

SUPREME COURT OF ALABAMA

Weekley v. U.S. Steel Mining Co.

26 So. 3d 1190 (Ala. 2009) · Decided June 26, 2009

SUMMARY

The Alabama Supreme Court considers a petition for a writ of mandamus seeking dismissal of consolidated actions involving coal-dust emissions from a mining facility. The Court holds that the petition concerning the Weekley action is moot because the trial court lacked jurisdiction to reinstate that action after a post-judgment motion was denied by operation of law. It declines to dismiss the Waid action as a collateral attack on a prior class-action settlement because the Waid plaintiffs limited their claims to injuries occurring after the settlement's effective date.

CASE DETAILS

COURT	Supreme Court of Alabama
WRITING FOR THE COURT	Murdock, Justice; Cobb, C.J.; Lyons, J.; Woodall, J.; Stuart, J.; Smith, J.; Bolin, J.; Parker, J.; Shaw, J.; Murdock, J.
JURISDICTION	Alabama
DECIDED	June 26, 2009
DISPOSITION	other
PROCEDURAL POSTURE	The Oak Grove defendants petitioned the Supreme Court of Alabama for a writ of mandamus directing the Jefferson Circuit Court to dismiss the consolidated Weekley and Waid actions. The petition challenged the trial court's jurisdiction over the Weekley action and argued that the Waid action was an impermissible collateral attack on a prior class-action settlement.
STANDARD OF REVIEW	Mandamus requires a clear legal right to the requested order, an imperative duty accompanied by refusal to perform, lack of another adequate remedy, and properly invoked jurisdiction. Subject-matter jurisdiction is reviewable by mandamus, and the Supreme Court reviews subject-matter jurisdiction de novo.
PRECEDENTIAL VALUE	Published Alabama Supreme Court opinion; precedential.
PARTIES	Oak Grove Resources, LLC, and affiliated business entities v. Linda Weekley and other Weekley plaintiffs, Jo Ann Waid and other Waid plaintiffs

TOPICS

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QUESTIONS PRESENTED

1. Whether the Supreme Court could grant mandamus concerning the Weekley action after the trial court's postjudgment motion had been denied by operation of law and the dismissal therefore remained effective.
2. Whether the Waid action was an impermissible collateral attack on the White class-action settlement and within the exclusive continuing jurisdiction reserved to the White class-action court.
3. Whether the White settlement and release barred claims for injuries allegedly occurring after the settlement's effective date.

HOLDINGS

1. Because the Weekley plaintiffs' Rule 59(e) motion was deemed denied by operation of law after 90 days without express consent to extend the period, the trial court lacked jurisdiction to enter its later order purporting to vacate the dismissal and reinstate the Weekley action. The later order was void, and the mandamus petition concerning the Weekley action was moot.
2. The Waid action was not an impermissible collateral attack on the White class action because the Waid plaintiffs' claims were limited to alleged injuries occurring after the White settlement's effective date and therefore did not concern the settled claims subject to the White court's reserved jurisdiction.
3. A settlement release does not bar claims outside the scope of the matters specifically released; therefore, the White settlement did not preclude the Waid plaintiffs' claims based on injuries allegedly arising after the settlement's effective date.

KEY QUOTATIONS

“Mandamus is a drastic and extraordinary writ, to be issued only where there is (1) a clear legal right in the petitioner to the order sought; (2) an imperative duty upon the respondent to perform, accompanied by a refusal to do so; (3) the lack of another adequate remedy; and (4) properly invoked jurisdiction of the court.” (1197)

“Therefore, the Oak Grove defendants’ petition for a writ of mandamus regarding the Waid action is due to be denied.” (1199)

“When the language of a release specifically limits the scope of the release, the release will not bar claims outside the scope of the release.” (1201)

FACTUAL BACKGROUND

The Weekley plaintiffs sued entities associated with a coal-processing plant for trespass, nuisance, negligence, and wantonness based on coal dust emissions. Their monetary claims were settled, while their injunctive claims were to remain inactive subject to the terms of a separate White class-action settlement. The White settlement released claims arising from emissions between January 1, 1990, and its December 2002 effective date, while the Waid plaintiffs later sought damages for alleged emissions-related injuries occurring after July 1, 2003. The trial court attempted to reinstate the Weekley and Waid proceedings, prompting Oak Grove's mandamus petition.

PROCEDURAL HISTORY

The Weekley plaintiffs settled their monetary claims with the USM defendants while their claims for equitable and injunctive relief remained pending, and the White class action later settled with a release covering emissions-related claims arising through the settlement's effective date. The Waid plaintiffs, members of the White class, asserted claims for injuries allegedly caused by emissions after that effective date. After a series of orders dismissing, reinstating, or limiting the two actions, the trial court ultimately permitted post-effective-date damages claims to proceed and consolidated the cases. The Supreme Court dismissed the mandamus petition as moot as to the Weekley action because the trial court lacked jurisdiction to vacate the dismissal, and denied mandamus as to the Waid action.

DISPOSITION

other

CASES CITED

- Ex parte Integon Corp., 672 So. 2d 497, 499 (Ala. 1995)
- Ex parte Liberty National Life Insurance Co., 888 So. 2d 478, 480-481 (Ala. 2003)
- Ex parte Flint Construction Co., 775 So. 2d 805 (Ala. 2000)
- Solomon v. Liberty National Life Insurance Co., 953 So. 2d 1211, 1218 (Ala. 2006)
- Nunn v. Baker, 518 So. 2d 711, 712 (Ala. 1987)
- Campbell v. I.L. Lyons & Co., 420 So. 2d 66, 67 (Ala. 1982)
- Harrison v. Alabama Power Co., 371 So. 2d 19, 21 (Ala. 1979)
- Personnel Board for Mobile County v. Bronstein, 354 So. 2d 8, 11 (Ala. Civ. App. 1977)
- Ex parte First National Bank of Jasper, 717 So. 2d 342, 350 (Ala. 1997)
- Ex parte Liberty National Life Insurance Co., 631 So. 2d 865, 867 (Ala. 1993)
- Ex parte State ex rel. Ussery, 285 Ala. 279, 281, 231 So. 2d 314, 315 (1970)
- Gonzalez, LLC v. DiVincenti, 844 So. 2d 1196, 1202 (Ala. 2002)
- Sho-Me Motor-Lodges, Inc. v. Jehle-Slauson Construction Co., 466 So. 2d 83, 91 (Ala. 1985)
- Grimes v. Liberty National Life Insurance Co., 726 So. 2d 615, 617-618 (Ala. 1998)
- Cavender v. State Mutual Insurance Co., 748 So. 2d 863, 868 (Ala. 1999)
- Ex parte Trawick, 959 So. 2d 51, 62-63 (Ala. 2006)
- Adams v. Robertson, 676 So. 2d 1265 (Ala. 1995)

