

PROBLEM ONE

Sandy and Lynn are citizens of the United States. Sandy is the CEO of Computer, Inc., a computer company that has its office in Atlanta, Georgia. Lynn, is an employee of the company.

Sandy sent Lynn, to Paris, France for the purpose of seeing if Lynn could obtain a contract for Computer, Inc. to sell computer equipment to the French government. Lynn had previously been unsuccessful in obtaining computer contracts outside the United States. Lynn decided to try something different this time. Over drinks at a restaurant in Paris, Lynn reached an agreement with employees of two other computer companies (one from Germany and the other from the United States) that they would all submit bids for this computer business at a sum of no less than two million dollars. All three companies thereafter submitted bids to the French government for the computer contract at the sum of exactly two million dollars.

In an effort to make certain that Computer, Inc. obtained this contract, Lynn approached the French government official awarding the contract, and offered this official a free trip to a luxurious resort in the United States. The government official readily accepted this vacation package from Computer, Inc. and shortly thereafter awarded the computer contract to Computer, Inc.

Lynn, delighted to have obtained this contract, immediately called an old friend from college, Paige, and told Paige about the success in securing this new contract. Paige, who moved to Paris shortly after college, operated an export business in Paris. Hearing that Lynn was leaving to go back to the United States, Paige asked Lynn to take a package of "goods" back to some friends in the U.S. Lynn agreed to transport this package for Paige, not realizing that the package contained cocaine.

Lynn immediately left for the airport, stopping inside the airport gift shop to purchase ten "Beanie Babies" to give to friends in the United States. Lynn also stopped at a cybercafe. Still upset at not obtaining a contract to sell computers to the government of Argentina, she used a stolen email account and password to send a computer "worm" to the government offices in Argentina. The worm caused the entire computer system of Argentina to collapse and resulted in three deaths when computer systems that operated emergency systems in the country were unable to service individuals.

After sending the computer "worm," Lynn boarded an airplane to return to the United States. Unbeknownst to Lynn, also boarding the airplane were two individuals, Ashley and Rene, citizens of Sweden who intended to hijack the airplane to Australia. Fortunately, Ashley and Rene were not successful in getting the pilot to proceed to Australia. The pilot managed to land the airplane in Sweden in order to turn Ashley and Rene over to the Swedish police. Both Ashley and Rene refused to waive extradition to the United States. A friend of a CIA agent, who happened to be in Sweden at this time, heard about Ashley and Rene and decided to help out the CIA friend by kidnapping them from jail and forcing them onto a plane going to the United States. Ashley and Rene were arrested upon arrival in the United States.

Who can be prosecuted, for what, and where? What rights do the individuals being prosecuted have? What possible defenses can these individuals make to charges brought against them?