DIVERSITY JURISDICTION

Assume each of the following lawsuits involves $100,000.

I. A) January - Two West Memphis, Arkansas residents, Ann Adams and Bill Briggs collide. In which courts can Ann Adams sue?

B) February- Bill Briggs accepts a job and moves to St. Louis. In which courts can Ann sue? Be prepared to make policy arguments on both sides.

C) April - One month after Ann commenced a law suit in federal court, Bill quits his job and moves to Little Rock. What happens to the lawsuit?

D) Suppose that the defendant never left Arkansas but the plaintiff moved from West Memphis to Memphis, Tennessee in February. She sues in federal court in Tennessee. Defendant objects to subject matter jurisdiction. Who wins? Why?

E) Suppose that the Tennessee federal court determines that it has subject matter jurisdiction. One week later Plaintiff moves back to Arkansas. If you are the defense attorney, what argument do you now make to the Tennessee federal judge?

II. F) An Arkansas plaintiff sues two defendants, citizens of Missouri and Tennessee. Does a federal court have jurisdiction? Suppose the parties are reversed, same result?

G) An Arkansas plaintiff sues two defendants, citizens of Louisiana and Arkansas. Does a federal court have jurisdiction ? Suppose the parties are reversed, same result?

III. H) The South Carolina Paper, Inc., is incorporated in Delaware; it has its home office in Camden, South Carolina. 55% of its business is done in North Carolina. Can a South Carolina plaintiff sue the corporation in federal court for a common law tort?

IV. I) A citizen of China, attending the University of Arkansas as a full-time student on a three year visa, wishes to sue his landlord, a citizen of Arkansas. Can he sue in

federal court?

J) Plaintiff is a citizen of Pakistan, and Defendant is a citizen of India. Both are attending the University of Arkansas for a semester on student visas.

K) Plaintiff is an Arkansas merchant. Defendant is a refugee from Iran, living permanently in Tennessee.

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M) Plaintiff is a citizen of France, but living as a permanent resident in Oklahoma. Defendant is a citizen of Italy, but living as a permanent resident in Arkansas. Can the plaintiff bring a breach of contract lawsuit in federal court?

N) Plaintiff is a citizen of Mexico, illegally living in Texas. Defendant is a citizen of Mexico, living legally and permanently in Texas.

O) Plaintiff is a citizen of Mexico, illegally living in Texas. Defendant is a citizen of Honduras, living illegally in Texas.

P) Two students at the University of Arkansas, both citizens of India, seek a divorce from each other. What are their jurisdictional options in the United States?

Q) Same as (P), but they have tort claims against each other.

R) Consider Mas v. Perry, p. 278.

V. In a wrongful death case, the decedent lived in Tennessee and the defendant lives in Tennessee. The accident was in Arkansas, the executor of the estate is an Arkansas bank, and all the beneficiaries of the decedent's estate are citizens of Arkansas. Can the wrongful death case be heard in federal court?

VI. Arkansas wife seeks divorce from Texas husband. Can she sue in federal court? Can she

sue for damages for assault and battery committed during the marriage?

VII. A breach of contract suit dispute results in a lawsuit between a Missouri plaintiff and a general partnership. The partnership does business in Illinois, and is comprised of 4 Illinois citizens and 1 Missouri citizen.

VIII. Reconsider pages 272-276.

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