation of the (9)_______. As judges explain their (10)_______, the collection of cases interpreting a statute may begin to look like ordinary common law cases. Cases-based law—common law—therefore influences the interpretation of the federal Code. [Charles F. Abernathy, LAW IN THE UNITED STATES, p. 3-4 (2006)]
1. (A) Bureau  (B) Congress  (C) Court  (D) Agency
2. (A) integration  (B) interpretation  (C) adoption  (D) harmonization
3. (A) apply  (B) disregard  (C) make  (D) obey
4. (A) case-based law  (B) decision-based law  (C) court-based law  (D) code-based law
5. (A) judges  (B) attorneys  (C) statutes  (D) courts
6. (A) Use  (B) Interpretation  (C) Modification  (D) Creation
7. (A) creation  (B) interpretation  (C) application  (D) modification
8. (A) prior  (B) past  (C) post  (D) subsequent
9. (A) case  (B) decision  (C) holding  (D) statute
10. (A) statues  (B) decisions  (C) thoughts  (D) applications

Part II (40%)

Question 11 ~ 20

Identify the letter of the choice that best completes the statement or answers the question. For each question 11 ~ 20, mark one letter (A, B, C or D) on your answer sheet. Each correct answer will be given 4 points.

11. Contract entered into under fraudulent conditions are ______ at the option of the defrauded party.  
   (A) voidable  (B) enforceable  (C) convertible  (D) acceptable.

12. When a judge who feels strongly about making or emphasizing a point that was not made in the court decision will write a ______. That means the judge agrees with the judgment given in the decision but for different reasons.  (A) unanimous opinion  (B) dissenting opinion  (C) majority opinion  (D) concurring opinion.

13. A provision of a contract provides that “This contract is binding, and we expect all the parties involved (both clients and suppliers) to abide by the terms and conditions stated in sections 5b.” One of the following words / expressions could replace abide by. Which one is it?  (A) choose (B) agree with (C) obey (D) change.

14. A bona fide purchaser is one who purchases property for a valuable consideration that is inducement for entering into a contract and without suspicion of being defrauded or deceived by seller. The term “bona fide” is equivalent to  (A) good faith  (B) legal  (C) original  (D) negligent.

15. An appellee is  (A) the party who lost at the trial court level.  (B) the plaintiff at the trial court.  (C) the party who brings the appeal.  (D) the party against whom an appeal is taken.

16. John often sits in a small bar, drinking and smoking considerably more ______.  
   (A) than that he is healthy  (B) than good for his health  (C) than his health could  (D) than is good for his health

17. When Bob called to invite her to the theatre, Jane had hardly finished half ______ she was required.  
   (A) much assignment than  (B) assignment what  (C) more assignment than  (D) as much assignment as
18. He is not ______ to surrender himself to the police.
   (A) someone (B) anyone (C) whom (D) one

19. The jury had a heated discussion ________.
   (A) in themselves (B) among themselves (C) between themselves (D) around them

20. She won the case, ______ proved she was an able lawyer.
   (A) it (B) which (C) that (D) with which

Part III (15%)

Question 21 ~ 25

Please define the following terms in Chinese. Each correct answer will be given 3 points.

21. unjust enrichment
22. injunction
23. non-disclosure agreement
24. hear say
25. de facto

Part IV (15%)

Question 26 ~ 30

Please read the following news report and identify the letter of the choice that best answers the question. For each question 26 ~ 30, mark one letter (A, B, C or D) on your answer sheet. Each correct answer will be given 3 points.

Apple Inc. plans to use a larger screen on the next-generation iPhone and has begun to place orders for the new displays from suppliers in South Korea and Japan, people familiar with the situation said on Wednesday. Early production of the new screens has begun at three suppliers: Korea’s LG Display, Sharp Corp and Japan Display Inc., a Japanese government-brokered merger combining the screen production of three companies. The new iPhone screens will measure 4 inches from corner to corner, one of the sources said. It is likely all three of the screen suppliers will get production orders from Apple, which could begin as soon as June. That would allow the new iPhone to go into production as soon as August if the company follows its own precedent in moving from orders for prototypes for key components to launch. Apple’s decision to equip the next iPhone with a larger screen represents part of its competitive response to Samsung Electronics.
Samsung unveiled its top-of-the line Galaxy smartphone with a 4.8-inch touch screen and a faster processor earlier this month. Samsung, which this year became the world's largest cell phone maker, sold 45 million smartphones in the first quarter and sales of the Galaxy phones outstripped the iPhone. [Reiji Murai, *Apple readies iPhone with larger screen* (May 16, 2012)]

26. How many different suppliers will most likely be involved in the production of Apple's new iPhone screens?
   (A) Three
   (B) Two
   (C) Four
   (D) None of the above

27. Are all the suppliers in Japan?
   (A) Yes
   (B) No
   (C) Yes, but there might be another supplier in Singapore.
   (D) None of the above

28. According to the Article, who is Apple competing against?
   (A) Nokia
   (B) LG
   (C) Samsung
   (D) HTC

29. Why are companies making bigger display screens?
   (A) Because big screens are fashionable
   (B) Because consumers are using phones for things they used to do on their laptops
   (C) Because bigger screens makes dialing easier
   (D) None of the above

30. How much bigger will Apple's new screen be, compared to the old one?
   (A) 30%
   (B) 4 inches
   (C) 3.5 inches
   (D) 5 inches