

**10-1491 KIOBEL V. ROYAL DUTCH PETROLEUM**

DECISION BELOW: 621 F.3d 111

LOWER COURT CASE NUMBER: 06-4800, 06-4876

QUESTION PRESENTED:

1. Whether the issue of corporate civil tort liability under the Alien Tort Statute ("ATS"), 28 U.S.C. § 1350, is a merits question, as it has been treated by all courts prior to the decision below, or an issue of subject matter jurisdiction, as the court of appeals held for the first time.
2. Whether corporations are immune from tort liability for violations of the law of nations such as torture, extrajudicial executions or genocide, as the court of appeals decisions provides, or if corporations may be sued in the same manner as any other private party defendant under the ATS for such egregious violations, as the Eleventh Circuit has explicitly held.

THIS CASE TO BE ARGUED IN TANDEM WITH 11-88.

ORDER OF 3/5/2012:

THIS CASE IS RESTORED TO THE CALENDAR FOR REARGUMENT. THE PARTIES ARE DIRECTED TO FILE SUPPLEMENTAL BRIEFS ADDRESSING THE FOLLOWING QUESTION: "WHETHER AND UNDER WHAT CIRCUMSTANCES THE ALIEN TORT STATUTE, 28 U.S.C. §1350, ALLOWS COURTS TO RECOGNIZE A CAUSE OF ACTION FOR VIOLATIONS OF THE LAW OF NATIONS OCCURRING WITHIN THE TERRITORY OF A SOVEREIGN OTHER THAN THE UNITED STATES."

CERT. GRANTED 10/17/2011