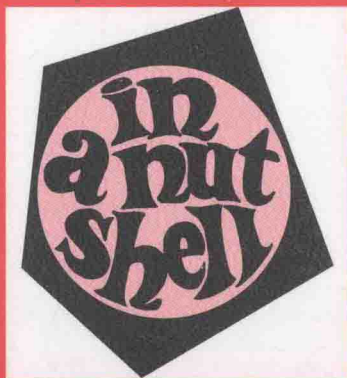


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CIVIL PROCEDURE IN A NUTSHELL

SIXTH EDITION

By

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PREFACE

This edition follows the same format and approach of those that preceded it. The primary revisions have been to update the work in light of important legislative, rulemaking, and judicial developments that have occurred since the Fifth Edition was published in 2003.

The major changes that are reflected in this edition arise as a result of a new statute, federal rule amendments, and Supreme Court decisions. In particular, since the last edition the rules dealing with class actions have been amended to increase court supervision over notice, settlements, appointment of class counsel and attorney's fees. A new federal statute also expands the scope of jurisdiction for specified types of interstate class actions and creates yet additional settlement requirements. Several pretrial rules also were amended in order to provide guidance concerning the management and discovery of electronically stored information. And in the interim between the last edition and this one, the Supreme Court has issued an important decision on supplemental jurisdiction and the amount in controversy requirement, as well as a case on pleading requirements in civil rights cases. Finally, all citations to the federal rules have been updated to reflect the issuance of completely restyled federal rules of civil procedure that are due to take effect in December 2007. These and other significant, albeit

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smaller, changes have been incorporated in this new edition.

Finally, as was true in the Fifth Edition, I have tried, in addition to updating, to make some adjustments to provide clearer explanations of some topics in the hope that these changes will make the book more helpful to the student reader.

The overall objective of this Nutshell remains an important, but limited, one—to present the forest instead of the trees. There is no way in the confines of these few pages for more in depth coverage. Readers who find a need for more can consult my Hornbook on this same topic, J. Friedenthal, M. Kane, & A. Miller, *Civil Procedure* (4th ed. 2005).

MARY KAY KANE

San Francisco, California
May, 2007

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