

A plane crashed in State C, killing all 120 passengers on board. The deceased passengers were domiciled in States A, B, and C. The plane was owned by an airline incorporated in State A, headquartered in State B, and licensed to do business in State C. The plane's manufacturer is incorporated, headquartered, and licensed to do business in State C.

The estates of the deceased passengers brought an action against the airline and the manufacturer in a State B federal court. The estates assert wrongful death claims on behalf of the deceased passengers to recover \$120 million in damages. The airline and the manufacturer have moved to dismiss for lack of subject-matter jurisdiction.

Should the court grant the defendants' motion?

- A. No, because the court has original jurisdiction under the Multiparty, Multiforum Trial Jurisdiction Act.
- B. No, because the court may exercise supplemental jurisdiction over the claims.
- C. Yes, because the crash giving rise to the dispute occurred in State C.
- D. Yes, because the parties lack complete diversity of citizenship.

## Explanation:

This case does not present a federal question, so **original subject-matter jurisdiction** must be established through **diversity jurisdiction**. This requires an amount in controversy exceeding \$75,000 and *complete* diversity of [citizenship](#). The diversity requirement is typically met if the opposing parties are citizens of different states (not seen here).

However, the **Multiparty, Multiform Trial Jurisdiction Act** (MMTJA) relaxes these requirements for cases arising from an accident in which at least 75 people died at a discrete location. Under this act, original jurisdiction exists when there is **minimal diversity**—ie, at least one plaintiff and one defendant are citizens of different states—and one of the following is established:

- A **defendant resides\* in a different state from** where a substantial part of the **accident occurred**, even if that defendant also resides in the same state as the accident (here, the airline resides in States A, B, and C, while the crash occurred in State C)
- Any **two defendants reside in different states**, even if the defendants also reside in the same state (here, the airline resides in States A, B, and C, while the manufacturer resides in State C)
- Substantial **parts of the accident** occurred **in different states** (not seen here)

Since the MMTJA requirements are satisfied and there is no basis for abstention (see image above), the court has original subject-matter jurisdiction over this minimally diverse action **(Choice D)**. Therefore, the court should deny the defendants' motion to dismiss.

\*For purposes of the MMTJA, a corporation is deemed to reside in any state(s) in which it is incorporated, licensed to do business, or doing business.

**(Choice B)** When a dispute involves multiple claims and only some fall within the court's original subject-matter jurisdiction, supplemental jurisdiction may exist over the remaining claims. Here, all the claims fall within the court's original subject-matter jurisdiction, so supplemental jurisdiction is irrelevant.

**(Choice C)** The fact that the crash occurred in State C may provide a basis to dismiss for improper [venue](#) but not for lack of subject-matter jurisdiction.

## Educational objective:

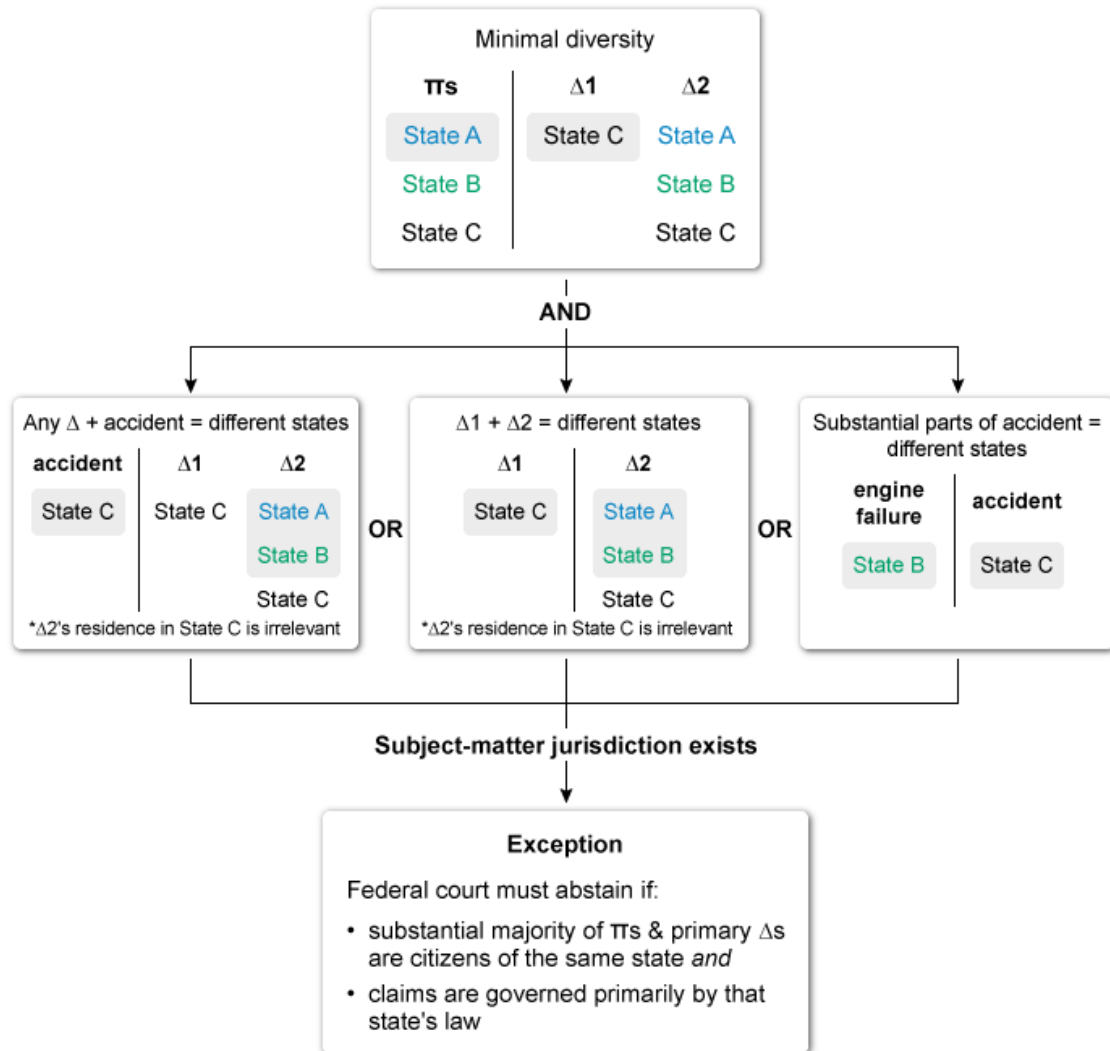
A federal court has original subject-matter jurisdiction over an action in which *minimal* diversity of citizenship exists when the requirements of the Multiparty, Multiform Trial Jurisdiction Act (MMTJA) are satisfied.

## References

- 28 U.S.C. §1369 (Multiparty, Multiforum Trial Jurisdiction Act).

Copyright © UWorld. All rights reserved.

### Multiparty, Multiforum Trial Jurisdiction Act\*



TT = Plaintiff; Δ = Defendant.

\*Applies to cases arising from accidents in which ≥ 75 people died at a discrete location.

©UWorld