

A driver from the Western District of State A was involved in a traffic collision in the Northern District of State B with a truck owned and operated by a shipping company incorporated in the Eastern District of State B. The shipping company does the bulk of its business in the Southern District of State B, where its headquarters are located. The employee who drove the truck was terminated by the shipping company. The employee is a resident of State C, which has one federal judicial district.

If the driver files a joint complaint against the shipping company and its former employee, in which federal judicial district(s) would venue be proper?

- A. The Western District of State A.
- B. The Northern District of State B.
- C. The Western District of State A and the Northern District of State B.
- D. The Eastern District of State B, the Southern District of State B, and the District of State C.

Explanation:

Venue refers to the federal judicial districts where a case may be heard and can be established in the following ways:

- **Residency-based venue** – a district where any defendant *resides*, if *all* of the defendants reside in the same state
- **Events-based venue** – a district where a substantial part of the events that gave rise to the suit occurred
- **Property-based venue** – a district where a substantial part of the property at issue is located (not seen here)
- **Fallback provision** – a district where any defendant is subject to the court's personal jurisdiction (only applies if none of the above provisions can be established)

For venue purposes, a corporate defendant (eg, the shipping company) is a resident of any judicial district where it is subject to *personal jurisdiction*—eg, where it is incorporated or maintains its headquarters.

Here, venue is improper in the Western District of State A (where the driver resides) because venue is never based on the plaintiff's residence (**Choices A & C**). And residency-based venue does not apply here because the defendants are residents of *different* states—the company is incorporated and headquartered in State B, while the former employee is a resident of State C (**Choice D**). However, events-based venue is always available, so venue is proper in the Northern District of State B—where the accident occurred.

Educational objective:

Venue is proper in any federal district where (1) any defendant resides, as long as all defendants reside in the same state, (2) a substantial part of the events occurred, (3) the property at issue is located, or (4) any defendant is subject to personal jurisdiction—but only if venue does not arise under the preceding provisions.

References

- 28 U.S.C. § 1391(b) (proper venue).

Proper venue
(28 U.S.C. § 1391)

Proper in *all* of the following districts:

Residency-based



Events-based



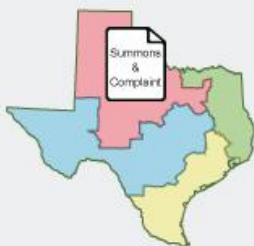
Property-based



OR

Proper in any district with *personal jurisdiction* over defendant

Service of process



Consent



Specific
(minimum contacts)



General
(domicile)

