

**Assignment for Short Office Memorandum**

Due: Tuesday, February 18, at the beginning of class and via TurnItIn.com by 5:30 pm

According to University of Pittsburgh Policy No. 04-05-03, “Smoking is prohibited within 15 feet of the building primary entrances . . . of all University owned and leased property.” The policy defines “primary entrances” as “the common public access points to each building.”

University of Pittsburgh campus police have cited John Smith for violating this policy as a result of the fact that he was found smoking at the top of one of the ramps leading to the ground floor entrances of Hillman Library. (He was standing at the point where the woman in the foreground of the accompanying photograph is located.)

Smith contends that the “primary entrance” to Hillman Library, within the policy’s definition, is the set of doorways seen at right in the photograph; he therefore argues that he was more than fifteen feet away from the primary entrance and that he should not face a penalty or fine for violating the policy.

The University contends that the “primary entrance” to Hillman Library, within the policy’s definition, is the top of the ramp leading down to the doorways; it therefore argues that Smith violated the policy by smoking at the top of the ramp.

You are an attorney representing John Smith, and your client has asked you to prepare a two-page memorandum evaluating the parties’ respective arguments and recommending one of the following two options: (1) that Smith fight the citation on the grounds that he did not violate the policy; or (2) that Smith settle by paying the fine on the grounds that he did violate the policy.

