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

*JD Supra*

**APRIL 20, 2020** Written by Stephanie N. Bedard

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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