

Civil Procedure: Theory and Practice, Fourth Edition (Aspen Casebooks)

Linda J. Silberman, Allan R. Stein, Tobias Barrington Wolf

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Using the Socratic method, **Civil Procedure: Theory and Practice** helps students develop strategic, critical thinking, with introductory text, examples, and hypotheticals that equip them for the challenges of practice. Sophisticated yet straightforward, the text strikes an important balance, providing clear exposition while requiring work to achieve deeper insights. The opening chapter gives an overview of the entire process, using real pleadings and discovery materials in the landmark N.Y. Times v. Sullivan case. The innovative "Anatomy of a Litigation" case study chapter systematically leads students from pleadings to verdict, using leading cases to deepen the connection between the classroom and the courtroom. **Civil Procedure: Theory and Practice** covers the full range of topics, including in-depth treatment of personal and subject-matter jurisdiction, joinder, preclusion, and alternative dispute resolution. Accessible background material for each major case facilitates analysis, and extensive notes and questions frame deep, conceptual issues. The text keys in on leading and high-interest cases, edited for best effect. Its flexible organization supports myriad approaches to the 1L Procedure class, from a three-unit one-semester class to a five- or six-unit class taught over either a semester or a year.

The **Fourth Edition** features treatment of the Supreme Court s recent decisions on general jurisdiction and stream-of-commerce in products liability cases, reflecting the doctrinal and theoretical questions that the Court has brought to the fore. The new edition includes coverage of the Supreme Court decisions in *Iqbal* and *Matrixx*. It also looks at class actions and complex litigation such as the impact of *Wal-Mart v. Dukes* and the first wave of post-*Dukes* cases in the lower federal courts, as it continues its signature coverage of the Class Action Fairness Act.

The **Fourth Edition** debuts an extensive treatment of the impact of the Federal Arbitration Act and recent decisions on arbitration by the Supreme Court that alter the availability of remedies for consumer plaintiffs. Other new material explores summary judgment, analyzing the recent amendments to Rule 56, and Erie and the Rules Enabling Act with a thorough treatment of Shady Grove, the Court's first major statement on the meaning, scope and operation of the Rules Enabling Act in decades.

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