

02-1689 GRUPO DATAFLUX v. ATLAS GLOBAL GROUP

Ruling below: CA 5, 312 F.3d 168.

QUESTIONS PRESENTED:

I. Did the court of appeals err by creating a new exception to the longstanding rule that diversity jurisdiction must be determined based on a party's citizenship and circumstances as they existed at the time suit was filed?

2. Did the court of appeals err by allowing a unilateral change in a party's citizenship during the course of litigation to create diversity jurisdiction that did not exist at the time suit was filed?

CERT. GRANTED: 10/14/03