

**Beacon Theatres, V. Westover,**  
US Supreme Court (1959); 359 U.S. 500, 79 S.Ct. 948, 3 L.Ed. 988.

The basis of injunctive relief in the federal courts has always been irreparable harm and inadequacy of legal remedies. ... Inadequacy of remedy and irreparable harm are practical terms, however. As such their existence today must be determined ... in the light of the remedies now made available by the Declaratory Judgment Act and the Federal Rules. Viewed in this manner, the use of discretion by the trial court ... to deprive Beacon of a full jury trial on its counterclaim ... cannot be justified. ... Thus any defenses, equitable or legal, Fox may have to charges of antitrust violations can be raised ... in answer to Beacon's counterclaim. ... By contrast, the holding of the court below ... would compel Beacon to split his antitrust case, trying part to a judge & part to a jury. Such ... is not permissible.

Our decision is consistent with the plan... to effect substantial procedural reform while retaining a distinction between jury and nonjury issues and leaving substantive rights unchanged. Since in the federal courts equity has always acted only when legal remedies were inadequate, the expansion of adequate legal remedies ... necessarily affects the scope of equity. Thus, the justification for equity's deciding legal issues ... must be re-evaluated in the light of the liberal joinder provisions of the Federal Rules ... Similarly the need for, and therefore, the availability of such equitable remedies ... must be reconsidered ... . This is not only in accord with the spirit of the Rules and the Act but is required by the provision in the Rules that '(t)he right of trial by jury as declared by the Seventh Amendment to the Constitution ... shall be preserved \* \* \* inviolate.'

If there should be cases where the availability of ... joinder in one suit of legal and equitable causes would not in all respects protect the plaintiff seeking equitable relief from irreparable harm while affording a jury trial in the legal cause, the trial court will necessarily have to use its discretion in deciding whether the legal or equitable cause should be tried first. Since the right to jury trial is a constitutional one, however, while no similar requirement protects trials by the court, that discretion is very narrowly limited and must, wherever possible, be exercised to preserve jury trial. ... 'In the Federal courts this (jury) right cannot be dispensed with ... nor can it be impaired by any blending with a claim, properly cognizable at law, of a demand for equitable relief ... . This long-standing principle of equity dictates that only under the most imperative circumstances, circumstances which in view of the flexible procedures of the Federal Rules we cannot now anticipate, can the right to a jury trial of legal issues be lost through prior determination of equitable claims.