



## Cross-examination Preparation #3

### **Cross-examinations - Preparation #3**

For this demonstration, we will turn the cross-examination of Mr. Minchella into a questions outline.

1. The Element is that May/Audrey ordered a Scotsman's Float.
2. The Theme is that May was wholly innocent yet struck down by the carelessness of others.
3. The Scene is Mr. Minchella pouring the ginger beer onto May's ice cream.
4. The big point to make is that Mr. Mincella failed to give May a chance to inspect the contents of the opaque ginger beer bottle.

Here is the outline:

HL: I will now ask you about serving Mrs. Donoghue her Scotsman's Float. First, let's see what the order consisted of. [*Note: don't ask 'what she ordered', as this is contentious.*]

Q1: A Scotsman's Float consists of both ice cream and ginger beer, right? Yes.

Q2: They came separately, right? Yes.

Q3: The ice cream came in a dish, right? Yes.

Q4: And the ginger beer in a bottle, right? Yes.

Q5: An opaque bottle, right? Yes.

Q6: Meaning that one can't see what's inside the bottle, right? Yes.

HL: Now, let's see what you did to serve Mrs. Donoghue. [*Note: break the sequence into components, each with its headline.*]

Q1: You served the ice cream in a dish, right? Yes.

Q2: You placed the dish before Mrs. Donoghue, right? Yes.

Q3: And you opened the ginger beer bottle, right? Yes.

Q4: And poured some of its contents over the ice cream, right? Yes.

Q5: Let's be clear here. You poured the ginger beer over the ice cream, right? Yes.

Q6: Mrs. Donoghue did not touch the bottle as you did so, am I right? Yes.

Q7: And neither did Audrey MacIsaac touch the bottle, am I right? Yes.

Q8: You did not display the bottle to either woman for inspection, am I right? Yes.

## Exercise for subscribers

Prepare the Question Outline in the same format as above to cover the Five-and-Out sequences for all these points with Mr. Minchella:

- He did not inspect the contents of the bottle.
- He did not pay close attention to the contents coming from the bottle.  
Maybe he was chatting with his customers as he poured?
- May did not pay close attention to how he poured.

Remember – baby steps become big points, Counsellor!