

Discussion Problems No. 3

1. Andrew, a citizen of Tennessee, wants to sue Baker, a citizen of North Carolina, for breach of contract in the amount of \$30,000 and for personal injuries of \$50,000 arising out of a car accident. Can Andrew sue in U.S. District Court for the Eastern District of Tennessee?
2. Charlie and Daniel want to sue Evan for personal injuries arising out of a car accident. Charlie has damages of \$50,000; Daniel also has injuries of \$50,000. Charlie and Daniel are from Alabama. Evan is from Tennessee. Can Charlie and Daniel sue Evan in federal court? What if their claims (in the same amounts) were for damage to a piece of property they owned jointly?
3. Answer questions 1-4 on page 733-743.
4. Fred (FL) sues Geoff (GA) for breach of contract alleging damages of \$100,000. Geoff has an unrelated claim against Fred for personal injuries from a boating accident in the amount of \$80,000. Can he assert it? Must he? Fred has a claim against Geoff for damage to the boat as a result of the accident. The claim is for \$5,000. Can he assert it in the initial complaint? Must he? Assume he does not, but that Geoff asserts his claim as a counterclaim. Can Fred assert his boat damage claim in response? Must he?
5. Henry, Icabod, and Jim (all citizens of different states) are involved in a three car accident. Each one says the other two are at fault. All three have damages of greater than \$75,000. Henry sues Icabod in federal court. Does Henry have to join Jim as a party? Is there any way that Icabod can get Jim into the suit?
6. Kevin, Linda, and Mary are parties to a contract. Kevin, Linda, and Ned are parties to a second contract. Kevin, from Arkansas, sues Linda and Mary who are both from Kentucky for breach of the first contract alleging damages of \$500,000. Can Kevin assert a claim against Linda for breach of the second contract? If the answer is yes, can Kevin then join Ned as a defendant based on a breach of the second contract for damages in excess of \$75,000?
7. In number 5 above, assume that Henry sues both Icabod and Jim. Can Jim assert a claim to recover money he loaned to Icabod that Icabod refuses to repay?
8. Answer question 6 on page 765.