

Queries & Clarifications:

We have recently received queries from teams, who have sought a clarification on the Moot Problem as under:

- Q1. Whether the legal issues to be addressed in the memorials are already provided as part of the proposition, or if the participating teams are expected to formulate the issues themselves based on the facts given.
- A1. The participants are expected to identify, prioritise and allocate appropriate time to the issues on the basis of the problem. Therefore, no clarification is required.
- Q2. Whether the participating teams are expected to independently formulate the moot issues based on the facts and applicable law, or if a set of issues will be provided by the organizing committee?
- A2. The participants are expected to identify, prioritise and allocate appropriate time to the issues on the basis of the problem. Therefore, no clarification is required.
- Q3. Is the absence of any issues on question of law or fact in the proposition or guidelines which has left us in a fix regarding the question on which we have to prepare our arguments. If you can provide some clarity on that aspect?
- A3. The participants are expected to identify, prioritise and allocate appropriate time to the issues on the basis of the problem. Therefore, no clarification is required.
- Q4. A clarification regarding the framing of issues. Since the moot proposition is silent, are the teams at liberty to frame the issues? Kindly clarify if there is any limit on the number of issues to be framed.
- A4. The participants are expected to identify, prioritise and allocate appropriate time to the issues on the basis of the problem. Therefore, no clarification is required.
- Q5. i) Can we assume facts on points which are unambiguous/or silent in the moot problem?
ii) Is it mandatory to frame the same issues for both sides, can they be slightly different?
- A5. The participants are expected to identify, prioritise and allocate appropriate time to the issues on the basis of the problem. Therefore, no clarification is required.
- Q6. To seek clarification on certain aspects of the moot proposition for the KK Luthra Moot. As per the facts provided, the matter is presently at the stage of trial before the Savoca Sessions Court, which ordinarily implies that the issues have already been framed. We would be grateful if the Committee could kindly clarify whether the participants are to proceed on the assumption that the issues have already been settled, or whether it is expected of the teams to formulate the issues afresh for the purposes of the competition.

Further, the proposition does not specify the number of issues that are required to be framed and argued. We would be obliged if the Committee could provide guidance as

to whether there is a prescribed number of issues or if the same is left to the discretion of the participating teams, and what is the scope and extent of the subject matter for which the team can formulate issues.

- A6. The participants are expected to identify, prioritise and allocate appropriate time to the issues on the basis of the problem. Therefore, no clarification is required.
- Q7. Is there a specific number of issues that would be expected from the participants, or is it totally at our discretion?
- A7. The number of issues to be raised / addressed is at the participants' discretion.
- Q8. Was any contact made to the primary cardiologist or the nearest MedTech LLC–certified hospital/service centre?
- A8. No clarification required.
- Q9. How many such service centres were nearest to VLS Venue Mall?
- A9. MedTech LLC maintained two facilities within Savoca city. Of these, the nearest certified service centre from VLS Avenue Mall was at a distance that would ordinarily require around 40–45 minutes of travel, depending on traffic conditions.
- Q10. What was the distance between the nearest centre and the mall, and how much time would it take to reach it during peak traffic conditions
- A10. MedTech LLC maintained two facilities within Savoca city. Of these, the nearest certified service centre from VLS Avenue Mall was at a distance that would ordinarily require around 40–45 minutes of travel, depending on traffic conditions.
- Q11. How much time did it take Isabella and Anthony to reach Planet Electronics from VLS Venue Mall, and why was this travel time not mentioned in Isabella's examination-in-chief
- A11. No clarification required.
- Q12. What is the professional relationship between Mario Denver and Lucio, and who holds the senior position?
- A12. No clarification required.
- Q13. Did the device hitting the ground and being severely cracked result in the inevitable shutdown of the device?
- A13. Please refer to the moot problem. No clarification required.
- Q14. What was the severity of the damage to the screen, and was anything visible on the screen after the impact?

A14. No clarification required.

Q15. How did Lucio come to the conclusion that the device was already shut down?

A15. No clarification required.

Q16. What is the qualification of Lucio, and is he certified to operate on medical devices?

A16. No clarification required.

Q17. Was there any loss of vibration alerts or notifications on the mobile transmitter when the device fell?

A17. No clarification required.

Q18. Is the post mortem report available?

A18. There are no additional exhibits to the problem.

Q19. Can it be assumed that the Deceased and his daughter arrived at the Mall in personal transport vehicle?

A19. No clarification required.

Q20. Is the time of occurrence of the fall, short circuit and time of death available?

A20. The entire incident, beginning with Anthony's fall at VLS Avenue Mall to his cardiac distress, occurred within approximately 30 to 40 minutes.

Q21. Have any material objects been presented before the Court?

A21. No clarification required.

Q22. Whether any post-mortem examination of Anthony Corleone was conducted, and if so, whether the report was obtained and forms part of the evidentiary record?

A22. There are no additional exhibits to the problem.

Q23. Whether the statement or testimony of the accused, Lucio, was formally recorded during investigation, and whether it has evidentiary value in establishing his intent and knowledge?

A23. No clarification required.

Q24. Whether the expert medical or cardiology opinion establishing the precise cause of Anthony's death exists in the present case?

- A24. There are no additional exhibits to the problem.
- Q25. Whether Anthony's diagnosed condition NSCIF shares material similarities with Sick Sinus Syndrome, in terms of symptoms, treatment dependency on pacing devices, and risks of sudden cardiac arrest?
- A25. Neuro-Sino Cardiac Interface Failure bears no resemblance or reference to any previously documented disease or disorder.
- Q26. Whether the transmitter was merely unresponsive due to an external screen/display malfunction, or whether Anthony's fall and trip may have also caused internal hardware damage, contributing independently to the device's failure?
- A26. There are no additional facts to the problem.
- Q27. Whether there is any recorded difference in the device's regulatory output when it was unresponsive prior to Lucio's attempt, compared to after the short-circuit event, and if such difference has been medically or technically established?
- A27. There are no additional facts to the problem.
- Q28. Whether any schematics, board-level diagrams, or manufacturer's service documents of the pacemaker and transmitter exist on record to clarify whether a display connector forms part of the therapy pathway?
- A28. There are no additional exhibits to the problem.
- Q29. What is the precise duration between (a) Anthony's fall at the mall, (b) his arrival at Planet Electronics, (c) Lucio's attempt to repair the transmitter and the short-circuit, and (d) Anthony's collapse from cardiac distress? Kindly provide the complete timeline showing the timestamps of all incidents.
- A29. The entire incident, beginning with Anthony's fall at VLS Avenue Mall to his cardiac distress, occurred within approximately 30 to 40 minutes.
- Q30. Was there any post-mortem report of Anthony?
- A30. No clarification required.
- Q31. What happened to the tampered transmitter mentioned in the problem?
- A31. No clarification required.
- Q32. Was there a hospital near the mall?
- A32. No clarification required.
- Q33. Where is the FIR Copy?

- A33. There are no additional exhibits to the problem.
- Q34. What are the charges filed by the Prosecution instead of Section 105?
- A34. No clarification required.
- Q35. What does the Internal Component given in the Moot Proposition refer to?
- A35. Internal component refers to the hardware located inside the device and essential to the functioning of the transmitter and its communication with the implanted pacemaker.
- Q36. Whether the display of the transmitter was unresponsive or the whole transmitter after the mall incident?
- A36. No clarification required.
- Q37. What is an Act No. of Seragio Penal Code?
- A37. No clarification required.
- Q38. Under Section 249 of the Bharatiya Nagarik Suraksha Sanhita, 2023, it is stated that the *prosecutor shall open his case by describing the charge brought against the accused and stating by what evidence he proposes to prove the guilt of the accused.*

In this context, we would like to seek clarification on:

1. What specific evidence did the prosecution rely upon to “open” the case and state the guilt of the accused?
2. Was there any documentary, electronic, or oral evidence submitted or referred to by the prosecution at this stage?

- A38. No clarification required.
- Q39. Does the circuit board come under internal components?
- A39. The circuit board of the AtriaLink transmitter forms part of the device’s internal assembly.
- Q40. What are the recovery tools referred to in the document?
- A40. No clarification required.
- Q41. As per para 16 (p. 23), Denver stated that Lucio examined the casing, and in para 17 he mentioned the display being on the front panel with the connector along the edge of the board. Further, para 21 (p. 5) notes that Lucio observed a dislodged display connector and tried to reconnect the cable. Could you please clarify whether the “connector” and “cable” refer to the same component, and whether both would be considered part of the device’s internal components?

- A41. Yes, cable and connector refer to the same component.
- Q42. Is the Atria Link System medically and clinically approved as per the medical device rules of the United States of America?
- A42. Atria Link System is approved under the relevant laws of the United States of Maga.
- Q43. Does “rebooting the transmitter” mean switching the device off and on again, as referred to in para 21?
- A43. Reboot meant switching on the device.
- Q44. Do the Pulselink mobile application and the transmitter each have a separate handbook?
- A44. No clarification required.
- Q45. Please provide a detailed timeline or timestamps of the key events surrounding the incident.
- A45. No clarification required.
- Q46. What was the official statement or testimony provided by the accused regarding the incident?
- A46. No clarification required.
- Q47. What was the power source being used to operate the transmitter at the time of the incident?
- A47. No clarification required.
- Q48. Did the accused disconnect the power supply (e.g., by removing the battery or otherwise cutting off the source) before commencing repair work?
- A48. No clarification required.
- Q49. The index of the workbook lists multiple pages, but the copy presented by Isabelle contained only three pages. Were certain pages omitted, or was Isabelle in possession of only a partial version of the workbook?
- A49. Isabella was in possession of the complete copy of the patient handbook.
- Q50. Was the repair centre visited by the parties a certified medical LLC facility, duly authorized to carry out such repair or maintenance work?
- A50. Planet Electronics was not a Medtech LLC service centre.
- Q51. Could you please provide a copy of the chargesheet or the final investigation report prepared by the police in relation to this case?

- A51. There are no additional exhibits to the problem.
- Q52. The problem mentions that “the Patient’s Handbook contains sections on Maintenance and Precautions as well as Remote Monitoring and Emergency Protocols.”
Could the contents of these sections be provided for the purposes of the competition?
- A52. There are no additional exhibits to the problem.
- Q53. The problem states that the repair shop was “well-known” and that the accused was “experienced.” However, there is no mention of any license or authorization.
Could you please clarify whether the accused/shop was officially licensed or registered under any governing authority?
- A53. No clarification required.
- Q54. Regarding the functioning of the transmitter:
Were there any signals still being transmitted from the device at the time of the alleged tampering? Or was the device completely non-functional?
- A54. No clarification required.
- Q55. In the given moot proposition, it is mentioned that the emergency responder stated that the victim was in cardiac distress. Therefore, the testimony of the emergency responder can be considered as an expert opinion, as it is based on their specialized knowledge and professional experience in handling medical emergencies?
- A55. No clarification required.
- Q56. Page 14 of the problem, part of the patient handbook for AtriaLink, mentions a 'Hospital cloud dashboard for physician oversight and emergency intervention'. What is the nature of the hospital cloud dashboard? Is it accessible from the display screen of the transmitter device or on a website/app/other third portal?
- A56. No clarification required.
- Q57. Under normal circumstances without traffic congestion, what would be the rough distance/ time taken to travel between their house and the mall/store?
- A57. No clarification required.
- Q58. Can we challenge the jurisdiction of the matter at this stage?
- A58. The participants are expected to identify, prioritise and allocate appropriate time to the issues on the basis of the problem. Therefore, no clarification is required.
- Q59. Seeking clarification as to whether we are permitted to alter the charges.

- A59. The participants are not permitted to alter charges.
- Q60. to seek clarification regarding the framing of charges for our moot problem. Are we permitted to frame and argue alternative charges in our submissions and oral rounds, or are we required to strictly confine our arguments to the single charge mentioned in the problem?
- A60. The participants are not permitted to alter charges.
- Q61. The proposition frames the alleged offence as culpable homicide not amounting to murder. We seek clarity on whether the defence may argue, in the alternative, that the alleged conduct, even if established, would constitute criminal negligence or a lesser form of homicide. Alternatively, are the participating teams required to strictly adhere to the offence as stated in the problem without reclassification?
- A61. The participants are not permitted to alter charges.
- Q62. Is Display Connector of the transmitter an internal component?
- A62. No clarification required.
- Q63. Did the act of the accused mess with the circuit board?
- A63. No clarification required.
- Q64. How far are any hospitals to the mall?
- A64. No clarification required.
- Q65. Is the transmitter and its internal layout proprietary in nature, or is it solely the PulseLink application which is proprietary? The moot problem only refers to the PulseLink App as proprietary.
- A65. No clarification required.
- Q66. Is circuit an internal core component?
- A66. The circuit board of the AtriaLink transmitter forms part of the device's internal assembly.
- Q67. What is meant by soft reboot as mentioned in the moot problem?
- A67. An attempt to switch on the device.
- Q68. Isabella at one instance has asked the Accused to fix the device only if he is able to, and during her examination she says that she asked the Accused to "try to fix the device in the meanwhile". Which of the two statements is to be considered as final and true?
- A68. No clarification required.

Q69. Para 20 of the moot prop states that "The Accused then proceeded to work on the device." Does this refer to the transmitter? Did he look for the schematics of the transmitter or the pacemaker?

A69. No clarification required.

Q70. As this case is listed before the Session Court, the nomenclatures should be Prosecution and Defence; but the rule book mentions the nomenclatures- Appellant and Respondent. Kindly clarify which nomenclatures are we expected to mention in the memorials.

A70. The nomenclatures should be Prosecution and Defence.

Q71. Whether the core components (pg. 23, p. 15) and internal components mean the same thing or are there any points of difference in them

A71. No clarification required.

Q72. The clarifications indicate that the entire sequence of events—from the initial fall at the mall to Anthony entering cardiac distress—occurred within a span of approximately 30–40 minutes. In this context, we respectfully request clarification on the following:

Could the Organising Committee specify the approximate time taken by Isabella to reach the hospital from Planet Electronics after leaving the repair shop?

This clarification would assist us in maintaining factual accuracy and consistency while preparing our submissions.

A72. No clarification required.

Q73. In para 18 of pw-1 isabella’s witness statement, she mentioned that the accused “must avoid touching any signal-related component”. What does a “signal-related component” imply? Are signal-related components and internal components same?

A73. No clarification required.

Q74. Did a short circuit during the Transmitter repair disrupt its connection with:

1. the implanted pacemaker, and
2. the Hospital’s cloud dashboard?

A74. No clarification required.

Q75. How does the Transmitter connect to the Hospital’s cloud dashboard (Wi-Fi, mobile data, or other methods)? Was it connected during the incident?

A75. No clarification required.

Q76. What training and instructions did the Ellen Meller Heart Institute provide to Anthony and Isabella regarding the AtriaLink System’s use, maintenance, and emergencies?

A76. No clarification required.

Q77. What is the battery life of the Transmitter on a single charge, and what was its power status at the time of the incident (15 January 2025)?

A77. No clarification required.

Q78. Were there any MedTech-certified hospitals near VLS Avenue Mall at the time?

A78. No clarification required.

Q79. What were the distances and travel times:

1. from Planet Electronics to the nearest certified hospital, and
2. from the originally visited hospital to the nearest certified hospital?

A79. No clarification required.

Q80. Reference to Penal Code:

As the proposition refers to the *Bharatiya Nyaya Sanhita, 2023* (BNS) as corresponding to the *Sergio Penal Code, 2021*, kindly clarify whether the *Bharatiya Nagarik Suraksha Sanhita, 2023* (BNSS) and the *Bharatiya Sakshya Adhinyam, 2023* (BSA) are also to be treated as *pari materia* with any Sergio procedural and evidentiary statutes. If yes, please specify the corresponding names or abbreviations to be used for citation purposes.

A80. Yes, the laws in Sergio are *pari materia* with Indian laws.

Q81. Citation Format:

Kindly confirm which citation style is to be followed for memorial submissions—*ILI Citation Style*, *Bluebook*, or any other specific format prescribed by the organizers.

A81. Refer to Rule No. 17 of the 22nd K.K. Luthra Memorial Moot Court, 2026, which is self-explanatory.

Q82. Device Vibration Alerts:

With reference to the transmitter device mentioned in the problem:

- a. Was the transmitter exhibiting continuous vibration alerts prior to the fall?
- b. After the fall, when the display became unresponsive, were vibration alerts still active or perceivable (indicating continued operational activity)?

A82. No clarification required.

Q83. As per the proposition, the participants are required to rely on the Seragio penal code, 2021 *pari materia* to, *Bhartiya Nyaya sanhita, 2023* in light of this I would like to confirm which procedural code we are expected to follow - the CrPC, 1973 or the BNSS, 2023.

A83. No clarification required.

Q84. Access to the complete AtriaLink System Patient Handbook that was in the possession of Isabella Corleone during the incident dated 15 January 2025, as referenced in the Moot Proposition.

The Proposition currently provides only few pages of Exhibit 1 (Patient Handbook). However, the Table of Contents indicates that the full handbook contains additional sections, including:

- * System Components
- * Operating System
- * Maintenance and Precautions
- * Remote Monitoring and Emergency Protocol
- * Frequently Asked Questions
- * Contact Support

Furthermore, in Clarification Question 49, it was stated that Isabella was in possession of the complete handbook.

A84. There are no additional exhibits to the problem.

Q85. Whether the complete contents of the handbook were recorded as evidence?

A85. No clarification required.

Q86. Can any portion of the witness testimonies be challenged on the grounds of inadmissibility?

A86. The participants are expected to identify, prioritise and allocate appropriate time to the issues on the basis of the problem.

Q87. Did both Isabella and Anthony receive hands on training and briefing, or only Anthony?

A87. No clarification required.

Q88. Has the charge been framed for Section 105, Part I or Section 105, Part II (Context: most judgments around Section 304 IPC classified the charge as under Part I or Part II. The arguments for and against the accused will depend greatly on which charge has been framed.)

A88. The charge has been framed under Section 105 Part II of the *Bharatiya Nyaya Sanhita, 2023*.

Q89. At the end of PW1's witness testimony, it says "Read Over and Accepted as Correct, the witness had affixed his signatures." Was this supposed to say 'her'?

A89. Yes.

Q90. Did he stop his heart medication after having the pacemaker implanted?

A90. No clarification required.

Q91. In DW-I's witness testimony, on Para 11, it says "I was beside him when he noticed the display connector was dislodged and said, "This could be...dead entirely"

Who said the lines in the quotes: Mario or Lucio?'

A91. Lucio.

Q92. If a part of a witness's testimony is ruled inadmissible, but the same information appears in the Statement of Facts, should that fact also be treated as struck off? Can either side rely on it through the Statement of Facts?

Q92. No clarification required.

Q93. The Second Note For Counsel states that 'The AtrialLink System and PulseLink are proprietary, patented innovations that do not resemble or reference any prior pacemaker or medical device on record.' Does the *transmitter* bear resemblance to similar electronic non-medical devices, vis-a-vis its internal components?

A93. No clarification required.

Q94. In Para 16, it is mentioned that Isabella asks Lucio to conduct the repair, 'without shutting it down for too long, no longer than 30-40 mins.' How would Anthony's circulatory system function during this period? Would the pacemaker installed in his body have ceased to operate entirely, or would it continue beating at the same pace?

A94. No clarification required.

Q95. Is there a material difference in the effect produced between an intentional shut down (such as for the purposes of repair) and an unintentional shut down (such as following a short circuit)?

A95. No clarification required.

Q96. Was Lucio going to be paid for the service he provided?

A96. No clarification required.
