Purpose of the Course: To enhance the student’s knowledge of civil procedure, and its application to issues arising in actual complex civil litigation, including strategic considerations. Students will also have an opportunity to improve their advocacy and analytical skills by arguing in class motions based on the material under study. Class discussion is strongly encouraged.

Course Materials: The book we will be using is Marcus & Sherman, Complex Litigation: Advanced Civil Procedure (4th ed. 2004) (“Marcus”). Additional materials will be handed out in class.

Classes: The class is scheduled to meet for two hours a week, on Thursdays from 2:10 to 4:00 p.m.

Attendance and Preparation: Students are expected to attend and prepare for class. If you will be missing class for a compelling reason, please advise me by email so that I will know not to expect you.

Final Grade for the Course: The final grade will be determined by the examination, with an appropriate adjustment upward for outstanding class performance.

Final Exam: The final exam will be based on a series of problems similar in format to the motions argued in class. There will be no multiple choice questions or similar type of testing. I am looking for analysis, not correct answers to narrowly focused questions.
Communications: The best way to contact me is by email. I will reply promptly. While I do not maintain regular office hours, if you need to meet with me we can arrange an appointment before or after class. I will also be available after every class to answer questions.

Assignments: The assignment for each of the fourteen classes is set forth below:


2. [August 28, 2008] Problem 1: Permissive Joinder of Plaintiffs; Marcus 39 – 60 [permissive and compulsory joinder]; basic principles of federal supplemental jurisdiction; 28 U.S.C. § 1367 (handout); problems re federal supplemental jurisdiction (handout).


8. [October 16, 2008] Problem 7: Maintenance of Class Actions; Marcus 330 – 71 [types of class actions maintainable; defendant class actions].


