

04-712 LINCOLN PROPERTY CO. V. ROCHE

DECISION BELOW:373 F3d 610

LOWER COURT CASE NUMBER: 03-2064

QUESTIONS PRESENTED:

1. Whether an entity not named or joined as a defendant in the lawsuit can nonetheless be deemed a "real party in interest" to destroy complete diversity of citizenship in a case removed from state court under 28 U.S.C. § 1441(b).
2. Whether a limited partnership's citizenship for diversity subject-matter jurisdiction purposes is determined not by the citizenship of its partners but by whether its business activities establish a "very close nexus" with the state.

CERT. GRANTED 2/28/2005