

UNIVERSITY OF NORTH DAKOTA SCHOOL OF LAW  
Torts II  
Spring 2015

Eric E. Johnson  
Associate Professor of Law

---

ETHICS/PROFESIONALISM ASSIGNMENT

---

## Veronica Vanders and the Flash-Freeze Diet™

You represent A-list movie star Veronica Vanders. Lately stories have been circulating in the media that Ms. Vanders is on the Flash-Freeze Diet™.

The Flash-Freeze Diet™ is promoted in a book and a series of DVDs by its inventor, Dr. Detrick Shempsey, a telegenic neurosurgeon-turned-nutrition-guru. Dr. Shempsey claims that dieters can eat virtually anything they want – as long as it is first flash-frozen into a specially shaped block, and then eaten before it thaws.

Many health authorities have called the diet both ridiculous and dangerous, citing several cases of dieters who've received frostbite-like injuries to their esophagus, as well as reports of chipped teeth and severe damage to tooth enamel caused by biting through things like the Flash-Freeze Flavor Burstin' Bacon Block™.

You often work closely with Ms. Vanders's publicist, Paul Rinweg. Paul has asked you, on Ms. Vanders's behalf, to draft a letter to circulate to the media to get them to stop associating Ms. Vanders with the Flash-Freeze Diet™.

It is a fact that Ms. Vanders has not tried the Flash-Freeze Diet™. Nor would she. A nerd in her off-time, Ms. Vanders actually obtained a masters degree in biochemistry during an actors' strike a couple years ago. She believes the Flash-Freeze Diet™ is utter nonsense, and she's keen to distance herself from it.

Paul sends to you a copy of an old letter he has in his files – from John H. Lavelly to Douglas P. Jacobs of Court TV, dated November 7, 2003.

"This makes it easy for you," Paul says. "The tone is appropriate, it explains the law, and it'll get the media to stop printing this garbage."

Of course, Paul's a publicist. He's neither your client, nor a lawyer.

### ASSIGNMENT:

Draft the letter to the media. Be civil and professional in tone. Be accurate in substance. **And be brief.** You may handwrite on the supplied response form, or you can type it and send it as an e-mail. If you send it as an e-mail, please send it to [eric.e.johnson@law.und.edu](mailto:eric.e.johnson@law.und.edu) and use this exact subject line:

Torts II: Draft of Vanders letter

Either way, don't worry about the trappings of a traditional printed letter (heading, date, inside address, etc.). Just start with "Dear [NAME]," and continue from there. (We'll assume that your assistant will fill in the name when these letters go out.)

