

**11-1450 STANDARD FIRE INSURANCE COMPANY V. KNOWLES**

DECISION BELOW: 11-8030, unreported

LOWER COURT CASE NUMBER: 11-8030

QUESTION PRESENTED:

Last Term, this Court held that in a putative class action "the mere proposal of a class ... could not bind persons who were not parties." *Smith v. Bayer Corp.*, 131 S. Ct. 2368, 2382 (2011). In light of that holding, the question presented is:

When a named plaintiff attempts to defeat a defendant's right of removal under the Class Action Fairness Act of 2005 by filing with a class action complaint a "stipulation" that attempts to limit the damages he "seeks" for the absent putative class members to less than the \$5 million threshold for federal jurisdiction, and the defendant establishes that the actual amount in controversy, absent the "stipulation," exceeds \$5 million, is the "stipulation" binding on absent class members so as to destroy federal jurisdiction?

CERT. GRANTED 8/31/2012