Civil Procedure for LLM Students

Spring 2021

Professor Oppenheimer

First Assignment

Winter Break:

Read Gerald Stern, *The Buffalo Creek Disaster*

Buffalo Creek is a river in West Virginia.  In 1972 a series of dams at the source of the river failed, causing a massive flood that destroyed several towns and killed over 125 people.  A group of survivors that eventually exceeded 600 people brought a civil lawsuit in federal court against a coal mining company.  Their lead lawyer, Gerald Stern, wrote a brief but revealing book about the lawsuit.  We will begin the semester by discussing his book, and will return to it frequently.  The book is available through the bookstore, [or through Amazon](https://www.amazon.com/s?k=the+buffalo+creek+disaster&gclid=Cj0KCQiAno_uBRC1ARIsAB496IVJVKua1BZCJyRN09vvZjOJq29FByzB_kREAQX1JrAC-o0vdlLZNVwaAghiEALw_wcB&hvadid=241605092811&hvdev=c&hvlocphy=1013585&hvnetw=g&hvpos=1t1&hvqmt=e&hvrand=4474653331003472773&hvtargid=kwd-131495002&hydadcr=22566_10355099&tag=googhydr-20&ref=pd_sl_3l4u7swz2n_e). I’d like you to read the book during the winter break.

Class 1:

Federal Rules of Civil Procedure (“FRCP”) Rules 1, 2, 3, 8(a), 8(d), 12(b)(6)

Casebook pp 475-477, 507-517 (12 pages)