

CIVIL PROCEDURE
Professor Lear
Spring 2012 Syllabus

References below are to Friedenthal, Miller, Sexton and Hershkoff, Civil Procedure (10th Ed., West Publishing) and the 2011-2012 Supplement thereto. Make sure that you check the Supplement each day and read any and all Rules, statutes and/or case materials that may be relevant to the pages assigned in the casebook. Each assignment represents the reading for one class hour. Since class this semester is in two-hour blocks, please read two assignments per class.

A. Selecting the Proper Court

1. Personal Jurisdiction – Pennoyer v. Neff, pp. 71-81
2. Personal Jurisdiction – International Shoe, pp. 81-91
3. Personal Jurisdiction – Long Arm Statutes, pp. 91-105
4. Personal Jurisdiction – Worldwide VW, pp. 105-119
5. Personal Jurisdiction – Burger King, pp. 119-129
6. Personal Jurisdiction – Asahi, pp.129-138
7. Personal Jurisdiction – McIntyre Supp. pp. 550-564
8. General Jurisdiction – pp. 138-150; Supp. pp. 532-537
9. Tag Jurisdiction – pp. 175-186

B. Subject Matter Jurisdiction

1. Pp. 272-285
2. Pp. 285-294
3. Pp. 295-309
4. Pp. 309-324
5. Supplemental Jurisdiction, pp. 324-335
6. Same, pp. 336-350 (and statute in Supp.)
7. Removal, pp. 350-362 (and statutes in Supp.)

8. Venue and Transfer, pp. 369-374, 378-391 (and statutes in Supp.)

9. Forum Non Conveniens, pp. 391-403

C. Ascertaining the Applicable Law

1. Pp.404-416

2. Pp. 431-440

3. Pp. 440-448

D. Pleading

1. Pp. 558-567; Rules 7, 8(a), 9

2. Pp. 567-579

3. Pp. 602-610; handout; Rule 12

4. Pp. 612-622; Rule 8(b)&(c)

5. Pp. 623-634; Rule 15

6. Pp. 640-651; Rule 11

E. Joinder of Claims and Parties

1. Pp. 654-668; Rules 18(a) and 13(a)-(f)

2. Pp. 668-674; Rule 13(g)&(h)

3. Pp. 682-693; Rules 19-20

4. Pp. 705-712; Rule 14

5. Pp. 733-740; Rule 24

F. Summary Judgment – Handout; TBA

G. Claim and Issue Preclusion – TBA

H. Discovery – Lecture on Discovery Techniques; Skim Rules 26-37