

**THIS BOOKLET CONTAINS BOTH
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Deskbook on the Management of Complex Civil Litigation

Publication 1211 Release 6

October 2005

HIGHLIGHTS

Federal Class Action Act

- The federal Class Action Fairness Act of 2005 is discussed in Ch. 3, *Specialized Areas*.

Recent Cases Added

- Updated case and statute discussions are included on case management, unfair competition law actions, and discovery procedures.

Release 6 of the Deskbook on the Management of Complex Civil Litigation includes new discussion of the federal Class Action Fairness Act of 2005, signed into law on February 18, 2005. Among other impacts, CAFA provides for the following (see § 3.75):

- Expansion of federal diversity jurisdiction for class actions.
- The opportunity for federal courts to decline jurisdiction in appropriate cases.
- Expanded bases for removal of state-court class actions to federal court.
- A new procedure for appeal of remand orders.
- The creation of a new form of “mass action,” deemed to be a class action for removal purposes.

- Revised settlement procedures.

This release of the Deskbook on the Management of Complex Civil Litigation includes additional and updated discussions of the following:

- A court’s “inherent managerial powers” allow it to take an aggressive role in moving a complex case forward (see § 2.04).
- Renumbering of Code of Civil Procedure discovery statutes (see §§ 2.06, 3.41).
- Requirement that a plaintiff have suffered an “injury in fact” to bring an action under Bus. & Prof. Code § 17200 (see §§ 3.02, 3.05, 3.42).

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Publication 1211 Release 6

October 2005

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<input type="checkbox"/>	Title page thru xiii	Title page thru xiv.a
<input type="checkbox"/>	xxiii	xxiii
<input type="checkbox"/>	2-3 thru 2-11	2-3 thru 2-12.1
<input type="checkbox"/>	3-1 thru 3-9	3-1 thru 3-9
<input type="checkbox"/>	3-23	3-23
<input type="checkbox"/>	3-29 thru 3-31	3-29 thru 3-32.1
<input type="checkbox"/>	3-59 thru 3-62.1	3-59 thru 3-62.2(3)
<input type="checkbox"/>	C-3	C-3 thru C-4.1
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