

Civil procedure

1. Sometimes intervention will not be allowed because permitting to intervene party would destroy diversity.
2. It does not violate due process of a state to exercise personal jurisdiction over any cause of action against the resident of that state, whether or not the claim is related to the in-state activities — **General jurisdiction**.
3. When a suit is brought against an out of court corporation and is based on general jurisdiction, it is clear that the corporation must have contacts with the forum state that are **so continuous & systematic as to render essentially at home in the forum state** — personal jurisdiction. An individual can be served anywhere & that will not violate due process.
4. Defendant waives defense of improper venue by failing to include it in his responsive pleading.
Amendment timeline requires 21 days after the pleading is served.
5. Only parties to the first action (or their privies) may receive the claim of preclusion in second action.
6. When claim under original jurisdiction is dismissed, then the **Court may decline supplemental jurisdiction over a claim**. SOL of 30 days or longer (per the state law).
7. Quasi in Rem jurisdiction can be asserted only in special circumstances where PJ over a D cannot be obtained until the district where action is brought by reasonable efforts to serve a summons.
P needs to satisfy unavailability of in personam Jurisdiction.

8. An appeal lies from an order passed on granting or denying class certification — this Right of appeal is discretionary — Court may permit appeal within 14 days

Federal District Court in diversity would apply the same rule of decision as sitting in the same Court would apply — Erie Doctrine (In the absence of federal statutory law on point)

Klaxon Rule — FC in diversity should apply the State's Choice of Law Rules. P will not get the benefit of a different substantive rule by filing in a federal Court than a state Court.

When there is a Federal question — no amt in controversy req. even in class action suits

When authorised by a federal statute, PJ can be exercised by courts even when D doesn't have minimum contacts.
— subject to due process.

* Multiple plaintiffs may not meet the amt in controversy req. by aggregating their claims unless their claims are "Common & divisible". — Tort claims are not

~~Regress~~ Redirect Examination — only new material matters covered on Cross Examination can be covered as Redirect.

If a party fails to provide information or identify a witness, the party is not allowed to use that info. or witness to supply evidence on a motion unless the failure is substantially justified or is harmless.