

A husband and wife were walking in their neighborhood when an out-of-state driver failed to stop at a crosswalk and struck the wife. The husband, who had jumped out of the way of the vehicle, and the driver got into an argument, which resulted in the driver punching the husband in the face.

The wife brought a negligence action against the driver in federal court to recover \$185,000 for her injuries. The husband joined his wife's suit and asserted a battery claim against the driver to recover \$5,000 in damages he suffered from being punched.

The driver files a pre-answer motion to dismiss the husband's claim for lack of subject-matter jurisdiction.

Should the court grant the driver's motion?

- A. No, because the court has absolute discretion to exercise supplemental jurisdiction over the husband's claim.
- B. No, because the husband's claim arises out of the same common nucleus of operative facts as his wife's claim.
- C. Yes, because the husband's claim does not meet the amount-in-controversy requirement.
- D. Yes, because the husband's claim would contaminate diversity of citizenship.

Explanation:

Subject-matter jurisdiction—ie, a federal court's authority to hear a type of dispute—exists when a dispute satisfies either:

- **federal-question jurisdiction** – the dispute arises under the U.S. Constitution, a treaty, or a federal law (not seen here) *or*
- **diversity jurisdiction** – the opposing parties are **citizens** of different states and the **amount in controversy** exceeds \$75,000.

Here, the couple and the driver live in different states, but only the wife's \$185,000 claim meets the amount-in-controversy requirement. Therefore, the federal court has diversity jurisdiction over the wife's claim—but not the husband's claim.

However, when a dispute involves multiple claims—and only some fall within the court's original subject-matter jurisdiction (as seen here)—the court may exercise **supplemental jurisdiction** to hear the remaining claims. This is generally permitted when these supplemental claims share a **common nucleus of operative facts** with a claim within the court's original subject-matter jurisdiction. But when the **original claim** is based solely on **diversity jurisdiction**, supplemental jurisdiction is **not permitted** if a supplemental claim:

- would **contaminate diversity** of citizenship *or*
- seeks **\$75,000 or less** and is **made by a plaintiff** (1) against **parties added** through joinder, intervention, or impleader or (2) seeking to join through **compulsory joinder** or intervention (**Choice A**).

Here, the couple's claims arise from the same failure to stop. The wife's claim is based on diversity jurisdiction, but the husband's claim would not contaminate diversity of citizenship since he and the driver are from different states (**Choice D**). And though the husband's claim seeks only \$5,000, it is asserted against the *original* defendant and the husband *permissibly* joined the suit. Therefore, the court has supplemental jurisdiction over his claim, and the driver's motion to dismiss should be denied (**Choice C**).

Educational objective:

Supplemental jurisdiction is not permitted when an original claim satisfies diversity jurisdiction and another claim (1) would contaminate diversity of citizenship or (2) seeks \$75,000 or less and is made by a plaintiff against a joining, intervening, or impleaded party OR a plaintiff seeking to join through compulsory joinder or intervention.

References

- 28 U.S.C. § 1367 (supplemental jurisdiction).
- Exxon Mobil Corp. v. Allapattah Servs., 545 U.S. 546, 557–60 (2005) (explaining supplemental jurisdiction).

Subject-matter jurisdiction

