

From: Boss Partner
To: Valued Legal Analyst
Date: 04/17/YR01
Re: Smith v. Johnson

I guess you heard by now that we lost the motion to dismiss. Your help was invaluable in preparing our motion and its accompanying papers. Unfortunately, the case was assigned to that creep, Judge Haas. He cemented his reputation as a creep who hates our law firm by ruling against us in spite of our superior arguments.

Now, obviously, we hope to win this case at trial or at least to get a favorable settlement. However, we have to face the realistic possibility that we may lose a trial. Therefore, even now I want to start working on our appeal, just in case that becomes necessary.

For the time being, I want you to start working on the jurisdictional issue. I really think it's unfair for the California courts to assert personal jurisdiction over Jane, who had never even been to California prior to this case and doesn't intentionally transact any business in California.

Please read the section on jurisdiction in Judge Haas' opinion. I want you to prepare an appellate argument that we can use in our appellate brief on the jurisdiction issue. I am not asking you to prepare a full appellate brief (with tables of cases and issue statements and all that stuff) and I am not asking you at this time to address any part of the decision other than the issue of jurisdiction.

So, please prepare an appellate argument to Judge Haas' ruling, explaining why Haas has no idea what he's talking about and that the case against Jane should have been dismissed. Please make sure to address whatever arguments he made, and, if possible, distinguish his cases and counteract them with appropriate case law of our own. One special note: I know that Judge Haas relied, in significant part, on the 9th Circuit Northwest Healthcare case, which is an unpublished decision. Although there is a 9th Circuit rule against anyone (even district courts) citing unpublished cases decided before 2007, you should ignore the fact that Judge Haas violated that rule for the purposes of this appeal.

Thanks again!

B. Partner

