Questions for Exercise Posted on Poll Everywhere

1. **What is true regarding the federal trial court’s opinion?**
   a) It is binding on the New York State Court of Appeals.
   b) It is binding on the United States District Court for the Northern District of New York.
   c) It is NOT binding on the United States District Court for the Northern District of New York.
   d) It is binding on the parties to United States v. Jobs only.
   e) Both C and D.

2. **What is true regarding the Second Circuit’s majority opinion?**
   a) It is binding on the New York State Court of Appeals.
   b) It is binding on the United States District Court for the Northern District of New York.
   c) It is NOT binding on the United States District Court for the Northern District of New York.
   d) It is binding on the parties to United States v. Jobs only.
   e) Both A and B.

3. **If a factually analogous prosecution were to occur in the United States District Court for the District of New Jersey, is the Second Circuit’s majority opinion binding on that federal district court?**
   a) Yes, because all appellate decisions are binding on all lower courts.
   b) Yes, because New Jersey is in the Second Circuit.
   c) No, because a circuit court’s opinions are binding on the federal district courts within that circuit only, and the District of New Jersey is not in the Second Circuit.
   d) No, because a circuit court’s opinions are binding on the parties to the case only.

4. **Identify all of the federal district courts that are bound by the Second Circuit decision’s in United States v. Jobs.**
   In addition to multiple choice questions, Poll Everywhere permits open ended questions too.

5. **Identify all of the federal district courts that are bound by the Third Circuit’s decision in United States v. Zuckerberg.**

6. **Is there a “majority rule” in Jobs v. United States?**
   a) Yes
   b) No

I also use this opportunity to see how many students realize that the order of the parties’ in the case name had switched. This switch is important because many law students, regardless of whether they are 1Ls, 2Ls, or 3Ls, do not realize that the petitioner’s name always goes first in Supreme Court case names even if the petitioner was not the plaintiff in the lower courts.