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

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

CHAPTER II FEDERAL QUESTION

Identifying federal question cases

Osborn v. Bank of the United States	5 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 citizens	ship	
Sadat v. Mertes	p. 231	
Complete diversity & Ancella	ary jurisdictio	n
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 Statesp. 353Bank of America v. Parnellp. 354Transamerica Mortgage v. Lewis p. 370

Remedies against government officials

Monroe v. Papep. 379Monell v. Department of Social Servicesp. 390Bivens v. Six Unknown Agentsp. 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