

95 S.Ct. 553

Supreme Court of the United States

Carol Maureen SOSNA, etc., Appellant,

v.

State of IOWA et al.

No. 73—762.

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Argued Oct. 17, 1974.

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Decided Jan. 14, 1975.

Synopsis

A wife whose petition for divorce had been dismissed by an Iowa court because she failed to meet the state statutory requirement that a petitioner in a divorce action be a resident of the state for one year preceding the filing of the petition brought a class action seeking to have the residency requirement declared unconstitutional. A three-judge panel convened by the United States District Court for the Northern District of Iowa, 360 F.Supp. 1182, upheld the constitutionality of the statute, and the wife appealed. The Supreme Court, Mr. Justice Rehnquist, held that the one-year residency requirement was justified on grounds of the state's interest in requiring those seeking a divorce from its courts to be genuinely attached to the state, as well as by the state's desire to insulate its divorce decrees from the likelihood of successful collateral attack. The Court further held that the requirement did not violate the due process clause of the Fourteenth Amendment in that it denied a litigant the opportunity to make an individualized showing of bona fide residence and thus barred access to the divorce courts.

Affirmed.

Mr. Justice White dissented and filed opinion.

Mr. Justice Marshall dissented and filed opinion in which Mr. Justice Brennan joined.

West Headnotes (7)

[1] **Federal Courts** 🔑 Waiver, estoppel, and consent

While parties may be permitted to waive nonjurisdictional defects, they may not by stipulation invoke judicial power of United States in litigation which does not present actual "case or controversy." U.S.C.A.Const. art. 3 § 1 et seq.

168 Cases that cite this headnote

[2] **Constitutional Law** 🔑 Mootness

Although wife's action to have state's one-year divorce residency requirement held unconstitutional would have become moot if suit had been brought only on her own behalf, since one-year period elapsed while case was still pending, mootness did not occur where suit was brought as class action on behalf of all divorce plaintiffs in state who did not satisfy residency requirement, since controversy remained very much alive for class of persons plaintiff had been certified to represent. I.C.A. §§ 598.6, 598.9; U.S.C.A.Const. art. 3, § 1 et seq.; Fed.Rules Civ.Proc. rule 23, 28 U.S.C.A.

636 Cases that cite this headnote

[3] **Federal Civil Procedure** 🔑 Effect of mootness

In class action, there must not only be named plaintiff who has case or controversy at time complaint is filed and at time class action is certified by district court, but there must also be live controversy at time case is reviewed by Supreme Court. U.S.C.A.Const. art. 3, § 1 et seq.; Fed.Rules Civ.Proc. rule 23, 28 U.S.C.A.

869 Cases that cite this headnote

[4] **Federal Civil Procedure** 🔑 Effect of mootness

Named plaintiff in class action must show that threat of injury is “real and immediate,” not “conjectural” or “hypothetical.” U.S.C.A.Const. art. 3, § 1 et seq.; Fed.Rules Civ.Proc. rule 23, 28 U.S.C.A.

291 Cases that cite this headnote

[5] **Federal Civil Procedure** 🔑 Representation of class; typicality; standing in general

Litigant in class action must be member of class which he or she seeks to represent at time class action is certified by district court. Fed.Rules Civ.Proc. rule 23, 28 U.S.C.A.

436 Cases that cite this headnote

[6] **Constitutional Law** 🔑 Unit of government, residence, and geographic location in general

Divorce 🔑 Constitutional and statutory provisions

One-year residency requirement for divorce was not unconstitutional on ground that it established two classes of persons and discriminated against those who had recently exercised their right to travel to state, since residency requirement did not irretrievably foreclose divorced plaintiff from obtaining some part of what she sought and could reasonably be justified on grounds of state's interest in requiring those seeking divorce from its courts to be genuinely attached to the state, as well as state's desire to insulate its divorce decrees from likelihood of successful collateral attack. I.C.A. §§ 598.6, 598.9; 28 U.S.C.A. §§ 1331(a), 1343(3), 2281, 2284; U.S.C.A.Const. art. 4, § 1; Amend. 11; 58 I.C.A. Rules of Civil Procedure, rules 66, 104.

95 Cases that cite this headnote

[7] **Constitutional Law** 🔑 Termination; divorce, dissolution, and separation

Divorce 🔑 Constitutional and statutory provisions

State's durational divorce residency requirement did not violate due process clause of Fourteenth Amendment on asserted ground that it denied litigant opportunity to make individualized showing of bona fide residence and thus barred access to divorce courts. I.C.A. §§ 598.6, 598.9; U.S.C.A.Const. Amend. 14.

77 Cases that cite this headnote

****554 Syllabus** *

***393** Appellant's petition for divorce was dismissed by an Iowa trial court for lack of jurisdiction because she failed to meet the Iowa statutory requirement that a petitioner in a divorce action be a resident of the State for one year preceding the filing of the petition. Appellant then brought a class action under Fed.Rule Civ.Proc. 23 in the Federal District Court against appellees State and state trial judge, asserting that Iowa's durational residency requirement violated the Federal Constitution on equal protection and due process grounds and seeking injunctive and declaratory relief. After certifying that appellant represented the class of persons residing in Iowa for less than a year who desired to initiate divorce actions, the three-judge District Court upheld the constitutionality of the statute. Held:

1. The fact that appellant had long since satisfied the durational residency requirement by the time the case reached this Court does not moot the case, since the controversy remains very much alive for the class of unnamed persons whom she represents and who, upon certification of the class action, acquired a legal status separate from her asserted interest. *Dunn v. Blumstein*, 405 U.S. 330, 92 S.Ct. 995, 31 L.Ed.2d 274. Pp. 556—559.

(a) Where, as here, the issue sought to be litigated escapes full appellate review at the behest of any single challenger, the case does not inexorably become moot by the intervening resolution of the controversy as to the named plaintiffs. P. 558.

(b) At the time the class action was certified, appellant demonstrated a ‘real and immediate’ threat of injury and belonged to the class that she sought to represent. P. 559.

(c) The test of [Rule 23\(a\)](#) that the named representative in a class action ‘fairly and adequately protect the interests of the class,’ is met here, where it is unlikely that segments of the class represented would have interests conflicting with appellant’s, and the interests of the class have been competently urged at each level of the proceeding. P. 559.

***394** 2. The Iowa durational residency requirement for divorce is not unconstitutional. Pp. 559—563.

(a) Such requirement is not unconstitutional on the alleged ground that it establishes two classes of persons and discriminates against those who have recently exercised their right to travel to Iowa. Appellant was not irretrievably foreclosed from obtaining some part of what she sought, and such requirement may reasonably be justified on grounds of the State’s interest in requiring those seeking a divorce from its courts to be genuinely attached to the State, as well as of the State’s desire to insulate its divorce ****555** decrees from the likelihood of successful collateral attack. [Shapiro v. Thompson](#), 394 U.S. 618, 89 S.Ct. 1322, 22 L.Ed.2d 600; [Dunn](#), *supra*; [Memorial Hospital v. Maricopa County](#), 415 U.S. 250, 94 S.Ct. 1076, 39 L.Ed.2d 306, distinguished. Pp. 560—562.

(b) Nor does the durational residency requirement violate the Due Process Clause of the Fourteenth Amendment on the asserted ground that it denies a litigant the opportunity to make an individualized showing of bona fide residence and thus bars access to the divorce courts. Even if appellant could make an individualized showing of physical presence plus the intent to remain, she would not be entitled to a divorce, for Iowa requires not merely ‘domicile’ in that sense, but residence in the State for one year. See [Vlandis](#)

[v. Kline](#), 412 U.S. 441, 452, 93 S.Ct. 2230, 2236, 37 L.Ed.2d 63. Moreover, no total deprivation of access to divorce courts but only delay in such access is involved here. [Boddie v. Connecticut](#), 401 U.S. 371, 91 S.Ct. 780, 28 L.Ed.2d 113, distinguished. Pp. 562—563.

D.C., 360 F.Supp. 1182, affirmed.

Attorneys and Law Firms

James H. Reynolds, Dubuque, Iowa, for appellant.

Elizabeth A. Nolan, Des Moines, Iowa, for appellees.

Opinion

***395** Mr. Justice REHNQUIST delivered the opinion of the Court.

Appellant Carol Sosna married Michael Sosna on September 5, 1964, in Michigan. They lived together in New York between October 1967 and August 1971, after which date they separated but continued to live in New York. In August 1972, appellant moved to Iowa with her three children, and the following month she petitioned the District Court of Jackson County, Iowa, for a dissolution of her marriage. Michael Sosna, who had been personally served with notice of the action when he came to Iowa to visit his children, made a special appearance to contest the jurisdiction of the Iowa court. The Iowa court dismissed the petition for lack of jurisdiction, finding that Michael Sosna was not a resident of Iowa and appellant had not been a resident of the State of Iowa for one year preceding the filing of her petition. In so doing the Iowa court applied the provisions of [Iowa Code s 598.6 \(1973\)](#) requiring that the petitioner in such an action be ‘for the last year a resident of the state.’¹

Instead of appealing this ruling to the Iowa appellate courts, appellant filed a complaint in the United States District Court for the Northern District of Iowa asserting that Iowa’s durational residency requirement for invoking ***396** its divorce jurisdiction violated the United States Constitution. She sought both injunctive and declaratory relief against the appellees in this case, one of whom is the State of Iowa,² and the other of ****556** which is the judge of the District Court of Jackson County, Iowa, who had previously dismissed her petition.

A three-judge court, convened pursuant to 28 U.S.C. ss 2281, 2284, held that the Iowa durational residency requirement was constitutional. 360 F.Supp. 1182 (1973). We noted probable jurisdiction, 415 U.S. 911, 94 S.Ct. 1405, 39 L.Ed.2d 465 (1974), and directed the parties to discuss ‘whether the United States District Court should have proceeded to the merits of the constitutional issue presented in light of *Younger v. Harris*, 401 U.S. 37, 91 S.Ct. 746, 27 L.Ed.2d 669 (1971) and related cases.’ For reasons stated in this opinion, we decide that this case is not moot, and hold that the Iowa durational residency requirement for divorce does not offend the United States Constitution.³

*397 I

Appellant sought certification of her suit as a class action pursuant to Fed.Rule Civ.Proc. 23 so that she might represent the ‘class of those residents of the State of Iowa who have resided therein for a period of less than one year and who desire to initiate actions for dissolution of marriage or legal separation, and who are barred from doing so by the one-year durational residency requirement embodied in Sections 598.6 and 598.9 of the Code of Iowa.’⁴ The parties stipulated that there were in the State of Iowa ‘numerous people in the same situation as plaintiff,’ that joinder of those persons was impracticable, that appellant’s claims were representative of the class, and that she would fairly and adequately protect the interests of the class. See Rule 23(a). This stipulation was approved by the District *398 Court in a pretrial order.⁵ After the submission of briefs and proposed findings of fact and conclusions of law by the parties, the three-judge court by a divided vote upheld the constitutionality of the statute.

[1] While the parties may be permitted to waive nonjurisdictional defects, they may not by stipulation invoke the judicial power of the United States in litigation which does not present an **557 actual ‘case or controversy,’ *Richardson v. Ramirez*, 418 U.S. 24, 94 S.Ct. 2655, 41 L.Ed.2d 551 (1974), and on the record before us we feel obliged to address the question of mootness before reaching the merits of appellant’s claim. At the time the judgment of the three-judge court was handed down, appellant had not yet resided in Iowa for one year, and that court was

clearly presented with a case or controversy in every sense contemplated by Art. III of the Constitution.⁶ By the time her case reached this Court, however, appellant had long since satisfied the Iowa durational residency requirement, and Iowa Code s 598.6 (1973) no longer stood as a barrier to her attempts to secure dissolution of her marriage in the Iowa courts.⁷ This is not an unusual development in a case challenging the validity of a durational residency requirement, for in many cases appellate review *399 will not be completed until after the plaintiff has satisfied the residency requirement about which complaint was originally made.

[2] If appellant had sued only on her own behalf, both the fact that she now satisfies the one-year residency requirement and the fact that she has obtained a divorce elsewhere would make this case moot and require dismissal. *Alton v. Alton*, 207 F.2d 667 (CA3 1950), dismissed as moot, 347 U.S. 610, 74 S.Ct. 736, 98 L.Ed. 987 (1954); *SEC v. Medical Committee for Human Rights*, 404 U.S. 403, 92 S.Ct. 577, 30 L.Ed.2d 560 (1972). But appellant brought this suit as a class action and sought to litigate the constitutionality of the durational residency requirement in a representative capacity. When the District Court certified the propriety of the class action, the class of unnamed persons described in the certification acquired a legal status separate from the interest asserted by appellant.⁸ We are of the view that this factor significantly affects the mootness determination.

In *Southern Pacific Terminal Co. v. ICC*, 219 U.S. 498, 31 S.Ct. 279, 55 L.Ed. 310 (1911), where a challenged ICC order had expired, and in *Moore v. Ogilvie*, 394 U.S. 814, 89 S.Ct. 1493, 23 L.Ed.2d 1 (1969), where petitioners sought to be certified as candidates in an election that had already been held, the Court expressed its concern that the defendants in those cases could be expected again to act contrary to the rights asserted by the particular named plaintiffs involved, and in each case the controversy was held not to be moot because the questions presented were ‘capable of repetition, yet *400 evading review.’ That situation is not presented in appellant’s case, for the durational residency requirement enforced by Iowa does not at this time bar her from the Iowa courts. Unless we were

to speculate that she may move from Iowa, only to return and later seek a divorce within one year from her return, the concerns that prompted this Court's holdings in *Southern Pacific* and *Moore* do not govern appellant's situation. But even though appellees in this proceeding **558 might not again enforce the Iowa durational residency requirement against appellant, it is clear that they will enforce it against those persons in the class that appellant sought to represent and that the District Court certified. In this sense the case before us is one in which state officials will undoubtedly continue to enforce the challenged statute and yet, because of the passage of time, no single challenger will remain subject to its restrictions for the period necessary to see such a lawsuit to its conclusion.

This problem was present in *Dunn v. Blumstein*, 405 U.S. 330, 92 S.Ct. 995, 31 L.Ed.2d 274 (1972), and was there implicitly resolved in favor of the representative of the class. Respondent Blumstein brought a class action challenging the Tennessee law which barred persons from registering to vote unless, at the time of the next election, they would have resided in the State for a year and in a particular county for three months. By the time the District Court opinion was filed, Blumstein had resided in the county for the requisite three months, and the State contended that his challenge to the county requirement was moot. The District Court rejected this argument, *Blumstein v. Ellington*, 337 F.Supp. 323, 324—326 (M.D.Tenn.1970). Although the State did not raise a mootness argument in this Court, we observed that the District Court had been correct:

‘Although appellee now can vote, the problem to voters posed by the Tennessee residence requirements *401 is “capable of repetition, yet evading review.”’ 405 U.S., at 333 n. 2, 92 S.Ct., at 998.

Although the Court did not expressly note the fact, by the time it decided the case Blumstein had resided in Tennessee for far more than a year.

The rationale of *Dunn* controls the present case. Although the controversy is no longer alive as to appellant Sosna, it remains very much alive for the class of persons she has been certified to represent. Like the other voters in *Dunn*, new residents of Iowa are aggrieved by an allegedly unconstitutional statute enforced by state officials. We believe that a case such

as this, in which, as in *Dunn*, the issue sought to be litigated escapes full appellate review at the behest of any single challenger, does not inexorably become moot by the intervening resolution of the controversy as to the named plaintiffs.⁹ *Dunn*, supra; *Rosario v. Rockefeller*, 410 U.S. 752, 756 n. 5, 93 S.Ct. 1245, 1249, 36 L.Ed.2d 1 (1973); *Vaughan v. Bower*, 313 F.Supp. 37, 40 (Ariz.), aff'd, 400 U.S. 884, 91 S.Ct. 139, 27 L.Ed.2d 129 (1970).¹⁰ We note, however, *402 that the same exigency that justifies this doctrine serves to identify its limits. In cases in which the alleged harm would not dissipate during the normal time required for resolution of the controversy, the general principles of Art. III jurisdiction require that the plaintiff's personal stake **559 in the litigation continue throughout the entirety of the litigation.

[3] Our conclusion that this case is not moot in no way detracts from the firmly established requirement that the judicial power of Art. III courts extends only to ‘cases and controversies’ specified in that Article. There must not only be a named plaintiff who has such a case or controversy at the time the complaint is filed, and at the time the class action is certified by the District Court pursuant to *Rule 23*,¹¹ but there must be a live controversy at the time this Court reviews the case.¹² *SEC v. Medical Committee for Human Rights*, supra. The controversy may exist, however, between a named defendant and a member of the class represented by the named plaintiff, even though the claim of the named plaintiff has become moot.

[4] [5] In so holding, we disturb no principles established by our decisions with respect to class-action litigation. A *403 named plaintiff in a class action must show that the threat of injury in a case such as this is ‘real and immediate,’ not ‘conjectural’ or ‘hypothetical.’ *O’Shea v. Littleton*, 414 U.S. 488, 494, 94 S.Ct. 669, 675, 38 L.Ed.2d 674 (1974); *Golden v. Zwickler*, 394 U.S. 103, 109—110, 89 S.Ct. 956, 960—961, 22 L.Ed.2d 113 (1969). A litigant must be a member of the class which he or she seeks to represent at the time the class action is certified by the district court. *Bailey v. Patterson*, 369 U.S. 31, 82 S.Ct. 549, 7 L.Ed.2d 512 (1962); *Rosario*, supra; *Hall v. Beals*, 396 U.S. 45, 90 S.Ct. 200, 24 L.Ed.2d 214 (1969). Appellant Sosna satisfied these criteria.

This conclusion does not automatically establish that appellant is entitled to litigate the interests of the class she seeks to represent, but it does shift the focus of examination from the elements of justiciability to the ability of the named representative to ‘fairly and adequately protect the interests of the class.’ [Rule 23\(a\)](#). Since it is contemplated that all members of the class will be bound by the ultimate ruling on the merits, [Rule 23\(c\)\(3\)](#), the district court must assure itself that the named representative will adequately protect the interests of the class. In the present suit, where it is unlikely that segments of the class appellant represents would have interests conflicting with those she has sought to advance,¹³ and where the interests of that class have been competently urged at each level of the proceeding, we believe that the test of [Rule 23\(a\)](#) is met. We therefore address ourselves to the merits of appellant's constitutional claim.

*404 II

The durational residency requirement under attack in this case is a part of Iowa's comprehensive statutory regulation of domestic relations, an area that has long been regarded as a virtually exclusive province of the States. Cases decided by this Court over a period of more than a century bear witness to this **560 historical fact. In [Barber v. Barber](#), 21 How. 582, 584, 16 L.Ed. 226 (1859), the Court said: ‘We disclaim altogether any jurisdiction in the courts of the United States upon the subject of divorce . . .’ In [Penoyer v. Neff](#), 95 U.S. 714, 734—735, 24 L.Ed. 565 (1878), the Court said: ‘The State . . . has absolute right to prescribe the conditions upon which the marriage relation between its own citizens shall be created, and the causes for which it may be dissolved,’ and the same view was reaffirmed in [Simms v. Simms](#), 175 U.S. 162, 167, 20 S.Ct. 58, 60, 44 L.Ed. 115 (1899).

The statutory scheme in Iowa, like those in other States, sets forth in considerable detail the grounds upon which a marriage may be dissolved and the circumstances in which a divorce may be obtained. Jurisdiction over a petition for dissolution is established by statute in ‘the county where either party resides,’ [Iowa Code s 598.2 \(1973\)](#), and the Iowa courts have construed the term ‘resident’ to have much the same meaning as is ordinarily associated

with the concept of domicile. [Korsrud v. Korsrud](#), 242 Iowa 178, 45 N.W.2d 848 (1951). Iowa has recently revised its divorce statutes, incorporating the no-fault concept,¹⁴ but it retained the one-year durational residency requirement.

The imposition of a durational residency requirement for divorce is scarcely unique to Iowa, since 48 States impose such a requirement as a condition for maintaining *405 an action for divorce.¹⁵ As might be expected, the periods vary among the States and range from six weeks¹⁶ to two years.¹⁷ The one-year period selected by Iowa is the most common length of time prescribed.¹⁸

Appellant contends that the Iowa requirement of one year's residence is unconstitutional for two separate reasons: first, because it establishes two classes of persons and discriminates against those who have recently exercised their right to travel to Iowa, thereby contravening the Court's holdings in [Shapiro v. Thompson](#), 394 U.S. 618, 89 S.Ct. 1322, 22 L.Ed.2d 600 (1969); [Dunn v. Blumstein](#), 405 U.S. 330, 92 S.Ct. 995, 31 L.Ed.2d 274 (1972); and [Memorial Hospital v. Maricopa County](#), 415 U.S. 250, 94 S.Ct. 1076, 39 L.Ed.2d 306 (1974); and, second, because it denies a litigant the opportunity to make an individualized showing of bona fide residence and therefore denies such residents access to the only method of legally dissolving their marriage. [Vlandis v. Kline](#), 412 U.S. 441, 93 S.Ct. 2230, 37 L.Ed.2d 63 (1973); [Boddie v. Connecticut](#), 401 U.S. 371, 91 S.Ct. 780 (1971).

[6] *406 State statutes imposing durational residency requirements were, of course, invalidated when imposed by States as a qualification for welfare payments, [Shapiro](#), supra; for voting, [Dunn](#), supra; and for medical care, [Maricopa County](#), supra. But none of those cases intimated that the States might never impose durational residency requirements, **561 and such a proposition was in fact expressly disclaimed.¹⁹ What those cases had in common was that the durational residency requirements they struck down were justified on the basis of budgetary or recordkeeping considerations which were held insufficient to outweigh the constitutional claims of the individuals. But Iowa's divorce residency requirement is of a different stripe. Appellant was not irretrievably foreclosed from obtaining some part of what she sought, as was the case with the welfare recipients

in Shapiro, the voters in Dunn, or the indigent patient in Maricopa County. She would eventually qualify for the same sort of adjudication which she demanded virtually upon her arrival in the State. Iowa's requirement delayed her access to the courts, but, by fulfilling it, she could ultimately have obtained the same opportunity for adjudication which she asserts ought to have been hers at an earlier point in time.

Iowa's residency requirement may reasonably be justified on grounds other than purely budgetary considerations or administrative convenience. Cf. *Kahn v. Shevin*, 416 U.S. 351, 94 S.Ct. 1734, 40 L.Ed.2d 189 (1974). A decree of divorce is not a matter in which the only interested parties are the State as a sort of 'grantor,' and a divorce petitioner such as appellant in the role of 'grantee.' Both spouses are obviously interested in the proceedings, since it will affect their marital status and very likely their property rights. Where a married couple has minor children, a decree of *407 divorce would usually include provisions for their custody and support. With consequences of such moment riding on a divorce decree issued by its courts, Iowa may insist that one seeking to initiate such a proceeding have the modicum of attachment to the State required here.

Such a requirement additionally furthers the State's parallel interests both in avoiding officious intermeddling in matters in which another State has a paramount interest, and in minimizing the susceptibility of its own divorce decrees to collateral attack. A State such as Iowa may quite reasonably decide that it does not wish to become a divorce mill for unhappy spouses who have lived there as short a time as appellant had when she commenced her action in the state court after having long resided elsewhere. Until such time as Iowa is convinced that appellant intends to remain in the State, it lacks the 'nexus between person and place of such permanence as to control the creation of legal relations and responsibilities of the utmost significance.' *Williams v. North Carolina*, 325 U.S. 226, 229, 65 S.Ct. 1092, 1095, 89 L.Ed. 1577 (1945). Perhaps even more important, Iowa's interests extend beyond its borders and include the recognition of its divorce decrees by other States under the Full Faith and Credit Clause of the Constitution, Art. IV, s 1. For that purpose, this Court has often stated that 'judicial power to grant a divorce—jurisdiction,

strictly speaking—is founded on domicil.' *Williams*, supra; *Andrews v. Andrews*, 188 U.S. 14, 23 S.Ct. 237, 47 L.Ed. 366 (1903); *Bell v. Bell*, 181 U.S. 175, 21 S.Ct. 551, 45 L.Ed. 804 (1901). Where a divorce decree is entered after a finding of domicile in ex parte proceedings,²⁰ this Court has held that the *408 finding of domicile is not binding **562 upon another State and may be disregarded in the face of 'cogent evidence' to the contrary. *Williams*, supra, 325 U.S. at 236, 65 S.Ct. at 1098. For that reason, the State asked to enter such a decree is entitled to insist that the putative divorce petitioner satisfy something more than the bare minimum of constitutional requirements before a divorce may be granted. The State's decision to exact a one-year residency requirement as a matter of policy is therefore buttressed by a quite permissible inference that this requirement not only effectuates state substantive policy but likewise provides a greater safeguard against successful collateral attack than would a requirement of bona fide residence alone.²¹ This is precisely the *409 sort of determination that a State in the exercise of its domestic relations jurisdiction is entitled to make.

We therefore hold that the state interest in requiring that those who seek a divorce from its courts be genuinely attached to the State, as well as a desire to insulate divorce decrees from the likelihood of collateral attack, requires a different resolution of the constitutional issue presented than was the case in Shapiro, supra, Dunn, supra, and Maricopa County, supra.

[7] Nor are we of the view that the failure to provide an individualized determination of residency violates the Due Process Clause of the Fourteenth Amendment. *Vlandis v. Kline*, 412 U.S. 441, 93 S.Ct. 2230, 37 L.Ed.2d 63 (1973), relied upon by appellant, held that Connecticut might not arbitrarily invoke a permanent and irrebuttable presumption of non-residence against students who sought to obtain in-state tuition rates when that presumption was not necessarily or universally true in fact. But in *Vlandis* the Court warned that its decision should not 'be construed to deny a State the right to impose on a student, as one element in demonstrating bona fide residence, a reasonable durational residency requirement.' *Id.*, at 452, 93 S.Ct. at 2236. See *Starns v. Malkerson*, 326 F.Supp. 234 (Minn.1970), aff'd, 401 U.S. 985, 91 S.Ct. 1231, 28 L.Ed.2d 527 (1971). An

individualized determination of physical presence plus the intent to remain, which appellant apparently seeks, would not entitle her to a divorce even if she could have made such a showing.²² For *410 Iowa requires not merely ‘domicile’ in that sense, but residence in the State for a year in order for its courts to exercise their divorce jurisdiction.

****563** In *Boddie v. Connecticut*, supra, this Court held that Connecticut might not deny access to divorce courts to those persons who could not afford to pay the required fee. Because of the exclusive role played by the State in the termination of marriages, it was held that indigents could not be denied an opportunity to be heard ‘absent a countervailing state interest of overriding significance.’ 401 U.S., at 377, 91 S.Ct., at 785. But the gravamen of appellant Sosna’s claim is not total deprivation, as in *Boddie*, but only delay. The operation of the filing fee in *Boddie* served to exclude forever a certain segment of the population from obtaining a divorce in the courts of Connecticut. No similar total deprivation is present in appellant’s case, and the delay which attends the enforcement of the one-year durational residency requirement is, for the reasons previously stated, consistent with the provisions of the United States Constitution.

Affirmed.

Mr. Justice WHITE, dissenting.

It is axiomatic that Art. III of the Constitution imposes a ‘threshold requirement . . . that those who seek to invoke the power of federal courts must allege an actual case or controversy.’ *O’Shea v. Littleton*, 414 U.S. 488, 493, 94 S.Ct. 669, 675, 38 L.Ed.2d 674 (1974); *Flast v. Cohen*, 392 U.S. 83, 94—101, 88 S.Ct. 1942, 1949—1953, 20 L.Ed.2d 947 (1968); *Jenkins v. McKeithen*, 395 U.S. 411, 421—425, 89 S.Ct. 1843, 1848—1851, 23 L.Ed.2d 404 (1969) (opinion of Marshall, J.). To satisfy the requirement, plaintiffs must allege ‘some threatened or actual injury,’ *Linda R.S. v. Richard D.*, 410 U.S. 614, 617, 93 S.Ct. 1146, 1148, 35 L.Ed.2d 536 (1973), that is ‘real and immediate’ and not conjectural *411 or hypothetical. *Golden v. Zwickler*, 394 U.S. 103, 108—109, 89 S.Ct. 956, 959—960, 22 L.Ed.2d 113 (1969); *Maryland Casualty Co. v. Pacific Coal & Oil Co.*, 312 U.S. 270,

273, 61 S.Ct. 510, 512, 85 L.Ed. 826 (1941); *United Public Workers v. Mitchell*, 330 U.S. 75, 89—91, 67 S.Ct. 556, 564, 565, 91 L.Ed. 754 (1947). Furthermore, and of greatest relevance here:

‘The fundamental aspect of standing is that it focuses on the party seeking to get his complaint before a federal court and not on the issues he wishes to have adjudicated. The ‘gist of the question of standing’ is whether the party seeking relief has ‘alleged such a personal stake in the outcome of the controversy as to assure that concrete adverseness which sharpens the presentation of issues upon which the court so largely depends for illumination of difficult constitutional questions.’ *Baker v. Carr*, 369 U.S. 186, 204, 82 S.Ct. 691, 703, 7 L.Ed.2d 663 (1962). In other words, when standing is placed in issue in a case, the question is whether the person whose standing is challenged is a proper party to request an adjudication of a particular issue and not whether the issue itself is justiciable.’ *Flast v. Cohen*, supra, 392 U.S. at 99—100, 88 S.Ct. at 1952. (footnote omitted).

All of this the Court concedes. It is conceded as well that had the named plaintiff in this case not brought a class action, the case would now be dismissed as moot because the plaintiff, appellant here, has now satisfied the Iowa residency requirement and, what is more, has secured a divorce in another State. Appellant could not have begun this suit either for herself or for a class if at the time of filing she had been an Iowa resident for a year or had secured a divorce in another jurisdiction. There must be a named plaintiff initiating the action who has an existing controversy with the defendant, whether the plaintiff is suing on his own behalf or on behalf of a class as well. However unquestioned it may *412 be that a class of persons in the community has a ‘real’ dispute of substance with the defendant, an attorney may not initiate a class action without having a client with a personal stake in the controversy who is a ****564** member of the class, and who is willing to be the named plaintiff in the case. The Court recently made this very clear when it said that ‘if none of the named plaintiffs purporting to represent a class establishes the requisite of a case or controversy with the defendants, none may seek relief on behalf of himself or any other member of the class.’ *O’Shea v. Littleton*, supra, 414 U.S. at 494, 94 S.Ct. at 675. (footnote omitted).

The Court nevertheless holds that once a case is certified as a class action, the named plaintiff may lose that status which had qualified him to bring the suit and still be acceptable as a party to prosecute the suit to conclusion on behalf of the class. I am unable to agree. The appellant now satisfies the Iowa residence requirement and has secured a divorce. She retains no real interest whatsoever in this controversy, certainly not an interest that would have entitled her to be a plaintiff in the first place, either alone or as representing a class. In reality, there is no longer a named plaintiff in the case, no member of the class before the Court. The unresolved issue, the attorney, and a class of unnamed litigants remain. None of the anonymous members of the class is present to direct counsel and ensure that class interests are being properly served. For all practical purposes, this case has become one-sided and has lost the adversary quality necessary to satisfy the constitutional ‘case or controversy’ requirement. A real issue unquestionably remains, but the necessary adverse party to press it has disappeared.

The Court thus dilutes the jurisdictional command of Art. III to a mere prudential guideline. The only specific, identifiable individual with an evident continuing *413 interest in presenting an attack upon the residency requirement is appellant's counsel. The Court in reality holds that an attorney's competence in presenting his case, evaluated post hoc through a review of his performance as revealed by the record, fulfills the ‘case or controversy’ mandate. The legal fiction employed to cloak this reality is the reification of an abstract entity, ‘the class,’ constituted of faceless, unnamed individuals who are deemed to have a live case or controversy with appellees.¹

*414 No prior decision supports the Court's broad rationale. In cases in which the inadequacy of the named representative's claim has become apparent prior to class certification, the Court has been emphatic in rejecting the argument that **565 the class action could still be pursued. *O'Shea v. Littleton*, supra, 414 U.S. at 494—495, 94 S.Ct. at 675—676; *Bailey v. Patterson*, 369 U.S. 31, 32—33, 82 S.Ct. 549, 550—551, 7 L.Ed.2d 512 (1962). Cf. *Richardson v. Ramirez*, 418 U.S. 24, 94 S.Ct. 2655, 41 L.Ed.2d 551 (1974); *Hall v. Beals*, 396 U.S. 45, 48—49, 90 S.Ct. 200, 201—202, 24 L.Ed.2d 214 (1969).

It is true that *Dunn v. Blumstein*, 405 U.S. 330, 333, 92 S.Ct. 995, 998, 31 L.Ed.2d 274 n. 2 (1972), looks in the other direction. There, by the time the Court rendered its decision, the class representative in an action challenging a durational residency requirement for voting had satisfied the requirement and was eligible to vote in the next election. The Court indicated that the case was not moot, saying that the issue was ‘capable of repetition, yet evading review.’ But the question was not contested between the parties and was noted only in passing. Its ramifications for the question of mootness in a class action setting were not explored. Although I joined the opinion in that case, I do not deem it dispositive of the jurisdictional issue here, especially in light of *Indiana Employment Security Division v. Burney*, 409 U.S. 540, 93 S.Ct. 883, 35 L.Ed.2d 62 (1973). There the class representative's claim had been fully settled, and the Court remanded the case to the District Court for consideration of mootness, a course which the majority, relying on *Dunn*, rejects here. As I see it, the question of whether a class action survives after the representative's claim has been mooted remains unsettled by prior decisions. Indeed, what authority there is provides more support for a conclusion that when the personal stake of the named plaintiff terminates, the class action fails.

*415 Although the Court cites *Dunn v. Blumstein*, supra, as controlling authority, the principal basis for its approach is a conception of the class action that substantially dissipates the case-or-controversy requirement as well as the necessity for adequate representation under *Fed.Rule Civ.Proc. 23(a)(4)*. In the Court's view, the litigation before us is saved from mootness only by the fact that class certification occurred prior to appellant's change in circumstance. In justification, the Court points to two significant consequences of certification. First, once certified, the class action may not be settled or dismissed without the district court's approval. Second, if the action results in a judgment on the merits, the decision will bind all members found at the time of certification to be members of the class. These are significant aspects of class-action procedure, but it is not evident and not explained how and why these procedural consequences of certification modify the normal mootness considerations which would otherwise attach. Certification is no substitute for a live plaintiff with a personal interest in the case sufficient

to make it an adversary proceeding. Moreover, certification is not irreversible or inalterable; it 'may be conditional, and may be altered or amended before the decision on the merits.' [Rule 23\(c\)\(1\)](#).² Furthermore, under [Rule 23\(d\)](#) the court may make various types of orders in conducting the litigation, including an order that notice be given 'of the opportunity of members to signify whether they consider the representation fair and adequate, to intervene and present claims or defenses, or otherwise to come into the action' and 'requiring that the pleadings be amended to eliminate therefrom allegations as to representation

***416** of absent persons . . .'.³ Class litigation is most often characterized by its complexity and concomitant flexibility of a court in managing it, and emphasis upon one point in the process flies in the face of that reality.

****566** The new certification procedure of [Rule 23\(c\)\(1\)](#), as amended in 1966, was not intended to modify the strictures of [Fed.Rule Civ.Proc.](#), 82 that '(t)hese rules shall not be construed to extend . . . the jurisdiction of the United States district courts . . .'. Cf. [Snyder v. Harris](#), 394 U.S. 332, 337—338, 89 S.Ct. 1053, 1057, 22 L.Ed.2d 319 (1969). The intention behind the certification amendment, which had no counterpart in the earlier version of the rule, was merely 'to give clear definition to the action . . .', Advisory Committee Note, 28 U.S.C.App., p. 7767; 3B J. Moore, *Federal Practice* 23.50, pp. 23—1101 to 23—1102 (1974), not as the Court would now have it, to avoid jurisdictional problems of mootness.⁴

It is claimed that the certified class supplies the necessary adverse parties for a continuing case or controversy ***417** with appellees. This is not true; but even if it were, the Court is left with the problem of determining whether the class action is still a good one and whether under [Rule 23\(a\)\(4\)](#) appellant is a fair and adequate representative of the class. That appellant can no longer in any realistic sense be considered a member of the class makes these determinations imperative. The Court disposes of the problem to its own satisfaction by saying that it is unlikely that segments of the class appellant represents would have conflicting interests with those she has sought to advance and that because the interests of the class have been competently urged at each level of the proceeding the test of [Rule 23\(a\)\(4\)](#) is met. The Court cites no authority for this retrospective decision

as to the adequacy of representation which seems to focus on the competence of counsel rather than a party plaintiff who is a representative member of the class.⁵ At the very least, the case should be remanded to the District Court where these considerations could be explored and the desirability of issuing orders under [Rule 23\(d\)](#) to protect the class might be considered.

The Court's refusal to remand for consideration of mootness and adequacy of representation can be explained only by its apparent notion that there may be categories of issues which will permit lower courts to pass upon them but which by their very nature will become moot before this Court can address them. Thus it is said that 'no single challenger will remain subject to (the residency requirement) for the period necessary to see such a lawsuit to its conclusion.' Ante, at 558. Hence, ***418** the Court perceives the need for a general rule which will eliminate the problem. Article III, however, is an 'awkward' limitation. It prevents all federal courts from addressing some important questions; there is nothing surprising in the fact that it may permit only the lower federal courts to address other questions. Article III is not a rule always consistent with judicial economy. Its overriding purpose is to define the boundaries ****567** separating the branches and to keep this Court from assuming a legislative perspective and function. See [Flast v. Cohen](#), 392 U.S. 83, 96, 88 S.Ct. 1942, 1950, 20 L.Ed.2d 947 (1968). The ultimate basis of the Court's decision must be a conclusion that the issue presented is an important and recurring one which should be finally resolved here. But this notion cannot override constitutional limitations.

Because I find that the case before the Court has become moot, I must respectfully dissent.

Mr. Justice MARSHALL, with whom Mr. Justice BRENNAN joins, dissenting.

The Court today departs sharply from the course we have followed in analyzing durational residency requirements since [Shapiro v. Thompson](#), 394 U.S. 618, 89 S.Ct. 1322, 22 L.Ed.2d 600 (1969). Because I think the principles set out in that case and its progeny compel reversal here, I respectfully dissent.

As we have made clear in [Shapiro](#) and subsequent cases, any classification that penalizes exercise of

the constitutional right to travel is invalid unless it is justified by a compelling governmental interest. As recently as last Term we held that the right to travel requires that States provide the same vital governmental benefits and privileges to recent immigrants that they do to long-time residents. *Memorial Hospital v. Maricopa County*, 415 U.S. 250, 261, 94 S.Ct. 1076, 1083, 39 L.Ed.2d 306 (1974). Although we recognized that not all durational residency requirements are penalties *419 upon the exercise of the right to travel interstate,¹ we held that free medical aid, like voting, see *Dunn v. Blumstein*, 405 U.S. 330, 92 S.Ct. 995, 31 L.Ed.2d 274 (1972), and welfare assistance, see *Shapiro v. Thompson*, supra, was of such fundamental importance that the State could not constitutionally condition its receipt upon long-term residence. After examining Arizona's justifications for restricting the availability of free medical services, we concluded that the State had failed to show that in pursuing legitimate objectives it had chosen means that did not impinge unnecessarily upon constitutionally protected interests.

The Court's failure to address the instant case in these terms suggests a new distaste for the mode of analysis we have applied to this corner of equal protection law. In its stead, the Court has employed what appears to be an ad hoc balancing test, under which the State's putative interest in ensuring that its divorce petitioners establish some roots in Iowa is said to justify the one-year residency requirement. I am concerned not only about the disposition of this case, but also about the implications of the majority's analysis for other divorce statutes and for durational residency requirement cases in general.

I

The Court omits altogether what should be the first inquiry: whether the right to obtain a divorce is of sufficient importance that its denial to recent immigrants constitutes a penalty on interstate travel. In my view, it clearly meets that standard. The previous decisions of this Court make it plain that the right of marital association is one of the most basic rights conferred on the individual by the State. The interests associated *420 with marriage and divorce have repeatedly been accorded particular deference, and the right to marry has been termed 'one of the vital

personal rights essential to the orderly pursuit of happiness by free men.' *Loving v. Virginia*, 388 U.S. 1, 12, 87 S.Ct. 1817, 1824, 18 L.Ed.2d 1010 (1967). In *Boddie v. Connecticut*, 401 U.S. 371, 91 S.Ct. 780, 28 L.Ed.2d 113 (1971), we recognized that the right to seek dissolution of the marital relationship was closely related to the right to marry, as both involve the voluntary adjustment of the **568 same fundamental human relationship. *Id.*, at 383, 91 S.Ct. at 788. Without further laboring the point, I think it is clear beyond cavil that the right to seek dissolution of the marital relationship is of such fundamental importance that denial of this right to the class of recent interstate travelers penalizes interstate travel within the meaning of *Shapiro*, *Dunn*, and *Maricopa County*.

II

Having determined that the interest in obtaining a divorce is of substantial social importance, I would scrutinize Iowa's durational residency requirement to determine whether it constitutes a reasonable means of furthering important interests asserted by the State. The Court, however, has not only declined to apply the 'compelling interest' test to this case, it has conjured up possible justifications for the State's restriction in a manner much more akin to the lenient standard we have in the past applied in analyzing equal protection challenges to business regulations. See *McGowan v. Maryland*, 366 U.S. 420, 425—428, 81 S.Ct. 1101, 1104—1106, 6 L.Ed.2d 393 (1961); *Kotch v. Board of River Port Pilot Comm'rs*, 330 U.S. 552, 557, 67 S.Ct. 910, 912, 91 L.Ed. 1093 (1947); but see *Johnson v. Robison*, 415 U.S. 361, 376, 94 S.Ct. 1160, 1170, 39 L.Ed.2d 389 (1974). I continue to be of the view that the 'rational basis' test has no place in equal protection analysis when important individual interests with constitutional implications are at stake, see *421 *San Antonio School District v. Rodriguez*, 411 U.S. 1, 109, 93 S.Ct. 1278, 1335, 36 L.Ed.2d 16 (1973) (Marshall, J., dissenting); *Dandridge v. Williams*, 397 U.S. 471, 520—522, 90 S.Ct. 1153, 1179—1180, 25 L.Ed.2d 491 (1970) (Marshall, J., dissenting). But whatever the ultimate resting point of the current readjustments in equal protection analysis, the Court has clearly directed that the proper standard to apply to cases in which state statutes have penalized the exercise of the right to interstate travel is the 'compelling interest' test. *Shapiro v. Thompson*, 394

U.S., at 634, 638, 89 S.Ct. at 1331, 1333; *Oregon v. Mitchell*, 400 U.S. 112, 238, 91 S.Ct. 260, 321—322, 27 L.Ed.2d 272 (1970) (opinion of Brennan, White, and Marshall, JJ.); *Dunn v. Blumstein*, 405 U.S., at 342—343, 92 S.Ct. 995, at 1003—1004, 31 L.Ed.2d 274; *Memorial Hospital v. Maricopa County*, 415 U.S., at 262—263, 94 S.Ct. at 1084—1085.

The Court proposes three defenses for the Iowa statute: first, the residency requirement merely delays receipt of the benefit in question—it does not deprive the applicant of the benefit altogether; second, since significant social consequences may follow from the conferral of a divorce, the State may legitimately regulate the divorce process; and third, the State has interests both in protecting itself from use as a ‘divorce mill’ and in protecting its judgments from possible collateral attack in other States. In my view, the first two defenses provide no significant support for the statute in question here. Only the third has any real force.

A

With the first justification, the Court seeks to distinguish the *Shapiro*, *Dunn*, and *Maricopa County* cases. Yet the distinction the Court draws seems to me specious. Iowa’s residency requirement, the Court says, merely forestalls access to the courts; applicants seeking welfare payments, medical aid, and the right to vote, on the other hand, suffer unrecoverable losses throughout the waiting period. This analysis, however, ignores the severity of the deprivation suffered by the divorce petitioner who is forced to wait a year for relief. See *422 *Stanley v. Illinois*, 405 U.S. 645, 647, 92 S.Ct. 1208, 1210, 31 L.Ed.2d 551 (1972). The injury accompanying that delay is not directly measurable in money terms like the loss of welfare benefits, but it cannot reasonably be argued that when the year has elapsed, the petitioner is made whole. The year’s wait prevents remarriage and locks both partners into what may be an intolerable, destructive **569 relationship. Even applying the Court’s argument on its own terms, I fail to see how the *Maricopa County* case can be distinguished. A potential patient may well need treatment for a single ailment. Under Arizona statutes he would have had to wait a year before he could be treated. Yet the majority’s analysis would suggest that Mr. Evaro’s claim for nonemergency medical aid is not

cognizable because he would ‘eventually qualify for the same sort of (service),’ ante, at 561. The Court cannot mean that Mrs. Sosna has not suffered any injury by being foreclosed from seeking a divorce in Iowa for a year. It must instead mean that it does not regard that deprivation as being very severe.²

B

I find the majority’s second argument no more persuasive. The Court forgoes reliance on the usual justifications for durational residency requirements—budgetary considerations and administrative convenience, see *Shapiro*, 394 U.S., at 627—638, 89 S.Ct., at 1327—1333; *Maricopa County*, 415 U.S., at 262—269, 94 S.Ct., at 1084—1088. Indeed, it would be hard to make a persuasive argument that either of these interests is significantly *423 implicated in this case. In their place, the majority invokes a more amorphous justification—the magnitude of the interests affected and resolved by a divorce proceeding. Certainly the stakes in a divorce are weighty both for the individuals directly involved in the adjudication and for others immediately affected by it. The critical importance of the divorce process, however, weakens the argument for a long residency requirement rather than strengthens it. The impact of the divorce decree only underscores the necessity that the State’s regulation be evenhanded.³

It is not enough to recite the State’s traditionally exclusive responsibility for regulating family law matters; some tangible interference with the State’s regulatory scheme must be shown. Yet in this case, I fail to see how any legitimate objective of Iowa’s divorce regulations would be frustrated by granting equal access to new state residents.⁴ To draw on an analogy, the States have great interests in the local voting process and wide latitude in regulating that process. Yet one regulation that the States may not impose is an unduly long residency requirement. *Dunn v. Blumstein*, 405 U.S. 330, 92 S.Ct. 995, 31 L.Ed.2d 274 (1972). To remark, as the Court does, that because of the consequences riding on a divorce decree ‘Iowa may insist that one seeking to initiate such a proceeding have the modicum of attachment to the State required here’ *424 is not to make an argument, but merely to state the result.

C

The Court's third justification seems to me the only one that warrants close consideration. Iowa has a legitimate interest in protecting itself against invasion by those seeking quick divorces in a forum with relatively lax divorce laws, ****570** and it may have some interest in avoiding collateral attacks on its decree in other States.⁵ These interests, however, would adequately be protected by a simple requirement of domicile—physical presence plus intent to remain—which would remove the rigid one-year barrier while permitting the State to restrict the availability of its divorce process to citizens who are genuinely its own.⁶

***425** The majority notes that in *Williams v. North Carolina*, 325 U.S. 226, 65 S.Ct. 1092, 89 L.Ed. 1577 (1945), the Court held that for ex parte divorces one State's finding of domicile could, under limited circumstances, be challenged in the courts of another. From this, the majority concludes that since Iowa's findings of domicile might be subject to collateral attack elsewhere, it should be permitted to cushion its findings with a one-year residency requirement.

For several reasons, the year's waiting period seems to me neither necessary nor much of a cushion. First, the Williams opinion was not aimed at States seeking to avoid becoming divorce mills. Quite the opposite, it was rather plainly directed at States that had cultivated a 'quickie divorce' reputation by playing fast and loose with findings of domicile. See *id.*, at 236—237, 65 S.Ct., at 1098—1099; *id.*, at 241, 65 S.Ct., at 1100 (Murphy, J., concurring). If Iowa wishes to avoid becoming a haven for divorce seekers, it is inconceivable that its good-faith determinations of domicile would not meet the rather lenient full faith and credit standards set out in Williams.

A second problem with the majority's argument on this score is that Williams applies only to ex parte divorces. This Court has held that if both spouses were before the divorcing court, a foreign State cannot recognize a collateral challenge that would not be permissible in the divorcing State. *Sherrer v. Sherrer*, 334 U.S. 343, 68 S.Ct. 1087, 92 L.Ed.2d 1429 (1948); *Coe v. Coe*, 334 U.S. 378, 68 S.Ct. 1094, 92 L.Ed. 1451 (1948); *Johnson v. Muelberger*, 340 U.S. 581, 71 S.Ct. 474,

95 L.Ed. 552 (1951); *Cook v. Cook*, 342 U.S. 126, 72 S.Ct. 157, 96 L.Ed. 146 (1951). Therefore, the Iowa statute sweeps too broadly even as a defense to possible collateral attacks, since it imposes a one-year requirement whenever the respondent does not reside in the State, regardless of whether the proceeding is ex parte.⁷

426** Third, even a one-year period does not provide complete protection against collateral attack. It merely makes it somewhat less likely that a second State will *571** be able to find 'cogent evidence' that Iowa's determination of domicile was incorrect. But if the Iowa court has erroneously determined the question of domicile, the year's residence will do nothing to preclude collateral attack under Williams.

Finally, in one sense the year's residency requirement may technically increase rather than reduce the exposure of Iowa's decrees to collateral attack. Iowa appears to be among the States that have interpreted their divorce residency requirements as being of jurisdictional import.⁸ Since a State's divorce decree is subject to collateral challenge in a foreign forum for any jurisdictional flaw that would void it in the State's own courts, *New York ex rel. Halvey v. Halvey*, 330 U.S. 610, 67 S.Ct. 903, 91 L.Ed. 1133 (1947), the residency requirement exposes Iowa divorce proceedings to attack both for failure to prove domicile and for failure to prove one year's residence. If nothing else, this casts doubt on the majority's speculation that Iowa's residency requirement may have been intended as a statutory shield for its divorce decrees. In sum, concerns about the need ***427** for a long residency requirement to defray collateral attacks on state judgments seem more fanciful than real. If, as the majority assumes, Iowa is interested in assuring itself that its divorce petitioners are legitimately Iowa citizens, requiring petitioners to provide convincing evidence of bona fide domicile should be more than adequate to the task.⁹

III

I conclude that the course Iowa has chosen in restricting access to its divorce courts unduly interferes with the right to 'migrate, resettle, find a new job, and start a new life.' *Shapiro v. Thompson*, 394 U.S., at 629, 89 S.Ct., at 1328. I would reverse the judgment

of the District Court and remand for entry of an order granting relief if the court finds that there is a continuing controversy in this case. See [Steffel v. Thompson](#), 415 U.S. 452, 94 S.Ct. 1209, 39 L.Ed.2d 505 (1974); [Johnson v. New York State Education](#)

[Dept.](#), 409 U.S. 75, 79, 93 S.Ct. 259, 261, 34 L.Ed.2d 290 n. 7 (1972) (Marshall, J., concurring).

All Citations

419 U.S. 393, 95 S.Ct. 553, 42 L.Ed.2d 532, 19 Fed.R.Serv.2d 925

Footnotes

* The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See [United States v. Detroit Timber & Lumber Co.](#), 200 U.S. 321, 337, 26 S.Ct. 282, 287, 50 L.Ed. 499.

1 [Iowa Code s 598.6 \(1973\)](#) provides:

‘Except where the respondent is a resident of this state and is served by personal service, the petition for dissolution of marriage, in addition to setting forth the information required by section 598.5, must state that the petitioner has been for the last year a resident of the state, specifying the county in which the petitioner has resided, and the length of such residence therein after deducting all absences from the state; and that the maintenance of the residence has been in good faith and not for the purpose of obtaining a marriage dissolution only.’

[Iowa Code s 598.9 \(1973\)](#) requires dismissal of the action ‘(i)f the averments as to residence are not fully proved.’

2 In their answer to the complaint, appellees asserted that the court lacked jurisdiction over the State by virtue of the Eleventh Amendment, but thereafter abandoned this defense to the action. While the failure of the State to raise the defense of sovereign immunity in the District Court would not have barred Iowa from raising that issue in this Court, [Edelman v. Jordan](#), 415 U.S. 651, 94 S.Ct. 1347, 39 L.Ed.2d 662 (1974); [Ford Motor Co. v. Department of Treasury of Indiana](#), 323 U.S. 459, 65 S.Ct. 347, 89 L.Ed. 389 (1945), no such defense has been advanced in this Court. The failure of Iowa to raise the issue has likewise left us without any guidance from the parties’ briefs as to the circumstances under which Iowa law permits waiver of the defense of sovereign immunity by attorneys representing the State. Our own examination of Iowa precedents discloses, however, that the Iowa Supreme Court has held that the State consents to suit and waives any defense of sovereign immunity by entering a voluntary appearance and defending a suit on the merits. [McKeown v. Brown](#), 167 Iowa 489, 499, 149 N.W. 593, 597 (1914). The law of Iowa on the point therefore appears to be different from the law of Indiana treated in *Ford*, supra.

3 Our request that the parties address themselves to [Younger v. Harris](#), 401 U.S. 37, 91 S.Ct. 746, 27 L.Ed.2d 669 (1971), and related cases, indicated our concern as to whether either this Court or the District Court should reach the merits of the constitutional issue presented by the parties in light of appellant Sosna’s failure to appeal the adverse ruling of the State District Court through the state appellate network. In response to our request, both parties urged that we reach the merits of appellant’s constitutional attack on Iowa’s durational residency requirement.

In this posture of the case, and in the absence of a disagreement between the parties, we have no occasion to consider whether any consequences adverse to appellant resulted from her

first obtaining an adjudication of her claim on the merits in the Iowa state court and only then commencing this action in the United States District Court.

- 4 Since jurisdiction was predicated on 28 U.S.C. s 1343(3), this case presents no problem of aggregation of claims in an attempt to satisfy the requisite amount in controversy of 28 U.S.C. s 1331(a). Cf. *Zahn v. International Paper Co.*, 414 U.S. 291, 94 S.Ct. 505, 38 L.Ed.2d 511 (1973); *Snyder v. Harris*, 394 U.S. 332, 89 S.Ct. 1053, 22 L.Ed.2d 319 (1969). Although the complaint did not so specify, the absence of a claim for monetary relief and the nature of the claim asserted disclose that a Rule 23(b)(2) class action was contemplated. Therefore, the problems associated with a Rule 23(b)(3) class action, which were considered by this Court last Term in *Eisen v. Carlisle & Jacquelin*, 417 U.S. 156, 94 S.Ct. 2140, 40 L.Ed.2d 732 (1974), are not present in this case.
- 5 The defendant state-court judge neither raised any claim of immunity as a defense to appellant's action, nor questioned the propriety of the appellant's effort to represent a statewide class against a judge like him who apparently sat in a single county or judicial district within the State.
- 6 The District Court was aware of the possibility of mootness, 360 F.Supp. 1182, 1183 n. 5 (ND Iowa 1973), and expressed the view that even the 'termination of plaintiff's deferral period . . . would not render this case moot since the cause before us is a class action and the court is confronted with the reasonable likelihood that the problem will occur to members of the class of which plaintiff is currently a member.'
- 7 Counsel for appellant disclosed at oral argument that appellant has in fact obtained a divorce in New York. Tr. of Oral Arg. 22.
- 8 The certification of a suit as a class action has important consequences for the unnamed members of the class. If the suit proceeds to judgment on the merits, it is contemplated that the decision will bind all persons who have been found at the time of certification to be members of the class. Rule 23(c) (3); Advisory Committee Note, 28 U.S.C.App., pp. 7765—7766, 39 F.R.D. 69, 105—106. Once the suit is certified as a class action, it may not be settled or dismissed without the approval of the court. Rule 23(e).
- 9 This view draws strength from the practical demands of time. A blanket rule under which a class action challenge to a short durational residency requirement would be dismissed upon the intervening mootness of the named representative's dispute would permit a significant class of federal claims to remain unredressed for want of a spokesman who could retain a personal adversary position throughout the course of the litigation. Such a consideration would not itself justify any relaxation of the provision of Art. III which limits our jurisdiction to 'cases and controversies,' but it is a factor supporting the result we reach if consistent with Art. III. For the reasons stated in the text, *infra*, we believe that our holding here does comport with both the language of Art. III and our prior decisions.
- 10 This has been the prevailing view in the Circuits. See, e.g., *Cleaver v. Wilcox*, 499 F.2d 940 (CA9 1974); *Rivera v. Freeman*, 469 F.2d 1159 (CA9 1972); *Conover v. Montemuro*, 477 F.2d 1073 (CA3 1972); *Roberts v. Union Co.*, 487 F.2d 387 (CA6 1973); *Shiffman v. Askew*, 359 F.Supp. 1225 (MDFla. 1973), *aff'd sub nom.*, *Makres v. Askew*, 500 F.2d 577 (CA5 1974); *Moss v. Lane Co., Inc.*, 471 F.2d 853 (CA4 1973). *Contra*: *Watkins v. Chicago Housing Authority*, 406 F.2d 1234 (CA7 1969); cf. *Norman v. Connecticut State Board of Parole*, 458 F.2d 497 (CA2 1972).
- 11 There may be cases in which the controversy involving the named plaintiffs is such that it becomes moot as to them before the district court can reasonably be expected to rule on a certification

motion. In such instances, whether the certification can be said to 'relate back' to the filing of the complaint may depend upon the circumstances of the particular case and especially the reality of the claim that otherwise the issue would evade review.

- 12 When this Court has entertained doubt about the continuing nature of a case or controversy, it has remanded the case to the lower court for consideration of the possibility of mootness. [Indiana Employment Security Division v. Burney](#), 409 U.S. 540, 93 S.Ct. 883, 35 L.Ed.2d 62 (1973).
- 13 There are frequently cases in which it appears that the particular class a party seeks to represent does not have a sufficient homogeneity of interests to warrant certification. [Hansberry v. Lee](#), 311 U.S. 32, 44, 61 S.Ct. 115, 85 L.Ed. 22 (1940); [Phillips v. Klassen](#), 163 U.S.App.D.C. 360, 502 F.2d 362, cert. denied (1974), 419 U.S. 996, 95 S.Ct. 309, 42 L.Ed.2d 269 (1974). In this case, however, it is difficult to imagine why any person in the class appellant represents would have an interest in seeing [Iowa Code s 598.6 \(1973\)](#) upheld.
- 14 See generally Peters, Iowa Reform of Marriage Termination, 20 Drake L.Rev. 211 (1971).
- 15 Louisiana and Washington are the exceptions. [La.Code Civ.Proc., Art. 10](#), subd. A(7) (Supp.1974); but see [Art. 10](#), subd. B providing that 'if a spouse has established and maintained a residence in a parish of this state for a period of twelve months, there shall be a rebuttable presumption that he has a domicile in this state in the parish of such residence.' Wash.Laws 1973, 1st Ex.Sess., c. 157. Among the other 48 States, the durational residency requirements are of many varieties, with some applicable to all divorce actions, others only when the respondent is not domiciled in the State and still others applicable depending on where the grounds for divorce accrued. See the 50-state compilation issued by the National Legal Aid and Defender Association, *Divorce, Annulment and Separation in the United States* (1973).
- 16 See, e.g., [Idaho Code s 32—701 \(1963\)](#); [Nev.Rev.Stat. s 125.020 \(1973\)](#).
- 17 See, e.g., [R.I.Gen.Laws Ann. s 15—5—12 \(1970\)](#); [Mass.Gen.Laws Ann., c. 208, ss 4—5 \(1958 and Supp.1974\)](#).
- 18 A majority of the States impose a one-year residency requirement of some kind. *Divorce, Annulment and Separation in the United States*, supra, n. 15.
- 19 [Shapiro](#), 394 U.S., at 638 n. 21, 89 S.Ct., at 1333; [Maricopa County](#), 415 U.S., at 258—259, 94 S.Ct. at 1082—1083.
- 20 When a divorce decree is not entered on the basis of ex parte proceedings, this Court held in [Sherrer v. Sherrer](#), 334 U.S. 343, 351—352, 68 S.Ct. 1087, 1091, 92 L.Ed. 1429 (1948):

'(T)he requirements of full faith and credit bar a defendant from collaterally attacking a divorce decree on jurisdictional grounds in the courts of a sister State where there has been participation by the defendant in the divorce proceedings, where the defendant has been accorded full opportunity to contest the jurisdictional issues, and where the decree is not susceptible to such collateral attack in the courts of the State which rendered the decree.'

Our Brother MARSHALL argues in dissent that the Iowa durational residency requirement 'sweeps too broadly' since it is not limited to ex parte proceedings and could be narrowed by a waiver provision. Post, at 570. But Iowa's durational residency requirement cannot be tailored in this manner without disrupting settled principles of Iowa practice and pleading. Iowa's rules governing special appearances make it impossible for the state court to know, either at the time a





petition for divorce is filed or when a motion to dismiss for want of jurisdiction is filed, whether or not a respondent will appear and participate in the divorce proceedings. Iowa Rules Civ.Proc. 66, 104. The fact that the state legislature might conceivably adopt a system of waivers and revise court rules governing special appearances does not make such detailed rewriting appropriate business for the federal judiciary.

- 21 Since the majority of States require residence for at least a year, see n. 18, supra, it is reasonable to assume that Iowa's one-year 'floor' makes its decrees less susceptible to successful collateral attack in other States. As the Court of Appeals for the Fifth Circuit observed in upholding a six-month durational residency requirement imposed by Florida, an objective test may impart to a State's divorce decrees 'a verity that tends to safeguard them against the suspicious eyes of other states' prosecutorial authorities, the suspicions of private counsel in other states, and the post-decree dissatisfactions of parties to the divorce who wish a second bite. Such a reputation for validity of divorce decrees is not, then, merely cosmetic.' *Makres v. Askew*, 500 F.2d 577, 579 (1974), aff'g, 359 F.Supp. 1225 (MD Fla.1973).
- 22 In addition to a showing of residence within the State for a year, Iowa Code s 598.6 (1973) requires any petition for dissolution to state 'that the maintenance of the residence has been in good faith and not for the purpose of obtaining a marriage dissolution only.' In dismissing appellant's petition in state court, Judge Keck observed that appellant had failed to allege good-faith residence. (Jurisdictional Statement App.B. 2).
- 1 The Court contends that its rationale is the prevailing view in the Circuits and lists five circuits in support and two opposing. Ante, at 558, n. 10. Of the five decisions cited in support, four are without weight or inapposite in the present context. *Conover v. Montemuro*, 477 F.2d 1073, 1081—1082 (CA3 1973), contains only dictum. *Makres v. Askew*, 500 F.2d 577 (CA5 1974), is only an affirmance of a District Court decision without discussion of mootness. Two other cases, *Moss v. Lane Co., Inc.*, 471 F.2d 853 (CA4 1973), and *Roberts v. Union Co.*, 487 F.2d 387 (CA6 1973), deal with claims of racial and sexual discrimination, respectively, in employment practices under Title VII of the Civil Rights Act of 1964, 78 Stat. 253, 42 U.S.C. s 2000e et seq. In such cases, Congress has expressed an intention and provided that any person 'claiming to be aggrieved' could bring suit under Title VII to challenge discriminatory employment practices. 42 U.S.C. s 2000e—5; *Trafficante v. Metropolitan Life Insurance Co.*, 409 U.S. 205, 209, 93 S.Ct. 364, 366, 34 L.Ed.2d 415 (1972). Since any discrimination in employment based upon sexual or racial characteristics aggrieves an employee or an applicant for employment having such characteristics by stigmatization and explicit or implicit application of a badge of inferiority, Congress gave such persons standing by statute to continue an attack upon such discrimination even though they fail to establish particular injury to themselves in being denied employment unlawfully. Cf. *Trafficante*, supra. Congress has expressed no similar intention as to the subject matter of the instant litigation, that is, to allow suits by "private attorneys general in vindicating a policy that Congress considered to be of the highest priority," 409 U.S., at 211, 93 S.Ct., at 367, nor are the circumstances present here analogous to a case of racial or sexual discrimination which inherently is class based. Hence, these cases provide no authority for the Court's expansive construction of Art. III's case-or-controversy requirement.
- 2 See 7A C. Wright & A. Miller, *Federal Practice and Procedure* s 1785, pp. 137—138 (1972); 3B J. Moore, *Federal Practice* 23.50, p. 23—1103 (1974).
- 3 See 7A Wright & Miller, supra, n. 2, ss 1793, 1794; 3B Moore, supra, n. 2, 23.72—23.74.

- 4 The Court apparently also does not view certification as the key to its holding since it mentions in dicta that some class actions will not be moot even though the named representatives' claims become moot prior to certification. If the district court does not have a reasonable amount of time within which to decide the certification question prior to the mootness of the named parties' controversies, the Court says, '(i)n such instances, whether the certification can be said to 'relate back' to the filing of the complaint may depend upon the circumstances of the particular case and especially the reality of the claim that otherwise the issue would evade review.' Ante, at 559 n. 11. If certification is not the factor which saves the case from mootness, it appears that the Court is satisfied that the case is a live controversy as long as an issue would otherwise not be reviewable here. The Court does not say whether the same flexible standard of mootness applies to cases appealable to the courts of appeals.
- 5 The general rule has been that the '(q)uality of representation embraces both the competence of the legal counsel of the representatives and the statute and interest of the named parties themselves.' 7 Wright & Miller, supra, n. 2, s 1766, pp. 632—633 (footnotes omitted). The decisions in the past have rested on several considerations. See i.d., at 633—635.
- 1 [Memorial Hospital v. Maricopa County](#), 415 U.S., at 256—259, 94 S.Ct. at 1081—1083; see also [Shapiro v. Thompson](#), 394 U.S., at 638 n. 21, 89 S.Ct., at 1333.
- 2 The majority also relies on its 'mere delay' distinction to dispose of [Boddie v. Connecticut](#), 401 U.S. 371, 91 S.Ct. 780, 28 L.Ed.2d 113 (1971), see ante, at 563. Yet even though the majority in Boddie relied on due process rather than equal protection, I am fully convinced that if the Connecticut statute in question in that case had required indigents to wait a year for a divorce, the statute would still have been constitutionally infirm, see 401 U.S., at 383—386, 91 S.Ct., at 788—790 (Douglas, J., concurring in result), a point the Court implicitly rejects today.
- 3 The majority identifies marital status, property rights, and custody and support arrangements as the important concerns commonly resolved by divorce proceedings. But by declining to exercise divorce jurisdiction over its new citizens, Iowa does not avoid affecting these weighty social concerns; instead, it freezes them in an unsatisfactory state that it would not require its long-time residents to endure.
- 4 A durational requirement such as Iowa's 90-day conciliation period would not, of course, be subject to an equal protection challenge, as it is required uniformly of all divorce petitioners.
- 5 Appellees do not rely on these factors to support the Iowa statute. In their brief appellees argue that the legislature's determination to impose a one-year residency requirement was reasonable 'in the light of the interest of the State of Iowa in a dissolution proceeding.' Brief for Appellees 8. The full faith and credit argument is mentioned only in the middle of a long quotation from another court's opinion, id., at 9. This is hardly sufficient to meet the requirement of a 'clear showing that the burden imposed is necessary to protect a compelling and substantial governmental interests.' [Oregon v. Mitchell](#), 400 U.S. 112, 238, 91 S.Ct. 260, 321, 27 L.Ed.2d 272 (1970) (opinion of Brennan, White, and Marshall, JJ.); [Sherbert v. Verner](#), 374 U.S. 398, 406—409, 83 S.Ct. 1790, 1795—1797, 10 L.Ed.2d 965 (1963).
- 6 The availability of a less restrictive alternative such as a domicile requirement weighs heavily in testing a challenged state regulation against the 'compelling interest' standard. See [Shapiro v. Thompson](#), 394 U.S., at 638, 89 S.Ct., at 1333; [Dunn v. Blumstein](#), 405 U.S. 330, 342, 350—352, 92 S.Ct. 995, 1003, 1007—1008, 31 L.Ed.2d 274 (1972); [Memorial Hospital v. Maricopa County](#), 415 U.S., at 267, 94 S.Ct., at 1086; [Shelton v. Tucker](#), 364 U.S. 479, 488, 81 S.Ct. 247, 252,

- 5 L.Ed.2d 231 (1960). Since the Iowa courts have in effect interpreted the residency statute to require proof of domicile as well as one year's residence, see *Korsrud v. Korsrud*, 242 Iowa 178, 45 N.W.2d 848 (1951); *Julson v. Julson*, 255 Iowa 301, 122 N.W.2d 329 (1963), a shift to a 'pure' domicile test would impose no new burden on the State's factfinding process.
- 7 This problem could be cured in large part if the State waived its year's residency requirement whenever the respondent agreed to consent to the court's jurisdiction.
- 8 See *Hinds v. Hinds*, 1 Iowa 36 (1855); *Williamson v. Williamson*, 179 Iowa 489, 495, 161 N.W. 482, 485 (1917); *Korsrud v. Korsrud*, supra; *Schaefer v. Schaefer*, 245 Iowa 1343, 1350, 66 N.W.2d 428, 433 (1954); cf. *White v. White*, 138 Conn. 1, 81 A.2d 450 (1951); *Wyman v. Wyman*, 297 Minn. 465, 212 N.W.2d 368 (1973); *Camp v. Camp*, 21 Misc.2d 908, 189 N.Y.S.2d 561 (1959) (construing Florida law). While the Williams case establishes that collateral attack can always be mounted against the divorcing State's finding of domicile, other States have provided that failure to meet the durational residency requirement is not jurisdictional and thus does not provide an independent basis for collateral attack, see e.g., *Schreiner v. Schreiner*, 502 S.W.2d 840 (Tex.Civ.App.1973); *Hammond v. Hammond*, 45 Wash.2d 855, 278 P.2d 387 (1954) (construing Idaho law).
- 9 The majority argues that since most States require a year's residence for divorce, Iowa gains refuge from the risk of collateral attack in the understanding solicitude of States with similar laws. Of course, absent unusual circumstances, a judgment by this Court striking down the Iowa statute would similarly affect the other States with one-and two-year residency requirements. For the same reason, the risk of subjecting Iowa to an invasion of divorce seekers seems minimal. If long residency requirements are held unconstitutional, Iowa will not stand conspicuously alone without a residency requirement 'defense.' Moreover, its 90-day conciliation period, required of all divorce petitioners in the State, would still serve to discourage peripatetic divorce seekers who are looking for the quickest possible adjudication.

Filings (4)














Title	PDF	Court	Date	Type
1. Appellant's Reply and Supplemental Brief Sosna v. Iowa 1974 WL 185831		U.S.	Oct. 15, 1974	Brief
2. Brief of Appellant Sosna v. Iowa 1974 WL 185829		U.S.	July 15, 1974	Brief
3. Brief of Appellee Sosna v. Iowa 1974 WL 185830		U.S.	June 19, 1974	Brief
4. Brief of Appellant Sosna v. Iowa 1974 WL 185832		U.S.	May 04, 1974	Brief


















Negative Treatment














Negative Citing References (57)








The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:

Treatment	Title	Date	Type	Depth	Headnote(s)
Not Followed as Dicta	1. Fromm v. Commission of Veterans Affairs MOST NEGATIVE 220 F.3d 887 , 8th Cir.(Iowa) GOVERNMENT - Immunity. Iowa's filing of answer in case did not waive its Eleventh Amendment immunity.	Aug. 11, 2000	Case		1 S.Ct.
Abrogation Recognized by	2. Sze v. I.N.S. 153 F.3d 1005 , 9th Cir.(Cal.) Applicants brought action seeking writ of mandamus to compel Immigration and Naturalization Service (INS) to grant or deny their applications for naturalization within 120 days,...	Aug. 28, 1998	Case		2 3 S.Ct.
Disagreement Recognized by	3. Haritos v. American Express Financial Advisors Inc. 2005 WL 8160756 , D.Ariz. Pending before the Court is the Motion to Dismiss the Second Amended Complaint (doc. #69) filed by defendant American Express Financial Advisors Inc. (AEFA). Having considered the...	Feb. 22, 2005	Case		3 S.Ct.
Called into Doubt by	4. Cranley v. National Life Ins. Co. of Vermont 144 F.Supp.2d 291 , D.Vt. INSURANCE - Industry Regulation. Statute allowing reorganization of mutual insurers did not amount to a taking.	May 15, 2001	Case		3 S.Ct.
Called into Doubt by	5. In re Plains All American Pipeline, L.P. Securities Litigation 245 F.Supp.3d 870 , S.D.Tex. SECURITIES REGULATION — Fraud. Investors failed to allege material misrepresentation with respect to partnership's statements about its oil pipeline corrosion control efforts.	Mar. 29, 2017	Case		5 S.Ct.
Declined to Extend by	6. In re T.R.J. 661 A.2d 1086 , D.C. The Superior Court, District of Columbia, Geoffrey M. Alprin, J., terminated commitment of neglected child to Department of Human Services (DHS) after his 18th birthday but prior...	June 29, 1995	Case		—
Declined to Extend by	7. Genesis Healthcare Corp. v. Symczyk 133 S.Ct. 1523 , U.S. LABOR AND EMPLOYMENT - Hours and Wages. Collective action by single employee under Fair Labor Standards Act is no longer justiciable once individual claim is moot.	Apr. 16, 2013	Case		3 5 S.Ct.
Declined to Extend by	8. Medical Society of the State of New York v. UnitedHealth Group Inc.	Sep. 11, 2019	Case		3 5

Treatment	Title	Date	Type	Depth	Headnote(s)
	332 F.R.D. 138 , S.D.N.Y. LABOR AND EMPLOYMENT — Class Actions. Office-based surgery (OBS) practice satisfied typicality and adequacy prerequisites for class certification in its action against ERISA...				S.Ct.
Distinguished by	 9. Franks v. Bowman Transp. Co., Inc. ” 96 S.Ct. 1251 , U.S.Ga. Class action on behalf of blacks who had been denied employment as over-the-road drivers by trucking firm was brought against the trucking firm and a union. The District Court for...	Mar. 24, 1976	Case		2 3 4 S.Ct.
Distinguished by	 10. Kremens v. Bartley ” 97 S.Ct. 1709 , U.S.Pa. Individuals who were between 15 and 18 years old were named plaintiffs in action challenging constitutionality of Pennsylvania statutes governing voluntary admission and voluntary...	May 16, 1977	Case		2 3 4 S.Ct.
Distinguished by	 11. Satterwhite v. City of Greenville, Tex. ” 557 F.2d 414 , 5th Cir.(Tex.) Female applicant who was not hired as manager of municipal airport filed sex discrimination suit individually and on behalf of class of present and prospective female employees of...	Aug. 12, 1977	Case		2 3 5 S.Ct.
Distinguished by	12. Nehring v. Ariyoshi 443 F.Supp. 228 , D.Hawai'i A class action was instituted against the Governor of Hawaii for a declaration that Hawaii's one-year durational residency requirement for public employment was unconstitutional as...	Dec. 16, 1977	Case		2 6 S.Ct.
Distinguished by	13. Strong v. Collatos 450 F.Supp. 1356 , D.Mass. Class action was brought seeking declaratory and injunctive relief challenging a Massachusetts statute which imposed a durational residence requirement as a condition to receipt of...	May 26, 1978	Case		—
Distinguished by	 14. Swan v. Stoneman ” 635 F.2d 97 , 2nd Cir.(Vt.) Disabled person sought declaratory and injunctive relief pursuant to section of Civil Rights Act providing for civil action for deprivation of rights, on behalf of himself and all...	Oct. 17, 1980	Case		2 3 4 S.Ct.
Distinguished by	 15. Wilson v. State of Nev. ” 666 F.2d 378 , 9th Cir.(Nev.) In civil rights suit challenging, as imposing a disparate impact on black job applicants, the Nevada State Personnel Division's high school educational requirement, the United...	Jan. 22, 1982	Case		2 3 4 S.Ct.
Distinguished by	16. McCoy v. Ithaca Housing Authority 559 F.Supp. 1351 , N.D.N.Y.	Mar. 29, 1983	Case		2 3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	An action was brought by an AFDC recipient to challenge the method by which defendants determined shelter allowance grants for persons residing in public housing whose rental costs...				
Distinguished by	<p> 17. Kirkwood v. Taylor</p> <p>590 F.Supp. 1375 , D.Minn. Upon various defendants' motions for summary judgment in securities litigation, the District Court, Alsop, J., held that: (1) plaintiffs failed to show that their stock was...</p>	May 25, 1984	Case		<p>3</p> <p>S.Ct.</p>
Distinguished by	<p>18. Speer v. City of Oregon</p> <p>847 F.2d 310 , 6th Cir.(Ohio) New resident of city brought suit to challenge city's residence requirement for office of city council member. The United States District Court for the Northern District of Ohio,...</p>	May 25, 1988	Case		<p>2</p> <p>S.Ct.</p>
Distinguished by	<p> 19. Rocky v. King </p> <p>900 F.2d 864 , 5th Cir.(La.) Inmate at Louisiana prison brought civil rights class action against Secretary of Louisiana Department of Corrections alleging that failure to provide toilet and hand-washing...</p>	May 15, 1990	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Distinguished by	<p> 20. Citicasters, Inc. v. McCaskill</p> <p>883 F.Supp. 1282 , W.D.Mo. Television broadcasting company brought action against police officer, county prosecutor, and board of police commissioners, alleging that seizure of videotape of abduction of...</p>	Feb. 01, 1995	Case		<p>1</p> <p>S.Ct.</p>
Distinguished by	<p>  21. Compassion in Dying v. State of Wash.</p> <p>79 F.3d 790 , 9th Cir.(Wash.) Three terminally ill patients, four physicians, and nonprofit organization brought suit against state of Washington, seeking declaration that statute that prohibited causing or...</p>	Mar. 06, 1996	Case		<p>3</p> <p>S.Ct.</p>
Distinguished by	<p>22. Westenfelder v. Ferguson</p> <p>998 F.Supp. 146 , D.R.I. Plaintiffs brought prospective class action challenging constitutionality of durational residency requirement created by Rhode Island public assistance statute, under which...</p>	Mar. 18, 1998	Case		<p>7</p> <p>S.Ct.</p>
Distinguished by	<p> 23. Cruz v. Farquharson</p> <p>252 F.3d 530 , 1st Cir.(Mass.) IMMIGRATION - Jurisdiction. Alien spouses' action against INS to process petitions for adjustment of their status was moot.</p>	June 12, 2001	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Distinguished by	<p> 24. The M.D. Anderson Cancer Center v. Novak </p> <p>52 S.W.3d 704 , Tex.</p>	June 14, 2001	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
	LITIGATION - Class Actions. Named plaintiff's lack of standing deprives trial court of subject matter jurisdiction over class claims.				
Distinguished by	<p> 25. Johnson v. Board of Regents of University of Georgia</p> <p>263 F.3d 1234 , 11th Cir.(Ga.) EDUCATION - Admission. State university's freshman admissions policy violated equal protection.</p>	Aug. 27, 2001	Case		<p>2</p> <p>3</p> <p>5</p> <p>S.Ct.</p>
Distinguished by	<p> 26. DeCoteau v. Nodak Mut. Ins. Co. ”</p> <p>636 N.W.2d 432 , N.D. LITIGATION - Appeals. Mutual satisfaction of judgment in favor of named plaintiff rendered class action moot.</p>	Dec. 05, 2001	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Distinguished by	<p>27. Meyers v. Franklin County Court of Common Pleas ”</p> <p>81 Fed.Appx. 49 , 6th Cir.(Ohio) CIVIL RIGHTS - Immunity. Parents were barred from bringing action against juvenile court and officers by Eleventh Amendment.</p>	Nov. 17, 2003	Case		<p>2</p> <p>6</p> <p>S.Ct.</p>
Distinguished by	<p>28. Rios v. State Farm Fire and Casualty Company</p> <p>2007 WL 9711426 , S.D.Iowa Before the Court is Defendant's Motion to Dismiss Certain Named Plaintiffs and Count III of Plaintiffs' Fourth Amended Complaint (Clerk's No. 187), filed March 7, 2007. On April 9,...</p>	May 10, 2007	Case		<p>3</p> <p>5</p> <p>S.Ct.</p>
Distinguished by	<p> 29. O'Neill v. Coughlan</p> <p>511 F.3d 638 , 6th Cir.(Ohio) LITIGATION - Abstention. State did not waive application of Younger abstention simply by arguing the merits without having raised abstention.</p>	Jan. 09, 2008	Case		<p>1</p> <p>S.Ct.</p>
Distinguished by	<p>30. Williams v. Bartley</p> <p>2008 WL 7346922 , S.D.Ill. This Report and Recommendation is respectfully submitted to Chief Judge David R. Herndon pursuant to 28 U.S.C. §§ 636(b)(1)(B) and (C). Michael Williams is an inmate in the custody...</p>	Dec. 08, 2008	Case		<p>3</p> <p>S.Ct.</p>
Distinguished by	<p>31. Indergit v. Rite Aid Corp.</p> <p>2009 WL 1269250 , S.D.N.Y. LABOR AND EMPLOYMENT - Class Actions. An employer's motion for judgment on the pleadings as to a former employee's Fair Labor Standards Act (FLSA) and Labor Law class and...</p>	May 04, 2009	Case		<p>3</p> <p>S.Ct.</p>
Distinguished by	<p> 32. Gawry v. Countrywide Home Loans, Inc. ”</p> <p>640 F.Supp.2d 942 , N.D.Ohio REAL PROPERTY - Mortgages and Deeds of Trust. Preemption defense weighed against class certification in mortgagors' action alleging mortgagee charged illegal prepayment penalty.</p>	July 06, 2009	Case		<p>2</p> <p>3</p> <p>5</p> <p>S.Ct.</p>
Distinguished by	<p>33. C.F. v. Capistrano Unified School Dist. ”</p>	July 27, 2009	Case		<p>2</p> <p>6</p>


Treatment	Title	Date	Type	Depth	Headnote(s)
	647 F.Supp.2d 1187 , C.D.Cal. EDUCATION - Religion. Permanent injunction could not issue to order teacher to refrain from expressing any disapproval of religion.				S.Ct.
Distinguished by	 34. Clarke v. Lane ” 267 F.R.D. 180 , E.D.Pa. LITIGATION - Class Actions. Class of community corrections facility residents alleging systemic defects at medical facility would be certified.	Mar. 31, 2010	Case		2 3 4 S.Ct.
Distinguished by	35. Gutierrez v. Sniff 2010 WL 2464997 , C.D.Cal. Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the Petition, the Magistrate Judge's Report and Recommendation ("R & R"), the Objections to...	June 11, 2010	Case		1 S.Ct.
Distinguished by	36. Zimmermann v. Epstein Becker and Green, P.C. 2010 WL 2724001 , D.Mass. On November 10, 2009, Plaintiffs, individually and as putative class representatives, filed this complaint, purporting to enforce a constructive trust ordered in a separate class...	July 08, 2010	Case		2 S.Ct.
Distinguished by	37. Tate v. Hartsville/Trousdale County ” 2010 WL 4822270 , M.D.Tenn. On October 14, 2010, this Court entered an Order (Docket No. 86) which dismissed Plaintiff's individual claims and gave the parties until November 1, 2010, to file supplemental...	Nov. 22, 2010	Case		2 3 4 S.Ct.
Distinguished by	 38. Lucero v. Bureau of Collection Recovery, Inc. ” 639 F.3d 1239 , 10th Cir.(N.M.) LITIGATION - Class Actions. Offer of judgment made prior to class certification decision does not render action moot.	Mar. 31, 2011	Case		3 4 5 S.Ct.
Distinguished by	39. Zimmermann v. Epstein Becker and Green, P.C. ” 657 F.3d 80 , 1st Cir.(Mass.) COMMERCIAL LAW - Consumer Credit. Constructive trust established in class action could not be used to claw back monies paid before trust's establishment.	Sep. 22, 2011	Case		3 5 S.Ct.
Distinguished by	40. Dzu Cong Tran v. Napolitano ” 497 Fed.Appx. 724 , 9th Cir.(Or.) IMMIGRATION - Appeals. Plaintiffs' appeal of order dismissing action challenging refusal to issue visas to their alien fiancées was moot.	Oct. 25, 2012	Case		3 5 S.Ct.
Distinguished by	 41. Richards v. Del Webb Communities, Inc. ” 2013 WL 525471 , D.Ariz. Before the Court is Defendants'/Third-Party Plaintiffs' Motion to Dismiss Plaintiff's Complaint for Mootness. (Doc. 359.) Third-Party Defendants have joined with the motion. (Doc....	Feb. 11, 2013	Case		3 4 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	42. Doe v. Briley ” 2014 WL 4249983 , M.D.Tenn. Pending before the court are several motions. The plaintiff has filed a Motion to Adopt Plaintiff Class' Proposed Revised Order (Docket No. 165), to which the defendant, the...	Aug. 27, 2014	Case		2 3 5 S.Ct.
Distinguished by	43. Stein v. Buccaneers Ltd. Partnership ” 772 F.3d 698 , 11th Cir.(Fla.) COMMERCIAL LAW - Class Actions. Offer of full relief to named plaintiffs did not moot putative class action.	Dec. 01, 2014	Case		3 4 5 S.Ct.
Distinguished by	44. Fontenot v. McCraw ” 777 F.3d 741 , 5th Cir.(Tex.) GOVERNMENT - Immunity. Claim for refund of surcharges erroneously imposed by Department of Public Safety was barred by Eleventh Amendment.	Jan. 23, 2015	Case		3 4 5 S.Ct.
Distinguished by	45. Wallach v. Eaton Corporation ” 125 F.Supp.3d 487 , D.Del. ANTITRUST — Parties. Direct purchaser's assignment of its antitrust claim was not supported by valid consideration.	Aug. 31, 2015	Case		3 5 S.Ct.
Distinguished by	46. Heard v. United States Social Security Administration ” 170 F.Supp.3d 124 , D.D.C. TAXATION — Income. Taxpayer did not have reasonable expectation that SSA would refer debt to Treasury for tax refund offset, and thus taxpayer's claims were moot.	Mar. 15, 2016	Case		3 5 S.Ct.
Distinguished by	47. Rosa v. American Water Heater Company ” 177 F.Supp.3d 1025 , S.D.Tex. COMMERCIAL LAW — Warranties. Breach of warranty claims against manufacturer of gas water heaters would not proceed as a class action.	Apr. 07, 2016	Case		3 4 5 S.Ct.
Distinguished by	48. Wallach v. Eaton Corporation ” 837 F.3d 356 , 3rd Cir.(Del.) ANTITRUST — Monopolies. Restatement of Contracts was to be used as guidepost to define federal common law concerning validity of assignments of antitrust claims.	Sep. 14, 2016	Case		2 3 5 S.Ct.
Distinguished by	49. Ward v. Gladieux 2017 WL 1954109 , N.D.Ind. Plaintiff Ronald Ward has moved for reconsideration of his motion to certify a class and amendment of my order denying it. (DE 61.) Ward was incarcerated at the Allen County Jail...	May 11, 2017	Case		5 S.Ct.
Distinguished by	50. Sumpter v. Wayne County 868 F.3d 473 , 6th Cir.(Mich.)	Aug. 18, 2017	Case		3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	CIVIL RIGHTS — Immunity. It was not clearly established that conducting group strip searches when volume of inmates made individual searches imprudent was unreasonable.				
Distinguished by	51. Hall v. Secretary, Alabama ” 902 F.3d 1294 , 11th Cir.(Ala.) GOVERNMENT — Elections. Capable of repetition, yet evading review exception to mootness doctrine was not applicable to independent candidate's challenge to ballot access law.	Aug. 29, 2018	Case		2 3 5 S.Ct.
Distinguished by	52. Strugala v. Flagstar Bank, FSB ” 2019 WL 2247828 , N.D.Cal. Presently before the Court is Defendant Flagstar Bank FSB's ("Flagstar Bank") Motion to Dismiss the Second Amended Complaint ("SAC") filed by Plaintiff Lisa Strugala, an...	May 24, 2019	Case		2 5 S.Ct.
Distinguished by	53. Rolaff v. Farmers Insurance Company, Inc. 2020 WL 4939172 , W.D.Okla. Plaintiffs, husband and wife John and Harlene Rolaff, filed this lawsuit in state court against several defendants who are either insurers (Farmers Defendants) or insurance service...	Mar. 19, 2020	Case		—
Distinguished by	54. Fox v. Saginaw County, Michigan 67 F.4th 284 , 6th Cir.(Mich.) LITIGATION — Class Actions. Purported "juridical link doctrine" is not a viable basis to allow named plaintiffs to bring class action against defendants who did not injure them.	Apr. 28, 2023	Case		5 S.Ct.
Distinguished by	55. Laube v. Desert Fire LLC 2023 WL 4348745 , D.Or. Plaintiffs Megan Laube ("Laube"), Kenza Minkler ("Minkler"), and filed this action on March 9, 2022, later joined by others, alleging violation of the federal Fair Labor Standards...	July 05, 2023	Case		5 S.Ct.
Limitation of Holding Recognized by	56. Berry v. Pierce ” 98 F.R.D. 237 , E.D.Tex. On motion to intervene in employment discrimination suit against government after original plaintiffs settled their claims prior to certification of a class and on the government's...	Mar. 09, 1983	Case		2 3 4 S.Ct.
Limitation of Holding Recognized by	57. DL v. District of Columbia ” 302 F.R.D. 1 , D.D.C. EDUCATION — Disabled Students. Children with various disabilities satisfied commonality requirement for class certification as to each of four subclasses in IDEA suit.	Nov. 08, 2013	Case		3 4 5 S.Ct.

History (3)



Direct History (3)

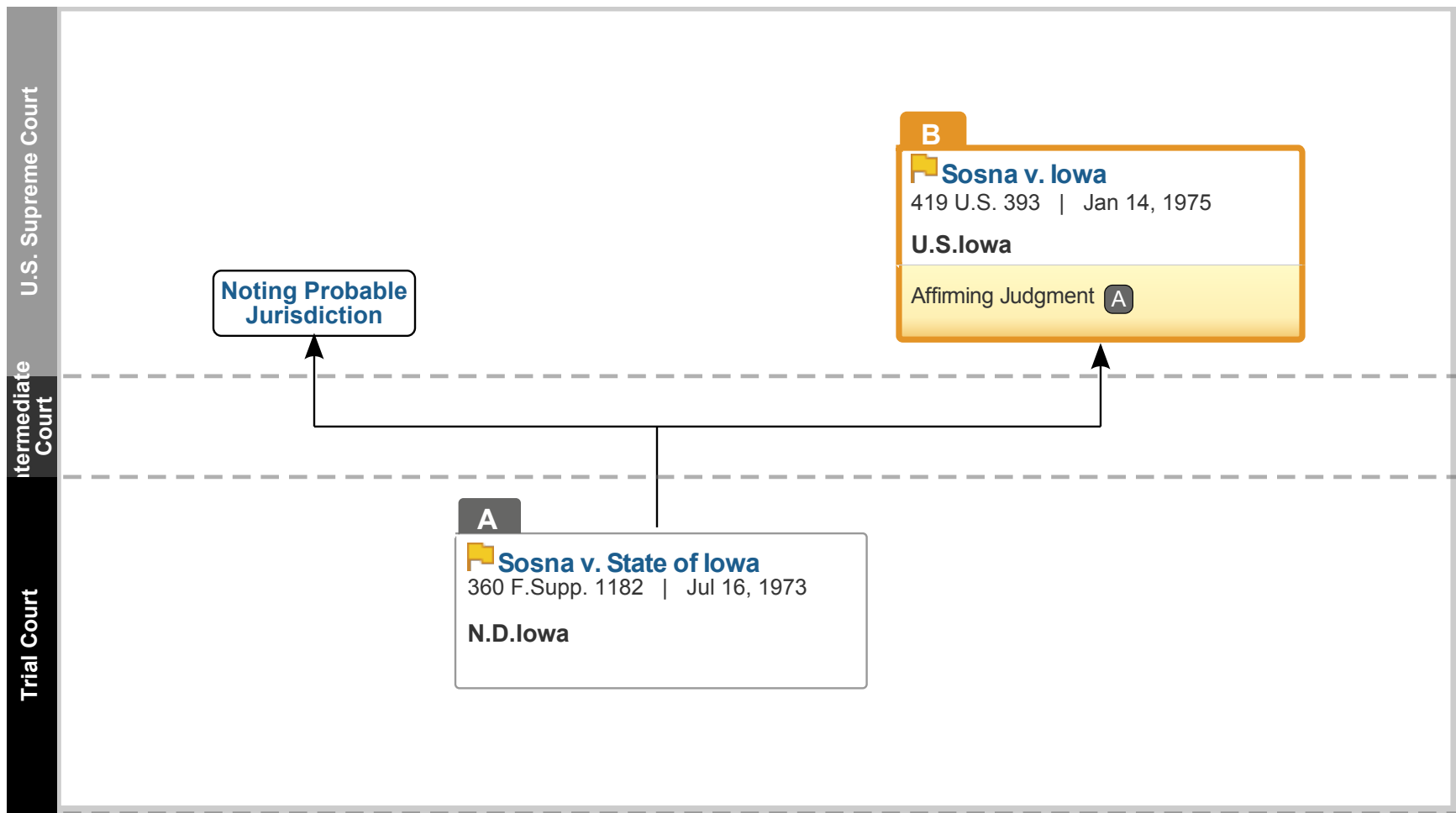
 1. [Sosna v. State of Iowa](#)
360 F.Supp. 1182 , N.D.Iowa , July 16, 1973

Probable Jurisdiction Noted by















2. [Sosna v. Iowa](#)
415 U.S. 911 , U.S.Iowa , Feb. 19, 1974

AND Judgment Affirmed by













 3. [Sosna v. Iowa](#) 
419 U.S. 393 , U.S.Iowa , Jan. 14, 1975












Citing References (500)

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by NEGATIVE	 1. Genesis Healthcare Corp. v. Symczyk ¶¶ 133 S.Ct. 1523, 1525+ , U.S. LABOR AND EMPLOYMENT - Hours and Wages. Collective action by single employee under Fair Labor Standards Act is no longer justiciable once individual claim is moot.	Apr. 16, 2013	Case		3 5 S.Ct.
Distinguished by NEGATIVE	2. Hall v. Secretary, Alabama ¶¶ 902 F.3d 1294, 1300+ , 11th Cir.(Ala.) GOVERNMENT — Elections. Capable of repetition, yet evading review exception to mootness doctrine was not applicable to independent candidate's challenge to ballot access law.	Aug. 29, 2018	Case		2 3 5 S.Ct.
Distinguished by NEGATIVE	 3. Fontenot v. McCraw ¶¶ 777 F.3d 741, 748+ , 5th Cir.(Tex.) GOVERNMENT - Immunity. Claim for refund of surcharges erroneously imposed by Department of Public Safety was barred by Eleventh Amendment.	Jan. 23, 2015	Case		3 4 5 S.Ct.
Distinguished by NEGATIVE	 4. Stein v. Buccaneers Ltd. Partnership ¶¶ 772 F.3d 698, 705+ , 11th Cir.(Fla.) COMMERCIAL LAW - Class Actions. Offer of full relief to named plaintiffs did not moot putative class action.	Dec. 01, 2014	Case		3 4 5 S.Ct.
Distinguished by NEGATIVE	5. Doe v. Briley ¶¶ 2014 WL 4249983, *4+ , M.D.Tenn. Pending before the court are several motions. The plaintiff has filed a Motion to Adopt Plaintiff Class' Proposed Revised Order (Docket No. 165), to which the defendant, the...	Aug. 27, 2014	Case		2 3 5 S.Ct.
Distinguished by NEGATIVE	 6. Lucero v. Bureau of Collection Recovery, Inc. ¶¶ 639 F.3d 1239, 1240+ , 10th Cir.(N.M.) LITIGATION - Class Actions. Offer of judgment made prior to class certification decision does not render action moot.	Mar. 31, 2011	Case		3 4 5 S.Ct.
Distinguished by NEGATIVE	 7. Rocky v. King ¶¶ 900 F.2d 864, 867+ , 5th Cir.(La.) Inmate at Louisiana prison brought civil rights class action against Secretary of Louisiana Department of Corrections alleging that failure to provide toilet and hand-washing...	May 15, 1990	Case		2 3 4 S.Ct.
Distinguished by NEGATIVE	 8. Satterwhite v. City of Greenville, Tex. ¶¶ 557 F.2d 414, 416+ , 5th Cir.(Tex.) Female applicant who was not hired as manager of municipal airport filed sex discrimination suit individually and on behalf of class of present and prospective female employees of...	Aug. 12, 1977	Case		2 3 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	9. Kremens v. Bartley ¶¶ 97 S.Ct. 1709, 1711+ , U.S.Pa. Individuals who were between 15 and 18 years old were named plaintiffs in action challenging constitutionality of Pennsylvania statutes governing voluntary admission and voluntary...	May 16, 1977	Case		2 3 4 S.Ct.
Distinguished by NEGATIVE	10. Franks v. Bowman Transp. Co., Inc. ¶¶ 96 S.Ct. 1251, 1258+ , U.S.Ga. Class action on behalf of blacks who had been denied employment as over-the-road drivers by trucking firm was brought against the trucking firm and a union. The District Court for...	Mar. 24, 1976	Case		2 3 4 S.Ct.
Limitation of Holding Recognized by NEGATIVE	11. DL v. District of Columbia ¶¶ 302 F.R.D. 1, 19+ , D.D.C. EDUCATION — Disabled Students. Children with various disabilities satisfied commonality requirement for class certification as to each of four subclasses in IDEA suit.	Nov. 08, 2013	Case		3 4 5 S.Ct.
Limitation of Holding Recognized by NEGATIVE	12. Berry v. Pierce ¶¶ 98 F.R.D. 237, 241+ , E.D.Tex. On motion to intervene in employment discrimination suit against government after original plaintiffs settled their claims prior to certification of a class and on the government's...	Mar. 09, 1983	Case		2 3 4 S.Ct.
Examined by	13. U.S. v. Sanchez-Gomez ¶¶ 138 S.Ct. 1532, 1535+ , U.S. CIVIL RIGHTS - Arrest and Detention. Pretrial detainees' challenges to use of full restraints were rendered moot when they pled guilty or charges were dropped.	May 14, 2018	Case		2 3 5 S.Ct.
Examined by	14. U.S. Parole Commission v. Geraghty ¶¶ 100 S.Ct. 1202, 1204+ , U.S.Pa. Federal prisoner brought suit to challenge the validity of the United States Parole Commission's parole release guidelines. The United States District Court for the Middle...	Mar. 19, 1980	Case		2 3 4 S.Ct.
Examined by	15. Board of School Com'rs of City of Indianapolis v. Jacobs 95 S.Ct. 848, 850+ , U.S.Ind. High school students brought action to have declared unconstitutional certain regulations and rules promulgated by board of school commissioners and to have enforcement of those...	Feb. 18, 1975	Case		2 3 S.Ct.
Examined by	16. Cohen v. Brown University ¶¶ 16 F.4th 935, 946+ , 1st Cir.(R.I.) EDUCATION — Athletics. District court did not abuse its discretion in approving revised settlement agreement in student-athletes' Title IX action.	Oct. 27, 2021	Case		2 3 5 S.Ct.


Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	<p> 17. Frost v. Weinberger ¶¶ 515 F.2d 57, 63+ , 2nd Cir.(N.Y.)</p> <p>Appeal was taken from judgment of the United States District Court for the Eastern District of New York, Anthony J. Travia, J., 375 F.Supp. 1312, declaring unconstitutional...</p>	Apr. 17, 1975	Case		<p>2 3</p> <p>S.Ct.</p>
Examined by	<p> 18. Rosetti v. Shalala ¶¶ 12 F.3d 1216, 1225+ , 3rd Cir.(Pa.)</p> <p>Disability claimants brought class action against Secretary of Health and Human Services challenging alleged de facto rules for evaluating disability of those with acquired immune...</p>	Dec. 15, 1993	Case		<p>2 3 4</p> <p>S.Ct.</p>
Examined by	<p>19. Murillo v. Bambrick ¶¶ 681 F.2d 898, 903+ , 3rd Cir.(N.J.)</p> <p>Class action suit was brought for declaration that special matrimonial litigation fee imposed by New Jersey violated equal protection clause of the Fourteenth Amendment. The...</p>	June 17, 1982	Case		<p>2 6 7</p> <p>S.Ct.</p>
Examined by	<p> 20. Gardner v. Westinghouse Broadcasting Co. ¶¶ 559 F.2d 209, 215+ , 3rd Cir.(Pa.)</p> <p>Shortly after commencement of action alleging sex discrimination in defendant's employment practices, plaintiff moved for class certification. The United States District Court for...</p>	June 06, 1977	Case		<p>2 3 6</p> <p>S.Ct.</p>
Examined by	<p>21. Chavez v. Plan Benefit Services, Inc. ¶¶ 2023 WL 5160393, *5+ , 5th Cir.(Tex.)</p> <p>LABOR AND EMPLOYMENT — Class Actions. Plan participants established injury in fact required for Article III standing to represent other class members in class action alleging...</p>	Aug. 11, 2023	Case		<p>3 4 5</p> <p>S.Ct.</p>
Examined by	<p>22. Manzo-Hernandez v. Saucedo 2021 WL 5627068, *3+ , 5th Cir.(Tex.)</p> <p>Petitioners-Appellants Gloria Carolina Manzo-Hernandez, Victor Zepata-Jasso, Moises Amadeo Mancia-Mendoza, Mercy Rocio Duchi-Vargas, and Jatzeel Antonio Cuevas-Cortes are...</p>	Nov. 30, 2021	Case		<p>3 5</p> <p>S.Ct.</p>
Examined by	<p>23. Davis v. Page ¶¶ 714 F.2d 512, 519+ , 5th Cir.(Fla.)</p> <p>After the United States District Court for the Southern District of Florida, Sidney M. Aronovitz, J., 442 F.Supp. 258, granted summary judgment in favor of parent seeking writ of...</p>	Sep. 15, 1983	Case		<p>2 3</p> <p>S.Ct.</p>
Examined by	<p> 24. Zeidman v. J. Ray McDermott & Co., Inc. ¶¶ 651 F.2d 1030, 1044+ , 5th Cir.(La.)</p> <p>In a suit filed as a class action, the United States District Court for the Eastern District of Louisiana at New Orleans, Morey L. Sear, J., declined to certify the class because...</p>	July 27, 1981	Case		<p>2 3 4</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	<p> 25. Satterwhite v. City of Greenville, Tex. ¶¶ 578 F.2d 987, 991+ , 5th Cir.(Tex.)</p> <p>Female applicant who was not hired as manager of municipal airport filed sex discrimination suit individually and on behalf of class of present and prospective female employees of...</p>	Aug. 23, 1978	Case		<p>2 3 4</p> <p>S.Ct.</p>
Examined by	<p>26. Johnson v. City of Grants Pass ¶¶ 72 F.4th 868, 884+ , 9th Cir.(Or.)</p> <p>CRIMINAL JUSTICE — Sentencing. City's "anti-camping" ordinance, precluding use of bedding supplies when sleeping in public, violated Eighth Amendment as applied.</p>	July 05, 2023	Case		<p>2 3 5</p> <p>S.Ct.</p>
Examined by	<p> 27. Johnson v. City of Grants Pass ¶¶ 50 F.4th 787, 801+ , 9th Cir.(Or.)</p> <p>CRIMINAL JUSTICE — Sentencing. City's "anti-camping" ordinance, precluding use of bedding supplies when sleeping in public, violated Eighth Amendment as applied.</p>	Sep. 28, 2022	Case		<p>2 3 5</p> <p>S.Ct.</p>
Examined by	<p> 28. Pitts v. Terrible Herbst, Inc. ¶¶ 653 F.3d 1081, 1087+ , 9th Cir.(Nev.)</p> <p>LABOR AND EMPLOYMENT - Hours and Wages. Offer of judgment for full amount of representative's individual claim did not moot class action complaint.</p>	Aug. 09, 2011	Case		<p>2 3 5</p> <p>S.Ct.</p>
Examined by	<p> 29. Bates v. United Parcel Service, Inc. ¶¶ 511 F.3d 974, 987+ , 9th Cir.(Cal.)</p> <p>LABOR AND EMPLOYMENT - Discrimination. Remand was warranted to permit district court to consider employer's ADA business necessity defense under correct test.</p>	Dec. 28, 2007	Case		<p>2 3 4</p> <p>S.Ct.</p>
Examined by	<p>30. Dunn v. Dunn ¶¶ 148 F.Supp.3d 1329, 1339+ , M.D.Ala.</p> <p>LITIGATION — Parties. Prisoners were not required to reestablish their standing after amending their complaint to reflect fact that they had been released.</p>	Oct. 06, 2015	Case		<p>2 3 5</p> <p>S.Ct.</p>
Examined by	<p>31. Immigrant Defenders Law Center v. Mayorkas ¶¶ 2023 WL 3149243, *39+ , C.D.Cal.</p> <p>Before the Court are two matters: (1) a motion to dismiss filed by Defendants ("Motion to Dismiss," Dkt. No. 189) and a motion for class certification filed by Plaintiffs...</p>	Mar. 15, 2023	Case		<p>2 3 5</p> <p>S.Ct.</p>
Examined by	<p>32. Tedeschi v. Blackwood ¶¶ 410 F.Supp. 34, 38+ , D.Conn.</p> <p>Action was brought challenging Connecticut statute which empowered police officer or motor vehicle inspector, who has determined that a motor vehicle is either abandoned,...</p>	Mar. 22, 1976	Case		<p>2 3 4</p> <p>S.Ct.</p>




















Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 33. Fulton Dental, LLC v. Bisco, Inc.  2016 WL 4593825, *10+ , N.D.Ill. Fulton Dental, LLC filed a class action complaint, alleging that Bisco, Inc. sent it unsolicited fax advertisements in violation of the Telephone Consumer Protection Act. Fulton...	Sep. 02, 2016	Case		3 4 5 S.Ct.
Examined by	34. Doe v. Fahner  516 F.Supp. 514, 515+ , N.D.Ill. Grandmother of baby boy, who was born live during an attempted voluntary abortion, brought suit attacking the constitutionality of the Illinois statute treating the situation in...	June 08, 1981	Case		2 3 4 S.Ct.
Examined by	 35. Little v. Frederick 2017 WL 8161160, *3+ , W.D.La. Currently pending before this Court is defendant Sheriff Mark Garber's motion to dismiss pursuant to Rule 12(b)(1) for lack of subject matter jurisdiction and Rule 12(b)(6) for...	Dec. 11, 2017	Case		3 5 S.Ct.
Examined by	 36. South Orange Chiropractic Center, LLC v. Cayan LLC 2016 WL 1441791, *2+ , D.Mass. This proposed class action is about an unsolicited fax allegedly sent in violation of the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227. Plaintiff South Orange...	Apr. 12, 2016	Case		3 5 S.Ct.
Examined by	 37. Grice v. Colvin  2016 WL 1065806, *4+ , D.Md. In this putative class action lawsuit. Plaintiffs John Jones and Denise Hart, on behalf of themselves and others similarly situated, and Mary Grice, for herself, (collectively,...	Mar. 14, 2016	Case		3 5 S.Ct.
Examined by	38. Johannes v. Washington  2015 WL 10521551, *5+ , E.D.Mich. Plaintiff Robert Johannes, currently a prisoner at the Gus Harrison Correctional Facility in Adrian, Michigan, filed this proposed class action under 42 U.S.C. §§ 1983 and 1988, on...	Nov. 06, 2015	Case		2 3 5 S.Ct.
Examined by	39. Dozier v. Haveman  2014 WL 5483008, *9+ , E.D.Mich. This case arises out of the State of Michigan's winding down of the Plan First! Family Planning Program, a Medicaid program that covered family-planning services, and the ramping...	Oct. 29, 2014	Case		2 3 5 S.Ct.
Examined by	40. Watson v. Watson  2022 WL 18688901, *4+ , S.D.Miss. This matter is before the Court on Plaintiff John Kevin Watson's ("Kevin") Motion for Declaratory Judgment [18]. Kevin asks the Court to declare Mississippi's divorce statute,...	Mar. 03, 2022	Case		6 7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	<p> 41. Jobie O. v. Spitzer ”</p> <p>2007 WL 4302921, *4+ , S.D.N.Y.</p> <p>Plaintiff has moved for class certification under Rule 23 of the Federal Rules of Civil Procedure, alleging that New York State officials have failed to provide sufficient...</p>	Dec. 05, 2007	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Examined by	<p> 42. Jane B. by Martin v. New York City Dept. of Social Services ”</p> <p>117 F.R.D. 64, 67+ , S.D.N.Y.</p> <p>A civil rights action was brought by juveniles on behalf of themselves and others similarly situated challenging conditions at two centers for adolescent girls with behavioral and...</p>	Oct. 02, 1987	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Examined by	<p>43. Diaz v. Ward ”</p> <p>1987 WL 13723, *5+ , S.D.N.Y.</p> <p>This case is before the Court on defendants' motion to decertify the class and dismiss the complaint in major part. Plaintiffs have responded with a cross-motion to intervene on...</p>	July 08, 1987	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Examined by	<p>44. Bowers v. City of Philadelphia ”</p> <p>2006 WL 2818501, *4+ , E.D.Pa.</p> <p>Presently before the Court is Plaintiffs' Motion For Class Certification (Doc. No. 29), City Defendants and District Attorney's Response in opposition (Doc. No. 40), and...</p>	Sep. 28, 2006	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Examined by	<p> 45. Nash v. CVS Caremark Corp. ”</p> <p>683 F.Supp.2d 195, 198+ , D.R.I.</p> <p>LABOR AND EMPLOYMENT - Hours and Wages. Collective action under the FLSA did not become moot when a plaintiff rejected employer's offer of judgment.</p>	Feb. 09, 2010	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Examined by	<p> 46. Hooks v. Landmark Industries ”</p> <p>2014 WL 2981229, *5+ , S.D.Tex.</p> <p>Plaintiff David Hooks, individually and on behalf of all others similarly situated ("Plaintiff"), brought this action against defendant Landmark Industries d/b/a Timewise Food...</p>	July 01, 2014	Case		<p>3</p> <p>5</p> <p>S.Ct.</p>
Examined by	<p>47. Clausen Law Firm, PLLC v. National Academy of Continuing Legal Educ. ”</p> <p>827 F.Supp.2d 1262, 1267+ , W.D.Wash.</p> <p>LITIGATION - Class Actions. Putative class action was not rendered moot by named plaintiff's failure to accept offer of settlement.</p>	Nov. 02, 2010	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Examined by	<p>48. Nichols v. Schubert ”</p> <p>71 F.R.D. 578, 579+ , E.D.Wis.</p> <p>Civil rights action was brought by state hospital inmate for injunctive relief with respect to rules, regulations and policies governing visiting privileges at hospital. The...</p>	July 02, 1976	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
















Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	49. Williams v. Zobel 619 P.2d 448, 452+ , Alaska Suit was brought by two residents for declaration that the permanent fund statute, which provides for cash distribution of income derived from the Permanent Fund based on the...	Oct. 24, 1980	Case		2 6 7 S.Ct.
Examined by	50. Growden v. Good Shepherd Health System ¶ 550 S.W.3d 716, 723+ , Tex.App.-Texarkana HEALTH — Class Actions. Class action claims that hospital's billing practices were unfair were not mooted even though mother's individual claim became moot.	May 09, 2018	Case		2 3 5 S.Ct.
Examined by	51. Martin v. Board of County Commissioners of Laramie County ¶ 503 P.3d 68, 75+ , Wyo. TAXATION — Real Property. Three-year residency requirement for state property tax exemption for veterans did not violate equal protection.	Feb. 02, 2022	Case		2 6 7 S.Ct.
Examined by	52. Harry Goldbar ¶ 1982 WL 43798 (Alaska A.G.), *2+ The constitutionality of the residency requirements applicable to veterans' benefits under the special mortgage loan purchase program of the Alaska Housing Finance Corporation...	July 14, 1982	Administrative Decision		2 6 7 S.Ct.
Not Followed as Dicta NEGATIVE	53. Fromm v. Commission of Veterans Affairs ¶ 220 F.3d 887, 889+ , 8th Cir.(Iowa) GOVERNMENT - Immunity. Iowa's filing of answer in case did not waive its Eleventh Amendment immunity.	Aug. 11, 2000	Case		1 S.Ct.
Distinguished by NEGATIVE	54. Rolaff v. Farmers Insurance Company, Inc. 2020 WL 4939172, *2+ , W.D.Okla. Plaintiffs, husband and wife John and Harlene Rolaff, filed this lawsuit in state court against several defendants who are either insurers (Farmers Defendants) or insurance service...	Mar. 19, 2020	Case		—
Distinguished by NEGATIVE	55. Strugala v. Flagstar Bank, FSB ¶ 2019 WL 2247828, *4+ , N.D.Cal. Presently before the Court is Defendant Flagstar Bank FSB's ("Flagstar Bank") Motion to Dismiss the Second Amended Complaint ("SAC") filed by Plaintiff Lisa Strugala, an...	May 24, 2019	Case		2 5 S.Ct.
Distinguished by NEGATIVE	56. Wallach v. Eaton Corporation ¶ 125 F.Supp.3d 487, 495+ , D.Del. ANTITRUST — Parties. Direct purchaser's assignment of its antitrust claim was not supported by valid consideration.	Aug. 31, 2015	Case		3 5 S.Ct.












Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	 57. Richards v. Del Webb Communities, Inc.  2013 WL 525471, *2+ , D.Ariz. Before the Court is Defendants'/Third-Party Plaintiffs' Motion to Dismiss Plaintiff's Complaint for Mootness. (Doc. 359.) Third-Party Defendants have joined with the motion. (Doc....	Feb. 11, 2013	Case		3 4 5 S.Ct.
Distinguished by NEGATIVE	58. Tate v. Hartsville/Trousdale County  2010 WL 4822270, *3+ , M.D.Tenn. On October 14, 2010, this Court entered an Order (Docket No. 86) which dismissed Plaintiff's individual claims and gave the parties until November 1, 2010, to file supplemental...	Nov. 22, 2010	Case		2 3 4 S.Ct.
Distinguished by NEGATIVE	59. Zimmermann v. Epstein Becker and Green, P.C. 2010 WL 2724001, *3+ , D.Mass. On November 10, 2009, Plaintiffs, individually and as putative class representatives, filed this complaint, purporting to enforce a constructive trust ordered in a separate class...	July 08, 2010	Case		2 S.Ct.
Distinguished by NEGATIVE	 60. Clarke v. Lane  267 F.R.D. 180, 189+ , E.D.Pa. LITIGATION - Class Actions. Class of community corrections facility residents alleging systemic defects at medical facility would be certified.	Mar. 31, 2010	Case		2 3 4 S.Ct.
Distinguished by NEGATIVE	61. C.F. v. Capistrano Unified School Dist.  647 F.Supp.2d 1187, 1197+ , C.D.Cal. EDUCATION - Religion. Permanent injunction could not issue to order teacher to refrain from expressing any disapproval of religion.	July 27, 2009	Case		2 6 S.Ct.
Distinguished by NEGATIVE	 62. Gawry v. Countrywide Home Loans, Inc.  640 F.Supp.2d 942, 950+ , N.D.Ohio REAL PROPERTY - Mortgages and Deeds of Trust. Preemption defense weighed against class certification in mortgagors' action alleging mortgagee charged illegal prepayment penalty.	July 06, 2009	Case		2 3 5 S.Ct.
Distinguished by NEGATIVE	 63. O'Neill v. Coughlan 511 F.3d 638, 641+ , 6th Cir.(Ohio) LITIGATION - Abstention. State did not waive application of Younger abstention simply by arguing the merits without having raised abstention.	Jan. 09, 2008	Case		1 S.Ct.
Distinguished by NEGATIVE	64. Meyers v. Franklin County Court of Common Pleas  81 Fed.Appx. 49, 54+ , 6th Cir.(Ohio) CIVIL RIGHTS - Immunity. Parents were barred from bringing action against juvenile court and officers by Eleventh Amendment.	Nov. 17, 2003	Case		2 6 S.Ct.














Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	65. Johnson v. Board of Regents of University of Georgia 263 F.3d 1234, 1268+ , 11th Cir.(Ga.) EDUCATION - Admission. State university's freshman admissions policy violated equal protection.	Aug. 27, 2001	Case		2 3 5 S.Ct.
Distinguished by NEGATIVE	66. The M.D. Anderson Cancer Center v. Novak ¶¶ 52 S.W.3d 704, 708+ , Tex. LITIGATION - Class Actions. Named plaintiff's lack of standing deprives trial court of subject matter jurisdiction over class claims.	June 14, 2001	Case		2 3 S.Ct.
Distinguished by NEGATIVE	67. Cruz v. Farquharson 252 F.3d 530, 533+ , 1st Cir.(Mass.) IMMIGRATION - Jurisdiction. Alien spouses' action against INS to process petitions for adjustment of their status was moot.	June 12, 2001	Case		2 3 4 S.Ct.
Distinguished by NEGATIVE	68. Wilson v. State of Nev. ¶¶ 666 F.2d 378, 381+ , 9th Cir.(Nev.) In civil rights suit challenging, as imposing a disparate impact on black job applicants, the Nevada State Personnel Division's high school educational requirement, the United...	Jan. 22, 1982	Case		2 3 4 S.Ct.
Distinguished by NEGATIVE	69. Swan v. Stoneman ¶¶ 635 F.2d 97, 102+ , 2nd Cir.(Vt.) Disabled person sought declaratory and injunctive relief pursuant to section of Civil Rights Act providing for civil action for deprivation of rights, on behalf of himself and all...	Oct. 17, 1980	Case		2 3 4 S.Ct.
Distinguished by NEGATIVE	70. Nehring v. Ariyoshi 443 F.Supp. 228, 236+ , D.Hawai'i A class action was instituted against the Governor of Hawaii for a declaration that Hawaii's one-year durational residency requirement for public employment was unconstitutional as...	Dec. 16, 1977	Case		2 6 S.Ct.
Discussed by	71. Haaland v. Brackeen ¶¶ 143 S.Ct. 1609, 1629+ , U.S. NATIVE AMERICANS — Child Welfare. The Indian Child Welfare Act does not exceed Congress's power under Article I to legislate with respect to Indian affairs.	June 15, 2023	Case		1 S.Ct.
Discussed by	72. Seminole Tribe of Florida v. Florida 116 S.Ct. 1114, 1137+ , U.S.Fla. GAMBLING - Native Americans. Congress lacked authority under the Indian commerce clause to abrogate the states' Eleventh Amendment immunity.	Mar. 27, 1996	Case		1 S.Ct.










Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 73. Attorney General of New York v. Soto-Lopez 106 S.Ct. 2317, 2321+ , U.S.N.Y. Applicants for state employment, who were denied additional points for service in armed forces by reason that their entry into armed forces was from another state, brought action...	June 17, 1986	Case		7 S.Ct.
Discussed by	 74. Patsy v. Board of Regents of State of Fla. 102 S.Ct. 2557, 2572+ , U.S.Fla. Applicant for employment with a state university brought suit under the Civil Rights Act of 1871 alleging that the employer had denied her employment opportunities solely on the...	June 21, 1982	Case		1 S.Ct.
Discussed by	 75. Zobel v. Williams  102 S.Ct. 2309, 2310+ , U.S.Alaska Suit was brought by Alaska residents challenging dividend distribution plan as violative of their right to equal protection guarantees and their constitutional right to migrate to...	June 14, 1982	Case		2 6 7 S.Ct.
Discussed by	 76. Deposit Guaranty Nat. Bank, Jackson, Miss. v. Roper  100 S.Ct. 1166, 1175+ , U.S.Miss. Credit card holders brought class action against national bank on behalf of all other Mississippi holders of credit cards issued by bank, alleging that charges made were usurious...	Mar. 19, 1980	Case		2 3 S.Ct.
Discussed by	 77. Bell v. Wolfish  99 S.Ct. 1861, 1868+ , U.S.N.Y. Pretrial detainees brought suit challenging the constitutionality of numerous conditions of confinement and practices in a federally operated short-term custodial facility. The...	May 14, 1979	Case		2 3 S.Ct.
Discussed by	 78. Swisher v. Brady  98 S.Ct. 2699, 2705+ , U.S.Md. Nine minors brought civil rights action seeking a declaratory judgment and injunctive relief to prevent the State of Maryland from filing exceptions with the juvenile court to...	June 28, 1978	Case		2 3 S.Ct.
Discussed by	 79. Huffman v. Pursue, Ltd. 95 S.Ct. 1200, 1203+ , U.S.Ohio Lessee of theater which had been ordered closed under Ohio nuisance statute because obscene films had been shown at the theater brought action for declaratory and injunctive relief...	Mar. 18, 1975	Case		1 S.Ct.
Discussed by	80. Reid v. Donelan  17 F.4th 1, 7+ , 1st Cir.(Mass.) IMMIGRATION — Deportation or Removal. Detention of noncitizen convicted of crime, beyond six months without individualized hearing, does not per se violate due process.	Oct. 26, 2021	Case		3 4 5 S.Ct.


















Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	81. Strong v. Collatos ¶ 593 F.2d 420, 423+ , 1st Cir.(Mass.) The United States District Court for the District of Massachusetts, Frank H. Freedman, J., 450 F.Supp. 1356, ruled a portion of Massachusetts statute which denies certain veterans'...	Mar. 09, 1979	Case		6 S.Ct.
Discussed by	82. Cicchetti v. Lucey ¶ 514 F.2d 362, 365+ , 1st Cir.(Mass.) A person whose driver's license had been suspended without hearing because of his alleged failure to appear in response to a traffic summons brought action for a declaration that...	Apr. 16, 1975	Case		2 3 4 S.Ct.
Discussed by	83. Jin v. Shanghai Original, Inc. ¶ 990 F.3d 251, 258+ , 2nd Cir.(N.Y.) LABOR AND EMPLOYMENT — Hours and Wages. District court acted within its discretion in decertifying class on the ground that class counsel was no longer adequately representing the...	Mar. 09, 2021	Case		3 4 5 S.Ct.
Discussed by	84. Amador v. Andrews ¶ 655 F.3d 89, 100+ , 2nd Cir.(N.Y.) CIVIL RIGHTS - Prisons. Pursuant to the relationship-back theory, class claims for injunctive and declaratory relief by female inmates were not moot.	Aug. 19, 2011	Case		3 5 S.Ct.
Discussed by	85. Comer v. Cisneros ¶ 37 F.3d 775, 798+ , 2nd Cir.(N.Y.) Low-income minority residents brought class action on behalf of former, current, and future minority residents of city public housing projects and applicants for federal housing...	Aug. 26, 1994	Case		2 3 4 S.Ct.
Discussed by	86. Neale v. Volvo Cars of North America, LLC ¶ 794 F.3d 353, 364+ , 3rd Cir.(N.J.) LITIGATION - Class Actions. Unnamed, putative class members need not establish Article III standing in a class action as long as a class representative has standing.	July 22, 2015	Case		3 4 5 S.Ct.
Discussed by	87. Symczyk v. Genesis HealthCare Corp. ¶ 656 F.3d 189, 196+ , 3rd Cir.(Pa.) LABOR AND EMPLOYMENT - Hours and Wages. FLSA collective action did not become moot when putative representative received Rule 68 offer.	Aug. 31, 2011	Case		3 5 S.Ct.
Discussed by	88. Weiss v. Regal Collections ¶ 385 F.3d 337, 342+ , 3rd Cir.(N.J.) COMMERCIAL LAW - Debt Collection. FDCPA class action was not mooted by offer of judgment to named plaintiff individually.	Sep. 29, 2004	Case		2 3 4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 89. Lusardi v. Xerox Corp. ¶¶ 975 F.2d 964, 974+ , 3rd Cir.(N.J.)</p> <p>Former salaried employees brought age discrimination class action against employer. The United States District Court for the District of New Jersey, Nicholas H. Politan, J.,...</p>	Sep. 16, 1992	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p> 90. Schumacher v. Nix ¶¶ 965 F.2d 1262, 1267+ , 3rd Cir.(Pa.)</p> <p>Graduates of unaccredited law schools, who were members in good standing of California bar and had practiced there for more than five years, challenged Pennsylvania bar admission...</p>	June 03, 1992	Case		<p>2 6 7</p> <p>S.Ct.</p>
Discussed by	<p> 91. Lutz v. City of York, Pa. 899 F.2d 255, 259+ , 3rd Cir.(Pa.)</p> <p>Action was brought challenging constitutionality of Pennsylvania ordinance outlawing "cruising," which consisted of driving repeatedly around loop of certain major public roads...</p>	Mar. 28, 1990	Case		<p>6 7</p> <p>S.Ct.</p>
Discussed by	<p> 92. Geraghty v. U.S. Parole Commission 579 F.2d 238, 247+ , 3rd Cir.(Pa.)</p> <p>Federal prisoner who was denied parole brought class action challenging validity of parole guidelines utilized by the United States Parole Commission. The United States District...</p>	Mar. 09, 1978	Case		<p>2</p> <p>S.Ct.</p>
Discussed by	<p>93. Fanty v. Com. of Pa., Dept. of Public Welfare 551 F.2d 2, 8+ , 3rd Cir.(Pa.)</p> <p>Recipients of lump-sum social security benefits brought action on complaint alleging that attempt by officers and agents by Pennsylvania Department of Public Welfare to collect...</p>	Feb. 08, 1977	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p> 94. Haas v. Pittsburgh Nat. Bank ¶¶ 526 F.2d 1083, 1096+ , 3rd Cir.(Pa.)</p> <p>Bank credit card holders brought class action against banks to recover statutory penalties for usurious interest paid to the banks on the accounts. The District Court for the...</p>	Sep. 25, 1975	Case		<p>2 3 5</p> <p>S.Ct.</p>
Discussed by	<p> 95. Abron v. Black & Decker (U.S.) Inc. 654 F.2d 951, 960+ , 4th Cir.(Md.)</p> <p>Employment discrimination class action was brought against employer. The United States District Court for the District of Maryland, Joseph H. Young, J., 439 F.Supp. 1095, granted...</p>	July 17, 1981	Case		<p>2 5</p> <p>S.Ct.</p>
Discussed by	<p> 96. Holt v. Moore ¶¶ 541 F.2d 460, 461+ , 4th Cir.(N.C.)</p> <p>In suit challenging North Carolina prison regulations pertaining to federal detainees, the United States District Court for the Western District of North Carolina, James B....</p>	Sep. 22, 1976	Case		<p>2 3</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 97. Ford v. U.S. Steel Corp. ¶¶ 638 F.2d 753, 759+ , 5th Cir.(Ala.) Appeal was taken from an order of the United States District Court for the Northern District of Alabama, Sam C. Pointer, Jr., J., which decertified the class and dismissed a class...	Mar. 02, 1981	Case		2 3 S.Ct.
Discussed by	  98. Cruz v. Hauck ¶¶ 627 F.2d 710, 716+ , 5th Cir.(Tex.) Indigent inmates of county jail brought suit seeking declaratory and injunctive relief against enforcement of jail regulations restricting inmates' use and possession of legal...	Oct. 08, 1980	Case		2 3 4 S.Ct.
Discussed by	 99. Wilson v. Gordon ¶¶ 822 F.3d 934, 942+ , 6th Cir.(Tenn.) HEALTH - Medicaid. Inherently transitory exception to mootness applied to Medicaid applicants' class action alleging State's delays in making eligibility determinations violated...	May 23, 2016	Case		3 5 S.Ct.
Discussed by	 100. Binta B. ex rel. S.A. v. Gordon ¶¶ 710 F.3d 608, 619+ , 6th Cir.(Tenn.) HEALTH - Attorney Fees. Enrollees were "prevailing parties" in their class action challenging state's Medicaid managed care program's procedures.	Mar. 20, 2013	Case		2 3 5 S.Ct.
Discussed by	 101. Cleveland Branch, N.A.A.C.P. v. City of Parma, OH ¶¶ 263 F.3d 513, 541+ , 6th Cir.(Ohio) LABOR AND EMPLOYMENT - Discrimination. NAACP had standing to sue city for alleged race discrimination.	Aug. 28, 2001	Case		2 3 5 S.Ct.
Discussed by	 102. U.S. v. City of Detroit 720 F.2d 443, 448+ , 6th Cir.(Mich.) County appealed from an order of the United States District Court for the Eastern District of Michigan, John Feikens, Chief Judge, directing that no portion of funds issued under...	Oct. 26, 1983	Case		1 2 3 S.Ct.
Discussed by	103. Troy v. Shell Oil Co. 519 F.2d 403, 404+ , 6th Cir.(Mich.) Action was brought for alleged employment discrimination by reason of sex. The District Court for the Eastern District of Michigan, Southern Division, John Feikens, J., 378...	July 31, 1975	Case		2 3 4 S.Ct.
Discussed by	 104. Payton v. County of Kane ¶¶ 308 F.3d 673, 680+ , 7th Cir.(Ill.) CIVIL RIGHTS - Prisons. Arrestees sufficiently stated that their rights under Eighth and Fourteenth Amendments were violated.	Sep. 03, 2002	Case		2 3 4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 105. Whitlock v. Johnson ¶¶ 153 F.3d 380, 384+ , 7th Cir.(Ill.)</p> <p>Inmate brought class action claims against prison under § 1983, alleging procedural due process violations by denial of right to call witnesses during disciplinary hearing. The...</p>	Aug. 05, 1998	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p>106. Jones v. Sullivan ¶¶ 938 F.2d 801, 806+ , 7th Cir.(Ill.)</p> <p>An action was brought against the Secretary of Health and Human Services seeking an injunction to prohibit the Secretary from enforcing "no process policy" of denying requests for...</p>	Aug. 05, 1991	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p>107. DeBrown v. Trainor ¶¶ 598 F.2d 1069, 1070+ , 7th Cir.(Ill.)</p> <p>A class action complaint was dismissed by the United States District Court for the Northern District of Illinois, Eastern Division, Frank J. McGarr, J., and plaintiffs appealed....</p>	Apr. 27, 1979	Case		<p>2 3</p> <p>S.Ct.</p>
Discussed by	<p> 108. Susman v. Lincoln American Corp. ¶¶ 587 F.2d 866, 869+ , 7th Cir.(Ill.)</p> <p>The United States District Court for the Northern District of Illinois, Joel M. Flaum, J., dismissed two class action complaints as moot after the defendants tendered to the named...</p>	Oct. 23, 1978	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p>109. Valentino v. Howlett ¶¶ 528 F.2d 975, 980+ , 7th Cir.(Ill.)</p> <p>Motorist filed suit, individually and on behalf of class, asserting that the refusal to issue restricted driving permit to him and others because of their failure to meet financial...</p>	Jan. 06, 1976	Case		<p>2 3</p> <p>S.Ct.</p>
Discussed by	<p> 110. Hankins v. Finnel 964 F.2d 853, 856+ , 8th Cir.(Mo.)</p> <p>Inmate sought to preclude state from offsetting judgment paid inmate on behalf of state employee who had sexually molested inmate during time employee taught school at state...</p>	May 22, 1992	Case		<p>1 2</p> <p>S.Ct.</p>
Discussed by	<p> 111. Bishop v. Committee on Professional Ethics and Conduct of Iowa State Bar Ass'n ¶¶ 686 F.2d 1278, 1283+ , 8th Cir.(Iowa)</p> <p>Action was brought by licensed Iowa attorney challenging constitutionality of Iowa disciplinary rules limiting lawyer advertising. The United States District Court for the...</p>	Aug. 17, 1982	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p> 112. United States v. Sanchez-Gomez 859 F.3d 649, 659+ , 9th Cir.(Cal.)</p> <p>CRIMINAL JUSTICE — Restraint of Accused. District Courts must make individualized decision before presumptively innocent defendant may be shackled in courtroom.</p>	May 31, 2017	Case		<p>3 5</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	  113. Brittain v. Hansen ¶¶ 451 F.3d 982, 990+ , 9th Cir.(Cal.) CIVIL RIGHTS - Due Process. Officer's interference with non-custodial mother's exercise of visitation rights did not violate substantive due process.	June 22, 2006	Case		7 S.Ct.
Discussed by	 114. LaDuke v. Nelson ¶¶ 762 F.2d 1318, 1322+ , 9th Cir.(Wash.) Immigration and Naturalization Service appealed from an order of the United States District Court for the Eastern District of Washington, Robert J. McNichols, Chief Judge, 560...	June 10, 1985	Case		2 3 5 S.Ct.
Discussed by	 115. Vun Cannon v. Breed ¶¶ 565 F.2d 1096, 1098+ , 9th Cir.(Cal.) Individual who had been committed to custody of California Youth Authority brought action challenging, inter alia, provisions of California Penal Code authorizing the Director of...	Dec. 06, 1977	Case		2 3 4 S.Ct.
Discussed by	116. Napier v. Gertrude ¶¶ 542 F.2d 825, 826+ , 10th Cir.(Okla.) A minor who had been adjudicated a "child in need of supervision" by a state juvenile court brought a habeas corpus action, alleging that she was being unlawfully held in custody...	Oct. 12, 1976	Case		2 3 5 S.Ct.
Discussed by	 117. Tucker v. Phyfer ¶¶ 819 F.2d 1030, 1034+ , 11th Cir.(Ala.) Juvenile incarcerated in county jail brought action seeking money damages for himself and declaratory and injunctive relief on behalf of himself and class, alleging county jail...	June 22, 1987	Case		2 3 4 S.Ct.
Discussed by	 118. J.D. v. Azar ¶¶ 925 F.3d 1291, 1308+ , D.C.Cir. IMMIGRATION — Juveniles. Policy effectively denying access to abortion for minors in immigration custody was not a mere refusal to facilitate abortion.	June 14, 2019	Case		3 4 5 S.Ct.
Discussed by	 119. Basel v. Knebel ¶¶ 551 F.2d 395, 397+ , D.C.Cir. Former recipient of food stamps brought class action challenging constitutionality of regulations providing for hearing when state agency refuses renewal of certification of...	Jan. 03, 1977	Case		2 3 5 S.Ct.
Discussed by	120. Edwards v. Cofield ¶¶ 265 F.Supp.3d 1344, 1346+ , M.D.Ala. GOVERNMENT — Immunity. Fact that sheriff had no discretion to change county's pretrial detention scheme, did not render him immune to action seeking to enjoin scheme.	July 14, 2017	Case		3 5 S.Ct.







Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 121. In re Vesta Ins. Group, Inc., Securities Litigation 1999 WL 34831475, *3+ , N.D.Ala.</p> <p>In this matter of alleged securities fraud the court now considers plaintiffs' motion for class certification, pursuant to Fed.R.Civ.P. 23, and for recognition of lead plaintiffs...</p>	Oct. 25, 1999	Case		<p>6</p> <p>S.Ct.</p>
Discussed by	<p> 122. Candy H. v. Redemption Ranch, Inc. 563 F.Supp. 505, 518+ , M.D.Ala.</p> <p>A civil rights conspiracy action was filed alleging an agreement among the defendants and their agents to bring girls to a home for girls, to impose their home's rules on the girls...</p>	May 02, 1983	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p>123. Lucero-Gonzalez v. Kline </p> <p>2020 WL 8258216, *8+ , D.Ariz.</p> <p>Plaintiffs Maria Guadalupe Lucero-Gonzalez, Claudia Romero-Lorenzo, Tracy Ann Peuplie, James Tyler Ciecierski, and Marvin Lee Enos, who are confined in CoreCivic's Central Arizona...</p>	Nov. 03, 2020	Case		<p>3</p> <p>5</p> <p>S.Ct.</p>
Discussed by	<p>124. Webber v. Norwalk 2007 WL 7698736, *6+ , D.Ariz.</p> <p>Pending before the court is Plaintiffs' Motion for Partial Reconsideration, doc. # 46, and Defendants' Motion for Reconsideration, doc. # 47. The ultimate merits in this case are...</p>	Feb. 08, 2007	Case		<p>5</p> <p>S.Ct.</p>
Discussed by	<p> 125. Ward v. Arkansas State Police </p> <p>493 F.Supp. 1315, 1324+ , E.D.Ark.</p> <p>Applicant for position of state policeman, who was member of class which had obtained consent decree against Arkansas State Police Department in previous suit, brought employment...</p>	July 29, 1980	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p>126. Jacob v. Biden </p> <p>542 F.Supp.3d 938, 955+ , N.D.Cal.</p> <p>IMMIGRATION — Visas. Backlog and delay in visa adjudication and resulting harm to immigrant visa applicants was fairly traceable to the Government.</p>	June 08, 2021	Case		<p>2</p> <p>S.Ct.</p>
Discussed by	<p> 127. Bernor v. Takeda Pharmaceuticals America, Inc. </p> <p>2018 WL 588563, *4+ , C.D.Cal.</p> <p>Before the Court is Defendant Takeda Pharmaceuticals America, Inc.'s ("Defendant Takeda") "Motion to Dismiss Under Rules 12(b)(1), 12(h)(3), and 12(c) and Request for Attorneys'...</p>	Jan. 25, 2018	Case		<p>2</p> <p>3</p> <p>5</p> <p>S.Ct.</p>
Discussed by	<p>128. Senne v. Kansas City Royals Baseball Corp. </p> <p>114 F.Supp.3d 906, 913+ , N.D.Cal.</p> <p>LITIGATION — Class Actions. Court would defer addressing Article III standing issues until after class certification.</p>	July 13, 2015	Case		<p>3</p> <p>4</p> <p>5</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p>129. TODD ASHKER, et al., Plaintiffs, v. GOVERNOR OF THE STATE OF CALIFORNIA, et al., Defendants. ¶¶ 2015 WL 14023742, *7+ , N.D.Cal.</p> <p>Plaintiffs, a group of Pelican Bay State Prison inmates, move for leave to file a supplemental complaint. Defendants, the Governor of the State of California, Secretary of the...</p>	Mar. 09, 2015	Case		<p>5</p> <p>S.Ct.</p>
Discussed by	<p>130. Chen v. Allstate Ins. Co. 2013 WL 2558012, *5+ , N.D.Cal.</p> <p>The motion of defendant Allstate Insurance Company ("Allstate") for an order dismissing the above-entitled action for lack of subject matter jurisdiction and failure to state a...</p>	June 10, 2013	Case		<p>3</p> <p>5</p> <p>S.Ct.</p>
Discussed by	<p>131. Hawecker v. Sorensen ¶¶ 2011 WL 98757, *3+ , E.D.Cal.</p> <p>This case involves allegations of sexual harassment and sex discrimination in violation of the Fair Housing Act ("FHA"), 42 U.S.C. § 3601 et seq., and related state laws....</p>	Jan. 12, 2011	Case		<p>3</p> <p>4</p> <p>5</p> <p>S.Ct.</p>
Discussed by	<p>132. Santillan v. Ashcroft ¶¶ 2004 WL 2297990, *3+ , N.D.Cal.</p> <p>Plaintiffs Maria Santillan, et al., seek certification of a class consisting of persons who have been or will be granted lawful permanent resident status by the Justice...</p>	Oct. 12, 2004	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Discussed by	<p>133. In re Cypress Semiconductors Securities Litigation ¶¶ 1994 WL 669856, *2+ , N.D.Cal.</p> <p>This is a securities class action lawsuit in which plaintiff asserts claims under Section 10(b) of the Securities and Exchange Act of 1934, Rule 10b-5 of the SEC, as well as...</p>	Nov. 29, 1994	Case		<p>2</p> <p>3</p> <p>6</p> <p>S.Ct.</p>
Discussed by	<p> 134. Perez-Funez v. District Director, I.N.S. 611 F.Supp. 990, 999+ , C.D.Cal.</p> <p>Minor foreign nationals brought action challenging constitutionality of Immigration and Naturalization Service's voluntary departure procedure with respect to unaccompanied minor...</p>	Jan. 24, 1984	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p> 135. Aznavorian v. Califano ¶¶ 440 F.Supp. 788, 799+ , S.D.Cal.</p> <p>Social security recipient who had been denied supplemental security income benefits as a result of having been outside of the United States for an entire month brought action...</p>	Aug. 12, 1977	Case		<p>2</p> <p>7</p> <p>S.Ct.</p>
Discussed by	<p> 136. Vandehey v. Vallario ¶¶ 2008 WL 697428, *10+ , D.Colo.</p> <p>This matter comes before the Court on Plaintiffs' Amended Motion to Certify a Plaintiff Class (Dkt.# 7), filed August 2, 2006, and Plaintiffs' Objection to a portion of the...</p>	Mar. 13, 2008	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	137. White v. Mathews ” 434 F.Supp. 1252, 1259+ , D.Conn. Action was brought by plaintiff on behalf of himself and other Connecticut residents who were attempting to assert claims for social security disability benefits but whose appeals...	Sep. 29, 1976	Case		2 3 S.Ct.
Discussed by	138. Brown v. Lynch ” 415 F.Supp. 740, 741+ , D.Conn. Tenants brought action challenging constitutionality of statutes permitting tenants to be ejected from rented premises without notice or opportunity to be heard in the event of...	June 15, 1976	Case		2 3 4 S.Ct.
Discussed by	139. R.I.L-R v. Johnson ” 80 F.Supp.3d 164, 179+ , D.D.C. IMMIGRATION — Asylum. Under Due Process Clause, deterrence of mass migration did not sufficiently justify government's detention of aliens while processing asylum claims.	Feb. 20, 2015	Case		3 4 5 S.Ct.
Discussed by	140. DL v. District of Columbia ” 277 F.R.D. 38, 44+ , D.D.C. EDUCATION - Disabled Students. IDEA class action would not be decertified for lack of standing or on basis of failure to satisfy commonality or typicality.	Nov. 16, 2011	Case		3 4 5 S.Ct.
Discussed by	141. Anselmo v. King ” 942 F.Supp. 44, 46+ , D.D.C. Proposed class consisting of spouses of federal law enforcement officers and firefighters who died other than in the performance of their duty having accumulated at least 18 months...	Oct. 11, 1996	Case		2 3 S.Ct.
Discussed by	142. Blocker v. Small Business Admin. ” 916 F.Supp. 37, 40+ , D.D.C. Owner of for-profit day care center that provided sectarian curriculum brought action against Small Business Administration (SBA) and its administrator, alleging that denial of SBA...	Mar. 01, 1996	Case		2 3 S.Ct.
Discussed by	143. Keenan v. Washington Metropolitan Area Transit Authority 643 F.Supp. 324, 331+ , D.D.C. Patrons of metropolitan transit authority brought action against transit authority for assault and battery, false arrest, false imprisonment, malicious prosecution, abuse of...	Aug. 28, 1986	Case		1 2 S.Ct.
Discussed by	144. Cockrum v. Califano ” 475 F.Supp. 1222, 1225+ , D.D.C. Suit was filed against Secretary of Health, Education and Welfare challenging delays in holding Social Security Administration administrative hearings and in rendering of final...	May 31, 1979	Case		2 3 4 S.Ct.











Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	145. Cristiano v. Courts of Justices of the Peace In and For New Castle County ¶ 115 F.R.D. 240, 245+ , D.Del. Action was brought for certification of class consisting of all present and future union members who had been or would be subject to attachment of their wages under Delaware...	Mar. 30, 1987	Case		2 3 4 S.Ct.
Discussed by	146. Rivera v. Hamilton ¶ 393 F.Supp. 120, 122+ , D.Del. Candidate for party nomination for office of state senator instituted suit for a declaratory judgment that Delaware's three-year durational residency requirement for state senators...	Mar. 17, 1975	Case		2 3 6 S.Ct.
Discussed by	147. Bishop's Property & Investments, LLC v. Protective Life Ins. Co. ¶ 463 F.Supp.2d 1375, 1377+ , M.D.Ga. LITIGATION - Jurisdiction. Defendant's tender of refund to named plaintiff before class could be certified did not under facts moot controversy.	Nov. 29, 2006	Case		2 3 5 S.Ct.
Discussed by	148. Graves v. Walton County Bd. of Ed. ¶ 91 F.R.D. 457, 468+ , M.D.Ga. After remand from United States Court of Appeals instructing District Court to consider intervenor's motion to dismiss for mootness and plaintiff's motion to add plaintiffs in...	July 27, 1981	Case		2 3 S.Ct.
Discussed by	149. Snyder v. Ocwen Loan Servicing, LLC 258 F.Supp.3d 893, 901+ , N.D.Ill. ENERGY AND UTILITIES — Telecommunications. Mortgagors seeking injunction demonstrated likelihood of success on merits of claim against loan servicer for using autodialer in...	June 28, 2017	Case		3 5 S.Ct.
Discussed by	150. Portis v. City of Chicago ¶ 347 F.Supp.2d 573, 576+ , N.D.Ill. CIVIL RIGHTS - Parties. Arrestees who had been released lacked standing to sue city for injunctive relief.	Nov. 24, 2004	Case		2 3 4 S.Ct.
Discussed by	151. Kazarov v. Achim ¶ 2003 WL 22956006, *3+ , N.D.Ill. Petitioner Vadim Kazarov, pursuant to Federal Rule of Civil Procedure 23, moves for class certification, or, in the alternative, allowing the action to proceed as a representative...	Dec. 12, 2003	Case		2 3 S.Ct.
Discussed by	152. Carter v. Doyle ¶ 95 F.Supp.2d 851, 857+ , N.D.Ill. CIVIL RIGHTS - Jurisdiction. Juvenile's § 1983 challenge to his prehearing detention was not mooted by judgment of delinquency.	Mar. 27, 2000	Case		2 3 4 S.Ct.
Discussed by	153. Young v. Lehigh Corp. ¶ 1989 WL 117960, *6+ , N.D.Ill. The plaintiff, Harry A. Young, Jr., brought this action on behalf of himself and a putative class of persons whose purchases of land from the developer defendant, Lehigh...	Sep. 28, 1989	Case		2 3 4 S.Ct.













Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	154. Boston v. City of Chicago ¶¶ 1988 WL 31532, *6+ , N.D.Ill. The plaintiff, Debra Boston, brought this action on behalf of herself and a proposed class against the City of Chicago for alleged violations of 42 U.S.C. § 1983 (1982). In...	Mar. 28, 1988	Case		2 3 4 S.Ct.
Discussed by	155. Fabianich v. City of Chicago ¶¶ 1987 WL 15163, *4+ , N.D.Ill. This matter comes before the Court on the defendant City of Chicago's motion to dismiss plaintiff's complaint for failure to state a claim pursuant to Federal Rule of Civil...	July 24, 1987	Case		2 3 4 S.Ct.
Discussed by	156. Hildebrand v. Heckler ¶¶ 1986 WL 13530, *3+ , N.D.Ill. Plaintiff Leonard Hildebrand brought this class action against the Secretary of Health and Human Services ("Secretary") for an order declaring the Secretary's regulation at 20...	Nov. 20, 1986	Case		2 3 S.Ct.
Discussed by	157. Williams v. City of Chicago ¶¶ 609 F.Supp. 1017, 1019+ , N.D.Ill. An arrestee filed suit against city and members of its police department based on her involuntary postarrest detention and filed a motion for preliminary injunction. The District...	Mar. 05, 1985	Case		2 3 4 S.Ct.
Discussed by	158. Doulin v. City of Chicago ¶¶ 1984 WL 712, *3+ , N.D.Ill. Plaintiffs bring this action to challenge the postarrest detention policy of the defendant City. Before the court are plaintiffs' motion to certify as a Rule 23(b) (2) class...	June 29, 1984	Case		2 3 4 S.Ct.
Discussed by	159. Lewis v. Tully ¶¶ 99 F.R.D. 632, 638+ , N.D.Ill. Plaintiff brought suit alleging that sheriff and his subordinate had established policy or practice whereby prisoners who were discharged by judge sitting at "outlying" county...	Oct. 31, 1983	Case		2 3 4 S.Ct.
Discussed by	160. John A. By and Through Valerie A. v. Gill ¶¶ 565 F.Supp. 372, 376+ , N.D.Ill. Minor and his mother, on behalf of themselves and purported class of all handicapped children not receiving free, appropriate education by reason of delays of Illinois...	Apr. 12, 1983	Case		2 3 4 S.Ct.
Discussed by	161. Susman v. Lincoln American Corp. ¶¶ 550 F.Supp. 442, 444+ , N.D.Ill. After reversal and remand, 587 F.2d 866, of grant of motion to dismiss class and derivative action brought by stockholder for alleged violations of Securities Exchange Act of 1934...	Oct. 22, 1982	Case		2 3 4 S.Ct.












Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 162. Mink v. University of Chicago ¶¶ 460 F.Supp. 713, 723+ , N.D.Ill.</p> <p>Women who were given diethylstilbestrol as part of medical experiment brought action against university and manufacturer of drug seeking recovery on theories of battery, products...</p>	Mar. 17, 1978	Case		<p>2 3</p> <p>S.Ct.</p>
Discussed by	<p>163. Robinson v. Leahy ¶¶ 73 F.R.D. 109, 111+ , N.D.Ill.</p> <p>In suit alleging a right to individualized treatment and care from the Department of Children and Family Services for wards in the custody of the Department of Corrections,...</p>	Jan. 03, 1977	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p>164. Copeland v. Wabash County, Indiana ¶¶ 2020 WL 5566114, *4+ , N.D.Ind.</p> <p>On February 19, 2020, the Plaintiffs filed a class action complaint for declaratory and injunctive relief, pursuant to 42 U.S.C. § 1983, seeking to enjoin the practices of Wabash...</p>	Sep. 16, 2020	Case		<p>2 5</p> <p>S.Ct.</p>
Discussed by	<p>165. Bell v. Sheriff of Henry County ¶¶ 2019 WL 2603522, *1+ , S.D.Ind.</p> <p>Currently before the Court is the plaintiff's motion to certify class. Dkt. 5. In this action, the plaintiff seeks declaratory and injunctive relief related to the conditions of...</p>	June 25, 2019	Case		<p>3 5</p> <p>S.Ct.</p>
Discussed by	<p>166. Gutierrez v. City of East Chicago ¶¶ 2018 WL 10455190, *3+ , N.D.Ind.</p> <p>This matter is before the Court on a Verified Petition to Hold Defendant East Chicago Housing Authority in Civil Contempt of Court [DE 84], filed by the certified class and signed...</p>	June 15, 2018	Case		<p>3 4 5</p> <p>S.Ct.</p>
Discussed by	<p> 167. Olson v. Brown ¶¶ 2009 WL 1766667, *4+ , N.D.Ind.</p> <p>LITIGATION - Prisoners. Inmate's complaint against sheriff was dismissed as moot because the inmate was transferred out of sheriff's jail.</p>	June 22, 2009	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p>168. Richardson v. Monroe County Sheriff ¶¶ 2008 WL 3084766, *2+ , S.D.Ind.</p> <p>Before the court is Defendants' Motion to Dismiss or in the Alternative For Summary Judgment and Plaintiff's Motion to Certify Case As Class Action. For the reasons herein set...</p>	Aug. 04, 2008	Case		<p>2 3</p> <p>S.Ct.</p>
Discussed by	<p> 169. Coolman v. Robinson 452 F.Supp. 1324, 1327+ , N.D.Ind.</p> <p>Applicant for alcoholic beverage permit brought civil rights action claiming that residency requirement for permit deprived him of rights, privileges and immunities secured by...</p>	June 20, 1978	Case		<p>6 7</p> <p>S.Ct.</p>
Discussed by	<p>170. James v. Jones ¶¶ 148 F.R.D. 196, 201+ , W.D.Ky.</p> <p>Juveniles brought action alleging that state officials were violating federal Juvenile Justice and Delinquency Prevention Act. On motions to dismiss, the District Court, Heyburn,...</p>	May 05, 1993	Case		<p>2 3 4</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	171. Boudreaux v. School Board of St Mary Parish ¶ 405 F.Supp.3d 652, 663+ , W.D.La. EDUCATION — Desegregation. Desegregation lawsuit was implied class action since court and parties treated it as class action despite lack of formal certification order.	Sep. 18, 2019	Case		3 4 5 S.Ct.
Discussed by	172. Neloms v. Southwestern Elec. Power Co. 72 F.R.D. 128, 130+ , W.D.La. In a rule 23(b)(2) employment discrimination class action, the District Court, Stagg, J., entered an order specifying the type of notice which was to be sent to class members and...	Sep. 10, 1976	Case		2 S.Ct.
Discussed by	173. Baptiste v. Kennealy ¶ 490 F.Supp.3d 353, 394+ , D.Mass. CIVIL RIGHTS — Right to Petition. Landlords were unlikely to prevail on claim that evictions moratorium violated right to petition courts.	Sep. 25, 2020	Case		2 7 S.Ct.
Discussed by	174. In re Relafen Antitrust Litigation ¶ 221 F.R.D. 260, 269+ , D.Mass. LITIGATION - Class Actions. Class action was superior method for patent misuse suit prosecution.	May 12, 2004	Case		2 3 4 S.Ct.
Discussed by	175. Moore v. Matthews ¶ 69 F.R.D. 406, 407+ , D.Mass. Action was brought by recipient of benefits under supplemental security income program on behalf of all similarly situated recipients to compel defendants to promptly replace...	Dec. 16, 1975	Case		2 3 6 S.Ct.
Discussed by	176. Morales v. Minter ¶ 393 F.Supp. 88, 102+ , D.Mass. Class actions were brought challenging statute and regulations established thereunder rendering persons aged 65 years or older and those below age of 18 years ineligible for...	Apr. 22, 1975	Case		2 3 4 S.Ct.
Discussed by	177. Kensington Physical Therapy, Inc. v. Jackson Therapy Partners, LLC ¶ 880 F.Supp.2d 689, 693+ , D.Md. LITIGATION - Class Actions. Relation back doctrine would apply to plaintiff's motion for class certification, in assessing mootness under TCPA.	July 30, 2012	Case		3 5 S.Ct.
Discussed by	178. Mobley v. Acme Markets, Inc. 473 F.Supp. 851, 858+ , D.Md. Plaintiff, a black male employee, brought employment discrimination suit against employer, alleging discrimination based on race. On employer's motion to dismiss, the District...	June 01, 1979	Case		2 S.Ct.
Discussed by	179. Doe v. Lally ¶ 467 F.Supp. 1339, 1342+ , D.Md. Inmates of state diagnostic center brought civil rights action seeking injunctive and declaratory relief. The District Court, Joseph H. Young, J., held that: (1) where original,...	Mar. 05, 1979	Case		2 3 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	180. Rickards v. Solomon ¶ 457 F.Supp. 95, 100+ , D.Md. Institutionalized recipient of state medicaid benefits and his spouse on behalf of themselves and other couples brought action against provider of care to recipient and Secretary...	July 19, 1978	Case		2 3 4 S.Ct.
Discussed by	181. Morris v. Weinberger 401 F.Supp. 1071, 1074+ , D.Md. A patient at a state hospital sued for injunctive and declaratory relief and also sought return of money representing all or parts of payments made by the Social Security...	June 19, 1975	Case		2 3 S.Ct.
Discussed by	182. Booth v. Prince George's County, Maryland 66 F.R.D. 466, 476+ , D.Md. Black applicant for position as a police officer with county police department brought class action seeking declaratory and equitable relief from certain alleged discriminatory...	Jan. 23, 1975	Case		2 3 4 S.Ct.
Discussed by	183. Cameron v. Bouchard 507 F.Supp.3d 844, 849+ , E.D.Mich. LITIGATION — Prisoners. County prisoners' class action seeking release of inmates due to COVID-19 pandemic fell within inherently transitory exception to mootness doctrine.	Dec. 15, 2020	Case		5 S.Ct.
Discussed by	184. Unan v. Lyon ¶ 2016 WL 107193, *6+ , E.D.Mich. These matters are before the Court on cross-motions for summary judgment and on Defendant's motion to strike. Plaintiffs Aelen Unan and Patricia Quintino seek an order of summary...	Jan. 11, 2016	Case		2 S.Ct.
Discussed by	185. Roman v. Korson 307 F.Supp.2d 908, 914+ , W.D.Mich. REAL PROPERTY - Subsidized Housing. Officials were in contempt for failing to enforce mandatory duties of farm housing loan program.	Mar. 01, 2004	Case		2 3 4 S.Ct.
Discussed by	186. Joseph v. City of Birmingham 510 F.Supp. 1319, 1332+ , E.D.Mich. Aspiring candidate for office of city commissioner for city of Birmingham, Michigan, challenged constitutionality of provisions of city charter which disqualified any person from...	Mar. 11, 1981	Case		6 S.Ct.
Discussed by	187. J.P. v. BCBSM, Inc. ¶ 2021 WL 131234, *8+ , D.Minn. This matter is before the Court on Plaintiffs' Motion for Class Certification. Docket No. 74 The Court heard oral argument by telephone on January 13, 2021. The Court denies the...	Jan. 14, 2021	Case		3 5 S.Ct.
Discussed by	188. Murphy v. Wheelock ¶ 2019 WL 3393357, *2+ , D.Minn. This matter is before the Court on Defendant's Motion to Decertify the Class (Doc. No. 418). For the reasons set forth below, the Court denies Defendant's motion. The Court...	July 26, 2019	Case		3 4 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 189. Frascogna v. Security Check, LLC ”</p> <p>2009 WL 57102, *5+ , S.D.Miss.</p> <p>COMMERCIAL LAW - Parties. Consumer lacked standing after filing suit as offer of judgment constituted complete relief for check cashing service's violation of federal law in...</p>	Jan. 07, 2009	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p>190. Gilmor v. Preferred Credit Corp. ”</p> <p>2011 WL 111238, *6+ , W.D.Mo.</p> <p>Pending are multiple motions to dismiss, many of which raise similar issues. For the following reasons, the motions are denied. This case was filed in Clay County Circuit Court in...</p>	Jan. 13, 2011	Case		<p>3</p> <p>5</p> <p>S.Ct.</p>
Discussed by	<p>191. Julia M. ex rel. J.W.M. v. Scott ”</p> <p>243 F.R.D. 365, 367+ , W.D.Mo.</p> <p>LITIGATION - Class Actions. Consideration of class certification was not precluded on ground of mootness.</p>	June 25, 2007	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p> 192. Hechenberger v. Western Elec. Co., Inc. ”</p> <p>570 F.Supp. 820, 825+ , E.D.Mo.</p> <p>Action was brought challenging Missouri workers' compensation setoff statute which allegedly violated ERISA. The District Court, Hungate, J., held that: (1) there is no right to...</p>	May 19, 1983	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p>193. Ward v. Schweiker</p> <p>562 F.Supp. 1173, 1177+ , W.D.Mo.</p> <p>Plaintiffs, who stipulated to dismissal under action challenging alleged failure of the Social Security Administration to promptly process their supplemental security income...</p>	Apr. 15, 1983	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Discussed by	<p> 194. Pitts v. Terrible Herbst, Inc. ”</p> <p>2010 WL 11538046, *4+ , D.Nev.</p> <p>Before the Court is Plaintiff's Motion to Strike Defendant's Offer of Judgment (#26). Plaintiff argues that Defendant's Offer of Judgment should be stricken as it subverts class...</p>	Apr. 01, 2010	Case		<p>3</p> <p>S.Ct.</p>
Discussed by	<p>195. Dittimus-Bey v. Taylor ”</p> <p>244 F.R.D. 284, 288+ , D.N.J.</p> <p>LITIGATION - Class Actions. Inmates' class action was not moot although lead plaintiffs were no longer incarcerated.</p>	July 31, 2007	Case		<p>3</p> <p>5</p> <p>S.Ct.</p>
Discussed by	<p>196. Pernas v. Parkview Towers Management Corp. ”</p> <p>502 F.Supp. 1099, 1106+ , D.N.J.</p> <p>Tenant sought declaratory, injunctive and monetary relief against landlord. The District Court, Meanor, J., held that: (1) compensatory damages could not be awarded against...</p>	Nov. 10, 1980	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>















Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 197. Abraham v. WPX Production Productions, LLC ¶¶</p> <p>184 F.Supp.3d 1150, 1180+ , D.N.M.</p> <p>REAL PROPERTY — Mineral Rights and Interests. Royalty interest owners on oil and gas leases had standing to assert breach of implied duty to market claims against producers of oil...</p>	Apr. 25, 2016	Case		<p>2</p> <p>3</p> <p>5</p> <p>S.Ct.</p>
Discussed by	<p>198. Samele v. Zucker ¶¶</p> <p>324 F.Supp.3d 313, 327+ , E.D.N.Y.</p> <p>HEALTH — Medical Assistance. Medicaid recipient suffered injury required for standing when new managed long-term care plan authorized less care without notice of right to fair...</p>	Aug. 02, 2018	Case		<p>3</p> <p>4</p> <p>5</p> <p>S.Ct.</p>
Discussed by	<p>199. Tanasi v. New Alliance Bank ¶¶</p> <p>2013 WL 12308197, *2+ , W.D.N.Y.</p> <p>Seeking to represent a class of similarity situated individuals, Plaintiff Patrick Tanasi brings this diversity action against Defendants New Alliance Bank, and its...</p>	Aug. 27, 2013	Case		<p>3</p> <p>S.Ct.</p>
Discussed by	<p>200. Novella v. Westchester County ¶¶</p> <p>2004 WL 3035405, *3+ , S.D.N.Y.</p> <p>In a class action complaint, plaintiff Carlo Novella sued defendants Westchester County, New York Carpenters' Pension Fund ("the Fund") and its Board of Trustees ("the...</p>	Dec. 29, 2004	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p>201. Olson v. Wing ¶¶</p> <p>281 F.Supp.2d 476, 483+ , E.D.N.Y.</p> <p>SOCIAL SECURITY - Medicaid. Disaster Relief Medicaid recipients would suffer irreparable harm absent injunction.</p>	Feb. 14, 2003	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p> 202. White v. OSI Collection Services, Inc. ¶¶</p> <p>2001 WL 1590518, *2+ , E.D.N.Y.</p> <p>The plaintiff, Henna White, filed this action on March 7, 2001 by means of a class action complaint on behalf of herself and all others similarly situated. The suit alleges...</p>	Nov. 05, 2001	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Discussed by	<p> 203. Marisol A. v. Giuliani ¶¶</p> <p>1998 WL 265123, *6+ , S.D.N.Y.</p> <p>Plaintiffs seek the intervention of additional plaintiffs, pursuant to Fed.R.Civ.P. 24, and the addition and substitution of next friends, pursuant to Fed.R.Civ.P. 17(c). City...</p>	May 22, 1998	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Discussed by	<p> 204. German v. Federal Home Loan Mortg. Corp. ¶¶</p> <p>885 F.Supp. 537, 550+ , S.D.N.Y.</p> <p>Apartment residents brought action against landlords alleging failure to remove lead paint. The District Court, Sweet, J., held that: (1) class would be certified; (2) court...</p>	May 08, 1995	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 205. Jackson v. Foley ¶ 156 F.R.D. 538, 543+ , E.D.N.Y. Civil rights action was brought challenging administration of renewed eligibility for financial aid (REFA) program in New York State. On motion for class certification, the...	July 07, 1994	Case		2 3 5 S.Ct.
Discussed by	206. Mathis v. Bess ¶ 138 F.R.D. 390, 392+ , S.D.N.Y. Indigent inmates claiming unconstitutional delay in perfecting of their appeals and in decisions on those appeals brought § 1983 action. On inmates' motion for class...	Aug. 26, 1991	Case		2 3 S.Ct.
Discussed by	  207. Wilder v. Bernstein ¶ 645 F.Supp. 1292, 1313+ , S.D.N.Y. Certified class of black Protestant children sued for declaratory and injunctive relief, arguing that city's statutory scheme for provision of child care services violated their...	Oct. 08, 1986	Case		2 3 4 S.Ct.
Discussed by	208. Koster v. Perales ¶ 108 F.R.D. 46, 53+ , E.D.N.Y. Needy families with children residing in New York County who were either denied emergency shelter or provided substandard shelter sought certification for class action against...	Sep. 12, 1985	Case		2 3 4 S.Ct.
Discussed by	209. Hassan v. Town of East Hampton ¶ 500 F.Supp. 1034, 1040+ , E.D.N.Y. An action was brought pursuant to the Civil Rights Act of 1871, challenging the equal protection constitutionality of town ordinance which requires one year of residency as a...	May 06, 1980	Case		2 6 7 S.Ct.
Discussed by	210. Bacon v. Toia ¶ 437 F.Supp. 1371, 1382+ , S.D.N.Y. Recipients of aid to families with dependent children brought class action challenging validity of portions of section of New York Social Services Law which automatically denied...	Sep. 29, 1977	Case		2 3 4 S.Ct.
Discussed by	211. Lugo v. Dumpson ¶ 390 F.Supp. 379, 381+ , S.D.N.Y. Welfare recipients brought class action for a preliminary injunction to stay enforcement, operation and execution of state department of social services regulation requiring that...	Feb. 24, 1975	Case		2 3 S.Ct.
Discussed by	212. Ball v. Kasich ¶ 2023 WL 1451667, *5+ , S.D. Ohio This matter is before the Court on the Joint Motion for Summary Judgment of the State Defendants and the County Boards (ECF No. 547) and the County Boards' Supplemental Motion for...	Feb. 01, 2023	Case		3 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p>213. Murray v. Fidelity and Deposit Co. of Maryland ¶</p> <p>2014 WL 4458895, *3+ , N.D.Ohio</p> <p>This matter comes before the Court upon the Motion (ECF DKT # 53) of Defendant, Fidelity and Deposit Company of Maryland ("F & D"), for Summary Judgment. For the following...</p>	Sep. 10, 2014	Case		<p>5</p> <p>S.Ct.</p>
Discussed by	<p>214. Kutschbach v. Davies ¶</p> <p>885 F.Supp. 1079, 1085+ , S.D.Ohio</p> <p>Owner of automobile which was seized when owner's husband committed driving violation while driving automobile without owner's knowledge brought action seeking to have automobile...</p>	Mar. 31, 1995	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Discussed by	<p>215. Kelly v. Lopeman ¶</p> <p>680 F.Supp. 1101, 1104+ , S.D.Ohio</p> <p>Class action was brought against administrator and members of the board of review of the Ohio Bureau of Employment Services. Class sought a declaratory judgment that policy of...</p>	July 27, 1987	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Discussed by	<p>216. Cottrell v. Lopeman ¶</p> <p>119 F.R.D. 651, 656+ , S.D.Ohio</p> <p>Unemployment compensation claimant brought suit alleging that defendants had refused to schedule face-to-face hearing for him on his claim and denied him meaningful access to his...</p>	Apr. 02, 1987	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p>217. Ball v. Harris</p> <p>498 F.Supp. 110, 115+ , S.D.Ohio</p> <p>Proposed class action was brought alleging illegal and unconstitutional operation of welfare emergency assistance programs in Ohio. Upon state defendants' motion to dismiss, the...</p>	Oct. 01, 1980	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Discussed by	<p>218. Parga v. Board of County Commissioners of County of Tulsa ¶</p> <p>2018 WL 6048016, *3+ , N.D.Okla.</p> <p>Now before the Court is the motion to dismiss and brief in support (Dkt. # 24) of defendants Tulsa County District Judge William Musseman and Tulsa County Special Judges Terry H....</p>	Nov. 19, 2018	Case		<p>3</p> <p>5</p> <p>S.Ct.</p>
Discussed by	<p>219. Williams v. City of Philadelphia ¶</p> <p>270 F.R.D. 208, 218+ , E.D.Pa.</p> <p>LITIGATION - Class Actions. Requirements for maintaining class action challenging prison conditions of overcrowding were satisfied.</p>	Oct. 08, 2010	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
Discussed by	<p>220. McCool v. City of Philadelphia ¶</p> <p>494 F.Supp.2d 307, 318+ , E.D.Pa.</p> <p>CIVIL RIGHTS - Due Process. Plaintiff stated claim that his substantive due process right of intrastate travel was violated by residency requirement.</p>	June 27, 2007	Case		<p>7</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	221. Schumacher v. Nix 1991 WL 346074, *2+ , W.D.Pa. We consider the objections of the plaintiffs to the report and recommendation of the United States District Court Magistrate Judge. Plaintiffs allege that Pennsylvania Bar...	Aug. 27, 1991	Case		2 7 S.Ct.
Discussed by	222. Page v. Schweiker ” 571 F.Supp. 872, 876+ , M.D.Pa. Recipient of supplemental security income benefits filed complaint against Secretary of Health and Human Services challenging procedure utilized by Social Security Administration...	Sep. 02, 1983	Case		2 3 4 S.Ct.
Discussed by	223. Degregorio v. O'Bannon ” 86 F.R.D. 109, 115+ , E.D.Pa. Suit was instituted for declaratory and injunctive relief against systematic exclusion of needy persons in Pennsylvania eligible for medical assistance from skilled nursing...	Feb. 19, 1980	Case		2 3 S.Ct.
Discussed by	224. K.S. v. R.I. Board of Education ” 2015 WL 13729856, *4+ , D.R.I. Pending before me for a report and recommendation (28 U.S.C. § 636(b)(1)(B)) is the Motion to Dismiss of Defendant Warwick School Committee, by and through its chair, Bethany A....	June 30, 2015	Case		2 3 5 S.Ct.
Discussed by	225. Williams v. Steward Health Care System, LLC ” 2021 WL 7629734, *38+ , E.D.Tex. The above case has been referred to the undersigned United States Magistrate Judge for pretrial purposes in accordance with 28 U.S.C. § 636. Before the Court are the following...	Dec. 16, 2021	Case		5 S.Ct.
Discussed by	226. Pankowski v. Bluenrgy Group Limited ” 2016 WL 7179122, *2+ , S.D.Tex. Pending before the court are two motions to dismiss Joseph Pankowski's amended complaint (Dkt. 27) filed by National Securities Corporation and Northland Securities (the...	Dec. 09, 2016	Case		3 5 S.Ct.
Discussed by	227. Winters v. Camber Corporation 2013 WL 12394386, *10+ , W.D.Tex. TO: Chief Fred Biery United States District Judge Pursuant to the order of referral in the above-styled and numbered cause of action to the undersigned United States Magistrate...	Nov. 06, 2013	Case		3 S.Ct.
Discussed by	228. Bank v. Spark Energy Holdings LLC ” 2013 WL 5724507, *5+ , S.D.Tex. Pending before the Court in the above referenced individual and putative class action under Federal Rule of Civil Procedure 23(a) and (b) pursuant to the Telephone Consumer...	Oct. 18, 2013	Case		3 4 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	229. Masters v. Wells Fargo Bank South Cent., N.A. 2013 WL 3713492, *5+ , W.D.Tex. BEITREMEMBERED on this day the Court reviewed the file in the above-styled cause, and specifically Defendant Wells Fargo Bank South Central, N.A.'s Motion to Dismiss [# 33],...	July 11, 2013	Case		5 S.Ct.
Discussed by	230. In re Greyhound Securities Litigation ¶¶ 1997 WL 531317, *3+ , N.D.Tex. Before the court is the motion of John Clarkson ("Clarkson") for leave to intervene in this action as a plaintiff and class representative. For the reasons set forth below, the...	Aug. 15, 1997	Case		2 3 S.Ct.
Discussed by	231. San Antonio Tel. Co., Inc. v. American Tel. & Tel. Co. ¶¶ 68 F.R.D. 435, 441+ , W.D.Tex. Plaintiffs in antitrust action against telephone companies, claiming monopolization of interconnect business, moved for certification as class action. The District Court, John H....	June 23, 1975	Case		2 3 5 S.Ct.
Discussed by	232. Thorpe v. Virginia Department of Corrections ¶¶ 2023 WL 5038692, *4+ , W.D.Va. This action attacks the operation of long-term solitary confinement in Virginia prisons, including the so-called Step-Down Program, by which inmates may earn relief from such...	Aug. 08, 2023	Case		3 4 5 S.Ct.
Discussed by	233. Shifflett v. Kozlowski ¶¶ 1993 WL 21465, *3+ , W.D.Va. Plaintiffs Joan Shifflett, Eunice Zuka, and Angela Ratliff bring this 42 U.S.C. § 1983 action claiming violations of the Social Security Act and attendant regulations and of the...	Jan. 25, 1993	Case		2 3 4 S.Ct.
Discussed by	234. Ashley v. Butz 463 F.Supp. 165, 167+ , E.D.Va. Suit was brought to obtain declaratory and injunctive relief with respect to certain regulations relating to food stamps. The District Court, Warriner, J., held that where...	Feb. 23, 1976	Case		2 3 S.Ct.
Discussed by	235. Stibbe v. Evers 2022 WL 1225299, *6+ , E.D.Wis. Benjamin R. Stibbe, who is incarcerated at the Wisconsin Resource Center ("WRC") and who is representing himself, filed a complaint under 42 U.S.C. § 1983, alleging that the...	Apr. 26, 2022	Case		—
Discussed by	236. Redhail v. Zablocki ¶¶ 418 F.Supp. 1061, 1071+ , E.D.Wis. A class action was brought, under federal civil rights statute proscribing the deprivation of rights, and against defendant class of county clerks, challenging constitutionality of...	Aug. 31, 1976	Case		6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 237. White v. Ally Financial Inc. ¶¶ 969 F.Supp.2d 451, 457+ , S.D.W.Va. LITIGATION - Class Actions. Offer of judgment to named plaintiff does not moot potential motion for class certification.	Jan. 15, 2013	Case		3 4 5 S.Ct.
Discussed by	238. Marietti v. Santacana ¶¶ 2017 WL 6550879, *5+ , D.Puerto Rico Seeking to enforce alimony and child support decrees issued by state courts, Diana Marietti f/k/a Diana Elizabeth Lugo ("Marietti") brought this action under the court's diversity...	Aug. 21, 2017	Case		6 S.Ct.
Discussed by	239. Cruz v. Collazo ¶¶ 84 F.R.D. 307, 315+ , D.Puerto Rico Juvenile brought action against Secretary of Department of Social Services of Commonwealth of Puerto Rico because he was allegedly not receiving adequate rehabilitative treatment...	Oct. 26, 1979	Case		2 3 S.Ct.
Discussed by	240. Haddock v. United States 161 Fed.Cl. 6, 17+ , Fed.Cl. VETERANS — Back Pay. Class action claims of surviving relatives who had not been compensated for veterans' exposure to Agent Orange in Vietnam were not ripe for review.	July 20, 2022	Case		3 5 S.Ct.
Discussed by	241. Lohmann v. United States ¶¶ 154 Fed.Cl. 355, 365+ , Fed.Cl. GOVERNMENT — United States. Army Board for the Correction of Military Records' (ABCMR) decision that soldiers were eligible for per diem allowances made per diem claim moot.	June 29, 2021	Case		3 5 S.Ct.
Discussed by	 242. Williams v. Zobel ¶¶ 619 P.2d 422, 426+ , Alaska Suit was brought by taxpayers for declaration that state income tax statute, which completely exempts from taxation income of those individuals who have filed Alaska income tax...	Sep. 19, 1980	Case		2 6 7 S.Ct.
Discussed by	 243. Thomas v. Bailey 595 P.2d 1, 10+ , Alaska Action was brought challenging constitutionality of initiative enacted by state voters. The Superior Court, Third Judicial District, Mark C. Rowland and Victor D. Carlson, JJ.,...	Apr. 10, 1979	Case		6 7 S.Ct.
Discussed by	 244. People v. Matthews ¶¶ 23 Cal.Rptr.2d 434, 441+ , Cal.App. 5 Dist. Pardon. Residence requirement for application for certificate of rehabilitation and pardon did not violate nonresident applicant's equal protection rights.	Sep. 16, 1993	Case		2 6 S.Ct.
Discussed by	 245. Rivera v. Rowland ¶¶ 1996 WL 677452, *6+ , Conn.Super. Plaintiffs have brought this action seeking injunctive relief in connection with claimed deficiencies in the legal representation being provided to various categories of indigent...	Nov. 08, 1996	Case		2 3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p>246. Diaz v. City of Waterbury 1986 WL 296382, *2+ , Conn.Super.</p> <p>The issue presently before the court is whether the above-entitled cases which previously have been consolidated should be certified as a class action. Some background...</p>	Oct. 17, 1986	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p>247. District of Columbia v. Towers 260 A.3d 690, 694+ , D.C.</p> <p>REAL PROPERTY — Landlord and Tenant. Moratorium on filing of eviction complaints during COVID-19 public health emergency did not violate landlords' due process right of access to...</p>	Oct. 07, 2021	Case		<p>7</p> <p>S.Ct.</p>
Discussed by	<p>248. State v. Lewis 2020 WL 6557085, *2+ , Del.Super.</p> <p>Defendant Lavar Lewis was indicted in this Court for robbery and related criminal charges. After Lewis was detained in default of bail, he filed a motion that, among other things,...</p>	Nov. 09, 2020	Case		<p>2</p> <p>S.Ct.</p>
Discussed by	<p>249. Stratton v. American Independent Ins. Co. 2011 WL 2083933, *5+ , Del.Super.</p> <p>In this opinion, the Court considers whether a putative class action representative has lost standing to pursue the class action now that he has received from the defendant all...</p>	May 11, 2011	Case		<p>3 5</p> <p>S.Ct.</p>
Discussed by	<p>250. Montgomery v. Department of Health and Rehabilitative Services ¶¶ 468 So.2d 1014, 1017+ , Fla.App. 1 Dist.</p> <p>Food stamp recipients sought judicial review of order of Division of Administrative Hearings dismissing their challenge to proposed workfare rule. The District Court of Appeal...</p>	Apr. 15, 1985	Case		<p>2 3 4</p> <p>S.Ct.</p>
Discussed by	<p>251. Langmeyer v. State ¶¶ 656 P.2d 114, 116+ , Idaho</p> <p>Appeal was taken from an order of the District Court, Bonner County, Dar Cogswell, J., granting summary judgment in favor of State and county in suit by three-year resident of...</p>	Dec. 23, 1982	Case		<p>2 6 7</p> <p>S.Ct.</p>
Discussed by	<p> 252. Matter of Tina T. ¶¶ 579 N.E.2d 48, 52+ , Ind.</p> <p>Juvenile wards brought action challenging constitutionality of statutes creating local coordinating committees to review restrictive placement of juveniles and make recommendations...</p>	Sep. 30, 1991	Case		<p>2 3</p> <p>S.Ct.</p>
Discussed by	<p> 253. Beaver v. Chaffee ¶¶ 579 P.2d 1217, 1223+ , Kan.App.</p> <p>Inmates of county jail brought class action challenging conditions of their confinement. The Shawnee District Court, Ronald D. Innes, J., dismissed the action for lack of...</p>	June 09, 1978	Case		<p>2 3</p> <p>S.Ct.</p>



Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	254. Gunderson v. F.A. Richard & Associates 🟢 40 So.3d 418, 421+ , La.App. 3 Cir. HEALTH - Class Actions. Trial court was not required to decertify class of healthcare providers, even though all class representatives were enjoined from pursuing claims against...	June 02, 2010	Case		2 3 5 S.Ct.
Discussed by	255. Rose v. Rose 🟢 136 N.E.3d 408, 413+ , Mass.App.Ct. FAMILY LAW — Parties. Evidentiary hearing was required to determine whether wife met durational residency requirement in order to bring divorce action.	Nov. 20, 2019	Case		2 6 7 S.Ct.
Discussed by	256. Lupton v. Blue Cross and Blue Shield of North Carolina 🟢 1999 WL 33545510, *2+ , N.C.Super. {2} On 30 June 1997, Plaintiff Roland Giduz, individually and on behalf of all persons similarly situated, filed the original complaint in this action, a purported class action...	June 14, 1999	Case		2 3 5 S.Ct.
Discussed by	257. Hagan v. Hardwick 🟢 624 P.2d 26, 27+ , N.M. The District Court, Bernalillo County, Gerald D. Fowlie, D. J., denied former husband's motion to set aside final decree of dissolution of marriage and division of property and...	Jan. 12, 1981	Case		2 6 7 S.Ct.
Discussed by	258. V.W. v. Cuyahoga County Welfare Dept. 🟢 1984 WL 5029, *1+ , Ohio App. 8 Dist. Class action - motion to dismiss overruled; class certified; petitioner suitable representative; motion for protective order overruled	Mar. 29, 1984	Case		2 3 S.Ct.
Discussed by	259. Sherrer v. Lamb 🟢 466 A.2d 163, 166+ , Pa.Super. Complaint in equity was filed by plaintiff as individual and as representative of class of individuals who have been charged with crime and against whom bench warrant has been...	Sep. 23, 1983	Case		2 3 4 S.Ct.
Discussed by	260. Howard v. Bibbs 🟢 340 S.E.2d 566, 569+ , S.C.App. In distress for rent action, tenant appealed decision of the Common Pleas Court, Richland County, James C. Harrison, Jr., Special Circuit Judge, dismissing action for mootness...	Feb. 13, 1986	Case		3 S.Ct.
Discussed by	261. Matter of Angela Suzanne C. 🟢 332 S.E.2d 542, 543+ , S.C.App. Upon determination that juvenile offender had knowingly and willingly violated conditions of her probation, the Family Court, Lancaster County, Berry L. Mobley, J., held juvenile...	June 18, 1985	Case		3 S.Ct.
Discussed by	262. Williamson County v. Heckman 🟢 368 S.W.3d 1, 8+ , Tex.App.-Austin LITIGATION - Parties. Arrestees lack standing to pursue class certification, and thus arrestees' lawsuit had to be dismissed as moot.	Apr. 23, 2010	Case		2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	263. Berry v. Berry ¶¶ 612 S.W.2d 213, 214+ , Tex.Civ.App.-Beaumont Suit was instituted on husband's petition for divorce. The District Court, Hardin County, Clyde E. Smith, Jr., J., entered final judgment denying husband a divorce, and appeal was...	Nov. 26, 1980	Case		6 S.Ct.
Discussed by	264. Burlington Police Officers' Ass'n v. City of Burlington ¶¶ 689 A.2d 1071, 1074+ , Vt. Patrol officer and police officers' association filed complaint for declaratory judgment that police department's promise of use and derivative-use immunity was insufficient to...	Oct. 14, 1996	Case		2 3 S.Ct.
Discussed by	265. Burman v. State 749 P.2d 708, 712+ , Wash.App. Div. 1 Motorist brought class action challenging imposition of late penalty on unpaid traffic infraction fines. The Superior Court, King County, Lloyd Bever, J., dismissed motorists'...	Jan. 25, 1988	Case		2 3 4 S.Ct.
Discussed by	266. D.A. Hostak 1982 WL 43793 (Alaska A.G.), *2+ You requested our opinion regarding the constitutionality of the five-year durational residency requirement for commercial fishing loans under AS 16.10.300-16.10.370. AS...	Nov. 26, 1982	Administrative Decision		2 6 S.Ct.
Discussed by	267. JOSEPH P. MCCOOL, Plaintiff, v. CITY OF PHILADELPHIA, ET AL., Defendants 38 PPER P 95+	June 27, 2007	Administrative Decision		7 S.Ct.
Discussed by	268. John O. Williams, II, Esquire 2018 WL 1557223 (S.C.A.G.), *3+ You seek an opinion "regarding the ability of ready SC, a division of the South Carolina Technical College system, to implement residency requirements as outlined in the South...	Mar. 21, 2018	Administrative Decision		7 S.Ct.
Abrogation Recognized by NEGATIVE	269. Sze v. I.N.S. 153 F.3d 1005, 1009 , 9th Cir.(Cal.) Applicants brought action seeking writ of mandamus to compel Immigration and Naturalization Service (INS) to grant or deny their applications for naturalization within 120 days,...	Aug. 28, 1998	Case		2 3 S.Ct.
Disagreement Recognized by NEGATIVE	270. Haritos v. American Express Financial Advisors Inc. 2005 WL 8160756, *2 , D.Ariz. Pending before the Court is the Motion to Dismiss the Second Amended Complaint (doc. #69) filed by defendant American Express Financial Advisors Inc. (AEFA). Having considered the...	Feb. 22, 2005	Case		3 S.Ct.
Called into Doubt by NEGATIVE	271. Cranley v. National Life Ins. Co. of Vermont 144 F.Supp.2d 291, 305 , D.Vt. INSURANCE - Industry Regulation. Statute allowing reorganization of mutual insurers did not amount to a taking.	May 15, 2001	Case		3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by NEGATIVE	272. Medical Society of the State of New York v. UnitedHealth Group Inc. ¶¶ 332 F.R.D. 138, 151+ , S.D.N.Y. LABOR AND EMPLOYMENT — Class Actions. Office-based surgery (OBS) practice satisfied typicality and adequacy prerequisites for class certification in its action against ERISA...	Sep. 11, 2019	Case		3 5 S.Ct.
Distinguished by NEGATIVE	273. Laube v. Desert Fire LLC 2023 WL 4348745, *3 , D.Or. Plaintiffs Megan Laube (“Laube”), Kenza Minkler (“Minkler”), and filed this action on March 9, 2022, later joined by others, alleging violation of the federal Fair Labor Standards...	July 05, 2023	Case		5 S.Ct.
Distinguished by NEGATIVE	274. Fox v. Saginaw County, Michigan 67 F.4th 284, 297+ , 6th Cir.(Mich.) LITIGATION — Class Actions. Purported “juridical link doctrine” is not a viable basis to allow named plaintiffs to bring class action against defendants who did not injure them.	Apr. 28, 2023	Case		5 S.Ct.
Distinguished by NEGATIVE	275. Ward v. Gladieux 2017 WL 1954109, *2 , N.D.Ind. Plaintiff Ronald Ward has moved for reconsideration of his motion to certify a class and amendment of my order denying it. (DE 61.) Ward was incarcerated at the Allen County Jail...	May 11, 2017	Case		5 S.Ct.
Distinguished by NEGATIVE	276. Wallach v. Eaton Corporation ¶¶ 837 F.3d 356, 373+ , 3rd Cir.(Del.) ANTITRUST — Monopolies. Restatement of Contracts was to be used as guidepost to define federal common law concerning validity of assignments of antitrust claims.	Sep. 14, 2016	Case		2 3 5 S.Ct.
Distinguished by NEGATIVE	277. Rosa v. American Water Heater Company ¶¶ 177 F.Supp.3d 1025, 1033+ , S.D.Tex. COMMERCIAL LAW — Warranties. Breach of warranty claims against manufacturer of gas water heaters would not proceed as a class action.	Apr. 07, 2016	Case		3 4 5 S.Ct.
Distinguished by NEGATIVE	278. Heard v. United States Social Security Administration ¶¶ 170 F.Supp.3d 124, 133 , D.D.C. TAXATION — Income. Taxpayer did not have reasonable expectation that SSA would refer debt to Treasury for tax refund offset, and thus taxpayer's claims were moot.	Mar. 15, 2016	Case		3 5 S.Ct.
Distinguished by NEGATIVE	279. Dzu Cong Tran v. Napolitano ¶¶ 497 Fed.Appx. 724, 725+ , 9th Cir.(Or.) IMMIGRATION - Appeals. Plaintiffs' appeal of order dismissing action challenging refusal to issue visas to their alien fiancées was moot.	Oct. 25, 2012	Case		3 5 S.Ct.


















Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	280. Zimmermann v. Epstein Becker and Green, P.C. ¶¶ 657 F.3d 80, 85+ , 1st Cir.(Mass.) COMMERCIAL LAW - Consumer Credit. Constructive trust established in class action could not be used to claw back monies paid before trust's establishment.	Sep. 22, 2011	Case		3 5 S.Ct.
Distinguished by NEGATIVE	281. Gutierrez v. Sniff 2010 WL 2464997, *1 , C.D.Cal. Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the Petition, the Magistrate Judge's Report and Recommendation ("R & R"), the Objections to...	June 11, 2010	Case		1 S.Ct.
Distinguished by NEGATIVE	282. Indergit v. Rite Aid Corp. 2009 WL 1269250, *6 , S.D.N.Y. LABOR AND EMPLOYMENT - Class Actions. An employer's motion for judgment on the pleadings as to a former employee's Fair Labor Standards Act (FLSA) and Labor Law class and...	May 04, 2009	Case		3 S.Ct.
Distinguished by NEGATIVE	283. Rios v. State Farm Fire and Casualty Company 2007 WL 9711426, *7 , S.D.Iowa Before the Court is Defendant's Motion to Dismiss Certain Named Plaintiffs and Count III of Plaintiffs' Fourth Amended Complaint (Clerk's No. 187), filed March 7, 2007. On April 9,...	May 10, 2007	Case		3 5 S.Ct.
Distinguished by NEGATIVE	284. DeCoteau v. Nodak Mut. Ins. Co. ¶¶ 636 N.W.2d 432, 435+ , N.D. LITIGATION - Appeals. Mutual satisfaction of judgment in favor of named plaintiff rendered class action moot.	Dec. 05, 2001	Case		2 3 S.Ct.
Distinguished by NEGATIVE	285. Westenfelder v. Ferguson 998 F.Supp. 146, 152 , D.R.I. Plaintiffs brought prospective class action challenging constitutionality of durational residency requirement created by Rhode Island public assistance statute, under which...	Mar. 18, 1998	Case		7 S.Ct.
Distinguished by NEGATIVE	286. Citicasters, Inc. v. McCaskill 883 F.Supp. 1282, 1291 , W.D.Mo. Television broadcasting company brought action against police officer, county prosecutor, and board of police commissioners, alleging that seizure of videotape of abduction of...	Feb. 01, 1995	Case		1 S.Ct.
Distinguished by NEGATIVE	287. Speer v. City of Oregon 847 F.2d 310, 311+ , 6th Cir.(Ohio) New resident of city brought suit to challenge city's residence requirement for office of city council member. The United States District Court for the Northern District of Ohio,...	May 25, 1988	Case		2 S.Ct.






Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	288. McCoy v. Ithaca Housing Authority 559 F.Supp. 1351, 1353+ , N.D.N.Y. An action was brought by an AFDC recipient to challenge the method by which defendants determined shelter allowance grants for persons residing in public housing whose rental costs...	Mar. 29, 1983	Case		2 3 S.Ct.
Distinguished by NEGATIVE	289. Strong v. Collatos 450 F.Supp. 1356, 1360 , D.Mass. Class action was brought seeking declaratory and injunctive relief challenging a Massachusetts statute which imposed a durational residence requirement as a condition to receipt of...	May 26, 1978	Case		—
Cited by	290. Chrysafis v. Marks ¶¶ 141 S.Ct. 2482, 2483 , U.S. REAL PROPERTY — Landlord and Tenant. Requiring residential landlords to accept self-certifications of financial hardship prepared by residential tenants facing eviction violated...	Aug. 12, 2021	Case		7 S.Ct.
Cited by	291. Campbell-Ewald Co. v. Gomez 136 S.Ct. 663, 672 , U.S. LITIGATION - Settlements. Complaint was not mooted by unaccepted offer of judgment on individual claims in class suit under Telephone Consumer Protection Act.	Jan. 20, 2016	Case		3 S.Ct.
Cited by	292. U.S. v. Windsor ¶¶ 133 S.Ct. 2675, 2680+ , U.S. FAMILY LAW - Marriage. DOMA's exclusion of same-sex marriage under federal law violated the liberty of the person protected by the Fifth Amendment.	June 26, 2013	Case		6 S.Ct.
Cited by	293. Adoptive Couple v. Baby Girl ¶¶ 133 S.Ct. 2552, 2565+ , U.S.S.C. NATIVE AMERICANS - Child Welfare. Indian Child Welfare Act section barring involuntary termination of parent's rights in absence of a heightened showing that serious harm to Indian...	June 25, 2013	Case		1 S.Ct.
Cited by	294. Gratz v. Bollinger ¶¶ 123 S.Ct. 2411, 2436 , U.S. EDUCATION - Admission. University of Michigan's use of race in freshman admissions policy violated Equal Protection Clause.	June 23, 2003	Case		3 4 S.Ct.
Cited by	295. Saenz v. Roe 119 S.Ct. 1518, 1527+ , U.S.Cal. CIVIL RIGHTS - Privileges and Immunities. State statute imposing durational residency requirement on TANF benefit recipients was unconstitutional.	May 17, 1999	Case		7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 296. Wisconsin Dept. of Corrections v. Schacht 118 S.Ct. 2047, 2056 , U.S.Wis.</p> <p>LITIGATION - Removal. Presence in an otherwise removable case of an Eleventh Amendment-barred claim does not destroy removal jurisdiction that would otherwise exist, and federal...</p>	June 22, 1998	Case		—
Cited by	<p> 297. Arizonans for Official English v. Arizona 117 S.Ct. 1055, 1071 , U.S.Ariz.</p> <p>CIVIL PROCEDURE - Jurisdiction. Resignation mooted state employee's challenge to state's English language only constitutional amendment.</p>	Mar. 03, 1997	Case		2 S.Ct.
Cited by	<p> 298. Lewis v. Casey  116 S.Ct. 2174, 2202 , U.S.Ariz.</p> <p>CIVIL RIGHTS - Prisons. Order mandating detailed, systemwide changes in Arizona prison system's prison law libraries and legal assistance program was unwarranted.</p>	June 24, 1996	Case		2 S.Ct.
Cited by	<p> 299. Hodgson v. Minnesota 110 S.Ct. 2926, 2943 , U.S.Minn.</p> <p>Action was brought challenging parental notification requirement of Minnesota Abortion Law. The United States District Court for the District of Minnesota, Donald D. Alsop, Chief...</p>	June 25, 1990	Case		7 S.Ct.
Cited by	<p> 300. Deakins v. Monaghan 108 S.Ct. 523, 528 , U.S.N.J.</p> <p>Operators of construction businesses brought § 1983 action against New Jersey officials, seeking damages and injunctive relief following allegedly illegal search of business. The...</p>	Jan. 12, 1988	Case		3 S.Ct.
Cited by	<p> 301. Burke v. Barnes 107 S.Ct. 734, 736 , U.S.Dist.Col.</p> <p>Congressional members filed suit challenging action of President in seeking to "pocket veto" bill which conditioned continuance of United States military aid to El Salvador upon...</p>	Jan. 14, 1987	Case		1 3 S.Ct.
Cited by	<p> 302. Hooper v. Bernalillo County Assessor 105 S.Ct. 2862, 2865+ , U.S.N.M.</p> <p>Action was brought challenging constitutionality of a New Mexico statute that granted a tax exemption limited to those Vietnam veterans who resided in the state before May 8, 1976....</p>	June 24, 1985	Case		7 S.Ct.
Cited by	<p> 303. Merrill Lynch, Pierce, Fenner & Smith, Inc. v. McCollum  105 S.Ct. 811, 814 , U.S.Tex.</p> <p>Case below, 666 S.W.2d 604.</p>	Jan. 07, 1985	Case		3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 304. Martinez v. Bynum 103 S.Ct. 1838, 1847 , U.S.Tex. Suit was brought challenging constitutionality of Texas statute permitting school district to deny tuition-free admission to its public schools for a minor who lived apart from a...	May 02, 1983	Case		—
Cited by	 305. H. L. v. Matheson  101 S.Ct. 1164, 1183 , U.S.Utah Minor brought action for purpose of having Utah statute, requiring physician to notify, if possible, parents of minor seeking an abortion, declared unconstitutional and to enjoin...	Mar. 23, 1981	Case		2 S.Ct.
Cited by	 306. Kulko v. Superior Court of California In and For City and County of San Francisco 98 S.Ct. 1690, 1699 , U.S.Cal. Proceeding was brought by divorced father for writ of mandate directing superior court to vacate order denying father's motion to quash service of summons for lack of...	May 15, 1978	Case		—
Cited by	 307. Memphis Light, Gas and Water Division v. Craft  98 S.Ct. 1554, 1559+ , U.S.Tenn. Suit was brought challenging constitutionality of municipal utility's policies pertaining to terminating and refusing to connect electric, gas and water services. The United...	May 01, 1978	Case		1 S.Ct.
Cited by	 308. Zablocki v. Redhail  98 S.Ct. 673, 679+ , U.S.Wis. Class action was brought challenging Wisconsin statute, which provides that any resident having minor issue not in his custody that he is under obligation to support by any court...	Jan. 18, 1978	Case		2 S.Ct.
Cited by	 309. United Airlines, Inc. v. McDonald 97 S.Ct. 2464, 2473+ , U.S.Ill. In equal employment opportunity case challenging airline's policy of requiring stewardesses, though not stewards, to remain unmarried as an employment condition, class action...	June 20, 1977	Case		2 3 S.Ct.
Cited by	 310. Craig v. Boren 97 S.Ct. 451, 454 , U.S.Okla. Male between the ages of 18 and 21, along with a licensed vendor of 3.2% beer, brought action for declaratory and injunctive relief against Oklahoma statutes prohibiting the sale...	Dec. 20, 1976	Case		2 S.Ct.
Cited by	 311. Pasadena City Bd. of Ed. v. Spangler 96 S.Ct. 2697, 2702 , U.S.Cal. School officials sought modification of school desegregation order and dissolution of injunction. The District Court for the Central District of California, 375 F.Supp. 1304,...	June 28, 1976	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	312. Youakim v. Miller 96 S.Ct. 1399, 1402 , U.S.Ill. Action was brought by foster parents who were caring for wife's minor siblings on behalf of themselves and those similarly situated to enjoin enforcement of state foster parent...	Mar. 31, 1976	Case		—
Cited by	313. Middendorf v. Henry 96 S.Ct. 1281, 1285 , U.S.Cal. Persons who had been convicted at summary courts-martial or who had been ordered to stand trial at summary courts-martial brought action against the Secretary of the Navy and...	Mar. 24, 1976	Case		1 S.Ct.
Cited by	314. Weinstein v. Bradford 96 S.Ct. 347, 348 , U.S.N.C. North Carolina prisoner brought action against the North Carolina Board of Parole asserting that the Board was obligated to accord him certain procedural rights in considering his...	Dec. 10, 1975	Case		—
Cited by	315. Marks v. Leis 95 S.Ct. 1669, 1669+ , U.S.Ohio On appeal from the United States District Court for the Southern District of Ohio.	Apr. 28, 1975	Case		1 S.Ct.
Cited by	316. Crow v. California Department of Human Resources Development 95 S.Ct. 1110, 1110 , U.S.Cal. Former decision, 419 U.S. 817, 95 S.Ct. 33. Facts and opinion, D.C., 325 F.Supp. 1314;9 Cir., 490 F.2d 580.	Feb. 18, 1975	Case		2 S.Ct.
Cited by	317. Gerstein v. Pugh 95 S.Ct. 854, 861+ , U.S.Fla. Florida prisoners brought class action, under the Civil Rights Act, against various Dade County judicial and prosecutorial officials claiming a constitutional right to a judicial...	Feb. 18, 1975	Case		2 3 S.Ct.
Cited by	318. Gallogly v. Larsen 95 S.Ct. 819, 819 , U.S.R.I. Appeal from the United States District Court for the District of Rhode Island. Facts and opinion, D.C., 361 F.Supp. 305.	Jan. 27, 1975	Case		3 S.Ct.
Cited by	319. South Dakota v. McCay 95 S.Ct. 819, 819 , U.S.S.D. Appeal from the United States District Court for the District of South Dakota. Facts and opinion, D.C., 366 F.Supp. 1244.	Jan. 27, 1975	Case		3 S.Ct.
Cited by	320. In re Asacol Antitrust Litigation ¶¶ 907 F.3d 42, 51 , 1st Cir.(Mass.) ANTITRUST — Class Actions. District Court abused its discretion by determining proposed class of benefit plans met predominance requirement for certification of class.	Oct. 15, 2018	Case		5 S.Ct.

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Cited by	 321. Wilson v. HSBC Mortg. Services, Inc. 744 F.3d 1, 8 , 1st Cir.(Mass.) REAL PROPERTY - Mortgages and Deeds of Trust. Homeowners lacked standing to challenge potentially voidable mortgage assignment.	Feb. 14, 2014	Case		3 S.Ct.
Cited by	 322. Coors Brewing Co. v. Mendez-Torres 678 F.3d 15, 26+ , 1st Cir.(Puerto Rico) TAXATION - Jurisdiction. It was appropriate to dismiss brewer's action challenging excise taxes on grounds of comity.	Apr. 27, 2012	Case		—
Cited by	 323. Barr v. Galvin 626 F.3d 99, 105 , 1st Cir.(Mass.) GOVERNMENT - Elections. Massachusetts ballot access restrictions did not violate equal protection.	Nov. 16, 2010	Case		2 S.Ct.
Cited by	 324. In re New Motor Vehicles Canadian Export Antitrust Litigation  522 F.3d 6, 13+ , 1st Cir.(Me.) ANTITRUST - Parties. Purchasers lacked standing to bring Clayton Act suit against manufacturers, given changed circumstances, no live controversy.	Mar. 28, 2008	Case		2 3 4 S.Ct.
Cited by	 325. Parker v. Universidad de Puerto Rico  225 F.3d 1, 9 , 1st Cir.(Puerto Rico) CIVIL RIGHTS - Disabilities. Whether a wheelchair visitor to a university garden was denied equal access was for the jury in an ADA action.	Aug. 28, 2000	Case		—
Cited by	326. Massachusetts Laborers' Dist. Council v. Labor Relations Div. of Const. Industries of Massachusetts, Inc. 23 F.3d 394, 394 , 1st Cir.(Mass.) D.Mass. AFFIRMED.	Apr. 29, 1994	Case		2 3 S.Ct.
Cited by	327. Slessinger v. Secretary of Health and Human Services 835 F.2d 937, 939 , 1st Cir.(R.I.) Widow applied for mother's insurance benefits. Application was denied on ground that widow had remarried, and widow appealed. The United States District Court for the District...	Dec. 28, 1987	Case		7 S.Ct.
Cited by	328. Boston Teachers Union, Local 66, AFT, AFL-CIO v. Edgar 787 F.2d 12, 15 , 1st Cir.(Mass.) Local teachers union brought action against city school committee and State Labor Relations Commissioners seeking declaration that provisions of state statute prohibiting public...	Mar. 27, 1986	Case		3 S.Ct.
Cited by	 329. Cosme Nieves v. Deshler 786 F.2d 445, 447 , 1st Cir.(Puerto Rico) Employees of nonappropriated fund instrumentality providing food and beverage services on military base brought action against instrumentality and certain officers under Fair Labor...	Mar. 18, 1986	Case		1 S.Ct.
















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Cited by	<p> 330. Dionne v. Bouley 757 F.2d 1344, 1356 , 1st Cir.(R.I.)</p> <p>Social security beneficiary filed suit challenging validity of Rhode Island's statutory scheme of postjudgment attachment. The United States District Court for the District of...</p>	Mar. 19, 1985	Case		<p>3 S.Ct.</p>
Cited by	<p>331. Loeterman v. Town of Brookline </p> <p>709 F.2d 116, 118 , 1st Cir.(Mass.)</p> <p>Purchasers of condominium unit brought action challenging constitutionality of provision of town rent control legislation prohibiting them from evicting present tenant. The...</p>	June 08, 1983	Case		—
Cited by	<p>332. Illsley v. U.S. Parole and Probation Dept.</p> <p>636 F.2d 1, 2 , 1st Cir.(Mass.)</p> <p>Federal parolee sought writ of habeas corpus claiming that Parole Commission lacked statutory authority to issue unexecuted warrant and to lodge it as a detainer without granting...</p>	Nov. 06, 1980	Case		<p>2 S.Ct.</p>
Cited by	<p>333. Gomes v. Rhode Island Interscholastic League </p> <p>604 F.2d 733, 736+ , 1st Cir.(R.I.)</p> <p>In action brought under federal civil rights statute, male high school student sought to preliminarily enjoin school officials from preventing him from playing on an all girls'...</p>	Aug. 31, 1979	Case		<p>2 S.Ct.</p>
Cited by	<p>334. Arnold v. Panora</p> <p>593 F.2d 161, 164+ , 1st Cir.(Mass.)</p> <p>Action was brought attacking constitutionality of Massachusetts statute providing that the driver's license of a defendant convicted after a trial of operating a motor vehicle...</p>	Feb. 23, 1979	Case		<p>2 3 S.Ct.</p>
Cited by	<p> 335. Bank v. Alliance Health Networks, LLC</p> <p>669 Fed.Appx. 584, 586 , 2nd Cir.(N.Y.)</p> <p>Appellant Todd C. Bank, an attorney proceeding pro se, appeals from the district court's determination that an entry of judgment in his favor pursuant to the defendants' offer of...</p>	Oct. 20, 2016	Case		—
Cited by	<p>336. Kuck v. Masek </p> <p>542 Fed.Appx. 75, 76 , 2nd Cir.(Conn.)</p> <p>Plaintiffs—Appellants Peter Kuck and James Goldberg appeal from the district court's dismissal and grant of summary judgment in favor of the defendants. Each plaintiff held a...</p>	Nov. 21, 2013	Case		<p>2 S.Ct.</p>
Cited by	<p> 337. Windsor v. U.S. </p> <p>699 F.3d 169, 179+ , 2nd Cir.(N.Y.)</p> <p>GLBT - Marriage. Classification of same-sex spouses drawn by Defense of Marriage Act violated equal protection.</p>	Oct. 18, 2012	Case		<p>3 S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 338. NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co. ¶¶ 693 F.3d 145, 159, 2nd Cir.(N.Y.) SECURITIES REGULATION - Registration and Disclosure. Holder of mortgage-backed certificates had standing to assert class claims for misleading information in offering documents.	Sep. 06, 2012	Case		3 5 S.Ct.
Cited by	339. Milanes v. Napolitano 354 Fed.Appx. 573, 575, 2nd Cir.(N.Y.) IMMIGRATION - Class Actions. District court erred in failing to address class certification separately from merits of lawful residents' claims.	Dec. 02, 2009	Case		3 4 S.Ct.
Cited by	 340. Selevan v. New York Thruway Authority 584 F.3d 82, 101, 2nd Cir.(N.Y.) GOVERNMENT - Highways and Roads. Nonresident motorists challenging toll policy stated § 1983 claim under the dormant Commerce Clause	Oct. 15, 2009	Case		6 S.Ct.
Cited by	341. Bernstein v. Pataki ¶¶ 233 Fed.Appx. 21, 23, 2nd Cir.(N.Y.) HEALTH - Mental Health. Intermediate scrutiny applied to involuntarily committed psychiatric patients' equal protection claim.	Apr. 03, 2007	Case		2 S.Ct.
Cited by	 342. Hargrave v. Vermont ¶¶ 340 F.3d 27, 34, 2nd Cir.(Vt.) HEALTH - Mental Health. Mentally ill persons were qualified individuals as to state's durable power of attorney program.	Aug. 01, 2003	Case		2 S.Ct.
Cited by	 343. Krimstock v. Kelly 306 F.3d 40, 70, 2nd Cir.(N.Y.) CRIMINAL JUSTICE - Forfeitures. City's retention of seized vehicles without hearing violated due process.	Sep. 18, 2002	Case		2 3 S.Ct.
Cited by	 344. Martens v. Thomann ¶¶ 273 F.3d 159, 173, 2nd Cir.(N.Y.) LITIGATION - Dismissal. Dismissal for failure to prosecute held inappropriate.	Nov. 20, 2001	Case		2 3 4 S.Ct.
Cited by	345. St. Barnabas Hosp. v. 1199 Nat. Health and Human Service Employees Union, AFL-CIO 104 F.3d 350, 350, 2nd Cir.(N.Y.) S.D.N.Y. AFFIRMED.	Sep. 13, 1996	Case		7 S.Ct.
Cited by	346. U.S. v. Johnson 801 F.2d 597, 600, 2nd Cir.(N.Y.) Defendant appealed from order of the United States District Court for the Eastern District of New York, Eugene H. Nickerson, J., holding him in contempt for refusing to testify...	Sep. 16, 1986	Case		4 S.Ct.











Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 347. Trane Co. v. O'Connor Securities 718 F.2d 26, 27 , 2nd Cir.(N.Y.)</p> <p>Plaintiff brought action against defendant securities companies seeking preliminary injunction prohibiting further purchases of plaintiff's stock by defendants and prohibiting...</p>	Sep. 19, 1983	Case		<p>3</p> <p>S.Ct.</p>
Cited by	<p>348. Cheeseman v. Carey 623 F.2d 1387, 1392+ , 2nd Cir.(N.Y.)</p> <p>New York state employees sought to enjoin state from deducting from their wages penalty for strikes as provided by New York Civil Service Law section commonly known as the Taylor...</p>	July 17, 1980	Case		<p>4</p> <p>S.Ct.</p>
Cited by	<p> 349. Marcera v. Chinlund 595 F.2d 1231, 1240+ , 2nd Cir.(N.Y.)</p> <p>Pretrial detainees in county jail brought action against sheriff of county and members of New York Commission of Correction alleging denial of due process and equal protection and...</p>	Feb. 27, 1979	Case		<p>2</p> <p>S.Ct.</p>
Cited by	<p> 350. Jones v. Califano 576 F.2d 12, 22 , 2nd Cir.(N.Y.)</p> <p>Disabled recipient of supplemental security income who, prior to determination of her eligibility for supplemental security income, was recipient of aid to families with dependent...</p>	Apr. 14, 1978	Case		<p>3</p> <p>S.Ct.</p>
Cited by	<p>351. Lasky v. Quinlan 558 F.2d 1133, 1136+ , 2nd Cir.(N.Y.)</p> <p>County jail inmates who had entered into consent order concerning improvements in jail conditions sought to have sheriff held in contempt for failing to comply with the consent...</p>	July 29, 1977	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Cited by	<p> 352. White v. Mathews  559 F.2d 852, 857 , 2nd Cir.(Conn.)</p> <p>The United States District Court for the District of Connecticut, 434 F.Supp. 1252, T. Emmet Clarie, Chief Judge, found that delays in administrative hearings on entitlement to...</p>	July 18, 1977	Case		<p>3</p> <p>S.Ct.</p>
Cited by	<p> 353. Socwell v. Maloney 554 F.2d 1236, 1237 , 2nd Cir.(Conn.)</p> <p>Appeal was taken from an order of the United States District Court for the District of Connecticut, 431 F.Supp. 1006, Robert C. Zampano, J., granting a preliminary injunction...</p>	May 12, 1977	Case		<p>3</p> <p>S.Ct.</p>
Cited by	<p> 354. Zurak v. Regan 550 F.2d 86, 91+ , 2nd Cir.(N.Y.)</p> <p>Inmates serving definite sentences of more than 90 days at New York City Correctional Institution for Men, Rikers Island, brought class action against members of the New York State...</p>	Feb. 07, 1977	Case		<p>2</p> <p>5</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 355. Boyd v. Justices of Special Term, Part I, of Supreme Court of State of N.Y., Bronx County ¶¶</p> <p>546 F.2d 526, 527+ , 2nd Cir.(N.Y.)</p> <p>Thirteen indigent individuals brought action seeking declaratory and injunctive relief against state court justices to vindicate claimed constitutional right to assignments of...</p>	Dec. 30, 1976	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Cited by	<p> 356. Bossom v. Bossom ¶¶</p> <p>551 F.2d 474, 475 , 2nd Cir.(N.Y.)</p> <p>Appeal was taken by plaintiff from a judgment of the District Court for the Eastern District of New York, Mark A. Costantino, J., dismissing a diversity action in which plaintiff...</p>	Dec. 17, 1976	Case		<p>6</p> <p>S.Ct.</p>
Cited by	<p>357. Mendez v. Heller</p> <p>530 F.2d 457, 459+ , 2nd Cir.(N.Y.)</p> <p>Wife brought civil rights action against various officials seeking to challenge the New York durational residency requirement for divorce actions. A three-judge court dismissed her...</p>	Feb. 10, 1976	Case		<p>7</p> <p>S.Ct.</p>
Cited by	<p>358. Hagans v. Wyman</p> <p>527 F.2d 1151, 1153+ , 2nd Cir.(N.Y.)</p> <p>Recipients of AFDC grants sought declaration of invalidity of New York regulation permitting deduction from subsequent grants over six-month period of advance allowance made to...</p>	Dec. 10, 1975	Case		<p>2</p> <p>S.Ct.</p>
Cited by	<p>359. McCune v. Frank</p> <p>521 F.2d 1152, 1158 , 2nd Cir.(N.Y.)</p> <p>County police officer brought action challenging constitutionality of grooming regulations. The District Court for the Eastern District of New York, Jacob Mishler, Chief Judge...</p>	July 16, 1975	Case		<p>1</p> <p>S.Ct.</p>
Cited by	<p>360. Duncan v. Governor of Virgin Islands ¶¶</p> <p>48 F.4th 195, 214 , 3rd Cir.(Virgin Islands)</p> <p>TAXATION — Class Actions. Court acted within its discretion in determining that taxpayer's receipt of tax refund check rendered her atypical of class as to refund claim.</p>	Aug. 31, 2022	Case		<p>5</p> <p>S.Ct.</p>
Cited by	<p>361. Goode v. Warden Curran Fromhold Correctional Facility</p> <p>669 Fed.Appx. 622, 623 , 3rd Cir.(Pa.)</p> <p>Ronald Goode appeals pro se from the District Court's dismissal of his civil rights action. For the following reasons, we will dismiss the appeal. Goode brought an action under 42...</p>	Oct. 25, 2016	Case		<p>3</p> <p>5</p> <p>S.Ct.</p>
Cited by	<p>362. Richardson v. Bledsoe ¶¶</p> <p>829 F.3d 273, 279 , 3rd Cir.(Pa.)</p> <p>LITIGATION — Class Actions. Courts can relate individual plaintiff's class action claims back to date of filing of class complaint, after plaintiff's individual claims were moot.</p>	July 15, 2016	Case		<p>3</p> <p>5</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 363. Brown v. Philadelphia Housing Authority 350 F.3d 338, 343 , 3rd Cir.(Pa.)</p> <p>LITIGATION - Jurisdiction. Termination of plaintiff's tenancies mooted action against housing authority that was never certified.</p>	Nov. 19, 2003	Case		<p>2 3 4</p> <p>S.Ct.</p>
Cited by	<p> 364. Colbert v. Dymacol, Inc. ¶¶ 302 F.3d 155, 160 , 3rd Cir.(Pa.)</p> <p>LITIGATION - Class Actions. Offer of maximum relief to single named plaintiff mooted claim, ended subject matter jurisdiction.</p>	Aug. 28, 2002	Case		<p>3</p> <p>S.Ct.</p>
Cited by	<p> 365. E.B. v. Verniero 119 F.3d 1077, 1092 , 3rd Cir.(N.J.)</p> <p>Sex offenders brought actions against New Jersey Attorney General and local prosecutors challenging constitutionality of community notification provisions of New Jersey's "Megan's...</p>	Aug. 20, 1997	Case		—
Cited by	<p> 366. Artway v. Attorney General of State of N.J. 81 F.3d 1235, 1246 , 3rd Cir.(N.J.)</p> <p>Convicted sex offender sought injunction against enforcement of New Jersey law requiring certain convicted sex offenders to register with local law enforcement officials and...</p>	Apr. 12, 1996	Case		—
Cited by	<p> 367. Wagner by Wagner v. Fair Acres Geriatric Center 49 F.3d 1002, 1008 , 3rd Cir.(Pa.)</p> <p>Woman suffering from Alzheimer's disease brought suit under Rehabilitation Act against county-operated intermediate care nursing facility based on its decision that she was not...</p>	Mar. 15, 1995	Case		<p>7</p> <p>S.Ct.</p>
Cited by	<p> 368. Reich v. Local 30, Intern. Broth. of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, AFL-CIO 6 F.3d 978, 984 , 3rd Cir.(Pa.)</p> <p>Secretary of Labor filed action to declare local union's trustee election void and to order union to conduct new election under his supervision on ground that former union member...</p>	Oct. 06, 1993	Case		—
Cited by	<p> 369. Brody By and Through Sugzdisnis v. Spang 957 F.2d 1108, 1114 , 3rd Cir.(Pa.)</p> <p>High school students brought suit against school board and school officials alleging violation of their rights under the establishment clause by school officials' sponsorship of...</p>	Feb. 28, 1992	Case		<p>1</p> <p>S.Ct.</p>
















Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 370. Winston by Winston v. Children and Youth Services of Delaware County 948 F.2d 1380, 1384+ , 3rd Cir.(Pa.)</p> <p>Parents challenged parental visitation policies of county children and youth service for children who had been adjudicated dependent and temporarily placed in foster care. The...</p>	Nov. 07, 1991	Case		<p>2 3</p> <p>S.Ct.</p>
Cited by	<p> 371. Planned Parenthood of Southeastern Pennsylvania v. Casey ” 947 F.2d 682, 726 , 3rd Cir.(Pa.)</p> <p>Abortion clinics and physician challenged, on due process grounds, the constitutionality of the 1988 and 1989 amendments to the Pennsylvania abortion statute. The United States...</p>	Oct. 21, 1991	Case		—
Cited by	<p> 372. Davis v. Thornburgh 903 F.2d 212, 222 , 3rd Cir.(Pa.)</p> <p>Mother brought § 1983 action challenging constitutionality of Pennsylvania Adoption Act. The United States District Court for the Eastern District of Pennsylvania, Louis Charles...</p>	May 15, 1990	Case		<p>2</p> <p>S.Ct.</p>
Cited by	<p> 373. Hoxworth v. Blinder, Robinson & Co., Inc. 903 F.2d 186, 201 , 3rd Cir.(Pa.)</p> <p>Investors brought class action against securities firm and its president, alleging securities fraud and civil RICO violations arising from investors' purchases and sales of penny...</p>	May 09, 1990	Case		<p>4</p> <p>S.Ct.</p>
Cited by	<p> 374. Hassine v. Jeffes ” 846 F.2d 169, 179 , 3rd Cir.(Pa.)</p> <p>Prisoners brought action challenging conditions of confinement at state prison. The United States District Court for the Eastern District of Pennsylvania, James McGirr Kelly, J.,...</p>	Apr. 29, 1988	Case		—
Cited by	<p> 375. Green v. USX Corp. 843 F.2d 1511, 1533+ , 3rd Cir.(Pa.)</p> <p>Employment discrimination action was brought against employer. The United States District Court for the Eastern District of Pennsylvania, Clarence C. Newcomer, J., 570 F.Supp....</p>	Mar. 29, 1988	Case		<p>1 3</p> <p>S.Ct.</p>
Cited by	<p>  376. Grasty v. Amalgamated Clothing and Textile Workers Union, AFL-CIO, CLC 828 F.2d 123, 129 , 3rd Cir.(Pa.)</p> <p>Local union members brought action against international union and intermediate union for breach of their constitutions and bylaws and for violation of federal racketeering statute...</p>	Aug. 31, 1987	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 377. Bronze Shields, Inc. v. New Jersey Dept. of Civil Service 667 F.2d 1074, 1079 , 3rd Cir.(N.J.) Actions were brought against city and state civil service alleging discrimination in procedures for hiring and promoting police officers. The United States District Court for the...	Dec. 01, 1981	Case		2 3 S.Ct.
Cited by	 378. Kyriazi v. Western Elec. Co. 647 F.2d 388, 394 , 3rd Cir.(N.J.) Eleven class members in discriminatory employment action appealed from two orders of the United States District Court for the District of New Jersey, Herbert J. Stern, J.,...	Apr. 30, 1981	Case		5 S.Ct.
Cited by	 379. Finberg v. Sullivan 634 F.2d 50, 64+ , 3rd Cir.(Pa.) Social security recipient brought action against creditor, county sheriff, and prothonotary challenging constitutionality of Pennsylvania postjudgment garnishment statutes. The...	Oct. 27, 1980	Case		2 3 S.Ct.
Cited by	 380. In re Fine Paper Litigation State of Wash. 632 F.2d 1081, 1086 , 3rd Cir.(Pa.) In antitrust suit brought by Connecticut as national class action that had resulted in certification of small limited class, which consisted of Connecticut and its internal...	Oct. 02, 1980	Case		2 S.Ct.
Cited by	381. Wilkinson v. Abrams 627 F.2d 650, 656+ , 3rd Cir.(Pa.) Action was brought challenging validity of regulation promulgated by Secretary of Labor concerning administrative appeal procedures utilized by state governments in state...	July 01, 1980	Case		2 3 S.Ct.
Cited by	 382. Winsett v. McGinnes 617 F.2d 996, 1003 , 3rd Cir.(Del.) Civil rights action was brought by Delaware prisoner claiming that Delaware prison officials violated his constitutional rights when, because of their fear of adverse public...	Mar. 24, 1980	Case		3 S.Ct.
Cited by	383. McKay v. Heyison 614 F.2d 899, 906 , 3rd Cir.(Pa.) Proposed class action was brought challenging procedures by which Pennsylvania Department of Transportation withdraws a driver's operating privileges for reasons of physical or...	Feb. 04, 1980	Case		—
Cited by	 384. United States Steel Corp. v. Environmental Protection Agency ” 614 F.2d 843, 845+ , 3rd Cir. Motion was filed to dismiss petition for review of order of the Environmental Protection Agency, and intervenor moved to be permitted to proceed in the absence of the original...	Dec. 31, 1979	Case		2 3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 385. Marshall v. Whittaker Corp., Berwick Forge & Fabricating Co. ¶¶ 610 F.2d 1141, 1146 , 3rd Cir.(Pa.) The United States District Court for the Middle District of Pennsylvania, William J. Nealon, Chief Judge, held employer in civil contempt for refusing to admit an Occupational...	Nov. 16, 1979	Case		2 S.Ct.
Cited by	 386. Dow Chemical Co. v. U.S. E.P.A. 605 F.2d 673, 679 , 3rd Cir. Chemical company filed petition for review of a rule promulgated by the Environmental Protection Agency. The Court of Appeals, Adams, Circuit Judge, held that: (1) for purposes of...	Aug. 24, 1979	Case		2 S.Ct.
Cited by	 387. Doe v. Colautti ¶¶ 592 F.2d 704, 707 , 3rd Cir.(Pa.) Action was brought challenging time limits set by Pennsylvania's medical assistance statute for benefits for hospitalization in private mental institutions. The United States...	Feb. 08, 1979	Case		—
Cited by	 388. Mayberry v. Maroney 558 F.2d 1159, 1161 , 3rd Cir.(Pa.) After a consent judgment had been entered under which the Commonwealth of Pennsylvania agreed to discontinue confining inmates in a basement facility in a state correctional...	July 07, 1977	Case		3 S.Ct.
Cited by	 389. Williams v. Wohlgenuth ¶¶ 540 F.2d 163, 167+ , 3rd Cir.(Pa.) Welfare recipients challenged the validity of regulations of the Pennsylvania Department of Public Welfare which provided emergency assistance payments to needy recipients for...	July 20, 1976	Case		3 5 S.Ct.
Cited by	 390. Perez v. Cissna ¶¶ 914 F.3d 846, 862 , 4th Cir.(N.C.) IMMIGRATION — Juveniles. It was not arbitrary or capricious for USCIS to conclude that temporary, ex parte emergency state court custody order did not qualify for special immigrant...	Jan. 29, 2019	Case		1 S.Ct.
Cited by	 391. Liberty University, Inc. v. Geithner 671 F.3d 391, 401 , 4th Cir.(Va.) HEALTH - Patient Protection and Affordable Care Act. Anti-Injunction Act barred action to enjoin "penalty" imposed by Patient Protection and Affordable Care Act.	Sep. 08, 2011	Case		1 S.Ct.
Cited by	 392. Central Wesleyan College v. W.R. Grace & Co. ¶¶ 6 F.3d 177, 188 , 4th Cir.(S.C.) College sought certification of class of colleges and universities seeking damages in suit against manufacturers of asbestos. The United States District Court for the District of...	Sep. 24, 1993	Case		3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	393. Scarborough v. Austin 968 F.2d 1211, 1211 , 4th Cir.(N.C.) E.D.N.C. AFFIRMED IN PART, REVERSED IN PART, AND REMANDED.	July 16, 1992	Case		2 3 S.Ct.
Cited by	394. Brady v. Thurston Motor Lines 726 F.2d 136, 146 , 4th Cir.(N.C.) Employees brought employment discrimination suit. Following remand, 673 F.2d 1306, the United States District Court for the Western District of North Carolina, James B. McMillan,...	Jan. 18, 1984	Case		3 4 S.Ct.
Cited by	395. Clay v. Miller 626 F.2d 345, 347 , 4th Cir.(Va.) Action was brought challenging exercise opportunities for inmates held more than 30 days in Halifax County, Virginia jail. The United States District Court for the Western District...	July 16, 1980	Case		5 S.Ct.
Cited by	396. Nestler v. Board of Law Examiners of State of N. C. 611 F.2d 1380, 1382 , 4th Cir.(N.C.) Law school graduates, each of whom was denied permission to sit for the 1975 bar examination because of his misdemeanor conviction of possessing marijuana, filed civil rights suit...	Jan. 11, 1980	Case		2 S.Ct.
Cited by	397. Ensminger v. C. I. R. ¶¶ 610 F.2d 189, 191 , 4th Cir. Commissioner of Internal Revenue assessed a deficiency based on disallowance of dependency deduction for a 21-year-old woman who lived with taxpayer and was supported by him, but...	Dec. 04, 1979	Case		6 S.Ct.
Cited by	398. Fairfax Hospital Ass'n, Inc. v. Califano 585 F.2d 602, 609 , 4th Cir.(Va.) Private provider of hospital services to the aged sought review of a determination of the Commissioner of Social Security, under authority of Secretary of HEW, denying...	Sep. 19, 1978	Case		—
Cited by	399. Shelton v. Pargo, Inc. 582 F.2d 1298, 1303 , 4th Cir.(N.C.) Appeal was taken from an order of the United States District Court for the Western District of North Carolina, James B. McMillan, J., requiring that notice be given to absent...	Aug. 18, 1978	Case		—
Cited by	400. Cedar Coal Co. v. United Mine Workers of America 560 F.2d 1153, 1163 , 4th Cir.(W.Va.) In three related cases, coal companies sought damages and injunctive relief against striking union locals. The United States District Court for the Northern District of West...	July 06, 1977	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	  401. Doctor v. Seaboard Coast Line R. Co. ” 540 F.2d 699, 707+ , 4th Cir.(N.C.) In an action on claims of racial discrimination in employment, plaintiffs, suing both individually and as representatives of separate classes, appealed from a denial by the United...	June 30, 1976	Case		2 3 S.Ct.
Cited by	 402. Brackeen v. Haaland ” 994 F.3d 249, 380 , 5th Cir.(Tex.) NATIVE AMERICANS — Child Welfare. Active-efforts provision under ICWA commandeered state actors in violation of Tenth Amendment.	Apr. 06, 2021	Case		1 S.Ct.
Cited by	 403. Prantil v. Arkema Incorporated 986 F.3d 570, 575 , 5th Cir.(Tex.) ENVIRONMENTAL LAW — Class Actions. District Court erred in certifying class without properly assessing predominance of questions common to class.	Jan. 22, 2021	Case		5 S.Ct.
Cited by	 404. Cruson v. Jackson National Life Insurance Company ” 954 F.3d 240, 250+ , 5th Cir.(Tex.) LITIGATION — Class Actions. Failure to conduct extensive analysis of potential impact of state law variations required vacating predominance finding for class certification.	Mar. 25, 2020	Case		3 4 5 S.Ct.
Cited by	405. Ward v. Hellerstedt ” 753 Fed.Appx. 236, 241+ , 5th Cir.(Tex.) CIVIL RIGHTS — Arrest and Detention. Mootness exception for inherently transitory class claims applied to due process challenge by incompetent criminal defendants and insanity...	Oct. 16, 2018	Case		3 4 5 S.Ct.
Cited by	406. Harris v. Hahn 827 F.3d 359, 363+ , 5th Cir.(Tex.) VETERANS — Educational Benefits. Residency requirement of Texas statute providing veterans with tuition waivers at public universities did not violate Equal Protection Clause.	June 23, 2016	Case		7 S.Ct.
Cited by	 407. Sandoz v. Cingular Wireless LLC ” 553 F.3d 913, 919+ , 5th Cir.(La.) LABOR AND EMPLOYMENT - Hours and Wages. Relation back principle applies to FSLA collective actions.	Dec. 23, 2008	Case		2 3 S.Ct.
Cited by	 408. Grant ex rel. Family Eldercare v. Gilbert 324 F.3d 383, 390 , 5th Cir.(Tex.) SOCIAL SECURITY - Medicaid. Nursing home resident could sue for failure to provide alternatives info even after being deemed to require facility care.	Mar. 24, 2003	Case		2 3 S.Ct.




Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 409. James v. City of Dallas, Tex. ¶¶ 254 F.3d 551, 562 , 5th Cir.(Tex.)</p> <p>LITIGATION - Parties. Homeowners whose houses had been demolished had standing to bring seven "process class claims" against city.</p>	June 18, 2001	Case		<p>3 5</p> <p>S.Ct.</p>
Cited by	<p> 410. Bolin v. Sears, Roebuck & Co. 231 F.3d 970, 978 , 5th Cir.(Tex.)</p> <p>LITIGATION - Class Actions. Certification of class of debtors constituted abuse of discretion in action against creditor.</p>	Oct. 27, 2000	Case		<p>2</p> <p>S.Ct.</p>
Cited by	<p> 411. In re Canion 196 F.3d 579, 585 , 5th Cir.(Tex.)</p> <p>BANKRUPTCY - Jurisdiction. "Related to" jurisdiction existed in judgment creditor's case against debtor's friends, relatives, and business associates.</p>	Nov. 19, 1999	Case		<p>1</p> <p>S.Ct.</p>
Cited by	<p> 412. Allison v. Citgo Petroleum Corp. ¶¶ 151 F.3d 402, 413 , 5th Cir.(La.)</p> <p>Plaintiffs, on behalf of African-American employees and applicants for employment, sued employer for race discrimination under Title VII and § 1981. The United States District...</p>	Aug. 18, 1998	Case		<p>5</p> <p>S.Ct.</p>
Cited by	<p> 413. Mississippi Protection & Advocacy System, Inc. v. Cotten ¶¶ 929 F.2d 1054, 1058 , 5th Cir.(Miss.)</p> <p>State protection and advocacy system brought putative class action against state mental retardation facility, claiming that regulations limiting access to residents prevented the...</p>	Apr. 29, 1991	Case		<p>3</p> <p>S.Ct.</p>
Cited by	<p>414. Ziegler v. Champion Mortg. Co. 913 F.2d 228, 229 , 5th Cir.(La.)</p> <p>Following removal from state court, plaintiff moved to remand. The United States District Court for the Eastern District of Louisiana, Peter Beer, J., denied the motion, entered...</p>	Oct. 01, 1990	Case		<p>1</p> <p>S.Ct.</p>
Cited by	<p> 415. Matter of Phillips 844 F.2d 230, 236 , 5th Cir.(Tex.)</p> <p>On appeal from an order entered May 19, 1987 in the Northern District of Texas, Barefoot Sanders, District Judge, dismissing as moot bank's appeal from an order of the bankruptcy...</p>	May 06, 1988	Case		<p>1</p> <p>S.Ct.</p>
Cited by	<p> 416. International Broth. of Teamsters, Chauffeurs, Warehousemen & Helpers of America, Airline Div. v. Southwest Airlines Co. 842 F.2d 794, 796 , 5th Cir.(Tex.)</p> <p>Union sought preliminary injunction against airline's implementation of mandatory drug testing program. The United States District Court for the Northern District of Texas, Jerry...</p>	Apr. 21, 1988	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 417. Harris v. Amoco Production Co. 768 F.2d 669, 675 , 5th Cir.(La.)</p> <p>The Equal Employment Opportunity Commission appealed from an order of the United States District Court for the Eastern District of Louisiana, Peter Beer, J., granting the EEOC's...</p>	Aug. 16, 1985	Case		<p>2 3</p> <p>S.Ct.</p>
Cited by	<p> 418. Port v. Heard 764 F.2d 423, 426 , 5th Cir.(Tex.)</p> <p>Found to be in contempt of Texas court for refusing to testify before Texas grand jury investigating murder in which son was suspect, fined \$500 each, and confined in county jail,...</p>	July 01, 1985	Case		<p>2</p> <p>S.Ct.</p>
Cited by	<p>419. Pierce v. Winograd 757 F.2d 714, 716 , 5th Cir.(Tex.)</p> <p>Department of Housing and Urban Development issued subpoenas to landlord to testify and produce records in connection with complaint of discriminatory rental practices. The...</p>	Apr. 15, 1985	Case		<p>1</p> <p>S.Ct.</p>
Cited by	<p> 420. Iron Arrow Honor Soc. v. Heckler 702 F.2d 549, 565 , 5th Cir.(Fla.)</p> <p>All-male university honorary-recognition society brought action seeking to enjoin Secretary of Department of Health and Human Services from terminating federal funding to...</p>	Apr. 11, 1983	Case		<p>7</p> <p>S.Ct.</p>
Cited by	<p> 421. Horton v. Goose Creek Independent School Dist. 690 F.2d 470, 488+ , 5th Cir.(Tex.)</p> <p>Action was brought challenging school district's use of canine contraband detection program. The United States District Court for the Southern District of Texas, Robert O'Connor,...</p>	Nov. 01, 1982	Case		<p>2 3</p> <p>S.Ct.</p>
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Cited by	<p> 423. Payne v. Travenol Laboratories, Inc. 673 F.2d 798, 810 , 5th Cir.(Miss.)</p> <p>Employment discrimination suit was brought on behalf of black employees. On appeal of decision that employer had discriminated on the basis of race and sex, the Court of Appeals,...</p>	Apr. 22, 1982	Case		—
Cited by	<p> 424. Stewart v. Winter  669 F.2d 328, 334 , 5th Cir.(Miss.)</p> <p>Prisoners brought action challenging conditions of confinement in county jails. The United States District Court for the Northern District of Mississippi, William C. Keady, Chief...</p>	Mar. 05, 1982	Case		<p>3 5</p> <p>S.Ct.</p>

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Cited by	425. Laurenzo v. Mississippi High School Activities Ass'n, Inc. 662 F.2d 1117, 1120 , 5th Cir.(Miss.) Plaintiff, a minor, acting by and through his natural father and next friend, filed complaint pursuant to section 1983 challenging constitutionality of rule that denied him...	Dec. 03, 1981	Case		2 S.Ct.
Cited by	426. Walker v. Haynes 659 F.2d 46, 47+ , 5th Cir.(La.) Appeal was taken from decision of the United States District Court for the Western District of Louisiana, Tom Stagg, Jr., J., denying class certification. The Court of Appeals,...	Oct. 14, 1981	Case		2 3 S.Ct.
Cited by	427. Johnson v. City of Opelousas 658 F.2d 1065, 1069+ , 5th Cir.(La.) Action was brought by a mother and her son to challenge constitutionality of a nocturnal juvenile curfew ordinance of a city. The United States District Court for the Western...	Oct. 13, 1981	Case		2 3 S.Ct.
Cited by	428. Scheinberg v. Smith 659 F.2d 476, 483+ , 5th Cir.(Fla.) Licensed physician who performed abortions brought class action challenging constitutionality of provisions of Florida's Medical Practice Act. The United States District Court for...	Oct. 02, 1981	Case		7 S.Ct.
Cited by	429. Lynch v. Baxley 651 F.2d 387, 388 , 5th Cir.(Ala.) Appeal was taken from a decision of the United States District Court for the Middle District of Alabama, Robert E. Varner, Chief Judge, dismissing a class action challenging the...	July 23, 1981	Case		3 S.Ct.
Cited by	430. Chancery Clerk of Chickasaw County, Miss. v. Wallace 646 F.2d 151, 159 , 5th Cir.(Miss.) Class action was brought challenging constitutionality of Mississippi's procedures for involuntary commitment of adults to state mental institutions. The United States District...	Mar. 26, 1981	Case		2 3 S.Ct.
Cited by	431. Davis v. Page 640 F.2d 599, 605 , 5th Cir.(Fla.) Mother filed a petition for a writ of habeas corpus seeking the return of a child committed to the temporary custody of the Florida Department of Health and Rehabilitative Services...	Mar. 23, 1981	Case		—
Cited by	432. Satterwhite v. City of Greenville 634 F.2d 231, 233 , 5th Cir.(Tex.) This cause has been remanded by the United States Supreme Court, 445 U.S. 940, 100 S.Ct. 1334, 63 L.Ed.2d 773 for further consideration in light of United States Parole Commission...	Jan. 15, 1981	Case		2 3 S.Ct.

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Cited by	 433. Swint v. Pullman-Standard 624 F.2d 525, 536 , 5th Cir.(Ala.) After remand in employment discrimination action brought under Title VII of the Civil Rights Act of 1964 and 42 U.S.C.A. section 1981, 539 F.2d 77, appeal was taken from an order...	Aug. 18, 1980	Case		2 S.Ct.
Cited by	 434. Davis v. Page 618 F.2d 374, 388 , 5th Cir.(Fla.) Indigent parent brought class action seeking declaratory relief declaring unconstitutional the conducting of child dependency proceedings in Florida against indigent parents...	June 06, 1980	Case		—
Cited by	 435. Walsh v. Louisiana High School Athletic Ass'n 616 F.2d 152, 157 , 5th Cir.(La.) Parents individually and on behalf of their named minor children brought action against the Louisiana High School Athletic Association and the Lutheran High School Association of...	Apr. 30, 1980	Case		—
Cited by	 436. Blois v. Friday 612 F.2d 938, 941 , 5th Cir.(Fla.) The United States District Court for the Southern District of Florida at Fort Lauderdale, James Lawrence King, J., denied plaintiff's motion for rehearing that requested relief...	Feb. 28, 1980	Case		7 S.Ct.
Cited by	437. Harris v. Peabody 611 F.2d 543, 544 , 5th Cir.(Ga.) Appeal was taken from an order of the United States District Court for the Northern District of Georgia, Albert J. Henderson, Jr., J., dismissing plaintiff as a class...	Feb. 07, 1980	Case		2 4 S.Ct.
Cited by	438. Florida Bd. of Business Regulation v. N.L.R.B. 605 F.2d 916, 918+ , 5th Cir.(Fla.) The State of Florida sought declaratory and injunctive relief against the National Labor Relations Board's assertion of jurisdiction over the Florida jai alai industry and...	Nov. 02, 1979	Case		1 3 S.Ct.
Cited by	 439. Johnson v. General Motors Corp. 598 F.2d 432, 436+ , 5th Cir.(Ga.) Black employee brought employment discrimination suit against his employer. The United States District Court for the Northern District of Georgia, Newell Edenfield, J., dismissed...	July 09, 1979	Case		2 S.Ct.
Cited by	 440. Jones v. Diamond 594 F.2d 997, 1005 , 5th Cir.(Miss.) Prisoners being held in county jail brought civil rights action challenging the condition of their confinement and seeking damages for violation of civil rights. The United States...	Apr. 26, 1979	Case		5 S.Ct.

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Cited by	442. Morial v. Judiciary Commission of State of La. 565 F.2d 295, 297 , 5th Cir.(La.) Appeal was taken from a judgment entered in the United States District Court for the Eastern District of Louisiana at New Orleans, 438 F.Supp. 599, Fred J. Cassibry, J., holding...	Dec. 13, 1977	Case		3 S.Ct.
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Cited by	444. McLaughlin v. Hoffman ” 547 F.2d 918, 919+ , 5th Cir.(Ala.) Federal employee brought Civil Rights Act suit complaining of alleged discriminatory employment practices. The United States District Court for the Southern District of Alabama,...	Feb. 28, 1977	Case		2 3 S.Ct.
Cited by	445. McGill v. Parsons ” 532 F.2d 484, 488+ , 5th Cir.(Ala.) A civil rights suit was brought on claim of incarceration on a warrantless arrest without a probable cause hearing within a reasonable time. The United States District Court for...	June 01, 1976	Case		—
Cited by	446. Thurston v. Dekle 531 F.2d 1264, 1270+ , 5th Cir.(Fla.) Action was brought by discharged city employee on behalf of himself and all other nonprobationary employees of city who had been or will be suspended from employment attacking the...	May 20, 1976	Case		2 3 4 S.Ct.
Cited by	447. Henderson v. Fort Worth Independent School Dist. 526 F.2d 286, 288+ , 5th Cir.(Tex.) Two potential candidates for school board who had been denied access to the ballot and one voter of the district who wished to support both candidates brought action challenging...	Jan. 22, 1976	Case		2 S.Ct.
Cited by	448. Jones v. Diamond ” 519 F.2d 1090, 1097+ , 5th Cir.(Miss.) Prisoner confined in jail awaiting trial instituted civil rights action against sheriff, deputy sheriff, members of county board of supervisors, and others in an attempt to reform...	Sep. 26, 1975	Case		2 3 S.Ct.














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Cited by	<p> 449. U.S. v. Allegheny-Ludlum Industries, Inc. ¶¶</p> <p>517 F.2d 826, 878+ , 5th Cir.(Ala.)</p> <p>The Equal Employment Opportunity Commission and Secretary of Labor brought action against nine steel companies alleging patterns and practices of hiring and job assignment...</p>	Aug. 18, 1975	Case		<p>5</p> <p>S.Ct.</p>
Cited by	<p> 450. Thompson v. Dewine</p> <p>959 F.3d 804, 810 , 6th Cir.(Ohio)</p> <p>GOVERNMENT — Elections. State was likely to succeed on merits of its appeal of district court's order preliminarily enjoining it from enforcing ballot access requirements.</p>	May 26, 2020	Case		—
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Cited by	<p> 452. Platt v. Board of Com'rs on Grievances and Discipline of Ohio Supreme Court ¶¶</p> <p>769 F.3d 447, 452 , 6th Cir.(Ohio)</p> <p>JUDICIAL ADMINISTRATION - Judges. Preliminary injunction enjoining enforcement of provisions of Ohio Code of Judicial Conduct was not warranted.</p>	Oct. 08, 2014	Case		<p>3</p> <p>S.Ct.</p>
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Cited by	<p> 454. Crosby v. Bowater Inc. Retirement Plan for Salaries Employees of Great Northern Paper, Inc. ¶¶</p> <p>382 F.3d 587, 597+ , 6th Cir.(Mich.)</p> <p>LABOR AND EMPLOYMENT - Benefit Plans. ERISA provision authorizing "other appropriate equitable relief" did not authorize relief sought.</p>	Sep. 09, 2004	Case		<p>2</p> <p>3</p> <p>4</p> <p>S.Ct.</p>
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Cited by	 462. Barney v. Holzer Clinic, Ltd. ¶ 110 F.3d 1207, 1215 , 6th Cir.(Ohio) Medicaid recipients brought class action against medical clinic, alleging that clinic's refusal to accept them as patients violated Equal Credit Opportunity Act (ECOA) and Ohio's...	Apr. 08, 1997	Case		3 S.Ct.
Cited by	463. Beeman v. Stafford 62 F.3d 1417, 1417 , 6th Cir.(Ohio) N.D. Ohio AFFIRMED.	Aug. 01, 1995	Case		—
Cited by	 464. Corrigan v. City of Newaygo ¶ 55 F.3d 1211, 1218+ , 6th Cir.(Mich.) Voters and potential candidates brought constitutional challenge to city ballot access provision preventing residents who were delinquent on local taxes or water and sewer fees...	June 07, 1995	Case		2 S.Ct.

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Distinguished	<p> 8. Boddie v. Connecticut</p> <p>91 S.Ct. 780, U.S.Conn., 1971</p> <p>Class action, on behalf of women in Connecticut receiving state welfare assistance and desiring to obtain divorces but barred from doing so by inability to pay required court fees...</p>	Case			555+
Cited	<p>9. Camp v. Camp</p> <p>189 N.Y.S.2d 561, N.Y.Sup., 1959</p> <p>Wife's action for separation and for declaration that husband's ex parte foreign divorce decree was invalid. The Supreme Court, Bernard S. Meyer, J., held that foreign divorce...</p>	Case			571
Cited	<p> 10. Cleaver v. Wilcox</p> <p>499 F.2d 940, 9th Cir.(Cal.), 1974</p> <p>Indigent parents brought an action on behalf of themselves and other parents who might become involved in child dependency proceedings, seeking injunctive relief and a judgment...</p>	Case			559
Mentioned	<p> 11. Coe v. Coe</p> <p>68 S.Ct. 1094, U.S.Mass., 1948</p> <p>Proceeding by Katherine C. Coe against Martin V. B. Coe for contempt in failing to comply with a decree awarding petitioner separate support and for modification of such decree in...</p>	Case			570
Cited	<p> 12. Conover v. Montemuro</p> <p>477 F.2d 1073, 3rd Cir.(Pa.), 1972</p> <p>Class civil rights action was brought which challenged on due process and equal protection grounds the "intake" procedures of state juvenile court whereby it was determined against...</p>	Case			559+
Mentioned	<p> 13. Cook v. Cook</p> <p>72 S.Ct. 157, U.S.Vt., 1951</p> <p>Suit by Arthur W. Cook against Florence J. M. Cook to annul two marriages between parties, on ground that Florence Cook was married to third party at time of the marriages. The...</p>	Case			570
Cited	<p> 14. Dandridge v. Williams</p> <p>90 S.Ct. 1153, U.S.Md., 1970</p> <p>Action to declare invalid and permanently enjoin enforcement of regulation of Maryland Department of Public Welfare placing an absolute limit of \$250 per month on amount of a grant...</p>	Case			568

Treatment	Referenced Title	Type	Depth	Quoted	Page Number
Examined	 15. Dunn v. Blumstein 92 S.Ct. 995, U.S.Tenn., 1972 Action was brought challenging state durational residence laws for voter. A three-judge District Court, 337 F.Supp. 323, held the laws invalid and state officials appealed. The...	Case		”	554+
Cited	  16. Edelman v. Jordan 94 S.Ct. 1347, U.S.Ill., 1974 Class action for injunctive and declaratory relief was brought against Illinois officials who were administering the federal-state programs of aid to the aged, blind and disabled,...	Case			556
Cited	 17. Eisen v. Carlisle and Jacquelin 94 S.Ct. 2140, U.S.N.Y., 1974 Class action on behalf of plaintiff and other odd-lot traders against brokerage firms and stock exchange for alleged violations of antitrust and securities laws. The United States...	Case			556
Cited	 18. Flast v. Cohen 88 S.Ct. 1942, U.S.N.Y., 1968 Action by federal taxpayers to enjoin expenditure of federal funds for purchase of textbooks and other instructional materials for use in parochial schools. A three-judge panel of...	Case		”	563+
Mentioned	 19. Ford Motor Co. v. Department of Treasury of State of Indiana 65 S.Ct. 347, U.S.Ind., 1945 Action by the Ford Motor Company against the Department of Treasury of the State of Indiana and officers constituting the board of the department of treasury, to recover gross...	Case			556
Cited	 20. Golden v. Zwickler 89 S.Ct. 956, U.S.N.Y., 1969 Action for declaratory judgment and injunctive relief from operation of state statute. The United States District Court for the Eastern District of New York, 261 F.Supp. 985,...	Case			559+
Mentioned	 21. Hall v. Beals 90 S.Ct. 200, U.S.Colo., 1969 Action to enjoin enforcement and operation of Colorado laws imposing residency requirements for voting in presidential election. The Three-Judge District Court, 292 F.Supp. 610,...	Case			559+



Treatment	Referenced Title	Type	Depth	Quoted	Page Number
Cited	<p>22. Hammond v. Hammond 278 P.2d 387, Wash., 1954</p> <p>Habeas corpus proceeding by divorced wife against divorced husband to regain custody of parties' children in accordance with Idaho divorce decree obtained by divorced wife. The...</p>	Case			571
Cited	<p> 23. Hansberry v. Lee 61 S.Ct. 115, U.S.Ill., 1940</p> <p>On Writ of Certiorari to the Supreme Court of the State of Illinois. Action by Anna M. Lee and others against Carl A. Hansberry and others, to enjoin the breach of an agreement...</p>	Case			559
Cited	<p> 24. Hinds v. Hinds 1 Clarke 36, Iowa, 1855</p> <p>It appears that these parties were married on the 2d of November, 1846, in the state of Massachusetts. They continued to live together, with the exception of a short separation in...</p>	Case			571
Cited	<p>25. Indiana Employment Security Division v. Burney 93 S.Ct. 883, U.S.Ind., 1973</p> <p>Action was brought seeking injunctive relief against enforcement of an Indiana unemployment insurance statute on ground it violated due process. A Three-Judge District Court for...</p>	Case			559+
Cited	<p> 26. Jenkins v. McKeithen 89 S.Ct. 1843, U.S.La., 1969</p> <p>Action for declaratory or injunctive relief and determination that statute creating Louisiana Labor-Management Commission of Inquiry, which was body limited to investigating...</p>	Case			563
Mentioned	<p> 27. Johnson v. Muelberger 71 S.Ct. 474, U.S.N.Y., 1951</p> <p>Proceeding in the matter of the application of Eleanor Muelberger for determination of the rights of Genevieve Johnson, under Section 18 of the New York Decedent Estate Law, to...</p>	Case			570
Cited	<p> 28. Johnson v. New York State Ed. Dept. 93 S.Ct. 259, U.S.N.Y., 1972</p> <p>Suit was brought challenging constitutionality of New York Education Laws. The District Court, 319 F.Supp. 271, dismissed the complaint. The Court of Appeals, 449 F.2d 871,...</p>	Case			571















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Cited	<p> 29. Johnson v. Robison</p> <p>94 S.Ct. 1160, U.S.Mass., 1974</p> <p>Action was brought against administrator of Veterans' Affairs and the Veterans' Administration by conscientious objector on behalf of himself and all others similarly situated...</p>	Case			568
Mentioned	<p>30. Julson v. Julson</p> <p>122 N.W.2d 329, Iowa, 1963</p> <p>Husband's action for divorce. The wife specially appeared to challenge jurisdiction on the ground that neither party was a resident. The Cerro Gordo District Court, L. E....</p>	Case			570
Cited	<p> 31. Kahn v. Shevin</p> <p>94 S.Ct. 1734, U.S.Fla., 1974</p> <p>Declaratory judgment proceeding attacking validity of Florida statute giving widows \$500 exemption from property taxation. The Circuit Court, Dade County, Florida, held that...</p>	Case			561
Cited	<p>32. Korsrud v. Korsrud</p> <p>45 N.W.2d 848, Iowa, 1951</p> <p>Action for divorce by August O. Korsrud against Thea Sophie Korsrud. Defendant wife filed a petition to vacate a default judgment of divorce obtained against her, on the ground...</p>	Case			560+
Mentioned	<p> 33. Kotch v. Board of River Port Pilot Com'rs for Port of New Orleans</p> <p>67 S.Ct. 910, U.S.La., 1947</p> <p>Suit by Marion B. Kotch, John L. Richards, Adolph Clark, and others against the Board of River Port Pilot Commissioners for the Port of New Orleans and others for a declaratory...</p>	Case			568
Cited	<p> 34. Linda R.S. v. Richard D.</p> <p>93 S.Ct. 1146, U.S.Tex., 1973</p> <p>Action by mother of illegitimate child for judgment declaring unconstitutionality of Texas criminal statute which provides that any 'parent' who fails to support his 'children' is...</p>	Case			563
Cited	<p> 35. Loving v. Virginia</p> <p>87 S.Ct. 1817, U.S.Va., 1967</p> <p>Proceeding on motion to vacate sentences for violating state ban on interracial marriages. The Circuit Court of Caroline County, Virginia, denied motion, and writ of error was...</p>	Case		”	567















Treatment	Referenced Title	Type	Depth	Quoted	Page Number
Cited	<p>36. Makres v. Askew</p> <p>500 F.2d 577, 5th Cir.(Fla.), 1974</p> <p>Suits were brought in the Federal District Court by persons alleging that they were bona fide Florida residents who would file for divorce but for the Florida statute requiring six...</p>	Case			559+
Mentioned	<p> 37. Maryland Cas. Co. v. Pacific Coal & Oil Co.</p> <p>61 S.Ct. 510, U.S. Ohio, 1941</p> <p>On Writ of Certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Action by the Maryland Casualty Company against Joe Orteca and the Pacific Coal & Oil...</p>	Case			563
Cited	<p> 38. McGowan v. State of Md.</p> <p>81 S.Ct. 1101, U.S.Md., 1961</p> <p>Defendants were convicted in the Circuit Court, Anne Arundel County, of violating Sunday Closing Laws, and they appealed. The Maryland Court of Appeals, 220 Md. 117, 151 A.2d 156,...</p>	Case			568
Cited	<p> 39. McKeown v. Brown</p> <p>149 N.W. 593, Iowa, 1914</p> <p>Appeal from District Court, Franklin County; R. M. Wright, Judge. The opinion sufficiently states the case. Affirmed in part, and modified in part.</p>	Case			556
Distinguished	<p> 40. Memorial Hospital v. Maricopa County</p> <p></p> <p>94 S.Ct. 1076, U.S.Ariz., 1974</p> <p>Appeal from a decision of the Arizona Supreme Court, 108 Ariz. 373, 498 P.2d 461, vacating a judgment of trial court compelling county board of supervisors to accept an indigent...</p>	Case			555+
Cited	<p> 41. Moore v. Ogilvie</p> <p>89 S.Ct. 1493, U.S.Ill., 1969</p> <p>Declaratory judgment action seeking determination that sections of Illinois election statute were unconstitutional. The three-judge United States District Court for the Northern...</p>	Case		”	557
Cited	<p> 42. Moss v. Lane Co., Inc.</p> <p>471 F.2d 853, 4th Cir.(Va.), 1973</p> <p>Suit for individual and class relief filed under Title VII of the Civil Rights Act of 1964. Defendant's motion for jury trial was denied, 50 F.R.D. 122. Thereafter, the United...</p>	Case			559+



Treatment	Referenced Title	Type	Depth	Quoted	Page Number
Mentioned	<p> 43. Norman v. Connecticut State Bd. of Parole</p> <p>458 F.2d 497, 2nd Cir.(Conn.), 1972</p> <p>Appeal was taken from order of the United States District Court for the District of Connecticut, M. Joseph Blumenfeld, Chief Judge, enjoining State Parole Board from conducting...</p>	Case			559
Discussed	<p> 44. O'Shea v. Littleton</p> <p>94 S.Ct. 669, U.S.Ill., 1974</p> <p>Seventeen black and two white residents of Cairo, Illinois, brought a civil rights class action charging county magistrate and associate judge of county circuit court with...</p>	Case		”	559+
Cited	<p> 45. Oregon v. Mitchell</p> <p>91 S.Ct. 260, U.S.Or., 1970</p> <p>Original actions to determine constitutionality of certain 1970 amendments of Voting Rights Act. The Supreme Court held that amendments enfranchising 18-year-olds in federal...</p>	Case			568+
Cited	<p> 46. Pennoyer v. Neff</p> <p>1877 WL 18188, U.S.Or., 1877</p> <p>ERROR to the Circuit Court of the United States for the District of Oregon. This action was brought by Neff against Pennoyer for the recovery of a tract of land situated in...</p>	Case		”	560
Cited	<p> 47. People of State of N.Y. ex rel. Halvey v. Halvey</p> <p>67 S.Ct. 903, U.S.N.Y., 1947</p> <p>Proceeding initiated in the New York Supreme Court in the matter of the application of Rose Halvey for a writ of habeas corpus to obtain custody of her infant son, John Arthur...</p>	Case			571
Mentioned	<p> 48. Phillips v. Klassen</p> <p>502 F.2d 362, D.C.Cir., 1974</p> <p>Former post office department employees who had accepted offers to resign with retirement benefits and an additional bonus rather than face the prospect of a reduction-in-force...</p>	Case			559
Cited	<p> 49. Richardson v. Ramirez</p> <p>94 S.Ct. 2655, U.S.Cal., 1974</p> <p>Convicted felons who had completed their sentences and paroles instituted proceeding for writ of mandate compelling election officials to register them as voters. The California...</p>	Case			557+

Treatment	Referenced Title	Type	Depth	Quoted	Page Number
Mentioned	<p>50. Rivera v. Freeman 469 F.2d 1159, 9th Cir.(Cal.), 1972</p> <p>Class action attacking constitutionality of state statutes relating to detention of minors taken into custody by state officials. The United States District Court for the Central...</p>	Case			559
Mentioned	<p>51. Roberts v. Union Co. 487 F.2d 387, 6th Cir.(Ohio), 1973</p> <p>Class action under the Civil Rights Act charging that employer unlawfully discriminated on basis of sex by paying female employees lower wages than those paid to men for equivalent...</p>	Case			559+
Mentioned	<p> 52. Rosario v. Rockefeller 93 S.Ct. 1245, U.S.N.Y., 1973</p> <p>From a decision of the United States District Court for the Eastern District of New York declaring unconstitutional a section of the New York Election Law, the defendant state...</p>	Case			558
Cited	<p> 53. San Antonio Independent School Dist. v. Rodriguez 93 S.Ct. 1278, U.S.Tex., 1973</p> <p>Class action was brought on behalf of school children, who were said to be members of poor families residing in school districts having low property tax base, challenging reliance...</p>	Case			568
Mentioned	<p>54. Schaefer v. Schaefer 66 N.W.2d 428, Iowa, 1954</p> <p>Action by soldier for divorce on ground of desertion. The Linn County District Court, Charles Penningroth, J., entered decree for plaintiff. Defendant appealed. The Supreme...</p>	Case			571
Cited	<p>55. Schreiner v. Schreiner 502 S.W.2d 840, Tex.Civ.App.-San Antonio, 1973</p> <p>Divorce action instituted by husband. The 198th District Court, Kerr County, Ross E. Doughty, J., granted wife a divorce and divided property and wife appealed. The Court of...</p>	Case			571
Mentioned	<p> 56. Securities and Exchange Commission v. Medical Committee for Human Rights 92 S.Ct. 577, U.S.Dist.Col., 1972</p> <p>A petition was filed for review of an order of the Securities and Exchange Commission refusing to require a corporation to include in its proxy statement a proposal to amend the...</p>	Case			557

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Examined	 57. Shapiro v. Thompson 89 S.Ct. 1322, U.S.Conn., 1969 Appeals from decisions of three-judge District Courts for District of Connecticut, District of Columbia, and Eastern District of Pennsylvania, 270 F.Supp. 331,277 F.Supp. 65,279...	Case		”	555+
Mentioned	 58. Shelton v. Tucker 81 S.Ct. 247, U.S.Ark., 1960 Actions in state court and federal court brought by schoolteachers and others challenging constitutionality of state statute requiring teachers in public schools to file affidavits...	Case			570
Cited	 59. Sherbert v. Verner 83 S.Ct. 1790, U.S.S.C., 1963 Proceeding on claim for unemployment compensation benefits. From a judgment of the Common Pleas Court, Spartanburg County, South Carolina, the claimant appealed. The Supreme...	Case			570
Cited	 60. Sherrer v. Sherrer 68 S.Ct. 1087, U.S.Mass., 1948 Proceeding by Edward C. Sherrer against Margaret E. Sherrer, wherein the petitioner challenged the validity of a divorce decree obtained by respondent from petitioner in Florida in...	Case		”	562+
Mentioned	 61. Shiffman v. Askew 359 F.Supp. 1225, M.D.Fla., 1973 Cases challenging constitutionality of Florida statute providing that party seeking a divorce must reside six months in the state before the petition is filed. The District Court,...	Case			559+
Cited	 62. Simms v. Simms 20 S.Ct. 58, U.S.Ariz., 1899 APPEAL from a judgment of the Supreme Court of the Territory of Arizona affirming a judgment for alimony in a suit for divorce, and erroneously disregarding a remittitur. Modified...	Case		”	560
Cited	 63. Snyder v. Harris 89 S.Ct. 1053, U.S.Mo., 1969 Action by single shareholder, on behalf of herself and all other shareholders similarly situated, against members of board of directors of corporation. The United States District...	Case		”	556+
Cited	64. Sosna v. Iowa 94 S.Ct. 1405, U.S.Iowa, 1974 Appeal from the United States District Court for the Northern District of Iowa. Facts and opinion, D.C., 360 F.Supp. 1182.	Case		”	556

Treatment	Referenced Title	Type	Depth	Quoted	Page Number
Judgment Affirmed	<p> 65. Sosna v. State of Iowa</p> <p>360 F.Supp. 1182, N.D.Iowa, 1973</p> <p>Wife who had resided in Iowa less than one year brought class action seeking to have declared unconstitutional Iowa Dissolution of Marriage Act sections imposing one-year residency...</p>	Case		”	555+
Cited	<p> 66. Southern Pac. Terminal Co. v. Interstate Commerce Commission</p> <p>31 S.Ct. 279, U.S.Tex., 1911</p> <p>APPEALS from the Circuit Court of the United States for the Southern District of Texas to review a decree dismissing both bill and cross bill in a suit to enjoin the enforcement of...</p>	Case			557+
Cited	<p> 67. Stanley v. Illinois</p> <p>92 S.Ct. 1208, U.S.Ill., 1972</p> <p>Dependency proceeding was brought by State of Illinois upon the death of the natural mother of the children. The determination of the Circuit Court of Cook County, John P. McGury,...</p>	Case			568
Cited	<p> 68. Starns v. Malkerson</p> <p>326 F.Supp. 234, D.Minn., 1970</p> <p>Action by students at state university who were classified as nonresident students by the university for declaratory judgment that university regulation was invalid, for injunction...</p>	Case			562
Cited	<p> 69. Steffel v. Thompson</p> <p>94 S.Ct. 1209, U.S.Ga., 1974</p> <p>Petitioner, who had been threatened by the police with arrest for violating Georgia criminal trespass law if he did not stop distributing anti-Vietnam War handbills on exterior...</p>	Case			571
Cited	<p> 70. Trafficante v. Metropolitan Life Ins. Co.</p> <p>93 S.Ct. 364, U.S.Cal., 1972</p> <p>Action by tenants of apartment complex challenging allegedly racially discriminatory practices of landlord. The United States District Court for the Northern District of...</p>	Case		”	564+
Cited	<p> 71. U. S. v. Detroit Timber & Lumber Co.</p> <p>26 S.Ct. 282, U.S.Ark., 1906</p> <p>CROSS APPEALS from the United States Circuit Court of Appeals for the Eighth Circuit to review a decree of that court which, on appeal from a decree of the Circuit Court for the...</p>	Case			554

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Mentioned	<p> 72. United Public Workers of America (C.I.O.) v. Mitchell</p> <p>67 S.Ct. 556, U.S. Dist. Col., 1947</p> <p>Action by the United Public Workers of America (C.I.O.) and others against Harry B. Mitchell and others, to enjoin enforcement as to petitioners of a provision in Section 9(a) of...</p>	Case			563
Mentioned	<p> 73. Vaughan v. Bower</p> <p>313 F.Supp. 37, D.Ariz., 1970</p> <p>Action for injunctive and declaratory relief against Arizona statute permitting superintendent to return nonresident inmates of state hospital to states of their residence. The...</p>	Case			558
Discussed	<p> 74. Vlandis v. Kline</p> <p>93 S.Ct. 2230, U.S.Conn., 1973</p> <p>Suit was brought under the Civil Rights Act by Connecticut university students contending that they were bona fide residents of Connecticut and were, by a Connecticut statute,...</p>	Case		”	555+
Cited	<p> 75. Watkins v. Chicago Housing Authority</p> <p>406 F.2d 1234, 7th Cir.(Ill.), 1969</p> <p>Suit for declaratory judgment and injunctive relief against city housing authority, in which appeal was taken from dismissal of the action entered by the United States District...</p>	Case			559
Mentioned	<p> 76. White v. White</p> <p>81 A.2d 450, Conn., 1951</p> <p>Action by Pearl White against Earl W. White to obtain reimbursement for past support furnished by the plaintiff to a child of the parties and for an order for future support...</p>	Case			571
Discussed	<p> 77. Williams v. State of N.C.</p> <p>65 S.Ct. 1092, U.S.N.C., 1945</p> <p>O. B. Williams and Lillie Shaver Hendrix were convicted of bigamous cohabitation which conviction was affirmed by the Supreme Court of North Carolina, 224 N.C. 183, 29 S.E.2d 744,...</p>	Case		”	561+
Cited	<p>78. Williamson v. Williamson</p> <p>161 N.W. 482, Iowa, 1917</p> <p>Appeal from District Court, Woodbury County; George Jepson, Judge.</p>	Case			571+
Mentioned	<p> 79. Wyman v. Wyman</p> <p>212 N.W.2d 368, Minn., 1973</p> <p>Proceeding in which counterclaim for divorce was interposed by husband in answer to wife's complaint for support. The District Court, Ramsey County, James M. Lynch, J., granted...</p>	Case			571

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Cited	 80. Younger v. Harris 91 S.Ct. 746, U.S. Cal., 1971 Action challenging constitutionality of California's Criminal Syndicalism Act. A three-judge United States District Court for the Central District of California, held the act...	Case			556+
Cited	 81. Zahn v. International Paper Co. 94 S.Ct. 505, U.S. Vt., 1973 Four owners of Vermont lakefront property brought diversity action seeking damages from New York corporation for allegedly having permitted discharge from corporation's New York...	Case			556