

Case Brief

Civ Pro F2: specific in personam jurisdiction

Bauer, 2/18/15

Identity of Case

Keeton v. Hustler Magazine, Inc, 465 U.S. 770 (1984); Calder v. Jones, 465 U.S. 783 (1984)

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Summary of Facts/Procedural History

Keeton: libelous article published nationwide, Keeton is a citizen of Illinois, every state statute of limitations has passed except for New Hampshire's. Plaintiff sues in NH for harm done in NH and harm done nationwide as a result of the libel. Hustler protests personal jurisdiction.

Jones is the subject of a national inquirer article which she considers libelous, and sues in California where she is a citizen. The writer and the editor who are residents of Florida object to personal jurisdiction, saying they have no contact in the state.

Statement of the Issue

Do these courts have jurisdiction over these cases based on libel?

Holding

Yes, and it appears the test for personal jurisdiction for libel may be a little more flexible due to the fact that it is an intentional tort.

Reasoning

Keeton: there was harm in NH and the magazine was published nationally. The national harm was fairly joined. "its ok guys."

Calder: the case intimately concerns California, the parties reached out to harm a California resident who was injured in California and who worked in California, etc.

Evaluation