

Insights: Publications

Fifth Circuit rules that defendant did not waive Bristol Myers personal jurisdiction defense

JD Supra

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We previously wrote that the Seventh Circuit had become one of the first circuits to address the application of the Supreme Court's personal jurisdictional holding in *Bristol-Myers* to class actions, holding that *Bristol-Myers* does not apply to a nationwide class action filed in federal court under a federal statute. In *Cruson v. Jackson National Life Insurance Company*, -- F.3d --, No. 18-40605, 2020 WL 1443531 (5th Cir. Mar. 25, 2020), the Fifth Circuit viewed *Bristol-Myers* from a different perspective, ruling a non-resident defendant did not waive its objection to personal jurisdiction over the defendant with respect to the claims of non-resident class members by not raising the issue in motions to dismiss the named plaintiffs' individual claims.

Related People



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