



**NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW, DEPARTMENT OF JURISPRUDENCE AND
INTERNATIONAL LAW
Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi – Abuja
2022_2 Examination**

COURSE TITLE: CONFLICT OF LAW II

COURSE CODE: JIL513

TIME ALLOWED: 3 HOURS

INSTRUCTIONS: ANSWER QUESTIONS ONE (1) AND ANY OTHER THREE (3) QUESTIONS. QUESTION ONE (1) IS COMPULSORY AND CARRIES TWENTY FIVE (25) MARKS, WHILE OTHER QUESTIONS CARRY FIFTEEN (15) MARKS EACH.

QUESTION 1:

- a) In Re: Degaramo's estate, the death of M in Ohio was caused by the negligence of Y (in the same state). An action against Y under the Ohio equivalent to the English Act was brought by D, the wife of M, in the New York courts. The main question before those courts was thus one of a tort committed in another state, Ohio. By the conflict rules of New York, the question to be decided by the law of Ohio is the place of the commission of tort. It appeared that D, before marrying M had been married to another man and that marriage had been dissolved by a decree granted. In Michigan, the decree was recognised as valid by the conflict rules of Ohio but as invaded by those of New York.
- i. What question under conflict of law rules are the New York courts to rely on to decide if D is the widow of M? (10 marks)