

# MARKS & WEINBERG, P.C.

## Hagood v. McCorkle

784 So. 2d 1071 (Ala. Civ. App. 2000)

Alabama Court of Civil Appeals holds execution of a lease is sufficient contact to allow a state to constitutionally exercise personal jurisdiction over a nonresident defendant. A Mississippi business operator telephoned an Alabama machine and supply company to discuss leasing some equipment. The company shortly thereafter sent a driver to pick up the equipment in Alabama. The driver presented to the supply company documents authorizing him to pick up the equipment and to execute a lease for the Mississippi business. Moreover, the Mississippi business operator told the president of the Alabama equipment company that he would lease the equipment for approximately one week or perhaps somewhat longer than a week. The Mississippi company did not promptly return the equipment and the Alabama company hired a lawyer to pursue legal action against the business operator. The business operator maintained that no Alabama court had personal jurisdiction over him. The machine and supply company, however, argued that the business operator's contacts with Alabama were sufficient to allow Alabama to exercise personal jurisdiction, because the operator, through an agent, executed a lease in Alabama. The court agreed with the Alabama company and held that the operator's action had a substantial impact upon the Alabama business. In addition, the court held that Alabama's exercise of personal jurisdiction over the Mississippi business operator would comport with the due-process requirements of "fair play" and "substantial justice."



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