

Empire College School of Law  
Professor Wheeldin  
Civil Procedure – Fall 2009

Question 1 Issue Outline:

1. Subject Matter Jurisdiction based on diversity domicile of Plaintiff and Defendant amount in controversy - %75,00 plead in good faith
2. Personal Jurisdiction  
King Kam's conduct – Minimum Contracts?  
Is due process satisfied – discussion of case  
General Jurisdiction U.S. Specific Jurisdiction
3. The Counterclaim is compulsory, arises of the same transact or occurrence
4. While action "might have been brought in Hawaii, transfer would not serve interest of justice because of convenience for parties and witnesses".

Question 2 Issue Outline:

1. Rule 19 discussion. Is Highest Tech a necessary party such that is should be joined if feasible.
2. Rule 14 Impleader requirements
3. Erie discussion