

Civil Procedure (Section 1)
Fall 2008
Prof. Brill

Quiz # 1

Alice Arkansas (a citizen of Arkansas) has been sued by Tom Tennessee (a citizen of Tennessee) in state court in Tennessee for breach of contract. Alice is making a plane trip to see her granddaughter in North Carolina.

She leaves Arkansas (XNA Airport) on a direct flight to Charlotte, North Carolina. One hour into the flight, while flying over Tennessee, a Tennessee sheriff, in plain clothes, approaches Alice, identifies her, and gives her a summons from the Tennessee court.

Has Tennessee validly obtained jurisdiction over Alice Arkansas?

- A) Yes, based on implied consent.
- B) No; service violates the holding of Pennoyer.
- C) Yes, under the territoriality principle.
- D) No, service violates due process as set forth in the 14th amendment as developed in International Shoe.
- E) Yes, based on the status principle that falls under in rem jurisdiction.

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TEAR OFF

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Name

Answer

If you believe this question is vague, ambiguous, misleading or unfair, please explain why.