

A farmer from State A purchased farmland from a woman who lives in State B. Prior to the purchase, a private land inspector from State B tested the soil and concluded that it was adequate for farming operations. Upon taking possession of the land, however, the farmer realized that the woman had polluted the soil to such an extent that he could not maintain farming operations.

The farmer sued the woman in federal court under a federal environmental statute for \$300,000. The farmer also joined the inspector to this suit to recover \$50,000 for the inspector's negligent inspection of the land.

The inspector filed a motion to dismiss the farmer's claim against him for lack of subject-matter jurisdiction.

How will the court likely rule on the inspector's motion?

- A. Deny the motion, because although there is no federal-question or diversity jurisdiction over the farmer's claim against the inspector, there is supplemental jurisdiction over this claim.
- B. Deny the motion, because there is federal-question jurisdiction over the farmer's claim against the inspector.
- C. Grant the motion, because a federal court can never hear a claim over which it does not have federal-question or diversity jurisdiction.
- D. Grant the motion, because there is no federal-question, diversity, or supplemental jurisdiction over the farmer's claim against the inspector.

Explanation:

Subject-matter jurisdiction refers to a federal court's authority to hear a type of dispute. This requirement is met when a dispute falls within either:

- **federal-question jurisdiction** – the dispute arises under the U.S. Constitution, a treaty, or a federal law *or*
- **diversity jurisdiction** – the opposing parties are **citizens** of different states and the **amount in controversy** for each claim exceeds \$75,000.

Here, federal-question jurisdiction exists over the farmer's claim against the woman because it arises under the *federal* statute. But such jurisdiction does not exist over his *state* law negligence claim against the inspector (**Choice B**). And though the opposing parties reside in different states (States A and B), the federal court lacks diversity jurisdiction over this claim since the amount in controversy is merely \$50,000.

When only some claims in a dispute fall within the court's original subject-matter jurisdiction (as seen here), the court can exercise **supplemental jurisdiction** to hear the remaining claims in some instances (**Choice C**). This is permitted when a supplemental claim shares a **common nucleus of operative facts** with a claim within the court's original subject-matter jurisdiction. But if the **original claim** is based on **federal-question jurisdiction**, the court can decline to exercise supplemental jurisdiction for any of the following **discretionary reasons**:

- the supplemental claim raises a novel/complex state law issue
- the supplemental claim predominates over the original claims
- the original claims have been dismissed *or*
- another compelling reason exists.

Here, the farmer's claims share a common nucleus of operative facts because they arise from the same polluted soil. And since the farmer's claim against the woman is based on federal-question jurisdiction—and none of the discretionary reasons apply—the court may exercise supplemental jurisdiction over his claim against the inspector. As a result, the court will likely deny the inspector's motion to dismiss (**Choice D**).

Educational objective:

A federal court will generally exercise supplemental jurisdiction over a claim that falls outside of its original subject-matter jurisdiction if it shares a common nucleus of operative facts with a claim that arises under federal-question jurisdiction—unless it declines to do so for a discretionary reason.

References

- 28 U.S.C. § 1367 (supplemental jurisdiction).

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

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Subject-matter jurisdiction

