

STATEMENT OF LEGAL ISSUES

1. WHETHER THE TRIAL COURT ERRED IN THE GRANTING OF APPELLEE'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION.

The Trial Court determined that South Dakota courts exercise over the Appellee would violate the Due Process Clause.

The pertinent cases relied upon are:

1. Denver Trk. & Trlr. Sales, Inc. v. Design & Bldg. Serv., Inc., 2002 SD 127, 653 NW2d 88;
2. Karstetter v. Voss, 184 S.W.3d 396 (TX. 2006);
3. Opp v. Nieuwsma, 458 NW2d 352, 355-56 (SD 1990);
4. Shamsuddin v. Vitamin Research Products, 346 F.Supp.2d 804 (D.Ma. 2004);