



Pine Wood Forest v Fantastic Mr. Fox

A Fact Pattern

It is the year _____. The people and animals who live in Pine Wood Forest are preparing for the trial of Pine Wood Forest v Fantastic Mr. Fox. Fantastic Mr. Fox has spent years taking food from the Pine Wood Forest farmers in order to feed his hungry family. During this whole time, he has also been able to avoid being captured and - if the farmers had their way - killed by the Pine Wood farmers.

There is a group of local residents who are glad to have the opportunity to tell their stories about Fantastic Mr. Fox and how he has stolen from them, destroyed their property and their peace of mind, and even gone so far as to threaten them. There is Farmer Bean, a turkey and apple farmer, who does not eat but drinks lots of apple cider. Farmer Bean is very eager to see Fantastic Mr. Fox in jail or dead. Then Mr. Fox would be unable to steal Mr. Bean's turkeys, apple cider, and the chickens, ducks, and geese of the other two farmers. Farmer Bean has come up with many ideas for capturing Mr. Fox, but none of them have worked. He and his fellow farmers did come close once when they shot at Mr. Fox, but they only got his tail. That incident did not stop Mr. Fox. Supporting Farmer Bean is Farmer Bunce, a farmer who sees Fantastic Mr. Fox as the enemy who both steals and destroys his property. There is also Farmer Boggis, who claims that Mr. Fox's actions have caused him to have less inventory to sell and, therefore, less money to support himself. Finally, there is Mr. Rat. Mr. Rat has been the guardian of Farmer Bean's Apple Cider Cellar for many, many years. Mr. Rat has actually seen Mr. Fox trying to take some of Farmer Bean's cider. And not only did Mr. Fox try to steal Farmer Bean's cider, he also threatened Mr. Rat's life if he did not allow Mr. Fox to take some of the apple cider.

Fantastic Mr. Fox has both provided food for his family and has come up with clever ways to avoid being captured or even killed. All of the animals who live in Pine Wood Forest know how smart and hard-working Fantastic Mr. Fox is. There are many in the forest who see Mr. Fox's actions as

heroic. One of those is Mr. Badger, who was concerned about what was happening in the Forest until he ran into Mr. Fox and knew things would be okay. Mr. Badger knew that Mr. Fox's family needed food, and that Mr. Fox was willing to share the food he got with others. *Mr. Black Wolf, the Pine Forest police officer, who was always patrolling the woods and observing everything and everyone, saw how the farmers treated Mr. Fox. Mr. Black Wolf felt he had to speak up on Mr. Fox's behalf. In fact, Mr. Black Wolf felt that the farmers should be put on trial because they shot at Mr. Fox. Finally, Mrs. Fox explained how Mr. Fox was just doing his job as a husband and father. He was trying to get food for his hungry and weak wife and children. The farmers drove Mrs. Fox and her three children out of their home and tore down their house. From Mrs. Fox's point of view, the forest belongs to everyone. The animals who live in the forest have the same needs as the humans; that is, the animals need to have food and shelter. Mr. Fox provided that for his family and his neighbors!

The trial you are about to read has *Fantastic Mr. Fox* being tried for *Theft of Property* and *Making Threats to Unlawfully Kill*. According to the law, the crimes that Mr. Fox has been accused of committing are punishable by no more than seven years in prison, and a fine of no more than \$15,000. Your job is to decide whether *Fantastic Mr. Fox* should be found guilty or hailed as a hero to his family and the animals in Pine Wood Forest.

(* Note that the character Mr. Black Wolf has been added to the Fact Pattern and Mock Trial so that the trial can present two clear-cut sides of the trial story.)

Pine Wood Forest v Fantastic Mr. Fox

Bailiff: All rise. The Court is now in session. The Honorable Judge _____ presiding.

Judge: You may be seated. Today we will hear the case of Pine Wood Forest versus Fantastic Mr. Fox. The Defendant, Fantastic Mr. Fox, is being tried for theft of property and for making threats. According to the law, it is a crime to commit theft of property of another's goods. Each count is an incident in which the defendant is alleged to have committed theft. To prove that the Defendant has committed theft of property, the Prosecution must prove, beyond a reasonable doubt, that the Defendant unlawfully took another's property with the intent to deprive the owner of it. The defendant is also accused of one count of making a threat to kill Mr. Rat unlawfully. This means that Mr. Fox is alleged to have put Mr. Rat in fear for his life. Prosecution, please introduce yourself. Are you ready to give your Opening Statement?

Prosecution: My name is _____. [All prosecutors should introduce themselves.] We are ready, Your Honor.

Judge: Defense, please introduce yourself. Are you ready to give your Opening Statement?

Defense: My name is _____. [All defense attorneys should introduce themselves.] We are ready, Your Honor.

Judge: Prosecution may begin.

Prosecution: Your Honor, and Ladies and Gentlemen of the Jury, we are here today to prove, beyond a reasonable doubt, that Fantastic Mr. Fox is guilty of theft of property. First, we will hear from Farmer Bunce. He will describe how he saw Mr. Fox steal his ducks and geese many, many times. Then, we will hear from Farmer Boggis. He will testify that, because Mr. Fox stole chickens from him, he did not have as many to sell. Next, we will hear from Farmer Bean. Farmer Bean only drinks apple cider and does not eat anything. Farmer Bean will describe how he saw Mr. Fox come out of his hole and steal from him. Finally, we will have testimony from Mr. Rat, the guard for Farmer Bean's Apple Cider Cellar. Mr. Rat will not only describe how Fantastic Mr. Fox stole from Bean's Apple Cider Cellar, but also how Mr. Fox threatened to kill him, putting him in fear for his life. We will prove that Fantastic Mr. Fox is guilty of stealing from these good farmers and for threatening the life of Mr. Rat. He must be found guilty and be punished for these crimes! Thank you.

Judge: Defense may now give their Opening Statement.

Defense: Your Honor and Ladies and Gentlemen of the Jury, Mr. Fox is not guilty of theft nor of making threats, and the Prosecution cannot prove that he is. If he is shown to have taken anything, it was because of necessity. He needed to get food to feed himself and others so they would not starve to death. Mr. Fox is a caring member of the Pine Wood Forest community whose goal was to make sure his family and his fellow animals had enough food to eat to survive. First, we will hear from Mr. Black Wolf. He will describe his eye-witness knowledge of everything that happened between Mr. Fox and the three farmers. Then we will hear from Mrs.

Fox, Fantastic Mr. Fox's devoted wife. Mrs. Fox will describe the conditions she and her children were in because the Farmers had denied them any food to eat. She will testify that, if it were not for Mr. Fox, her whole family and other animals' families would have died. Finally, we will hear from Mr. Badger. Mr. Badger will tell us that the farmers would not share any of their food with the Fox Family, or the Badger Family, or any of the other forest families. Badger will describe how many members of these families were starving. He will also describe how Fantastic Mr. Fox not only provided enough food for his own family to be able to survive, but also provided enough food for Mr. Badger's family and others to survive as well. Fantastic Mr. Fox is a hero to the Pine Wood Forest community of animals and should be found not guilty of any crime!

Thank you.

Judge: Prosecution may call their first witness.

Prosecution: We call Farmer Bunce to the stand

Bailiff: Do you promise to tell the truth, the whole truth, and nothing but the truth?

Farmer Bunce: I do

Bailiff: You may be seated.

Prosecution: What is your name?

Farmer Bunce: I am Farmer Bunce.

Prosecution: What do you do for a living?

Farmer Bunce: I raise and sell ducks and geese.

Prosecution: What is your connection to Mr. Fox?

Farmer Bunce: Mr. Fox was responsible for stealing my ducks and geese.

Prosecution: Can you describe what was happening?

Farmer Bunce: I tried to stop Mr. Fox many times. I saw him take my ducks and geese and yelled at him to stop. I desperately tried to be able to tell him how his actions were seriously hurting me and the other farmers.

Prosecution: In what way did Mr. Fox's actions affect you and the other farmers?

Farmer Bunce: Farming is very hard work. I have worked tirelessly to build up my inventory of ducks and geese. After Mr. Fox started to steal from me, I had less inventory and, therefore, less to sell. With less to sell, I was unable to make as much money and worried I couldn't make

the money I need to take care of my family and employees. This was all because Mr. Fox was stealing from me!

Prosecution: We have no further questions for this witness, Your Honor.

Judge: The Defense may now cross-examine the witness.

Defense: Isn't it true that you still have a lot of ducks and geese?

Farmer Bunce: Uh, Yes.

Defense: Wouldn't you say you still make a lot of money selling your ducks and geese?

Farmer Bunce: Not as much money as I could if Mr. Fox were not stealing from me.

Defense: But, Farmer Bunce, you still were making a good living, correct?

Farmer Bunce: I guess you could say that.

Defense: Wouldn't you steal food if it meant that someone in your family would not die of hunger?

Farmer Bunce: (Pause) No one in my family is dying of hunger.

Defense: You would consider stealing food if they were starving to death, correct?

Farmer Bunce: (Pause) I guess so.

Defense: We have no further questions for this witness.

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

Prosecution: We call Farmer Boggis to the stand.

Bailiff: Do you promise to tell the truth, the whole truth, and nothing but the truth?

Farmer Boggis: I do

Bailiff: You may be seated.

Prosecution: Please state your name and occupation.

Boggis: I am Farmer Boggis and I am a chicken farmer.

Prosecution: Can you describe when you first became aware of what Mr. Fox was doing to you?

Boggis: I was missing more and more chickens. The other farmers and I decided to hide near the farms to see who was stealing from us. It was then that I saw that it was Mr. Fox who was stealing from me.

Prosecution: Do you see the person who took your chickens in the courtroom?

Boggis: Yes [Points to Mr. Fox]

Prosecution: Let the record show that Farmer Boggis identified the defendant, Mr. Fox.

Prosecution: What did you try to do about the situation?

Boggis: I joined the other farmers in trying to capture Mr. Fox, but none of us could accomplish that.

Prosecution: How did Mr. Fox's actions affect you?

Boggis: Because Mr. Fox stole from me, I had less to sell. With less to sell, I had less money to support myself. In just a matter of time, I am sure Mr. Fox would have taken so much that I would not be able to afford to live and work in Pine Wood.

Prosecution: We have no further questions for this witness.

Judge: Defense may cross-examine the witness.

Defense: Isn't it true that you shot Mr. Fox?

Boggis: I could not stop him...so I had to shoot.

Defense: Isn't it true that you starved Mr. Fox for days and days?

Boggis: Yes...so I could capture him.

Defense: You also ruined Mr. Fox's home, correct?

Boggis: I had no choice!!

Defense: Correct me if I am wrong, but you did not ask Mr. Fox to stop, right?

Boggis: No, I did not ask him to stop.

Defense: You did not share your food with any of the animals - did you?

Boggis: Why should I? It's my food.

Defense: I'll take that as a NO,

Defense: You did a lot of damage to Fantastic Mr. Fox, his family, and the other animal families in Pine Wood Forest. Were you aware that you were starving the animals to death?

Boggis: I was?

Defense: Please answer the question.

Boggis: Possibly.

Defense: We have no further questions for this witness.

Judge: The witness may step down. Please call your next witness.

Prosecution: We call Farmer Bean to the stand.

Bailiff: Do you promise to tell the truth, the whole truth, and nothing but the truth?

Bean: I do

Bailiff: You may be seated.

Prosecution: Please state your name and occupation.

Bean: I am Farmer. Bean. I am a turkey farmer who also owns the Apple Cider Cellar in Pine Wood.

Prosecution: Can you describe how you know Mr. Fox?

Bean: Mr. Fox stole apple cider from my Apple Cider Cellar. I only drink apple cider so I did not have enough to drink.

Prosecution: How did you know that it was Mr. Fox who was stealing your apple cider?

Bean: I saw Mr. Fox with my cider jugs. It was that fellow over there who did it. [points at Mr. Fox]

Prosecution: Let the record show that Farmer Bean identified the defendant, Mr. Fox.

Prosecution: What had you done to try to stop Mr. Fox from stealing from you?

Bean: I tried my hardest to capture him so I could tell him his stealing my cider was hurting me. I could never catch him. I could never tell him. He was too sneaky.

Prosecution: We have no further question for this witness.

Judge: Defense may cross examine the witness.

Defense: You testified that you only drink apple cider. Isn't it true that there are other things you could drink?

Bean: Why...I guess so. But, I like apple cider.

Defense: We have no further questions for this witness.

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

Prosecution: We call Mr. Rat to the stand.

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

Rat: I do.

Bailiff: You may be seated.

Prosecution: What is your name?

Rat: My name is Mr. Luscious Rat.

Prosecution: What is your occupation?

Rat: I am a guard at Mr. Bean's Apple Cider Cellar.

Prosecution: What is your connection to the Defendant, Mr. Fox?

Rat: I had heard about Mr. Fox. I met him when he broke into Farmer Bean's Apple Cider Cellar.

Prosecution: Please describe what you saw the day Mr. Fox came into the Apple Cider Cellar.

Rat: I saw Mr. Fox steal two big jugs of apple cider.

Prosecution: Do you see Mr. Fox in the courtroom?

Rat: Yup - he's that fox over there. [points at Mr. Fox]

Prosecution: Let the record show that the witness has identified the defendant, Mr. Fox.

Prosecution: What did you do about it?

Rat: I confronted Mr. Fox and that is when he threatened to kill me!!!

Prosecution: What did Mr. Fox say to you?

Rat: He said I better not tell on him, but I knew what he meant.

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

Judge: Defense may cross-examine the witness.

Defense: Rat, did you make yourself the guard of Bean's Apple Cider Cellar?

Rat: Why...yes, I did!!

Defense: Correct me if I am wrong, but didn't you make yourself the guard of the Apple Cider Cellar so you could be close to Farmer Bean's jugs of cider?

Rat: Well, I guess that is true.

Defense: Isn't it true then that you stole from Farmer Bean?

Rat: (pause) Yes.

Defense: You drink a lot of apple cider, is that correct?

Rat: I am a fan of apple cider. I do drink a bit.

Defense: Wouldn't you say that you see things differently because you are drinking too much cider?

Rat: Maybe.

Defense: Isn't it possible that, because you had so much apple cider to drink the day that Mr. Fox came, you were not able to see things clearly?

Rat: Possible, but very unlikely!

Defense: And isn't it a fact that Mr. Fox did not say he was going to kill you?

Rat: Not exactly but I knew what he meant.

Defense: So, your answer is no - Mr. Fox did not say he was going to kill you - correct?

Rat: [Sighs] Correct.

Defense: We have no further questions for this witness.

Judge: The witness may step down

Judge: Prosecution - call your next witness.

Prosecution: The prosecution rests Your Honor.

Judge: Defense may call its first witness.

Defense: We call Mr. Black Wolf to the stand.

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

Wolf: I do.

Bailiff: You may be seated.

Defense: Please state your name.

Mr. Black Wolf: I am Mr. Black Wolf.

Defense: What is your occupation?

Mr. Black Wolf: I am a police officer for the Pine Wood Forest Community.

Defense: How do you know the Defendant?

Mr. Black Wolf: In my job, I know all the residents of Pine Wood Forest.

Defense: Can you please tell us what you witnessed happen between Farmers Bean, Bunce, and Boggis and Fantastic Mr. Fox.

Mr. Black Wolf: I saw the three farmers ...Farmer Bunce, Farmer Bean, and Farmer Boggis... chasing Fantastic Mr. Fox, and I watched them shoot off his tail.

Defense: Can you describe any other times you witnessed the farmers interacting with Fantastic Mr. Fox.

Mr. Black Wolf: I have seen one, two, or all three of the farmers chasing Mr. Fox or trying to destroy the Fox home.

Defense: Thank you Officer Wolf. We have no further questions for this witness.

Judge: Prosecution may cross-examine the witness.

Prosecution: Isn't it true that you have no knowledge regarding the thefts Mr. Black Wolf?

Mr. Black Wolf: That is true.

Prosecution: Isn't it your job to protect the residents of Pine Wood Forest?

Mr. Black Wolf: I have a lot to do. Sometimes it is hard to do it all.

Prosecution: Shooting at a Forest resident should have your attention, correct?

Mr. Black Wolf: Yes.

Prosecution: Wouldn't you say that you failed to do your job when it came to Mr. Fox?

Mr. Black Wolf: Perhaps.

Prosecution: Wouldn't you admit then that you might not have paid enough attention to what was really happening between the farmers and Mr. Fox?

Mr. Black Wolf: Hmmmmm...Possibly.

Prosecution: We have no further questions for this witness.

Judge: The witness may step down. Defense, call your next witness.

Defense: We call Mrs. Fox to the stand.

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

Mrs. Fox: I do.

Bailiff: You may be seated.

Defense: State your name and what you do.

Mrs. Fox: I'm Mrs. Rebecca Fox, a stay-at-home mother with my pack of four young foxes.

Defense: What is your relationship to Fantastic Mr. Fox?

Mrs. Fox: I am Fantastic Mr. Fox's wife.

Defense: Can you describe your family's recent situation?

Mrs. Fox: We were all starving to death. The farmers would not share their food with us. We had no way to get enough food. Fantastic Mr. Fox brought us food and shared it with many of

the other families who live in the Pine Wood Forest. Without that food I wouldn't be here today, and my poor babies would not be alive. The food saved our lives.

Defense: Can you please describe the condition of you and your children before Fantastic Mr. Fox started gathering food for you.

Mrs. Fox: All five of us were lifeless. We did not go out. We spent most of the day sleeping because we were so hungry.

Defense: Please describe the physical condition of your animal neighbors.

Mrs. Fox: My friends and neighbors and their families found themselves in a similar condition. We were all very, very hungry. The farmers knew that, but they would not give us any food.

Defense: Can you share what Fantastic Mr. Fox's relationship to the other families has to do with their survival.

Mrs. Fox: The animal families...the Rabbit Family, the Badger Family and so many more animal families...were saved by the plan Fantastic Mr. Fox came up with. He is a hero to so many of the animals who live in Pine Wood Forest.

Defense: We have no further questions for this witness.

Judge: Prosecution may cross-examine the witness.

Prosecution: Isn't it true that you were aware that Mr. Fox could not have bought the food he brought home for you and your children to eat?

Mrs. Fox: I knew that...yes!

Prosecution: No further questions.

Judge: The witness may step down. Defense, call your next witness.

Defense: We call Mr. Badger to the stand.

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

Badger: I do.

Bailiff: You may be seated.

Defense: Please state your name.

Mr. Badger: I am Mr. Ralph Badger.

Defense: What do you do?

Mr. Badger: I dig burrows so my family and I have places to hide in case of danger.

Defense: Can you describe your relationship with Fantastic Mr. Fox?

Mr. Badger: Fantastic Mr. Fox and I are neighbors. Mr. Fox was trying to help me and many of the other animals because the farmers were starving us and trying to kill us.

Defense: Can you tell us why you were helping Mr. Fox take food?

Mr. Badger: I was helping Mr. Fox so we could provide food for the animals in Pine Wood Forest who did not have any food to eat.

Defense: How were you, your family, and other animals able to stay safe and healthy?

Mr. Badger: We all stayed safe and healthy because Fantastic Mr. Fox gave us some food and drinks.

Defense: We have no more questions for this witness.

Judge: Prosecution may cross-examine the witness.

Prosecution: No questions, Your Honor

Judge: The witness may step down. Defense you may call your next witness.

Defense: The defense rests Your Honor.

Judge: Are you ready to give your Closing Statement?

Defense: We are, Your Honor.

Judge: You may go ahead.

Defense: Your Honor, and Ladies and Gentlemen of the Jury, today you have heard from witnesses for the Defense who have shared stories about the hero, Fantastic Mr. Fox. Mr. Black Wolf's testimony was about the horrific way Farmers Bunce, Bean and Boggis treated Mr. Fox and his family as well as many other animal families in Pine Wood Forest. Then we heard from Fantastic Mr. Fox's caring wife, Rebecca Fox. Most wives will defend their husbands. Mr. Fox's wife went beyond that and described how Mr. Fox saved her, the Fox children, and many others from starving to death! Finally, we heard first-hand from a friend of Fantastic Mr. Fox who joined him in helping to save lives. Yes, Mr. Badger and Mrs. Fox are aware that stealing is against the law. They seemed certain that Fantastic Mr. Fox would never steal unless the situation was dire. And, although Fox did take food and drink that did not belong to him, he left an abundant amount for the farmers as well. With Fantastic Mr. Fox's plan in place, everyone in Pine Wood Forest could live and not die. Fantastic Mr. Fox took nothing for profit - he took what he did simply to survive. If he didn't take food and drink, he would not be here today and neither would any of the witnesses you heard testify for him. What he took he took because it was necessary. And concerning the charge of making threats, you heard it from Mr. Rat - Fantastic Mr. Fox never threatened his life. You must therefore find him not guilty of all charges. Thank you.

Judge: Prosecution, are you ready to deliver your Closing Argument?

Prosecution: Yes, Your Honor

Judge: You may go ahead.

Prosecution: Your Honor, and Ladies and Gentlemen of the Jury, today we have proven, beyond a reasonable doubt, that Mr. Fox is guilty of theft of property and must face the consequences for breaking the law. We heard testimony from the three local farmers in Pine Wood Forest. All three farmers shared how their lives were changed because Mr. Fox was stealing from them. They too feared that their lives and the lives of their families would be in jeopardy if Mr. Fox were allowed to continue his highly illegal practices. We heard how the farmers tried to capture Mr. Fox. Once captured, they described how they intended to talk to him and try to convince him to stop stealing from them. We also heard from Rat who not only witnessed Mr. Fox stealing jugs of apple cider from Mr. Bean's Apple Cider Cellar, but whose life was also threatened by Mr. Fox. Heroes do not threaten to kill people or animals. Heroes do not steal. Heroes do not teach their children nor their friends to take things that do not belong to them. You must find him guilty of theft and of making a threat.

Mr. Fox is guilty and must pay for his crimes against the farmers and their families who live and work very hard in Pine Wood Forest.

Thank you.

Judge's Instructions to the Jury:

Judge: Ladies and Gentlemen of the Jury, 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, what they said, and whether different witnesses said things that were the opposite of one another. You should pay attention to all the evidence that shows whether the witness is believable, and you should pay attention to whether a witness might have reason to say what he or she did even though it might not be the truth. You should also ask yourself whether a witness actually saw the things he or she testified to and whether he or she seems to have a good memory about what he or she saw. 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.

Once you decide the facts of the case then you must apply the law and come to a conclusion. Here there are two laws to consider. The first law is that of theft. To find that Mr. Fox committed theft you need to conclude that it was proven beyond a reasonable doubt that Mr. Fox intentionally acted to deprive another person of their property. In this case Mr. Fox is charged with stealing from Farmer Bunce, Farmer Boggis and Farmer. Bean. If you find that Mr. Fox did take the things from the Farmers, you can then consider whether the thefts should be excused because of necessity. The defense of necessity would apply if you believe Mr. Fox saw that there

was an immediate threat of harm and he had absolutely, positively no other choice but to commit the thefts. You should consider each theft separately.

Then you need to decide whether Mr. Fox is guilty of making a threat to Mr. Rat that put him in fear for his life. You have a very serious task to perform and I know you will do it seriously and come to a just decision. The Jury may now leave the Courtroom to deliberate.