

06-102 SINOCHEM INTERNATIONAL V. MALAYSIA INTERNATIONAL SHIPPING

DECISION BELOW:436 F3d 349

LOWER COURT CASE NUMBER: 04-1816

QUESTIONS PRESENTED:

A divided panel of the Court of Appeals for the Third Circuit held that a district court must first conclusively determine if it has personal jurisdiction over the defendant before it may dismiss the suit on the ground of forum non conveniens. The court acknowledged that its holding was inconsistent with the interests of judicial economy, recognized that its decision in the case deepened an-already existing 2-4 split among the circuits, and invited this Court's review.

The question presented is:

Whether a district court must first conclusively establish jurisdiction before dismissing a suit on the ground of forum non conveniens?

CERT. GRANTED 9/26/2006