

EMPIRE COLLEGE SCHOOL OF LAW
ISSUE OUTLINE – CIVIL PROCEDURE
FALL 2011 – MIDTERMS

Question 1

1. Personal Jurisdiction
 - Pennoyer
 - International Shoe
 - Hanson/Burger King
 - Worldwide Volkswagon
 - Specific Jurisdiction..McGee

- Subject Matter Jurisdiction
 - Arising under 1331
 - Diversity 1332
 - Citizenship/domicile
 - Amount in Controversy
 - Corporations muscle/nerve test

2. FRCP 14, impleader, FRCP 20 Permissive Joinder

3. FRCP 18(a)

Question 2

1. Erie Doctrine
 - York, Byrd, Hanna..Rules of Decision /Rules Enabling Act

2. USC 1441 (a) Removal

3. FRCP 12 (e), Rules 8 and 9
 - Contrast Code pleading/state/demurrer with Notice pleading/Feds/ Motion to Dismiss