



FOR IMMEDIATE RELEASE

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## WLF Seeks High Court Enforcement of Personal Jurisdiction Limits in State Courts

*(Bristol-Myers Squibb Co. v. Superior Court)*

**“In its seminal 2014 *Daimler v. Bauman* decision, the U.S. Supreme Court made clear that a plaintiff may not sue a corporate defendant in a State unless his claim arises there or the State is the corporation’s principal place of business or its place of incorporation. This case shows that some states’ courts—like California’s—have not yet gotten the message.”— Richard Samp, WLF Chief Counsel**

WASHINGTON, DC—Washington Legal Foundation today asked the U.S. Supreme Court to review (and ultimately overturn) a California Supreme Court decision that ignores constitutional limits on the authority of state courts to exert personal jurisdiction over out-of-state corporations. In a brief filed in *Bristol-Myers Squibb Co. v. Superior Court*, WLF argues that the lower state courts in this case have refused to abide by recent precedent that cut back their jurisdiction over out-of-state defendants. WLF’s *amicus* brief was joined by the Allied Educational Foundation.

This case involves 661 unrelated plaintiffs from across the country who filed products-liability suits in California state court, alleging they were injured after taking Plavix, a drug manufactured by Bristol-Myers Squibb (BMS). Only 86 of the plaintiffs are California residents; the rest live in other States, and their claims have no California connection. California is neither BMS’s principal place of business nor its place of incorporation.

In 2014, the U.S. Supreme Court held in *Daimler AG v. Bauman* that an out-of-state corporation like BMS may not be sued unless the claim being sued on has a substantial connection with the State. Disregarding that edict, the California Supreme Court ruled that the 575 nonresident plaintiffs *could* sue BMS in California. It held that the nonresidents’ claims should be deemed to have a substantial connection with California because they were similar to the California plaintiffs’ claims. WLF’s brief argues that the lower courts’ rationale would negate *Daimler* as a check on state-court jurisdiction over out-of-state corporate defendants.

After filing its brief, WLF issued the following statement by Chief Counsel Richard Samp: “Plaintiffs’ lawyers seek to consolidate lawsuits from across the country to increase settlement pressure on defendants, but the Due Process Clause significantly limits a State’s power to hale nonresidents into its courts. In its seminal 2014 *Daimler v. Bauman* decision, the U.S. Supreme Court made clear that a plaintiff may not sue a corporate defendant in a State unless his claim arises there or the State is the corporation’s principal place of business or its place of incorporation. This case shows that some states’ courts—like California’s—have not yet gotten the message.”

WLF is a public-interest law firm and policy center that regularly litigates in support of civil justice reform, to ensure that unwarranted lawsuits do not drive up costs for all consumers.