

Case Highlight

Energy Transfer, et al. v. Gion, et al. - No. 20250341

A North Dakota district court has inherent equitable authority, preserved by the state constitution and statutes, to enjoin a person subject to its personal jurisdiction from prosecuting a duplicative or collateral proceeding in a foreign forum.

A court considering an antisuit injunction applies a three-step framework: (1) whether the parties and issues in the parallel actions are substantially similar; (2) whether equitable considerations—frustration of forum policy, vexatiousness, threats to the issuing court’s jurisdiction, or other prejudice—favor an injunction; and (3) whether principles of international comity weigh against issuance. The substantial-similarity inquiry requires comparison of the elements the foreign claim requires, not the labels parties or legislatures attach to it. International comity is a substantial factor weighing against issuance but not a categorical bar.

The district court abused its discretion in denying an antisuit injunction by misapplying that framework—comparing only the labels of the foreign and domestic claims rather than the elements they require, and treating comity as inapplicable. Supervisory writ granted and remanded with directions to enter a narrowly tailored antisuit injunction.