

- Required Books:** Wright, Oakley & Bassett, *Federal Courts* (14th ed.); Casebook Supplement (available on TWEN); Student Packet (available on TWEN). In reading the casebook material, pay attention to the note material found in the authors' footnotes, because this material is important and will be covered on the exam.
- Study Aid:** Eugene Chemerinski, *Federal Jurisdiction*
- Final Exam:** True-false/multiple choice (closed book) and essay questions (open book and open note). Held on April 28, 2020 at 1:15 p.m.
- WAC Exercise:** Draft the jurisdiction and venue parts of a federal court Complaint and a Notice of Removal. This exercise is worth 20 points (about 10% of your course grade).
- Bar Exam Question:** The faculty is committed to preparing you to pass the bar exam on the first try. I will administer a practice bar exam question sometime in the second half of the course graded on a pass-fail basis with written feedback. You must pass in order to pass the course.
- Recording:** All classes will be recorded.
- Absences:** The absence limit is six. If you need to miss a class due to illness, job interview, moot court competition, or other good reason, I will give instructor permission to view the recording and my secretary will refund your absence when you report that you have viewed the recording.
- Assignments:** I call on students in alphabetical order, three students per class. *If you are going to be absent on a day when you are scheduled for discussion, you must trade assigned days with someone who will be present on your assigned day.*
- Consultation:** Feel free to ask for help in your outside work during your law school years and after you graduate.
- Workload:** The American Bar Association standards for accrediting law schools contain a formula for calculating the amount of work that constitutes one credit hour. According to ABA Standard 310(b)(1), “a “credit hour” is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time.” This is a 3-credit hour class, meaning that we will spend two 75-minute blocks of time together each week. The

average reading assignment per class is about 30 pages. Based on my teaching experience, I believe the average student will need to spend 2-3 hours outside of class on these reading assignments in order to prepare for class. To make your class preparation more efficient, I have posted in advance the Powerpoints we will use in class. The slides summarize the facts and legal issues for each case, which should help you in sorting out these matters and enable you to focus on the court's reasoning. In addition, the WAC assignment should require about 4 hours of research and drafting time. The final examination should require about 15-20 hours of exam preparation.

**Objectives:**

At the end of this course, students will be able to (1) identify and predict how courts will resolve federal jurisdiction issues that often arise in federal litigation practice; (2) identify and predict how courts will resolve other issues that sometimes arise in federal litigation practice, such as justiciability, state sovereign immunity, abstension, and federal common.

**Schedule:**

Attached is a tentative schedule listing the topics and reading assignments for each class.

<b><u>Class</u></b>	<b><u>Topic &amp; Assignment</u></b>
1	<b>Three Basic Rules &amp; the Political Question Doctrine</b> <i>Hodgson</i> , 9 <i>Sheldon</i> , 10-12 <i>Knee</i> , 13-15 <i>Baker</i> , 16-24
2	<b>Political Question Doctrine (Part II)</b> <i>Zivotofsky</i> , 25-42 <i>Rucho</i> , Supp. 1-28
3	<b>Standing (Part I)</b> <i>Hollingsworth</i> , 43-55 <i>Windsor</i> , 55-73
4	<b>Standing (Part II), Advisory Opinions, Ripeness, Mootness</b> <i>Spokeo</i> , 73-82 <i>Virginia House of Delegates</i> , Supp. 28-34 <i>Aetna Life Ins.</i> , 82-88 <i>Golden</i> , 89-92
5	<b>Non-Article III Courts</b> <i>Boumediene</i> , 93-116
6	<b>Federal Question Jurisdiction (Part I)</b> <i>Osborn</i> , 118-26 <i>Verlinden B.V.</i> , 168-73 Statute, 117 <i>Louisville &amp; Nashville R.R.</i> , 134-36 <i>Thurston Motor Lines</i> , 143-44 <i>American Well Works</i> , 136-38 <i>Bell</i> , 138-42
7	<b>Federal Question Jurisdiction (Part II)</b> <i>Grable</i> , 144-50 Note, 150-52 <i>Gunn</i> , 152-60
8	<b>Federal Question Jurisdiction (Part III)</b> <i>E. Edelman &amp; Co.</i> , 160-62 <i>Skelly Oil</i> , 163-67 <i>Northeastern Ill. Reg. Commuter R.R.</i> , Student Packet

- 9                    **Diversity Jurisdiction (Part I)**  
Statute, 175-82  
*Strawbridge*, 183  
*Morris*, 185-87  
*Mas*, 188-91  
*Tylka*, Student Packet  
*Alvarez*, Student Packet  
*Buchel-Ruegsegger*, Student Packet  
Diversity of Citizenship Problems, Student Packet
- 10                   **Diversity Jurisdiction (Part II)**  
*Hertz*, 192  
*Carden*, 203-15  
*Americold Realty Trust*, 216-19  
*Gruppo Dataflux*, 219-32  
*Tank*, 232-38  
*USF&G Co.*, 238-42  
*American Motorists Ins. Co.*, Student Packet  
*Fidelity & Deposit Co. of Maryland*, Student Packet
- 11                   **Jurisdictional Amount**  
*Vance*, 247-49  
*Burns*, 250-51  
*McCarty*, Student Packet  
*Hoffman*, 252-59  
*Barnes*, 260-62  
*Elgin*, 262-63  
*Aetna Casualty*, 264-65  
*Keck*, Student Packet  
*Pinel*, 269-71  
*Brainin*, 272-74
- 12                   **Supplemental Jurisdiction**  
Statute & Text, 275-76  
Review of Gibbs, Owen Equipment & Finley  
Note 299-302  
*Exxon Mobil*, 302-25  
Text, 326-29  
*Smith*, 329-31  
*Wasserman*, 331-34  
Text. 334-26  
*Artis*, Supp. 35-44

- 13                    **Removal Jurisdiction (Part I)**  
Statutes, 343-48  
*Beneficial Nat. Bank*, 348-60  
*Syngenta Crop Protection, Inc.*, 361-64  
*Lincoln Property*, 364-71  
Section 1441(c) Problems, Student Packet
- 14                    **Removal Jurisdiction (Part II)**  
*Breuer*, 371-76  
*Dole Food Co.*, 376-84  
*Dodd*, 384-87  
*Gentle*, 387-93  
*In re Asbestos Products Liability Litigation*, 393-97  
Statutes, 397-402  
*Murphy Bros.*, 403-09  
*Borroughs*, 409--412  
*James*, SP 412-14  
*Carlsbad Technology*, 415-18
- 15                    **Seventh Circuit Removal Decisions**  
*Benson, Wilson, Hurley, Boyd*, Student Packet  
*Meridian Security, Wirtz, Schur*, Student Packet
- 16                    **Venue**  
Text & Statutes, 419-28  
Venue Problems, Student Packet  
*Gregory*, 428-33  
*Gulf Insurance*, 433-38  
*Ferens*, 438-51  
*Atlantic Marine Construction*, 451-61
- 17                    **Jurisdiction to Determine Jurisdiction**  
*UMWA*, 463-73  
*Baldwin*, 474-76  
*Chicot Co. Drainage*, 476-80  
*Ruhrgas*, 481-88  
*Kalb*, 488-92
- 18                    **Reverse *Erie* & the Anti-Injunction Act**  
*Howlett*, 493-501  
Statute, 502  
*Vendo Co.*, 503-21  
*Smith*, 521-31  
*Donovan*, 531-37

- 19                    **Eleventh Amendment (Part I)**  
*Ex Parte Young*, 537-48  
*Seminole Tribe of Florida*, 548-68  
Text, 568-72
- 20                    **Eleventh Amendment (Part II)**  
*Federal Maritime*, 572-97  
*Lane*, 598-614  
Copyright Problem, Student Packet
- 21                    **Statutory Limits on Suits to Restrain State Officers & Abstension**  
Statutes, 615-17  
*Pullman*, 618-21  
*Burford*, 621-30  
*Reetz*, 631-34  
*Wilton*, 634-41  
*Lehman Bros.*, 642-46  
*Clark*, Student Packet  
*AXA*, Student Packet
- 22                    **Younger Abstension**  
*Younger*, 647-59  
*Samuels*, 659-62  
*Steffel*, 662-71  
*Huffman*, 671-78  
*Wooley*, 679-84  
*Pennzoil*, 684-94  
*Sprint Communications*, 695-701
- 23                    **Rooker-Feldman Doctrine & Habeas Corpus (Part I)**  
*Exxon Mobil Corp.*, 702-08  
*Hale*, Student Packet  
Statutes & Text, 708-17  
*Wainwright*, 717-29
- 24                    **Habeas Corpus (Part II) & Effect of A State Court Judgment**  
*Lee*, 730-43  
*Brown*, 743-53  
*Martinez*, 753-63  
Text, 763-71  
*McQuiggin*, 771-83  
*Allen*, 783-94  
*Matsushita Electric Industrial Co.*, 794-806
- 25                    **Erie Doctrine (Part I)**  
*Erie*, 807-18  
*York*, 818-24

*Byrd*, 824-28  
*Hanna*, 828-38

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**Erie Doctrine (Part II)**

*Estate of Bosch*, 838-42  
*Walker*, 842-49  
*Burlington Northern*, 850-53  
*Shady Grove*, 854-80  
*Semtek*, 880-87

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**Federal Common Law**

*Clearfield Trust*, 887-91  
*De Sylva*, 892-95  
*Carlson*, 896-902  
*Correctional Services*, 914-26  
*Sosa*, 926-39  
Text, 939-41`

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**Exam Review**