

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 - \$75,000 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 it should be joined if feasible.
2. Rule 14 Impleader requirements
3. Erie discussion