CHALLENGING LIMITED JURISDICTION

The parties (both residents of Wisconsin) sign a contract in Wisconsin, to be fulfilled in Wisconsin. The plaintiff then moves to Maine; the Defendant to Arizona; plaintiff wishes to sue for breach of contract for $15,000.

The plaintiff commences the action in a state court in Maine by attaching $3,000 of real property that the defendant owns in Maine. (The defendant also owns another tract worth $4000). The defendant is notified in Arizona of the seizure by registered mail. What options does the defendant have? (Can you identify three pleas in abatement he might raise if he appears?) See p. 197-198.

What are the results of each procedural option?

I.)

II.)

III.)

A) If defendant wins, then plaintiff may:

1)

2)

3)

4)

B) If defendant loses, then defendant may:

1)

2)

3)

4) make a "limited appearance". . .

a) if D wins,. . .

b) if D loses,. . .