

TRUTH AND ETHICS IN PLEADINGS

Plaintiff sues Defendant in federal court. See FRCP 11. Read pages 636-651.

- 1) What is the responsibility of the attorney before filing a complaint (or any court pleading or document)?
- 2) Who signs the complaint? Is it verified?
- 3) If defendant believes that the plaintiff has made factual mistakes and sued the wrong party, what should the defendant do?
- 4) If defendant believes that the plaintiff has followed the wrong substantive law and that the defendant is not liable, what should the defendant do?
- 5) If the judge ultimately rules in favor of the defendant and throws the plaintiff out of court, what action may or must the court take?
- 6) Suppose the mistake was made by an attorney who is no longer with the plaintiff's firm?
- 7) What steps must a cautious attorney take?