

CIVIL PROCEDURE I
First Assignment*

<u>Class Information</u>		<u>Instructor Information</u>	
Days:	Tues/Fri	Professor:	Darrell A. H. Miller
Time:	Tues 1:30-2:55	E-mail:	darrell.miller@uc.edu
	Fri 10:40-12:05	Telephone:	x60133
Room:	100B	Office:	Room 429

Materials: Casebook: Marcus, Redish & Sherman, CIVIL PROCEDURE: A MODERN APPROACH (5th Ed. 2008)

Rulebook: Federal Civil Rules Supplement (Spencer, ed.)

Supplement: Additional materials distributed as necessary in class or electronically

TWEN: Everyone will be responsible for assignments and communication posted through TWEN.

Attendance: I will take attendance every day. Everyone in class has 4 no-fault passes. A pass can be used for any reason or for no reason. Use of a pass has no effect on your class participation grade. These 4 passes should be sufficient to cover any contingency (sickness, birthdays, unscheduled holidays, hangovers, “I can’t be bothered”). You may also use a pass if you feel unprepared, or if your contribution in class displays that you are unprepared. These rules are subject to modification on a case-by-case basis for students who demonstrate serious hardship.

Grading: Grades will be determined by a combination of an examination at the end of the semester and class participation. Class participation includes in-class answers to questions, class assignments that we may have from time-to-time, and other indicia that you are engaged in the material. Negative class participation can decrease a grade by a step (i.e. A- to B+). Positive class participation can increase a grade by the same degree (i.e., B+ to A-).

Laptops: Laptops may be used in-class for note-taking and appropriate legal research relevant to the course. Laptops or other electronic devices may not be used in class for e-mailing, e-Baying, instant messaging, or other such uses. Such unapproved uses are a distraction and a discourtesy to both your fellow students and to me. I reserve the right to restrict or ban the use of laptops (including use on the final exam) for any violation.

* Syllabus will be distributed first day of class.

ASSIGNMENT

For the first day of class, read *Pennoyer v. Neff* plus notes 1-5 and the section on fraudulent inducement in your Casebook. You may skip note number 6.

In your Rulebook read also the Full Faith and Credit Clause (Art. IV, § 1) and the Fourteenth Amendment to the Constitution.

In addition to explaining to your colleagues the facts of the case and the additional material, be prepared to address the following issues:

1. The Court articulates three circumstances where a state court is permitted to exercise jurisdiction over an out-of-state party; what are they?
2. Of what relevance is the Constitution's Full Faith and Credit Clause in this case?
3. Of what relevance is the Constitution's Fourteenth Amendment to this case?
4. Does anything about the way Mitchell originally notified Neff of the lawsuit strike you as peculiar? Look again at his justification for the notification process.