

07-773 VADEN V. DISCOVER BANK

DECISION BELOW:489 F3d 594

LOWER COURT CASE NUMBER: 06-1221

QUESTIONS PRESENTED:

1. Whether a suit seeking to enforce a state-law arbitration obligation brought under Section 4 of the Federal Arbitration Act, 9 U.S.C. § 4, “aris[es] under” federal law, see 28 U.S.C. § 1331, when the petition to compel itself raises no federal question but the dispute sought to be arbitrated—a dispute that the federal court is not asked to and cannot reach— involves federal law.
2. If so, whether a “completely preempted” state-law counterclaim in an underlying state-court dispute can supply subject matter jurisdiction.

CERT. GRANTED 3/17/2008