
Pretrial Procedures

1. Which of the following arguments is most likely to achieve the designer's goal of dismissal of the third-party complaint?

The designer is aware that the manufacturer did not follow all of the designer's specifications when making the product. A consumer from State A filed a $100,000 products liability action in federal court against a manufacturer incorporated and with its principal place of business in State B. The consumer claimed that a flaw in the manufacturer's product had resulted in severe injuries to the consumer. In its answer, the manufacturer asserted a third-party complaint against the product designer, also incorporated and with its principal place of business in State B. Believing that the consumer had sued the wrong defendant, the manufacturer claimed both that the designer was solely responsible for the flaw that had led to the consumer's injuries and that the manufacturer was not at fault.

- The court does not have subject-matter jurisdiction over the third-party complaint, because both the manufacturer and the designer are citizens of State B
- The manufacturer failed to obtain the court's leave to file the third-party complaint
- The manufacturer's failure to follow the designer's specifications caused the flaw that resulted in the consumer's injuries
- **The manufacturer's third-party complaint failed to state a proper third-party claim**

Note:
A defendant may allege that a third party is liable to him (the original defendant) for all or part of the plaintiff's claims against him. This is the doctrine of impleader, which allows the defendant to file a complaint against a third party for derivative liability under Federal Rule of Civil Procedure (FRCP) 14(a). A defendant who impleads a third-party defendant is called a "third-party plaintiff."

The original defendant may either implead a third party in its answer to the original complaint or file a third-party complaint separately within 14 days after serving the answer. Failure to file a third-party complaint within this 14-day period will require the original defendant (third-party plaintiff) to seek leave of the court to implead.

To properly plead a third-party complaint, the third-party plaintiff (the original defendant) must be claiming that the third-party defendant is derivatively liable (e.g., indemnification or contribution). See Fed. R. Civ. P. 14(a). It is improper for a defendant to file a third-party complaint against a third-party defendant on the theory that the third-party defendant is the only liable party, and that the original defendant is not liable at all.

In the context of diversity cases, 28 U.S.C. § 1367(a) allows for a court to exercise supplemental jurisdiction in "all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy." In application, when an original defendant seeks to implead a third-party defendant for indemnification or contribution, if the third-party defendant does not satisfy diversity requirements, the court will invoke supplemental jurisdiction because the claim falls within the "common nucleus of operative fact" rule of supplemental jurisdiction.

D is correct. The manufacturer's third-party complaint failed to adhere to the pleading requirements under FRCP 14(a) governing third-party claims. To properly assert a third-party claim under FRCP 14(a), the defendant (or third-party plaintiff) must be alleging derivative liability (e.g., indemnification or contribution), not simply claiming that the plaintiff sued the wrong defendant. This is an attempt to entirely shift the blame, rather than properly implead a third-party who is liable to the third-party plaintiff for some or all of the damages. Here, by claiming that the designer was the only party at fault and that the manufacturer was NOT at fault, the manufacturer was simply alleging that the consumer sued the wrong defendant. As stated above, this is not a proper basis for pleading a third-party complaint and is thus the strongest basis for a dismissal.

A is incorrect. Supplemental jurisdiction applies to third-party claims, so there is no need for diversity between the manufacturer and designer here. The manufacturer's claim is so closely related to the consumer's original claim that it is part of the same case or controversy (i.e., whether a product defect existed, and which party was responsible for it).

B is incorrect. Under FRCP 14(a)(1), a defendant is required to seek leave to file a third-party complaint only if he attempts to do so more than 14 days after serving the original answer. Because the manufacturer included its third-party claim in its answer, there was no need for it to seek leave of the court.

C is incorrect. A claim that the manufacturer failed to follow specifications and that this caused the flaw resulting in the consumer's injuries is an improper basis for a motion to dismiss. This is a factual allegation, and motions to dismiss do not resolve factual allegations about the merits of the dispute. Rather, a motion to dismiss seeks to determine whether, if taken as true, the factual allegations are sufficient to state a claim for relief as a matter of law.

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2. The defendant is likely to succeed in obtaining a protective order on which of the following grounds?

The attorney for a plaintiff in an action filed in federal district court served the defendant with the summons, the complaint, and 25 interrogatories asking questions about the defendant's contentions in the case. The interrogatories stated that they were to be answered within 30 days after service.

- Interrogatories are only proper to discover facts, not contentions
- Interrogatories may not be served until an answer to the complaint is filed
- **Interrogatories may not be served until the parties have conferred to arrange for initial disclosures and prepare a discovery plan**
- The interrogatories exceed the number permitted without permission from the court or an agreement between the parties

Note:
During discovery in a federal court case, various kinds of disclosures are automatic and mandatory. The most important mandatory disclosure is the "initial disclosure." Federal Rule of Civil Procedure (FRCP) 26(a)(1) states a party must provide certain information early in the case, without awaiting a discovery request. This information includes the identities of witnesses, documents and tangible things a party plans to use, information about damages, and any insurance policies that may apply to the judgment.

FRCP 26(a)(1) disclosures should occur very early in the case. These initial disclosures must ordinarily be made no more than 14 days after the parties hold the required FRCP 16 pretrial conference. This pretrial conference will normally occur within 90 days of the defendant making a FRCP 12 motion or answering the plaintiff's complaint.

FRCP 33 authorizes parties to serve each other interrogatories. An interrogatory is a set of written questions to be answered in writing by the person to whom they are addressed. Each party is limited to 25 questions directed to any other party, unless the parties stipulate otherwise.

C is correct. As soon as practicable, the parties must meet in an initial conference of the parties to discuss claims and defenses, settlement possibilities, initial disclosures, and discovery plans. Within 14 days of this meeting, parties must submit their initial disclosures and proposed discovery plan. A party may not seek discovery from any source before the parties have conferred for their initial conference. In this case, the attorney served the interrogatories with the summons and the complaint. The defendant may object to the interrogatories because they were served before the initial preconference and discussion of discovery.

A is incorrect. The party served must respond to an interrogatory not only with known facts but also with any facts available. The served party may also be asked to give opinions or contentions, even on the application of law to facts. This does not make an interrogatory objectionable. However, the court may order that the interrogatory need not be answered until further discovery is completed.

B is incorrect. Discovery may not be sought before the initial conference of the parties. There is no rule that discovery cannot be sought until after the answer is filed.

D is incorrect. Initially, the requesting party may not serve more than 25 interrogatories without a court order or stipulation. In this case, the plaintiff's attorney served 25 interrogatories, but not more than 25. Therefore, the plaintiff's attorney did not exceed the number of interrogatories permitted without the court's permission.

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3. How should the attorney advise the driver to respond?

The pedestrian filed a negligence action against the driver in a federal district court in State B, seeking $100,000 in damages. The driver believes that the pedestrian was crossing the street illegally and is therefore responsible for the accident. The driver seeks an attorney's advice on how best to respond to the action. Assume that State B is a contributory negligence state. A pedestrian domiciled in State A was crossing a street in State B when he was hit by a car driven by a citizen of a foreign country. Both the pedestrian and the driver suffered injuries.

- **File an answer raising the affirmative defense of contributory negligence and asserting a counterclaim for negligence, seeking damages for the driver's injuries**
- File an answer raising the affirmative defense of contributory negligence and move for judgment on the pleadings
- Move to dismiss for lack of personal jurisdiction, because the driver is not a citizen of State B
- Move to dismiss for lack of subject-matter jurisdiction, because the driver is not a U.S. citizen

Note:
A is correct. Contributory negligence is an affirmative defense. The defendant, in their answer, must state affirmative defenses. Counterclaims are claims the defendant may have against the plaintiff. If the counterclaim arises out of the same transaction or occurrence as the plaintiff's claim, it is a compulsory counterclaim and must be pleaded in the answer or the defendant will be barred from bringing it at a later time. In this case, contributory negligence is an affirmative defense that will defeat the plaintiff's claim, and so, should be asserted by the defendant in his answer. Additionally, the facts state that the defendant was also injured. If the defendant wants to bring a claim against the plaintiff for his injuries he must bring it now as a counterclaim, because it arises out of the same transaction or occurrence.

B is incorrect. Although the defendant should assert an affirmative defense for contributory negligence, a counterclaim is a more appropriate motion than a motion for judgment on the pleadings. Failure to assert a counterclaim against the pedestrian now would bar the driver from being able to bring any claim related to this accident in the future.

C is incorrect. The driver does not need to be a citizen of State B for the state to have personal jurisdiction over him. Federal courts may exert personal jurisdiction over foreign defendants in much the same way as citizens. A foreign defendant may be reached through a state's long-arm statute. In this case, the State B long-arm statute would reach the driver because he was driving in State B when he hit the pedestrian. Additionally, if the driver wishes to collect damages from pedestrian for his own injuries, he would not want to dismiss the suit, but rather he would need to consent to the court's jurisdiction.

D is incorrect. Federal law grants subject-matter jurisdiction over alienage cases, in which one party is a citizen of the United States and the other party is a foreign citizen.

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4. Is the appellate court likely to dismiss the appeal?

The lender appealed the court's order extending the TRO. The homeowner has moved to dismiss the appeal. Two days before his home was to be sold at a foreclosure sale, a homeowner obtained a temporary restraining order (TRO) in federal court that prevented his lender from proceeding with the sale for 14 days or until a preliminary injunction hearing could take place, whichever was sooner. When a preliminary injunction hearing could not be scheduled within the original 14-day period, the court extended the TRO for another 30 days.

- No, because a TRO is immediately appealable
- **No, because the 30-day extension makes the TRO equivalent to a preliminary injunction and therefore appealable**
- Yes, because a TRO is not appealable under the interlocutory appeals statute
- Yes, because there is no final judgment from which an appeal may be taken

Note:
Temporary restraining orders (TRO), governed by Federal Rule of Civil Procedure (FRCP) 65(b), are short-term pre-trial temporary injunctions. To obtain a TRO, a party must convince the judge that he or she will suffer immediate irreparable injury unless the order is issued. If the judge is convinced that a temporary restraining order is necessary, he or she may issue the order immediately, without informing the other parties and without holding a hearing. These orders are intended to be stop-gap measures, and only last until the court holds a hearing on whether or not to grant a preliminary injunction.

In federal court, an appeal is only allowed after all the issues involved in the suit have been finally determined by the trial court. This means that the party that wishes to appeal must wait until all the issues have been finally determined by the court. An appeal that is taken when no final judgment has been entered is called an "interlocutory review."

In federal litigation, 28 U.S.C. § 1292(a)(1) allows for an immediate appeal of a federal district court order granting, continuing, modifying, refusing, or dissolving injunctions, refusing to dissolve or modify injunctions. This provision makes it easy to take an interlocutory appeal from a decision granting or denying the injunction.

B is correct. A TRO is a short-term pre-trial temporary injunction to protect from an irreparable injury. These orders are intended to be stop-gap measures, and only last until the court holds a hearing on whether or not to grant a preliminary injunction. Judges' decisions on whether or not to issue a TRO, generally, may not be appealed. Here, the court extended the TRO for an additional 30 days, giving it the effect of a preliminary injunction. Therefore, it is appealable and the court is not likely to dismiss the appeal.

A is incorrect. Generally, a TRO is not appealable because it is meant to be a stop-gap measure, usually expiring in 14 days. However, if an extension gives a TRO the effect of a preliminary injunction, then it is appealable.

C is incorrect. Although a TRO is generally not appealable, in this case, the extension operates as a preliminary injunction, which is appealable.

D is incorrect. As explained above, the TRO functions as a preliminary injunction because of the extension given by the judge. Thus, in this specific fact pattern, the TRO can be appealed.

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5. Is the court likely to grant the employer's motion to intervene?

The clerk sued the building owner for negligence in a federal district court in State B, seeking $100,000 in personal-injury damages. The employer has filed a timely motion to intervene, asserting an $80,000 negligence claim against the building owner for the damage to its computer. A mail clerk domiciled in State A slipped and fell on ice that had formed near the loading dock of the building in State B where the clerk's State B employer leased space for its headquarters. The building was owned and operated by a State C corporation. As a result of the fall, the clerk was injured and the employer's expensive computer he was carrying was badly damaged.

- No, because although the employer has an interest in the clerk's action, that interest is not likely to be impaired in the employer's absence
- No, because the clerk chose not to join the employer as a co-plaintiff in his action
- Yes, because the employer is an indispensable party
- **Yes, because the employer's claim shares common questions of law and fact with the clerk's action**

Note:
D is correct. A third party may be granted intervention into a case by way of right or permissively. Intervention by a third party may be granted permissively when the applicant's claim has a common question of law or fact as the main action, and the claim does not destroy complete diversity. In this case, the employer is from State B and his claim exceeds $75,000. The employer's claim is also for negligence, the same as the mail clerk's, and arises from the same incident. Therefore, the claim will share common questions of law and fact and does not upset complete diversity.

A is incorrect. This is the incorrect conclusion, but the proper standard for intervention as of right. A third party is allowed to intervene as a right if the applicant has an interest in the subject matter of the action and the interest would be impaired in the applicant's absence. In this case, the employer does have an interest at stake, but the interest won't be impaired by his absence and could go on if he was not joined. However, just because the lawsuit could go on without the third party's involvement, does not mean the court will not grant an intervention. In this case, the third party's request will be granted because it is timely, shares a common question of law, and does not destroy diversity.

B is incorrect. Intervention is the mechanism by which a party can join an action, as by way of right or permissively, even if the party was not chosen by the plaintiff to join.

C is incorrect. An indispensable party is one whom, if absent, the court cannot grant complete relief to the other parties, or one who has such an interest in the subject matter of the suit that his absence will impair his ability to protect that interest. If the absentee can be properly joined, he must be. In this case, the employer is not an indispensable party. The employer's absence does not impede the mail clerk from obtaining relief, nor does it impair the employer's claim against the building owner.

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6. Is the court likely to grant the defendant's motion to dissolve the TRO?

Two days before the hearing, the plaintiff moved to extend the TRO and postpone the hearing for one week on the ground that its principal witness would be unavailable to testify on the scheduled day due to a planned vacation. The defendant opposed the motion and moved to dissolve the TRO. A plaintiff obtained an ex parte temporary restraining order (TRO) in a federal civil action and posted a bond the same day. One day later, the plaintiff served the defendant with copies of the summons and complaint, the TRO, and supporting documents. The court scheduled a hearing on the preliminary injunction to occur 14 days after the TRO had been issued.

- No, because a TRO can be extended once for 14 days
- No, because the plaintiff posted a bond and its principal witness's testimony is critical to the hearing
- **Yes, because the plaintiff's principal witness's vacation is not good cause to extend the TRO**
- Yes, because the TRO will expire before a rescheduled hearing can be held

Note:
C is correct. Under Federal Rule of Civil Procedure (FRCP) 65(b), a TRO expires after 14 days. An extension of the TRO before the hearing is dependent on a showing of good cause. Here, the plaintiff should have known the witness had a vacation planned, so there was no surprise in the witness's unavailability. Therefore, the plaintiff cannot show good cause for extending the TRO.

A is incorrect. FRCP 65(b)(2) provides that a TRO can be extended before its initial 14-day period expires. The court can, however, extend only for good cause or if the adverse party consents. There is no right to, or presumption of, an automatic extension. Here, the defendant objected, and the plaintiff has not offered any explanation as to why it did not discover until just before the preliminary injunction hearing that its principal witness would be on vacation.

B is incorrect. The posting of the bond has no bearing on whether to extend the TRO. The bond is required under FRCP 65(c) to provide security for any costs or losses the defendant may sustain if it is later determined that the defendant was wrongfully restrained. The bond is separate from the standard for obtaining, extending, or dissolving a TRO. Additionally, the critical nature of the principal witness's testimony, standing alone, does not establish the good cause needed for an extension of the TRO under FRCP 65(b)(2). The plaintiff has the burden to explain why there was such late notice of the witness's vacation plans and how the plaintiff has tried otherwise to work within the original timeline. Those explanations must be weighed against the prejudice to the defendant.

D is incorrect. FRCP 65(b)(2) provides that the TRO extension is to be for "a like period," which would be 14 days. Because the requested hearing date would be only one week after the grant of the extension, the TRO would still be in effect if the court decided to grant the extension.

7. Is the court likely to grant the motion?

The truck driver has moved to dismiss the action for failure to state a claim, arguing that the complaint lacks sufficient detail. A pedestrian was struck in a crosswalk by a truck and severely injured. The pedestrian brought a federal diversity action against the driver of the truck, alleging the following in the complaint: "On January 15, 2016, on Broad Street in City A, located in State B, the defendant negligently drove a motor vehicle, striking the plaintiff. As a result, the plaintiff was physically injured, lost wages or income, suffered physical and mental pain, and incurred medical expenses of $100, 000."

- **No, because the complaint alleges facts showing plausible entitlement to relief**
- No, because the pedestrian has not had an opportunity to conduct discovery
- Yes, because the complaint fails to allege facts showing probable entitlement to relief
- Yes, because the complaint uses the term ""negligently,"" which is a legal conclusion

Note:
A is correct. The current pleading standard requires complaints to contain sufficient facts to state a claim that is “plausible on its face.” Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007). Courts must be able to do more than infer the “possibility” of recovery. Id. Here, the pedestrian’s complaint sets out the date and place of an accident in which the pedestrian claims that the truck driver hit him and lists several resulting injuries and losses. If proven, these facts set out a plausible negligence claim.

B is incorrect. The pedestrian may survive the motion to dismiss because the facts in his complaint if proven, set out a plausible negligence claim. The fact that the pedestrian has had no opportunity for discovery is irrelevant.

C is incorrect. The current pleading standard requires complaints to contain sufficient facts to state a claim that is “plausible on its face.” Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007). “Probable entitlement to relief” is a higher standard and is used in situations where preliminary injunctions are sought, which is not the case here.

D is incorrect. Under federal pleadings standards, including a legal conclusion in a pleading does not make the pleading defective. Federal Rule of Civil Procedure 8(a) requires “a short and plain statement of the claim showing that the pleader is entitled to relief.”

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8. May the court impose this monetary sanction on the man?

Soon thereafter, the court issued an order requiring the man and his attorney to show cause why they should not be sanctioned under Rule 11 and required to pay a monetary penalty to the court for filing a frivolous complaint. The order cited several recent judicial decisions holding that rate increases such as the one proposed do not violate federal law. A man asked his attorney whether he had a legal basis to challenge a rate increase proposed by his electric utility company. The attorney said that he did and filed a federal action seeking a declaratory judgment that the proposed increase would violate federal law.

- No, because the court cannot impose a monetary sanction under Rule 11 without a motion seeking such a sanction
- **No, because the man is represented by an attorney**
- Yes, because the action is not warranted by existing law
- Yes, because the court issued a show-cause order before imposing any sanction

Note:
B is correct. Federal Rule of Civil Procedure (FRCP) 11(c)(5)(A) provides that the court must not impose a monetary sanction on a represented party on the ground that the party’s attorney violated Rule 11(b)(2). Thus, while the monetary penalty might be appropriate for the attorney, it cannot be imposed on the man.

A is incorrect. FRCP 11(c)(3) authorizes the court on its own initiative to issue a show-cause order as to why conduct specifically described in the order has not violated Rule 11(b).

C is incorrect. Although there may have been a sanctionable violation of FRCP 11(b)(2), the court may not impose a monetary sanction on a represented party for such a violation. Fed. R. Civ. P. 11(c)(5)(A).

*D is incorrect. A show-cause order issued by the court provides a party with notice of a possible infraction and an opportunity to argue against it. It does not by itself decide that a sanction should be imposed, as additional facts must be considered before making that determination. *

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9. What is the best way for the manufacturer's attorney to seek relief from the court's ruling on the pretrial statement?

The manufacturer's attorney is concerned that trying many of the facts and issues listed in the pretrial order would reveal litigation strategies important in other actions pending against the manufacturer. A pharmaceutical retailer sued a drug manufacturer in federal court for antitrust and unfair-competition violations under federal and state law. After the parties completed discovery, the retailer submitted a pretrial narrative statement designating a broad set of facts and issues to be tried. The manufacturer disputed the statement and submitted a much narrower one. At the final pretrial conference, the court entered its final order, ruling in favor of the retailer's broader statement as the one the court would read to the jury during voir dire and would use to define the facts and issues to be tried.

- Appeal from the final pretrial order, arguing that it is overbroad on its face
- Object in the trial court and appeal any adverse ruling on the objection
- Object in the trial court and file a motion to delay the trial
- **Object in the trial court and move to modify the order to prevent manifest injustice**

Note:
D is correct. Once a trial court issues an order after a final pretrial conference, that order may be modified only to prevent manifest injustice. Fed. R. Civ. P. 16(e). Thus, if the manufacturer's attorney wants to modify the final pretrial order, the attorney must move for a modification and demonstrate that manifest injustice would result if the order is not modified.

A is incorrect. Appeal from the final pretrial order is not possible because there is no final judgment in the action. Further, if the manufacturer's attorney does not seek to modify the final pretrial order at the trial-court level, the issue will not be preserved for appeal. The attorney should move to modify the order by demonstrating that manifest injustice would result if it is not modified. Fed. R. Civ. P. 16(e). If the court rejects that motion, then the attorney may be able to challenge the court's ruling on appeal, where it will be reviewed for an abuse of discretion. See United Phosphorus, Ltd. v. Midland Fumigant, Inc., 205 F.3d 1219, 1236 (10th Cir. 2000).

B is incorrect. Appeal from any adverse ruling on the objection is not possible because there is no final judgment in the action. Further, merely objecting at the trial-court level will not suffice to preserve the issue for appeal.

C is incorrect. Objecting at the trial-court level will not suffice to preserve the issue for appeal. Additionally, a motion to delay the trial does not advance the manufacturer's attorney's goal of modifying the final pretrial order.

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10. May the art collector bring an interpleader action against the historian and the teacher in a State A federal court?

An art collector living in State A recently had a painting from his home appraised for $50,000. The art collector believes he is the rightful owner of the painting. However, each of his two cousins, a historian living in State B and a teacher living in State C, also claim rightful ownership of the painting. The art collector would like to resolve who is the rightful owner of the painting.

- Yes, because a state court in State A would have personal jurisdiction over both defendants
- **Yes, because it does not matter whether a State A state court would have personal jurisdiction over the defendants**
- No, because the painting was not appraised for a value of more than $75,000
- No, because the art collector may only bring an interpleader action in State B or State C, not State A

Note:
Interpleader allows someone who is a stakeholder to a dispute to require two or more parties to resolve a dispute first to determine who has a valid cause of action so that the stakeholder does not face separate actions for one obligation.

The two avenues for federal interpleader include: Federal Rule of Civil Procedure (FRCP) 22 interpleader and the Federal Interpleader Statute under 28 U.S.C. § 1335.

*FRCP Rule 22 interpleader requires: *

*(i) the party seeking to bring the interpleader action to be legitimately concerned about facing liability in multiple actions; *

*(ii) the federal court to have federal question or diversity jurisdiction over the claim; *

(iii) the federal court to have personal jurisdiction over the parties; AND

(iv) proper venue.

*28 U.S.C. § 1335 interpleader requirements are less restrictive: *

*(i) the amount in controversy need only be $500 or more; *

(ii) diversity of citizenship for any two adverse claimants is sufficient;

(iii) nationwide personal jurisdiction is authorized; AND

(iv) venue will be proper where any claimant resides.

B is correct. Federal interpleader is generally available through either FRCP 22 or 28 U.S.C. § 1335. In this case, the proper avenue for the art collector is § 1335, which allows for interpleader by a stakeholder when the amount in controversy exceeds only $500 (here, the painting is worth $50,000), when any two adverse claimants are diverse (here, all parties are from different states), nationwide personal jurisdiction applies (State A is not required to have personal jurisdiction over either defendant), and the venue may be where any claimant resides (the art collector lives in State A, meaning venue is proper). As such, the art collector may bring an interpleader action against both the historian and teacher in a federal court in State A, regardless of whether State A would have had personal jurisdiction over the defendants.

A is incorrect. This answer reaches the correct answer with incorrect legal reasoning. The art collector may bring an interpleader action against both the historian and the teacher, and a state court in State A does NOT need to have the ability to exercise personal jurisdiction over either defendant. As stated above, § 1335 allows for nationwide personal jurisdiction, which is less restrictive than FRCP 22, which does require more restrictive personal jurisdiction over the parties.

C is incorrect. This answer correctly notes that interpleader under FRCP 22 would only be available if the amount in controversy (the painting) exceeded $75,000. However, this is not necessary here, where statutory interpleader's less restrictive amount in controversy requirement ($500 or more) enables the art collector to bring the action over the $50,000 painting, as explained above.

D is incorrect. This answer incorrectly implies that the art collector must bring the interpleader action in a state with personal jurisdiction over one of the defendants. However, statutory interpleader authorizes nationwide personal jurisdiction, so it is not necessary that any state's long-arm statute provides personal jurisdiction.
