

Civil Procedure (Section II)
Fall 2008
Prof. Brill

Quiz # 1

Frank Florida (a citizen of Florida) goes to Georgia to see a baseball game with the Atlanta Braves. While there, he is in a car accident with Georgia Georgia (a citizen of Georgia). Georgia sues Frank in a Georgia state court.

Pursuant to a Georgia statute, Georgia mails the summons and complaint to the Secretary of State of Georgia by registered mail; she also mails the papers by registered mail to Frank in Florida; she receives a receipt from the post office, and attaches it to her affidavit that she files with the Georgia court.

Has Georgia validly obtained jurisdiction over Frank?

- A) Yes, under the concept of express consent.
- B) No, because it violates the territorial principle of Pennoyer.
- C) Yes, under the concept of de facto consent as developed in International Shoe.
- D) No; seizure or attachment of property is essential for quasi in rem jurisdiction.
- E) Yes, under the concept of implied consent.

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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.