

04-70 EXXON CORPORATION V. ALLAPATTAH SERVICES, INC.

DECISION BELOW: 333 F3d 1248

LOWER COURT CASE NUMBER: 01-15575, 01-16244

QUESTION PRESENTED:

1. Whether the supplemental jurisdiction statute, 28 U.S.C. § 1367, authorizes federal courts with diversity jurisdiction over the individual claims of named plaintiffs to exercise supplemental jurisdiction over the claims of absent class members that do not satisfy the minimum amount- in-controversy requirement?
2. Whether Rule 23 of the Federal Rules of Civil Procedure authorizes the certification of a multi-state class action where individual reliance by each class member is at issue and where the predominance of common issues can be established only by distorting the law of the applicable states?

LIMITED TO QUESTION 1 PRESENTED BY THE PETITION. CONSOLIDATED WITH 04-79 FOR 90 MINUTES ORAL ARGUMENT.

CERT. GRANTED 10/12/2004