

**CIVIL PROCEDURE I**  
**SYLLABUS (PART I)**

**Professor Darrell Miller**  
**Fall Semester 2007**

Section: 1  
Days: Monday/Thursday  
Time: 1:30pm – 2:45pm  
Room: 100A

Materials: **Casebook:** Marcus, Redish & Sherman, CIVIL PROCEDURE: A MODERN APPROACH (4th ed. 2005)

**Rulebook:** FEDERAL RULES OF CIVIL PROCEDURE (abridged ed.) (B. Spencer, ed.)

**Supplement:** Additional materials will be distributed via handout or electronically from time to time.

**Assignment for First Class: Please read pp. 690-702 of the Casebook and Article IV, § 1 and Amendment XIV, §1 to the Constitution from the Rulebook.**

TOPIC	CASEBOOK	RULEBOOK
<b>I. PERSONAL JURISDICTION</b>		U.S. Const., Amendment XIV, § 1; U.S. Const., Article IV, § 1
<b>Traditional Formulation</b>		
<i>Pennoyer v. Neff</i>	pp. 690-702	
<i>Hess v. Pawloski</i>	pp. 706-710	
<b>Minimum Contacts and Related Issues</b>		
<i>Int'l Shoe Co. v. Washington</i>	pp. 710-717	
<i>McGee v. Int'l Life Ins. Co.</i>	pp. 717-723	
<i>State Long-Arm Statutes &amp; Personal Jurisdiction in Federal Court</i>	pp. 723-729	Fed. R. Civ. P. 4(k); U.S. Const. Amendment V
<i>World-Wide Volkswagen Corp. v. Woodson</i>	pp. 730-745	
<i>Calder v. Jones</i>	pp. 745-752	
<i>Burger King v. Rudzewicz</i>	pp. 752-765	
<i>Asahi Metal v. Superior Court</i>	pp. 765-776	
<i>Pavlovich v. Superior Court</i>	pp. 776-790	
<i>Helicopteros Nacionales de Colombia, S.A. v. Hall</i>	pp. 821-829	

<b>TOPIC</b>	<b>CASEBOOK</b>	<b>RULEBOOK</b>
<b>Property, Personal Service &amp; Consent</b>		
<i>Harris v. Balk</i>	pp. 703-706	
<i>Shaffer v. Heitner</i>	pp. 791-806	
<i>Burnham v. Superior Court</i>	pp. 809-821, 829-835	Fed. R. Civ. P. 12(h)(1)
<b>II. NOTICE &amp; MANNER OF SERVICE</b>	pp. 835-840	Fed. R. Civ. P. 4(c)-(h),(m)
<b>III. VENUE &amp; FORUM NON CONVENIENS</b>		
<i>Bates v. C. &amp; S. Adjusters, Inc.</i>	pp. 840-847	28 U.S.C. § 1391(a)-(d); 28 U.S.C. § 1404(a)
<i>Piper Aircraft Co. v. Reyno</i>	pp. 847-859	
<b>IV. FEDERAL SUBJECT MATTER JURISDICTION</b>		
<b>Diversity Jurisdiction</b>		U.S. Const. Article III, §§ 1 & 2; 28 U.S.C. § 1332(a)-(c)
<i>Mas v. Perry</i>	pp. 860-871	
<b>Federal Question Jurisdiction</b>		28 U.S.C. § 1331; 28 U.S.C. § 1257(a); Fed. R. Civ. P. 12(h)(3)
<i>Louisville &amp; Nashville R.R. v. Mottley</i>	pp. 871-877	
<i>Merrell Dow Pharmaceuticals v. Thompson</i>	pp. 877-890	
<i>Grable &amp; Sons v. Darue Engineering &amp; Manufacturing</i>		(to be distributed)
<b>Supplemental Jurisdiction</b>	pp. 890-892	28 U.S.C. § 1367
<i>Rosario Ortega v. Star-Kist Foods, Inc.</i>	pp. 892-911	
<i>Exxon Mobil v. Allapattah Services, Inc.</i>		(to be distributed)
<b>Removal Jurisdiction</b>	pp. 911-918	28 U.S.C. § 1441(a)-(d), (f); 28 U.S.C. § 1446(a)- (b); 28 U.S.C. § 1447(c)- (e)
<b>V. STATE LAW IN FEDERAL COURT (THE ERIE DOCTRINE)</b>		
<i>Swift v. Tyson</i>	pp. 919-920	
<i>Erie Railroad Co. v. Tompkins</i>	pp. 920-930	
<i>Guaranty Trust Co. v. York</i>	pp. 930-935, 806-809, 940- 943	
<i>Byrd v. Blue Ridge Rural Electric Cooperative, Inc.</i>	pp. 943-949	

<b>TOPIC</b>	<b>CASEBOOK</b>	<b>RULEBOOK</b>
<i>Hanna v. Plumer</i>	pp. 949-963	
<i>Burlington Northern RR Co. v. Woods</i>	pp. 965-972	
<i>Walker v. Armco Steel Corp.</i>	pp. 972-975	

**Topics in Civil Procedure I Syllabus Part II (forthcoming):**

Pleadings  
Motions  
Amendments to Pleadings  
Counter Claims and Cross Claims  
Joinder  
Discovery