

Civil Procedure (Section II)
Fall 2008
Prof. Brill

Quiz #8

Vermont has a court Rule 15 that permits a lawsuit to be brought against a John Doe defendant. The federal courts have no such rule, and traditionally have not allowed John Doe lawsuits.

Vince Vermont brings a medical malpractice lawsuit against two doctors and three Jane Doe nurse defendants.

The lawsuit is brought in federal court in Vermont, and jurisdiction properly rests on diversity.

May the Vermont federal court hear the lawsuit against the three Jane Doe defendants?

- A) Yes, according to York.
- B) No, according to Byrd.
- C) No, according to Hanna, Part I.
- D) Yes, according to Hanna, Part II.
- E) No according to Stewart.
- F) Yes, according to Gasparini.

TEAR OFF

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Name

Answer

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