ANCILLARY JURISDICTION

Consider these classic examples of ancillary jurisdiction:

1. Arkansas v. Tennessee for $85,000; Tennessee defendant files a compulsory counterclaim for $6,000. Rule 13(a)

2. Arkansas plaintiff v. two Oklahoma defendants for $82,000; one Oklahoma defendant cross-claims against the other for $15,000. Rule 13(g)

3. Arkansas plaintiff v. General Motors for $100,000; General Motors impleads an Arkansas dealer for $6,000. Rule 14(a)

What are the arguments for ancillary jurisdiction?

What are the arguments against ancillary jurisdiction?

Give five differences between pendent and ancillary jurisdiction.

SUPPLEMENTAL JURISDICTION

See Section 1367 of the Judicial Code. See pages 336-343.

Analyze the following fact patterns in light of supplemental jurisdiction. Does the federal court have power to hear these claims? What options does the plaintiff have?

1. The Alabama plaintiff has a state claim for $82,000 against a Mississippi defendant, and an unrelated state claim for $10,000 against the same defendant.

2. The Arkansas plaintiff has a state claim for $55,000 against an Oklahoma defendant and an unrelated state claim against the same defendant for $25,000.

3. The Arkansas plaintiff has a federal claim against an Arkansas defendant for $10,000 and a related state claim for $15,000 against the same defendant.

4. Same as (3), but the state claim is unrelated.

5. The Florida plaintiff has a federal claim for $20,000 against the Georgia defendant, and an unrelated state claim for $10,000.

6. Same as (5), but the unrelated state claim is $60,000.

7) Texas plaintiff has a federal claim against Texas defendant #1, and a related state claim against Texas defendant #2 for $10,000.

8) The Florida plaintiff has a federal claim for $20,000 against the Florida defendant, and an unrelated state claim for $60,000.

9) Same as (8), but the defendant is from North Carolina.

10) Kansas plaintiff #1 sues Oklahoma defendant for $79,000. Kansas plaintiff #2 (injured in the same accident) sues the same defendant for $25,000.

11) Same as (10), but the plaintiff #2 is from Oklahoma.

12) Kansas plaintiff #1 sues Oklahoma defendant for $35,000; Kansas plaintiff #2 sues for $20,000; Kansas plaintiff #3 sues for $25,000. All three were injured in the same accident.

09/13