



## **The Lorax by Doctor Seuss**

Pennsylvania's Air Pollution Control Act states that community development must provide for the protection of the health, general welfare, and property of the people of the State by the control, reduction, and prevention of pollution of the air, the water, and the land by smoke, dust, fumes, gases, orders and similar matter or combination thereof. If an individual intentionally or recklessly causes the loss of use of a community property worth in excess of \$2,000 by neglecting the health and general welfare of those who live in the community, he/she can be charged with a third-degree felony. A person convicted of a third-degree felony in Pennsylvania can receive a sentence of imprisonment of up to seven years, and a fine of up to \$15,000.

### **The Lorax: A Fact Pattern**

It is the year \_\_. There has been an ongoing campaign to encourage consumers and businesses to help conserve the earth's precious and limited resources. The Lorax, who speaks for the trees, is extremely upset because the Lorax Forest is in trouble of becoming a wasteland. The Forest that once had groves and groves of beautiful Truffula Trees has no trees left. The story of the devastation of the Lorax Forest is the basis of the trial of The State v. the Once-ler. The Once-ler is a character who wanted to make lots and lots of money for himself and all members of his family. To that end, the Once-ler saw an opportunity to make a fortune when he first noticed the beautiful, bright-colored tufts of the Truffula Trees. He became aware of how soft the tufts were and how sweet they smelled. The Once-ler quickly set up a small shop, chopped down his first Truffula Tree, and knitted a Thneed. Soon after that, he began to make money by selling his Thneeds. In a short period of time, the Once-ler made so much money that he expanded his business and brought many of his family members into the Thneed-making company. He brought in a Once-ler Uncle to help him with his work. His uncle was delighted to help chop down the Truffula Trees and knit Thneeds. Like the Once-ler, his uncle wanted to grow the business. The uncle felt that the bigger the business, the more money the family could make. He also felt that the Lorax Forest would be better off as more Once-lers moved in to the Forest and made more money. As the business grew, the Once-ler decided he had to be able to cut Truffula Trees at a faster pace. Motivated to pick up the cutting speed, he invented a tool that would allow him and his team to chop down the Truffula trees faster than ever. When he was able to chop down more trees faster and faster, the Once-ler hired a Once-ler Mother, who had a very large family. The Once-ler felt the Once-ler Mother would work extremely hard in order to make a lot of money to support her growing family.

Things were going very well for the Once-ler and his family. However, things were not going too well for the Lorax and those who had been living in the Lorax Forest since it had green grass, clean clouds, and ponds filled with sparkling water. The Lorax became increasingly

concerned as Truffula Trees continued to be cut down. The Lorax went to the Once-ler many times to urge him to stop cutting down the trees and explained to the Once-ler that there were lots of others negatively affected by the Once-ler's new business. The Barba-loots tried to convince the Once-ler to stop his and his family's tree cutting. The Barba-loots described how they used to play in the shade of the Truffula Trees and eat Truffula fruit. Because of the growing Thneed business, the Barba-loots had no food in their tummies and were getting the "crummies". The Once-ler cut down too many of the trees that yielded the fruit the Barba-loots ate. Even though the Barba-loots loved living in the Lorax Forest, they felt they were being forced to move away if they wanted to survive. In addition to the Barba-loots, the Swomee-Swans pleaded with the Once-ler to stop making Thneeds from the Truffula Trees. The Once-ler's factory produced so much smoke that the Swomee-Swans who lived in the ponds in the Lorax Forest could no longer sing a note. In fact, the Swomee-Swans had to fly for a whole year to get away from the smog emitting from the Once-ler Family Thneed Factory!

The Once-ler Family was becoming very rich. Many Once-lers from far and near were moving into the Lorax Forest, and the Forest population was growing. However, the long-time residents of the Forest were being forced to leave their homes to search for clean air, clean water, and edible food.

**Now it is your turn to decide. Would you defend the Once-ler for wanting to grow the population in the Lorax Forest, or would you prosecute him to support the charge that he is guilty of a third-degree felony?**

### **The State v. The Once-ler: A Case of Felony in the Third Degree**

Bailiff: All rise. The Court of Room \_\_\_\_ is now in session. The Honorable Judge presiding.

Judge: You may be seated. Today we will hear the case of The State v. The Once-ler. The Once-ler has been accused of destroying the Lorax Forest and intentionally ignoring the health and welfare of those living there. He is being charged with a **third-degree felony**. Prosecution, are you ready to give your Opening Statement?

Prosecution: We are, Your Honor.

Judge: Defense, are you ready to give your Opening Statement

Defense: We are, Your Honor.

Judge: Prosecution, you may begin.

Prosecution: May it please the Court. Your Honor, and ladies and gentlemen of the jury, we are here today to prove, beyond a reasonable doubt, that the Once-ler is

responsible for the complete destruction of the Lorax Forest and must be found guilty of intentionally or at least recklessly causing the loss of use of a community property worth in excess of \$2,000. First, we will hear from a Barba-loot leader. He will testify how the Once-ler's cutting down the Truffula Trees left all the Barba-loots hungry. In addition, he will describe how the lack of Truffula Trees meant there was no shade left to protect the Barba-loots. Then, we will hear from a representative of the Swomee-Swans. The Swomee-Swan will share how the Once-ler polluted the air in the Lorax Forest, never having applied for any permits that would allow him to build his factory. She will also share how the factory the Once-ler built produced so much pollution that none of the Swomee-Swans could sing. Finally, the Swomee-Swan will attest to the fact that all the Swomee-Swans were forced to leave the Forest and fly a full year to find a new place to live. Finally, we will hear from the Lorax. The Lorax will describe in detail the many ways in which the Once-ler caused the destruction of the beautiful forest, and how all the members of the Forest community were forced to leave their treasured Lorax Forest homes. Thank you.

Judge: Defense, you may now give your Opening Statement.

Defense: May it please the Court. Your Honor, and ladies and gentlemen of the jury, we are here today to show that the Once-ler is not guilty of destroying the Lorax Forest. The Lorax Forest community grew because of the Once-ler's plan, and more and more members of the Lorax Forest community found jobs and were successful. To support this, we will first hear from a Once-ler Mother. She will share how she desperately needed money for her family to survive and will describe how she was only able to make enough money because she joined the workforce at the Once-ler's Thneed Factory. Then we will hear from a Once-ler Uncle. The Once-ler Uncle was one of the first Once-lers to join the Thneed business. He will describe how The Once-ler's efforts helped him and so many others make money to support their families. He will also describe how the population of the Lorax Forest grew because of the good ideas and hard work of the Once-ler. Finally, we will hear from the Once-ler himself. He will tell us how his actions were designed specifically to do something to help his extended family and the Lorax Forest community. The Once-ler will describe how he intended to bring in new families and industry in order to grow this community. Thank you.

Judge: Prosecution may call their witness.

Prosecution: We call the Barba-loot Leader to the stand.

Bailiff: Please raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Barba-loot: I do.

Bailiff: You may be seated.

Prosecution: What is your name and where do you live?

Barba-loot: My name is Barba-loot #1 and I live in the Lorax Forest.

Prosecution: What do you do?

Barba-loot: I am the leader of the Barba-loot community.

Prosecution: What do you eat?

Barba-loot: The Barba-loots eat the fruit from the Truffula Trees.

Prosecution: Did the fruit of the Truffula Trees have special nutrients and vitamins that Barba-loots need to survive?

Defense: Objection! That is a leading question.

Judge: Sustained. Prosecution, please rephrase your question.

Prosecution: Why do the Barba-loots eat the fruit of the Truffula Trees?

Barba-loot: We do not know what the nutrients are in the fruit from the Truffula Trees, but the fruit from the Truffula Trees is the only thing we can eat!

Prosecution: Was there anything else in the Forest you could have eaten?

Barba-loot: Yes. But...there was not anything left for us to try because the Once-ler not only chopped down all of the Truffula Trees, but also destroyed the Lorax Forest.

Prosecution: Was there anything else the Truffula Trees provided for you besides its fruit?

Barba-loot: The trees provided shade for us and, without that shade, we could not play.

Prosecution: We have no further questions for this witness.

Judge: Defense may cross-examine the witness.

Defense: Are there seeds in the Truffula fruit that you could have used to plant more food for yourselves?

Barba-loot: Yes, there are seeds. However, it would take too long for the fruit to grow.

Defense: Could you play without the shade?

Barba-loot: I guess we could play, but we would be very, very hot. And, we could not cool off in the water because the water in the Lorax Forest was polluted by the smoke from the Once-ler's Thneed Factory!

Defense: Isn't it true that you played in the sun anyway?

Barba-loot: Yes, but only for a very little bit of time.

Defense: Isn't it true that it rains in the Lorax Forest?

Barba-loot: Yes.

Defense: So... you could play in the rain, right?

Barba-loot: Yes.

Defense: Isn't it also true that you and the entire Barba-loot community did not try to help clean up the Lorax Forest?

Barba-loot: Yes, but it wasn't our mess!

Defense: We have no further questions for this witness.

Judge: The witness may step down. Prosecution may call their next witness.

Prosecution: We call the Leader of the Swomee-Swans to the stand.

Bailiff: Please raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Swomee-Swan: I do.

Bailiff: You may be seated.

Prosecution: What is your name and what do you do?

Swomee-Swan: I am Swomee-Swan #1. I lead the Swomee-Swan community.

Prosecution: Can you tell us what you did in your community before the Once-ler built his Thneed Factory?

Swomee-Swan: We sang all day and played in the clear water of the Lorax Forest, which used to be the perfect place for us to live.

Prosecution: How did your ability to sing change after the Once-ler opened his Thneed Factory?

Swomee-Swan: The air was filled with so much black smoke that we could no longer sing.

Prosecution: Was there anywhere else you could have been able to sing?

Swomee-Swan: The Lorax Forest is our home. It is important to us because it is where we live, and it is where the Lorax lives. The Lorax is there to help us.

Prosecution: You stated that you also would play and swim in the clear water of the Lorax Forest. Can you share how that changed?

Swomee-Swan: We could no longer swim in the pond because the smoke and the waste from the Once-ler's Thneed Factory also polluted the water.

Prosecution: What did you do when you could no longer swim or sing?

Swomee-Swan: We left the Lorax Forest and had to search for a new place to live. We had to travel for a whole year before we found the right place for us to live. We were all very sad to leave our beautiful Lorax Forest.

Prosecution: We have no more questions for this witness.

Judge: Defense may cross-examine the witness.

Defense: Isn't it true that you could find another pond?

Swomee-Swan: It would have been difficult, but I guess we could have.

Defense: If not finding another pond, you could have cleaned out your pond or put filters in, correct?

Swomee-Swan: Why, yes.

Defense: You stated that the Swomee-Swans could no longer sing. You could have learned another talent...like dancing or magic, correct?

Swomee-Swan: I guess so.

Defense: If you were not able to learn another talent, isn't it true the Swomee-Swans could have gone to another place to sing?

Swomee-Swan: Yes.

Defense: You could have moved deeper into the Lorax Forest where it wasn't polluted as much, right?

Swomee-Swan: I guess so.

Defense: Wouldn't you say that the Swomee-Swans chose to spend a year finding a new home rather than figuring out how they could stay in their original home?

Swomee-Swan: I would not say that.

Defense: But you could, right?

Swomee-Swan: Yes.

Defense: We have no further questions for this witness.

Judge: The witness may step down. Prosecution may call their next witness.

Prosecution: We call the Lorax to the stand.

Bailiff: Please raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Lorax: I do.

Bailiff: You may be seated.

Prosecution: What is your name and what do you do?

Lorax: I am the Lorax and I speak for the trees.

Prosecution: Tell us where you lived.

Lorax: I have lived forever in the breathtaking Lorax Forest.

Prosecution: What did the Forest look like before the Once-ler built his factory?

Lorax: The Lorax Forest was so colorful. It always looked and smelled divine!

Prosecution: What did you do when the Once-ler first started to cut down the Truffula Trees?

Lorax: The Once-ler said he wasn't aware of the pollution. He also said I should be thanking him for making my forest populated. Then he insulted me by calling me a fool, and he threw me out!

Prosecution: Please explain to the jury how the Once-ler affected you and the Lorax Forest.

Lorax: The Once-ler polluted everybody's home. He destroyed the Forest. He caused the Barba-loots to almost starve to death and to have to leave the Forest. He

forced the Swomee-Swans to leave their home so they could sing and play in water again.

Prosecution: How is the Once-ler responsible for the destruction of the Lorax Forest?

Lorax: The Once-ler started to make Thneeds from the fruit of the Truffula Trees. Then he built his Thneed Factory and cut down all of our trees—trees that provided us with food and shade. The trees disappeared and the air and water became polluted. None of us could stay in our homes. We were all forced to leave the Forest and to leave all of our friends.

Prosecution: We have no further questions for this witness. The Prosecution rests.

Judge: Defense may cross-examine the witness.

Defense: Have you cleaned up anything in the Lorax Forest?

Lorax: Well, no...but...

Defense: Isn't it true that you did not clean up anything?

Lorax: Yes.

Defense: You have not planted more Truffula Trees, correct?

Lorax: No, I have not.

Defense: You speak for the trees, right?

Lorax: Yes.

Defense: You don't have any laws in the Lorax Forest that would have directed the Once-ler to clean up the pollution from the Thneed Factory?

Lorax: We do not have any laws like that.

Defense: You did argue with the Once-ler about what he was doing, correct?

Lorax: Yes.

Defense: You did not try to solve the problems that the Once-ler was causing in any other way besides arguing with him, correct?

Lorax: I tried to stand up to him.

Defense: Did you try any other solutions besides arguing?

Lorax: No.

Defense: Isn't it true that you could have compromised with the Once-ler and his plan?

Prosecution: Objection. That calls for speculation.

Judge: Overruled! You may answer the question.

Lorax: Compromise, how?

Defense: The Lorax Forest is big. Maybe you could have allowed the Once-ler to cut down some trees and you could have saved some trees. Wouldn't that be a compromise?

Lorax: I guess so.

Defense: We have no further questions for this witness.

Judge: The witness may step down. Defense may call their first witness.

Defense: We call Once-ler Mother to the stand.

Bailiff: Please raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Once-ler Mother: I do.

Bailiff: You may be seated.

Defense: What is your name and what do you do?

Once-ler Mother: My name is Once-ler Mother the 8<sup>th</sup>, and I make Thneeds at the Once-ler's Thneed Factory.

Defense: Can you describe what kind of job you had before you joined the Thneed Factory.

Once-ler Mother: I was not able to find a job and, therefore, I had no money.

Defense: In what condition would you and your family be if you had not joined Once-ler's Thneed Factory?

Once-ler Mother: I would not have any money to help take care of all my children. My whole family would be hungry and in need of care. Without my job at Once-ler's Thneed Factory, I don't know what would have happened to us. Defense: Could you have gotten a different job?

Once-ler Mother: I could have gotten a different job, but I would have had to move. I did not have the money for my family to move.

Defense: Who else worked and got the help they needed by their employment at the Thneed Factory?

Once-ler Mother: All the Once-lers who lived in the Lorax Forest got help. Having jobs made the Once-lers feel excited. We could finally support ourselves and help others.

Defense: We have no further questions for this witness.

Judge: The Prosecution may cross-examine this witness.

Prosecution: Isn't it true that you are already out of a job because the Lorax Forest has been destroyed?

Once-ler Mother: Yes.

Prosecution: Isn't it true that the Thneed Factory was the Once-ler's idea? Once-ler Mother: We thought he had a very good idea!

Prosecution: It was the Once-ler's idea, right?

Once-ler Mother: Yes.

Prosecution: Isn't it true that you noticed a negative change in the Lorax Forest Community after the Thneed Factory was opened?

Once-ler Mother: Why, yes.

Prosecution: You are aware that many of the animals that used to live in the Lorax Forest were no longer able to do so, right?

Once-ler Mother: Right.

Prosecution: As a result of the Once-ler's plan, the Lorax Forest was destroyed, right?

Once-ler Mother: Well...yes.

Prosecution: Wouldn't you say now that it was a bad idea to develop the Thneed Factory? The Once-ler's idea led to the destruction of the Lorax Forest, correct?

Once-ler Mother: It seems that is true.

Prosecution: We have no more questions for this witness.

Judge: The witness may step down. The Defense may call their next witness.

Defense: We call Once-ler Uncle to the stand.

Bailiff: Please raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Once-ler Uncle: I do. Bailiff: You may be seated.

Defense: What is your name and what do you do?

Once-ler Uncle: My name is Once-ler Uncle and I work at the Thneed Factory.

Defense: What did you do before you decided to join the Once-ler's Thneed business?

Once-ler: I had a job, but it did not pay me enough money to help support my family.

Defense: When did you choose to join Once-ler's Thneed business?

Once-ler Uncle: I joined the business when I saw the Once-ler's factory was growing and that more and more people were buying Thneeds. I realized there was opportunity for me and my family. I also saw that this new factory was good for the Lorax Forest.

Defense: Describe how you helped your family by working at the Thneed Factory.

Once-ler Uncle: The Thneeds were very popular and everyone was buying them. The more Thneeds we could make, the more money we had to spend on our families. After I joined the Thneed Factory, I could not only buy food and supplies for my family, but I could also buy them many things that we could not afford before.

Defense: You and your family benefitted from Once-ler's Thneed Factory. Can you describe how the rest of the community benefitted?

Once-ler Uncle: More and more Once-ler families were moving into the Lorax Forest Community. As the population grew, there were more jobs for Once-lers because more and more Once-lers were buying Thneeds. Business was booming and so was the growth of the population who lived in the Lorax Forest.

Defense: We have no further questions for this witness.

Judge: The Prosecution may cross-examine this witness.

Prosecution: Isn't it true that you were among those who encouraged growing the business?

One-ler Uncle: Yes.

Prosecution: You saw how growing the business caused the pollution of the air and the lakes, correct?

Once-ler Uncle: Some of the air and some of the lakes.

Prosecution: It was definitely the air in which the Swomee-Swans sang and the water in which they swam, right?

Once-ler Uncle: Why...yes.

Prosecution: Shouldn't you have been worried about the air and the water becoming polluted?

Once-ler Uncle: But the Lorax Forest was growing.

Prosecution: At a cost...a high cost, correct?

Once-ler Uncle: A cost...yes.

Prosecution: Isn't it true that because you and your family chopped down all the Truffula Trees you hurt many of the Lorax Forest animals?

Once-ler Uncle: (pause) Yes.

Prosecution: You stated that the population was growing in the Lorax Forest. Were you aware that you were forcing the original population out of their homes?

Once-ler Uncle: Some of the original population did leave. Prosecution: Isn't it true they had to leave in order to survive?

Once-ler Uncle: Well...yes.

Prosecution: Do you feel worried about the future of the Lorax Forest?

Once-ler Uncle: Yes.

Prosecution: We have no further questions for this witness.

Judge: The witness may step down. Defense may call its next witness.

Defense: We call Once-ler to the stand.

Bailiff: Please raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Once-ler: I do.

Bailiff: You may be seated.

Defense: What is your name and what do you do?

Once-ler: My name is the Once-ler. I am the owner of the Thneed Factory where I make all kinds of useful Thneeds.

Defense: Why did you choose to open the Thneed Factory?

Once-ler: I chose to open the Thneed Factory because I wanted to build the Lorax Forest Community, and I wanted to help my family and all of the Once-lers.

Defense: The first thing you did was chop down the Truffula Trees. Can you tell us why you did that?

Once-ler: I discovered that the Truffula Trees provide the materials to make my Thneeds. In order to develop my business, help my family, and build the Lorax Forest Community, I had to have the supplies I needed to make the Thneeds. That required cutting down the Truffula Trees.

Defense: Did you ever think about replanting seeds to regrow the Truffula Trees?

Once-ler: I did not find any seeds. If I had, I would have replanted.

Defense: Did you know the risks involved in your plan?

Once-ler: There are always risks. But I thought I should take the risks so there would be good jobs for Once-lers and others, and the Forest community could grow and grow!

Defense: Did you know the Lorax Forest would become polluted?

Once-ler: No, I did not. However, when I learned about the pollution, I was working on a plan to fix it.

Defense: We have no further questions for this witness. The Defense rests.

Judge: Prosecution may cross-examine this witness.

Prosecution: Isn't it true that you built your Thneed Factory without asking for a permit to do so?

Once-ler: Yes. I never thought doing something so good for a community would require a permit.

Prosecution: Isn't it true that the Lorax asked you to stop polluting his home?

Once-ler: Yes, but I was not aware of any pollution in the Lorax Forest.

Prosecution: Now, wouldn't you say that you are aware of a polluted and very dirty Lorax Forest?

Once-ler: Yes.

Prosecution: You chopped down all the Truffula Trees, correct?

Once-ler: Yes.

Prosecution: You knew the trees provided shade for the Barba-loots?

Once-ler: There are other places to get shade.

Prosecution: But you knew they provided the shade for the Barba-loots where they lived at the time, correct?

Once-ler: Yes.

Prosecution: Your Thneed Factory caused the pollution of water in the Lorax Forest, right?

Once-ler: Some of the water.

Prosecution: The water in which the Swomee-Swans would swim, correct?

Once-ler: Well, yes.

Prosecution: You knew the water and the air were polluted, but you did not try to help the situation, right?

Once-ler: I was very, very busy creating jobs and growing the Lorax Forest.

Prosecution: With all the Truffula Trees cut down and the Forest polluted and dirty, the population will not grow now, correct?

Once-ler: Correct.

Prosecution: We have no further questions for this witness.

Judge: The witness may step down. Prosecution, are you prepared to give your Closing Argument?

Prosecution: We are, Your Honor.

Judge: Defense, are you prepared to give your Closing Argument?

Defense: We are, Your Honor.

Judge: Prosecution may give their Closing Arguments.

Prosecution: Your Honor, and ladies and gentlemen of the jury, today we heard from witnesses whose testimonies prove, beyond a reasonable doubt, that Once-ler is guilty of destroying the Lorax Forest and driving many of the Forest community members out! He is guilty of a third-degree felony because he intentionally or recklessly caused the loss of use of a community property worth in excess of \$2,000—the Lorax Forest—by neglecting the health and general welfare of those who live in the community, including the Barba-loots, the Swomee-Swans, and the Lorax.

The evidence presented today showed, beyond a reasonable doubt, that the Once-ler acted intentionally, or at least recklessly, because he knew of the damage his Thneed factory was causing, but he kept chopping down Truffula Trees and making more Thneeds anyway. The Once-ler admitted that the Lorax warned him about the problems the factory caused. The Once-ler also admitted that he knew the trees he chopped down were the source of shade for the Barba-loots and that the

factory polluted the Swomee-Swans' air and water.

You also heard evidence showing that the factory and the actions of the Once-ler neglected the health and welfare of the people who lived there, causing the loss of use of their community property—the Lorax Forest. The Barba-loot Leader described that the Barba-loots had no food and no shade in which to play because of the work being done at the Thneed Factory. The Barba-loots became so hungry that they were forced to leave their homes in the Lorax Forest. The Swomee-Swans testified that they could no longer sing their beautiful songs because of the smoke that came from the Thneed Factory. They also could not swim in their pond. It was too polluted. And, like the Barba-loots, the Swomee-Swans had to leave the home they loved in the Lorax Forest. Finally, the Lorax described in powerful words what happened to Lorax Forest once the Once-ler started his Thneed Factory. He told us how the Forest was destroyed, and how many animal communities like the Swomee-Swans and the Barba-loots were driven out of their homes in the Forest. It is clear from the testimony we heard today that the Once-ler is guilty of destroying the Lorax Forest, making it unusable by neglecting the health and welfare of those who live there. Only by a finding of guilt can we ensure justice is secured for all the affected members of the Lorax Forest community. Thank you.

Judge: The Defense may give their Closing Argument.

Defense: Your Honor, and ladies and gentlemen of the jury, today we heard testimony that proves that the Once-ler is not guilty of destroying anything! The Prosecution's evidence has not shown that the Once-ler intended to cause the Lorax Forest to become unusable or that he neglected the health and welfare of its community. The evidence showed that the Once-ler wanted to help the Forest community—and he did!

Today, we heard from a Once-ler Mother who told us that she did not have enough money to feed her family. Then she saw how much the Thneed Factory was growing, and she chose to join the Thneed Factory workforce to make enough money to feed her family. Once-ler Uncle testified how he wanted to support the Once-ler's plan. He joined the workforce of the Thneed Factory to help the Once-ler reach his goal to increase the population in the Lorax Forest. Finally, the Once-ler himself shared how he just wanted to help his whole extended family. He also wanted to make the Forest residents happy by creating all different kinds of Thneeds. In addition, he wanted to bring more people into Lorax Forest by providing more and more jobs.

This evidence shows that the Once-ler's only intent was to help the community in the Lorax Forest. He wanted to grow the community and create jobs,

which he did. The Once-ler testified that he thought he was doing something good. The Prosecution has not proven that he intentionally or recklessly caused the loss of use of the Lorax Forest. In fact, the Once-ler is a hero who has helped the Lorax Forest grow and prosper. I therefore ask that you find the Once-ler not guilty. Thank you.

**Judge:** Prosecution, you may make your rebuttal

**Prosecution:** I will remind the Jury that the evidence presented today showed, beyond a reasonable doubt, that the Once-ler acted intentionally and with those actions, Once-ler neglected the health and welfare of the people who lived there, causing the loss of use of their community property—the Lorax Forest.

**Judge’s Instructions to the Jury:**

Ladies and gentlemen of the jury, to convict the Once-ler of this violation of Pennsylvania’s Air Pollution Control Act, you must find that he intentionally or recklessly caused the loss of use of a community property worth more than \$2,000 by neglecting the health and general welfare of those who live in the community. You can find that the Once-ler acted “intentionally” if you find beyond a reasonable doubt that the Once-ler had the desire or purpose to cause the loss of use of a community property worth more than \$2,000 *or* if he knew that the way he was acting would cause the loss of use of the property. You can find that the Once-ler acted “recklessly” if you find beyond a reasonable doubt that the Once-ler was aware of a substantial risk that his actions would cause the loss of a community property and he disregarded that risk.

If you find that the prosecution has proven beyond a reasonable doubt that the Once-ler acted either intentionally or recklessly and that his actions caused the loss of use of a community property by neglecting the health and general welfare of those who live in the community, you should find him guilty. If you do not think the Prosecution has proved this beyond a reasonable doubt, you must find him not guilty.

You are the only judges of whether the witnesses are believable. As you decide this case, you should pay attention to how the witnesses looked and acted when they were testifying, to what they said, and to whether different witnesses said things that were the opposite of one another. You should pay attention to all the evidence that shows the witness is credible, and you should pay attention to whether a witness might have reason to say what he/she did even though it might not be the truth. You should also ask yourself whether a witness saw the things

he/she testified to and whether he/she seems to have a good memory about what he/she saw. Finally, you should remember that two people who see something happen may see or hear it differently, and sometimes people do not remember things correctly and may make an honest mistake. When witnesses disagree with each other, you should decide whether they disagree on something important or on something that is unimportant. You should decide whether the disagreement is because one person made a mistake or because someone told a lie.

Remember that it is up to the Prosecution to prove the defendant is guilty. The Defense does not have to prove the defendant is innocent; if the Prosecution has not proven its case, then the defendant is not guilty. The defendant is presumed innocent unless and until the defendant is proven guilty beyond a reasonable doubt. Reasonable doubt is doubt based on common sense and reason. Reasonable doubt means an honest uncertainty as to the guilt of the defendant.

It is your job to decide if the Prosecution has proven beyond a reasonable doubt that the Once-ler is guilty. If you all think that the Prosecution has proven its case, you should find the Once-ler guilty. If you feel that the prosecutor has not proven its case beyond a reasonable doubt, then you must find the Once-ler not guilty.

The jury may leave the courtroom now to deliberate.