

22527/22528

STATEMENT OF LEGAL ISSUES

The two questions presented by this appeal are:

- I. Whether Appellees' claims should be dismissed under the common law doctrine of *forum non conveniens*.

The trial court determined that *forum non conveniens* did not mandate dismissal under the circumstances involved.

- II. Whether dismissal of Appellees' claims is appropriate under the South Dakota and United States due process clauses.

The trial court held that exercising jurisdiction over the Appellants did not offend notions of fair play and substantial justice.