

The Burger Court Opinion Writing Database

Calder v. Jones

465 U.S. 783 (1984)

Paul J. Wahlbeck, George Washington University
James F. Spriggs, II, Washington University in St. Louis
Forrest Maltzman, George Washington University



(12)

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

December 10, 1983

Re: 82-1401 Calder v. Jones

Dear Bill:

I join.

Regards,



Justice Rehnquist

Copies to the Conference

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE Wm. J. BRENNAN, JR.

March 16, 1984

Re: Calder v. Jones, No. 82-1401

Dear Bill:

Please join me. My apologies for postponing release of the Court opinion, but until now I was uncertain whether my separate writing in Helicopteros would affect my decision in this case.

Sincerely,


WJB, Jr.

Justice Rehnquist

Copies to the Conference



Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE BYRON R. WHITE

December 19, 1983

Re: 82-1401 - Calder and South v. Jones

Dear Bill,

Please join me.

Sincerely,

Justice Rehnquist

Copies to the Conference

cpm

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

March 19, 1984

Re: No. 82-1401-Calder v. Jones

Dear Bill:

Please join me.

Sincerely,

J.M.

T.M.

Justice Rehnquist

cc: The Conference



Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

December 14, 1983

Re: No. 82-1401 - Calder v. Jones

Dear Bill:

Please join me.

I must confess that I do not fully understand some of the material on page 5 of the opinion, with its emphasis on the nature and extent of the plaintiff's "contacts" with the forum. I have the same comment with respect to material on page 9 of the Keeton opinion. I suspect these respective observations will breed further litigation. While I would prefer to have the plaintiff's aspect of the jurisdictional question deemphasized, I join the opinion.

Sincerely,

Justice Rehnquist

cc: The Conference

AD

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

RECEIVED
SUPREME COURT U.S.
JUSTICE MARSHALL

'83 DEC -8 A9:54

December 8, 1983

82-1401 Calder v. Jones

Dear Bill:

Please join me.

Sincerely,



Justice Rehnquist

lfp/ss

cc: The Conference

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

To: The Chief Justice
Justice Brennan
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Stevens
Justice O'Connor

RECEIVED
SUPREME COURT U.S.
JUSTICE

From: Justice Rehnquist

'83 DEC -7 A11:18

Circulated: DEC -7

Recirculated: _____

WHR
Rehnquist

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 82-1401

IAIN CALDER AND JOHN SOUTH, APPELLANTS *v.*
SHIRLEY JONES

ON APPEAL FROM THE COURT OF APPEAL OF CALIFORNIA,
SECOND APPELLATE DISTRICT

[December —, 1983]

JUSTICE REHNQUIST delivered the opinion of the Court.

Respondent Shirley Jones brought suit in California Superior Court claiming that she had been libeled in an article written and edited by petitioners in Florida. The article was published in a national magazine with a large circulation in California. Petitioners were served with process by mail in Florida and caused special appearances to be entered on their behalf, moving to quash the service of process for lack of personal jurisdiction. The superior court granted the motion on the ground that First Amendment concerns weighed against an assertion of jurisdiction otherwise proper under the Due Process Clause. The California Court of Appeal reversed, rejecting the suggestion that First Amendment considerations enter into the jurisdictional analysis. We now affirm.

Respondent lives and works in California. She and her husband brought this suit against the National Enquirer, Inc., its local distributing company, and petitioners for libel, invasion of privacy, and intentional infliction of emotional harm.¹ The Enquirer is a Florida corporation with its principal place of business in Florida. It publishes a national weekly newspaper with a total circulation of over 5 million. About 600,000 of those copies, almost twice the level of the

¹ Respondent's husband subsequently filed a voluntary dismissal of his complaint.

John

To: The Chief Justice
Justice Brennan
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Stevens
Justice O'Connor

From: Justice Rehnquist

Circulated: _____

Recirculated: DEC 12 _____

SYSTEMS SERVICES BUREAU

P. 6

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 82-1401

IAIN CALDER AND JOHN SOUTH, APPELLANTS *v.*
SHIRLEY JONES

ON APPEAL FROM THE COURT OF APPEAL OF CALIFORNIA,
SECOND APPELLATE DISTRICT

[December —, 1983]

JUSTICE REHNQUIST delivered the opinion of the Court.

Respondent Shirley Jones brought suit in California Superior Court claiming that she had been libeled in an article written and edited by petitioners in Florida. The article was published in a national magazine with a large circulation in California. Petitioners were served with process by mail in Florida and caused special appearances to be entered on their behalf, moving to quash the service of process for lack of personal jurisdiction. The superior court granted the motion on the ground that First Amendment concerns weighed against an assertion of jurisdiction otherwise proper under the Due Process Clause. The California Court of Appeal reversed, rejecting the suggestion that First Amendment considerations enter into the jurisdictional analysis. We now affirm.

Respondent lives and works in California. She and her husband brought this suit against the National Enquirer, Inc., its local distributing company, and petitioners for libel, invasion of privacy, and intentional infliction of emotional harm.¹ The Enquirer is a Florida corporation with its principal place of business in Florida. It publishes a national weekly newspaper with a total circulation of over 5 million. About 600,000 of those copies, almost twice the level of the

¹ Respondent's husband subsequently filed a voluntary dismissal of his complaint.

SECRET - DO NOT DISSEMINATE

P. 4

To: The Chief Justice
Justice Brennan
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Stevens
Justice O'Connor

From: Justice Rehnquist

Circulated: _____

Recirculated: FEB 21 1984

3rd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 82-1401

IAIN CALDER AND JOHN SOUTH, APPELLANTS *v.*
SHIRLEY JONES

ON APPEAL FROM THE COURT OF APPEAL OF CALIFORNIA,
SECOND APPELLATE DISTRICT

[February —, 1984]

JUSTICE REHNQUIST delivered the opinion of the Court.

Respondent Shirley Jones brought suit in California Superior Court claiming that she had been libeled in an article written and edited by petitioners in Florida. The article was published in a national magazine with a large circulation in California. Petitioners were served with process by mail in Florida and caused special appearances to be entered on their behalf, moving to quash the service of process for lack of personal jurisdiction. The superior court granted the motion on the ground that First Amendment concerns weighed against an assertion of jurisdiction otherwise proper under the Due Process Clause. The California Court of Appeal reversed, rejecting the suggestion that First Amendment considerations enter into the jurisdictional analysis. We now affirm.

Respondent lives and works in California. She and her husband brought this suit against the National Enquirer, Inc., its local distributing company, and petitioners for libel, invasion of privacy, and intentional infliction of emotional harm.¹ The Enquirer is a Florida corporation with its principal place of business in Florida. It publishes a national weekly newspaper with a total circulation of over 5 million. About 600,000 of those copies, almost twice the level of the

¹ Respondent's husband subsequently filed a voluntary dismissal of his complaint.

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

V

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

December 8, 1983

Re: 82-1401 - Calder v. Jones

Dear Bill:

Please join me.

Respectfully,



Justice Rehnquist

Copies to the Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

December 12, 1983

No. 82-1401 Calder v. Jones

Dear Bill,

Please join me.

Sincerely,



Justice Rehnquist

Copies to the Conference