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QUESTION 1

During an internal investigation, Todd, a Certified Fraud Examiner (CFE), interviewed Janessa, a fraud suspect. Although Janessa wanted to leave in the middle of the interview, Todd blocked the exit and prevented her from leaving. Janessa subsequently confessed to committing fraud. If, under these facts, Janessa files a lawsuit for false imprisonment against Todd, Todd will likely:

- A. Win the case if he did not know the conduct was illegal
- B. Win the case because he is protected under the qualified business privilege
- C. Lose the case if a trier of fact concludes that he restrained Janessa without consent or legal justification
- D. Lose the case because Janessa did not leave the interview

Correct Answer: C

QUESTION 2

Which of the following typically does NOT have to be present for communications between an attorney and the attorney's client to be protected by a legal professional privilege?

- A. Communication between a legal advisor and a client
- B. Purpose of the communications was to seek or provide legal advice
- C. A lawsuit has been filed
- D. Intent to keep the communications confidential

Correct Answer: D

QUESTION 3

Which of the following is generally NOT one of the goals of deferred prosecution agreements?

- A. To get an organization to reform its policies
- B. To postpone prosecution until a company conducts an extensive internal investigation
- C. To allow prosecutors to resolve a case while still punishing malfeasance
- D. To reduce the risk of illegal practices at an organization

Correct Answer: C

QUESTION 4

Which of the following is NOT one of the elements that the government must prove to establish a violation of a law

criminalizing false statements to government agencies?

- A. The defendant made a false statement.
- B. The defendant knew the statement was false.
- C. The false statement was material.
- D. The government relied on the false statement.

Correct Answer: A

QUESTION 5

In systems using adversarial processes, an attorney may impeach an opposing party's witness by showing that the witness:

- A. Made prior consistent statements
- B. Is influenced by bias or self-interest
- C. Has a keen ability to observe
- D. Testified from personal knowledge

Correct Answer: D

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