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QUESTION 1

Which of the following statements is TRUE regarding criminal proceedings and discovery in adversarial jurisdictions?

- A. The judge is the primary driver of the discovery process in criminal proceedings.
- B. Parties typically cannot request evidence from each other until after the trial begins.
- C. The majority of criminal discovery usually occurs before the trial begins.
- D. Most criminal proceedings are divided into pretrial, investigative, and trial phases.

Correct Answer: D

QUESTION 2

To determine if a misrepresentation in the offer or sale of any securities is material, a fraud examiner should answer which of the following questions?

- A. "Did the person who made the representation intend to mislead potential investors?"
- B. "Was the misrepresentation made by an authorized individual?"
- C. "Did the person who made the representation believe that it was suitable for potential investors?"
- D. "Would a reasonable investor wish to know the information to make an informed decision?"

Correct Answer: D

QUESTION 3

Grant, a fraud examiner, is investigating Beatrice for embezzlement on his employer's behalf. During his investigation, Grant learns that Beatrice has cheated on her spouse, and he tells several of Beatrice's coworkers about it. Beatrice discovers that Grant revealed the unflattering (albeit true) information about her and decides to file a claim of defamation against Grant. Which of the following is the BEST explanation of why Beatrice will not win her defamation case?

- A. The information was true.
- B. The communications to the subject's coworkers were privileged.
- C. The statement was not printed and distributed.
- D. The news was not communicated to enough people.

Correct Answer: B

QUESTION 4

Which of the following is a red flag that an entity is operating a security business without the proper license or



registration?

- A. There is an unexplained absence of customer complaints against the entity.
- B. The entity's website contains detailed background information.
- C. The agents working at the entity have criminal records.
- D. There are justified gaps in the work history of promoters at the entity.

Correct Answer: D

QUESTION 5

Raj is an employee who works in a jurisdiction that prohibits unreasonable workplace searches and surveillance in areas or items where employees have a reasonable expectation of privacy. In which of the following is Raj MOST LIKELY to have a reasonable expectation of privacy?

- A. A filing cabinet in the office lobby
- B. A waste bin in the employee's office
- C. A company-issued tablet computer
- D. A backpack brought from home

Correct Answer: A

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