

No. 25-1106

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**In the Supreme Court of the United States**

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JAMES ETHRIDGE,  
*Petitioner,*

v.

SAMSUNG SDI Co.,  
*Respondent.*

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On Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Fifth Circuit

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**REPLY BRIEF IN SUPPORT OF CERTIORARI**

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**QUESTION PRESENTED**

When a company directly and regularly sells a product into a state, and that product causes injury in the state to one of the state's residents, does the Fourteenth Amendment's Due Process Clause forbid the state from exercising personal jurisdiction over the company solely because the company took steps to limit sales only to some purchasers, for some uses, within the state?

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*Peters v. Samsung SDI Co.*,  
2025 WL 2902144 (Minn. Ct. App. 2025)..... 1, 2

## REPLY BRIEF

Samsung concedes that certiorari is warranted. It agrees that there is a “well-recognized conflict” on the question presented. BIO 8. It agrees that the question is “exceptionally important.” BIO 9. And it agrees that this case is an “excellent vehicle[]” for resolving the question, with “no disputed facts.” BIO 11. Because “there is no dispute” that Samsung sells 18650 batteries directly to Texas, nor any dispute that “[t]he individual 18650 batteries that Samsung sells into Texas are identical to the individual 18650 battery that injured the petitioner,” Pet. 23, 31, the only relevant dispute is one of law: Is there an exception to *Ford’s* rule when a defendant takes steps to limit sales of its product only to some buyers, for some uses, within the state? This Court should grant the petition and resolve that clean legal question.

There is no need for this Court to also grant certiorari in *Samsung SDI Co. v. Peters*, No. 25-1156, and to consolidate the cases for briefing and argument. *Contra* BIO 11–12. That petition was filed after this one, and Samsung identifies no relevant differences between the two cases. To the contrary, it says that both are “excellent vehicles.” BIO 11. So nothing is to be gained by granting certiorari in both cases and consolidating them. Samsung suggests that consolidation would be beneficial because this case comes from a federal court, while *Peters* comes from a state court. *Id.* But it gives no reason why this distinction should matter, and it’s hard to see how it could.

If anything, this case is a better vehicle than *Peters*. In *Peters*, Samsung has maintained that its contacts with the forum state are “limited to the sale of fully assembled, sealed battery packs,” and the court assumed this to be true. *Peters v. Samsung SDI Co.*, 2025 WL 2902144, at \*2 (Minn. Ct. App. 2025); *see id.* at \*7–\*8 (holding that

relatedness was met even though Samsung “shipped its 18650 battery cells in sealed battery packs”). Yet the plaintiff was injured by an individual battery. If the Court were to grant the petition in that case, then, it may have to answer the antecedent question whether Samsung sold the same product in the state that injured the plaintiff. And it may have to do so on a record that the court in *Peters* observed was not “clear” on this point. *Id.* at \*5 n.8.

By contrast, Samsung has conceded that it shipped individual 18650 batteries directly, and in bulk, to Texas, ROA.643, and the Fifth Circuit saw “no reason to believe that those 18650 batteries are different in any way from the 18650 battery that exploded in Ethridge’s pocket.” Pet. App. 19a. So this Court wouldn’t have to address any antecedent question if it granted the petition in this case.

Further, the unique history of this case means that the question presented couldn’t be more case-dispositive or cleanly teed up. The Fifth Circuit ruled for Samsung for one reason, and one reason only: because of the steps that Samsung took to limit sales of its 18650 batteries only to some buyers, for some uses, in Texas. The case thus poses a clear referendum on that line of reasoning.

In short, a double grant is unwarranted. The Court should instead grant the petition in this case, hold the petition in *Peters*, and then dispose of the petition in *Peters* accordingly after issuing its decision on the merits.

### CONCLUSION

This Court should grant the petition for certiorari.

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Respectfully submitted,

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