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FORUM NON CONVENIENS - GBV

FORUM NON CONVENIENS History, Global Practice, and Future Under the Hague Convention on Choice of Court Agreements Ronald A Brand Professor of Law and Director

(2017). The origins of the Scottish forum non conveniens ...

57 See also RA Brand and SR Jablonski, Forum Non Conveniens: History, Global Practice, and Future under the Hague Convention on Choice of Court Agreements (New York, Oxford University Press, 2007), 7; C M, Jr, "The Doctrine of Forum Non Conveniens" (1948) 34 Virginia Law Review 811, 812; and, Barrett, Jr, supra n 8, 387

Forum non Conveniens and the EU rules on Conflicts of ...

Forum non Conveniens and the EU rules on Conflicts of Jurisdiction: A Possible Global Solution Paul Beaumont The Brussels Convention was

concluded in 1968 between the original six Member States of what is now the European Union (EU)

The Misapplication and Misinterpretation of Forum Non ...

Forum non conveniens is a legal doctrine that is applied in common law judicial systems. It occurs when courts seised of a case decline jurisdiction in the belief that justice would be better served if the trial occurred in another court.¹ Forum non conveniens began in the

(2016). Reconsidering the Australian Forum (Non ...

8 RA Brand and SR Jablonski, *Forum Non Conveniens: History, Global Practice, and Future Under the Hague Convention on Choice of Court Agreements*, (OUP 2007) 90-9. P Prince, 'Bhopal, Bougainville and Ok Tedi: Why Australia's Forum Non Conveniens Approach is ...

COLUMBIA LAW REVIEW

80 COLUMBIA LAW REVIEW SIDEBAR [Vol 112:76 discussion of the doctrine of forum non conveniens, one that is directly related to the question of parallel litigation and how we treat the]

Mukarrum Ahmed and Paul Beaumont ** A. Introduction

right to litigate in a non-chosen forum as an exception rather than the norm and by allowing Article 31(2) of the Recast Regulation free rein to stay proceedings in 'non-chosen any non Convention'; Ronald A Brand and Scott R Jablonski, *Forum Non Conveniens: History, Global Practice, and Future Under the Hague Convention on Choice of Court*

TRANSNATIONAL LITIGATION AND INSTITUTIONAL CHOICE

successfully moved for forum non conveniens from later objecting to the enforcement of the resulting judgment, see Walter W Heiser, *Forum Non Conveniens and Retaliatory Legislation: The Impact on the Available Alternative Forum Inquiry and on the Desirability of Forum Non Conveniens as a Defense Tactic*, 56 U Kan L Rev 609, 641-42 (2008)

A Call for Stricter Appellate Review of Decisions on Forum ...

forum non conveniens is all the more so because of the high stakes at issue in such matters. When a case is dismissed for forum non conveniens, it usually goes away for good. Against this background, I argue that the appellate courts should adopt a stricter standard of review for decisions on ...

The Chevron-Ecuador Dispute, Forum Non Conveniens, and ...

FLASH: The Fordham Law Archive of Scholarship and History Faculty Scholarship 2013 *The Chevron-Ecuador Dispute, Forum Non Conveniens, and the Problem of Ex Ante Inadequacy: Stricter Appellate Review of Decisions on Forum Non Conveniens*, 11 WASH U GLOBAL STUDIES L REV 527, 529 (2012) ("For a number of reasons, foreign plaintiffs want

An Empirical Examination of the Adequate Alternative Forum ...

AN EMPIRICAL EXAMINATION OF THE ADEQUATE ALTERNATIVE FORUM IN THE DOCTRINE OF FORUM NON CONVENIENS Michael T Lii* I INTRODUCTION "Forum non conveniens" is a doctrine that allows a federal court in the United States upon a motion of a party to dismiss a case to a forum in a foreign country even though the court has personal and

Fordham Law Review

DEFERENCE TO THE PLAINTIFF IN FORUM NON CONVENIENS CASES Brett J Workman* Plaintiffs bring transnational suits in the United States for various reasons. In response, a defendant might move to dismiss for forum non conveniens, arguing that a court in a foreign country is a more appropriate forum in which to proceed

Is the Alien Tort Statute Sacrosanct--Retaining Forum Non ...

forum non conveniens in modern federal court practice, I look at history. An understanding of what the ATS was intended to accomplish when it was first passed, why courts first began considering the doctrine of forum non conveniens, and how this statute and doctrine developed over time allows for

BANANAS OF WRATH: HOW NICARAGUA MAY HAVE DEALT ...

2005] NICARAGUA: FORUM NON CONVENIENS 707 outside the borders of the United States¹⁷ This Comment will begin with a brief history of the common law doctrine of forum non conveniens, moving then to the criticisms of its analysis, and noting its increased use and effects

Toward a Law of 'Lovely Parting Gifts': Conditioning Forum ...

forum non conveniens³ The conceit is that the plaintiff will refile the action in a foreign forum. The history of the forum non conveniens doctrine is documented elsewhere⁴ The contemporary doctrinal construct is a two-part test: 1 See, eg, *Cohens v Virginia*, 19 US (6 Wheat) 264, 404 (1821) (Marshall, CJ) ("We

HOW TO FIX THE INCONSISTENT APPLICATION OF FORUM ...

forum non conveniens serves as an important tool for dealing with those plaintiffs who bring cases in American courts when their claims have only nominal or tangential connection to this country")¹³ See generally Donald J Carney, *Forum Non Conveniens in the United States and Canada*, 3 BUFF J

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65

2016 order granting Appellees', First Global Express, Inc ("First Global") and Yakov R Melnik ("Mr Melnik"), Motion to Transfer Venue for Forum Non Conveniens. After careful review, we affirm. The trial court summarized the relevant facts and procedural history of this case in its PaRAP 1925(a) opinion:

A Call for Stricter Appellate Review of Decisions on Forum ...

of forum non conveniens is all the more so because of the high stakes pertaining to the matter. When a case is dismissed on forum non conveniens, it usually goes away for good. Against this background, I argue that the appellate courts should adopt a stricter standard of ...

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

A Analysis of Forum Non Conveniens, the Cryo-Maid Factors and "Contemporaneously Filed" Actions. The motions before this Court are motions to dismiss or stay on forum non conveniens grounds.¹⁷ The Delaware Supreme Court has held that "as a general rule, litigation should be confined to the forum in which it is first commenced

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF ...

bifurcated, such that it would first entertain a motion to dismiss on grounds of forum non conveniens, and afterwards, if necessary, take up motions to dismiss under Rule 12(b). While Defendants believe the latter motions should not be necessary, if they are, Defendants would ask the Court to consider extending the stay requested at the