FEDERAL JURISDICTION SYLLABUS

Law 602

Judge Manuel D. Leal

Case book: FEDERAL COURTS CASES AND MATERIALS

By David P. Currie

ISBN 0-314-74485-1

CLASS MEETINGS

Classes meet every Tuesday [2:30-3:45] and Thursday [2:30-3:45]. Roll will be taken at the beginning of every class session.

READING ASSIGNMENTS

CHAPTER I CONGRESS, THE COURTS, AND THE CONSTITUTION

Lecture

Judicial review p. 19

Marbury v. Madison

Justiciability and standing

Warth v. Selding p. 32

Abbott Laboratories v. Gardner p. 57

United States Parole v. Geraghty p. 69

Congressional power to curtail jurisdiction

Sheldon v. Sill p. 98

Ex part McCardle p. 100
Judicial power outside Article III

Northern Pipe Line Co. p. 114

**Sterne v. Marshall, 131 S. Ct. 2594 (2022)**

CHAPTER II FEDERAL QUESTION

Identifying federal question cases

Osborn v. Bank of the United States p. 140
Louisville & Nashville RR v. Motley p. 149
Skelly Oil Co. v. Phillips Petroleum p. 151
T. B Harms v. Ellisclu p. 160
Merrell Dow Pharm. v. Thompson p. 166

**Grable v. Daruel, 125 S. Ct. 2364 (2005)**

The scope of a case

Finley v. United States p. 188.

CHAPTER III THE DIVERSITY JURISDICTION

The determination of citizenship

Sadat v. Mertes p. 231

Complete diversity & Ancellary jurisdiction

Strawbridge v. Curtis P 244
Treinies v. Sunshine Mining Co. p. 247

Removal jurisdiction

American Fire & Finn p. 260
Corporations and other associations

Carden v. Arkome Associates p. 267
Kelly v. United States Steel Corp p. 274

**Hertz Corp. v. Friend, 130 S. Ct. 1181, 1129 (2010)**

Majewski v. New York Central RR Co. p. 281
Diesing v. Vaughn Wood Products, Inc. p. 282
Smith v. Sperling p. 287

The jurisdictional amount

Snyder v. Harris p. 294

CHAPTER IV THE APPLICABLE LAW

The Erie problem

Erie Railroad Co. v. Tompkins p. 327
Guaranty Trust Co. v. York p. 336
Hanna v. Plumer p. 339
Klaxon Co. v. Stentor Electric Manufacturing Co. p. 347

The Federal common law

Clearfield Trust Co. v. United States p. 353
Bank of America v. Parnell p. 354
Transamerica Mortgage v. Lewis p. 370
Remedies against government officials

Monroe v. Pape  p. 379
Monell v. Department of Social Services  p. 390
Bivens v. Six Unknown Agents  p. 401

CHAPTER V SOVEREIGN IMMUNITY

The Eleventh Amendment and Sovereign Immunity

Hans v. Louisiana  p. 433
Ex Parte Young  p. 444
Edelmam v. Jordan  p. 447
Fitzpatrick v. Bitzer  p. 460

CHAPTER VI ABSTENTION

Pullman Abstention and Certification

Texas Railroad Comm’n v. Pullman  p. 485

State administrative agencies and tax

Burford v. Sun Oil  p. 497
Fair Assessment v. McNary  p. 506

Injunctions against suits

Mitchum v. Foster  p. 514
Younger v. Harris  p. 538
Steffel v. Thompson  p. 540

Pending actions

Colorado River Authority v. U. S.  p. 556