

### **QUESTION ONE**

1. This question calls for a discussion of Personal Jurisdiction, since the Defendant was served out of the State of California. The essence of the question concerns a discussion of the “Minimum Contacts” Rule. A secondary part of the Question involves a discussion of Rule 12 and its application to a challenge to personal jurisdiction.

2. This question calls for a discussion of the application of Rule 15, Federal Rules of Civil Procedure. Specifically, the question calls for a discussion of the “Relation Back” doctrine and Rule 15 (c) re the change in the name of the defendant.

3. This question deals with the topic of pre-trial discovery. Specifically, the question calls for a discussion of the scope of civil discovery and the partial privilege contained in the “Work Product” Rule. Privacy and the attorney client privilege are also implicated.

4. This question calls for a discussion of claim preclusion. Specifically, the question calls for a discussion of the difference between Collateral Estoppel and the doctrine of Res Judicata. There should be a discussion of the offensive use of non-mutual collateral estoppel.

**QUESTION TWO**

1. This question calls for a discussion of Personal Jurisdiction. Specifically there should be a discussion of the amount in controversy for the maintenance of federal Diversity Jurisdiction. There should also be a discussion of joinder of multiple plaintiffs against the Defendant.

2. This question calls for a discussion of Counter Claims under the Federal Rules of Civil Procedure and the issue of permissive vs. compulsory counter claims. The application of Supplemental Jurisdiction should be discussed, as should the concept of permissive joinder of claims. The amount in controversy should also be discussed.

3. This question calls for a discussion of Personal Jurisdiction and the joinder of parties as defendants.

4. This question calls for a thorough discussion of the “Erie Doctrine.”

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### **QUESTION THREE**

5. This question concerns Subject Matter Jurisdiction. Specifically, the question calls for a discussion about the amount in controversy and the possibility of a Federal Question existing.

6. This question calls for a discussion of Rule 12 and the consolidation of defenses. It also calls for a discussion of Federal Venue rules and the possibility of a Forum Non Conveniens motion.

3. This question deals with jury selection and the systematic disqualification of jurors with peremptory challenges. A discussion of the Batson/Edmundson Rules should be included.

4. This question deals with Rule 50 and motions for Judgment as a Matter of Law and when and why they may be filed. A discussion of the standards for these motions should be included.