

Civil Procedure: Final Exam

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Exam ID: _____

Score: _____

Part I

Question 1

- Failure to State a Claim
 - Rule 8: Twombly/Iqbal Standard
 - Plausibility
 - Rule 9 (“False & Misleading”)

Question 2

- Claim Preclusion
 - Valid, Final, On the Merits
 - Same Claim
 - Same Parties
- Issue Preclusion
 - Valid & Final
 - Same Issue
 - Actually Litigated
 - Essential to Judgment
 - Asserted Against Prior Party

Part II

Question 1

- Joinder
 - Rule 20(a)(2)
 - Same T/O
 - Common question of law or fact
 - Rule 18 (for claims against Giraldi)
- Subject Matter Jurisdiction
 - Federal Question
 - Diversity
 - Supplemental

Question 2

- GCR v. Giraldi: Replevin
 - Joinder
 - Rule 18
 - Jurisdiction
 - None
- Giraldi v. CDI: Estoppel
 - Joinder
 - Rule 13(g)
 - Jurisdiction
 - Supplemental
- Giraldi v. GCR: Wage Payment
 - Joinder
 - Rule 13(a) or (b)
 - Jurisdiction
 - Supplemental if 13(a); None if 13(b)
- GCR v. Poorman: Malpractice
 - Joinder
 - Rule 14(a) & (b)
 - Jurisdiction
 - Supplemental (if properly joined)