

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

<p>THE REPUBLIC OF PERU,</p> <p>Plaintiff,</p> <p>v.</p> <p>YALE UNIVERSITY,</p> <p>Defendant.</p>
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Civil Action 08-02109 (HHK)

ORDER

This action, between two non-resident parties, comes before the Court on Yale University's motion to dismiss for lack of personal jurisdiction, or in the alternative, to transfer the case to Connecticut [#18]. Upon consideration of the motion, the opposition thereto, and the record of this case, the Court concludes that Yale's alternative motion to transfer should be granted.

This Court lacks personal jurisdiction over the two non-resident parties. The Republic of Peru failed to serve Yale in the District of Columbia thereby precluding the Court from exercising general personal jurisdiction. D.C. Code § 13-334(a). Furthermore, the Republic of Peru does not present a sufficient nexus between Yale's minimum contacts within the forum and the instant litigation to permit the court to exercise specific personal jurisdiction under the District of Columbia long-arm statute, D.C. Code §13-423. *See Helicopteros Nacionales de Colombia, S.A. v. Hall*, 466 U.S. 408, 414 (1984) ("[T]he Court has said that a 'relationship among the defendant, the forum, and the litigation' is the essential foundation of in personam jurisdiction.") (internal citations omitted).

Because this Court is unable to exercise personal jurisdiction over Yale, and the District of Connecticut provides an adequate alternative forum for this action, it is this 30th day of July, 2009, hereby

ORDERED that Yale's alternative motion to transfer [#18] is GRANTED; and it is further

ORDERED that this litigation be transferred to the United States District Court for the District of Connecticut.

Henry H. Kennedy, Jr.
United States District Judge