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WLF Urges Texas Supreme Court To Clarify Limits On Specific Personal Jurisdiction

(*Cessna Aircraft Co. v. Garcia*)

> **"The Texas appeals court's personal-jurisdiction analysis is a relic of a bygone era."**
> —Cory Andrews, WLF Vice President of Litigation

WASHINGTON, DC—Washington Legal Foundation (WLF) today urged the Texas Supreme Court to overturn an appeals court decision that would subject a nonresident defendant, Cessna Aircraft Company, to suit in a case in which the plaintiffs' claims lack any connection to the defendant's Texas activity. WLF filed its *amicus* brief with the *pro bono* assistance of Allyson Ho and Bradley Hubbard in the Dallas office of Gibson, Dunn & Crutcher LLP.

Following an airplane crash in Mexico, the plaintiffs allege that Cessna negligently designed, manufactured, and assembled the aircraft and its components—outside of Texas. Because the plaintiffs' claims relate solely to Cessna's out-of-state conduct, Cessna argued below that the plaintiffs' claims failed to satisfy the constitutional requirement that they arise from Cessna's Texas contacts. The Texas trial and appellate courts disagreed, holding that Cessna must stand trial in Texas for its out-of-state conduct.

As WLF's *amicus* brief argues, the U.S. Supreme Court has explicitly rejected a state court's exercise of personal jurisdiction based on a defendant's in-state contacts unrelated to the plaintiff's claims. Federalism interests are best served by ensuring that no one State can encroach on the others by regulating the conduct of nonresident companies who merely happen to do business in the State. That is why, WLF argues, due process requires some causal connection between a defendant's in-state conduct and the plaintiff's claims.

Celebrating its 43rd year, WLF is America's premier public-interest law firm and policy center advocating for free-market principles, limited government, individual liberty, and the rule of law.

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