

24-1113 NJ TRANSIT CORP. V. COLT

DECISION BELOW: 2024 WL 4874365

LOWER COURT CASE NUMBER: 72

QUESTION PRESENTED:

States are entitled to sovereign immunity from private suits in other States' courts, including state-created entities that function as "arms of the State." Petitioner New Jersey Transit (NJ Transit), a state-created entity, was named as a defendant in a private suit in New York. The New York Court of Appeals relied primarily on the financial impact of a judgment against NJ Transit to hold that NJ Transit was not an arm of New Jersey—even as previous and subsequent state and federal courts held exactly the opposite. The questions presented are:

(1)

Whether a State's formal financial liability for a judgment against a state-created entity carries more weight in assessing whether that entity is an arm of the State than other factors, including the State's own characterization of that entity.

(2)

Whether NJ Transit is an arm of the State of New Jersey for interstate sovereign immunity purposes.

THE PETITIONS FOR WRITS OF CERTIORARI ARE GRANTED, LIMITED TO THE FOLLOWING QUESTION: WHETHER THE NEW JERSEY TRANSIT CORPORATION IS AN ARM OF THE STATE OF NEW JERSEY FOR INTERSTATE SOVEREIGN IMMUNITY PURPOSES.

CONSOLIDATED FOR ONE HOUR ORAL ARGUMENT WITH 24-1021.

CERT. GRANTED 7/3/2025