

INTRACORPORATE CONSPIRACY AND CIVIL RIGHTS IN THE NINTH CIRCUIT

- 1. Section 1985(3) began its existence**
 - a. As part of the Ku Klux Klan Act, passed by Congress in 1871.
 - b. As part of the Civil Rights act of 1964.
 - c. In 1980, as a result of Congressional response to *Griffin v. Breckenridge*, 403 U.S. 88, 97 (1971).
 - d. None of the above.
- 2. Section 1985(3):**
 - a. Provides substantive rights.
 - b. Is remedial only.
 - c. Depends on the circuit.
 - d. None of the above.
- 3. The intracorporate conspiracy doctrine is best understood as an exception to general federal tort law.**
 - a. True.
 - b. False.
- 4. A central distinction between 42 U.S.C. § 1983 and § 1985 turns on which of the following:**
 - a. Only section 1983 includes an explicit "state involvement" requirement.
 - b. Only section 1983 is a descendant of the Ku Klux Klan Act of 1871.
 - c. Only section 1985 has been the subject of intracorporate conspiracy doctrine defenses.
 - d. All of the above.
- 5. Section 1985(3) applies only to private conspiracies to deprive others of their legal rights.**
 - a. True.
 - b. False.
- 6. The intracorporate conspiracy doctrine originated in the Fifth Circuit.**
 - a. True.
 - b. False.
- 7. Title VII preempts a section 1985(3) conspiracy claim with respect to employment discrimination.**
 - a. True.
 - b. False.
- 8. Most courts extending ICD to civil rights claims hold that which element fails alleging intracorporate?**
 - a. Elements one and two.
 - b. Element three.
 - c. Elements one, two and three.
 - d. Element four.
- 9. Under which of the following acts have corporations used ICD as a shield from liability for its agents conspiring to fix prices?**
 - a. Sherman Antitrust Act.
 - b. Federal False Claims Act.
 - c. Title VII.
 - d. Civil Rights Act of 1871.
- 10. ICD was introduced in the civil rights context by:**
 - a. The United States Supreme Court.
 - b. Ninth Circuit.
 - c. Sixth and Eighth Circuits.
 - d. Seventh Circuit.

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TEST 33

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1) Read the article. **2)** Answer the quiz questions above. Each question has only one correct answer.

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