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Complex Litigation

C. Douglas Floyd, Richard D. Freer, and Bradley G. Clary E. Thomas Sullivan

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This unique coursebook has a number of distinguishing features. First, unlike traditional casebooks with their primary focus on case materials, the text presents a limited number of leading cases, coupled with extensive textual and note material reviewing existing doctrine and exploring unanswered legal and policy issues. Second, the text is current on cutting-edge issues while still paying attention to the fundamentals. Third, the text is both compact and comprehensive. This text aims to be state-of-the-art in the field of complex litigation and is designed for use in ether two- or three-unit courses.

In addition to structural issues, such as Internet jurisdiction, the use of "minimal diversity" as a basis for federal jurisdiction, and mechanisms for the coordination of overlapping federal and state litigation, the text contains in-depth discussion of: The most recent developments in class action practice under Federal Rule 23; appointment and compensation of lead and class counsel; operation of the multidistrict statute; choice of law issues in multijurisdictional cases; and preclusion issues raised by complex cases, including limits on the use of non-party preclusion under the Supreme Court's decision in *Taylor v. Sturgell*.

The text also examines core aspects of the complex litigation process itself, including judicial management of the pre-trial process, the conduct and control of discovery with a focus on the burgeoning field of electronic discovery including metadata, and mechanisms for disposing of cases without trial, including comprehensive treatment of the Supreme Court's recent decisions facilitating dismissal of cases on the pleadings, and the increasing prevalence of arbitration and waivers of class arbitration.

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