

Assas

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(Unité d'Enseignements Complémentaires 1)

**Titulaire(s) du cours :** M. Justin BEPLATE Mme Suhasini VINCENT

**Document(s) autorisé(s) :** Aucun

**I. Complete the following sentences, using at least 10 words. Limit your answers to one complete sentence (30%)**

1. Unlike appellate jurisdiction ...
2. Whereas parole ...
3. "Federal question" jurisdiction refers to ...
4. While a Limited Liability Partnership ...
5. In a federal system, the rule against double jeopardy ...

**II. Read the following case extract and answer the questions below. DO NOT QUOTE DIRECTLY FROM THE TEXT**

**SUPREME COURT OF THE UNITED STATES**

**SPOKEO v. ROBINS**

Spokeo Inc. operated a website that provided information about individuals such as contact data, marital status, age, occupation, and certain types of economic information. Thomas Robins sued Spokeo, claiming that the company had deliberately violated the federal *Fair Credit Reporting Act* (FCRA) by publishing false information about him on the website. Robins' profile stated that he was married, had children, was in his fifties, had a job, was relatively affluent, and held a graduate degree. According to Robins' complaint, all of this information was incorrect.

The District Court found that Robins was unable to allege any "actual or imminent injury" as a result of the alleged violation. As a result, the District Court granted Spokeo's motion to dismiss for lack of subject-matter jurisdiction and Robins' lack of standing under Article III of the Constitution.

Robins then filed an amended complaint in which he alleged that he suffered actual harm to his employment prospects due to the website falsely claiming that he was wealthy. The District Court dismissed the complaint for failure to state an injury in fact. The U.S. Court of Appeals for the Ninth Circuit reversed, holding that the allegation of a violation of a statutory right is sufficient injury to qualify for Article III standing.

The Supreme Court granted certiorari. The question before the Supreme Court was whether Robins had Article III standing to bring the civil proceedings against Spokeo.

**Questions**

1. In its original ruling, the District Court held that it lacked subject-matter jurisdiction. What is "subject-matter jurisdiction", and how does it differ from "jurisdiction over the parties"? **(20%)**
2. Explain the doctrine of standing. **(20%)**
3. Discuss the legal arguments which could be raised by both sides in proceedings before the Supreme Court, and indicate which argument(s) you find more persuasive. **(30%)**