

Index

ACCESS TO JUSTICE

- Recommendations of Hague Special Commission on Service, Taking of Evidence, and Access to Justice Convention, **33:16**
- United Kingdom, key distinguishing issues, **29:2**

ADMINISTRATION

- Council of Europe Convention on Obtaining Abroad of Information and Evidence in Administrative Matters, **36:5**

ADMIRALTY AND MARITIME

ACTIONS

- Brazil, **5:75**
- Finland, **11:71**
- Kuwait, **20:73**
- Russian Federation, **22A:61**

ADMISSIBILITY AND

PRESENTATION OF EVIDENCE AT TRIAL

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- Canada, general requirements and practices, **6:48**
- China, People's Republic** (this index)
- Czech Republic, **9:55**
- Denmark, **10:41**
- Finland** (this index)
- France, **12:41**
- Germany** (this index)
- India, **15:25, 15:26**
- Ireland, **16:29**
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Philippines, **22:60 to 22:68**
- Russian Federation** (this index)
- Singapore, **23:41**

ADMISSIBILITY AND

PRESENTATION OF EVIDENCE AT TRIAL—Cont'd

- Sweden** (this index)
- Switzerland** (this index)
- Taiwan** (this index)
- Turkey** (this index)
- United Kingdom** (this index)
- United States of America** (this index)
- Uruguay** (this index)

AGENCY

- Austria, **3:87**
- Brazil, **5:69**
- Finland, **11:65**
- Germany, **13:61**
- Hungary, **14:71**
- Japan, **18:69**
- Kuwait, **20:67**
- Sweden, **24:71**

AGGRAVATED DAMAGES

- Canada, **6:58**

ALIEN'S ACTION FOR TORT

- United States statutes, **39:11**

AMERICAN ARBITRATION

ASSOCIATION

- AAA International Dispute Resolution Procedures (including Mediation and Arbitration Rules), **41:2**
- AAA Rules and Procedures with Supplementary Procedures for International Commercial Arbitration, **41:1**

ANSWER OR STATEMENT OF DEFENCE/DEFENSE

- Australia, **2:27**
- Austria, **3:31**
- Belgium, **4:29**
- Brazil, **5:28**
- Canada, **6:20**
- China, People's Republic, **7:42**

**ANSWER OR STATEMENT OF
DEFENCE/DEFENSE—Cont'd**

Czech Republic, **9:27**
 Finland, **11:25, 11:26**
 France, **12:24**
 Germany, **13:27**
 Hungary, **14:33**
 India, **15:15**
 Ireland, **16:23**
 Italy, **17:17**
 Japan, **18:28**
 Korea, **19:46**
 Kuwait, **20:26**
 Russian Federation, **22A:28**
 Singapore, **23:21**
 Sweden, **24:28**
 Switzerland, **25:27**
 Taiwan, **26:19**
 Turkey, **27:33**
 United States of America, **30:29**
 Uruguay, **31:20**

ANTON PILLER ORDER

Singapore, **23:33**

**APPEAL AND REVIEW OF
TRANSNATIONAL JUDGMENTS**

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Czech Republic (this index)
 Denmark, **10:42**
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India (this index)
 Ireland, **16:30**
 Italy, **17:39, 17:40**
Japan (this index)
Korea (this index)
Kuwait (this index)
 Philippines, **22:69 to 22:72**
Russian Federation (this index)
Sweden (this index)
Switzerland (this index)

**APPEAL AND REVIEW OF
TRANSNATIONAL JUDGMENTS
—Cont'd**

Taiwan (this index)
Turkey (this index)
United Arab Emirates (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

ARBITRATION

AAA. **American Arbitration Association** (this index)
 Agreement Relating to Application of the European Convention on International Commercial Arbitration, **36:7**
Arbitration Rules (this index)
 Australia, **41:35**
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
 Class arbitration, feasibility, generally, **1:4**
 Convention on the Recognition and Enforcement of Foreign Arbitral Awards, **34:4**
 Council of Europe Convention Providing a Uniform Law on Arbitration, **36:6**
Czech Republic (this index)
 Denmark, **10:58**
 English Arbitration Act, **40:3**
 European Convention on International Commercial Arbitration, **34:7, 36:7**
 Fair and efficient process, **1:6**
Finland (this index)
 Florida International Commercial Arbitration Act, **41:38**
 Foreign jurisdictions
 arbitration rules of Chinese Arbitration Association, Taipei, **40:22**
 China, People's Republic of, Arbitration Law, 1994, **40:16**
 Commercial Arbitration Law of Kingdom of Cambodia, **40:15**
 English Arbitration Act, **40:3**

INDEX

ARBITRATION—Cont'd

- Foreign jurisdictions—Cont'd
 - German Arbitration Act, **40:10**
 - Hong Kong Arbitration Ordinance, **40:20, 41:34**
 - Ireland, Arbitration Act 2010, **40:4**
 - Italy, Arbitration (Title VII of Book IV of Italian Code of Civil Procedure), **40:5**
 - Mongolia Law on Arbitration, **40:18**
 - Saudia Arabia, Law of Arbitration, **40:19**
 - Singapore International Arbitration Act, **40:21**
 - South African Arbitration Act, **40:13**
- France** (this index)
- German Arbitration Act, **40:10**
- Inter-American Convention on Extraterritorial Validity of Foreign Judgments and Arbitral Awards, **38:1**
- Ireland, Arbitration Act 2010, **40:4**
- Italy, Arbitration (Title VII of Book IV of Italian Code of Civil Procedure), **40:5**
- Japan, **41:36**
- Kuwait** (this index)
- London Court of International Arbitration** (this index)
- New Zealand, **41:37**
- Nigeria** (this index)
- Philippines, **22:98 to 22:114**
- Practical guide for drafting international arbitration clauses, **42:5**
- Rules of arbitration. **Arbitration Rules** (this index)
- Russian Federation** (this index)
- South African Arbitration Act, **40:13**
- Swiss international arbitration, interim and conservatory relief, **25:44**
- UNCITRAL Model Law on International Commercial Arbitration, **42:2**
- UNCITRAL Notes on Organizing Arbitral Proceedings, **42:3**
- United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards, **34:4**
- United States Federal Arbitration Act, **39:7**

ARBITRATION—Cont'd

- United States of America** (this index)
- Uruguay** (this index)
- Vietnam** (this index)

ARBITRATION COURT FOR FOREIGN TRADE (ACFT)

- Cuba** (this index)

ARBITRATION RULES

- Generally, **41:1 to 41:38**
- American Arbitration Association
 - AAA International Dispute Resolution Procedures (including Mediation and Arbitration Rules), **41:2**
 - AAA Rules and Procedures with Supplementary Procedures for International Commercial Arbitration, **41:1**
- Arbitration Foundation of Southern Africa
 - administered arbitration and mediation, introduction to, **41:19**
 - commercial arbitration rules, **41:20**
 - recommended standard clauses, **41:21**
- Arbitration Institute of Stockholm Chamber of Commerce
 - expedited arbitration rules, **41:13**
 - rules of arbitration, **41:12**
- Cairo Regional Centre for International Commercial Arbitration
 - ADR rules, **41:18**
 - rules of arbitration, **41:17**
- Czech Republic, Rules of the Arbitration Court, **41:22**
- Egypt. Cairo Regional Centre for International Commercial Arbitration, above
- Georgia, law on private arbitration, **41:30**
- International Bar Association
 - Guidelines on Conflicts of Interest in International Arbitration, **41:6**
 - Rules on Taking of Evidence in International Commercial Arbitration, **41:5**
- International Chamber of Commerce
 - ADR Rules and Guide to ICC ADR, **41:9**

ARBITRATION RULES—Cont'd

International Chamber of Commerce
—Cont'd
drafting arbitral clause, **41:8**
rules for pre-arbitral referee procedure, **41:10**
Rules of Arbitration, **41:7, 41:7.50**
rules of ICC as appointing authority in UNCITRAL or other ad hoc arbitration proceedings, **41:11**
International Dispute Resolution
Procedures (Including Mediation and Arbitration Rules), **41:2.50**
Irish Arbitration Act, **41:31**
Kyrgyz Republic, arbitration rules, **41:25**
London Court of International Arbitration
Mediation, **41:4, 41:4.30**
Rules of Arbitration, **41:3, 41:3.30**
Mongolian National Arbitration Court
Arbitration Rules (adopted June 16, 2003), **41:26**
National Arbitration Forum
arbitration agreement drafting guide, **41:15**
Code of Procedure, **41:14**
fee schedule to Code of Procedure, **41:16**
Romania, Court of International Commercial Arbitration of the
Romanian Chamber of Commerce and Industry Arbitration Rules (in force 25 Mar 2010), **41:27**
Singapore Arbitration Act of 2001, **41:28**
South Africa. Arbitration Foundation of
Southern Africa, above
Sweden. Arbitration Institute of
Stockholm Chamber of Commerce, above
Tunis Center for Conciliation and
Arbitration
rules of arbitration, **41:23**
rules of mediation and conciliation, **41:24**
UNCITRAL Arbitration Rules, generally, **41:11.50**
U.S. Department of Commerce
International Arbitration Guide, **41:29**

ARBITRATION RULES—Cont'd

Vietnam
Arbitration Center Rules, **41:32**
International Arbitration Center,
Rules of Arbitration of, **41:33**
World Intellectual Property Organization
Arbitration Rules, **41:11.70**

ATTACHMENT

Australia (this index)
Austria, **3:116**
Belgium, **4:71**
Brazil, **5:102**
Canada, **6:76**
China, People's Republic, **7:104**
Czech Republic, **9:76, 9:77**
Denmark, **10:30**
Finland, **11:92**
Germany, **13:92**
Japan, **18:96**
Korea, **19:128**
Kuwait, **20:34, 20:100, 20:101**
Sweden, **24:93**
Switzerland, **25:80, 25:81**
Turkey, **27:89**
United Arab Emirates (this index)
United Kingdom, **29:91**
United States of America, **30:88, 30:89**
Uruguay, **31:75**

ATTORNEY-CLIENT PRIVILEGE

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Finland (this index)
Germany (this index)
Hungary (this index)
Japan (this index)
Korea (this index)
Kuwait (this index)
Russian Federation, taking of witness
evidence domestically in support of
foreign proceedings, **22A:45**
Sweden (this index)
Turkey (this index)
United Kingdom (this index)

INDEX

ATTORNEY-CLIENT PRIVILEGE

—Cont'd

United States of America (this index)
Uruguay (this index)

ATTORNEY FEES

Australia, **2:98**
Austria, **3:121**
Belgium, **4:76**
Brazil, **5:109**
Canada, **6:81**
China, People's Republic, **7:109**
Czech Republic, **9:81**
Finland, **11:98**
France, **12:68**
Germany, **13:98**
Hungary, **14:102**
Japan, **18:102**
Korea, **19:134**
Kuwait, **20:107**
Russian Federation, **22A:93**
Singapore, **23:53**
Sweden, **24:100**
Switzerland, **25:83, 25:85**
Taiwan, **26:56**
Turkey, **27:95**
United Kingdom, **29:98**
United States of America, **30:95**
Uruguay, **31:81**

ATTORNEY WORK PRODUCT PRIVILEGE

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Finland (this index)
Germany (this index)
Hungary (this index)
Japan (this index)
Korea (this index)
Kuwait (this index)
Russian Federation, taking of witness
evidence domestically in support of
foreign proceedings, **22A:45**
Sweden (this index)
Turkey (this index)

ATTORNEY WORK PRODUCT PRIVILEGE—Cont'd

United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

AUCTION

United Arab Emirates, execution of
judgments, **28:65**

AUDIENCE IN COURT

Australia, **2:3**
Austria, **3:3**
Belgium, **4:5**
Brazil, **5:3**
Canada, **6:3**
China, People's Republic, **7:14**
Czech Republic, **9:4**
Denmark, **10:3**
Finland, **11:3**
France, **12:3**
Germany, **13:3**
Hungary, **14:3**
Ireland, **16:3**
Japan, **18:3**
Korea, **19:14**
Kuwait, **20:3**
Singapore, **23:3**
Sweden, **24:3**
Switzerland, **25:3**
Taiwan, **26:3**
Turkey, **27:7**
United States of America, **30:4**

AUSTRALIA

Generally, **2:1 to 2:98**
Ab initio objection to jurisdiction, **2:9**
Admissibility and presentation at trial of
evidence taken domestically or
abroad
admissibility at trial, **2:66**
general requirements and practices,
2:65
Answer or statement of defence, **2:27**
Appeal and review of transnational
judgments
conclusiveness and finality of judg-
ments, generally, **2:67**
practical problems, **2:70**
procedural issues, **2:68**

AUSTRALIA—Cont'd

- Appeal and review of transnational judgments—Cont'd
 - relevance to later efforts to recognize and enforce, **2:72**
 - strategic considerations, **2:71**
 - substantive issues, **2:69**
 - time factors, **2:70**
- Application (basic form), **App. 2D**
- Arbitration, **41:35**
- Attachment
 - post-judgment attachment, sovereign immunity, **2:92**
 - pre-judgment attachment, sovereign immunity, **2:91**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **2:64**
 - taking of documentary evidence domestically in support of foreign action, **2:59**
 - taking of witness evidence abroad in support of domestic action, **2:53**
 - taking of witness evidence domestically in support of foreign action, **2:45**
- Attorney fees, **2:98**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **2:64**
 - taking of documentary evidence domestically in support of foreign action, **2:59**
 - taking of witness evidence abroad in support of domestic action, **2:53**
 - taking of witness evidence domestically in support of foreign action, **2:45**
- Audience in court, rights, **2:3**
- Bilateral treaties, service of process domestically to commence foreign action, **2:16**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **2:54**

AUSTRALIA—Cont'd

- Blocking statutes—Cont'd
 - taking of witness evidence domestically in support of foreign action, **2:39**
- Challenges to jurisdiction, **2:8**
- Choice of forum clauses, **2:7**
- Choice of law
 - choice of law clauses, **2:12**
 - foreign substantive law, bases for application, **2:11**
 - party autonomy, **2:12**
 - relevance to later efforts to recognize and enforce, **2:13**
 - statutory and other bases for application of foreign substantive law, **2:11**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - answer or statement of defence, **2:27**
 - complaint or statement of claim, **2:26**
 - form of answer or statement of defence, **2:27**
 - form of complaint or statement of claim, **2:26**
 - statement of claim, **2:26**
 - statement of defence, **2:27**
 - strategic considerations, answer or statement of defence, **2:27**
 - strategic considerations, complaint or statement of claim, **2:26**
 - substance and content of answer or statement of defence, **2:27**
 - substance and content of complaint or statement of claim, **2:26**
- Commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Complaint or statement of claim, **2:26**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **2:67**
- Content
 - answer or statement of defence, **2:27**

INDEX

AUSTRALIA—Cont'd

- Content—Cont'd
 - complaint or statement of claim, **2:26**
- Contingent fees, **2:98**
- Contract, acceptable kinds of damages recovery in, **2:73**
- Conventions
 - recognition and enforcement of foreign civil and commercial judgments, **2:79**
 - service of process abroad to commence domestic action, **2:20**
 - service of process domestically to commence foreign action, **2:15**
 - taking of documentary evidence abroad in support of domestic action, **2:60**
 - taking of documentary evidence domestically in support of foreign action, **2:55**
 - taking of witness evidence abroad in support of domestic action, **2:46**
 - taking of witness evidence domestically in support of foreign action, **2:40**
- Costs and fees
 - generally, **2:94**
 - attorney fees, **2:98**
 - contingent fees, **2:98**
 - court costs, **2:96**
 - fee schedules, **2:98**
 - interest, **2:97**
 - security for costs, **2:95**
- Court structure
 - adjudication, time horizon and influencing factors, **2:4**
 - audience rights, **2:3**
 - Federal courts, below
 - foreign co-counsel, role, **2:3**
- Currency conversion, damages recovery, **2:78**
- Damages
 - acceptable kinds of damages recovery in contract, **2:73**
 - currency conversion, **2:78**
 - lost profits damages, specific issues, **2:74**
 - non-contractual bases, damages recovery in, **2:75**

AUSTRALIA—Cont'd

- Damages—Cont'd
 - product liability, damages recovery in, **2:75**
 - public policy constraints, **2:77**
 - recognition and enforcement of foreign civil and commercial judgments, **2:83**
 - standards of burden of proof for recovery, **2:76**
 - tort action, damages recovery in, **2:75**
- Default judgments
 - recognition and enforcement of foreign civil and commercial judgments, **2:83**
 - service of process abroad to commence domestic action, **2:25**
- Discovery
 - recognition and enforcement of foreign civil and commercial judgments, **2:83**
 - taking of documentary evidence domestically in support of foreign action, **2:54**
 - taking of witness evidence domestically in support of foreign action, **2:39**
- Documentary evidence
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Enforcement of judgments against foreign sovereigns, **2:92, 2:93**
- Enforcement of jurisdiction, **2:9**
- Evidence
 - damages recovery, standards of burden of proof, **2:76**
 - expert evidence, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **2:90**
 - taking of witness evidence abroad in support of domestic action, below

AUSTRALIA—Cont'd

- Evidence—Cont'd
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence
 - taking of witness evidence abroad in support of domestic action, **2:52**
 - taking of witness evidence domestically in support of foreign action, **2:44**
- Federal courts
 - CM6 Electronic Technology in Litigation, **40:2**
 - Federal Court of Australia Act 1976, **40:1**
- Fees. Costs and fees, above
- Foreign co-counsel, role, **2:3**
- Foreign Judgments Act (Act No. 112 of 1991)
 - List of Countries Covered by FJA, **App. 2B**
 - text, **App. 2H**
- Foreign jurisdictions, Federal Court of Australia Act 1976, **40:1**
- Foreign Proceedings (Excess of Jurisdiction) Act (Cth) 1984, **App. 2G**
- Form of answer or statement of defence, **2:27**
- Form of complaint or statement of claim, **2:26**
- Forum non conveniens and equivalent notions, **2:8**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence abroad in support of domestic action, **2:64**
 - taking of documentary evidence domestically in support of foreign action, **2:59**
 - taking of witness evidence abroad in support of domestic action, **2:53**
 - taking of witness evidence domestically in support of foreign action, **2:45**
- Injunctions and similar emergency measures
 - against foreign sovereigns, **2:91**

AUSTRALIA—Cont'd

- Injunctions and similar emergency measures—Cont'd
 - interim and conservative relief, **2:34 to 2:38**
- Inter-American Convention on Taking of Evidence Abroad
 - generally, **2:47**
 - ratifications, **2:48**
 - signatories, **2:48**
- Interest, costs and fees, **2:97**
- Interim and conservative relief
 - generally, **2:34**
 - injunctions and similar emergency measures, **2:34 to 2:38**
 - parallel suits, possible strategies, **2:38**
 - petitions abroad in connection with domestic proceedings, **2:35**
 - petitions domestically in support of foreign proceedings, **2:36**
 - property as security device, **2:37**
 - security, **2:37**
- List of Countries Covered by FJA, **App. 2B**
- List of Mandatory Laws of Commonwealth, **App. 2C**
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil and commercial judgments, **2:81**
 - service of process abroad to commence domestic action, **2:22**
 - service of process domestically to commence foreign action, **2:17**
- Lost profits damages, specific issues, **2:74**
- Non-contractual bases, damages recovery in, **2:75**
- Obtaining jurisdiction and choice of forum
 - generally, **App. 2A**
 - ab initio objection to jurisdiction, **2:9**
 - Australia Federal Courts, CM6
 - Electronic Technology in Litigation, **40:2**
 - challenges to jurisdiction, **2:8**
 - choice of forum clauses, **2:7**
 - enforcement of jurisdiction, **2:9**

INDEX

AUSTRALIA—Cont'd

- Obtaining jurisdiction and choice of forum—Cont'd
 - Federal Court of Australia Act 1976, **40:1**
 - forum non conveniens and equivalent notions, **2:8**
 - parallel proceedings, **2:10**
 - party autonomy, **2:7**
 - personal jurisdiction, basis for acceptance, **2:5**
 - property as jurisdictional basis, **2:6**
 - relevance to later efforts to recognize and enforce, **2:9**
 - statutory and other bases, **2:5**
 - subject matter jurisdiction, basis for acceptance, **2:5**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil and commercial judgments, **2:80**
 - taking of documentary evidence abroad in support of domestic action, **2:61**
 - taking of documentary evidence domestically in support of foreign action, **2:56**
 - taking of witness evidence abroad in support of domestic action, **2:49**
 - taking of witness evidence domestically in support of foreign action, **2:41**
- Parallel proceedings
 - interim and conservative relief, possible strategies, **2:38**
 - obtaining jurisdiction and choice of forum, **2:10**
- Party autonomy
 - choice of law, **2:12**
 - obtaining jurisdiction and choice of forum, **2:7**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **2:5**
 - sovereign immunity, **2:89**
- Petitions abroad in connection with domestic proceedings, **2:35**
- Petitions domestically in support of foreign proceedings, **2:36**

AUSTRALIA—Cont'd

- Post-judgment attachment, sovereign immunity, **2:92**
- Practical problems
 - appeal and review of transnational judgments, **2:70**
 - recognition and enforcement of foreign civil and commercial judgments, **2:82**
 - service of process abroad to commence domestic action, **2:23**
 - service of process domestically to commence foreign action, **2:18**
 - summary judgments and equivalent proceedings, **2:31**
 - taking of documentary evidence abroad in support of domestic action, **2:62**
 - taking of documentary evidence domestically in support of foreign action, **2:57**
 - taking of witness evidence abroad in support of domestic action, **2:50**
 - taking of witness evidence domestically in support of foreign action, **2:42**
- Pre-judgment attachment, sovereign immunity, **2:91**
- Privileges. Immunities and privileges, above
- Product liability, damages recovery in, **2:75**
- Property as jurisdictional basis, **2:6**
- Property as security device, **2:37**
- Public policy
 - damages, **2:77**
 - recognition and enforcement of foreign civil and commercial judgments, **2:83**
- Punitive damages, recognition and enforcement of foreign civil and commercial judgments, **2:83**
- Queensland Commercial Arbitration Act, **41:35**
- Recognition and enforcement of foreign civil and commercial judgments
 - conventions, **2:79**
 - damages, **2:83**
 - default judgments, **2:83**
 - discovery, **2:83**

AUSTRALIA—Cont'd

- Recognition and enforcement of foreign civil and commercial judgments—Cont'd
 - local procedural requirements at place of action, **2:81**
 - other issues affecting enforceability, **2:83**
 - other means and absence of conventions, **2:80**
 - practical problems, **2:82**
 - public policy issues, **2:83**
 - punitive damages, **2:83**
 - time factors, **2:82**
- Recognition and enforcement of judgments against foreign sovereigns, **2:93**
- Recognition to later efforts to recognize and enforce
 - appeal and review of transnational judgments, **2:72**
 - choice of law, **2:13**
 - obtaining jurisdiction and choice of forum, **2:9**
 - service of process abroad to commence domestic action, **2:24**
 - service of process domestically to commence foreign action, **2:19**
 - summary judgments and equivalent proceedings, **2:33**
 - taking of documentary evidence abroad in support of domestic action, **2:63**
 - taking of documentary evidence domestically in support of foreign action, **2:58**
 - taking of witness evidence abroad in support of domestic action, **2:51**
 - taking of witness evidence domestically in support of foreign action, **2:43**
- Rights of audience in court, **2:3**
- Schedule of fees, **2:98**
- Schedule of Fees in Federal Court, **App. 2E**
- Secrecy laws
 - taking of documentary evidence domestically in support of foreign action, **2:54**

AUSTRALIA—Cont'd

- Secrecy laws—Cont'd
 - taking of witness evidence domestically in support of foreign action, **2:39**
- Security
 - costs, security for, **2:95**
 - property as security device, **2:37**
- Service of process abroad to commence domestic action
 - conventions, **2:20**
 - default judgments, **2:25**
 - local procedural requirements at place of action, **2:22**
 - other means and absence of conventions, **2:21**
 - practical problems, **2:23**
 - relevance to later efforts to recognize and enforce at place of judgment, **2:24**
 - time factors, **2:23**
- Service of process domestically to commence foreign action
 - bilateral treaties and other such means, **2:16**
 - conventions, **2:15**
 - local procedural requirements at place of action, **2:17**
 - other means and absence of conventions, **2:16**
 - practical problems, **2:18**
 - relevance to later efforts to recognize and enforce at place of service, **2:19**
 - time factors, **2:18**
- Service of process on foreign sovereigns, **2:88**
- Settlement and compromise of proceedings
 - formalities, **2:85**
 - kinds of settlement and compromise, **2:84**
 - litigation, effect on, **2:86**
 - requirements, **2:85**
- Sovereign immunity
 - generally, **2:87**
 - aids in enforcement of judgments against foreign sovereigns, **2:92**

INDEX

AUSTRALIA—Cont'd

- Sovereign immunity—Cont'd
 - enforcement of judgments against foreign sovereigns, **2:92, 2:93**
 - injunctive measures against foreign sovereigns, **2:91**
 - personal jurisdiction, **2:89**
 - post-judgment attachment, **2:92**
 - pre-judgment attachment, **2:91**
 - recognition and enforcement of judgments against foreign sovereigns, **2:93**
 - service of process on foreign sovereigns, **2:88**
 - subject matter jurisdiction, **2:89**
 - taking of evidence against foreign sovereign entities, **2:90**
- Standards of burden of proof for damages recovery, **2:76**
- Statement of claim, **2:26**
- Statement of defence, **2:27**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **2:11**
 - obtaining jurisdiction and choice of forum, **2:5**
- Strategic considerations
 - answer or statement of defence, **2:27**
 - appeal and review of transnational judgments, **2:71**
 - complaint or statement of complaint, **2:26**
 - summary judgments and equivalent proceedings, **2:32**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **2:5**
 - sovereign immunity, **2:89**
- Substance and content
 - answer or statement of defence, **2:27**
 - complaint or statement of claim, **2:26**
- Substantive and practical overview of key distinguishing issues in Australia, **2:1**
- Substantive issues
 - appeal and review of transnational judgments, **2:69**

AUSTRALIA—Cont'd

- Substantive issues—Cont'd
 - choice of law, **2:11**
 - summary judgments and equivalent proceedings, **2:30**
- Summary judgments and equivalent proceedings
 - generally, **2:28**
 - practical problems, **2:31**
 - procedural requirements, **2:29**
 - relevance to later efforts to recognize and enforce, **2:33**
 - strategic considerations, **2:32**
 - substantive requirements, **2:30**
 - time factors, **2:31**
- Table of Cases, **App. 2F**
- Taking of documentary evidence abroad in support of domestic action
 - admissibility and presentation at trial of evidence taken domestically or abroad, **2:65, 2:66**
 - attorney-client privilege, **2:64**
 - attorney work produce privilege, **2:64**
 - conventions, **2:60**
 - other means and absence of conventions, **2:61**
 - practical problems, **2:62**
 - privileges, **2:64**
 - relevance to later efforts to recognize and enforce at place of judgment, **2:63**
 - time factors, **2:62**
- Taking of documentary evidence domestically in support of foreign action
 - admissibility and presentation at trial of evidence taken domestically or abroad, **2:65, 2:66**
 - attorney-client privilege, **2:59**
 - attorney work product privilege, **2:59**
 - blocking statutes, **2:54**
 - conventions, **2:55**
 - discovery, when and from whom, **2:54**
 - other means and absence of conventions, **2:56**
 - practical problems, **2:57**
 - privileges, **2:59**

AUSTRALIA—Cont'd

- Taking of documentary evidence
 - domestically in support of foreign action—Cont'd
 - relevance to later efforts to recognize and enforce at place of service, **2:58**
 - secrecy laws, **2:54**
 - time factors, **2:57**
- Taking of witness evidence abroad in support of domestic action
 - admissibility and presentation at trial of evidence taken domestically or abroad, **2:65, 2:66**
 - attorney client privilege, **2:53**
 - attorney work product privilege, **2:53**
 - conventions, **2:46**
 - expert evidence, special issues, **2:52**
- Inter-American Convention on Taking of Evidence Abroad, **2:47, 2:48**
- other means and absence of conventions, **2:49**
- practical problems, **2:50**
- privileges, **2:53**
- ratifications, Inter-American Convention on Taking of Evidence Abroad, **2:48**
- relevance to later efforts to recognize and enforce at place of judgment, **2:51**
- signatories, Inter-American Convention on Taking of Evidence Abroad, **2:48**
- time factors, **2:50**
- Taking of witness evidence domestically in support of foreign action
 - admissibility and presentation at trial of evidence taken domestically or abroad, **2:65, 2:66**
 - attorney-client privilege, **2:45**
 - attorney work product privilege, **2:45**
 - blocking statutes, **2:39**
 - conventions, **2:40**
 - discovery, when and from whom, **2:39**
 - expert evidence, special issues, **2:44**
 - other means and absence of conventions, **2:41**

AUSTRALIA—Cont'd

- Taking of witness evidence domestically in support of foreign action
 - Cont'd
 - practical problems, **2:42**
 - privileges, **2:45**
 - relevance to later efforts to recognize and enforce at place of service, **2:43**
 - secrecy laws, **2:39**
 - time factors, **2:42**
- Time factors
 - adjudication, time horizon and influencing factors, **2:4**
 - appeal and review of transnational judgments, **2:70**
 - recognition and enforcement of foreign civil and commercial judgments, **2:82**
 - service of process abroad to commence domestic action, **2:23**
 - service of process domestically to commence foreign action, **2:18**
 - summary judgments and equivalent proceedings, **2:31**
 - taking of documentary evidence abroad in support of domestic action, **2:62**
 - taking of documentary evidence domestically in support of foreign action, **2:57**
 - taking of witness evidence abroad in support of domestic action, **2:50**
 - taking of witness evidence domestically in support of foreign action, **2:42**
- Tort action, damages recovery in, **2:75**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

AUSTRIA

- Generally, **3:1 to 3:139**
- Abbreviations, **App. 3A**
- Ab initio objection to jurisdiction, **3:11**

INDEX

AUSTRIA—Cont'd

- Admissibility and presentation at trial of evidence taken domestically or abroad
 - agency, **3:87**
 - construction, **3:90**
 - general commercial, **3:84**
 - general requirements and practices, **3:83**
 - intellectual property, **3:86**
 - principal-agent, **3:87**
 - products liability, **3:89**
 - sale of goods, **3:85**
 - tort, **3:88**
- Agency, admissibility and presentation at trial of evidence taken domestically or abroad, **3:87**
- Answer or statement of defense, **3:31**
- Appeal and review of transnational judgments
 - conclusiveness and finality of judgments, generally, **3:91**
 - extraordinary means of appeal, **3:93**
 - ordinary means of appeal, **3:92**
 - practical problems, **3:94**
 - relevance to later efforts to recognize and enforce, **3:95**
 - strategic considerations, **3:95**
 - time factors, **3:94**
- Appeal of arbitrator's decision, **3:136**
- Arbitration
 - generally, **3:124**
 - appeal of arbitrator's decision, **3:136**
 - confidentiality, **3:132**
 - duties of arbitrators, **3:134**
 - enforcement of agreement to arbitrate, **3:130**
 - enforcement of awards made outside Austria, **3:138**
 - institutions, **3:139**
 - international arbitration in conventions to which Austria is party, **3:125**
 - jurisdiction of arbitrators, **3:131**
 - preliminary relief, **3:133**
 - qualification of arbitrators, **3:128**
 - right of representation, **3:129**
 - setting aside or vacating arbitral award, **3:137**

AUSTRIA—Cont'd

- Arbitration—Cont'd
 - statute, **3:126**
 - time limit to issue award, **3:135**
 - UNCITRAL model law on international commercial arbitration, **3:127**
- Attachment
 - post-judgment attachment, sovereign immunity, **3:116**
 - pre-judgment attachment, sovereign immunity, **3:116**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **3:82**
 - taking of documentary evidence domestically in support of foreign action, **3:72**
 - taking of witness evidence abroad in support of domestic action, **3:65**
 - taking of witness evidence domestically in support of foreign action, **3:52**
- Attorney fees, **3:121**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **3:82**
 - taking of documentary evidence domestically in support of foreign action, **3:72**
 - taking of witness evidence abroad in support of domestic action, **3:65**
- Audience in court, rights, **3:3**
- Bank secrecy, taking of witness evidence domestically in support of foreign action, **3:55**
- Bilateral enforcement treaties, recognition and enforcement of foreign civil and commercial judgments, **3:104**
- Bilateral Enforcement Treaties in Civil and Commercial Matters with Austria, **App. 3F**
- Bilateral treaties on judicial assistance, taking of documentary evidence domestically in support of foreign action, **3:69**

AUSTRIA—Cont'd

- Blocking statutes
 - taking of documentary evidence
 - domestically in support of foreign action, **3:67**
 - taking of witness evidence domestically in support of foreign action, **3:45, 3:46**
- Challenges to jurisdiction, **3:10**
- Choice of forum clauses, **3:9**
- Choice of law
 - choice of law clauses, **3:14**
 - foreign substantive law, bases for application, **3:13**
 - party autonomy, **3:14**
 - relevance to later efforts to recognize and enforce, **3:15**
 - statutory and other bases for application of foreign substantive law, **3:13**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - answer or statement of defense, **3:31**
 - complaint or statement of claim, **3:30**
 - counterclaims, **3:32**
 - exchange of brief, **3:32**
 - further proceedings, **3:32**
 - statement of defence, **3:31**
- Community law
 - recognition and enforcement of foreign civil and commercial judgments, **3:103**
 - service of process abroad to commence domestic action, **3:24**
 - service of process domestically to commence foreign action, **3:17**
- Complaint or statement of claim, **3:30**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **3:91**
- Confidentiality of arbitration proceedings, **3:132**
- Construction work, admissibility and presentation at trial of evidence

AUSTRIA—Cont'd

- taken domestically or abroad, **3:90**
- Contingent fees, **3:121**
- Contract, acceptable kinds of damages recovery in, **3:96**
- Conventions
 - international arbitration in conventions to which Austria is party, **3:125**
 - recognition and enforcement of foreign civil and commercial judgments, **3:103**
 - service of process abroad to commence domestic action, **3:24**
 - service of process domestically to commence foreign action, **3:17**
 - taking of documentary evidence abroad in support of domestic action, **3:78**
 - taking of documentary evidence domestically in support of foreign action, **3:68**
 - taking of witness evidence abroad in support of domestic action, **3:58**
 - taking of witness evidence domestically in support of foreign action, **3:47**
- Costs and fees
 - generally, **3:118**
 - attorney fees, **3:121**
 - contingent fees, **3:121**
 - court costs, **3:119**
 - fee schedules, **3:121**
 - interest, **3:120**
 - legal aid, **3:123**
 - litigation costs and reimbursement, **3:122**
 - security for costs, **3:118**
- Counterclaims, **3:32**
- Court structure
 - generally, **3:2**
 - adjudication, time horizon and influencing factors, **3:4**
 - audience rights, **3:3**
 - foreign co-counsel, role, **3:3**
- Currency conversion, **3:101, 3:102**
- Damages
 - acceptable kinds of damages recovery in contract, **3:96**

INDEX

AUSTRIA—Cont'd

Damages—Cont'd

- currency conversion, **3:101**
- lost profits damages, specific issues, **3:97**
- non-contractual bases, damages recovery in, **3:98**
- product liability, damages recovery in, **3:98**
- public policy constraints, **3:100**
- recognition and enforcement of foreign civil and commercial judgments, **3:108**
- standards of burden of proof for recovery, **3:99**
- tort action, damages recovery in, **3:98**

Default judgments

- recognition and enforcement of foreign civil and commercial judgments, **3:108**
- service of process abroad to commence domestic action, **3:29**
- service of process domestically to commence foreign action, **3:22**

Discovery

- recognition and enforcement of foreign civil and commercial judgments, **3:108**
- taking of documentary evidence domestically in support of foreign action, **3:67**
- taking of witness evidence domestically in support of foreign action, **3:45, 3:46**

Doctor-patient privilege

- taking of documentary evidence domestically in support of foreign action, **3:75**
- taking of witness evidence domestically in support of foreign action, **3:56**

Documentary evidence

- taking of documentary evidence abroad in support of domestic action, below
- taking of documentary evidence domestically in support of foreign action, below

Enforcement of agreement to arbitrate, **3:130**

AUSTRIA—Cont'd

Enforcement of arbitration awards made outside Austria, **3:138**

Enforcement of judgments against foreign sovereigns, **3:116, 3:117**

Enforcement of jurisdiction, **3:11**

European Jurisdiction Area, obtaining jurisdiction and choice of forum, **3:6**

European order for payment procedure, summary judgments and equivalent proceedings, **3:38**

Evidence

- damages recovery, standards of burden of proof, **3:99**
- expert evidence, below
- taking of documentary evidence domestically in support of foreign action, below
- taking of evidence against foreign sovereign entities, **3:115**
- taking of witness evidence abroad in support of domestic action, below
- taking of witness evidence domestically in support of foreign action, below

Expert evidence

- taking of witness evidence abroad in support of domestic action, **3:64**
- taking of witness evidence domestically in support of foreign action, **3:51**

Fees. Costs and fees, above

Fee schedules, **3:121**

Foreign co-counsel, role, **3:3**

Forum non conveniens and equivalent notions, **3:10**

General commercial, admissibility and presentation at trial of evidence taken domestically or abroad, **3:84**

Immunities and privileges

- sovereign immunity, below
- taking of documentary evidence abroad in support of domestic action, **3:82**
- taking of documentary evidence domestically in support of foreign action, **3:72 to 3:75**

AUSTRIA—Cont'd

- Immunities and privileges—Cont'd
 - taking of witness evidence abroad in support of domestic action, **3:65**
 - taking of witness evidence domestically in support of foreign action, **3:52 to 3:56**
- Injunctions and similar emergency measures
 - against foreign sovereigns, **3:116**
 - interim and conservative relief, **3:39 to 3:43**
- Intellectual property, admissibility and presentation at trial of evidence taken domestically or abroad, **3:86**
- Interest, costs and fees, **3:120**
- Interim and conservative relief
 - generally, **3:39**
 - injunctions and similar emergency measures, **3:37 to 3:41**
 - parallel suits, possible strategies, **3:43**
 - petitions abroad in connection with domestic proceedings, **3:40**
 - petitions in Austria in support of foreign proceedings, **3:41**
 - property as security device, **3:42**
 - security, **3:42**
- Jurisdiction of arbitrators, **3:131**
- Legal aid, **3:123**
- List of Countries with Mutual Recognition in Civil and Commercial Matters with Austria, **App. 3D**
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil and commercial judgments, **3:106**
 - service of process abroad to commence domestic action, **3:26**
 - service of process domestically to commence foreign action, **3:19**
- Lost profits damages, specific issues, **3:97**
- Non-contractual bases, damages recovery in, **3:98**
- Obtaining jurisdiction and choice of forum
 - ab initio objection to jurisdiction, **3:11**

AUSTRIA—Cont'd

- Obtaining jurisdiction and choice of forum—Cont'd
 - challenges to jurisdiction, **3:10**
 - choice of forum clauses, **3:9**
 - enforcement of jurisdiction, **3:11**
 - European Jurisdiction Area, **3:6**
 - forum non conveniens and equivalent notions, **3:10**
 - other concepts of jurisdiction, **3:7**
 - parallel proceedings, **3:12**
 - party autonomy, **3:9**
 - personal jurisdiction, basis for acceptance, **3:5**
 - property as jurisdictional basis, **3:8**
 - relevance to later efforts to recognize and enforce, **3:11**
 - statutory and other bases, **3:5**
 - subject matter jurisdiction, basis for acceptance, **3:5**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil and commercial judgments, **3:104, 3:105**
 - service of process abroad to commence domestic action, **3:25**
 - service of process domestically to commence foreign action, **3:18**
 - taking of documentary evidence abroad in support of domestic action, **3:79**
 - taking of witness evidence abroad in support of domestic action, **3:59, 3:60**
 - taking of witness evidence domestically in support of foreign action, **3:48**
- Parallel proceedings
 - interim and conservative relief, possible strategies, **3:43**
 - obtaining jurisdiction and choice of forum, **3:12**
- Party autonomy
 - choice of law, **3:14**
 - obtaining jurisdiction and choice of forum, **3:9**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **3:5**

INDEX

AUSTRIA—Cont'd

- Personal jurisdiction—Cont'd
 - sovereign immunity, **3:114**
- Petitions abroad in connection with domestic proceedings, **3:40**
- Petitions domestically in support of foreign proceedings, **3:41**
- Post-judgment attachment, sovereign immunity, **3:116**
- Practical problems
 - appeal and review of transnational judgments, **3:94**
 - recognition and enforcement of foreign civil and commercial judgments, **3:107**
 - service of process abroad to commence domestic action, **3:27**
 - service of process domestically to commence foreign action, **3:20**
 - summary judgments and equivalent proceedings, **3:35**
 - taking of documentary evidence abroad in support of domestic action, **3:80**
 - taking of documentary evidence domestically in support of foreign action, **3:70**
 - taking of witness evidence abroad in support of domestic action, **3:61**
 - taking of witness evidence domestically in support of foreign action, **3:49**
- Pre-judgment attachment, sovereign immunity, **3:116**
- Principal-agent, admissibility and presentation at trial of evidence taken domestically or abroad, **3:87**
- Privileges. Immunities and privileges, above
- Product liability
 - admissibility and presentation at trial of evidence taken domestically or abroad, **3:89**
 - damages recovery in, **3:98**
- Property
 - jurisdictional basis, **3:8**
 - security device, **3:42**
- Public policy
 - damages, **3:100**

AUSTRIA—Cont'd

- Public policy—Cont'd
 - recognition and enforcement of foreign civil and commercial judgments, **3:108**
- Punitive damages, recognition and enforcement of foreign civil and commercial judgments, **3:108**
- Recognition and enforcement of foreign civil and commercial judgments
 - conventions, **3:103**
 - damages, **3:108**
 - default judgments, **3:108**
 - discovery, **3:108**
 - local procedural requirements at place of action, **3:106**
 - multilateral conventions, **3:103**
 - other issues affecting enforceability, **3:108**
 - other means and absence of conventions, **3:104, 3:105**
 - practical problems, **3:107**
 - public policy issues, **3:108**
 - punitive damages, **3:108**
 - time factors, **3:107**
- Recognition and enforcement of judgments against foreign sovereigns, **3:117**
- Reimbursement for litigation costs, **3:122**
- Relevance to later efforts to recognize and enforce
 - appeal and review of transnational judgments, **3:95**
 - choice of law, **3:15**
 - obtaining jurisdiction and choice of forum, **3:11**
 - service of process abroad to commence domestic action, **3:28**
 - service of process domestically to commence foreign action, **3:21**
 - summary judgments and equivalent proceedings, **3:37**
 - taking of documentary evidence abroad in support of domestic action, **3:81**
 - taking of documentary evidence domestically in support of foreign action, **3:71**

AUSTRIA—Cont'd

- Relevance to later efforts to recognize and enforce—Cont'd
 - taking of witness evidence abroad in support of domestic action, **3:63**
 - taking of witness evidence domestically in support of foreign action, **3:50**
- Rights of audience in court, **3:3**
- Rules of taking witness evidence in Austria, taking of witness evidence abroad in support of domestic action, **3:62**
- Sale of goods, admissibility and presentation at trial of evidence taken domestically or abroad, **3:85**
- Schedules, fees, **3:121**
- Secrecy laws
 - taking of documentary evidence domestically in support of foreign action, **3:67**
 - taking of witness evidence domestically in support of foreign action, **3:45, 3:46**
- Security
 - costs, security for, **3:118**
 - property as security device, **3:42**
- Service of process abroad to commence domestic action
 - generally, **3:23**
 - community law, **3:24**
 - conventions, **3:24**
 - default judgments, **3:29**
 - local procedural requirements at place of action, **3:26**
 - other means and absence of conventions, **3:25**
 - practical problems, **3:27**
 - relevance to later efforts to recognize and enforce at place of judgment, **3:28**
 - time factors, **3:27**
- Service of process domestically to commence foreign action
 - generally, **3:16**
 - community law, **3:17**
 - conventions, **3:17**
 - default judgments, **3:22**

AUSTRIA—Cont'd

- Service of process domestically to commence foreign action—Cont'd
 - local procedural requirements at place of action, **3:19**
 - other means and absence of conventions, **3:18**
 - practical problems, **3:20**
 - relevance to later efforts to recognize and enforce at place of service, **3:21**
 - time factors, **3:20**
- Service of process on foreign sovereigns, **3:113**
- Setting aside or vacating arbitral award, **3:137**
- Settlement and compromise of proceedings
 - formalities, **3:110**
 - kinds of settlement and compromise, **3:109**
 - litigation, effect on, **3:111**
 - requirements, **3:110**
 - revision of court settlement, **3:112**
- Sovereign immunity
 - generally, **3:113**
 - aids in enforcement of judgments against foreign sovereigns, **3:116**
 - enforcement of judgments against foreign sovereigns, **3:116, 3:117**
 - injunctive measures against foreign sovereigns, **3:116**
 - personal jurisdiction, **3:114**
 - post-judgment attachment, **3:116**
 - pre-judgment attachment, **3:116**
 - recognition and enforcement of judgments against foreign sovereigns, **3:117**
 - service of process on foreign sovereigns, **3:113**
 - subject matter jurisdiction, **3:114**
 - taking of evidence against foreign sovereign entities, **3:115**
- Standards of burden of proof for damages recovery, **3:99**
- Statement of claim, **3:30**
- Statement of defense, **3:31**
- Statutory and other bases
 - blocking statutes, above

INDEX

AUSTRIA—Cont'd

- Statutory and other bases—Cont'd
 - choice of law, **3:13**
 - obtaining jurisdiction and choice of forum, **3:5**
- Strategic considerations
 - appeal and review of transnational judgments, **3:95**
 - summary judgments and equivalent proceedings, **3:36**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **3:5**
 - sovereign immunity, **3:114**
- Substantive and practical overview of key distinguishing issues in Austria, **3:1**
- Substantive issues
 - choice of law, **3:13**
 - summary judgments and equivalent proceedings, **3:34**
- Summary judgments and equivalent proceedings
 - European order for payment procedure, **3:38**
 - practical problems, **3:35**
 - procedural requirements, **3:33**
 - relevance to later efforts to recognize and enforce, **3:37**
 - strategic considerations, **3:36**
 - substantive requirements, **3:34**
 - time factors, **3:35**
- Table of Authorities, **App. 3B**
- Table of Cases, **App. 3C**
- Taking of documentary evidence abroad in support of domestic action
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **3:82**
 - attorney work product privilege, **3:82**
 - Austrian (National) Law on Judicial Assistance, **3:76**
 - conventions, **3:78**
 - European Community Law on Taking of Evidence, **3:77**

AUSTRIA—Cont'd

- Taking of documentary evidence abroad in support of domestic action—Cont'd
 - other means and absence of conventions, **3:79**
 - practical problems, **3:80**
 - privileges, **3:82**
 - relevance to later efforts to recognize and enforce at place of judgment, **3:81**
 - time factors, **3:80**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **3:66**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **3:72**
 - attorney work product privilege, **3:72**
 - bilateral treaties on judicial assistance, **3:69**
 - blocking statutes, **3:67**
 - conventions, **3:68**
 - discovery, when and from whom, **3:67**
 - doctor-patient privilege, **3:75**
 - practical problems, **3:70**
 - privileges, **3:72 to 3:75**
 - relevance to later efforts to recognize and enforce at place of service, **3:71**
 - secrecy laws, **3:67**
 - time factors, **3:70**
 - trade secret privilege, **3:74**
 - work product privilege, **3:72, 3:73**
- Taking of witness evidence abroad in support of domestic action
 - generally, **3:57**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney client privilege, **3:65**
 - conventions, **3:58**
 - expert evidence, special issues, **3:64**
 - other means and absence of conventions, **3:59, 3:60**
 - practical problems, **3:61**

AUSTRIA—Cont'd

- Taking of witness evidence abroad in support of domestic action—Cont'd
 - privileges, **3:65**
 - relevance to later efforts to recognize and enforce at place of judgment, **3:63**
 - rules of taking witness evidence in Austria, **3:62**
 - time factors, **3:61**
- Taking of witness evidence domestically in support of foreign action
 - generally, **3:44**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **3:52**
 - bank secrecy, **3:55**
 - blocking statutes, **3:45, 3:46**
 - conventions, **3:47**
 - discovery, when and from whom, **3:45, 3:46**
 - doctor-patient privilege, **3:56**
 - expert evidence, special issues, **3:51**
 - other means and absence of conventions, **3:48**
 - practical problems, **3:49**
 - privileges, **3:52 to 3:56**
 - relevance to later efforts to recognize and enforce at place of service, **3:50**
 - secrecy laws, **3:45, 3:46**
 - time factors, **3:49**
 - trade secret privilege, **3:54**
 - work product privilege, **3:53**
- Time factors
 - adjudication, time horizon and influencing factors, **3:4**
 - appeal and review of transnational judgments, **3:94**
 - arbitration award, time limit to issue, **3:135**
 - recognition and enforcement of foreign civil and commercial judgments, **3:107**
 - service of process abroad to commence domestic action, **3:27**

AUSTRIA—Cont'd

- Time factors—Cont'd
 - service of process domestically to commence foreign action, **3:20**
 - summary judgments and equivalent proceedings, **3:35**
 - taking of documentary evidence abroad in support of domestic action, **3:80**
 - taking of documentary evidence domestically in support of foreign action, **3:70**
 - taking of witness evidence abroad in support of domestic action, **3:61**
 - taking of witness evidence domestically in support of foreign action, **3:49**
- Tort action
 - admissibility and presentation at trial of evidence taken domestically or abroad, **3:88**
 - damages recovery in, **3:98**
- Trade secret privilege
 - taking of documentary evidence domestically in support of foreign action, **3:74**
 - taking of witness evidence domestically in support of foreign action, **3:54**
- Treaty on the Functioning of the European Union (Consolidated Version, as of 9/5/2008), **App. 3E**
- UNCITRAL model law on international commercial arbitration, **3:127**
- Vacating arbitral award, **3:137**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above
- Work product privilege
 - taking of documentary evidence domestically in support of foreign action, **3:73**
 - taking of witness evidence domestically in support of foreign action, **3:53**

INDEX

AUSTRIA—Cont'd

Work product privilege, taking of
documentary evidence domestically
in support of foreign action, **3:72**

AWARDS

Cuba (this index)

BANKRUPTCY

Brazil, recognition and enforcement of
foreign bankruptcy judgment, **5:95**

BAR ASSOCIATION

United Arab Emirates, **28:3**

BELGIUM

Generally, **4:1 to 4:92**

Ab initio objection to jurisdiction, **4:11**

Admissibility and presentation at trial of
evidence taken domestically or
abroad
general commercial, **4:48**
general requirements and practices,
4:47

Answer or statement of defense, **4:29**

Appeal and review of transnational
judgments
generally, **4:49**
conclusiveness and finality of judgments,
generally, **4:50**
practical problems, **4:52**
procedural and substantive issues,
4:51
strategic considerations, **4:52**
substantive issues, **4:51**
time factors, **4:52**

Appeal of arbitrator's decision, **4:89**

Arbitration

generally, **4:77**
appeal of arbitrator's decision, **4:89**
confidentiality, **4:85**
duties of arbitrators, **4:87**
enforcement of agreement to arbitrate,
4:83
enforcement of awards made outside
Belgium, **4:91**
institutional arbitration, **4:78**
institutions, **4:92**
jurisdiction of arbitrators, **4:84**
preliminary relief, **4:86**
qualifications of arbitrators, **4:81**

BELGIUM—Cont'd

Arbitration—Cont'd

rights of representation, **4:82**
setting aside or vacating arbitral
award, **4:90**
statute, **4:79**
time limit to issue award, **4:88**
UNCITRAL model law, **4:80**

Attachment

post-judgment attachment, sovereign
immunity, **4:71**
pre-judgment attachment, sovereign
immunity, **4:71**

Attorney-client privilege

taking of witness evidence domesti-
cally in support of foreign
proceedings, **4:41**

Attorney fees, **4:76**

Attorney work product privilege

taking of witness evidence domesti-
cally in support of foreign
proceedings, **4:41**

Audience in court, rights, **4:5**

Bilateral conventions and agreements,
service of process domestically to
commence foreign action, **4:18**

Blocking statutes, taking of witness evi-
dence domestically in support of
foreign proceedings, **4:36**

Challenges to jurisdiction, **4:10**

Choice of forum clauses, **4:9**

Choice of law

choice of law clauses, **4:14**
foreign substantive law, bases for
application, **4:13**
party autonomy, **4:14**
relevance to later efforts to recognize
and enforce, **4:15**
statutory and other bases for applica-
tion of foreign substantive law,
4:13

Civil and commercial judgments. Rec-
ognition and enforcement of
foreign civil and commercial judg-
ments, below

Commencement of suit

answer or statement of defense, **4:29**
complaint or statement of claim, **4:28**
first hearing, **4:30**

BELGIUM—Cont'd

- Commencement of suit—Cont'd
 - fixing of date for hearing for presentation of oral arguments, **4:30**
 - form of answer or statement of defence, **4:29**
 - form of complaint or statement of claim, **4:28**
 - hearing for presentation of oral arguments, **4:30**
 - oral arguments, **4:30**
 - statement of defence, **4:29**
 - strategic consideration, complaint or statement of claim, **4:28**
 - strategic considerations for answer or statement of defence, **4:29**
 - substance and content of answer or statement of defence, **4:29**
 - substance and content of complaint or statement of claim, **4:28**
 - written pleadings, **4:30**
- Complaint or statement of claim, **4:28**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **4:50**
- Confidentiality of arbitration proceedings, **4:85**
- Content
 - answer or statement of defence, **4:29**
 - complaint or statement of claim, **4:28**
- Contingent fees, **4:76**
- Contract, acceptable kinds of damages recovery in, **4:55**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, **4:62**
 - service of process abroad to commence domestic action, **4:24**
 - service of process domestically to commence foreign action, **4:17, 4:18**
 - taking of witness evidence abroad in support of domestic action, **4:43**
 - taking of witness evidence domestically in support of foreign proceedings, **4:37**

BELGIUM—Cont'd

- Costs and fees
 - generally, **4:73**
 - attorney fees, **4:76**
 - contingent fees, **4:76**
 - court costs, **4:74**
 - fee schedules, **4:76**
 - interest, **4:75**
 - security for costs, **4:73**
- Court structure
 - adjudication, time horizon and influencing factors, **4:6**
 - audience rights, **4:5**
 - foreign co-counsel, role, **4:5**
 - general structure, **4:4**
- Currency conversion, damages recovery, **4:60**
- Damages
 - generally, **4:54**
 - acceptable kinds of damages recovery in contract, **4:55**
 - currency conversion, **4:60**
 - lost profits damages, specific issues, **4:56**
 - non-contractual bases, damages recovery in, **4:57**
 - product liability, damages recovery in, **4:57**
 - public policy constraints, **4:59**
 - standards of burden of proof for recovery, **4:58**
 - tort action, damages recovery in, **4:57**
- Default judgments
 - service of process abroad to commence domestic action, **4:27**
 - service of process domestically to commence foreign action, **4:22**
- Discovery, taking of witness evidence domestically in support of foreign proceedings, **4:36**
- Documentary evidence
 - taking of documentary evidence abroad in support of domestic action, **4:46**
 - taking of documentary evidence domestically in support of foreign action, **4:45**
- Enforcement of agreement to arbitrate, **4:83**

INDEX

BELGIUM—Cont'd

- Enforcement of arbitration awards made outside Belgium, **4:91**
- Enforcement of judgments against foreign sovereigns, **4:71, 4:72**
- Enforcement of jurisdiction, **4:11**
- Evidence
 - damages recovery, standards of burden of proof, **4:58**
 - expert evidence, taking of witness evidence domestically in support of foreign proceedings, **4:40**
 - taking of documentary evidence abroad in support of domestic action, **4:45, 4:46**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below, **4:45**
 - taking of evidence against foreign sovereign entities, **4:70**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence, taking of witness evidence domestically in support of foreign proceedings, **4:40**
- Fees. Costs and fees, above
- Fee schedules, **4:76**
- Foreign co-counsel, role, **4:5**
- Form
 - answer or statement of defence, **4:29**
 - complaint or statement of claim, **4:28**
- Forum non conveniens and equivalent notions, **4:10**
- General commercial, admissibility and presentation at trial of evidence taken domestically or abroad, **4:48**
- Immunities and privileges
 - sovereign immunity, below
 - taking of witness evidence domestically in support of foreign proceedings, **4:41**
- Injunctions and similar emergency measures
 - against foreign sovereigns, **4:71**

BELGIUM—Cont'd

- Injunctions and similar emergency measures—Cont'd
 - summary judgments and equivalent proceedings, **4:33**
- Interest, costs and fees, **4:75**
- International arbitration. Arbitration, above
- Jurisdiction of arbitrators, **4:84**
- Local procedural requirements at place of action, **4:20**
- Lost profits damages, specific issues, **4:56**
- Non-contractual bases, damages recovery in, **4:57**
- Obtaining jurisdiction and choice of forum
 - generally, **4:7**
 - ab initio objection to jurisdiction, **4:11**
 - challenges to jurisdiction, **4:10**
 - choice of forum clauses, **4:9**
 - enforcement of jurisdiction, **4:11**
 - forum non conveniens and equivalent notions, **4:10**
 - parallel proceedings, **4:12**
 - party autonomy, **4:9**
 - personal jurisdiction, basis for acceptance, **4:7**
 - property as jurisdictional basis, **4:8**
 - relevance to later efforts to recognize and enforce, **4:11**
 - statutory and other bases, **4:7**
 - subject matter jurisdiction, basis for acceptance, **4:7**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **4:63**
 - service of process abroad to commence domestic action, **4:25**
 - taking of witness evidence abroad in support of domestic action, **4:44**
 - taking of witness evidence domestically in support of foreign proceedings, **4:38**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **4:12**

BELGIUM—Cont'd

- Party autonomy
 - choice of law, **4:14**
 - obtaining jurisdiction and choice of forum, **4:9**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **4:8**
 - sovereign immunity, **4:69**
- Petitions abroad, in connection with domestic proceedings, **4:33**
- Petitions domestically, in support of foreign proceedings, **4:34**
- Post-judgment attachment, sovereign immunity, **4:71**
- Practical problems
 - appeal and review of transnational judgments, **4:52**
 - service of process abroad to commence domestic action, **4:26**
 - service of process domestically to commence foreign action, **4:21**
 - taking of witness evidence domestically in support of foreign proceedings, **4:39**
- Pre-judgment attachment, sovereign immunity, **4:71**
- Privileges. Immunities and privileges, above
- Product liability, damages recovery, **4:57**
- Property as jurisdictional basis, **4:8**
- Public policy, damages, **4:59**
- Recognition and enforcement of foreign civil-commercial judgments
 - conventions, **4:60**
 - other means and absence of conventions, **4:63**
- Recognition and enforcement of judgments against foreign sovereigns, **4:72**
- Relevance to later efforts to recognize and enforce
 - appeal and review of transnational judgments, **4:53**
 - choice of law, **4:15**
 - obtaining jurisdiction and choice of forum, **4:11**
- Rights of audience in court, **4:5**

BELGIUM—Cont'd

- Schedules, fees, **4:76**
- Secrecy laws, taking of witness evidence domestically in support of foreign proceedings, **4:36**
- Security for costs, **4:73**
- Service of process abroad to commence domestic action
 - generally, **4:23**
 - conventions, **4:24**
 - default judgments, **4:27**
 - other means and absence of conventions, **4:25**
 - practical problems, **4:26**
 - time factors, **4:26**
- Service of process domestically to commence foreign action
 - generally, **4:16**
 - bilateral conventions and agreements, **4:18**
 - conventions, **4:17, 4:18**
 - default judgments, **4:22**
 - local procedural requirements at place of action, **4:20**
 - other means and absence of conventions, **4:19**
 - practical problems, **4:21**
 - time factors, **4:21**
- Setting aside or vacating arbitral award, **4:90**
- Settlement and compromise of proceedings
 - formalities, **4:65**
 - kinds of settlement and compromise, **4:64**
 - litigation, effect on, **4:66**
 - requirements, **4:65**
- Sovereign immunity
 - generally, **4:67**
 - aids in enforcement of judgments against foreign sovereigns, **4:71**
 - enforcement of judgments against foreign sovereigns, **4:71, 4:72**
 - injunctive measures against foreign sovereigns, **4:71**
 - personal jurisdiction, **4:69**
 - post-judgment attachment, **4:71**
 - pre-judgment attachment, **4:71**

INDEX

BELGIUM—Cont'd

- Sovereign immunity—Cont'd
 - recognition and enforcement of judgments against foreign sovereigns, **4:72**
 - service of process on foreign sovereigns, **4:68**
 - subject matter jurisdiction, **4:69**
 - taking of evidence against foreign sovereign entities, **4:70**
- Standards of burden of proof for damages recovery, **4:58**
- Statement of claim, **4:28**
- Statement of defense, **4:30**
- Statutory and other bases
 - blocking statutes, taking of witness evidence domestically in support of foreign proceedings, **4:36**
 - choice of law, **4:13**
 - obtaining jurisdiction and choice of forum, **4:7**
- Strategic considerations
 - answer or statement of defence, **4:29**
 - appeal and review of transnational judgments, **4:52**
 - complaint or statement of claim, **4:28**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **4:7**
 - sovereign immunity, **4:69**
- Substance and content
 - answer or statement of defence, **4:29**
 - complaint or statement of claim, **4:28**
- Substantive and practical overview of key distinguishing issues in Belgium
 - generally, **4:1**
 - civil procedural law, basis and characteristics, **4:3**
 - Council regulation (EC) No. 44/2001, **4:2**
- Substantive issues, choice of law, **4:13**
- Summary judgments and equivalent proceedings
 - injunctions and similar emergency measures, **4:33**
 - interim and conservatory relief, **4:33**

BELGIUM—Cont'd

- Summary judgments and equivalent proceedings—Cont'd
 - petitions abroad, in connection with domestic proceedings, **4:33**
 - petitions domestically, in support of foreign proceedings, **4:34**
 - summary proceedings, **4:31, 4:32**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **4:46**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **4:47, 4:48**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **4:45**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **4:47, 4:48**
- Taking of witness evidence abroad in support of domestic action
 - generally, **4:42**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - conventions, **4:43**
 - other means and absence of conventions, **4:44**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **4:35**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **4:41**
 - attorney work product privilege, **4:41**
 - blocking statutes, **4:36**
 - conventions, **4:37**
 - discovery, when and from whom, **4:36**
 - expert evidence, special issues, **4:40**
 - other means and absence of conventions, **4:38**
 - practical problems, **4:39**
 - privileges, **4:41**
 - secrecy laws, **4:36**
 - time factors, **4:39**

BELGIUM—Cont'd

- Time factors
 - adjudication, time horizon and influencing factors, **4:6**
 - appeal and review of transnational judgments, **4:52**
 - arbitration award, time limit to issue, **4:88**
 - service of process abroad to commence domestic action, **4:26**
 - service of process domestically to commence foreign action, **4:21**
 - taking of witness evidence domestically in support of foreign proceedings, **4:39**
- Tort action, damages recovery in, **4:57**
- UNCITRAL model law, **4:80**
- Vacating arbitral award, **4:90**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

BILATERAL TREATIES AND CONVENTIONS

- Australia, service of process domestically to commence foreign action, **2:16**
- Belgium, service of process domestically to commence foreign action, **4:18**
- U.S. model bilateral investment treaty, **42:4**

BLOCKING STATUTES

- Australia** (this index)
- Austria** (this index)
- Belgium, taking of witness evidence domestically in support of foreign proceedings, **4:36**
- Brazil** (this index)
- China, People's Republic** (this index)
- Czech Republic, **9:35, 9:46**
- Finland** (this index)
- France, taking of witness evidence domestically in support of foreign action, **12:35**

BLOCKING STATUTES—Cont'd

- Germany** (this index)
- Hungary** (this index)
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Russian Federation, taking of documentary evidence domestically in support of foreign action, **22A:49**
- Sweden** (this index)
- Switzerland, taking of evidence domestically in support of foreign action, **25:45**
- Turkey** (this index)
- United Kingdom** (this index)

BRAZIL

- Generally, **5:1 to 5:126**
- Ab initio objection to jurisdiction, **5:10**
- Admiralty actions, admissibility and presentation at trial of evidence taken domestically or abroad, **5:75**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - admiralty and maritime actions, **5:75**
 - agency, **5:69**
 - charter party, **5:73**
 - construction work, **5:72**
 - general commercial, **5:66**
 - general requirements and practices, **5:65**
 - insurance, **5:74**
 - intellectual property, **5:68**
 - principal and agent, **5:69**
 - product liability, **5:71**
 - sale of goods, **5:67**
 - tort action, **5:70**
- Agency, admissibility and presentation at trial of evidence taken domestically or abroad, **5:69**
- Answer or statement of defense, **5:28**
- Appeal and review of transnational judgments
 - generally, **5:76**
 - conclusiveness and finality of judgments, generally, **5:76**
 - ordinary appeal, **5:82**

INDEX

BRAZIL—Cont'd

- Appeal and review of transnational judgments—Cont'd
 - practical problems, **5:79**
 - procedural issues, **5:77**
 - strategic considerations, **5:80**
 - substantive issues, **5:78**
 - time factors, **5:79**
- Appeal of arbitrator's decision, **5:123**
- Arbitration
 - generally, **5:111**
 - appeal of arbitrator's decision, **5:123**
 - confidentiality, **5:119**
 - conventions, **5:112**
 - duties of arbitrators, **5:121**
 - enforcement of agreement to arbitrate, **5:117**
 - enforcement of awards made outside Brazil, **5:125**
 - institutions, **5:126**
 - jurisdiction of arbitrators, **5:118**
 - 1996 Law, general aspects, **5:113**
 - preliminary relief, **5:120**
 - qualifications of arbitrators, **5:115**
 - rights of representation, **5:116**
 - setting aside or vacating arbitral award, **5:124**
 - statute, **5:113**
 - time limit to issue award, **5:122**
 - UNCITRAL model law, **5:114**
- Attachment
 - post-judgment attachment, sovereign immunity, **5:103**
 - pre-judgment attachment, sovereign immunity, **5:102**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **5:64**
 - taking of documentary evidence domestically in support of foreign action, **5:59**
 - taking of witness evidence abroad in support of domestic action, **5:53**
 - taking of witness evidence domestically in support of foreign proceedings, **5:47**
- Attorney fees, **5:109**

BRAZIL—Cont'd

- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **5:64**
 - taking of documentary evidence domestically in support of foreign action, **5:59**
 - taking of witness evidence abroad in support of domestic action, **5:53**
 - taking of witness evidence domestically in support of foreign proceedings, **5:47**
- Audience in court, rights, **5:3**
- Bankruptcy judgment, recognition and enforcement, **5:95**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **5:54**
 - taking of witness evidence domestically in support of foreign action, **5:41**
- Challenges to jurisdiction, **5:9**
- Charter party, admissibility and presentation at trial of evidence taken domestically or abroad, **5:73**
- Choice of forum clauses, **5:8**
- Choice of law
 - choice of law clauses, **5:13**
 - foreign substantive law, bases for application, **5:12**
 - party autonomy, **5:13**
 - relevance to later efforts to recognize and enforce, **5:14**
 - statutory and other bases for application of foreign substantive law, **5:12**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - answer or statement of defense, **5:28**
 - complaint or statement of claim, **5:27**
 - statement of defense, **5:28**
 - terms, **5:29**
- Common emergency relief measures, **5:40**
- Complaint or statement of claim, **5:27**

BRAZIL—Cont'd

- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **5:76**
- Confidentiality of arbitration proceedings, **5:119**
- Construction work, admissibility and presentation at trial of evidence taken domestically or abroad, **5:72**
- Contract, acceptable kinds of damages recovery in, **5:83**
- Conventions
 - international arbitration, **5:112**
 - recognition and enforcement of foreign civil-commercial judgments, **5:90**
 - service of process abroad to commence domestic action, **5:21**
 - service of process domestically to commence foreign action, **5:15**
 - taking of documentary evidence abroad in support of domestic action, **5:60**
 - taking of documentary evidence domestically in support of foreign action, **5:55**
 - taking of witness evidence abroad in support of domestic action, **5:48**
 - taking of witness evidence domestically in support of foreign proceedings, **5:42**
- Costs and fees
 - generally, **5:106**
 - attorney fees, **5:109**
 - court costs, **5:107**
 - interest, **5:108**
 - monetary adjustment, **5:110**
 - security for costs, **5:106**
- Court structure
 - adjudication, time horizon and influencing factors, **5:4**
 - audience rights, **5:3**
 - foreign co-counsel, role, **5:3**
 - general structure, **5:2**
 - institutional guarantees of judge, **5:5**
 - principles and institutional guarantees of judge, **5:5**

BRAZIL—Cont'd

- Court structure—Cont'd
 - special courts (civil and criminal) (juizados especiais cíveis e criminais), **5:35**
- Currency conversion, damages recovery, **5:88**
- Damages
 - generally, **5:83**
 - acceptable kinds of damages recovery in contract, **5:83**
 - currency conversion, **5:88**
 - lost profits damages, specific issues, **5:84**
 - moral damages, **5:89**
 - non-contractual bases, damages recovery in, **5:85**
 - product liability, damages recovery in, **5:85**
 - public policy constraints, **5:87**
 - punitive damages, **5:94**
 - standards of burden of proof for recovery, **5:86**
 - tort action, damages recovery in, **5:85**
- Default judgments
 - recognition and enforcement of foreign civil-commercial judgments, **5:94**
 - service of process abroad to commence domestic action, **5:26**
 - service of process domestically to commence foreign action, **5:20**
- Discovery
 - recognition and enforcement of foreign civil-commercial judgments, **5:94**
 - taking of documentary evidence domestically in support of foreign action, **5:54**
 - taking of witness evidence domestically in support of foreign action, **5:41**
- Documentary evidence
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below

INDEX

BRAZIL—Cont'd

- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of agreement to arbitrate, **5:117**
- Enforcement of arbitration awards made outside Brazil, **5:125**
- Enforcement of judgments against foreign sovereigns, **5:103, 5:104**
- Enforcement of jurisdiction, **5:10**
- Evidence
 - damages recovery, standards of burden of proof, **5:86**
 - expert evidence, below
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **5:101**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence
 - taking of witness evidence abroad in support of domestic action, **5:52**
 - taking of witness evidence domestically in support of foreign proceedings, **5:46**
- Fees. Costs and fees, above
- Foreign co-counsel, role, **5:3**
- Forum non conveniens and equivalent notions, **5:9**
- General commercial, admissibility and presentation at trial of evidence taken domestically or abroad, **5:66**
- Guarantees of judges, **5:5**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence abroad in support of domestic action, **5:64**
 - taking of documentary evidence domestically in support of

BRAZIL—Cont'd

- Immunities and privileges—Cont'd
 - foreign action, **5:59**
 - taking of witness evidence abroad in support of domestic action, **5:53**
 - taking of witness evidence domestically in support of foreign proceedings, **5:47**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Insurance, admissibility and presentation at trial of evidence taken domestically or abroad, **5:74**
- Intellectual property, admissibility and presentation at trial of evidence taken domestically or abroad, **5:68**
- Interest, costs and fees, **5:108**
- Interim and conservatory relief, injunctions and similar emergency measures
 - common emergency measures, **5:40**
 - foreign sovereigns, injunction against, **5:102**
 - parallel proceedings, possible strategies, **5:39**
 - petitions abroad, in connection with domestic proceedings, **5:36**
 - petitions domestically, in support of foreign proceedings, **5:37**
 - property as security device, **5:38**
 - strategies in event of parallel proceedings, **5:39**
- International arbitration. Arbitration, above
- Judge's principles and institutional guarantees, **5:5**
- Jurisdiction of arbitrators, **5:118**
- Labor justice, sovereign immunity, **5:105**
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil-commercial judgments, **5:92**
 - service of process abroad to commence domestic action, **5:23**
 - service of process domestically to commence foreign action, **5:17**

BRAZIL—Cont'd

- Lost profits damages, specific issues, **5:84**
- Maritime actions, admissibility and presentation at trial of evidence taken domestically or abroad, **5:75**
- Monetary adjustment, **5:110**
- Moral damages, **5:89**
- Non-contractual bases, damages recovery in, **5:85**
- Obtaining jurisdiction and choice of forum
 - generally, **5:6**
 - ab initio objection to jurisdiction, **5:10**
 - challenges to jurisdiction, **5:9**
 - choice of forum clauses, **5:8**
 - enforcement of jurisdiction, **5:10**
 - forum non conveniens and equivalent notions, **5:9**
 - parallel proceedings, **5:11**
 - party autonomy, **5:8**
 - personal jurisdiction, basis for acceptance, **5:6**
 - property as jurisdictional basis, **5:7**
 - relevance to later efforts to recognize and enforce, **5:10**
 - statutory and other bases, **5:6**
 - subject matter jurisdiction, basis for acceptance, **5:6**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **5:91**
 - service of process abroad to commence domestic action, **5:22**
 - taking of documentary evidence abroad in support of domestic action, **5:61**
 - taking of documentary evidence domestically in support of foreign action, **5:56**
 - taking of witness evidence abroad in support of domestic action, **5:49**
 - taking of witness evidence domestically in support of foreign proceedings, **5:43**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **5:11**

BRAZIL—Cont'd

- Party autonomy
 - choice of law, **5:13**
 - obtaining jurisdiction and choice of forum, **5:8**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **5:6**
 - sovereign immunity, **5:100**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **5:36**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **5:37**
- Post-judgment attachment, sovereign immunity, **5:103**
- Practical problems
 - appeal and review of transnational judgments, **5:79**
 - recognition and enforcement of foreign civil-commercial judgments, **5:93**
 - service of process abroad to commence domestic action, **5:24**
 - service of process domestically to commence foreign action, **5:18**
 - summary judgments and equivalent proceedings, **5:32**
 - taking of documentary evidence abroad in support of domestic action, **5:62**
 - taking of documentary evidence domestically in support of foreign action, **5:57**
 - taking of witness evidence abroad in support of domestic action, **5:50**
 - taking of witness evidence domestically in support of foreign proceedings, **5:44**
- Pre-judgment attachment, sovereign immunity, **5:102**
- Principal and agent, admissibility and presentation at trial of evidence taken domestically or abroad, **5:69**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **5:30**

INDEX

BRAZIL—Cont'd

- Product liability
 - admissibility and presentation at trial of evidence taken domestically or abroad, **5:71**
 - damages recovery, **5:85**
- Property
 - jurisdictional basis, **5:7**
 - security device, **5:38**
- Public policy
 - damages, **5:87**
 - recognition and enforcement of foreign civil-commercial judgments, **5:94**
- Recognition and enforcement of foreign civil-commercial judgments
 - bankruptcy judgment, **5:95**
 - conventions, **5:90**
 - default judgments, **5:94**
 - discovery, **5:94**
 - local procedural requirements at place of action, **5:92**
 - other means and absence of convention, **5:91**
 - practical problems, **5:93**
 - public policy issues, **5:94**
 - punitive damages, **5:94**
 - time factors, **5:93**
- Recognition and enforcement of judgments against foreign sovereigns, **5:103, 5:104**
- Relevance to later efforts to recognize and enforce
 - appeal and review of transnational judgments, **5:81**
 - choice of law, **5:14**
 - obtaining jurisdiction and choice of forum, **5:10**
 - service of process abroad to commence domestic action, **5:25**
 - service or process domestically to commence foreign action, **5:19**
 - summary judgments and equivalent proceedings, **5:34**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **5:63**
 - taking of documentary evidence domestically in support of

BRAZIL—Cont'd

- Relevance to later efforts to recognize and enforce—Cont'd
 - foreign action, place of evidence, **5:58**
 - taking of witness evidence abroad in support of domestic action, **5:51**
 - taking of witness evidence domestically in support of foreign proceedings, **5:45**
- Rights of audience in court, **5:3**
- Sale of goods, admissibility and presentation at trial of evidence taken domestically or abroad, **5:67**
- Secrecy laws
 - taking of documentary evidence domestically in support of foreign action, **5:54**
 - taking of witness evidence domestically in support of foreign action, **5:41**
- Security
 - costs, security for, **5:106**
 - property as security device, **5:38**
- Service of process abroad to commence domestic action
 - generally, **5:21**
 - conventions, **5:21**
 - default judgments, **5:26**
 - local procedural requirements at place of action, **5:23**
 - other means and absence of conventions, **5:22**
 - practical problems, **5:24**
 - relevance to later efforts to recognize and enforce, **5:25**
 - time factors, **5:24**
- Service of process domestically to commence foreign action
 - generally, **5:15**
 - conventions, **5:15**
 - default judgments, **5:20**
 - local procedural requirements at place of action, **5:17**
 - other means in absence of convention, **5:16**
 - practical problems, **5:18**
 - relevance to later efforts to recognize and enforce, **5:19**

BRAZIL—Cont'd

- Service of process domestically to commence foreign action—Cont'd
 - time factors, **5:18**
- Setting aside or vacating arbitral award, **5:124**
- Settlement and compromise of proceedings
 - formalities, **5:97**
 - kinds of settlement and compromise, **5:96**
 - litigation, effect on, **5:98**
 - requirements, **5:97**
- Sovereign immunity
 - generally, **5:99**
 - aids in enforcement of judgments against foreign sovereigns, **5:102, 5:103**
 - enforcement of judgments against foreign sovereigns, **5:103, 5:104**
 - injunctive measures against foreign sovereigns, **5:102**
 - labor justice, **5:105**
 - personal jurisdiction, **5:100**
 - post-judgment attachment, **5:103**
 - pre-judgment attachment, **5:102**
 - recognition and enforcement of judgments against foreign sovereigns, **5:104**
 - service of process on foreign sovereigns, **5:99**
 - subject matter jurisdiction, **5:100**
 - taking of evidence against foreign sovereign entities, **5:101**
- Special courts (civil and criminal) (juizados especiais cíveis e criminais), **5:35**
- Standards of burden of proof for damages recovery, **5:86**
- Statement of claim, **5:27**
- Statutory and other bases
 - arbitration, general aspects of 1996 Law, **5:113**
 - blocking statutes, above
 - choice of law, **5:12**
 - obtaining jurisdiction and choice of forum, **5:6**
- Strategic considerations
 - appeal and review of transnational judgments, **5:80**

BRAZIL—Cont'd

- Strategic considerations—Cont'd
 - parallel proceedings, **5:39**
 - summary judgments and equivalent proceedings, **5:33**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **5:6**
 - sovereign immunity, **5:100**
- Substantive and practical overview of key distinguishing issues in Brazil, **5:1**
- Substantive issues, choice of law, **5:12**
- Summary judgments and equivalent proceedings
 - practical problems, **5:32**
 - procedural requirements, **5:30**
 - relevance to later efforts to recognize and enforcement, **5:34**
 - special courts (civil and criminal), **5:35**
 - strategic considerations, **5:33**
 - substantive requirements, **5:31**
 - time factors, **5:32**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **5:60**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **5:64**
 - attorney work product privilege, **5:64**
 - conventions, **5:60**
 - other means and absence of conventions, **5:61**
 - practical problems, **5:62**
 - privileges, **5:64**
 - relevance to later efforts to recognize and enforce at place of judgment, **5:63**
 - time factors, **5:62**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **5:54**
 - admissibility and presentation at trial of evidence taken domestically

INDEX

BRAZIL—Cont'd

- Taking of documentary evidence
 - domestically in support of foreign action—Cont'd
 - or abroad, above
 - attorney-client privilege, **5:59**
 - attorney work product privilege, **5:59**
 - blocking statutes, **5:54**
 - conventions, **5:55**
 - discovery, **5:54**
 - other means and absence of conventions, **5:56**
 - practical problems, **5:57**
 - privileges, **5:59**
 - relevance to later efforts to recognize and enforce at place of evidence, **5:58**
 - secrecy laws, **5:54**
 - time factors, **5:57**
 - time of discovery, **5:54**
- Taking of witness evidence abroad in support of domestic action
 - generally, **5:48**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **5:53**
 - attorney work product privilege, **5:53**
 - conventions, **5:48**
 - expert evidence, special issues, **5:52**
 - other means in absence of conventions, **5:49**
 - practical problems, **5:50**
 - relevance to later efforts to recognize and enforce at place of judgment, **5:51**
 - time factors, **5:50**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **5:41**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **5:47**
 - attorney work product privilege, **5:47**
 - blocking statutes, **5:41**
 - conventions, **5:42**
 - discovery, when and from whom, **5:41**

BRAZIL—Cont'd

- Taking of witness evidence domestically in support of foreign proceedings—Cont'd
 - expert evidence, special issues, **5:46**
 - other means and absence of conventions, **5:43**
 - practical problems, **5:44**
 - privileges, **5:47**
 - relevance to later efforts to recognize and enforce, **5:45**
 - secrecy laws, **5:41**
 - time factors, **5:44**
- Terms, commencement of suit, **5:29**
- Time factors
 - adjudication, time horizon and influencing factors, **5:4**
 - appeal and review of transnational judgments, **5:79**
 - arbitration award, time limit to issue, **5:122**
 - recognition and enforcement of foreign civil-commercial judgments, **5:93**
 - service of process abroad to commence domestic action, **5:24**
 - service of process domestically to commence foreign action, **5:18**
 - summary judgments and equivalent proceedings, **5:32**
 - taking of documentary evidence abroad in support of domestic action, **5:62**
 - taking of documentary evidence domestically in support of foreign action, **5:54, 5:57**
 - taking of witness evidence abroad in support of domestic action, **5:50**
 - taking of witness evidence domestically in support of foreign action, **5:41, 5:44**
- Tort actions
 - admissibility and presentation at trial of evidence taken domestically or abroad, **5:70**
 - damages recovery in, **5:85**
- UNCITRAL model law, **5:114**
- Vacating arbitral award, **5:124**

BRAZIL—Cont'd

Witness evidence

- taking of witness evidence abroad in support of domestic action, above
- taking of witness evidence domestically in support of foreign action, above

BRUSSELS/LUGANO CONVENTIONS

- Ireland, recognition and enforcement of foreign civil-commercial judgments, **16:34**
- Switzerland, recognition and enforcement of foreign civil-commercial judgments, **25:71**

CAMBODIA

- Commercial Arbitration Law of Kingdom of Cambodia, **40:15**

CANADA

- Generally, **6:1 to 6:85**
- Ab initio objection to jurisdiction, **6:7**
- Acceptable kinds of damages recovery in contract, **6:53**
- Admissibility and presentation at trial of evidence taken domestically or abroad, general requirements and practices, **6:48**
- Aggravated damages, **6:58**
- Answer or statement of defense, **6:20**
- Appeal and review of transnational judgments
 - generally, **6:49**
 - conclusiveness and finality of judgments, generally, **6:49**
 - practical problems, **6:52**
 - procedural issues, **6:50**
 - strategic considerations, **6:52**
 - substantive issues, **6:51**
 - time factors, **6:52**
- Arbitration
 - generally, **6:82**
 - institutions, **6:85**
 - qualifications of arbitrators, **6:84**
 - specific Canadian institutions, **6:85**
 - statute, **6:113**

CANADA—Cont'd

Attachment

- post-judgment attachment, sovereign immunity, **6:76**
- pre-judgment attachment, sovereign immunity, **6:76**

Attorney-client privilege

- taking of documentary evidence abroad in support of domestic action, **6:47**
- taking of documentary evidence domestically in support of foreign action, **6:43**
- taking of witness evidence abroad in support of domestic action, **6:38**
- taking of witness evidence domestically in support of foreign proceedings, **6:33**

Attorney fees, **6:81**

Attorney work product privilege

- taking of documentary evidence abroad in support of domestic action, **6:47**
- taking of documentary evidence domestically in support of foreign action, **6:43**
- taking of witness evidence abroad in support of domestic action, **6:38**
- taking of witness evidence domestically in support of foreign proceedings, **6:33**

Audience in court, rights, **6:3**

Bilateral Treaties, **App. 6E**

Case law, Table of Cases, **App. 6D**

Challenges to jurisdiction, **6:6**

Choice of forum. Obtaining jurisdiction and choice of forum, below

Choice of law

- choice of law clauses, **6:10**
- foreign substantive law, bases for application, **6:9**
- party autonomy, **6:10**
- relevance to later efforts to recognize and enforce, **6:11**
- statutory and other bases for application of foreign substantive law, **6:9**

Commencement of suit

- answer or statement of defense, **6:20**

INDEX

CANADA—Cont'd

- Commencement of suit—Cont'd
 - complaint or statement of claim, **6:20**
 - limitation provisions, **6:21**
 - statement of defense, **6:20**
- Complaint or statement of claim, **6:20**
- Compromise and settlement of proceedings, **6:72**
- Conclusiveness and finality of judgments, generally, **6:49**
- Contingent fees, **6:81**
- Contract damages, **6:53, 6:60**
- Conventions
 - list of relevant conventions, **App. 6A**
 - recognition and enforcement of foreign civil-commercial judgments, **6:67**
 - service of process abroad to commence domestic action, **6:16**
 - service of process domestically to commence foreign action, **6:12**
 - taking of documentary evidence abroad in support of domestic action, **6:44**
 - taking of documentary evidence domestically in support of foreign action, **6:40**
 - taking of witness evidence domestically in support of foreign action, **6:29**
 - treaties, taking of witness evidence domestically in support of foreign action, **6:29**
- Costs and fees
 - generally, **6:78**
 - attorney fees, **6:81**
 - contingent fees schedules, **6:81**
 - court costs, **6:79**
 - fee schedules, **6:81**
 - fees schedules, **6:81**
 - interest, **6:80**
 - security for costs, **6:78**
- Court structure
 - audience rights, **6:3**
 - general structure, **6:2**
- Currency conversion in Quebec, **6:66**
- Damages
 - generally, **6:53**

CANADA—Cont'd

- Damages—Cont'd
 - acceptable kinds of damages recovery in contract, **6:53**
 - aggravated damages, **6:58**
 - contract damages, **6:53, 6:60**
 - liquidated damages, **6:54**
 - lost profits damages, **6:56**
 - mitigation, **6:59**
 - punitive/exemplary damages, **6:57**
 - Quebec, below
 - tort, **6:55**
- Default judgments, service of process abroad to commence domestic action, **6:19**
- Delict, Quebec, **6:62**
- Enforcement of judgments against foreign sovereigns, **6:76, 6:77**
- Enforcement of jurisdiction, **6:7**
- Evidence
 - expert evidence, below
 - Quebec, damages recovery, standards of burden of proof for recovery, **6:64**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence
 - taking of witness evidence abroad in support of domestic action, **6:37**
 - taking of witness evidence domestically in support of foreign proceedings, **6:32**
- Fee schedules, **6:81**
- Forum non conveniens and equivalent notions, **6:6**
- Hague Conventions, **33:3**
- Immunities and privileges
 - taking of documentary evidence abroad in support of domestic action, **6:47**

CANADA—Cont'd

- Immunities and privileges—Cont'd
 - taking of documentary evidence
 - domestically in support of foreign action, **6:43**
 - taking of witness evidence abroad in support of domestic action, **6:38**
 - taking of witness evidence domestically in support of foreign proceedings, **6:33**
- Interest, costs and fees, **6:80**
- Interim and conservatory relief, injunctions and similar emergency measures
 - foreign sovereigns, injunction against, **6:76**
 - petitions abroad, **6:24**
 - petitions domestically, **6:25, 6:26**
 - property as security device, **6:27**
- Judicial Assistance in Canada, **33:3**
- Limitation provisions, commencement of suit, **6:21**
- Liquidated damages, **6:54**
- Local procedures
 - recognition and enforcement of foreign civil-commercial judgments, place of action, **6:69**
 - taking of documentary evidence domestically in support of foreign action, **6:39**
 - taking of witness evidence abroad in support of domestic action, **6:34**
 - taking of witness evidence domestically in support of foreign proceedings, **6:28**
- Lost profits damages, **6:56, 6:61**
- Mitigation of damages, **6:59**
- Obtaining jurisdiction and choice of forum
 - generally, **6:4**
 - ab initio objection to jurisdiction, **6:7**
 - challenges to jurisdiction, **6:6**
 - choice of forum clauses, **6:5**
 - enforcement of jurisdiction, **6:7**
 - forum non conveniens and equivalent notions, **6:6**
 - parallel proceedings, **6:8**
 - party autonomy, **6:5**

CANADA—Cont'd

- Obtaining jurisdiction and choice of forum—Cont'd
 - personal jurisdiction, basis for acceptance, **6:4**
 - property as jurisdictional basis, **6:4**
 - relevance to later efforts to recognize and enforce, **6:7**
 - statutory and other bases, **6:4**
 - subject matter jurisdiction, basis for acceptance, **6:4**
- Ontario, foreign judgment recognition and enforcement, **App. 6F**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **6:68**
 - service of process abroad to commence domestic action, **6:17**
 - taking of documentary evidence domestically in support of foreign action, **6:40**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **6:8**
- Party autonomy
 - choice of law, **6:11**
 - obtaining jurisdiction and choice of forum, **6:5**
- Personal jurisdiction, obtaining jurisdiction and choice of forum, **6:4**
- Petitions abroad, interim and conservatory relief, **6:24**
- Petitions domestically, interim and conservatory relief, **6:26**
- Post-judgment attachment, sovereign immunity, **6:76**
- Practical problems
 - appeal and review of transnational judgments, **6:52**
 - recognition and enforcement of foreign civil-commercial judgments, **6:70**
 - service of process domestically to commence foreign action, **6:14**
 - taking of documentary evidence abroad in support of domestic action, **6:45**
 - taking of documentary evidence domestically in support of foreign action, **6:41**

INDEX

CANADA—Cont'd

- Practical problems—Cont'd
 - taking of witness evidence abroad in support of domestic action, **6:35**
 - taking of witness evidence domestically in support of foreign proceedings, **6:30**
- Pre-judgment attachment, sovereign immunity, **6:76**
- Product liability, Quebec, **6:63**
- Property as jurisdictional basis, **6:4**
- Property as security device, **6:27**
- Public policy
 - Quebec, constraints on damages recovery, **6:65**
 - recognition and enforcement of foreign civil-commercial judgments, **6:71**
- Punitive/exemplary damages, **6:57**
- Quebec, damages recovery
 - currency conversion, **6:66**
 - damages in contract, **6:60**
 - delict, **6:62**
 - lost profit, **6:61**
 - lost profit damages, **6:61**
 - product liability, **6:63**
 - public policy constraints on recovery, **6:65**
 - standards of burden of proof for recovery, **6:64**
- Recognition and enforcement of foreign civil-commercial judgments
 - conventions, **6:67**
 - local procedural requirements at place of action, **6:69**
- Ontario, transnational litigation, foreign judgment recognition and enforcement, **App. 6F**
- other means and absence of convention, **6:68**
- practical problems, **6:70**
- public policy issues, **6:71**
- time factors, **6:70**
- Recognition and enforcement of judgments against foreign sovereigns, **6:76, 6:77**
- Relevance to later efforts to recognize and enforce
 - choice of law, **6:11**

CANADA—Cont'd

- Relevance to later efforts to recognize and enforce—Cont'd
 - obtaining jurisdiction and choice of forum, **6:7**
 - service of process abroad to commence domestic action, **6:18**
 - service or process domestically to commence foreign action, **6:15**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **6:46**
 - taking of documentary evidence domestically in support of foreign action, place of service, **6:42**
 - taking of witness evidence abroad in support of domestic action, **6:36**
 - taking of witness evidence domestically in support of foreign proceedings, **6:31**
 - taking of witness evidence domestically in support of foreign proceedings, place of service, **6:31**
- Relevant Conventions, **App. 6A**
- Rights of audience in court, **6:3**
- Security
 - costs, security for, **6:78**
 - property as security device, **6:27**
- Service of process abroad to commence domestic action
 - generally, **6:16**
 - conventions, **6:16**
 - default judgments, **6:19**
 - other means and absence of conventions, **6:17**
 - relevance to later efforts to recognize and enforce, **6:18**
- Service of process domestically to commence foreign action
 - generally, **6:12**
 - conventions, **6:12**
 - other means in absence of convention, **6:13**
 - practical problems, **6:14**
 - relevance to later efforts to recognize and enforce, **6:15**
 - time factors, **6:14**

CANADA—Cont'd

- Settlement and compromise of proceedings, **6:72**
- Sovereign immunity
 - generally, **6:73**
 - aids in enforcement of judgments against foreign sovereigns, **6:76**
 - enforcement of judgments against foreign sovereigns, **6:76, 6:77**
 - injunctive measures against foreign sovereigns, **6:76**
 - post-judgment attachment, **6:76**
 - pre-judgment attachment, **6:76**
 - recognition and enforcement of judgments against foreign sovereigns, **6:77**
 - service of process on foreign sovereigns, **6:74**
 - taking of evidence against foreign sovereign entities, **6:75**
- Standards of burden of proof for recovery, **6:64**
- Statement of claim, **6:20**
- Statutory and other bases
 - arbitration statute, **6:83**
 - choice of law, **6:9**
 - obtaining jurisdiction and choice of forum, **6:4**
- Table of Statutes, **App. 6B**
- Strategic considerations
 - appeal and review of transnational judgments, **6:52**
 - summary judgments and equivalent proceedings, **6:23**
- Subject matter jurisdiction, **6:4**
- Substantive and practical overview of key distinguishing issues in Canada, **6:1**
- Substantive issues, choice of law, **6:9**
- Summary judgments and equivalent proceedings
 - practical problems, **6:23**
 - procedural requirements, **6:22**
 - strategic considerations, **6:23**
 - substantive requirements, **6:22**
 - time factors, **6:23**
- Table of Authorities, **App. 6C**
- Table of Cases, **App. 6D**
- Table of Statutes, **App. 6B**

CANADA—Cont'd

- Taking of documentary evidence abroad in support of domestic action
 - generally, **6:44**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **6:48**
 - admissibility and presentation at trial of evidence taken domestically or abroad, general requirements and practices, **6:48**
 - attorney-client privilege, **6:47**
 - attorney work product privilege, **6:47**
 - conventions, **6:44**
 - practical problems, **6:45**
 - privileges, **6:47**
 - relevance to later efforts to recognize and enforce at place of judgment, **6:46**
 - time factors, **6:45**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **6:39**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **6:48**
 - attorney-client privilege, **6:43**
 - attorney work product privilege, **6:43**
 - conventions, **6:40**
 - local procedures, **6:39**
 - other means and absence of conventions, **6:40**
 - practical problems, **6:41**
 - privileges, **6:43**
 - relevance to later efforts to recognize and enforce at place of service, **6:42**
 - time factors, **6:41**
- Taking of witness evidence abroad in support of domestic action
 - generally, **6:34**
 - attorney-client privilege, **6:38**
 - attorney work product privilege, **6:38**
 - expert evidence, special issues, **6:37**
 - local procedures, **6:34**
 - practical problems, **6:35**

INDEX

CANADA—Cont'd

- Taking of witness evidence abroad in support of domestic action
 - Cont'd
 - relevance to later efforts to recognize and enforce at place of judgment, **6:36**
 - time factors, **6:35**
- Taking of witness evidence domestically in support of foreign action
 - generally, **6:28**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **6:48**
 - attorney-client privilege, **6:33**
 - attorney work product privilege, **6:33**
 - conventions, **6:29**
 - expert evidence, special issues, **6:32**
 - local procedures, **6:28, 6:39**
 - practical problems, **6:30**
 - privileges, **6:33**
 - relevance to later efforts to recognize and enforce, **6:31**
 - relevance to later efforts to recognize and enforce at place of service, **6:31**
 - time factors, **6:30**
 - treaties, **6:29**
- Time factors
 - appeal and review of transnational judgments, **6:52**
 - recognition and enforcement of foreign civil-commercial judgments, **6:70**
 - service of process domestically to commence foreign action, **6:14**
 - summary judgments and equivalent proceedings, **6:23**
 - taking of documentary evidence abroad in support of domestic action, **6:45**
 - taking of documentary evidence domestically in support of foreign action, **6:41**
 - taking of witness evidence abroad in support of domestic action, **6:35**
 - taking of witness evidence domestically in support of foreign action, **6:30**

CANADA—Cont'd

- Tort damages, **6:55**
- Treaties, taking of witness evidence domestically in support of foreign action, **6:29**

CASE LAW

- European Union
 - judgment, EU Safe Harbor, **42B:3**
 - Maximillian Schrems v. Data Protection Commissioner, **42B:2, 42B:3**
 - opinion, EU Safe Harbor, **42B:2**
 - press release, Safe Harbor Decision, **42B:1**
- Morrison et al. v. National Australia Bank Ltd. et al
 - concurring opinion, **44:15**
 - opinion of Court, **44:13**
 - opinion of Justice Breyer, **44:14**
 - syllabus, **44:12**
 - United States case law, **44:12 to 44:15**
- Safe harbor. European Union, above
- South Africa, In the Matter Between Michael Richman and Gershon Ben-Tovim, **43:1**
- Table of Cases
 - Australia, **App. 2F**
 - Austria, **App. 3C**
 - Canada, **App. 6D**
 - Denmark, **App. 10D**
 - Finland, **App. 11C**
 - Germany, **App. 13G**
 - India, **App. 15B**
 - Ireland, **App. 16D**
 - Japan, **App. 18D**
 - Korea, **App. 19D**
 - Singapore, **App. 23A**
 - Switzerland, **App. 25D**
 - United States of America, **App. 30A**
- UNCITRAL arbitration cases
 - Chevron v. Ecuador UNCITRAL Arbitration Award, **45:2**
 - Chevron v. Ecuador UNCITRAL Notice of Arbitration, **45:1**
- United Kingdom
 - Index of Cases, **App. 29C**

CASE LAW—Cont'd

United Kingdom—Cont'd

- 129 Yukos Capital Sarl v. OJSC Rosneft Oil Co., enforcement of foreign arbitration award, **46:1**
- Sulamerica CIA Nacional de Seguros SA v. Enesa Engenharia SA-Enesa, anti-suit injunction, **46:2**

United States

- Arista Records, Inc., et al v. Sakfield Holding Company S.L., et al, conducting business via Internet, **44:5**
- Chevron v. Naranjo, enforcement of foreign money judgment, **44:16**
- conducting business via Internet, **44:5, 44:6**
- enforcement of foreign money judgments, Chevron v. Naranjo, **44:16**
- forum non conveniens, **44:10, 44:11**
- Harry Edelson v. Raymond K.F. Ch'ien, et al, passive websites, **44:8**
- injunction against enforcement of foreign judgment vacated, Chevron v. Naranjo, **44:16**
- interactive websites, Morris Material Handling, Inc., et al v. KCI Konecranes PLC, et al, **44:7**
- International Organization Immunities Act, **44:3, 44:4**
- Internet jurisdiction, **44:5 to 44:8**
- In the Matter of the Arbitration Between: Monegasque De Reassurances S.A.M. (Monde Re), Petitioner-Appellant, v. NAK Naftogaz of Ukraine and State of Ukraine, Respondents-Appellees, forum non conveniens, **44:10**
- Janet E. Atkinson, Appellant v. The Inter-American Development Bank, et al, Appellees, **44:3**
- Morris Material Handling, Inc., et al v. KCI Konecranes PLC, et al, interactive websites, **44:7**
- Morrison et al. v. National Australia Bank Ltd. et al, above
- OSS Nokalva, Inc. v. European Space Agency, Appellant; OSS

CASE LAW—Cont'd

United States—Cont'd

- Nokalva, Inc. Appellant v. European Space Agency, **44:4**
- passive websites, Harry Edelson v. Raymond K.F. Ch'ien, et al, **44:8**
- Sinochem International Co., Ltd., Petitioner v. Malaysia International Shipping Corporation, forum non conveniens, **44:11**
- Termorio S.A. E.S.P. and Leaseco Group, LLC, Appellants v. Electranta S.P., et al, Appellees, **44:1**
- 22 U.S.C. § 288. Societe Nationale v. District Court, **44:9**
- 28 U.S.C. § 1782(A), Intel Corporation, Petitioner v. Advanced Micro Devices, Inc., **44:2**
- VIZ Communications, Inc. v. REDSUN, et al, conducting business via Internet, **44:6**

CASSATION

Russian Federation (this index)

CHARTER PARTY

- Brazil, **5:73**
- Finland, **11:69**
- Germany, **13:65**
- Japan, **18:73**
- Kuwait, admissibility and presentation at trial of evidence taken domestically or abroad, **20:71**
- Russian Federation, admissibility and presentation at trial of evidence taken domestically or abroad, **22A:59**
- Sweden, **24:70**

CHILDREN OR MINORS

- United Arab Emirates, action filed against minor, **28:41**

CHINA, PEOPLE'S REPUBLIC

- Generally, **7:1 to 7:122**
- Ab initio objection to jurisdiction, **7:22**
- Ad hoc arbitration vs. international arbitration, **7:112**

INDEX

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Admissibility and presentation at trial of evidence taken domestically or abroad
 - burden of proof, **7:77**
 - categories of evidence, **7:78**
 - general requirements and practices, **7:76**
 - presentation of evidence at trial, **7:79**
- Answer or statement of defense, **7:42**
- Appeal and levels of court, **7:12**
- Appeal and review of transnational judgments
 - generally, **7:80**
 - conclusiveness and finality of judgments, generally, **7:80**
 - practical problems, **7:83**
 - procedural issues, **7:81**
 - strategic considerations, **7:84**
 - substantive issues, **7:82**
 - time factors, **7:83**
- Appointment of arbitrators, **7:115**
- Arbitration
 - generally, **7:110**
 - ad hoc arbitration, **7:112**
 - appointment of arbitrators, **7:115**
 - Arbitration Law, 1994, **40:16**
 - arbitration rules of Chinese Arbitration Association, Taipei, **40:22**
 - award, **7:121**
 - China, People's Republic of, Arbitration Law, 1994, **40:16**
 - commencement of proceedings, **7:114**
 - defense, expansion, **7:116**
 - domestic arbitration, **7:111**
 - enforcement of foreign award, **7:122**
 - expansion of application and defense, **7:116**
 - further pleadings, **7:116**
 - hearing, **7:117, 7:118**
 - international arbitration vs. ad hoc arbitration, **7:112**
 - international arbitration vs. domestic arbitration, **7:111**
 - legal representation, **7:113**
 - pleadings
 - expansion of application and defense, further pleadings, **7:116**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Arbitration—Cont'd
 - pleadings—Cont'd
 - post-hearing pleadings, **7:119**
 - post-hearing pleadings, **7:119**
 - preservation measures, **7:120**
 - rules of evidence, **7:118**
- Attachment, sovereign immunity and pre-judgment attachment, **7:104**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **7:75**
 - taking of documentary evidence domestically in support of foreign action, **7:70**
 - taking of witness evidence abroad in support of domestic action, **7:64**
 - taking of witness evidence domestically in support of foreign proceedings, **7:58**
- Attorney fees, **7:109**
- Attorney representation at arbitration proceedings, **7:113**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **7:75**
 - taking of documentary evidence domestically in support of foreign action, **7:70**
 - taking of witness evidence abroad in support of domestic action, **7:64**
 - taking of witness evidence domestically in support of foreign proceedings, **7:58**
- Audience in court, rights, **7:14**
- Award, arbitration, **7:121**
- Blocking statutes
 - taking of witness evidence abroad in support of domestic action, **7:65**
 - taking of witness evidence domestically in support of foreign proceedings, **7:52**
- Burden of proof, admissibility and presentation at trial of evidence taken domestically or abroad, **7:77**
- Challenges to jurisdiction, **7:21**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- China, People's Republic of, Arbitration Law, 1994, **40:16**
- Choice of forum clauses, **7:20**
- Choice of law
 - choice of law clauses, **7:25**
 - foreign substantive law, bases for application, **7:24**
 - party autonomy, **7:25**
 - proof of foreign law, **7:27**
 - relevance to later efforts to recognize and enforce, **7:26**
 - statutory and other bases for application of foreign substantive law, **7:24**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Civil Procedure Law, **7:2**
- Commencement of arbitration proceedings, **7:114**
- Commencement of suit
 - answer or statement of defense, **7:42**
 - complaint or statement of claim, **7:41**
 - form of answer or statement of defense, **7:42**
 - form of complaint or statement of claim, **7:41**
 - statement of claim, **7:41**
 - statement of defense, **7:42**
 - strategic considerations, answer or statement of defense, **7:42**
 - strategic considerations, complaint or statement of claim, **7:41**
 - substance and content of answer or statement of defense, **7:42**
 - substance and content of complaint or statement of claim, **7:41**
- Complaint or statement of claim, **7:41**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **7:80**
- Content
 - answer or statement of defense, **7:42**
 - complaint or statement of claim, **7:41**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Contingent fees, **7:109**
- Contract, acceptable kinds of damages recovery in, **7:85**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, **7:91**
 - service of process abroad to commence domestic action, **7:35**
 - service of process domestically to commence foreign action, **7:29**
 - taking of documentary evidence abroad in support of domestic action, **7:71**
 - taking of documentary evidence domestically in support of foreign action, **7:66**
 - taking of witness evidence abroad in support of domestic action, **7:59**
 - taking of witness evidence domestically in support of foreign proceedings, **7:53**
- Costs and fees
 - generally, **7:106**
 - attorney fees, **7:109**
 - contingent fees, **7:109**
 - court costs, **7:107**
 - fee schedules, **7:109**
 - interest, **7:108**
 - security for costs, **7:106**
- Court structure
 - adjudication, time horizon and influencing factors, **7:15**
 - audience rights, **7:14**
 - foreign co-counsel, role, **7:14**
 - general structure, **7:8**
 - judges, **7:13**
 - levels of court and appeal, **7:12**
 - local people's courts, **7:9**
 - specialized courts, **7:10**
 - supreme people's court, **7:11**
- Currency conversion, damages recovery, **7:90**
- Damages
 - generally, **7:85**
 - acceptable kinds of damages recovery in contract, **7:85**

INDEX

CHINA, PEOPLE'S REPUBLIC

—Cont'd

Damages—Cont'd

currency conversion, **7:90**

lost profits damages, specific issues, **7:86**

non-contractual bases, damages recovery in, **7:87**

product liability, damages recovery in, **7:87**

public policy constraints, **7:89**

punitive damages, **7:95**

standards of burden of proof for recovery, **7:88**

tort action, damages recovery in, **7:87**

Default judgments

recognition and enforcement of foreign civil-commercial judgments, **7:95**

service of process abroad to commence domestic action, **7:40**

service of process domestically to commence foreign action, **7:34**

Defense expansion, arbitration, **7:116**

Discovery

recognition and enforcement of foreign civil-commercial judgments, **7:95**

taking of witness evidence abroad in support of domestic action, **7:65**

taking of witness evidence domestically in support of foreign action, **7:52**

Documentary evidence

taking of documentary evidence abroad in support of domestic action, below

taking of documentary evidence domestically in support of foreign action, below

Domestic arbitration vs. international arbitration, **7:111**

Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below

Enforcement of foreign arbitration awards, **7:122**

Enforcement of judgments, **7:6, 7:105**

Enforcement of jurisdiction, **7:22**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

Evidence

admissibility and presentation at trial of evidence taken domestically or abroad, **7:77**

admissibility and presentation at trial of evidence taken domestically or abroad, above

arbitration, **7:118**

damages recovery, standards of burden of proof, **7:88**

taking of documentary evidence abroad in support of domestic action, below

taking of documentary evidence domestically in support of foreign action, below

taking of evidence against foreign sovereign entities, **7:103**

taking of witness evidence abroad in support of domestic action, below

taking of witness evidence domestically in support of foreign action, below

Expansion of application and defense, arbitration, **7:116**

Expert evidence

taking of witness evidence abroad in support of domestic action, **7:63**

taking of witness evidence domestically in support of foreign proceedings, **7:57**

Fees. Costs and fees, above

Fee schedules, **7:109**

Foreign co-counsel, role, **7:14**

Foreign jurisdictions

arbitration rules of Chinese Arbitration Association, Taipei, **40:22**

China, People's Republic of, Arbitration Law, 1994, **40:16**

People's Republic of China, Arbitration Law, 1994, **40:16**

Form of answer or statement of defense, **7:42**

Form of complaint or statement of claim, **7:41**

Forum non conveniens and equivalent notions, **7:21**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Hague Conventions, **33:4**
- Hearing, arbitration, **7:117, 7:118**
- Hierarchical jurisdiction, obtaining jurisdiction and choice of forum, **7:17**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence abroad in support of domestic action, **7:75**
 - taking of documentary evidence domestically in support of foreign action, **7:70**
 - taking of witness evidence abroad in support of domestic action, **7:64**
 - taking of witness evidence domestically in support of foreign proceedings, **7:58**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Interest, costs and fees, **7:108**
- Interim and conservatory relief, injunctions and similar emergency measures
 - foreign sovereigns, injunction against, **7:104**
 - parallel proceedings, possible strategies, **7:51**
 - petitions abroad, in connection with domestic proceedings, **7:48**
 - petitions domestically, in support of foreign proceedings, **7:49**
 - property as security device, **7:50**
 - strategies in event of parallel proceedings, **7:51**
- International arbitration. Arbitration, above
- International treaties, **7:5**
- Judges, **7:13**
- Judicial Assistance in China, **33:4**
- Judicial interpretations for application of substantive laws, **7:3**
- Jurisdiction and choice of forum
 - arbitration rules of Chinese Arbitration Association, Taipei, **40:22**
 - China, People's Republic of, Arbitration Law, 1994, **40:16**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- List of Foreign States Having
 - Concluded Bilateral Treaty with China for Judicial Assistance in Civil and Commercial Matters, **App. 7A**
- List of important statutes and conventions, **7:7**
- Local people's courts, **7:9**
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil-commercial judgments, **7:93**
 - service of process abroad to commence domestic action, **7:37**
 - service of process domestically to commence foreign action, **7:31**
- Lost profits damages, specific issues, **7:86**
- Mediation by trial court, **7:4**
- Non-contractual bases, damages recovery in, **7:87**
- Obtaining jurisdiction and choice of forum
 - generally, **7:16**
 - ab initio objection to jurisdiction, **7:22**
 - challenges to jurisdiction, **7:21**
 - choice of forum clauses, **7:20**
 - enforcement of jurisdiction, **7:22**
 - forum non conveniens and equivalent notions, **7:21**
 - hierarchical jurisdiction, **7:17**
 - parallel proceedings, **7:23**
 - party autonomy, **7:20**
 - personal jurisdiction, basis for acceptance, **7:16**
 - property as jurisdictional basis, **7:19**
 - relevance to later efforts to recognize and enforce, **7:22**
 - statutory and other bases, **7:16**
 - subject matter jurisdiction, basis for acceptance, **7:16**
 - territorial jurisdiction, **7:18**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **7:92**

INDEX

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Other means and absence of conventions
 - Cont'd
 - service of process abroad to commence domestic action, **7:36**
 - service of process domestically to commence foreign action, **7:30**
 - taking of documentary evidence abroad in support of domestic action, **7:72**
 - taking of documentary evidence domestically in support of foreign action, **7:67**
 - taking of witness evidence abroad in support of domestic action, **7:60**
 - taking of witness evidence domestically in support of foreign proceedings, **7:54**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **7:23**
- Party autonomy
 - choice of law, **7:26**
 - obtaining jurisdiction and choice of forum, **7:20**
- People's Republic of China, Arbitration Law, 1994, **40:16**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **7:19**
 - sovereign immunity, **7:102**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **7:48**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **7:49**
- Pleadings
 - arbitration, further pleadings, **7:116**
 - arbitration, post-hearing pleadings, **7:119**
- Post-hearing pleadings, arbitration, **7:119**
- Practical problems
 - appeal and review of transnational judgments, **7:83**
 - recognition and enforcement of foreign civil-commercial judgments, **7:94**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Practical problems—Cont'd
 - service of process abroad to commence domestic action, **7:38**
 - service of process domestically to commence foreign action, **7:32**
 - summary judgments and equivalent proceedings, **7:46**
 - taking of documentary evidence abroad in support of domestic action, **7:73**
 - taking of documentary evidence domestically in support of foreign action, **7:68**
 - taking of witness evidence abroad in support of domestic action, **7:61**
 - taking of witness evidence domestically in support of foreign proceedings, **7:55**
- Pre-judgment attachment, sovereign immunity, **7:104**
- Preservation measures, arbitration, **7:120**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **7:44**
- Product liability, damages recovery, **7:87**
- Proof of foreign law, choice of law, **7:27**
- Property as jurisdictional basis, **7:19**
- Property as security device, **7:50**
- Public policy
 - damages, **7:89**
 - recognition and enforcement of foreign civil-commercial judgments, **7:95**
- Recognition and enforcement of foreign civil-commercial judgments
 - conventions, **7:91**
 - default judgments, **7:95**
 - discovery, **7:95**
 - local procedural requirements at place of action, **7:93**
 - other means and absence of convention, **7:92**
 - practical problems, **7:94**
 - public policy issues, **7:95**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Recognition and enforcement of foreign civil-commercial judgments
 - Cont'd
 - punitive damages, **7:95**
 - time factors, **7:94**
- Recognition and enforcement of judgments against foreign sovereigns, **7:105**
- Relevance to later efforts to recognize and enforce
 - choice of law, **7:26**
 - obtaining jurisdiction and choice of forum, **7:22**
 - service of process abroad to commence domestic action, **7:39**
 - service of process domestically to commence foreign action, **7:33**
 - taking of documentary evidence abroad in support of domestic action, **7:74**
 - taking of documentary evidence domestically in support of foreign action, **7:69**
 - taking of witness evidence abroad in support of domestic action, **7:62**
 - taking of witness evidence domestically in support of foreign proceedings, **7:56**
- Rights of audience in court, **7:14**
- Rules of evidence, arbitration, **7:118**
- Schedule of fee, **7:109**
- Secrecy laws
 - taking of witness evidence abroad in support of domestic action, **7:65**
 - taking of witness evidence domestically in support of foreign action, **7:52**
- Security
 - costs, security for, **7:106**
 - property as security device, **7:50**
- Service of process abroad to commence domestic action
 - generally, **7:35**
 - conventions, **7:35**
 - default judgments, **7:40**
 - local procedural requirements at place of action, **7:37**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Service of process abroad to commence domestic action—Cont'd
 - other means and absence of conventions, **7:36**
 - practical problems, **7:38**
 - relevance to later efforts to recognize and enforce, **7:39**
 - time factors, **7:38**
- Service of process domestically to commence foreign action
 - generally, **7:28**
 - conventions, **7:29**
 - default judgments, **7:34**
 - local procedural requirements at place of action, **7:31**
 - other means in absence of convention, **7:30**
 - practical problems, **7:32**
 - relevance to later efforts to recognize and enforce, **7:33**
 - time factors, **7:32**
- Service of process on foreign sovereigns, **7:101**
- Settlement and compromise of proceedings
 - generally, **7:96**
 - compromise during enforcement, **7:99**
 - formalities, **7:97**
 - kinds of settlement and compromise, **7:96**
 - litigation, effect on, **7:98**
 - requirements, **7:97**
- Sovereign immunity
 - generally, **7:100**
 - enforcement of judgments against foreign sovereigns, **7:105**
 - personal jurisdiction, **7:102**
 - recognition and enforcement of judgments against foreign sovereigns, **7:105**
 - service of process on foreign sovereigns, **7:101**
 - subject matter jurisdiction, **7:102**
 - taking of evidence against foreign sovereign entities, **7:103**
- Specialized courts, **7:10**

INDEX

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Standards of burden of proof for damages recovery, **7:88**
- Statement of claim
 - generally, **7:41**
 - form, **App. 7B**
- Statement of defense, **7:42**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **7:24**
 - obtaining jurisdiction and choice of forum, **7:16**
- Strategic considerations
 - answer or statement of defense, **7:42**
 - appeal and review of transnational judgments, **7:84**
 - complaint or statement of complaint, **7:41**
 - parallel proceedings, **7:51**
 - summary judgments and equivalent proceedings, **7:47**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **7:16**
 - sovereign immunity, **7:102**
- Substance and content
 - answer or statement of defense, **7:42**
 - complaint or statement of claim, **7:41**
- Substantive and practical overview of key distinguishing issues in China, People's Republic, **7:1**
- Substantive issues, choice of law, **7:24**
- Summary judgments and equivalent proceedings
 - generally, **7:43**
 - practical problems, **7:46**
 - procedural requirements, **7:44**
 - strategic considerations, **7:47**
 - substantive requirements, **7:45**
 - time factors, **7:46**
- Supreme people's court, **7:11**
- Table of statutes and judicial interpretation, **App. 7C**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **7:71**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Taking of documentary evidence abroad in support of domestic action
 - Cont'd
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **7:75**
 - attorney work product privilege, **7:75**
 - conventions, **7:71**
 - other means and absence of conventions, **7:72**
 - practical problems, **7:73**
 - privileges, **7:75**
 - relevance to later efforts to recognize and enforce at place of judgment, **7:74**
 - time factors, **7:73**
- Taking of documentary evidence domestically in support of foreign action
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **7:70**
 - attorney work product privilege, **7:70**
 - conventions, **7:66**
 - other means and absence of conventions, **7:67**
 - practical problems, **7:68**
 - privileges, **7:70**
 - relevance to later efforts to recognize and enforce at place of evidence, **7:69**
 - time factors, **7:68**
- Taking of witness evidence abroad in support of domestic action
 - generally, **7:59, 7:65**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **7:64**
 - attorney work product privilege, **7:64**
 - blocking statutes, **7:65**
 - conventions, **7:59**
 - discovery, **7:65**
 - expert evidence, special issues, **7:63**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Taking of witness evidence abroad in support of domestic action
 - Cont'd
 - other means in absence of conventions, **7:60**
 - practical problems, **7:61**
 - privileges, **7:64**
 - relevance to later efforts to recognize and enforce at place of judgment, **7:62**
 - secrecy laws, **7:65**
 - time factors, **7:61**
 - time of discovery, **7:65**
- Taking of witness evidence domestically in support of foreign proceedings generally, **7:52**
- admissibility and presentation at trial of evidence taken domestically or abroad, above
- attorney-client privilege, **7:58**
- attorney work product privilege, **7:58**
- blocking statutes, **7:52**
- conventions, **7:53**
- discovery, when and from whom, **7:52**
- expert evidence, special issues, **7:57**
- other means and absence of conventions, **7:54**
- practical problems, **7:55**
- privileges, **7:58**
- relevance to later efforts to recognize and enforce, **7:56**
- secrecy laws, **7:52**
- time factors, **7:55**
- Territorial jurisdiction, obtaining jurisdiction and choice of forum, **7:18**
- Time factors
 - adjudication, time horizon and influencing factors, **7:15**
 - appeal and review of transnational judgments, **7:83**
 - recognition and enforcement of foreign civil-commercial judgments, **7:94**
 - service of process abroad to commence domestic action, **7:38**

CHINA, PEOPLE'S REPUBLIC

—Cont'd

- Time factors—Cont'd
 - service of process domestically to commence foreign action, **7:32**
 - summary judgments and equivalent proceedings, **7:46**
 - taking of documentary evidence abroad in support of domestic action, **7:73**
 - taking of documentary evidence domestically in support of foreign action, **7:68**
 - taking of witness evidence abroad in support of domestic action, **7:61, 7:65**
 - taking of witness evidence domestically in support of foreign action, **7:52, 7:55**
- Tort actions, damages recovery in, **7:87**
- Trial practice, overview, **7:4**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

CHOICE OF FORUM

Jurisdiction and Choice of Forum
(this index)

CHOICE OF FORUM CLAUSES

- Australia, **2:7**
- Austria, **3:9**
- Belgium, **4:9**
- Brazil, **5:8**
- Canada, **6:5**
- China, People's Republic, **7:20**
- Czech Republic, **9:9**
- Finland, **11:7**
- France, **12:9**
- Germany, **13:7**
- Hungary, **14:8**
- India, **15:10**
- Ireland, **16:8**
- Italy, **17:8**
- Japan, **18:8**
- Kuwait, **20:7**

INDEX

CHOICE OF FORUM CLAUSES

—Cont'd

Russian Federation, **22A:10**
Singapore, **23:6**
Sweden, **24:7**
Switzerland, **25:7**
Taiwan, **26:10**
Turkey, **27:12**

CHOICE OF INSTITUTIONAL

Generally, **1:5**

CHOICE OF LAW

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Czech Republic (this index)
Denmark (this index)
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India, **15:12**
Ireland (this index)
Italy (this index)
Japan (this index)
Korea (this index)
Kuwait (this index)
Nigeria (this index)
Philippines, **22:14 to 22:16**
Russian Federation (this index)
Singapore (this index)
Sweden (this index)
Switzerland (this index)
Taiwan (this index)
Turkey (this index)
United Arab Emirates (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

CIVIL AND COMMERCIAL JUDGMENTS

Australia (this index)
Austria (this index)
Belgium (this index)

CIVIL AND COMMERCIAL JUDGMENTS—Cont'd

Brazil (this index)
China, People's Republic (this index)
Czech Republic (this index)
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
Italy (this index)
Japan (this index)
Korea (this index)
Kuwait (this index)
Sweden (this index)
Switzerland (this index)
Taiwan (this index)
Turkey (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

CLASS ACTIONS

The Netherlands, Royal Dutch Class
Action Judgment, **42A:3**

CLASS ARBITRATION

Feasibility, generally, **1:4**

CLERKS OF COURT

United Arab Emirates, **28:21**

COMITY

Switzerland, service of process domesti-
cally to commence foreign action,
25:15

COMMENCEMENT OF SUIT

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Czech Republic (this index)
Denmark, **10:22, 10:23**
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India, **15:14, 15:15**
Ireland, **16:22, 16:23**

COMMENCEMENT OF SUIT—Cont'd

Italy (this index)
Japan (this index)
Korea (this index)
Kuwait (this index)
 Philippines, **22:26 to 22:28**
Russian Federation (this index)
 Sweden, **24:27, 24:28**
Switzerland (this index)
Taiwan (this index)
Turkey (this index)
United Arab Emirates (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

COMMERCIAL ARBITRATION

Cuba, **8:1**

COMMUNITY LAW

Austria, service of process domestically
 to commence foreign action, **3:17**

**COMPLAINT OR STATEMENT OF
 CLAIM**

Australia, **2:26**
 Austria, **3:30**
 Belgium, **4:28**
 Brazil, **5:27**
 Canada, **6:20**
 China, People's Republic, **7:41**
 Czech Republic, **9:26**
 Finland, **11:25**
 France, **12:23**
 Germany, **13:26**
 Hungary, **14:31**
 India, plaint or statement, **15:14**
 Ireland, **16:22**
 Italy, **17:16**
 Japan, **18:27**
 Korea, **19:45**
 Kuwait, **20:25**
 Russian Federation, **22A:23**
 Singapore, **23:20**
 Sweden, **24:27**
 Switzerland, **25:26**
 Taiwan, **26:18**
 Turkey, **27:32**
 United States of America, **30:28**

**COMPLAINT OR STATEMENT OF
 CLAIM—Cont'd**

Uruguay, **31:19**

CONCILIATION

Cuba, ACFT, **8:5**

CONCILIATION PROCEEDINGS

Switzerland, **25:24**

**CONCLUSIVENESS AND FINALITY
 OF JUDGMENTS**

Australia, **2:67**
 Austria, **3:91**
 Belgium, **4:50**
 Brazil, **5:76**
 Canada, **6:49**
 China, People's Republic, **7:80**
 Czech Republic, **9:57**
Denmark (this index)
 Finland, **11:72**
 Germany, **13:68**
 Hungary, **14:75**
 India, **15:27**
 Japan, **18:74**
 Korea, **19:90**
 Kuwait, **20:74**
 Sweden, **24:73**
 Switzerland, **25:59**
 Taiwan, **26:43**
 Turkey, **27:67**
 United Kingdom, **29:69**
 United States of America, **30:66**
 Uruguay, **31:56**

CONCURRENT JURISDICTION

Taiwan, **26:8**

CONFLICT OF LAWS

India's Transnational Litigation,
 Conflict of Laws, Law of Limita-
 tion, **40:17**

CONSTITUTIONAL LAW

United Arab Emirates, **28:1, 28:5**

CONSTITUTION OF COURTS

Hungary, **14:5**

CONSTRUCTION WORK

Brazil, **5:72**
 Finland, **11:68**

INDEX

CONSTRUCTION WORK—Cont'd

Germany, **13:64**
Hungary, **14:74**
Japan, **18:72**
Kuwait, **20:70**
Russian Federation, **22A:58**
Sweden, **24:70**

CONTINGENT FEES

Australia, **2:98**
Austria, **3:121**
Belgium, **4:76**
Canada, **6:81**
China, People's Republic, **7:109**
Czech Republic, **9:81**
France, **12:68**
Germany, **13:98**
India, **15:43**
Ireland, **16:43**
Japan, **18:102**
Korea, **19:134**
Kuwait, **20:107**
Russian Federation, **22A:93**

CONTRACT ACTION

Australia, acceptable kinds of damages recovery in, **2:73**
Austria, acceptable kinds of damages recovery in, **3:96**
Belgium, acceptable kinds of damages recovery in, **4:54**
Brazil, acceptable kinds of damages recovery in, **5:83**
Canada, **6:53, 6:60**
China, People's Republic, acceptable kinds of damages recovery in, **7:85**
Czech Republic, acceptable kinds of damages recovery in, **9:62**
European Community/European Union Convention on the Law Applicable to Contractual Obligations, **35:2**
Finland, acceptable kinds of damages recovery in, **11:76**
France, acceptable kinds of damages recovery in, **12:46**
Germany, acceptable kinds of damages recovery in, **13:74**
Hungary, acceptable kinds of damages recovery in, **14:81**

CONTRACT ACTION—Cont'd

India, acceptable kinds of damages recovery in, **15:31**
Japan, acceptable kinds of damages recovery in, **18:78**
Korea, acceptable kinds of damages recovery in, **19:96**
Kuwait, acceptable kinds of damages recovery in, **20:80**
Russian Federation, kinds of damages recovery in, **22A:71**
Sweden, acceptable kinds of damages recovery in, **24:79**
Switzerland, acceptable kinds of damages recovery in, **25:65**
Taiwan, acceptable kinds of damages recovery in, **26:46**
Turkey, acceptable kinds of damages recovery in, **27:70**
United Kingdom, acceptable kinds of damages recovery in, **29:73**
United States of America, acceptable kinds of damages recovery in, **30:71**
Uruguay, acceptable kinds of damages recovery in, **31:60**

CONVENTION ABOLISHING THE REQUIREMENT FOR LEGALIZATION FOR FOREIGN PUBLIC DOCUMENTS

Generally, **33:15**

CONVENTION ON CIVIL PROCEDURE

Generally, **33:14**

CONVENTION ON COMBATING BRIBERY OF FOREIGN PUBLIC OFFICIALS IN INTERNATIONAL BUSINESS TRANSACTIONS

Generally, **37:1**
Contracting parties, **37:2**
Related documents, **37:1**

CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS

Generally, **34:2**

**CONVENTION ON SERVICE
ABROAD OF JUDICIAL AND
EXTRAJUDICIAL DOCUMENTS
IN CIVIL OR COMMERCIAL
MATTERS**

Generally, **33:12**

CONVENTIONS, GENERALLY

Australia (this index)
Austria (this index)
Belgium (this index)
Bilateral Treaties and Conventions
 (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Czech Republic (this index)
Denmark (this index)
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
 India, international arbitration in
 conventions to which India is party,
15:45
 Ireland, international arbitration in
 conventions to which Ireland is
 party, **16:45**
Italy (this index)
Japan (this index)
Korea (this index)
Kuwait (this index)
Russian Federation (this index)
Singapore (this index)
Sweden (this index)
Switzerland (this index)
Taiwan (this index)
Turkey (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

COSTS AND FEES

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)

COSTS AND FEES—Cont'd

Cuba (this index)
Czech Republic (this index)
 Denmark, **10:57**
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India (this index)
Ireland (this index)
 Italy, **17:46**
Japan (this index)
Korea (this index)
Kuwait (this index)
 Philippines, **22:94 to 22:97**
Russian Federation (this index)
Singapore (this index)
Sweden (this index)
Switzerland (this index)
Taiwan (this index)
Turkey (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

COUNCIL OF EUROPEAN UNION

Jurisdiction and choice of forum
 Regulation (EC) No. 44/2001, 22
 Dec. 2000, on jurisdiction and
 recognition and enforcement of
 judgments in civil and com-
 mercial matters, **40:6**
 Recognition and enforcement of foreign
 civil and commercial judgments
 Regulation (EC) No. 44/2001, 22
 Dec. 2000, on jurisdiction and
 recognition and enforcement of
 judgments in civil and com-
 mercial matters, **40:6**
 Regulation (EC) No. 44/2001, 22 Dec.
 2000, on jurisdiction and recogni-
 tion and enforcement of judgments
 in civil and commercial matters,
40:6

**COUNCIL OF EUROPE
CONVENTIONS**

Generally, **36:1 to 36:7**
 Agreement Relating to Application of
 the European Convention on

INDEX

COUNCIL OF EUROPE

CONVENTIONS—Cont'd

- International Commercial Arbitration, **36:7**
- Contracting states, **36:1**
- Convention on Information on Foreign Law, **36:2**
- Convention on Obtaining Abroad of Information and Evidence in Administrative Matters, **36:5**
- Convention on State Immunity, **36:4**
- Convention on the Abolition of Legalization of Documents Executed by Diplomatic Agents or Consular Officers, **36:3**
- Convention Providing a Uniform Law on Arbitration, **36:6**

COUNTERCLAIMS

- Austria, **3:32**
- Singapore, **23:22**
- Switzerland, **25:31**
- United Arab Emirates, **28:39**

COURT OF CASSATION

- United Arab Emirates (this index)

COURT STRUCTURE

- Australia (this index)
- Austria (this index)
- Belgium (this index)
- Brazil (this index)
- Canada (this index)
- China, People's Republic (this index)
- Czech Republic (this index)
- Denmark (this index)
- Finland (this index)
- France (this index)
- Germany (this index)
- Hungary (this index)
- India (this index)
- Ireland (this index)
- Japan (this index)
- Korea (this index)
- Kuwait (this index)
- Nigeria, **21:3**
- Philippines, **22:2**
- Singapore (this index)
- Sweden (this index)
- Switzerland (this index)

COURT STRUCTURE—Cont'd

- Turkey (this index)
- United Arab Emirates (this index)
- United Kingdom (this index)
- United States of America (this index)
- Uruguay (this index)
- Vietnam, **32:4**

CUBA

- Generally, **8:1 to 8:31**
- Administrative provisions, CCICA, **8:19**
- Arbitration Court for Foreign Trade
 - generally, **8:3**
 - ACFT conciliation, **8:5**
 - awards, **8:9**
 - formation, **8:4**
 - future improvements, **8:28**
 - governing law, **8:6**
 - jurisdiction, **8:4**
 - party nationality, **8:7**
 - performance, **8:10**
 - procedures, **8:8**
 - referees, **8:8**
- Awards
 - CCICA, **8:18, 8:23**
 - Cuba's ACFT, **8:9**
- Commercial arbitration, generally, **8:1**
- Comparative table, **8:31**
- Conciliation, ACFT, **8:5**
- Cuban Court of International Commercial Arbitration
 - generally, **8:11**
 - additional procedural provisions, **8:21**
 - administrative provisions, **8:19**
 - awards, **8:18, 8:23**
 - ethics codes, **8:25**
 - fees, **8:26**
 - governing law, **8:15**
 - hearing, **8:22**
 - judicial assistance, **8:17**
 - jurisdiction, **8:13**
 - location of proceedings, **8:16**
 - mediation services, **8:24**
 - mediators, **8:25**
 - procedural provisions, **8:21**
 - procedure, **8:14**
 - referees, **8:12, 8:25**
 - regulations, **8:20 to 8:26**

CUBA—Cont'd

- Ethics codes, **8:25**
- Fees
 - CCICA, **8:26**
 - comparison, fees in future, **8:29**
- Formation, Cuba's ACFT, **8:4**
- Future
 - generally, **8:27**
 - fee comparison, **8:29**
 - improvements over ACFT, **8:28**
- Governing law
 - CCICA, **8:15**
 - Cuba's ACFT, **8:6**
- Hearing, CCICA, **8:22**
- Judicial assistance, CCICA, **8:17**
- Jurisdiction
 - CCICA, **8:13**
 - Cuba's ACFT, **8:4**
- Location of proceedings, CCICA, **8:16**
- Mediation services, CCICA, **8:24**
- Mediators, CCICA, **8:25**
- Party nationality, Cuba's ACFT, **8:7**
- Performance, Cuba's ACFT, **8:10**
- Procedures
 - CCICA, **8:14, 8:21**
 - Cuba's ACFT, **8:8**
- Referees
 - CCICA, **8:12, 8:25**
 - Cuba's ACFT, **8:8**
- Regulations, CCICA, **8:20 to 8:26**

**CUBAN COURT OF
INTERNATIONAL
COMMERCIAL ARBITRATION
(CCICA)**

Cuba (this index)

**CURRENCY CONVERSION,
DAMAGES RECOVERY**

- Australia, **2:78**
- Austria, **3:102**
- Belgium, **4:60**
- Brazil, **5:88**
- Canada, Quebec, **6:66**
- China, People's Republic, **7:90**
- Czech Republic, **9:66**
- Finland, **11:81**
- France, **12:51**
- Germany, **13:79**

CURRENCY CONVERSION,

DAMAGES RECOVERY—Cont'd

- Japan, **18:83**
- Korea, **19:101**
- Kuwait, **20:85**
- Russian Federation, **22A:76**
- Sweden, **24:84**
- Switzerland, **25:70**
- Turkey, **27:75**
- United Kingdom, **29:78**
- United States of America, **30:76**
- Uruguay, **31:65**

CZECH REPUBLIC

- Generally, **9:1 to 9:108**
- Ab initio objection to jurisdiction, **9:11**
- Acts and other legal regulations, **App. 9D**
- Admissibility and presentation at trial of evidence taken domestically or abroad, **9:55**
- Agricultural chamber of Czech Republic for international disputes, rules of procedure of arbitration court attached to, **9:99**
- Answer or statement of defense, **9:27**
- Appeal and review of transnational judgments
 - generally, **9:56**
 - conclusiveness and finality of judgments, generally, **9:57**
 - practical problems, **9:60**
 - procedural issues, **9:58**
 - relevance to later efforts, **9:61**
 - substantive issues, **9:59**
- Appeal of arbitrator's decision, **9:94**
- Arbitration
 - generally, **9:82**
 - agricultural chamber of Czech Republic for international disputes, rules of procedure of arbitration court attached to, **9:99**
 - appeal of arbitrator's decision, **9:94**
 - arbitration fee and lump sum for covering costs, **9:103, 9:104**
 - confidentiality, **9:90**
 - conventions, **9:83**
 - costs of proceedings, **9:102 to 9:108**
 - duties of arbitrators, **9:92**

INDEX

CZECH REPUBLIC—Cont'd

Arbitration—Cont'd

- economic chamber of Czech Republic, rules of procedure of arbitration court attached to, **9:99**
 - enforcement of agreement to arbitrate, **9:88**
 - enforcement of awards made outside Czech Republic, **9:96**
 - fee for objection to jurisdiction of arbitration court, **9:106**
 - institutions, **9:97 to 9:108**
 - jurisdiction of arbitrators, **9:89**
 - lump sum for covering costs, **9:103, 9:104**
 - objection to jurisdiction of arbitration court, fee, **9:106**
 - payment of costs, **9:108**
 - preliminary relief, **9:91**
 - qualifications of arbitrators, **9:86**
 - recommended wording of arbitration clause, **9:98**
 - return of fee and lump sum for covering costs, **9:105**
 - rights of representation, **9:87**
 - rules of procedure of arbitration court attached to economic and agricultural chambers of Czech Republic, **9:99**
 - Rules of the Arbitration Court of the Czech Republic, **41:22**
 - Secretary and administrative background, **9:101**
 - setting aside or vacating arbitral award, **9:95**
 - simplified proceedings, **9:100**
 - specific costs, **9:107**
 - statute, **9:84**
 - time limit to issue award, **9:93**
 - UNCITRAL model law, **9:85, 9:95**
 - written evidence as basis for simplified proceedings, **9:100**
- #### Attachment
- post-judgment attachment, sovereign immunity, **9:77**
 - pre-judgment attachment, sovereign immunity, **9:76**
- #### Attorney fees, **9:81**

CZECH REPUBLIC—Cont'd

- Attorneys, representation at arbitration proceedings, **9:87**
- Audience in court, rights, **9:4**
- Bilateral Treaties on Legal Assistance, **App. 9B**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **9:46**
 - taking of witness evidence domestically in support of foreign proceedings, **9:35**
- Challenges to jurisdiction, **9:10**
- Choice of forum clauses, **9:9**
- Choice of law
 - choice of law clauses, **9:14**
 - foreign substantive law, bases for application, **9:13**
 - party autonomy, **9:14**
 - relevance to later efforts to recognize and enforce, **9:15**
 - statutory and other bases for application of foreign substantive law, **9:13**
- Commencement of suit
 - answer or statement of defense, **9:27**
 - complaint or statement of claim, **9:26**
 - form of answer or statement of defense, **9:27**
 - form of complaint or statement of claim, **9:26**
 - statement of claim, **9:26**
 - statement of defense, **9:27**
 - strategic considerations, answer or statement of defense, **9:27**
 - strategic considerations, complaint or statement of claim, **9:26**
 - substance and content of answer or statement of defense, **9:27**
 - substance and content of complaint or statement of claim, **9:26**
- Complaint or statement of claim, **9:26**
- Conclusiveness and finality of judgments, generally, **9:57**
- Confidentiality of arbitration proceedings, **9:90**
- Consular Treaties of Czech Republic, **App. 9C**

CZECH REPUBLIC—Cont'd

Content

- answer or statement of defense, **9:27**
- complaint or statement of claim, **9:26**

Contingencies and fee schedules, **9:81**

Contract, acceptable kinds of damages recovery in, **9:62**

Conventions

- international arbitration conventions to which Czech Republic is party, **9:83**

International Conventions, **App. 9A**
recognition and enforcement of foreign civil-commercial judgments, **9:67**

service of process abroad to commence domestic action, **9:21**

service of process domestically to commence foreign action, **9:16**

taking of documentary evidence abroad in support of domestic action, **9:51**

taking of documentary evidence domestically in support of foreign action, **9:47**

taking of witness evidence abroad in support of domestic action, **9:41**

taking of witness evidence domestically in support of foreign proceedings, **9:36**

Costs and fees

generally, **9:78**

arbitration proceedings, **9:102 to 9:108**

attorney fees, **9:81**

contingencies and fee schedules, **9:81**

court costs, **9:79**

interest, **9:80**

security for costs, **9:78**

Court structure

adjudication, time horizon and influencing factors, **9:5**

audience rights, **9:4**

basis of court hearing, **9:6**

foreign co-counsel, role, **9:4**

general structure, **9:3**

Currency conversion, damages recovery, **9:66**

CZECH REPUBLIC—Cont'd

Damages

generally, **9:62**

acceptable kinds of damages recovery in contract, **9:62**

currency conversion, **9:66**

lost profits damages, specific issues, **9:63**

public policy constraints, **9:65**

standards of burden of proof for recovery, **9:64**

Default judgments, service of process abroad to commence domestic action, **9:25**

Economic chamber of Czech Republic, rules of procedure of arbitration court attached to, **9:99**

Enforcement of agreement to arbitrate, **9:88**

Enforcement of arbitration awards made outside Czech Republic, **9:96**

Enforcement of judgments against foreign sovereigns, **9:76, 9:77**

Enforcement of jurisdiction, **9:11**

Evidence

admissibility and presentation at trial of evidence taken domestically or abroad, **9:55**

damages recovery, standards of burden of proof, **9:64**

expert evidence, below

taking of evidence against foreign sovereign entities, **9:75**

Expert evidence

taking of witness evidence abroad in support of domestic action, **9:45**

taking of witness evidence domestically in support of foreign proceedings, **9:40**

Fee schedules and contingencies, **9:81**

Foreign co-counsel, role, **9:4**

Form of answer or statement of defense, **9:27**

Form of complaint or statement of claim, **9:26**

Forum non conveniens and equivalent notions, **9:10**

Hearings

court structure, basis of court hearing, **9:6**

INDEX

CZECH REPUBLIC—Cont'd

- Immunities and privileges, Sovereign immunity, below
- Interest, costs and fees, **9:80**
- Interim and conservatory relief, injunctions and similar emergency measures
 - foreign sovereigns, injunction against, **9:76, 9:77**
 - petitions abroad, in connection with domestic proceedings, **9:33**
 - petitions domestically, in support of foreign proceedings, **9:34**
- Jurisdiction of arbitrators, **9:89**
- Literature, **App. 9E**
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil-commercial judgments, **9:69**
 - service of process domestically to commence foreign action, **9:18**
- Lost profits damages, specific issues, **9:63**
- Obtaining jurisdiction
 - generally, **9:7**
 - ab initio objection to jurisdiction, **9:11**
 - challenges to jurisdiction, **9:10**
 - choice of forum clauses, **9:9**
 - enforcement of jurisdiction, **9:11**
 - forum non conveniens and equivalent notions, **9:10**
 - parallel proceedings, **9:12**
 - party autonomy, **9:9**
 - personal jurisdiction, basis for acceptance, **9:7**
 - property as jurisdictional basis, **9:8**
 - relevance to later efforts to recognize and enforce, **9:11**
 - statutory and other bases, **9:7**
 - subject matter jurisdiction, basis for acceptance, **9:7**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **9:68**
 - service of process abroad to commence domestic action, **9:22**

CZECH REPUBLIC—Cont'd

- Other means and absence of conventions—Cont'd
 - service of process domestically to commence foreign action, **9:17**
 - taking of documentary evidence abroad in support of domestic action, **9:52**
 - taking of documentary evidence domestically in support of foreign action, **9:48**
 - taking of witness evidence abroad in support of domestic action, **9:42**
 - taking of witness evidence domestically in support of foreign proceedings, **9:37**
- Parallel proceedings, obtaining jurisdiction, **9:12**
- Party autonomy
 - choice of law, **9:14**
 - obtaining jurisdiction, **9:9**
- Personal jurisdiction
 - obtaining jurisdiction, **9:7**
 - sovereign immunity, **9:74**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **9:33**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **9:34**
- Post-judgment attachment, sovereign immunity, **9:77**
- Practical problems
 - appeal and review of transnational judgments, **9:60**
 - recognition and enforcement of foreign civil-commercial judgments, **9:70**
 - service of process abroad to commence domestic action, **9:23**
 - service of process domestically to commence foreign action, **9:19**
 - summary judgments and equivalent proceedings, **9:31**
 - taking of documentary evidence abroad in support of domestic action, **9:53**
 - taking of documentary evidence domestically in support of foreign action, **9:49**

CZECH REPUBLIC—Cont'd

- Practical problems—Cont'd
 - taking of witness evidence abroad in support of domestic action, **9:43**
 - taking of witness evidence domestically in support of foreign proceedings, **9:38**
- Pre-judgment attachment, sovereign immunity, **9:76**
- Procedural requirements, summary judgments and equivalent proceedings, **9:29**
- Property as jurisdictional basis, **9:8**
- Public policy
 - damages, **9:65**
 - recognition and enforcement of foreign civil-commercial judgments, **9:71**
- Recognition and enforcement of foreign civil-commercial judgments
 - conventions, **9:67**
 - local procedural requirements at place of action, **9:69**
 - other means and absence of convention, **9:68**
 - practical problems, **9:70**
 - public policy issues, **9:71**
 - time factors, **9:70**
- Recognition and enforcement of judgments against foreign sovereigns, **9:76, 9:77**
- Relevance to later efforts to recognize and enforce
 - appeal and review of transnational judgments, **9:61**
 - choice of law, **9:14**
 - obtaining jurisdiction, **9:11**
 - service of process abroad to commence domestic action, **9:24**
 - service or process domestically to commence foreign action, **9:20**
 - summary judgments and equivalent proceedings, **9:32**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **9:54**
 - taking of documentary evidence domestically in support of foreign action, place of evidence, **9:50**

CZECH REPUBLIC—Cont'd

- Relevance to later efforts to recognize and enforce—Cont'd
 - taking of witness evidence abroad in support of domestic action, **9:44**
 - taking of witness evidence domestically in support of foreign proceedings, **9:39**
- Rights of audience in court, **9:4**
- Rules of procedure of arbitration court attached to economic and agricultural chambers of Czech Republic, **9:99**
- Security for costs, **9:78**
- Service of process abroad to commence domestic action
 - generally, **9:21**
 - conventions, **9:21**
 - default judgments, **9:25**
 - other means and absence of conventions, **9:22**
 - practical problems, **9:23**
 - relevance to later efforts to recognize and enforce, **9:24**
 - time factors, **9:23**
- Service of process domestically to commence foreign action
 - generally, **9:16**
 - conventions, **9:16**
 - local procedural requirements at place of action, **9:18**
 - other means in absence of convention, **9:17**
 - practical problems, **9:19**
 - relevance to later efforts to recognize and enforce, **9:20**
 - time factors, **9:19**
- Service of process on foreign sovereigns, **9:73**
- Setting aside or vacating arbitral award, **9:95**
- Settlement and compromise of proceedings
 - generally, **9:72**
 - formalities, **9:72**
 - kinds of settlement and compromise, **9:72**
 - requirements, **9:72**

INDEX

CZECH REPUBLIC—Cont'd

- Sovereign immunity
 - generally, **9:73**
 - enforcement of judgments against foreign sovereigns, **9:76, 9:77**
 - personal jurisdiction, **9:74**
 - recognition and enforcement of judgments against foreign sovereigns, **9:76, 9:77**
 - service of process on foreign sovereigns, **9:73**
 - subject matter jurisdiction, **9:74**
 - taking of evidence against foreign sovereign entities, **9:75**
- Standards of burden of proof for damages recovery, **9:64**
- Statement of claim, **9:26**
- Statement of defense, **9:27**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **9:13**
 - obtaining jurisdiction and choice of forum, **9:7**
- Strategic considerations
 - answer or statement of defense, **9:27**
 - complaint or statement of complaint, **9:26**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **9:7**
 - sovereign immunity, **9:74**
- Substance and content
 - answer or statement of defense, **9:27**
 - complaint or statement of claim, **9:26**
- Substantive and practical overview of key distinguishing issues in Czech Republic, **9:1**
 - generally, **9:1**
 - civil procedure law, principles, **9:2**
 - legal order, principles, **9:1**
- Substantive issues, choice of law, **9:13**
- Summary judgments and equivalent proceedings
 - generally, **9:28**
 - practical problems, **9:31**
 - procedural requirements, **9:29**

CZECH REPUBLIC—Cont'd

- Summary judgments and equivalent proceedings—Cont'd
 - relevance to later efforts to recognize and enforce, **9:32**
 - substantive requirements, **9:30**
 - time factors, **9:31**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **9:51**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **9:55**
 - conventions, **9:51**
 - other means and absence of conventions, **9:52**
 - practical problems, **9:53**
 - relevance to later efforts to recognize and enforce at place of judgment, **9:54**
 - time factors, **9:53**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **9:46**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **9:55**
 - blocking statutes, **9:46**
 - conventions, **9:47**
 - discovery, **9:46**
 - other means and absence of conventions, **9:48**
 - practical problems, **9:49**
 - relevance to later efforts to recognize and enforce at place of evidence, **9:50**
 - secrecy laws, **9:46**
 - time factors, **9:49**
 - time of discovery, **9:46**
- Taking of witness evidence abroad in support of domestic action
 - generally, **9:41**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **9:55**
 - conventions, **9:41**
 - expert evidence, special issues, **9:45**

CZECH REPUBLIC—Cont'd

- Taking of witness evidence abroad in support of domestic action
 - Cont'd
 - other means in absence of conventions, **9:42**
 - practical problems, **9:43**
 - relevance to later efforts to recognize and enforce at place of judgment, **9:44**
 - time factors, **9:43**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **9:35**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **9:55**
 - blocking statutes, **9:35**
 - conventions, **9:36**
 - discovery, when and from whom, **9:35**
 - expert evidence, special issues, **9:40**
 - other means and absence of conventions, **9:37**
 - practical problems, **9:38**
 - relevance to later efforts to recognize and enforce, **9:39**
 - secrecy laws, **9:35**
 - time factors, **9:38**
- Time factors
 - arbitration award, time limit to issue, **9:93**
 - recognition and enforcement of foreign civil-commercial judgments, **9:70**
 - service of process abroad to commence domestic action, **9:23**
 - service of process domestically to commence foreign action, **9:19**
 - summary judgments and equivalent proceedings, **9:31**
 - taking of documentary evidence abroad in support of domestic action, **9:53**
 - taking of documentary evidence domestically in support of foreign action, **9:46, 9:49**
 - taking of witness evidence abroad in support of domestic action, **9:43**

CZECH REPUBLIC—Cont'd

- Time factors—Cont'd
 - taking of witness evidence domestically in support of foreign action, **9:35, 9:38**
- UNCITRAL model law, international arbitration, **9:85**
- Vacating arbitral award, **9:95**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

DAMAGES

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- Canada** (this index)
- China, People's Republic** (this index)
- Denmark**, **10:51, 10:52**
- Finland** (this index)
- France** (this index)
- Germany** (this index)
- Hungary** (this index)
- India** (this index)
- Ireland**, **16:31**
- Italy**, **17:41**
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Philippines**, **22:73 to 22:79**
- Russian Federation** (this index)
- Singapore**, **23:42**
- Sweden** (this index)
- Switzerland** (this index)
- Taiwan** (this index)
- Turkey** (this index)
- United Kingdom** (this index)
- United States of America** (this index)
- Uruguay** (this index)

DEBTOR'S ACT REMEDIES

- Singapore**, **23:34**

DEFAULT JUDGMENTS

- Australia** (this index)

INDEX

DEFAULT JUDGMENTS—Cont'd

Austria (this index)
Belgium (this index)
Brazil (this index)
Canada, **6:19**
China, People's Republic (this index)
Czech Republic, **9:25**
Denmark, service of process, **10:20**
Finland (this index)
France, service of process, **12:20 to 12:22**
Germany (this index)
Hungary (this index)
Japan (this index)
Korea (this index)
Kuwait (this index)
Russian Federation, summary judgments and equivalent proceedings, **22A:32**
Singapore, service of process abroad to commence domestic action, **23:18**
Sweden (this index)
Switzerland (this index)
Taiwan, **26:17**
Turkey (this index)
United Arab Emirates, **28:43**
United States of America (this index)

DEFENSE

United Arab Emirates, **28:34**

DEFENSES

Singapore, **23:21, 23:23, 23:47**

DELICT

Canada, Quebec, **6:62**

DENMARK

Generally, **10:1 to 10:58**
Ab initio objection to jurisdiction, **10:12**
Absence of conventions, service of process domestically to commence foreign action, **10:18**
Admissibility and presentation at trial of evidence taken domestically or abroad, **10:41**
Appeal, conclusiveness and finality of judgments, **10:44**
Appeal and review of transnational judgments, **10:42**
Arbitration, **10:58**

DENMARK—Cont'd

Attachment, **10:30**
Audience in courts, rights, **10:3**
Binding effect of judgment, **10:45**
Challenges to jurisdiction, **10:11**
Choice of law
 party autonomy and choice-of-law clauses, **10:15**
 relevance to later efforts to recognize and enforce, **10:16**
 statutory and other bases for application of foreign substantive law, **10:14**
 subsidiary heads of jurisdiction, **10:10**
Commencement of suit, **10:22, 10:23**
Compromise of proceedings, **10:55**
Conclusiveness and finality of judgments
 generally, **10:43**
 appeal, **10:44**
 binding effect of judgment, **10:45**
 practical problems, **10:48**
 procedural issues, **10:46**
 relevant to later efforts to recognize and enforce, **10:50**
 review, **10:43**
 strategic considerations, **10:49**
 substantive issues, **10:47**
 time factors, **10:48**
Conventions
 service of process domestically to commence foreign action, **10:17**
 Table of Conventions, **App. 10A**
Costs and fees, **10:57**
Court structure
 generally, **10:2**
 audience, rights of, **10:3**
 time horizons for adjudication, **10:4**
Damages, **10:51, 10:52**
Default judgments and service of process, **10:20**
Documentary evidence
 taking of documentary evidence abroad in support of domestic action, **10:40**
 taking of documentary evidence domestically in support of foreign action, **10:39**

DENMARK—Cont'd

- Emergency measures
 - generally, **10:29**
 - attachment, **10:30**
 - injunctions, **10:31**
 - rei vindicatio, **10:32**
- Enforcement of foreign civil-commercial judgments, **10:54**
- Evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **10:41**
 - taking of documentary evidence abroad in support of domestic action, **10:40**
 - taking of documentary evidence domestically in support of foreign action, **10:39**
 - taking of witness evidence abroad in support of domestic action, **10:38**
 - taking of witness evidence domestically in support of foreign proceedings, **10:37**
- Fees and costs, **10:57**
- Foreign civil-commercial judgments, recognition and enforcement, **10:54**
- Forum non conveniens and equivalent notions, **10:11**
- General remarks, **10:33**
- Immunity of sovereign, **10:56**
- Injunctions, **10:31**
- Intellectual property cases, securing evidence in, **10:34**
- Interim and conservatory relief, injunctions and similar emergency measures, **10:27**
- International arbitration, **10:58**
- Lis pendens, **10:28**
- Notice of lis pendens, **10:28**
- Obtaining jurisdiction and choice of forum
 - generally, **10:7**
 - personal jurisdiction, bases for, **10:5, 10:6**
 - special jurisdiction, **10:8**
 - subject matter jurisdiction, bases for, **10:5, 10:6**

DENMARK—Cont'd

- Other means, service of process
 - domestically to commence foreign action, **10:18**
- Parallel proceedings
 - strategies, **10:36**
 - subsidiary heads of jurisdiction, **10:13**
- Party autonomy
 - choice-of-law clauses, **10:15**
 - subsidiary heads of jurisdiction, **10:10**
- Personal jurisdiction, bases for, **10:5, 10:6**
- Practical problems
 - commencement of suit, **10:23**
 - conclusiveness and finality of judgments, **10:48**
 - service of process domestically to commence foreign action, **10:19**
- Products liability, damages, **10:52**
- Property as security device, **10:35**
- Recognition and enforcement of foreign civil-commercial judgments, **10:54**
- Rei vindicatio, **10:32**
- Relevance to later efforts to recognize and enforce
 - choice of law, **10:16**
 - conclusiveness and finality of judgments, **10:50**
- Review, conclusiveness and finality of judgments, **10:43**
- Securing evidence in intellectual property cases, **10:34**
- Security device, property as, **10:35**
- Service of process abroad to commence domestic action, **10:21**
- Service of process and default judgments, **10:20**
- Service of process domestically to commence foreign action
 - generally, **10:17**
 - conventions, **10:17**
 - other means and absence of conventions, **10:18**
 - practical problems and time factors, **10:19**
- Settlement and compromise of proceedings, **10:55**
- Sovereign immunity, **10:56**
- Special jurisdiction, **10:8**

INDEX

DENMARK—Cont'd

- Statutory and other bases, Table of Statutes, **App. 10B**
- Strategic considerations
 - conclusiveness and finality of judgments, **10:49**
 - parallel suits, **10:36**
- Structure of court system, **10:2**
- Subject matter jurisdiction, bases for, **10:5, 10:6**
- Subsidiary heads of jurisdiction
 - generally, **10:9**
 - ab initio objection to jurisdiction, **10:12**
 - challenges to jurisdiction, **10:11**
 - forum non conveniens and equivalent notions, **10:11**
 - parallel proceedings, **10:13**
 - party autonomy and choice-of-law clauses, **10:10**
- Substantive and practical overview, **10:1**
- Summary judgments and equivalent proceedings
 - generally, **10:24**
 - procedural requirements, **10:25**
 - substantive requirements, **10:26**
- Table of Authorities, **App. 10C**
- Table of Cases, **App. 10D**
- Table of Conventions, **App. 10A**
- Table of Statutes, **App. 10B**
- Taking of documentary evidence abroad in support of domestic action, **10:40**
- Taking of documentary evidence domestically in support of foreign action, **10:39**
- Taking of witness evidence abroad in support of domestic action, **10:38**
- Taking of witness evidence domestically in support of foreign proceedings, **10:37**
- Time factors
 - adjudication, time horizons, **10:4**
 - conclusiveness and finality of judgments, **10:48**
 - service of process domestically to commence foreign action, **10:19**
- Torts, damages, **10:52**

DENMARK—Cont'd

- Witness evidence
 - taking of witness evidence abroad in support of domestic action, **10:38**
 - taking of witness evidence domestically in support of foreign proceedings, **10:37**

DIPLOMATIC AND CONSULAR RELATIONS

- Council of Europe Convention on the Abolition of Legalization of Documents Executed by Diplomatic Agents or Consular Officers, **36:3**
- Ireland, sovereign immunity for diplomat officers, **16:37**
- Italy, **17:45**
- UN Convention on Consular Relations, **34:6**
- UN Convention on Diplomatic Relations, **34:5**

DISCLOSURE

- Italy, orders for disclosure, **17:32**

DISCOVERY

- Generally, **1:3**
- Australia** (this index)
- Austria** (this index)
- Belgium, taking of witness evidence domestically in support of foreign proceedings, **4:36**
- Brazil** (this index)
- China, People's Republic** (this index)
- Finland** (this index)
- France, taking of witness evidence domestically in support of foreign action, **12:35**
- Germany** (this index)
- Hungary, **14:92**
- Hungary** (this index)
- India, **15:22**
- Italy, taking of documentary evidence domestically in support of foreign action, **17:27**
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Russian Federation** (this index)
- Sweden** (this index)

DISCOVERY—Cont'd

- Turkey (this index)
- United Arab Emirates, **28:38**
- United Kingdom (this index)

DOCTOR-PATIENT PRIVILEGE

- Austria (this index)

DOCUMENTARY EVIDENCE

- Australia (this index)
- Austria (this index)
- Belgium, **4:45, 4:46**
- Brazil (this index)
- China, People's Republic (this index)
- Denmark, **10:39, 10:40**
- Finland (this index)
- Germany (this index)
- Hungary (this index)
- India (this index)
- Ireland, **16:28**
- Italy (this index)
- Japan (this index)
- Korea (this index)
- Kuwait (this index)
- Philippines, **22:52 to 22:57, 22:58, 22:59**
- Singapore (this index)
- Sweden (this index)
- Switzerland (this index)
- Taiwan, **26:42**
- Turkey (this index)
- United Kingdom (this index)
- United States of America (this index)
- Uruguay (this index)

DOCUMENTS

- European Community/European Union Convention on the Service in the Member States of the European Union of Judicial and Extrajudicial Documents in Civil and Commercial Matters, **35:3**

DUPLICATION

- Switzerland, **25:29**

EGYPT

- Cairo Regional Centre for International Commercial Arbitration ADR rules, **41:18**
- rules of arbitration, **41:17**

ENFORCEMENT OF FOREIGN ARBITRAL AWARDS

- Austria, **3:138**
- Belgium, **4:91**
- India, **15:58**
- Ireland, **16:59**
- Nigeria, **21:24**
- United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards, **34:4**

ENFORCEMENT OF JUDGMENT OF LAGOS STATE HIGH COURT

- Nigeria, **21:16**

ENFORCEMENT OF JUDGMENTS

- China, People's Republic, **7:6**
- European Community/European Union Convention on Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters, **35:4**

ENFORCEMENT OF JUDGMENTS AGAINST FOREIGN SOVEREIGNS

- Australia, **2:92**
- Austria, **3:116**
- Belgium, **4:71**
- Brazil, **5:103, 5:104**
- Canada, **6:76, 6:77**
- China, People's Republic, **7:105**
- Czech Republic, **9:76, 9:77**
- Finland, **11:92, 11:93**
- Germany, **13:92, 13:93**
- Japan, **18:97, 18:98**
- Korea, **19:129**
- Kuwait, **20:102**
- Sweden, **24:94, 24:95**
- Switzerland, **25:81, 25:82**
- Turkey, **27:90, 27:91**
- United Kingdom, **29:92, 29:94**
- United States of America, **30:89, 30:90**
- Uruguay, **31:75, 31:76**

ESTIMATING OATH

- Italy, **17:36**

ESTIMATING OATHS

- Italy, admissibility and presentation at trial of evidence taken domestically or abroad, **17:36**

INDEX

ETHICS CODES

Cuba, **8:25**

EUROPEAN

COMMUNITY/EUROPEAN UNION CONVENTIONS

Generally, **35:1 to 35:5**

Contracting States to the European
Community/European Union
Conventions, **35:1**

Convention on Jurisdiction and Enforce-
ment of Judgments in Civil and
Commercial Matters, **35:3, 35:4**

Convention on the Law Applicable to
Contractual Obligations, **35:2**

Convention on the Service in the
Member States of the European
Union of Judicial and Extrajudicial
Documents in Civil and Com-
mercial Matters, **35:3**

EUROPEAN CONVENTIONS

Council of Europe Conventions (this
index)

**European Community/European
Union Conventions** (this index)

EUROPEAN PARLIAMENT AND COUNCIL OF EUROPEAN UNION

Foreign jurisdictions, Regulation (EC)
No. 846/2007, 11 July 2007, on law
applicable to non-contractual
obligations (Rome II), **40:8**

EUROPEAN UNION

Case Law (this index)

Foreign jurisdictions, European Union
Directive on Mediation, **40:9**

EVIDENCE

**Admissibility and Presentation of Evi-
dence at Trial** (this index)

Australia (this index)

Austria (this index)

Belgium (this index)

Brazil (this index)

Canada (this index)

China, People's Republic (this index)

Convention on Taking of Evidence
Abroad in Civil or Commercial
Matters, **33:13**

EVIDENCE—Cont'd

Council of Europe Convention on
Obtaining Abroad of Information
and Evidence in Administrative
Matters, **36:5**

Czech Republic (this index)

Denmark (this index)

Finland (this index)

France (this index)

Germany (this index)

Hague Convention on Taking of Evi-
dence Abroad in Civil or Com-
mercial Matters, **33:13**

Hungary (this index)

India (this index)

Ireland (this index)

Italy (this index)

Japan (this index)

Korea (this index)

Kuwait (this index)

Lagos state high court of Nigeria, **21:15**

Nigeria, Lagos state high court, **21:15**

Philippines (this index)

Recommendations of Hague Special
Commission on Service, Taking of
Evidence, and Access to Justice
Convention, **33:16**

Russian Federation (this index)

Singapore (this index)

Standards of burden of proof for dam-
ages recovery

Australia, **2:76**

Austria, **3:99**

Belgium, **4:58**

Brazil, **5:86**

Canada, **6:64**

China, People's Republic, **7:88**

Czech Republic, **9:64**

Finland, **11:79**

France, **12:49**

Germany, **13:77**

Hungary, **14:86**

India, **15:35**

Japan, **18:81**

Korea, **19:99**

Kuwait, **20:83**

Russian Federation, **22A:7**

Sweden, **24:82**

EVIDENCE—Cont'd

- Standards of burden of proof for damages recovery—Cont'd
 - Switzerland, **25:68**
 - Turkey, **27:73**
 - United Kingdom, **29:76**
 - United States of America, **30:74**
 - Uruguay, **31:63**
- Sweden** (this index)
- Switzerland** (this index)
- Taiwan** (this index)
- Turkey** (this index)
- United Arab Emirates, **28:36**
- United Arab Emirates** (this index)
- United Kingdom** (this index)
- United States of America** (this index)
- Uruguay** (this index)

EXCLUSIVE JURISDICTION

- Taiwan, **26:9**

EXECUTION PROCEEDINGS

- United Arab Emirates** (this index)

EX PARTE PROCEEDINGS

- France, summary judgments, **12:27**

EXPERT EVIDENCE

- Australia** (this index)
- Austria** (this index)
- Belgium, taking of witness evidence domestically in support of foreign proceedings, **4:40**
- Brazil** (this index)
- China, People's Republic** (this index)
- Czech Republic** (this index)
- Finland** (this index)
- Germany** (this index)
- Hungary** (this index)
- Italy, admissibility and presentation at trial of evidence taken domestically or abroad, **17:38**
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Russian Federation** (this index)
- Sweden, taking of witness evidence domestically in support of foreign proceedings, **24:44**

EXPERT EVIDENCE—Cont'd

- Switzerland, admissibility and presentation at trial of evidence taken domestically or abroad, **25:57**
- Taiwan, **26:27**
- Turkey, **27:51**
- United Arab Emirates, **28:36**
- United Kingdom** (this index)
- United States of America** (this index)
- Uruguay** (this index)

EXPRESS CHOICE OF LAW BY PARTIES

- Nigeria, **21:11**

FEES

- Costs and Fees** (this index)

FEE SCHEDULES

- Australia, **2:98**
- Austria, **3:121**
- Belgium, **4:76**
- Canada, **6:81**
- China, People's Republic, **7:109**
- Czech Republic, **9:81**
- France, **12:68**
- Germany, **13:98**
- India, **15:43**
- Ireland, **16:44**
- Japan, **18:102**
- Korea, **19:134**
- Kuwait, **20:107**
- Russian Federation, **22A:93**
- United Kingdom, **29:98**

FINLAND

- Generally, **11:1 to 11:106**
- Ab initio objection to jurisdiction, **11:9**
- Admiralty actions, admissibility and presentation at trial of evidence taken domestically or abroad, **11:71**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - admiralty and maritime actions, **11:71**
 - agency, **11:65**
 - charter party, **11:69**
 - construction work, **11:68**
 - general commercial, **11:62**

INDEX

FINLAND—Cont'd

- Admissibility and presentation at trial of evidence taken domestically or abroad—Cont'd
 - general requirements and practices, **11:61**
 - insurance, **11:70**
 - intellectual property, **11:64**
 - principal and agent, **11:65**
 - product liability, **11:67**
 - sale of goods, **11:63**
 - tort action, **11:66**
- Agency, admissibility and presentation at trial of evidence taken domestically or abroad, **11:65**
- Answer or statement of defense, **11:26**
- Appeal and review of transnational judgments
 - generally, **11:72**
 - conclusiveness and finality of judgments, generally, **11:72**
 - extraordinary appeal, **11:74**
 - ordinary appeal, **11:73**
- Appendices of relevant conventions, **App. 11E**
- Arbitration
 - generally, **11:100**
 - arbitrators, **11:102**
 - awards, **11:104**
 - enforcement of arbitral awards, **11:105**
 - institutions, **11:106**
 - proceedings, **11:103**
 - regulation in Finland, **11:101**
 - taking of witness evidence domestically in support of foreign proceedings, **11:43**
- Attachment
 - post-judgment attachment, sovereign immunity, **11:92**
 - pre-judgment attachment, sovereign immunity, **11:92**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **11:60**
 - taking of documentary evidence domestically in support of foreign action, **11:55**

FINLAND—Cont'd

- Attorney-client privilege—Cont'd
 - taking of witness evidence abroad in support of domestic action, **11:49**
 - taking of witness evidence domestically in support of foreign proceedings, **11:42**
- Attorney fees, **11:98**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **11:60**
 - taking of documentary evidence domestically in support of foreign action, **11:55**
 - taking of witness evidence abroad in support of domestic action, **11:49**
 - taking of witness evidence domestically in support of foreign proceedings, **11:42**
- Audience in court, rights, **11:3**
- Awards, arbitral, **11:104**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **11:50**
 - taking of witness evidence domestically in support of foreign action, **11:36**
 - taking of witness evidence domestically in support of foreign proceedings, **11:36, 11:50**
- Challenges to jurisdiction, **11:8**
- Charter party, admissibility and presentation at trial of evidence taken domestically or abroad, **11:69**
- Choice of forum clauses, **11:7**
- Choice of law
 - choice of law clauses, **11:11**
 - foreign substantive law, bases for application, **11:11**
 - party autonomy, **11:11**
 - relevance to later efforts to recognize and enforce, **11:12**
 - statutory and other bases for application of foreign substantive law, **11:11**

FINLAND—Cont'd

- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - answer or statement of defense, **11:26**
 - complaint or statement of claim, **11:25**
 - form of answer or statement of defence, **11:26**
 - form of complaint or statement of claim, **11:25**
 - other, **11:27**
 - statement of defence, **11:26**
 - statement of defense, **11:26**
 - strategic consideration, complaint or statement of claim, **11:25**
 - strategic considerations for answer or statement of defence, **11:26**
 - substance and content of answer or statement of defence, **11:26**
 - substance and content of complaint or statement of claim, **11:25**
- Complaint or statement of claim, **11:25**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **11:72**
- Construction work, admissibility and presentation at trial of evidence taken domestically or abroad, **11:68**
- Content
 - answer or statement of defence, **11:26**
 - complaint or statement of claim, **11:25**
- Contract, acceptable kinds of damages recovery in, **11:76**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, **11:83**
 - service of process abroad to commence domestic action, **11:19**
 - service of process domestically to commence foreign action, **11:13**

FINLAND—Cont'd

- Conventions—Cont'd
 - taking of documentary evidence abroad in support of domestic action, **11:56**
 - taking of documentary evidence domestically in support of foreign action, **11:51**
 - taking of witness evidence abroad in support of domestic action, **11:44**
 - taking of witness evidence domestically in support of foreign proceedings, **11:37**
- Costs and fees
 - generally, **11:94**
 - attorney fees, **11:98**
 - court costs, **11:96**
 - interest, **11:97**
 - other, **11:99**
 - security for costs, **11:95**
- Court structure
 - audience rights, **11:3**
 - foreign co-counsel, role, **11:3**
 - general structure, **11:2**
 - time horizons, **11:4**
- Currency conversion, damages recovery, **11:81**
- Damages
 - generally, **11:75**
 - acceptable kinds of damages recovery in contract, **11:76**
 - currency conversion, **11:81**
 - lost profits damages, specific issues, **11:77**
 - non-contractual bases, damages recovery in, **11:78**
 - product liability, damages recovery in, **11:78**
 - public policy constraints, **11:80**
 - standards of burden of proof for recovery, **11:79**
 - tort action, damages recovery in, **11:78**
- Default judgments
 - service of process abroad to commence domestic action, **11:24**
 - service of process domestically to commence foreign action, **11:18**

INDEX

FINLAND—Cont'd

- Discovery
 - taking of documentary evidence domestically in support of foreign action, **11:50**
 - taking of witness evidence domestically in support of foreign action, **11:36**
- Documentary evidence
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of arbitral awards, **11:105**
- Enforcement of judgments against foreign sovereigns, **11:92, 11:93**
- Enforcement of jurisdiction, **11:9**
- Evidence
 - damages recovery, standards of burden of proof, **11:79**
 - expert evidence, below
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **11:91**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence
 - taking of witness evidence abroad in support of domestic action, **11:48**
 - taking of witness evidence domestically in support of foreign proceedings, **11:41**
- Extraordinary appeal, **11:74**
- Fees. Costs and fees, above
- Foreign co-counsel, role, **11:3**

FINLAND—Cont'd

- Form
 - answer or statement of defence, **11:26**
 - complaint or statement of claim, **11:25**
- Forum non conveniens and equivalent notions, **11:8**
- General commercial, admissibility and presentation at trial of evidence taken domestically or abroad, **11:62**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence abroad in support of domestic action, **11:60**
 - taking of documentary evidence domestically in support of foreign action, **11:55**
 - taking of witness evidence abroad in support of domestic action, **11:49**
 - taking of witness evidence domestically in support of foreign proceedings, **11:42**
- Index by subject matter, **App. 11A**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Insurance, admissibility and presentation at trial of evidence taken domestically or abroad, **11:70**
- Intellectual property, admissibility and presentation at trial of evidence taken domestically or abroad, **11:64**
- Interest, costs and fees, **11:97**
- Interim and conservatory relief, injunctions and similar emergency measures
 - foreign sovereigns, injunction against, **11:92**
 - other, **11:35**
 - parallel proceedings, possible strategies, **11:34**
 - petitions abroad, in connection with domestic proceedings, **11:31**
 - petitions domestically, in support of foreign proceedings, **11:32**
 - property as security device, **11:33**

FINLAND—Cont'd

- Interim and conservatory relief, injunctions and similar emergency measures—Cont'd
 - strategies in event of parallel proceedings, **11:34**
- International arbitration. Arbitration, above
- Local procedural requirements at place of action
 - service of process abroad to commence domestic action, **11:21**
 - service of process domestically to commence foreign action, **11:15**
- Lost profits damages, specific issues, **11:77**
- Maritime actions, admissibility and presentation at trial of evidence taken domestically or abroad, **11:71**
- Non-contractual bases, damages recovery in, **11:78**
- Obtaining jurisdiction and choice of forum
 - generally, **11:5**
 - ab initio objection to jurisdiction, **11:9**
 - challenges to jurisdiction, **11:8**
 - choice of forum clauses, **11:7**
 - enforcement of jurisdiction, **11:9**
 - forum non conveniens and equivalent notions, **11:8**
 - parallel proceedings, **11:10**
 - party autonomy, **11:7**
 - personal jurisdiction, basis for acceptance, **11:5**
 - property as jurisdictional basis, **11:6**
 - relevance to later efforts to recognize and enforce, **11:9**
 - statutory and other bases, **11:5**
 - subject matter jurisdiction, basis for acceptance, **11:5**
- Ordinary appeal, **11:73**
- Other means and absence of conventions
 - service of process abroad to commence domestic action, **11:20**
 - service of process domestically to commence foreign action, **11:14**
 - taking of documentary evidence abroad in support of domestic action, **11:57**

FINLAND—Cont'd

- Other means and absence of conventions—Cont'd
 - taking of documentary evidence domestically in support of foreign action, **11:52**
 - taking of witness evidence abroad in support of domestic action, **11:45**
 - taking of witness evidence domestically in support of foreign proceedings, **11:38**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **11:10**
- Party autonomy
 - choice of law, **11:12**
 - obtaining jurisdiction and choice of forum, **11:7**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **11:5**
 - sovereign immunity, **11:90**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **11:31**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **11:32**
- Post-judgment attachment, sovereign immunity, **11:92**
- Practical problems
 - service of process abroad to commence domestic action, **11:22**
 - service of process domestically to commence foreign action, **11:16**
 - summary judgments and equivalent proceedings, **11:29**
 - taking of documentary evidence abroad in support of domestic action, **11:58**
 - taking of documentary evidence domestically in support of foreign action, **11:53**
 - taking of witness evidence abroad in support of domestic action, **11:46**
 - taking of witness evidence domestically in support of foreign proceedings, **11:39**

INDEX

FINLAND—Cont'd

- Pre-judgment attachment, sovereign immunity, **11:92**
- Principal and agent, admissibility and presentation at trial of evidence taken domestically or abroad, **11:65**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **11:28**
- Product liability
 - admissibility and presentation at trial of evidence taken domestically or abroad, **11:67**
 - damages recovery, **11:78**
- Property as jurisdictional basis, **11:6**
- Property as security device, **11:33**
- Public policy, damages, **11:80**
- Recognition and enforcement of foreign civil-commercial judgments
 - generally, **11:82**
 - conventions, **11:83**
- Recognition and enforcement of judgments against foreign sovereigns, **11:92, 11:93**
- Relevance to later efforts to recognize and enforce
 - choice of law, **11:12**
 - obtaining jurisdiction and choice of forum, **11:9**
 - service of process abroad to commence domestic action, **11:23**
 - service or process domestically to commence foreign action, **11:17**
 - summary judgments and equivalent proceedings, **11:30**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **11:59**
 - taking of documentary evidence domestically in support of foreign action, place of evidence, **11:54**
 - taking of witness evidence abroad in support of domestic action, **11:47**
 - taking of witness evidence domestically in support of foreign

FINLAND—Cont'd

- Relevance to later efforts to recognize and enforce—Cont'd
 - proceedings, **11:40**
- Rights of audience in court, **11:3**
- Sale of goods, admissibility and presentation at trial of evidence taken domestically or abroad, **11:63**
- Secrecy laws
 - taking of documentary evidence domestically in support of foreign action, **11:50**
 - taking of witness evidence domestically in support of foreign action, **11:36**
- Security
 - costs, security for, **11:95**
 - property as security device, **11:33**
- Service of process abroad to commence domestic action
 - generally, **11:19**
 - conventions, **11:19**
 - default judgments, **11:24**
 - local procedural requirements at place of action, **11:21**
 - other means and absence of conventions, **11:20**
 - practical problems, **11:22**
 - relevance to later efforts to recognize and enforce, **11:23**
 - time factors, **11:22**
- Service of process domestically to commence foreign action
 - generally, **11:13**
 - conventions, **11:13**
 - default judgments, **11:18**
 - local procedural requirements at place of action, **11:15**
 - other means in absence of convention, **11:14**
 - practical problems, **11:16**
 - relevance to later efforts to recognize and enforce, **11:17**
 - time factors, **11:16**
- Settlement and compromise of proceedings
 - formalities, **11:85**
 - kinds of settlement and compromise, **11:84**

FINLAND—Cont'd

- Settlement and compromise of proceedings—Cont'd
 - litigation, effect on, **11:86**
 - other, **11:87**
 - requirements, **11:85**
- Sovereign immunity
 - generally, **11:88**
 - aids in enforcement of judgments against foreign sovereigns, **11:92**
 - enforcement of judgments against foreign sovereigns, **11:92, 11:93**
 - injunctive measures against foreign sovereigns, **11:92**
 - personal jurisdiction, **11:90**
 - post-judgment attachment, **11:92**
 - pre-judgment attachment, **11:92**
 - recognition and enforcement of judgments against foreign sovereigns, **11:93**
 - service of process on foreign sovereigns, **11:89**
 - subject matter jurisdiction, **11:90**
 - taking of evidence against foreign sovereign entities, **11:91**
- Standards of burden of proof for damages recovery, **11:79**
- Statement of claim, **11:25**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **11:11**
 - obtaining jurisdiction and choice of forum, **11:5**
- Table of Statutes, **App. 11B**
- Strategic considerations
 - answer or statement of defence, **11:26**
 - complaint or statement of claim, **11:25**
 - parallel proceedings, **11:34**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **11:5**
 - sovereign immunity, **11:90**
- Substance and content
 - answer or statement of defence, **11:26**
 - complaint or statement of claim, **11:25**

FINLAND—Cont'd

- Substantive and practical overview of key distinguishing issues in Finland, **11:1**
- Substantive issues, choice of law, **11:11**
- Summary judgments and equivalent proceedings
 - practical problems, **11:29**
 - procedural requirements, **11:28**
 - relevance to later efforts to recognize and enforcement, **11:30**
 - substantive requirements, **11:28**
 - time factors, **11:29**
- Table of Authorities, **App. 11D**
- Table of Cases, **App. 11C**
- Table of Statutes, **App. 11B**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **11:56**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **11:60**
 - attorney work product privilege, **11:60**
 - conventions, **11:56**
 - other means and absence of conventions, **11:57**
 - practical problems, **11:58**
 - privileges, **11:60**
 - relevance to later efforts to recognize and enforce at place of judgment, **11:59**
 - time factors, **11:58**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **11:50**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **11:55**
 - attorney work product privilege, **11:55**
 - blocking statutes, **11:50**
 - conventions, **11:51**
 - discovery, **11:50**
 - other means and absence of conventions, **11:52**

INDEX

FINLAND—Cont'd

- Taking of documentary evidence
 - domestically in support of foreign action—Cont'd
 - practical problems, **11:53**
 - privileges, **11:55**
 - relevance to later efforts to recognize and enforce at place of evidence, **11:54**
 - secrecy laws, **11:50**
 - time factors, **11:53**
 - time of discovery, **11:50**
- Taking of witness evidence abroad in support of domestic action
 - generally, **11:44**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **11:49**
 - attorney work product privilege, **11:49**
 - conventions, **11:44**
 - expert evidence, special issues, **11:48**
 - other means in absence of conventions, **11:45**
 - practical problems, **11:46**
 - relevance to later efforts to recognize and enforce at place of judgment, **11:47**
 - time factors, **11:46**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **11:36**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - arbitration, **11:43**
 - attorney-client privilege, **11:42**
 - attorney work product privilege, **11:42**
 - blocking statutes, **11:36**
 - conventions, **11:37**
 - discovery, when and from whom, **11:36**
 - expert evidence, special issues, **11:41**
 - other means and absence of conventions, **11:38**
 - practical problems, **11:39**
 - privileges, **11:42**

FINLAND—Cont'd

- Taking of witness evidence domestically in support of foreign proceedings—Cont'd
 - relevance to later efforts to recognize and enforce, **11:40**
 - secrecy laws, **11:36**
 - time factors, **11:39**
- Time factors
 - court structure, **11:4**
 - service of process abroad to commence domestic action, **11:22**
 - service of process domestically to commence foreign action, **11:16**
 - summary judgments and equivalent proceedings, **11:29**
- taking of documentary evidence abroad in support of domestic action, **11:58**
- taking of documentary evidence domestically in support of foreign action, **11:50, 11:53**
- taking of witness evidence abroad in support of domestic action, **11:46**
- taking of witness evidence domestically in support of foreign action, **11:36, 11:39**
- Tort actions
 - admissibility and presentation at trial of evidence taken domestically or abroad, **11:66**
 - damages recovery in, **11:78**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

FLORIDA

- International Commercial Arbitration Act, **41:38**

FOREIGN CIVIL-COMMERCIAL JUDGMENTS, RECOGNITION AND ENFORCEMENT OF

- India, **15:36**
- Singapore (this index)

FOREIGN CO-COUNSEL

Australia, **2:3**
 Austria, **3:3**
 Belgium, **4:5**
 Brazil, **5:3**
 China, People's Republic, **7:14**
 Czech Republic, **9:4**
 Finland, **11:3**
 Germany, **13:3**
 Hungary, **14:3**
 India, **15:4**
 Ireland, **16:3**
 Japan, **18:3**
 Korea, **19:14**
 Kuwait, **20:3**
 Singapore, **23:3**
 Switzerland, **25:3**
 Taiwan, **26:3**
 Turkey, **27:7**

FOREIGN CORRUPT PRACTICES ACT

United States of America (this index)

FOREIGN CUBED CASE

Morrison et al. v. National Australia Bank Ltd. **United States of America** (this index)

FOREIGN JURISDICTIONS

Australia
 Australia Federal Courts, CM6
 Electronic Technology in Litigation, **40:2**
 Federal Court of Australia Act 1976, **40:1**
 Cambodia, Commercial Arbitration Law of Kingdom of Cambodia, **40:15**
 China, People's Republic
 Arbitration Law, 1994, **40:16**
 arbitration rules of Chinese Arbitration Association, Taipei, **40:22**
 Commercial Arbitration Law of Kingdom of Cambodia, **40:15**
 Council of the European Union, Regulation (EC) No. 44/2001, 22 Dec. 2000, on jurisdiction and recognition and enforcement of judgments in civil and commercial matters, **40:6**

FOREIGN JURISDICTIONS—Cont'd

English Arbitration Act, **40:3**
 European Parliament and Council of European Union
 Regulation (EC) No. 846/2007, 11 July 2007, on law applicable to non-contractual obligations (Rome II), **40:8**
 Regulation (EC) No. 1393/2007, 13 Nov. 2007, on service in Member States of judicial and extrajudicial documents in civil or commercial matters, **40:6**
 repeal of Regulation (EC) No. 1348/2000, **40:6**
 European Union Directive on Mediation, **40:9**
 Federal Court of Australia Act 1976, **40:1**
 German Arbitration Act, **40:10**
 Hong Kong Arbitration Ordinance, **40:20, 41:34**
 India's Transnational Litigation, Conflict of Laws, Law of Limitation, **40:17**
 Ireland, Arbitration Act 2010, **40:4**
 Italy, Arbitration (Title VII of Book IV of Italian Code of Civil Procedure), **40:5**
 Mongolia Law on Arbitration, **40:18**
 Nigeria
 Nigerian Supreme Court Act, **40:11**
 Nigerian Supreme Court Rules, **40:12**
 Saudia Arabia, Law of Arbitration, **40:19**
 Singapore International Arbitration Act, **40:21**
 South African Arbitration Act, **40:13**
 Ugandan Civil Procedure Act, **40:14**

FOREIGN PUBLIC DOCUMENTS

Convention Abolishing the Requirement for Legalization for Foreign Public Documents, **33:15**

FOREIGN SOVEREIGNS

Ireland, sovereign immunity, **16:37**

FORUM NON CONVENIENS

United Arab Emirates, **28:16**

INDEX

FORUM NON CONVENIENS AND EQUIVALENT NOTIONS

Australia, **2:8**
Austria, **3:10**
Belgium, **4:10**
Brazil, **5:9**
Canada, **6:6**
China, People's Republic, **7:21**
Czech Republic, **9:10**
Denmark, **10:11**
Finland, **11:8**
France, **12:10**
Germany, **13:8**
Hungary, **14:11**
India, **15:11**
Ireland, **16:9**
Japan, **18:9**
Korea, **19:27**
Kuwait, **20:8**
Russian Federation, **22A:11**
Singapore, **23:7**
Sweden, **24:8**
Switzerland, **25:8**
Turkey, **27:13**
United Kingdom, **29:8**
United States of America, **30:8**
Uruguay, **31:5**

FORUM SELECTION CLAUSES

United States of America, **30:7**

FRANCE

Generally, **12:1 to 12:84**
Ab initio objection to jurisdiction, **12:11**
Admissibility and presentation at trial of evidence taken domestically or abroad, **12:41**
Answer or statement of defense, **12:24**
Appeal and review of transnational judgments
generally, **12:42**
conclusiveness and finality of judgments, generally, **12:42**
practical problems, **12:45**
procedural issues, **12:43**
substantive issues, **12:44**
time factors, **12:45**
Appeal of arbitral award, **12:82**

FRANCE—Cont'd

Arbitration
generally, **12:70**
appeal of arbitral award, **12:82**
confidentiality, **12:78**
conventions, **12:71**
duties of arbitrators, **12:80**
enforcement of agreement to arbitrate, **12:76**
enforcement of awards, **12:84**
institutions, **12:73**
jurisdiction of arbitrators, **12:77**
preliminary relief, **12:79**
qualification of arbitrators, **12:74**
rights of representation, **12:75**
setting aside arbitral award, **12:83**
time limit to issue award, **12:81**
UNCITRAL model law, **12:72**
vacating arbitral award, **12:83**
Attorney fees, **12:68**
Attorney representation in arbitral proceedings, **12:75**
Audience in court, rights, **12:3**
Bilateral treaties to which France is party, **App. 12A**
Blocking statutes, taking of witness evidence domestically in support of foreign action, **12:35**
Burden of proof for damages recovery, **12:49**
Challenges to jurisdiction, **12:10**
Choice of forum clauses, **12:9**
Choice of law
choice of law clauses, **12:14**
foreign substantive law, bases for application, **12:13**
limits on use of foreign law, **12:16**
party autonomy, **12:14**
relevance to later efforts to recognize and enforce, **12:15**
statutory and other bases for application of foreign substantive law, **12:13**
Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
Commencement of suit
answer or statement of defense, **12:24**

FRANCE—Cont'd

- Commencement of suit—Cont'd
 - complaint or statement of claim, **12:23**
 - form of answer or statement of defence, **12:24**
 - form of complaint or statement of claim, **12:23**
 - statement of defence, **12:24**
 - statement of defense, **12:24**
 - strategic consideration, complaint or statement of claim, **12:23**
 - strategic considerations for answer or statement of defence, **12:24**
 - substance and content of answer or statement of defence, **12:24**
 - substance and content of complaint or statement of claim, **12:23**
- Complaint or statement of claim, **12:23**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **12:42**
- Confidentiality of arbitration proceedings, **12:78**
- Content
 - answer or statement of defence, **12:24**
 - complaint or statement of claim, **12:23**
- Contract, acceptable kinds of damages recovery in, **12:46**
- Conventions
 - international arbitration conventions, **12:71**
 - recognition and enforcement of foreign civil-commercial judgments, **12:53**
 - service of process domestically to commence foreign action, **12:17**
 - taking of witness evidence domestically in support of foreign proceedings, **12:36**
- Costs and fees
 - generally, **12:65**
 - attorney fees, **12:68**
 - court costs, **12:66**
 - fee schedules and contingencies, **12:68**

FRANCE—Cont'd

- Costs and fees—Cont'd
 - interest, **12:67**
 - legal aid, **12:69**
 - security for costs, **12:65**
- Court structure
 - adjudications, limitations of actions for, **12:4**
 - audience rights, **12:3**
 - general structure, **12:2**
- Currency conversion, damages recovery, **12:51**
- Damages
 - generally, **12:46**
 - acceptable kinds of damages recovery in contract, **12:46**
 - burden of proof for recovery, **12:49**
 - currency conversion, **12:51**
 - lost profits damages, specific issues, **12:47**
 - non-contractual bases, damages recovery in, **12:48**
 - product liability, **12:48**
 - public policy constraints, **12:50**
 - tort actions, **12:48**
- Default judgments, service of process, **12:20 to 12:22**
- Discovery, taking of witness evidence domestically in support of foreign action, **12:35**
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of agreement to arbitrate, **12:76**
- Enforcement of arbitral awards, **12:84**
- Enforcement of jurisdiction, **12:11**
- European order of payment, **12:29**
- European small claims procedure, **12:30**
- Evidence
 - damages recovery, burden of proof, **12:49**
 - taking evidence against foreign entities, sovereign immunity, **12:63**
 - taking of witness evidence domestically in support of foreign proceedings, below
- Ex parte proceeding, summary judgments, **12:27**

INDEX

FRANCE—Cont'd

- Fees. Costs and fees, above
- Form
 - answer or statement of defence, **12:24**
 - complaint or statement of claim, **12:23**
- Forum non conveniens and equivalent notions, **12:10**
- Immunities. Sovereign immunity, below
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Intellectual property infringement, summary proceeding, **12:28**
- Interest, costs and fees, **12:67**
- Interim and conservatory relief, injunctions and similar emergency measures
 - generally, **12:32**
 - petitions abroad in connection with domestic proceedings, **12:32**
 - petitions domestically in support of foreign proceedings, **12:33**
 - property as security device, **12:34**
- International arbitration. Arbitration, above
- Jurisdiction
 - arbitrators, **12:77**
 - obtaining jurisdiction and choice of forum, below
 - personal jurisdiction, below
 - subject matter jurisdiction, below
- Later efforts to recognize and enforce. Relevance to later efforts to recognize and enforce, below
- Legal aid, costs and fees, **12:69**
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil-commercial judgments, **12:55**
 - service of process domestically to commence foreign action, **12:19**
- Long arm statutes, obtaining jurisdiction and choice of forum, **12:8**
- Lost profits damages, specific issues, **12:47**
- Non-contractual bases, damages recovery in, **12:48**

FRANCE—Cont'd

- Obtaining jurisdiction and choice of forum
 - generally, **12:5**
 - ab initio objection to jurisdiction, **12:11**
 - challenges to jurisdiction, **12:10**
 - choice of forum clauses, **12:9**
 - enforcement of jurisdiction, **12:11**
 - forum non conveniens and equivalent notions, **12:10**
 - long arm statutes, **12:8**
 - parallel proceedings, **12:12**
 - party autonomy, **12:9**
 - personal jurisdiction, **12:5 to 12:8**
 - relevance to later efforts to recognize and enforce, **12:11**
 - statutory and other bases, **12:5**
 - subject matter jurisdiction, basis for acceptance, **12:5**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **12:54**
 - service of process domestically to commence foreign action, **12:18**
 - taking of witness evidence domestically in support of foreign proceedings, **12:37, 12:39, 12:40**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **12:12**
- Party autonomy
 - choice of law, **12:14**
 - obtaining jurisdiction and choice of forum, **12:9**
- Personal jurisdiction
 - foreign officials, sovereign immunity, **12:62**
 - obtaining jurisdiction and choice of forum, **12:5**
- Petitions abroad in connection with domestic proceedings, interim and conservatory relief, **12:32**
- Petitions domestically in support of foreign proceedings, interim and conservatory relief, **12:33**
- Practical problems
 - appeal and review of transnational judgments, **12:45**

FRANCE—Cont'd

- Practical problems—Cont'd
 - recognition and enforcement of foreign civil-commercial judgments, **12:56**
 - service of process domestically to commence foreign action, **12:10**
 - summary judgments and equivalent proceedings, **12:31**
 - taking of witness evidence domestically in support of foreign proceedings, **12:38**
- Procedural requirements, summary judgments and equivalent proceedings, **12:26**
- Product liability, damages, **12:48**
- Property as security device, **12:34**
- Public policy, damages, **12:50**
- Recognition and enforcement of foreign civil-commercial judgments
 - generally, **12:52**
 - absence of conventions, **12:54**
 - conventions, **12:53**
 - local procedural requirements at place of action, **12:55**
 - practical problems, **12:56**
 - time factors, **12:56**
- Recognition of judgments against foreign sovereigns, sovereign immunity, **12:64**
- Relevance to later efforts to recognize and enforce
 - choice of law, **12:15**
 - obtaining jurisdiction and choice of forum, **12:11**
- Rights of audience in court, **12:3**
- Secrecy laws, taking of witness evidence domestically in support of foreign action, **12:35**
- Security
 - costs, security for, **12:65**
 - property as security device, **12:34**
- Service of process and default judgments
 - generally, **12:20**
 - other measures to assure proper delivery and notice, **12:22**
 - person having usual residence abroad, **12:21**

FRANCE—Cont'd

- Service of process domestically to commence foreign action
 - generally, **12:17**
 - conventions, **12:17**
 - local procedural requirements at place of action, **12:19**
 - other means in absence of convention, **12:18**
- Service of process on foreign state, sovereign immunity, **12:61**
- Setting aside arbitral award, **12:83**
- Settlement and compromise of proceedings
 - generally, **12:25**
 - formalities, **12:58**
 - kinds of settlement and compromise, **12:57**
 - litigation, effect on, **12:59**
 - requirements, **12:58**
- Sovereign immunity
 - generally, **12:60**
 - personal jurisdiction over foreign officials, **12:62**
 - recognition of judgments against foreign sovereigns, **12:64**
 - service of process on foreign state, **12:61**
 - subject matter jurisdiction over foreign officials, **12:62**
 - taking evidence against foreign entities, **12:63**
- Statement of claim, **12:23**
- Statutory and other bases
 - choice of law, **12:13**
 - obtaining jurisdiction and choice of forum, **12:5**
- Strategic considerations
 - answer or statement of defence, **12:24**
 - complaint or statement of claim, **12:23**
 - summary judgments and equivalent proceedings, **12:31**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - foreign officials, sovereign immunity, **12:62**

INDEX

FRANCE—Cont'd

- Subject matter jurisdiction—Cont'd
 - obtaining jurisdiction and choice of forum, **12:5**
- Substance and content
 - answer or statement of defence, **12:24**
 - complaint or statement of claim, **12:23**
- Substantive and practical overview of key distinguishing issues in France, **12:1**
- Substantive requirements and issues
 - choice of law, **12:13**
 - summary judgments and equivalent proceedings, **12:26**
- Summary judgments and equivalent proceedings
 - generally, **12:26**
 - European order of payment, **12:29**
 - European small claims procedure, **12:30**
 - ex parte proceeding, **12:27**
 - intellectual property infringement, **12:28**
 - practical problems, **12:31**
 - procedural requirements, **12:26**
 - strategic considerations, **12:31**
 - substantive requirements, **12:26**
 - time factors, **12:31**
- Taking evidence against foreign entities, sovereign immunity, **12:63**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **12:35**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **12:41**
 - blocking statutes, **12:35**
 - conventions, **12:36**
 - discovery, when and from whom, **12:35**
 - execution of rogatory commissions for taking witness evidence abroad in absence of convention, **12:40**
 - other means and absence of conventions, **12:37, 12:39, 12:40**
 - practical problems, **12:38**

FRANCE—Cont'd

- Taking of witness evidence domestically in support of foreign proceedings—Cont'd
 - rogatory commissions for taking witness evidence abroad in absence of convention, **12:39, 12:40**
 - secrecy laws, **12:35**
 - time factors, **12:38**
- Time factors
 - appeal and review of transnational judgments, **12:45**
 - arbitral award, time limit to issue, **12:81**
 - recognition and enforcement of foreign civil-commercial judgments, **12:56**
 - summary judgments and equivalent proceedings, **12:31**
 - taking of witness evidence domestically in support of foreign action, **12:35, 12:38**
- Tort actions, damages, **12:48**
- UNCITRAL model law, **12:72**
- Vacating arbitral award, **12:83**
- Witness evidence. Taking of witness evidence domestically in support of foreign action, above

GEORGIA

- Private arbitration law, **41:30**

GERMANY

- Generally, **13:1 to 13:98**
- Abbreviations Commonly Used in German Law, **App. 13D**
- Ab initio objection to jurisdiction, **13:9**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - agency, **13:61**
 - charter party, **13:65**
 - construction work, **13:64**
 - general commercial, **13:58**
 - general requirements and practices, **13:57**
 - insurance, **13:66**
 - intellectual property, **13:60**
 - principal and agent, **13:61**
 - product liability, **13:63**

GERMANY—Cont'd

- Admissibility and presentation at trial of evidence taken domestically or abroad—Cont'd
 - sale of goods, **13:59**
 - tort action, **13:62**
- Agency, admissibility and presentation at trial of evidence taken domestically or abroad, **13:61**
- Answer or statement of defence, **13:27**
- Answer or statement of defense, **13:27**
- Appeal and review of transnational judgments
 - generally, **13:67**
 - conclusiveness and finality of judgments, generally, **13:68**
 - practical problems, **13:71**
 - procedural issues, **13:69**
 - relevance to later efforts to recognize and enforce, **13:73**
 - strategic considerations, **13:72**
 - substantive issues, **13:70**
 - time factors, **13:71**
- Arbitration
 - German Arbitration Act, **40:10**
- Attachment
 - pre-judgment attachment, sovereign immunity, **13:92**
- Attorney-client privilege
 - taking of witness evidence abroad in support of domestic action, **13:48**
 - taking of witness evidence domestically in support of foreign proceedings, **13:43**
- Attorney fees, **13:98**
- Attorney work product privilege
 - taking of witness evidence abroad in support of domestic action, **13:48**
 - taking of witness evidence domestically in support of foreign proceedings, **13:43**
- Audience in court, rights, **13:3**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **13:49**

GERMANY—Cont'd

- Blocking statutes—Cont'd
 - taking of witness evidence domestically in support of foreign action, **13:37**
 - taking of witness evidence domestically in support of foreign proceedings, **13:37, 13:49**
- Central Authorities, **App. 13H**
- Challenges to jurisdiction, **13:8**
- Charter party, admissibility and presentation at trial of evidence taken domestically or abroad, **13:65**
- Choice of forum clauses, **13:7**
- Choice of law
 - choice of law clauses, **13:12**
 - foreign substantive law, bases for application, **13:11**
 - party autonomy, **13:12**
 - relevance to later efforts to recognize and enforce, **13:13**
 - statutory and other bases for application of foreign substantive law, **13:11**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - generally, **13:25**
 - answer or statement of defence, **13:27**
 - answer or statement of defense, **13:27**
 - complaint or statement of claim, **13:26**
 - form of answer or statement of defence, **13:27**
 - form of complaint or statement of claim, **13:26**
 - statement of claim, **13:26**
 - statement of defence, **13:27**
 - statement of defense, **13:27**
 - strategic considerations, answer or statement of defence, **13:27**
 - strategic considerations, complaint or statement of claim, **13:26**
 - substance and content of answer or statement of defence, **13:27**
 - substance and content of complaint or statement of claim, **13:26**

INDEX

GERMANY—Cont'd

- Commentaries and Collection of Laws, **App. 13B**
- Complaint or statement of claim, **13:26**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **13:68**
- Construction work, admissibility and presentation at trial of evidence taken domestically or abroad, **13:64**
- Content
 - answer or statement of defence, **13:27**
 - complaint or statement of claim, **13:26**
- Contract, acceptable kinds of damages recovery in, **13:74**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, **13:80**
 - service of process abroad to commence domestic action, **13:20**
 - service of process domestically to commence foreign action, **13:14**
 - taking of documentary evidence abroad in support of domestic action, **13:53**
 - taking of documentary evidence domestically in support of foreign action, **13:50**
 - taking of witness evidence abroad in support of domestic action, **13:44**
 - taking of witness evidence domestically in support of foreign proceedings, **13:38**
- Costs and fees
 - generally, **13:95**
 - attorney fees, **13:98**
 - contingencies and fee schedules, **13:98**
 - Court/Attorney Fees, **App. 13K**
 - court costs, **13:96**
 - fee schedules and contingencies, **13:98**
 - interest, **13:97**
 - security for costs, **13:95**

GERMANY—Cont'd

- Court/Attorney Fees, **App. 13K**
- Court structure
 - adjudication, time horizon and influencing factors, **13:4**
 - audience rights, **13:3**
 - foreign co-counsel, role, **13:3**
 - general structure, **13:2**
- Currency conversion, damages recovery, **13:79**
- Damages
 - generally, **13:74**
 - acceptable kinds of damages recovery in contract, **13:74**
 - currency conversion, **13:79**
 - lost profits damages, specific issues, **13:75**
 - non-contractual bases, damages recovery in, **13:76**
 - product liability, damages recovery in, **13:76**
 - public policy constraints, **13:78**
 - standards of burden of proof for recovery, **13:77**
 - tort action, damages recovery in, **13:76**
- Default judgments
 - service of process abroad to commence domestic action, **13:24**
 - service of process domestically to commence foreign action, **13:17**
- Discovery
 - taking of documentary evidence domestically in support of foreign action, **13:49**
 - taking of witness evidence domestically in support of foreign action, **13:37**
- Discretion, sovereign immunity, **13:94**
- Documentary evidence
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below

GERMANY—Cont'd

- Enforcement of judgments against foreign sovereigns, **13:93**
- Enforcement of jurisdiction, **13:9**
- Evidence
 - damages recovery, standards of burden of proof, **13:77**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **13:91**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence
 - taking of documentary evidence abroad in support of domestic action, **13:56**
 - taking of witness evidence abroad in support of domestic action, **13:47**
 - taking of witness evidence domestically in support of foreign proceedings, **13:42**
- Fees. Costs and fees, above
- Foreign co-counsel, role, **13:3**
- Form of answer or statement of defence, **13:27**
- Form of complaint or statement of claim, **13:26**
- Forum non conveniens and equivalent notions, **13:8**
- General Bibliography Standard Works, **App. 13A**
- General commercial, admissibility and presentation at trial of evidence taken domestically or abroad, **13:58**
- Glossary, **App. 13E**
- Immunities and privileges
 - sovereign immunity, below
 - taking of witness evidence abroad in support of domestic action, **13:48**

GERMANY—Cont'd

- Immunities and privileges—Cont'd
 - taking of witness evidence domestically in support of foreign proceedings, **13:43**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Insurance, admissibility and presentation at trial of evidence taken domestically or abroad, **13:66**
- Intellectual property, admissibility and presentation at trial of evidence taken domestically or abroad, **13:60**
- Interest, costs and fees, **13:97**
- Interim and conservatory relief, injunctions and similar emergency measures
 - foreign sovereigns, injunction against, **13:92**
 - parallel proceedings, possible strategies, **13:35**
 - petitions abroad, in connection with domestic proceedings, **13:33**
 - petitions domestically, in support of foreign proceedings, **13:34**
 - strategies in event of parallel proceedings, **13:35**
- International arbitration. Arbitration, above
- International Conventions/Bilateral Treaties, **App. 13F**
- Journals and Periodicals, **App. 13C**
- Jurisdiction and choice of forum
 - German Arbitration Act, **40:10**
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil-commercial judgments, **13:82**
 - service of process abroad to commence domestic action, **13:22**
 - service of process domestically to commence foreign action, **13:16**
- Lost profits damages, specific issues, **13:75**
- Model Requests for Judicial Assistance, **App. 13I**

INDEX

GERMANY—Cont'd

- Non-contractual bases, damages recovery in, **13:76**
- Obtaining jurisdiction and choice of forum
 - generally, **13:5**
 - ab initio objection to jurisdiction, **13:9**
 - challenges to jurisdiction, **13:8**
 - choice of forum clauses, **13:7**
 - enforcement of jurisdiction, **13:9**
 - forum non conveniens and equivalent notions, **13:8**
 - parallel proceedings, **13:10**
 - party autonomy, **13:7**
 - personal jurisdiction, basis for acceptance, **13:5**
 - property as jurisdictional basis, **13:6**
 - relevance to later efforts to recognize and enforce, **13:9**
 - statutory and other bases, **13:5**
 - subject matter jurisdiction, basis for acceptance, **13:5**
- Other means and absence of conventions
 - service of process abroad to commence domestic action, **13:21**
 - taking of documentary evidence abroad in support of domestic action, **13:54**
 - taking of documentary evidence domestically in support of foreign action, **13:51**
 - taking of witness evidence abroad in support of domestic action, **13:45**
 - taking of witness evidence domestically in support of foreign proceedings, **13:39**
- Other means and absence of conventions and treaties
 - recognition and enforcement of foreign civil-commercial judgments, **13:81**
 - service of process domestically to commence foreign action, **13:15**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **13:10**
- Party autonomy
 - choice of law, **13:12**

GERMANY—Cont'd

- Party autonomy—Cont'd
 - obtaining jurisdiction and choice of forum, **13:7**
- Payment orders, service of process abroad to commence domestic action, **13:24**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **13:5**
 - sovereign immunity, **13:90**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **13:33**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **13:34**
- Practical problems
 - appeal and review of transnational judgments, **13:71**
 - recognition and enforcement of foreign civil-commercial judgments, **13:83**
 - service of process domestically to commence foreign action, **13:17**
 - summary judgments and equivalent proceedings, **13:30**
 - taking of documentary evidence abroad in support of domestic action, **13:55**
 - taking of witness evidence abroad in support of domestic action, **13:46**
 - taking of witness evidence domestically in support of foreign proceedings, **13:40**
- Pre-judgment attachment, sovereign immunity, **13:92**
- Principal and agent, admissibility and presentation at trial of evidence taken domestically or abroad, **13:61**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **13:28**
- Procedure for Obtaining Apostille, **App. 13J**

GERMANY—Cont'd

- Product liability
 - admissibility and presentation at trial of evidence taken domestically or abroad, **13:63**
 - damages recovery, **13:76**
- Property as jurisdictional basis, **13:6**
- Public policy
 - damages, **13:78**
 - recognition and enforcement of foreign civil-commercial judgments, **13:84**
- Recognition and enforcement of foreign civil-commercial judgments
 - absence of conventions and treaties, **13:81**
 - conventions, **13:80**
 - local procedural requirements at place of action, **13:82**
 - other means and absence of conventions, **13:81**
 - practical problems, **13:83**
 - public policy issues, **13:84**
 - time factors, **13:83**
- Recognition and enforcement of judgments against foreign sovereigns, **13:93**
- Relevance to later efforts to recognize and enforce
 - appeal and review of transnational judgments, **13:73**
 - choice of law, **13:13**
 - obtaining jurisdiction and choice of forum, **13:9**
 - service of process abroad to commence domestic action, **13:23**
 - service or process domestically to commence foreign action, **13:18**
 - summary judgments and equivalent proceedings, **13:32**
 - taking of documentary evidence domestically in support of foreign action, place of evidence, **13:52**
 - taking of witness evidence domestically in support of foreign proceedings, **13:41**
- Rights of audience in court, **13:3**
- Sale of goods, admissibility and presentation at trial of evidence taken

GERMANY—Cont'd

- domestically or abroad, **13:59**
- Secrecy laws
 - taking of documentary evidence domestically in support of foreign action, **13:49**
 - taking of witness evidence domestically in support of foreign action, **13:37**
- Security for costs, **13:95**
- Service of process abroad to commence domestic action
 - generally, **13:19**
 - conventions, **13:20**
 - default judgments, **13:24**
 - local procedural requirements at place of action, **13:22**
 - other means and absence of conventions, **13:21**
 - payment orders, **13:24**
 - relevance to later efforts to recognize and enforce, **13:23**
- Service of process domestically to commence foreign action
 - generally, **13:14**
 - conventions, **13:14**
 - default judgments, **13:24**
 - local procedural requirements at place of action, **13:16**
 - other means in absence of convention, **13:15**
 - practical problems, **13:17**
 - relevance to later efforts to recognize and enforce, **13:18**
 - time factors, **13:17**
- Settlement and compromise of proceedings
 - formalities, **13:86**
 - kinds of settlement and compromise, **13:85**
 - litigation, effect on, **13:87**
 - requirements, **13:86**
- Sovereign immunity
 - generally, **13:88**
 - aids in enforcement of judgments against foreign sovereigns, **13:92**
 - discretion, **13:94**
 - enforcement of judgments against foreign sovereigns, **13:93**

INDEX

GERMANY—Cont'd

- Sovereign immunity—Cont'd
 - injunctive measures against foreign sovereigns, **13:92**
 - personal jurisdiction, **13:90**
 - pre-judgment attachment, **13:92**
 - recognition and enforcement of judgments against foreign sovereigns, **13:93**
 - service of process on foreign sovereigns, **13:89**
 - subject matter jurisdiction, **13:90**
 - taking of evidence against foreign sovereign entities, **13:91**
- Standards of burden of proof for damages recovery, **13:77**
- Statement of claim, **13:26**
- Statement of defence, **13:27**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **13:11**
 - obtaining jurisdiction and choice of forum, **13:5**
- Strategic considerations
 - answer or statement of defence, **13:27**
 - appeal and review of transnational judgments, **13:72**
 - complaint or statement of complaint, **13:26**
 - parallel proceedings, **13:35**
 - summary judgments and equivalent proceedings, **13:31**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **13:5**
 - sovereign immunity, **13:90**
- Substance and content
 - answer or statement of defence, **13:27**
 - complaint or statement of claim, **13:26**
- Substantive and practical overview of key distinguishing issues in Germany, **13:1**
- Substantive issues, choice of law, **13:11**
- Summary judgments and equivalent proceedings
 - practical problems, **13:30**

GERMANY—Cont'd

- Summary judgments and equivalent proceedings—Cont'd
 - procedural requirements, **13:28**
 - relevance to later efforts to recognize and enforcement, **13:32**
 - strategic considerations, **13:31**
 - substantive requirements, **13:29**
 - time factors, **13:30**
- Table of Cases, **App. 13G**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **13:53**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - conventions, **13:53**
 - expert evidence, **13:56**
 - other means and absence of conventions, **13:54**
 - practical problems, **13:55**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **13:49**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - blocking statutes, **13:49**
 - conventions, **13:50**
 - discovery, **13:49**
 - other means and absence of conventions, **13:51**
 - place of evidence, relevance to later efforts to recognize and enforce, **13:52**
 - secrecy laws, **13:49**
 - time of discovery, **13:49**
- Taking of witness evidence abroad in support of domestic action
 - generally, **13:44**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **13:48**
 - attorney work product privilege, **13:48**
 - conventions, **13:44**
 - expert evidence, special issues, **13:47**

GERMANY—Cont'd

- Taking of witness evidence abroad in support of domestic action—Cont'd
 - other means in absence of conventions, **13:45**
 - practical problems, **13:46**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **13:36**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **13:43**
 - attorney work product privilege, **13:43**
 - blocking statutes, **13:37**
 - conventions, **13:38**
 - discovery, when and from whom, **13:37**
 - expert evidence, special issues, **13:42**
 - other means and absence of conventions, **13:39**
 - practical problems, **13:40**
 - privileges, **13:43**
 - relevance to later efforts to recognize and enforce, **13:41**
 - secrecy laws, **13:37**
 - time factors, **13:40**
- Time factors
 - adjudication, time horizon and influencing factors, **13:4**
 - appeal and review of transnational judgments, **13:71**
 - recognition and enforcement of foreign civil-commercial judgments, **13:83**
 - service of process domestically to commence foreign action, **13:17**
 - summary judgments and equivalent proceedings, **13:30**
 - taking of documentary evidence domestically in support of foreign action, **13:49**
 - taking of witness evidence domestically in support of foreign action, **13:37, 13:40**
- Tort actions
 - admissibility and presentation at trial of evidence taken domestically or abroad, **13:62**

GERMANY—Cont'd

- Tort actions—Cont'd
 - damages recovery in, **13:76**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

GLOBAL SECURITIES CLASS ACTION LAWSUITS

Generally, **1:8**

GOVERNING LAW

Cuba (this index)

HAGUE CONVENTION FOR NON-EU STATES

Ireland, service of process abroad to commence domestic action, **16:20**

HAGUE CONVENTIONS

- Generally, **33:1 to 33:16**
- Accessions to and ratifications of the Hague Conventions, **33:1**
- Convention Abolishing the Requirement for Legalization for Foreign Public Documents, **33:15**
- Convention on Civil Procedure, **33:14**
- Convention on Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, **33:12**
- Convention on Taking of Evidence Abroad in Civil or Commercial Matters, **33:13**
- Judicial Assistance in Canada, **33:3**
- Judicial Assistance in China, **33:4**
- Judicial Assistance in Hong Kong, **33:5**
- Judicial Assistance in Japan, **33:6**
- Judicial Assistance in Mexico, **33:7**
- Judicial Assistance in Russia, **33:9**
- Judicial Assistance in South Korea, **33:10**
- Judicial Assistance in The Netherlands, **33:8**
- Judicial Assistance in The United Kingdom, **33:11**

INDEX

HAGUE CONVENTIONS—Cont'd

- Ratifications of the Hague Conventions, **33:1**
- Recommendations of Hague Special Commission on Service, Taking of Evidence, and Access to Justice Convention, **33:16**
- Service of Legal Documents Abroad, **33:2**

HEARINGS

- Cuba, CCICA, **8:22**
- Singapore, fees, **23:51**

HONG KONG

- Foreign jurisdictions
 - Hong Kong Arbitration Ordinance, **40:20, 41:34**
- Hague Conventions, **33:5**
- Judicial Assistance in Hong Kong, **33:5**
- Jurisdiction and choice of forum
 - Hong Kong Arbitration Ordinance, **40:20, 41:34**

HUNGARY

- Generally, **14:1 to 14:103**
- Ab initio objection to jurisdiction, **14:12**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - generally, **14:67**
 - agency, **14:71**
 - construction work, **14:74**
 - general commercial, **14:68**
 - general requirements and practices, **14:67**
 - intellectual property, **14:70**
 - principal and agent, **14:71**
 - product liability, **14:73**
 - sale of goods, **14:69**
 - tort action, **14:72**
- Agency, admissibility and presentation at trial of evidence taken domestically or abroad, **14:71**
- Answer or statement of defense, **14:33**
- Appeal and review of transnational judgments
 - generally, **14:75**
 - conclusiveness and finality of judgments, generally, **14:75**

HUNGARY—Cont'd

- Appeal and review of transnational judgments—Cont'd
 - extraordinary remedies, **14:80**
 - practical problems, **14:78**
 - procedural issues, **14:76**
 - strategic considerations, **14:79**
 - substantive issues, **14:77**
 - time factors, **14:78**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of foreign action, **14:66**
 - taking of witness evidence abroad in support of domestic action, **14:57**
 - taking of witness evidence domestically in support of foreign action, **14:51**
- Attorney fees, **14:102**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of foreign action, **14:66**
 - taking of witness evidence abroad in support of domestic action, **14:57**
 - taking of witness evidence domestically in support of foreign action, **14:51**
- Audience in court, rights, **14:3**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **14:58**
 - taking of witness evidence domestically in support of foreign action, **14:45**
- Challenges to jurisdiction, **14:11**
- Choice of forum clauses, **14:8**
- Choice of law
 - choice of law clauses, **14:16**
 - foreign substantive law, bases for application, **14:15**
 - party autonomy, **14:16**
 - relevance to later efforts to recognize and enforce, **14:17**
 - statutory and other bases for application of foreign substantive law, **14:15**

HUNGARY—Cont'd

- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - answer or statement of defense, **14:33**
 - complaint or statement of claim, **14:31**
 - statement of defense, **14:33**
 - strategic considerations, **14:34**
 - summons, **14:32**
- Complaint or statement of claim, **14:31**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **14:75**
- Constitution of courts, **14:5**
- Construction work, admissibility and presentation at trial of evidence taken domestically or abroad, **14:74**
- Contract, acceptable kinds of damages recovery in, **14:81**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, **14:88**
 - service of process abroad to commence domestic action, **14:24**
 - service of process domestically to commence foreign action, **14:18**
 - taking of documentary evidence abroad in support of foreign action, **14:62**
 - taking of documentary evidence domestically in support of foreign action, **14:59**
 - taking of witness evidence abroad in support of domestic action, **14:52**
 - taking of witness evidence domestically in support of foreign action, **14:46**
- Costs and fees
 - generally, **14:99**
 - attorney fees, **14:102**
 - bearing costs of proceedings, **14:103**
 - court costs, **14:100**

HUNGARY—Cont'd

- Costs and fees—Cont'd
 - interest, **14:101**
 - security for costs, **14:99**
- Court structure
 - adjudication, time horizon and influencing factors, **14:4**
 - audience rights, **14:3**
 - constitution of courts, **14:5**
 - foreign co-counsel, role, **14:3**
 - general structure, **14:2**
- Damages
 - generally, **14:81**
 - acceptable kinds of damages recovery in contract, **14:81**
 - extent of compensation, **14:85**
 - lost profits damages, specific issues, **14:82**
 - manner of liability, **14:85**
 - non-contractual bases, damages recovery in, **14:83**
 - product liability, damages recovery in, **14:83**
 - public policy constraints, **14:87**
 - punitive damages, **14:92**
 - specific cases of liability, **14:84**
 - standards of burden of proof for recovery, **14:86**
 - tort action, damages recovery in, **14:83**
- Default judgments
 - recognition and enforcement of foreign civil-commercial judgments, **14:92**
 - service of process abroad to commence domestic action, **14:30**
 - service of process domestically to commence foreign action, **14:23**
- Discovery
 - recognition and enforcement of foreign civil-commercial judgments, **14:92**
 - taking of documentary evidence domestically in support of foreign action, **14:58**
 - taking of witness evidence domestically in support of foreign action, **14:45**

INDEX

HUNGARY—Cont'd

- Documentary evidence
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of jurisdiction, **14:12**
- Evidence
 - damages recovery, standards of burden of proof, **14:86**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Excluded jurisdiction, sovereign immunity, **14:98**
- Exclusive jurisdiction, sovereign immunity, **14:97**
- Expert evidence
 - taking of witness evidence abroad in support of domestic action, **14:56**
 - taking of witness evidence domestically in support of foreign action, **14:50**
- Extraordinary remedies, appeal and review of transnational judgments, **14:80**
- Fees. Costs and fees, above
- Foreign co-counsel, role, **14:3**
- Forum non conveniens and equivalent notions, **14:11**
- General commercial, admissibility and presentation at trial of evidence taken domestically or abroad, **14:68**

HUNGARY—Cont'd

- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence abroad in support of foreign action, **14:66**
 - taking of witness evidence abroad in support of domestic action, **14:57**
 - taking of witness evidence domestically in support of foreign action, **14:51**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Intellectual property, admissibility and presentation at trial of evidence taken domestically or abroad, **14:70**
- Interest, costs and fees, **14:101**
- Interim and conservatory relief, injunctions and similar emergency measures
 - parallel proceedings, possible strategies, **14:44**
 - petitions abroad, in connection with domestic proceedings, **14:41**
 - petitions domestically, in support of foreign action, **14:42**
 - property as security device, **14:43**
 - strategies in event of parallel proceedings, **14:44**
- Interim measures, summary judgments and equivalent proceedings, **14:40**
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil-commercial judgments, **14:90**
 - service of process abroad to commence domestic action, **14:27**
 - service of process domestically to commence foreign action, **14:20**
- Lost profits damages, specific issues, **14:82**
- Non-contractual bases, damages recovery in, **14:83**
- Obtaining jurisdiction and choice of forum
 - generally, **14:6**

HUNGARY—Cont'd

- Obtaining jurisdiction and choice of forum—Cont'd
 - ab initio objection to jurisdiction, **14:12**
 - challenges to jurisdiction, **14:11**
 - choice of forum clauses, **14:8**
 - enforcement of jurisdiction, **14:12**
 - filing dates, **14:13**
 - forum non conveniens and equivalent notions, **14:11**
 - other bases of jurisdiction, **14:9**
 - parallel proceedings, **14:14**
 - party autonomy, **14:8**
 - personal jurisdiction, basis for acceptance, **14:6**
 - property as jurisdictional basis, **14:7**
 - relevance to later efforts to recognize and enforce, **14:12**
 - statutory and other bases, **14:6**
 - subject matter jurisdiction, basis for acceptance, **14:6**
 - submission, **14:10**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **14:89**
 - service of process abroad to commence domestic action, **14:26**
 - service of process domestically to commence foreign action, **14:19**
 - taking of documentary evidence abroad in support of foreign action, **14:63**
 - taking of documentary evidence domestically in support of foreign action, **14:60**
 - taking of witness evidence abroad in support of domestic action, **14:53**
 - taking of witness evidence domestically in support of foreign action, **14:47**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **14:14**
- Party autonomy
 - choice of law, **14:16**
 - obtaining jurisdiction and choice of forum, **14:8**

HUNGARY—Cont'd

- Personal jurisdiction, obtaining jurisdiction and choice of forum, **14:6**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **14:41**
- Petitions domestically, in support of foreign action, interim and conservatory relief, **14:42**
- Practical problems
 - appeal and review of transnational judgments, **14:78**
 - recognition and enforcement of foreign civil-commercial judgments, **14:91**
 - service of process abroad to commence domestic action, **14:28**
 - service of process domestically to commence foreign action, **14:21**
 - summary judgments and equivalent proceedings, **14:37**
 - taking of documentary evidence abroad in support of foreign action, **14:64**
 - taking of documentary evidence domestically in support of foreign action, **14:61**
 - taking of witness evidence abroad in support of domestic action, **14:54**
 - taking of witness evidence domestically in support of foreign action, **14:48**
- Principal and agent, admissibility and presentation at trial of evidence taken domestically or abroad, **14:71**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **14:35**
- Product liability
 - admissibility and presentation at trial of evidence taken domestically or abroad, **14:73**
 - damages recovery, **14:83**
- Property as jurisdictional basis, **14:7**
- Property as security device, **14:43**

INDEX

HUNGARY—Cont'd

- Public policy
 - damages, **14:87**
 - recognition and enforcement of foreign civil-commercial judgments, **14:92**
- Recognition and enforcement of foreign civil-commercial judgments
 - conventions, **14:88**
 - default judgments, **14:92**
 - discovery, **14:92**
 - local procedural requirements at place of action, **14:90**
 - other means and absence of convention, **14:89**
 - practical problems, **14:91**
 - public policy issues, **14:92**
 - punitive damages, **14:92**
 - time factors, **14:91**
- Relevance to later efforts to recognize and enforce
 - choice of law, **14:17**
 - obtaining jurisdiction and choice of forum, **14:12**
 - service of process abroad to commence domestic action, **14:29**
 - service or process domestically to commence foreign action, **14:22**
 - summary judgments and equivalent proceedings, **14:39**
 - taking of documentary evidence abroad in support of foreign action, **14:65**
 - taking of witness evidence abroad in support of domestic action, **14:55**
 - taking of witness evidence domestically in support of foreign action, **14:49**
- Rights of audience in court, **14:3**
- Sale of goods, taking of documentary evidence abroad in support of domestic action, **14:69**
- Secrecy laws
 - taking of documentary evidence domestically in support of foreign action, **14:58**
 - taking of witness evidence domestically in support of foreign action, **14:45**

HUNGARY—Cont'd

- Security
 - costs, security for, **14:99**
 - property as security device, **14:43**
- Service of process abroad to commence domestic action
 - generally, **14:24**
 - conventions, **14:25**
 - default judgments, **14:30**
 - local procedural requirements at place of action, **14:27**
 - other means and absence of conventions, **14:26**
 - practical problems, **14:28**
 - relevance to later efforts to recognize and enforce, **14:29**
 - time factors, **14:28**
- Service of process domestically to commence foreign action
 - generally, **14:18**
 - conventions, **14:18**
 - default judgments, **14:23**
 - local procedural requirements at place of action, **14:20**
 - other means and absence of convention, **14:19**
 - practical problems, **14:21**
 - relevance to later efforts to recognize and enforce, **14:22**
 - time factors, **14:21**
- Settlement and compromise of proceedings
 - formalities, **14:94**
 - kinds of settlement and compromise, **14:93**
 - litigation, effect on, **14:95**
 - requirements, **14:94**
- Sovereign immunity
 - generally, **14:96**
 - excluded jurisdiction, **14:98**
 - exclusive jurisdiction, **14:97**
- Standards of burden of proof for damages recovery, **14:86**
- Statement of claim, **14:31**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **14:15**
 - obtaining jurisdiction and choice of forum, **14:6**

HUNGARY—Cont'd

- Strategic considerations
 - appeal and review of transnational judgments, **14:79**
 - commencement of suit, **14:34**
 - parallel proceedings, **14:44**
 - summary judgments and equivalent proceedings, **14:38**
- Structure of courts. Court structure, above
- Subject matter jurisdiction, obtaining jurisdiction and choice of forum, **14:6**
- Submission, obtaining jurisdiction and choice of forum, **14:10**
- Substantive and practical overview of key distinguishing issues in Hungary, **14:1**
- Substantive issues, choice of law, **14:15**
- Summary judgments and equivalent proceedings
 - interim measures, **14:40**
 - practical problems, **14:37**
 - procedural requirements, **14:35**
 - relevance to later efforts to recognize and enforcement, **14:39**
 - strategic considerations, **14:38**
 - substantive requirements, **14:36**
 - time factors, **14:37**
- Summons, commencement of suit, **14:32**
- Taking of documentary evidence abroad in support of foreign action
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **14:66**
 - attorney work product privilege, **14:66**
 - conventions, **14:62**
 - other means and absence of conventions, **14:63**
 - practical problems, **14:64**
 - privileges, **14:66**
 - relevance to later efforts to recognize and enforce at place of judgment, **14:65**
 - time factors, **14:64**

HUNGARY—Cont'd

- Taking of documentary evidence
 - domestically in support of foreign action
 - generally, **14:58**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - blocking statutes, **14:58**
 - conventions, **14:59**
 - discovery, **14:58**
 - other means and absence of conventions, **14:60**
 - practical problems, **14:61**
 - secrecy laws, **14:58**
 - time factors, **14:61**
 - time of discovery, **14:58**
- Taking of witness evidence abroad in support of domestic action
 - generally, **14:52**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **14:57**
 - attorney work product privilege, **14:57**
 - conventions, **14:52**
 - expert evidence, special issues, **14:56**
 - other means in absence of conventions, **14:53**
 - practical problems, **14:54**
 - relevance to later efforts to recognize and enforce at place of judgment, **14:55**
 - time factors, **14:54**
- Taking of witness evidence domestically in support of foreign action
 - generally, **14:45**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **14:51**
 - attorney work product privilege, **14:51**
 - blocking statutes, **14:45**
 - conventions, **14:46**
 - discovery, when and from whom, **14:45**
 - expert evidence, special issues, **14:50**

INDEX

HUNGARY—Cont'd

- Taking of witness evidence domestically in support of foreign action
 - Cont'd
 - other means and absence of conventions, **14:47**
 - practical problems, **14:48**
 - privileges, **14:51**
 - relevance to later efforts to recognize and enforce, **14:49**
 - secrecy laws, **14:45**
 - time factors, **14:48**
- Time factors
 - adjudication, time horizon and influencing factors, **14:4**
 - appeal and review of transnational judgments, **14:78**
 - obtaining jurisdiction and choice of forum, filing dates, **14:13**
 - recognition and enforcement of foreign civil-commercial judgments, **14:91**
 - service of process abroad to commence domestic action, **14:28**
 - service of process domestically to commence foreign action, **14:21**
 - summary judgments and equivalent proceedings, **14:37**
 - taking of documentary evidence abroad in support of foreign action, **14:64**
 - taking of documentary evidence domestically in support of foreign action, **14:58, 14:61**
 - taking of witness evidence abroad in support of domestic action, **14:54**
 - taking of witness evidence domestically in support of foreign action, **14:45, 14:48**
- Tort actions
 - admissibility and presentation at trial of evidence taken domestically or abroad, **14:72**
 - damages recovery in, **14:83**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above

HUNGARY—Cont'd

- Witness evidence—Cont'd
 - taking of witness evidence domestically in support of foreign action, above

IMMUNITIES AND PRIVILEGES

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- China, People's Republic** (this index)
- Convention on the Privileges and Immunities of United Nations, **34:3**
- Council of Europe Convention on State Immunity, **36:4**
- Czech Republic** (this index)
- Evidence** (this index)
- Finland** (this index)
- France** (this index)
- Germany** (this index)
- Hungary** (this index)
- Italy** (this index)
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Philippines, sovereign immunity, **22:88 to 22:93**
- Privileges and Immunities of International Organizations (22 USC 288), **39:11**
- Russian Federation, taking of witness evidence domestically in support of foreign proceedings, **22A:45**
- State immunity: United Nations Convention and its effect, **1:7**
- Sweden** (this index)
- Switzerland** (this index)
- Taiwan** (this index)
- Turkey** (this index)
- UN Convention on Jurisdictional Immunities of States and Their Property, 2004, **34:8**
- United Kingdom** (this index)
- United States Foreign Sovereign Immunities Act of 1976 (Title 28 U.S. Code §§ 1602 to 1611), jurisdictional immunities of foreign states, **39:2**
- United States of America** (this index)

IMMUNITIES AND PRIVILEGES

—Cont'd

Uruguay (this index)

IMPLEADER

Switzerland, **25:34**

IMPLIED CHOICE OF LAW BY PARTIES

Nigeria, **21:12**

INDIA

Generally, **15:1 to 15:60**

Admissibility and presentation at trial of evidence taken domestically or abroad

documentary evidence, **15:26**

general requirements and practices, **15:25**

Answer or statement of defence, **15:15**

Appeal and review of transnational judgments

generally, **15:27**

conclusiveness and finality of judgments, generally, **15:27**

procedural issues, **15:28**

review, generally, **15:30**

substantive issues, **15:29**

Appeals from orders of arbitral tribunal/courts, **15:56**

Appointment of arbitrators, **15:48**

Arbitration

generally, **15:44**

appeals from orders of arbitral tribunal/courts, **15:56**

appointment of arbitrators, **15:48**

Arbitration and Conciliation Act of 1996, **15:46**

confidentiality, **15:52**

duties of arbitrators, **15:54**

enforcement of agreement to arbitrate, **15:50**

enforcement of awards made outside India, **15:58**

institutions, **15:59**

international conventions, **15:45**

jurisdiction of arbitrators, **15:51**

preliminary relief, **15:53**

qualification of arbitrators, **15:48**

right of representation, **15:49**

INDIA—Cont'd

Arbitration—Cont'd

setting aside or vacating arbitral award, **15:57**

statute, **15:46**

time limit to issue award, **15:55**

UNCITRAL model law on international commercial arbitration, **15:47**

Attorney fees, **15:43**

Bibliography, **App. 15A**

Challenges to jurisdiction, **15:11**

Choice of forum clauses, **15:10**

Choice of law, **15:12**

Civil-commercial judgments, recognition and enforcement of, **15:36**

Commencement of suit

generally, **15:14**

answer or statement of defence, **15:15**

form of plaint or statement of claim, **15:14**

form of written statement or statement of defence, **15:15**

plaint or statement of claim, **15:14**

statement of claim, **15:14**

statement of defence, **15:15**

substance and content of plaint or statement of claim, **15:14**

substance and content of written answer or statement of defence, **15:15**

written statement or statement of defence, **15:15**

Complaint or statement of claim, **15:14**

Compromise and settlement of proceedings, **15:37**

Conclusiveness and finality of judgments, generally, **15:27**

Confidentiality of arbitration proceedings, **15:52**

Conservatory relief, injunctions and similar emergency measures, **15:19**

Content of plaint or statement of claim, **15:14**

Contingencies, **15:43**

Contingent fees, **15:43**

Contract, acceptable kinds of damages recovery in, **15:31**

INDEX

INDIA—Cont'd

- Conventions, international arbitration in conventions to which India is party, **15:45**
- Costs and fees
 - generally, **15:40**
 - attorney fees, **15:43**
 - contingencies and fee schedules, **15:43**
 - court costs, **15:41**
 - fee schedules and contingencies, **15:43**
 - interest, **15:42**
 - security for costs, **15:40**
- Court structure
 - adjudication, time horizons, **15:5**
 - foreign co-counsel, role, **15:4**
 - general structure, **15:3**
- Damages
 - contract, acceptable kinds of damage recovery, **15:31**
 - lost profits damages, specific issues, **15:32**
 - non-contractual bases, damages recovery in, **15:34**
 - other heads of damages, **15:33**
 - product liability, damages recovery in, **15:34**
 - standards of burden of proof for recovery, **15:35**
 - tort action, damages recovery in, **15:34**
- Discovery, taking of documentary evidence domestically in support of foreign action, **15:22**
- Documentary evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **15:26**
 - taking of documentary evidence abroad in support of domestic action, **15:24**
 - taking of documentary evidence domestically in support of foreign action, **15:22, 15:23**
- Emergency relief measures, **15:19**
- Enforcement of agreement to arbitrate, **15:50**

INDIA—Cont'd

- Enforcement of arbitration awards made outside India, **15:58**
- Enforcement of jurisdiction, **15:11**
- Evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **15:25, 15:26**
 - damages recovery, standards of burden of proof, **15:35**
 - taking of documentary evidence abroad in support of domestic action, **15:24**
 - taking of documentary evidence domestically in support of foreign action, **15:22, 15:23**
 - taking of witness evidence abroad in support of domestic action, **15:21**
 - taking of witness evidence domestically in support of foreign action, **15:20**
- Fees. Costs and fees, above
- Fee schedules and contingencies, **15:43**
- Foreign co-counsel, role, **15:4**
- Foreign investment in India, **App. 15E**
- Foreign jurisdictions, India's
 - Transnational Litigation, Conflict of Laws, Law of Limitation, **40:17**
- Form of plaintiff or statement of claim, **15:14**
- Forum non conveniens and equivalent notions, **15:11**
- Immunities and privileges. Sovereign immunity, below
- Injunctions and similar emergency measures, **15:19**
- Interest, costs and fees, **15:42**
- Interim and conservatory relief, injunctions and similar emergency measures, **15:19**
- International arbitration. Arbitration, above
- Judiciary in India, **App. 15D**
- Jurisdiction and choice of forum, India's
 - Transnational Litigation, Conflict of Laws, Law of Limitation, **40:17**
- Jurisdiction of arbitrators, **15:51**
- Laws of India, **App. 15C**

INDIA—Cont'd

- Local jurisdiction, basis for acceptance, **15:8**
- Local procedures, taking of documentary evidence domestically in support of foreign action, **15:23**
- Lost profits damages, specific issues, **15:32**
- Non-contractual bases, damages recovery in, **15:34**
- Obtaining jurisdiction and choice of forum
 - generally, **15:6**
 - challenges to jurisdiction, **15:11**
 - choice of forum clauses, **15:10**
 - enforcement of jurisdiction, **15:11**
 - forum non conveniens and equivalent notions, **15:11**
 - local jurisdiction, basis for acceptance, **15:8**
 - party autonomy, **15:10**
 - pecuniary jurisdiction, **15:7**
 - personal jurisdiction, basis for acceptance, **15:9**
 - statutory and other bases, **15:6**
 - territorial jurisdiction, basis for acceptance, **15:8**
- Party autonomy, obtaining jurisdiction and choice of forum, **15:10**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **15:9**
 - sovereign immunity, **15:39**
- Plaint or statement of claim, **15:14**
- Practical problems, summary judgments and equivalent proceedings, **15:18**
- Privileges and immunities. Sovereign immunity, below
- Product liability, damages recovery, **15:34**
- Recognition and enforcement of foreign civil-commercial judgments, **15:36**
- Security for costs, **15:40**
- Service of process, **15:13, 15:39**
- Setting aside or vacating arbitral award, **15:57**
- Settlement and compromise of proceedings, **15:37**

INDIA—Cont'd

- Sovereign immunity
 - generally, **15:38**
 - personal jurisdiction, **15:39**
 - service of process on foreign sovereigns, **15:38**
 - subject matter jurisdiction, **15:39**
- Standards of burden of proof for damages recovery, **15:35**
- Statement of claim, **15:14**
- Statutory and other bases
 - Arbitration and Conciliation Act of 1996, **15:46**
 - obtaining jurisdiction and choice of forum, **15:6**
- Structure of courts. Court structure, above
- Subject matter jurisdiction, **15:39**
- Substance and content of plaintiff or statement of claim, **15:14**
- Substantive and practical overview of key distinguishing issues in India, **15:2**
- Summary judgments and equivalent proceedings
 - practical problems, **15:18**
 - procedural requirements, **15:16**
 - substantive requirements, **15:17**
 - time factors, **15:18**
- Table of Cases, **App. 15B**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **15:24**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **15:25, 15:26**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **15:22**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **15:25, 15:26**
 - discovery, **15:22**
 - local procedures, **15:23**
- Taking of witness evidence abroad in support of domestic action
 - generally, **15:21**

INDEX

INDIA—Cont'd

- Taking of witness evidence abroad in support of domestic action
 - Cont'd
 - admissibility and presentation at trial of evidence taken domestically or abroad, **15:25, 15:26**
- Taking of witness evidence domestically in support of foreign proceedings generally, **15:20**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **15:25, 15:26**
- Territorial jurisdiction, basis for acceptance, **15:8**
- Time factors
 - adjudication, time horizons, **15:5**
 - arbitration award, time limit to issue, **15:55**
 - summary judgments and equivalent proceedings, **15:18**
- Tort actions, damages recovery in, **15:34**
- UNCITRAL model law on international commercial arbitration, **15:47**
- Vacating arbitral award, **15:57**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, **15:21**
 - taking of witness evidence domestically in support of foreign proceedings, **15:20**
 - taking of witness evidence domestically or abroad in support of foreign proceedings, **15:25**
- Written statement or statement of defence, **15:15**

INJUNCTIONS AND SIMILAR EMERGENCY MEASURES

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- China, People's Republic** (this index)
- Czech Republic** (this index)
- Denmark**, **10:27**
- Finland** (this index)
- France** (this index)

INJUNCTIONS AND SIMILAR EMERGENCY MEASURES

—Cont'd

- Germany** (this index)
- Hungary** (this index)
- India**, **15:19**
- Ireland**, **16:25**
- Italy** (this index)
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Philippines**, **22:34 to 22:38**
- Russian Federation** (this index)
- Sweden** (this index)
- Switzerland** (this index)
- Taiwan** (this index)
- Turkey** (this index)
- United Kingdom** (this index)
- United States of America** (this index)
- Uruguay** (this index)

INSURANCE

- Brazil**, **5:74**
- Finland**, **11:70**
- Germany**, **13:66**
- Kuwait**, **20:72**
- Russian Federation**, **22A:60**
- Sweden**, **24:70**

INTELLECTUAL PROPERTY

- Brazil**, **5:68**
- Denmark**, securing evidence, **10:34**
- Finland**, **11:64**
- Germany**, **13:60**
- Hungary**, **14:70**
- Japan**, **18:68**
- Kuwait**, **20:66**
- Russian Federation**, **22A:55**

INTER-AMERICAN CONVENTIONS

- Inter-American Convention on Extraterritorial Validity of Foreign Judgments and Arbitral Awards, **38:1**
- Inter-American Convention on Letters Rogatory, **38:2**

INTEREST

- Germany**, costs and fees, **13:97**
- India**, costs and fees, **15:42**
- Ireland**, costs and fees, **16:43**

INTEREST—Cont'd

Singapore, judgment debts, **23:52**

**INTERIM AND CONSERVATORY
RELIEF**

Austria (this index)

Denmark, **10:27**

Evidence (this index)

Ireland, **16:25, 16:54**

Philippines, **22:34 to 22:38**

Russian Federation (this index)

INTERIM JUDGMENT

United Arab Emirates, **28:45**

**INTERNATIONAL BAR
ASSOCIATION**

Guidelines on Conflicts of Interest in
International Arbitration, **41:6**

Rules on Taking of Evidence in
International Commercial Arbitra-
tion, **41:5**

**INTERNATIONAL CHAMBER OF
COMMERCE**

Arbitration rules

ADR Rules and Guide to ICC ADR,
41:9

drafting arbitral clause, **41:8**

rules for pre-arbitral referee proce-
dure, **41:10**

Rules of Arbitration, **41:7, 41:7.50**

rules of ICC as appointing authority
in UNCITRAL or other ad hoc
arbitration proceedings, **41:11**

Mediation rules, **41:7.70**

**INTERNATIONAL DISPUTE
RESOLUTION PROCEDURES**

Generally, **41:2.50**

**INTERNATIONAL ORGANIZATION
IMMUNITIES ACT**

United States case law, **44:3, 44:4**

INTERROGATION OF PARTIES

Switzerland, admissibility and presenta-
tion at trial of evidence taken
domestically or abroad, **25:58**

INTERVENTION

Switzerland, **25:35**

IRELAND

Generally, **16:1 to 16:60**

Admissibility and presentation at trial of
evidence taken domestically or
abroad, **16:29**

Answer or statement of defence, **16:23**

Appeal and review of transnational
judgments, **16:30**

Appeals of arbitral award, **16:57**

Arbitration

generally, **16:45**

appeals of arbitral award, **16:57**

confidentiality, **16:53**

duties of arbitrators, **16:55**

enforcement of agreement to arbitrate,
16:51

enforcement of awards made outside
Ireland, **16:59**

institutions, **16:60**

international conventions, **16:46**

jurisdiction of arbitrators, **16:52**

preliminary relief, **16:54**

qualification of arbitrators, **16:49**

right of representation, **16:50**

setting aside or vacating arbitral
award, **16:58**

statute, **16:47**

time limit to issue award, **16:56**

UNCITRAL model law on

international commercial arbitra-
tion, **16:48**

Arbitration Act 2010, **40:4**

Attorney fees, **16:44**

Audience, rights, **16:3**

Bilateral and International Conventions

on the Recognition and Enforce-
ment of Foreign Judgments to

Which Ireland is Party, **App. 16C**

Challenges to jurisdiction, **16:9**

Choice of forum clauses, **16:8**

Choice of law

generally, **16:11**

foreign laws repugnant to Irish public
policy, **16:16**

foreign penal laws, **16:12**

foreign revenue laws, **16:13**

legislation of expropriation, **16:13**

other public laws, **16:15**

party autonomy, **16:8**

INDEX

IRELAND—Cont'd

- Choice of law—Cont'd
 - public policy, **16:16**
- Civil legal aid, costs and fees, **16:42**
- Commencement of suit
 - generally, **16:22**
 - answer or statement of defence, **16:23**
 - complaint or statement of claim, **16:22**
 - content of complaint or statement of claim, **16:22**
 - form of answer or statement of defence, **16:23**
 - form of complaint or statement of claim, **16:22**
 - statement of claim, **16:22**
 - statement of defence, **16:23**
 - strategic considerations, complaint or statement of claim, **16:22**
 - substance and content of answer or statement of defence, **16:23**
 - substance and content of complaint or statement of claim, **16:22**
- Complaint or statement of claim, **16:22**
- Compromise and settlement of proceedings, **16:36**
- Confidentiality of arbitration proceedings, **16:53**
- Conservatory relief, injunctions and similar emergency measures, **16:25**
- Content of complaint or statement of claim, **16:22**
- Contingencies, **16:44**
- Contingent fees, **16:44**
- Conventions, international arbitration in conventions to which Ireland is party, **16:46**
- Costs and fees
 - generally, **16:39**
 - attorney fees, **16:44**
 - civil legal aid, **16:42**
 - contingent fees, **16:44**
 - court costs, **16:41**
 - fee schedules, **16:44**
 - interest, **16:43**
 - security for costs, **16:40**
- Court structure
 - audience, rights, **16:3**
 - duration of proceedings, **16:4**

IRELAND—Cont'd

- Court structure—Cont'd
 - foreign co-counsel, role, **16:3**
 - general structure, **16:2**
 - limitation periods, **16:4**
 - personal injury claims, procedure, **16:5**
 - service of process abroad to commence domestic action, rules of superior courts, **16:21**
- Damages, **16:31**
- Diplomatic officers, immunity, **16:37**
- Documentary evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **16:29**
 - taking of documentary evidence abroad in support of domestic action, **16:28**
 - taking of documentary evidence domestically in support of foreign action, **16:28**
- Duration of court proceedings, **16:4**
- Emergency relief measures, **16:25**
- Enforcement of agreement to arbitrate, **16:51**
- Enforcement of arbitration awards made outside Ireland, **16:59**
- Enforcement of jurisdiction, **16:9**
- Evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **16:29**
 - taking of documentary evidence abroad in support of domestic action, **16:28**
 - taking of documentary evidence domestically in support of foreign action, **16:28**
 - taking of witness evidence abroad in support of domestic action, **16:27**
 - taking of witness evidence domestically in support of foreign action, **16:26**
- Expropriation legislation, **16:13**
- Fees. Costs and fees, above
- Fee schedules, **16:44**
- Foreign co-counsel, role, **16:3**

IRELAND—Cont'd

- Foreign penal laws, **16:12**
- Foreign revenue laws, **16:13**
- Foreign sovereigns. Sovereign immunity, below
- Form of complaint or statement of claim, **16:22**
- Forum non conveniens and equivalent notions, **16:9**
- Hague convention for non-EU states, service of process abroad to commence domestic action, **16:20**
- Immunities and privileges. Sovereign immunity, below
- Injunctions and similar emergency measures, **16:25**
- Interest, costs and fees, **16:43**
- Interim and conservatory relief
 - arbitration, preliminary relief, **16:54**
 - injunctions and similar emergency measures, **16:25**
- International arbitration. Arbitration, above
- International organizations, immunity, **16:38**
- Ireland-Bilateral Treaties on Civil Procedure, **App. 16A**
- Irish Statutes on International Civil Procedure and International and Bilateral Treaties to Which Ireland is Party, **App. 16B**
- Jurisdiction and choice of forum
 - Arbitration Act 2010, **40:4**
- Jurisdiction of arbitrators, **16:52**
- Legal aid, costs and fees, **16:42**
- Limitation periods in court proceedings, **16:4**
- Obtaining jurisdiction and choice of forum
 - generally, **16:6**
 - challenges to jurisdiction, **16:9**
 - choice of forum clauses, **16:8**
 - enforcement of jurisdiction, **16:9**
 - forum non conveniens and equivalent notions, **16:9**
 - parallel proceedings, **16:10**
 - party autonomy, **16:8**
 - personal jurisdiction, basis for acceptance, **16:6**

IRELAND—Cont'd

- Obtaining jurisdiction and choice of forum—Cont'd
 - property as jurisdictional basis, **16:7**
 - statutory and other bases, **16:6**
 - subject matter jurisdiction, basis for acceptance, **16:6**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **16:10**
- Party autonomy, obtaining jurisdiction and choice of forum, **16:8**
- Personal injury claims, court procedure, **16:5**
- Personal jurisdiction, obtaining jurisdiction and choice of forum, **16:6**
- Plenary Summons example, **App. 16E**
- Privileges and immunities. Sovereign immunity, below
- Property as jurisdictional basis, **16:7**
- Public policy, **16:16**
- Recognition and enforcement of foreign civil-commercial judgments
 - generally, **16:32**
 - EU member states, excluding Denmark, **16:33**
 - other states, **16:35**
 - states parties to Brussels/Lugano conventions, **16:34**
- Repugnant foreign laws, **16:16**
- Review of transnational judgments, **16:30**
- Security for costs, **16:40**
- Service of process abroad to commence domestic action
 - generally, **16:18**
 - EU service regulation, **16:19**
 - Hague convention for non-EU states, **16:20**
 - rules of superior courts, Order 9, **16:21**
- Service of process domestically to commence foreign action, **16:17**
- Setting aside or vacating arbitral award, **16:58**
- Settlement and compromise of proceedings, **16:36**
- Sovereign immunity
 - generally, **16:37**
 - diplomatic officers, immunity, **16:37**

INDEX

IRELAND—Cont'd

- Sovereign immunity—Cont'd
 - foreign sovereigns, immunity, **16:37**
 - international organizations, immunity, **16:38**
 - states, immunity, **16:38**
- Statement of claim, **16:22**
- States, immunity, **16:38**
- Statutory and other bases
 - arbitration, **16:47**
 - obtaining jurisdiction and choice of forum, **16:6**
- Strategic considerations
 - answer or statement of defence, commencement of suit, **16:23**
 - commencement of suit, complaint or statement of claim, **16:22**
- Structure of courts. Court structure, above
- Subject matter jurisdiction, obtaining jurisdiction and choice of forum, **16:6**
- Substance and content of complaint or statement of claim, **16:22**
- Summary judgments and equivalent proceedings, **16:24**
- Table of Cases, **App. 16D**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **16:28**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **16:29**
- Taking of documentary evidence domestically in support of foreign action, admissibility and presentation, **16:29**
- Taking of witness evidence abroad in support of domestic action
 - generally, **16:27**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **16:29**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **16:26**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **16:29**

IRELAND—Cont'd

- Time factors
 - arbitration award, time limit to issue, **16:56**
 - duration of court proceedings, **16:4**
 - limitation periods in court proceedings, **16:4**
- UNCITRAL model law on international commercial arbitration, **16:48**
- Vacating arbitral award, **16:58**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, **16:27, 16:29**
 - taking of witness evidence domestically in support of foreign proceedings, **16:26, 16:29**

ITALY

- Generally, **17:1 to 17:46**
- Abbreviations, **17:1**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - generally, **17:29**
 - admissions, formal examination, **17:31**
 - court's experts, **17:38**
 - decisory oath, **17:34**
 - documentary evidence, **17:30**
 - formal examination of party and admissions, **17:31**
 - general requirements and practices, **17:29**
 - orders for disclosure, **17:32**
 - parties, **17:38**
 - party, formal examination, **17:31**
 - rendering of accounts, **17:37**
 - suppletory oath, **17:35**
 - witnesses, **17:33**
- Answer or statement of defense, **17:17**
- Appeal and review of transnational judgments
 - generally, **17:39**
 - conclusiveness and finality of judgments, generally, **17:39**
 - procedural issues, **17:40**
 - substantive issues, **17:40**
- Case law of Italy, reporting, **17:3**

ITALY—Cont'd

- Challenges to jurisdiction, **17:9**
- Choice of forum clauses, **17:8**
- Choice of law
 - choice of law clauses, **17:13**
 - foreign substantive law, bases for application, **17:12**
 - party autonomy, **17:13**
 - statutory and other bases for application of foreign substantive law, **17:12**
- Commencement of suit
 - answer or statement of defense, **17:17**
 - complaint or statement of claim, **17:16**
 - course of proceeding, **17:19**
 - form of complaint, **17:16**
 - power of attorney, **17:18**
 - statement of defense, **17:17**
 - strategic considerations, **17:16**
 - substance of complaint, **17:16**
- Complaint or statement of claim, **17:16**
- Compromise and settlement of proceedings, **17:42**
- Conclusiveness and finality of judgments, generally, **17:39**
- Conventions
 - service of process domestically to commence foreign action, **17:14**
 - taking of witness evidence abroad in support of domestic action, **17:26**
 - taking of witness evidence domestically in support of foreign action, **17:24**
- Convention terms and explanations, **17:1**
- Costs and fees, **17:46**
- Damages, **17:41**
- Decisory oath, **17:34**
- Diplomatic agencies/bodies, immunity, **17:45**
- Disclosure, orders for, **17:32**
- Discovery, taking of documentary evidence domestically in support of foreign action, **17:27**
- Documentary evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **17:30**

ITALY—Cont'd

- Documentary evidence—Cont'd
 - admissibility and presentation of evidence taken domestically or abroad, **17:30**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of judgments, **17:11**
- Estimating oath, admissibility and presentation at trial of evidence taken domestically or abroad, **17:36**
- Evidence
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Experts, admissibility and presentation at trial of evidence taken domestically or abroad, **17:38**
- Fees. Costs and fees, above
- Fees and costs, **17:46**
- Formal examination of party and admissions, **17:31**
- Form of complaint, **17:16**
- Governmental agencies/bodies, immunity, **17:45**
- Immunities and privileges. Sovereign immunity, below
- Interim and conservatory relief, injunctions and similar emergency measures
 - petitions abroad, in connection with domestic proceedings, **17:21**
 - petitions domestically, in support of foreign action, **17:23**
- International organizations, immunity, **17:44**
- Italian law journals, **17:3**

INDEX

ITALY—Cont'd

- Jurisdiction and choice of forum
 - Arbitration (Title VII of Book IV of Italian Code of Civil Procedure), **40:5**
- Lis alibi pendens and related actions, **17:5**
- Motion for assessment of jurisdiction, **17:10**
- Oath, admissibility and presentation at trial of evidence taken domestically or abroad, **17:34 to 17:36**
- Obtaining jurisdiction and choice of forum
 - generally, **17:4**
 - challenges to jurisdiction, **17:9**
 - choice of forum clauses, **17:8**
 - enforcement of jurisdiction, **17:11**
 - lis alibi pendens and related actions, **17:5**
 - motion for assessment of jurisdiction, **17:10**
 - party autonomy, **17:8**
 - property as jurisdictional basis, **17:7**
 - protective measures, **17:6**
 - recognition and enforcement of jurisdiction, **17:11**
 - statutory and other bases, **17:4**
- Orders for disclosure, admissibility and presentation of evidence taken domestically or abroad, **17:32**
- Other means and absence of conventions
 - service of process domestically to commence foreign action, **17:15**
 - taking of witness evidence abroad in support of domestic action, **17:27**
 - taking of witness evidence domestically in support of foreign action, **17:25**
- Parties, admissibility and presentation at trial of evidence taken domestically or abroad, **17:38**
- Party autonomy
 - choice of law, **17:13**
 - obtaining jurisdiction and choice of forum, **17:8**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **17:22**

ITALY—Cont'd

- Petitions domestically, in support of foreign action, interim and conservatory relief, **17:23**
- Power of attorney, **17:18**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **17:20**
- Property as jurisdictional basis, **17:7**
- Recognition and enforcement of judgments, **17:11**
- Rendering of accounts, admissibility and presentation at trial of evidence taken domestically or abroad, **17:37**
- Reporting Italian case law, **17:3**
- Service of process domestically to commence foreign action
 - conventions, **17:14**
 - other means and absence of convention, **17:15**
- Settlement and compromise of proceedings, **17:42**
- Sovereign immunity
 - generally, **17:43**
 - diplomatic agencies/bodies, immunity, **17:45**
 - governmental agencies/bodies, immunity, **17:45**
 - immunity of states from civil jurisdiction, **17:43**
 - international organizations, immunity, **17:44**
 - states, immunity from civil jurisdiction, **17:43**
- Statement of claim, **17:16**
- States, immunity from civil jurisdiction, **17:43**
- Statutory and other bases
 - choice of law, **17:12**
 - obtaining jurisdiction and choice of forum, **17:4**
- Strategic considerations. commencement of suit, **17:16**
- Structure of courts. Court structure, above

ITALY—Cont'd

- Substantive and practical overview of key distinguishing issues in Italy
 - general structure, **17:2**
 - Italian law journals, **17:3**
 - reporting Italian case law, **17:3**
- Substantive issues, choice of law, **17:12**
- Summary judgments and equivalent proceedings
 - procedural requirements, **17:20**
 - substantive requirements, **17:20**
- Suppletory oath, **17:35**
- Taking of documentary evidence
 - domestically in support of foreign action
 - generally, **17:28**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - discovery, **17:28**
 - time of discovery, **17:28**
- Taking of witness evidence abroad in support of domestic action
 - generally, **17:26**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - conventions, **17:26**
 - other means in absence of conventions, **17:27**
- Taking of witness evidence domestically in support of foreign action
 - generally, **17:24**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - conventions, **17:24**
 - other means and absence of conventions, **17:25**
- Term and explanations, **17:1**
- Time factors
 - taking of documentary evidence domestically in support of foreign action, **17:28**
- Witnesses
 - admissibility and presentation at trial of evidence taken domestically or abroad, **17:33**

ITALY—Cont'd

- Witnesses—Cont'd
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

JAPAN

- Generally, **18:1 to 18:102**
- Ab initio objection to jurisdiction, **18:10**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - agency, **18:69**
 - charter party, **18:73**
 - construction work, **18:72**
 - general commercial, **18:66**
 - general requirements and practices, **18:65**
 - intellectual property, **18:68**
 - principal and agent, **18:69**
 - product liability, **18:71**
 - sale of goods, **18:67**
 - tort action, **18:70**
- Agency, admissibility and presentation at trial of evidence taken domestically or abroad, **18:69**
- Answer or statement of defense, **18:28**
- Appeal and review of transnational judgments
 - generally, **18:74**
 - conclusiveness and finality of judgments, generally, **18:74**
 - practical problems, **18:77**
 - procedural issues, **18:75**
 - substantive issues, **18:76**
 - time factors, **18:77**
- Arbitration, **41:36**
- Attachment
 - post-judgment attachment, sovereign immunity, **18:97**
 - pre-judgment attachment, sovereign immunity, **18:96**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **18:64**

INDEX

JAPAN—Cont'd

- Attorney-client privilege—Cont'd
 - taking of documentary evidence domestically in support of foreign action, **18:58**
 - taking of witness evidence abroad in support of domestic action, **18:52**
 - taking of witness evidence domestically in support of foreign proceedings, **18:45**
- Attorney fees, **18:102**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **18:64**
 - taking of documentary evidence domestically in support of foreign action, **18:58**
 - taking of witness evidence abroad in support of domestic action, **18:52**
 - taking of witness evidence domestically in support of foreign proceedings, **18:45**
- Audience in court, rights, **18:3**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **18:53**
 - taking of witness evidence domestically in support of foreign action, **18:39**
 - taking of witness evidence domestically in support of foreign proceedings, **18:39, 18:53**
- Challenges to jurisdiction, **18:9**
- Charter party, admissibility and presentation at trial of evidence taken domestically or abroad, **18:73**
- Choice of forum clauses, **18:8**
- Choice of law
 - choice of law clauses, **18:13**
 - foreign substantive law, bases for application, **18:12**
 - party autonomy, **18:13**
 - relevance to later efforts to recognize and enforce, **18:14**
 - statutory and other bases for application of foreign substantive law, **18:12**

JAPAN—Cont'd

- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - answer or statement of defense, **18:28**
 - complaint or statement of claim, **18:27**
 - form of answer or statement of defense, **18:28**
 - form of complaint or statement of claim, **18:27**
 - statement of defense, **18:28**
 - strategic consideration, complaint or statement of claim, **18:27**
 - strategic considerations for answer or statement of defense, **18:28**
 - substance and content of answer or statement of defense, **18:28**
 - substance and content of complaint or statement of claim, **18:27**
- Complaint or statement of claim, **18:27**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **18:74**
- Construction work, admissibility and presentation at trial of evidence taken domestically or abroad, **18:72**
- Content
 - answer or statement of defense, **18:28**
 - complaint or statement of claim, **18:27**
- Contingent fees, **18:102**
- Contract, acceptable kinds of damages recovery in, **18:78**
- Conventions, **App. 18C**
 - recognition and enforcement of foreign civil-commercial judgments, **18:84**
 - service of process abroad to commence domestic action, **18:21**
 - service of process domestically to commence foreign action, **18:15**
 - taking of documentary evidence abroad in support of domestic action, **18:60**

JAPAN—Cont'd

- Conventions, **App. 18C**—Cont'd
 - taking of documentary evidence domestically in support of foreign action, **18:54**
 - taking of witness evidence abroad in support of domestic action, **18:47**
 - taking of witness evidence domestically in support of foreign proceedings, **18:40**
- Costs and fees
 - generally, **18:99**
 - attorney fees, **18:102**
 - contingent fees, **18:102**
 - court costs, **18:100**
 - interest, **18:101**
 - schedule of fees, **18:102**
 - security for costs, **18:99**
- Court structure
 - adjudication, time horizon and influencing factors, **18:4**
 - audience rights, **18:3**
 - foreign co-counsel, role, **18:3**
 - general structure, **18:2**
 - special features of civil procedure, **18:5**
- Currency conversion, damages recovery, **18:83**
- Damages
 - generally, **18:78**
 - acceptable kinds of damages recovery in contract, **18:78**
 - currency conversion, **18:83**
 - lost profits damages, specific issues, **18:79**
 - non-contractual bases, damages recovery in, **18:80**
 - product liability, damages recovery in, **18:80**
 - public policy constraints, **18:82**
 - punitive damages, **18:88**
 - standards of burden of proof for recovery, **18:81**
 - tort action, damages recovery in, **18:80**
- Default judgments
 - recognition and enforcement of foreign civil-commercial judgments, **18:88**

JAPAN—Cont'd

- Default judgments—Cont'd
 - service of process abroad to commence domestic action, **18:26**
 - service of process domestically to commence foreign action, **18:20**
- Discovery
 - recognition and enforcement of foreign civil-commercial judgments, **18:88**
 - taking of documentary evidence domestically in support of foreign action, **18:53**
 - taking of witness evidence domestically in support of foreign action, **18:39**
- Documentary evidence
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of judgments against foreign sovereigns, **18:97, 18:98**
- Enforcement of jurisdiction, **18:10**
- Evidence
 - damages recovery, standards of burden of proof, **18:81**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **18:95**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence
 - taking of witness evidence abroad in support of domestic action, **18:51**

INDEX

JAPAN—Cont'd

- Expert evidence—Cont'd
 - taking of witness evidence domestically in support of foreign proceedings, **18:44**
- Fees. Costs and fees, above
- Fee schedules, **18:102**
- Foreign co-counsel, role, **18:3**
- Form
 - answer or statement of defense, **18:28**
 - complaint or statement of claim, **18:27**
- Forum non conveniens and equivalent notions, **18:9**
- General commercial, admissibility and presentation at trial of evidence taken domestically or abroad, **18:66**
- Hague Conventions, **33:6**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence abroad in support of domestic action, **18:64**
 - taking of documentary evidence domestically in support of foreign action, **18:58**
 - taking of witness evidence abroad in support of domestic action, **18:52**
 - taking of witness evidence domestically in support of foreign proceedings, **18:45**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Intellectual property, admissibility and presentation at trial of evidence taken domestically or abroad, **18:68**
- Interest, costs and fees, **18:101**
- Interim and conservatory relief, injunctions and similar emergency measures
 - foreign sovereigns, injunction against, **18:96**
 - parallel proceedings, possible strategies, **18:37**
 - petitions abroad, in connection with domestic proceedings, **18:34**

JAPAN—Cont'd

- Interim and conservatory relief, injunctions and similar emergency measures—Cont'd
 - petitions domestically, in support of foreign proceedings, **18:35**
 - property as security device, **18:36**
 - strategies in event of parallel proceedings, **18:37**
- Judicial Assistance in Japan, **33:6**
- Later efforts to recognize and enforce.
 - Relevance to later efforts to recognize and enforce, below
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil-commercial judgments, **18:86**
 - service of process abroad to commence domestic action, **18:23**
 - service of process domestically to commence foreign action, **18:17**
- Lost profits damages, specific issues, **18:79**
- Non-contractual bases, damages recovery in, **18:80**
- Obtaining jurisdiction and choice of forum
 - generally, **18:6**
 - ab initio objection to jurisdiction, **18:10**
 - challenges to jurisdiction, **18:9**
 - choice of forum clauses, **18:8**
 - enforcement of jurisdiction, **18:10**
 - forum non conveniens and equivalent notions, **18:9**
 - parallel proceedings, **18:11**
 - party autonomy, **18:8**
 - personal jurisdiction, basis for acceptance, **18:6**
 - property as jurisdictional basis, **18:7**
 - relevance to later efforts to recognize and enforce, **18:10**
 - statutory and other bases, **18:6**
 - subject matter jurisdiction, basis for acceptance, **18:6**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **18:85**

JAPAN—Cont'd

- Other means and absence of conventions—Cont'd
 - service of process abroad to commence domestic action, **18:22**
 - taking of documentary evidence abroad in support of domestic action, **18:61**
 - taking of documentary evidence domestically in support of foreign action, **18:55**
 - taking of witness evidence abroad in support of domestic action, **18:48**
 - taking of witness evidence domestically in support of foreign proceedings, **18:41**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **18:11**
- Party autonomy
 - choice of law, **18:13**
 - obtaining jurisdiction and choice of forum, **18:8**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **18:6**
 - sovereign immunity, **18:94**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **18:34**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **18:35**
- Post-judgment attachment, sovereign immunity, **18:97**
- Practical problems
 - appeal and review of transnational judgments, **18:77**
 - recognition and enforcement of foreign civil-commercial judgments, **18:87**
 - service of process abroad to commence domestic action, **18:24**
 - service of process domestically to commence foreign action, **18:18**
 - summary judgments and equivalent proceedings, **18:31**
 - taking of documentary evidence abroad in support of domestic action, **18:62**

JAPAN—Cont'd

- Practical problems—Cont'd
 - taking of documentary evidence domestically in support of foreign action, **18:56**
 - taking of witness evidence abroad in support of domestic action, **18:49**
 - taking of witness evidence domestically in support of foreign proceedings, **18:42**
- Pre-judgment attachment, sovereign immunity, **18:96**
- Principal and agent, admissibility and presentation at trial of evidence taken domestically or abroad, **18:69**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **18:29**
- Product liability
 - admissibility and presentation at trial of evidence taken domestically or abroad, **18:71**
 - damages recovery, **18:80**
- Property as jurisdictional basis, **18:7**
- Property as security device, **18:36**
- Public policy
 - damages, **18:82**
 - recognition and enforcement of foreign civil-commercial judgments, **18:88**
- Recognition and enforcement of foreign civil-commercial judgments
 - conventions, **18:84**
 - default judgments, **18:88**
 - discovery, **18:88**
 - local procedural requirements at place of action, **18:86**
 - other means and absence of convention, **18:85**
 - practical problems, **18:87**
 - public policy issues, **18:88**
 - punitive damages, **18:88**
 - time factors, **18:87**
- Recognition and enforcement of judgments against foreign sovereigns, **18:97, 18:98**

INDEX

JAPAN—Cont'd

- Relevance to later efforts to recognize and enforce
 - choice of law, **18:14**
 - obtaining jurisdiction and choice of forum, **18:10**
 - service of process abroad to commence domestic action, **18:25**
 - service or process domestically to commence foreign action, **18:19**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **18:63**
 - taking of documentary evidence domestically in support of foreign action, place of evidence, **18:57**
 - taking of witness evidence abroad in support of domestic action, **18:50**
 - taking of witness evidence domestically in support of foreign proceedings, **18:43**
- Relevance to later efforts to recognize and enforcement
 - summary judgments and equivalent proceedings, **18:33**
- Rights of audience in court, **18:3**
- Sale of goods, admissibility and presentation at trial of evidence taken domestically or abroad, **18:67**
- Secrecy laws
 - taking of documentary evidence domestically in support of foreign action, **18:53**
 - taking of witness evidence domestically in support of foreign action, **18:39**
- Security
 - costs, security for, **18:99**
 - property as security device, **18:36**
- Service of process abroad to commence domestic action
 - generally, **18:21**
 - conventions, **18:21**
 - default judgments, **18:26**
 - local procedural requirements at place of action, **18:23**
 - other means and absence of conventions, **18:22**

JAPAN—Cont'd

- Service of process abroad to commence domestic action—Cont'd
 - practical problems, **18:24**
 - relevance to later efforts to recognize and enforce, **18:25**
 - time factors, **18:24**
- Service of process domestically to commence foreign action
 - generally, **18:15**
 - conventions, **18:15**
 - default judgments, **18:20**
 - local procedural requirements at place of action, **18:17**
 - other means in absence of convention, **18:16**
 - practical problems, **18:18**
 - relevance to later efforts to recognize and enforce, **18:19**
 - time factors, **18:18**
- Settlement and compromise of proceedings
 - formalities, **18:90**
 - kinds of settlement and compromise, **18:89**
 - litigation, effect on, **18:91**
 - requirements, **18:90**
- Sovereign immunity
 - generally, **18:93**
 - aids in enforcement of judgments against foreign sovereigns, **18:96, 18:97**
 - enforcement of judgments against foreign sovereigns, **18:97, 18:98**
 - injunctive measures against foreign sovereigns, **18:96**
 - personal jurisdiction, **18:94**
 - post-judgment attachment, **18:97**
 - pre-judgment attachment, **18:96**
 - recognition and enforcement of judgments against foreign sovereigns, **18:98**
 - service of process on foreign sovereigns, **18:93**
 - subject matter jurisdiction, **18:94**
 - taking of evidence against foreign sovereign entities, **18:95**
- Special features of civil procedure, **18:5**

JAPAN—Cont'd

- Standards of burden of proof for damages recovery, **18:81**
- Statement of claim, **18:27**
- Statutes, **App. 18B**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **18:12**
 - obtaining jurisdiction and choice of forum, **18:6**
- Strategic considerations
 - answer or statement of defense, **18:28**
 - complaint or statement of claim, **18:27**
 - parallel proceedings, **18:37**
 - summary judgments and equivalent proceedings, **18:32**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **18:6**
 - sovereign immunity, **18:94**
- Substance and content
 - answer or statement of defense, **18:28**
 - complaint or statement of claim, **18:27**
- Substantive and practical overview of key distinguishing issues in Japan, **18:1**
- Substantive issues, choice of law, **18:12**
- Summary judgments and equivalent proceedings
 - practical problems, **18:31**
 - procedural requirements, **18:29**
 - relevance to later efforts to recognize and enforcement, **18:33**
 - strategic considerations, **18:32**
 - substantive requirements, **18:30**
 - time factors, **18:31**
- Table of Authorities, **App. 18A**
- Table of Cases, **App. 18D**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **18:60**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **18:64**

JAPAN—Cont'd

- Taking of documentary evidence abroad in support of domestic action
 - Cont'd
 - attorney work product privilege, **18:64**
 - conventions, **18:60**
 - other means and absence of conventions, **18:61**
 - practical problems, **18:62**
 - privileges, **18:64**
 - relevance to later efforts to recognize and enforce at place of judgment, **18:63**
 - time factors, **18:62**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **18:53**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **18:58**
 - attorney work product privilege, **18:58**
 - blocking statutes, **18:53**
 - conventions, **18:54**
 - discovery, **18:53**
 - other means and absence of conventions, **18:55**
 - practical problems, **18:56**
 - privileges, **18:58**
 - relevance to later efforts to recognize and enforce at place of evidence, **18:57**
 - secrecy laws, **18:53**
 - time factors, **18:56**
 - time of discovery, **18:53**
- Taking of witness evidence abroad in support of domestic action
 - generally, **18:47**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **18:52**
 - attorney work product privilege, **18:52**
 - conventions, **18:47**
 - expert evidence, special issues, **18:51**

INDEX

JAPAN—Cont'd

- Taking of witness evidence abroad in support of domestic action
 - Cont'd
 - other means in absence of conventions, **18:48**
 - practical problems, **18:49**
 - relevance to later efforts to recognize and enforce at place of judgment, **18:50**
 - time factors, **18:49**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **18:39**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **18:45**
 - attorney work product privilege, **18:45**
 - blocking statutes, **18:39**
 - conventions, **18:40**
 - discovery, when and from whom, **18:39**
 - expert evidence, special issues, **18:44**
 - other means and absence of conventions, **18:41**
 - practical problems, **18:42**
 - privileges, **18:45**
 - relevance to later efforts to recognize and enforce, **18:43**
 - secrecy laws, **18:39**
 - time factors, **18:42**
- Time factors
 - adjudication, time horizon and influencing factors, **18:4**
 - appeal and review of transnational judgments, **18:77**
 - recognition and enforcement of foreign civil-commercial judgments, **18:87**
 - service of process abroad to commence domestic action, **18:24**
 - service of process domestically to commence foreign action, **18:18**
 - summary judgments and equivalent proceedings, **18:31**
 - taking of documentary evidence abroad in support of domestic action, **18:62**

JAPAN—Cont'd

- Time factors—Cont'd
 - taking of documentary evidence domestically in support of foreign action, **18:53, 18:56**
 - taking of witness evidence abroad in support of domestic action, **18:49**
 - taking of witness evidence domestically in support of foreign action, **18:39, 18:42**
- Tort actions
 - admissibility and presentation at trial of evidence taken domestically or abroad, **18:70**
 - damages recovery in, **18:80**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

JOINDER OF CLAIMS AND PARTIES

- Switzerland, **25:32**

JUDICIAL AND EXTRAJUDICIAL DOCUMENTS

- European Community/European Union
 - Convention on the Service in the Member States of the European Union of Judicial and Extrajudicial Documents in Civil and Commercial Matters, **35:3**

JUDICIAL ASSISTANCE

- Cuba, CCICA, **8:17**

JURISDICTION AND CHOICE OF FORUM

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- Canada** (this index)
- China, People's Republic** (this index)
- Cuba** (this index)
- Czech Republic, **9:7, 9:9**
- Denmark** (this index)

JURISDICTION AND CHOICE OF FORUM—Cont'd

European Community/European Union Convention on Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters, **35:3, 35:4**

Finland (this index)

Foreign Jurisdictions (this index)

France (this index)

Germany (this index)

Hungary (this index)

India (this index)

Ireland (this index)

Italy (this index)

Japan (this index)

Korea (this index)

Kuwait (this index)

Nigeria (this index)

Philippines, **22:8 to 22:13**

Russian Federation (this index)

Singapore (this index)

Sweden (this index)

Switzerland (this index)

Taiwan (this index)

Turkey (this index)

United Arab Emirates (this index)

United Kingdom (this index)

United States of America (this index)

Uruguay (this index)

KINGDOM OF CAMBODIA

Commercial Arbitration Law of Kingdom of Cambodia, **40:15**

KOREA

Generally, **19:1 to 19:134**

Ab initio objection to jurisdiction, **19:28**

Absence of conventions and treaties recognition and enforcement of foreign civil-commercial judgments, **19:103**

Admissibility at trial of evidence taken domestically or abroad documentary evidence, **19:87**
expert evidence, **19:86**
factual witnesses, **19:85**
general requirements and practices, **19:84**

KOREA—Cont'd

Admissibility at trial of evidence taken domestically or abroad—Cont'd oral evidence, **19:85, 19:86**
practical problems, **19:88**
preservation of evidence, **19:88**
time factors, **19:88**

Answer or statement of defence, **19:46**

Appeal and review of transnational judgments generally, **19:89**
conclusiveness and finality of judgments, generally, **19:90**
general requirements for appeal, **19:91**

legal effects of appeal, **19:92**

practical problems, **19:95**

second level courts, appeal to, **19:93**

supreme court, appeal to, **19:94**

time factors, **19:95**

Attachment, pre-judgment attachment, sovereign immunity, **19:128**

Attachments, pre-judgment, **19:55**

Attorney-client privilege taking of witness evidence domestically in support of foreign proceedings, **19:71 to 19:73**

Attorney fees, **19:134**

Attorney work product privilege taking of witness evidence domestically in support of foreign proceedings, **19:71 to 19:73**

Audience in court, rights, **19:14**

Bibliography, **App. 19A**

Blocking statutes taking of witness evidence domestically in support of foreign action, **19:61**

taking of witness evidence domestically in support of foreign proceedings, **19:61**

Challenges to jurisdiction, **19:27**

Choice of law

choice of law clauses, **19:31**

foreign substantive law, bases for application, **19:30**

party autonomy, **19:31**

proof of foreign law, **19:33**

INDEX

KOREA—Cont'd

- Choice of law—Cont'd
 - relevance to later efforts to recognize and enforce, **19:32**
 - statutory and other bases for application of foreign substantive law, **19:30**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - generally, **19:44**
 - answer or statement of defence, **19:46**
 - complaint or statement of claim, **19:45**
 - form of answer or statement of defence, **19:46**
 - form of complaint or statement of claim, **19:45**
 - hearings with intervals, **19:47**
 - statement of defence, **19:46**
 - strategic consideration, complaint or statement of claim, **19:45**
 - strategic considerations for answer or statement of defence, **19:46**
 - substance and content of answer or statement of defence, **19:46**
 - substance and content of complaint or statement of claim, **19:45**
- Complaint or statement of claim, **19:45**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **19:90**
- Content
 - answer or statement of defence, **19:46**
 - complaint or statement of claim, **19:45**
- Contingent fees, **19:134**
- Contract, acceptable kinds of damages recovery in, **19:96**
- Conventions
 - International Conventions, **App. 19C**
 - recognition and enforcement of foreign civil-commercial judgments, **19:102**

KOREA—Cont'd

- Conventions—Cont'd
 - service of process abroad to commence domestic action, **19:40**
 - service of process domestically to commence foreign action, **19:34**
 - taking of documentary evidence domestically in support of foreign action, **19:82**
 - taking of witness evidence abroad in support of domestic action, **19:74**
 - taking of witness evidence domestically in support of foreign proceedings, **19:63**
- Costs and fees
 - generally, **19:131**
 - attorney fees, **19:134**
 - contingent fees, **19:134**
 - court costs, **19:132**
 - interest, **19:133**
 - schedule of fees, **19:134**
 - security for costs, **19:131**
- Court structure
 - adjudication, time horizon and influencing factors, **19:15**
 - audience rights, **19:14**
 - foreign co-counsel, role, **19:14**
 - hierarchy of court system, **19:5 to 19:13, App. 19G**
 - organization of court system, **19:5 to 19:13**
- Currency conversion, damages recovery, **19:101**
- Damages
 - generally, **19:96**
 - acceptable kinds of damages recovery in contract, **19:96**
 - currency conversion, **19:101**
 - lost profits damages, specific issues, **19:97**
 - non-contractual bases, damages recovery in, **19:98**
 - product liability, damages recovery in, **19:98**
 - public policy constraints, **19:100**
 - standards of burden of proof for recovery, **19:99**

KOREA—Cont'd

- Damages—Cont'd
 - tort action, damages recovery in, **19:98**
- Discovery
 - taking of witness evidence domestically in support of foreign action, **19:61**
- Documentary evidence
 - admissibility at trial of evidence taken domestically or abroad, **19:87**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of judgments against foreign sovereigns, **19:129**
- Enforcement of jurisdiction, **19:28**
- Evidence
 - damages recovery, standards of burden of proof, **19:99**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **19:127**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **19:86**
- Fees. Costs and fees, above
- Fee schedules, **19:134**
- Final judgment
 - recognition and enforcement of foreign civil-commercial judgments, **19:104**

KOREA—Cont'd

- Foreign co-counsel, role, **19:14**
- Form
 - answer or statement of defence, **19:46**
 - complaint or statement of claim, **19:45**
- Forms, **App. 19E**
- Forum non conveniens and equivalent notions, **19:27**
- Hearings with intervals, **19:47**
- Hierarchy of court system, **19:5 to 19:13, App. 19G**
- Immunities and privileges
 - sovereign immunity, below
 - taking of witness evidence domestically in support of foreign proceedings, **19:71 to 19:73**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Injunctions, pre-judgment, **19:56**
- Interest, costs and fees, **19:133**
- Interim and conservatory relief, injunctions and similar emergency measures
 - attachments, pre-judgment, **19:55**
 - foreign sovereigns, injunction against, **19:128**
 - injunctions, pre-judgment, **19:56**
 - parallel proceedings, possible strategies, **19:59**
 - petitions abroad, in connection with domestic proceedings, **19:53**
 - petitions domestically, in support of foreign proceedings, **19:54**
 - property as security device, **19:58**
 - strategies in event of parallel proceedings, **19:59**
 - unavailability of provisional remedies, **19:57**
- International Conventions, **App. 19C**
- Judgments entitled to recognition
 - recognition and enforcement of foreign civil-commercial judgments, **19:104 to 19:108**
- Jurisdiction
 - recognition and enforcement of foreign civil-commercial judgments, **19:105**

INDEX

KOREA—Cont'd

- Later efforts to recognize and enforce.
 - Relevance to later efforts to recognize and enforce, below
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil-commercial judgments, **19:109**
 - service of process abroad to commence domestic action, **19:42**
 - service of process domestically to commence foreign action, **19:36**
- Lost profits damages, specific issues, **19:97**
- Non-contractual bases, damages recovery in, **19:98**
- Obtaining jurisdiction and choice of forum
 - generally, **19:16 to 19:26**
 - ab initio objection to jurisdiction, **19:28**
 - challenges to jurisdiction, **19:27**
 - enforcement of jurisdiction, **19:28**
 - forum non conveniens and equivalent notions, **19:27**
 - parallel proceedings lis pendens, **19:29**
 - personal jurisdiction, basis for acceptance, **19:16 to 19:26**
 - statutory and other bases, **19:16 to 19:26**
 - subject matter jurisdiction, basis for acceptance, **19:16 to 19:26**
- Organization of court system, **19:5 to 19:13**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **19:103**
 - service of process abroad to commence domestic action, **19:41**
 - service of process domestically to commence foreign action, **19:35**
 - taking of documentary evidence domestically in support of foreign action, **19:83**
 - taking of witness evidence abroad in support of domestic action, **19:75**

KOREA—Cont'd

- Other means and absence of conventions
 - Cont'd
 - taking of witness evidence domestically in support of foreign proceedings, **19:64**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **19:29**
- Party autonomy, choice of law, **19:31**
- Payment order. Summary judgments and equivalent proceedings, below
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **19:16 to 19:26**
 - sovereign immunity, **19:125, 19:126**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **19:53**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **19:54**
- Practical problems
 - admissibility at trial of evidence taken domestically or abroad, **19:88**
 - appeal and review of transnational judgments, **19:95**
 - recognition and enforcement of foreign civil-commercial judgments, **19:110**
 - service of process domestically to commence foreign action, **19:37**
 - summary judgments and equivalent proceedings, **19:51**
 - taking of witness evidence abroad in support of domestic action, **19:69**
 - taking of witness evidence domestically in support of foreign proceedings, **19:69**
- Pre-judgment attachment, sovereign immunity, **19:128**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **19:49**
- Procedures
 - taking of documentary evidence domestically in support of foreign action, **19:80**

KOREA—Cont'd

- Product liability
 - damages recovery, **19:98**
- Property as security device, **19:58**
- Public policy
 - damages, **19:100**
 - recognition and enforcement of foreign civil-commercial judgments, **19:111**
 - test, recognition and enforcement of foreign civil-commercial judgments, **19:107**
- Reciprocity
 - recognition and enforcement of foreign civil-commercial judgments, **19:108**
- Recognition and enforcement of foreign civil-commercial judgments
 - generally, **19:102**
 - absence of conventions and treaties, **19:103**
 - conventions, **19:102**
 - final judgment, **19:104**
 - judgments entitled to recognition, **19:104 to 19:108**
 - jurisdiction, **19:105**
 - local procedural requirements at place of action, **19:109**
 - practical problems, **19:110**
 - public policy issues, **19:111**
 - public policy test, **19:107**
 - reciprocity, **19:108**
 - service of process, **19:106**
 - time factors, **19:110**
- Recognition and enforcement of judgments against foreign sovereigns, **19:129**
- Relevance to later efforts to recognize and enforce
 - choice of law, **19:32**
 - service of process abroad to commence domestic action, **19:43**
 - service or process domestically to commence foreign action, **19:38**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **19:70**
 - taking of witness evidence domestically in support of foreign

KOREA—Cont'd

- Relevance to later efforts to recognize and enforce—Cont'd
 - proceedings, **19:70**
 - taking of witness evidence in foreign countries in support of actions in Korea, **19:78**
- Rights of audience in court, **19:14**
- Second level courts, appeal to, **19:93**
- Security
 - costs, security for, **19:131**
 - property as security device, **19:58**
- Service of process
 - see also other subtopics beginning with Service of process
 - recognition and enforcement of foreign civil-commercial judgments, **19:106**
- Service of process abroad to commence domestic action
 - generally, **19:39**
 - conventions, **19:40**
 - local procedural requirements at place of action, **19:42**
 - other means and absence of conventions, **19:41**
 - relevance to later efforts to recognize and enforce, **19:43**
- Service of process domestically to commence foreign action
 - generally, **19:34**
 - conventions, **19:34**
 - local procedural requirements at place of action, **19:36**
 - other means in absence of convention, **19:35**
 - practical problems, **19:37**
 - relevance to later efforts to recognize and enforce, **19:38**
 - time factors, **19:37**
- Settlement and compromise of proceedings
 - acknowledgment, **19:114, 19:119**
 - CCP requirements, **19:113**
 - Civil Code requirements, **19:113**
 - conciliation, **19:117, 19:122**
 - effects, **19:118 to 19:122**
 - kinds of settlement and compromise, **19:112**

INDEX

KOREA—Cont'd

- Settlement and compromise of proceedings—Cont'd
 - res judicata, **19:98, 19:118**
 - waiver, **19:115, 19:120**
 - withdrawal, **19:116, 19:121**
- South Korea
 - Hague Conventions, **33:10**
 - Judicial Assistance in South Korea, **33:10**
- Sovereign immunity
 - generally, **19:123**
 - aids in enforcement of judgments against foreign sovereigns, **19:128, 19:129**
 - enforcement of judgments against foreign sovereigns, **19:129**
 - injunctive measures against foreign sovereigns, **19:128**
 - personal jurisdiction, **19:125, 19:126**
 - pre-judgment attachment, **19:128**
 - recognition and enforcement of judgments against foreign sovereigns, **19:129**
 - service of process on foreign sovereigns, **19:124**
 - subject matter jurisdiction, **19:125, 19:126**
 - taking of evidence against foreign sovereign entities, **19:127**
 - waiver, **19:130**
- Standards of burden of proof for damages recovery, **19:99**
- Statement of claim, **19:45**
- Statistics, **App. 19F**
- Statutes and Their Abbreviations, **App. 19B**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **19:30**
 - obtaining jurisdiction and choice of forum, **19:16 to 19:26**
- Strategic considerations
 - answer or statement of defence, **19:46**
 - complaint or statement of claim, **19:45**
 - parallel proceedings, **19:59**
 - summary judgments and equivalent proceedings, **19:52**

KOREA—Cont'd

- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **19:16 to 19:26**
 - sovereign immunity, **19:125, 19:126**
- Substance and content
 - answer or statement of defence, **19:46**
 - complaint or statement of claim, **19:45**
- Substantive and practical overview of key distinguishing issues in Korea, **19:1 to 19:4**
- Substantive issues, choice of law, **19:30**
- Summary judgments and equivalent proceedings
 - generally, **19:48 to 19:52**
 - payment order, **19:48 to 19:52**
 - practical problems, **19:51**
 - procedural requirements, **19:49**
 - strategic considerations, **19:52**
 - substantive requirements, **19:50**
 - time factors, **19:51**
- Supreme court, appeal to, **19:94**
- Table of Cases, **App. 19D**
- Taking of documentary evidence abroad in support of domestic action
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - relevance to later efforts to recognize and enforce at place of judgment, **19:70**
- Taking of documentary evidence in Korea in support of foreign action
 - generally, **19:79**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - conventions, **19:82**
 - limitation of production, **19:79**
 - other means and absence of conventions, **19:83**
 - procedures, **19:80**
 - written statements, **19:77**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **19:60**

KOREA—Cont'd

- Taking of witness evidence domestically in support of foreign proceedings—Cont'd
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privileges, **19:71 to 19:73**
 - attorney work product privilege, **19:71 to 19:73**
 - blocking statutes, **19:61**
 - competent court, **19:66**
 - conventions, **19:63**
 - discovery, when and from whom, **19:61**
 - foreign witnesses before Korean courts, **19:76**
 - judicial assistance, requirements for providing, **19:65**
 - notification of results, **19:68**
 - other means and absence of conventions, **19:64**
 - practical problems, **19:69**
 - privileges, **19:71 to 19:73**
 - relevance to later efforts to recognize and enforce, **19:70**
 - taking of evidence, implementation, **19:67**
 - time factors, **19:69**
 - witnesses, foreign, before Korean courts, **19:76**
- Taking of witness evidence in foreign countries in support of actions in Korea
 - generally, **19:74**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - conventions, **19:74**
 - other means in absence of conventions, **19:75**
 - practical problems, **19:69**
 - relevance to later efforts to recognize and enforce, **19:78**
 - time factors, **19:69**
- Time factors
 - adjudication, time horizon and influencing factors, **19:15**

KOREA—Cont'd

- Time factors—Cont'd
 - admissibility at trial of evidence taken domestically or abroad, **19:88**
 - appeal and review of transnational judgments, **19:95**
 - hearings with intervals, **19:47**
 - recognition and enforcement of foreign civil-commercial judgments, **19:110**
 - service of process domestically to commence foreign action, **19:37**
 - summary judgments and equivalent proceedings, **19:51**
 - taking of witness evidence abroad in support of domestic action, **19:69**
 - taking of witness evidence domestically in support of foreign action, **19:61, 19:69**
- Tort actions
 - damages recovery in, **19:98**
- Witnesses
 - foreign, before Korean courts, **19:76**
 - taking of witness evidence in foreign countries in support of actions in Korea
 - taking of witness evidence in Korea in support of foreign actions
- Written statements, taking of
 - documentary evidence domestically in support of foreign action, **19:77**

KUWAIT

- Generally, **20:1 to 20:107**
- Ab initio objection to jurisdiction, **20:9**
- Admiralty, admissibility and presentation at trial of evidence taken domestically or abroad, **20:73**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - admiralty, **20:73**
 - agency, **20:67**
 - charter party, **20:71**
 - construction work, **20:70**
 - general commercial, **20:64**
 - general requirements and practices, **20:63**
 - insurance, **20:72**

INDEX

KUWAIT—Cont'd

- Admissibility and presentation at trial of evidence taken domestically or abroad—Cont'd
 - intellectual property, **20:66**
 - maritime, **20:73**
 - principal and agent, **20:67**
 - product liability, **20:69**
 - sale of goods, **20:65**
 - tort action, **20:68**
- Agency, admissibility and presentation at trial of evidence taken domestically or abroad, **20:67**
- Answer or statement of defense, **20:26**
- Appeal and review of transnational judgments
 - generally, **20:74**
 - conclusiveness and finality of judgments, generally, **20:74**
 - judicial review without service of process, **20:27**
 - practical problems, **20:76**
 - procedural issues, **20:75**
 - relevance to later efforts to recognize and enforce, **20:78**
 - strategic considerations, **20:77**
 - substantive issues, **20:75**
 - time factors, **20:76**
- Arbitration
 - enforcement of awards, **20:89**
 - obtaining jurisdiction and choice of forum, **20:11**
- Attachment, **20:34**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **20:62**
 - taking of documentary evidence domestically in support of foreign action, **20:56**
 - taking of witness evidence abroad in support of domestic action, **20:49**
 - taking of witness evidence domestically in support of foreign proceedings, **20:42**
- Attorney fees, **20:107**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **20:62**

KUWAIT—Cont'd

- Attorney work product privilege—Cont'd
 - taking of documentary evidence domestically in support of foreign action, **20:56**
 - taking of witness evidence abroad in support of domestic action, **20:49**
 - taking of witness evidence domestically in support of foreign proceedings, **20:42**
- Audience in court, rights, **20:3**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **20:51**
- Challenges to jurisdiction, **20:8**
- Charter party, admissibility and presentation at trial of evidence taken domestically or abroad, **20:71**
- Choice of forum clauses, **20:7**
- Choice of law
 - choice of law clauses, **20:13**
 - foreign substantive law, bases for application, **20:12**
 - party autonomy, **20:13**
 - relevance to later efforts to recognize and enforce, **20:14**
 - statutory and other bases for application of foreign substantive law, **20:12**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - generally, **20:25**
 - answer or statement of defense, **20:26**
 - complaint or statement of claim, **20:25**
 - form of answer or statement of defense, **20:26**
 - form of complaint or statement of claim, **20:25**
 - judicial review without service of process, **20:27**
 - miscellaneous matters, **20:27**
 - statement of defense, **20:26**

KUWAIT—Cont'd

- Commencement of suit—Cont'd
 - strategic consideration, complaint or statement of claim, **20:25**
 - strategic considerations for answer or statement of defense, **20:26**
 - substance and content of answer or statement of defense, **20:26**
 - substance and content of complaint or statement of claim, **20:25**
- Complaint or statement of claim, **20:25**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **20:74**
- Construction work, admissibility and presentation at trial of evidence taken domestically or abroad, **20:70**
- Content
 - answer or statement of defense, **20:26**
 - complaint or statement of claim, **20:25**
- Contingent fees, **20:107**
- Contract, acceptable kinds of damages recovery in, **20:80**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, **20:87**
- Relevant Conventions and Treaties, **App. 20A**
- service of process abroad to commence domestic action, **20:20**
- service of process domestically to commence foreign action, **20:15**
- taking of documentary evidence abroad in support of domestic action, **20:58**
- taking of documentary evidence domestically in support of foreign action, **20:52**
- taking of witness evidence abroad in support of domestic action, **20:44**
- taking of witness evidence domestically in support of foreign proceedings, **20:37**

KUWAIT—Cont'd

- Costs and fees
 - generally, **20:103**
 - attorney fees, **20:107**
 - contingent fees, **20:107**
 - court costs, **20:105**
 - interest, **20:106**
 - schedule of fees, **20:107**
 - security for costs, **20:104**
- Court structure
 - adjudication, time horizon and influencing factors, **20:4**
 - audience rights, **20:3**
 - foreign co-counsel, role, **20:3**
 - general structure, **20:2**
- Currency conversion, damages recovery, **20:85**
- Damages
 - generally, **20:79**
 - contract, acceptable kinds of damages recovery, **20:80**
 - currency conversion, **20:85**
 - lost profits damages, specific issues, **20:81**
 - non-contractual bases, damages recovery in, **20:82**
 - prescription periods, **20:86**
 - product liability, damages recovery in, **20:82**
 - public policy constraints, **20:84**
 - standards of burden of proof for recovery, **20:83**
 - statute of limitations, **20:86**
 - tort action, damages recovery in, **20:82**
- Default judgments
 - service of process abroad to commence domestic action, **20:24**
 - service of process domestically to commence foreign action, **20:19**
- Discovery
 - taking of documentary evidence domestically in support of foreign action, **20:51**
 - taking of witness evidence domestically in support of foreign action, **20:36**

INDEX

KUWAIT—Cont'd

- Documentary evidence
 - taking of documentary evidence
 - abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of judgments against foreign sovereigns, **20:102**
- Enforcement of jurisdiction, **20:9**
- Evidence
 - damages recovery, standards of burden of proof, **20:83**
 - expert evidence, below
 - taking of documentary evidence
 - abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **20:99**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence
 - taking of witness evidence abroad in support of domestic action, **20:48**
 - taking of witness evidence domestically in support of foreign proceedings, **20:41**
- Fees. Costs and fees, above
- Fee schedules, **20:107**
- Foreign co-counsel, role, **20:3**
- Form
 - answer or statement of defense, **20:26**
 - complaint or statement of claim, **20:25**
- Forum non conveniens and equivalent notions, **20:8**
- General commercial, admissibility and presentation at trial of evidence

KUWAIT—Cont'd

- taken domestically or abroad, **20:64**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence
 - abroad in support of domestic action, **20:62**
 - taking of documentary evidence domestically in support of foreign action, **20:56**
 - taking of witness evidence abroad in support of domestic action, **20:49**
 - taking of witness evidence domestically in support of foreign proceedings, **20:42**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Insurance, admissibility and presentation at trial of evidence taken domestically or abroad, **20:72**
- Intellectual property, admissibility and presentation at trial of evidence taken domestically or abroad, **20:66**
- Interest, costs and fees, **20:106**
- Interim and conservatory relief, injunctions and similar emergency measures
 - generally, **20:29**
 - attachment in aid of execution, **20:34**
 - foreign sovereigns, injunction against, **20:100**
 - parallel proceedings, possible strategies, **20:33**
 - petitions abroad, in connection with domestic proceedings, **20:30**
 - petitions domestically, in support of foreign proceedings, **20:31**
 - property as security device, **20:32**
 - strategies in event of parallel proceedings, **20:33**
- Judicial review without service of process, **20:27**
- Later efforts to recognize and enforce.
 - Relevance to later efforts to recognize and enforce, below

KUWAIT—Cont'd

- Lost profits damages, specific issues, **20:81**
- Maritime, admissibility and presentation at trial of evidence taken domestically or abroad, **20:73**
- Non-contractual bases, damages recovery in, **20:82**
- Obtaining jurisdiction and choice of forum
 - generally, **20:5**
 - ab initio objection to jurisdiction, **20:9**
 - arbitration proceedings, **20:11**
 - challenges to jurisdiction, **20:8**
 - choice of forum clauses, **20:7**
 - enforcement of jurisdiction, **20:9**
 - forum non conveniens and equivalent notions, **20:8**
 - parallel proceedings, **20:10**
 - party autonomy, **20:7**
 - personal jurisdiction, basis for acceptance, **20:5**
 - property as jurisdictional basis, **20:6**
 - relevance to later efforts to recognize and enforce, **20:14**
 - statutory and other bases, **20:5**
 - subject matter jurisdiction, basis for acceptance, **20:5**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **20:88**
 - service of process abroad to commence domestic action, **20:21**
 - service of process domestically to commence foreign action, **20:16**
 - taking of documentary evidence abroad in support of domestic action, **20:59**
 - taking of documentary evidence domestically in support of foreign action, **20:53**
 - taking of witness evidence abroad in support of domestic action, **20:45**
 - taking of witness evidence domestically in support of foreign proceedings, **20:38**

KUWAIT—Cont'd

- Parallel proceedings
 - interim and conservatory relief, injunctions and similar emergency measures, **20:33**
 - obtaining jurisdiction and choice of forum, **20:10**
- Party autonomy
 - choice of law, **20:13**
 - obtaining jurisdiction and choice of forum, **20:7**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **20:5**
 - sovereign immunity, **20:98**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **20:30**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **20:31**
- Post-judgment attachment, sovereign immunity, **20:101**
- Practical problems
 - appeal and review of transnational judgments, **20:76**
 - recognition and enforcement of foreign civil-commercial judgments, **20:90**
 - service of process abroad to commence domestic action, **20:22**
 - service of process domestically to commence foreign action, **20:17**
 - taking of documentary evidence abroad in support of domestic action, **20:60**
 - taking of documentary evidence domestically in support of foreign action, **20:54**
 - taking of witness evidence abroad in support of domestic action, **20:46**
 - taking of witness evidence domestically in support of foreign proceedings, **20:39**
- Pre-judgment attachment, sovereign immunity, **20:100**
- Prescription periods, damages, **20:86**
- Principal and agent, admissibility and presentation at trial of evidence

INDEX

KUWAIT—Cont'd

- taken domestically or abroad, **20:67**
- Privileges. Immunities and privileges, above
- Product liability
 - admissibility and presentation at trial of evidence taken domestically or abroad, **20:69**
 - damages recovery, **20:82**
- Property
 - jurisdictional basis, **20:6**
 - security device, **20:32**
- Public policy
 - damages, **20:84**
 - recognition and enforcement of foreign civil-commercial judgments, **20:91**
- Recognition and enforcement of foreign civil-commercial judgments
 - generally, **20:87**
 - arbitration awards, **20:89**
 - conventions, **20:87**
 - other means and absence of conventions, **20:88**
 - practical problems, **20:90**
 - public policy issues, **20:91**
 - time factors, **20:90**
- Recognition and enforcement of judgments against foreign sovereigns, **20:102**
- Relevance to later efforts to recognize and enforce judgment
 - appeal and review of transnational judgments, **20:78**
 - choice of law, **20:14**
 - obtaining jurisdiction and choice of forum, **20:14**
 - service of process abroad to commence domestic action, **20:23**
 - service or process domestically to commence foreign action, **20:18**
 - taking of documentary evidence abroad in support of domestic action, **20:61**
 - taking of documentary evidence domestically in support of foreign action, place of evidence, **20:55**

KUWAIT—Cont'd

- Relevance to later efforts to recognize and enforce judgment—Cont'd
 - taking of witness evidence abroad in support of domestic action, **20:47**
 - taking of witness evidence domestically in support of foreign proceedings, **20:40**
- Relevant Conventions and Treaties, **App. 20A**
- Rights of audience in court, **20:3**
- Sale of goods, admissibility and presentation at trial of evidence taken domestically or abroad, **20:65**
- Secrecy laws, taking of documentary evidence domestically in support of foreign action, **20:51**
- Security
 - costs, security for, **20:104**
 - property as security device, **20:32**
- Service of process abroad to commence domestic action
 - generally, **20:20**
 - conventions, **20:20**
 - default judgments, **20:24**
 - other means and absence of conventions, **20:21**
 - practical problems, **20:22**
 - relevance to later efforts to recognize and enforce, **20:23**
 - time factors, **20:22**
- Service of process domestically to commence foreign action
 - generally, **20:15**
 - conventions, **20:15**
 - default judgments, **20:19**
 - other means in absence of convention, **20:16**
 - practical problems, **20:17**
 - relevance to later efforts to recognize and enforce, **20:18**
 - time factors, **20:17**
- Service of process on foreign sovereigns, **20:97**
- Settlement and compromise of proceedings
 - generally, **20:92**
 - formalities, **20:94**

KUWAIT—Cont'd

- Settlement and compromise of proceedings—Cont'd
 - kinds of settlement and compromise, **20:93**
 - litigation, effect on, **20:95**
 - requirements, **20:94**
- Sovereign immunity
 - generally, **20:96**
 - aids in enforcement of judgments against foreign sovereigns, **20:101**
 - enforcement of judgments against foreign sovereigns, **20:101, 20:102**
 - injunctive measures against foreign sovereigns, **20:100**
 - personal jurisdiction, **20:98**
 - post-judgment attachment, **20:101**
 - pre-judgment attachment, **20:100**
 - recognition and enforcement of judgments against foreign sovereigns, **20:102**
 - service of process on foreign sovereigns, **20:97**
 - subject matter jurisdiction, **20:98**
 - taking of evidence against foreign sovereign entities, **20:99**
- Standards of burden of proof for damages recovery, **20:83**
- Statement of claim, **20:25**
- Statute of limitations, damages, **20:86**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **20:12**
 - obtaining jurisdiction and choice of forum, **20:5**
- Table of Relevant Statutes of Kuwait, **App. 20B**
- Strategic considerations
 - answer or statement of defense, **20:26**
 - appeal and review of transnational judgments, **20:77**
 - complaint or statement of claim, **20:25**
 - parallel proceedings, **20:33**
- Structure of courts. Court structure, above

KUWAIT—Cont'd

- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **20:5**
 - sovereign immunity, **20:98**
- Substance and content
 - answer or statement of defense, **20:26**
 - complaint or statement of claim, **20:25**
- Substantive and practical overview, **20:1**
- Substantive issues, choice of law, **20:12**
- Summary judgments and equivalent proceedings
 - generally, **20:28**
- Table of Relevant Statutes of Kuwait, **App. 20B**
- Taking of documentary evidence abroad
 - in support of domestic action
 - generally, **20:57**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **20:62**
 - attorney work product privilege, **20:62**
 - conventions, **20:58**
 - other means and absence of conventions, **20:59**
 - practical problems, **20:60**
 - privileges, **20:62**
 - relevance to later efforts to recognize and enforce, **20:61**
 - time factors, **20:60**
- Taking of documentary evidence
 - domestically in support of foreign action
 - generally, **20:50**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **20:56**
 - attorney work product privilege, **20:56**
 - blocking statutes, **20:51**
 - conventions, **20:52**
 - discovery, **20:51**
 - other means and absence of conventions, **20:53**
 - practical problems, **20:54**

INDEX

KUWAIT—Cont'd

- Taking of documentary evidence
 - domestically in support of foreign action—Cont'd
 - privileges, **20:56**
 - relevance to later efforts to recognize and enforce at place of evidence, **20:55**
 - secrecy laws, **20:51**
 - time factors, **20:54**
 - time of discovery, **20:51**
- Taking of witness evidence abroad in support of domestic action
 - generally, **20:43**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **20:49**
 - attorney work product privilege, **20:49**
 - conventions, **20:44**
 - expert evidence, special issues, **20:48**
 - other means and absence of conventions, **20:45**
 - practical problems, **20:46**
 - privileges, **20:49**
 - relevance to later efforts to recognize and enforce judgment, **20:47**
 - time factors, **20:46**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **20:35**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **20:42**
 - attorney work product privilege, **20:42**
 - conventions, **20:37**
 - discovery, **20:36**
 - expert evidence, special issues, **20:41**
 - other means and absence of conventions, **20:38**
 - practical problems, **20:39**
 - privileges, **20:42**
 - relevance to later efforts to recognize and enforce, **20:40**
 - time factors, **20:39**

KUWAIT—Cont'd

- Time factors
 - adjudication, time horizon and influencing factors, **20:4**
 - appeal and review of transnational judgments, **20:76**
 - damages, **20:86**
 - prescription periods, **20:86**
 - recognition and enforcement of foreign civil-commercial judgments, **20:90**
 - service of process abroad to commence domestic action, **20:22**
 - service of process domestically to commence foreign action, **20:17**
 - statute of limitations, **20:86**
 - taking of documentary evidence abroad in support of domestic action, **20:60**
 - taking of documentary evidence domestically in support of foreign action, **20:51, 20:54**
 - taking of witness evidence abroad in support of domestic action, **20:46**
 - taking of witness evidence domestically in support of foreign action, **20:39**
- Tort actions
 - admissibility and presentation at trial of evidence taken domestically or abroad, **20:68**
 - damages recovery in, **20:82**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

KYRGYZ REPUBLIC

- Arbitration rules, **41:25**

LABOR JUSTICE

- Brazil, sovereign immunity and labor justice, **5:105**

LABOUR JURISDICTION

- United Arab Emirates, **28:12**

LAGOS STATE HIGH COURT

Nigeria (this index)

**LATER EFFORTS TO RECOGNIZE
AND ENFORCE**

Australia (this index)

Austria (this index)

Belgium (this index)

Brazil (this index)

Canada (this index)

China, People's Republic (this index)

Finland (this index)

France (this index)

Germany (this index)

Japan (this index)

Korea (this index)

Kuwait (this index)

Turkey (this index)

United Kingdom (this index)

United States of America (this index)

Uruguay (this index)

LAW OF CLOSEST CONNECTION

Nigeria, **21:13**

LAW OF LIMITATION

India's Transnational Litigation,
Conflict of Laws, Law of Limita-
tion, **40:17**

LEGAL AID

Austria, costs and fees

legal aid, **3:123**

France, costs and fees, **12:69**

Ireland, costs and fees, **16:42**

LEGALIZATION OF DOCUMENTS

Convention Abolishing the Requirement
for Legalization for Foreign Public
Documents, **33:15**

Council of Europe Convention on the
Abolition of Legalization of Docu-
ments Executed by Diplomatic
Agents or Consular Officers, **36:3**

LETTERS ROGATORY

Definition of Letters Rogatory, 22 CFR
92.54, **39:8**

Examples, **39:9**

Inter-American Convention on Letters
Rogatory, **38:2**

LETTERS ROGATORY—Cont'd

Preparation of Letters Rogatory, U.S.
State Department, **39:8**

LIMITATIONS

Canada, commencement of suit, **6:21**

LIQUIDATED DAMAGES

Canada, **6:54**

LIS PENDENS

Denmark, **10:28**

LOCAL JURISDICTION

India, **15:8**

United Arab Emirates (this index)

LOCAL PEOPLE'S COURTS

China, People's Republic, **7:9**

LOCAL PROCEDURAL

**REQUIREMENTS AT PLACE OF
ACTION**

Australia (this index)

Austria (this index)

Belgium, **4:20**

Brazil (this index)

China, People's Republic (this index)

Czech Republic (this index)

Evidence (this index)

Finland (this index)

France (this index)

Germany (this index)

Hungary (this index)

India, **15:23**

Japan (this index)

Korea (this index)

Singapore, recognition and enforcement
of foreign civil-commercial judg-
ments, **23:45**

Sweden (this index)

Switzerland, recognition and enforce-
ment of foreign civil-commercial
judgments, **25:73**

Turkey (this index)

United Kingdom (this index)

United States of America, **30:79**

Uruguay (this index)

INDEX

LONDON COURT OF INTERNATIONAL ARBITRATION

Mediation, **41:4, 41:4.30**
Rules of Arbitration, **41:3, 41:3.30**

LONG ARM STATUTES

France, obtaining jurisdiction and choice
of forum, **12:8**

LOST PROFITS DAMAGES

Australia, **2:74**
Austria, **3:97**
Belgium, **4:56**
Brazil, **5:84**
Canada, **6:56, 6:61**
 Quebec, damages in contract, **6:61**
China, People's Republic, **7:86**
Czech Republic, **9:63**
Finland, **11:77**
France, **12:47**
Germany, **13:75**
Hungary, **14:82**
India, **15:32**
Japan, **18:79**
Korea, **19:97**
Kuwait, **20:81**
Russian Federation, **22A:72**
Sweden, **24:80**
Switzerland, **25:66**
Taiwan, **26:47**
Turkey, **27:71**
United Kingdom, **29:74**
United States of America, **30:72**
Uruguay, **31:61**

LUGANO CONVENTION

Switzerland, **25:71**

MAREVA INJUNCTIONS

Singapore, **23:32**

MARITIME ACTIONS

Admiralty and Maritime Actions (this
index)

MEDIATION

China, People's Republic, **7:4**
Cuba, CCICA, **8:24, 8:25**
European Union Directive on Media-
tion, **40:9**

MEXICO

Hague Conventions, **33:7**
Judicial Assistance in Mexico, **33:7**

MINORS

United Arab Emirates, action filed
against minor, **28:41**

MITIGATION OF DAMAGES

Canada, **6:59**

MODEL CLAUSES AND LAWS

ICSID model clauses, **42:1**
International Centre for Settlement of
Investment Disputes, **42:1**
Practical guide for drafting international
arbitration clauses, **42:5**
UNCITRAL model law on international
commercial arbitration
 generally, **42:2**
 arbitration case law
 Chevron v. Ecuador UNCITRAL
 Arbitration Award, **45:2**
 Chevron v. Ecuador UNCITRAL
 Notice of Arbitration, **45:1**
Austria, **3:127**
Belgium, **4:80**
Brazil, **5:114**
Czech Republic, **9:85**
France, **12:72**
India, **15:47**
Ireland, **16:48**
UNCITRAL notes on organizing arbitral
proceedings, **42:3**
U.S. model bilateral investment treaty,
42:4

MONGOLIA

Arbitration
 Mongolia Law on Arbitration, **40:18**
 Mongolian National Arbitration Court
 Arbitration Rules (adopted June
 16, 2003), **41:26**
Jurisdiction and choice of forum, **40:18**
Mongolia Law on Arbitration, **40:18**
Mongolian National Arbitration Court
Arbitration Rules (adopted June 16,
2003), **41:26**

MORAL DAMAGES

Brazil, **5:89**

MORAL DAMAGES—Cont'd

Uruguay, **31:66**

NATIONAL ARBITRATION FORUM

Arbitration agreement drafting guide,
41:15

Code of Procedure, **41:14**

Fee schedule to Code of Procedure,
41:16

NETHERLANDS

Hague Conventions, **33:8**

Judicial Assistance in The Netherlands,
33:8

Royal Dutch Class Action Judgment,
42A:3

Royal Dutch Shell Settlement Agree-
ment, **42A:1**

Royal Dutch Shell Settlement Notice,
42A:2

**NEWLY DISCOVERED
CIRCUMSTANCES**

Russian Federation (this index)

NEW ZEALAND

Arbitration Act, **41:37**

NIGERIA

Generally, **21:1 to 21:25**

Absence of choice of law, law of closest
connection, **21:13**

Appellate courts, jurisdiction, **21:4**

Arbitration

generally, **21:17**

applicable law and procedure, **21:21**

arbitral tribunal, **21:19, 21:20**

arbitration agreement, **21:18**

binding effect of arbitral awards, gen-
erally, **21:23**

composition of arbitral tribunal, **21:19**

enforcement of arbitral awards, gener-
ally, **21:23**

enforcement of foreign arbitral
awards, **21:24**

interim measures in support of
arbitration proceedings, **21:22**

international commercial arbitral
award, setting aside and non-
recognition, **21:25**

jurisdiction of arbitral tribunal, **21:20**

NIGERIA—Cont'd

Arbitration—Cont'd

non-recognition of international com-
mercial arbitral award, **21:25**

recognition and enforcement of
foreign arbitral awards, **21:24**

selection of arbitral tribunal, **21:19**

setting aside international commercial
arbitral award, **21:25**

Binding effect of arbitral awards, gener-
ally, **21:23**

Choice of law

generally, **21:10**

absence of choice of law, law of clos-
est connection, **21:13**

express choice of parties, **21:11**

implied choice of parties, **21:12**

Commencement of suit, Lagos state high
court, **21:14**

Court of appeals, jurisdiction, **21:4**

Courts

jurisdiction in respect to transnational
disputes. Jurisdiction of courts,
below

Lagos state high court, below

Nigerian Supreme Court Act, **40:11**

Nigerian Supreme Court Rules, **40:12**

service of court process, below
structure, **21:3**

Enforcement of arbitral awards, gener-
ally, **21:23**

Enforcement of foreign arbitral awards,
21:24

Enforcement of judgment of Lagos state
high court, **21:16**

Evidence, Lagos state high court, **21:15**

Express choice of law by parties, **21:11**

Federal high court, jurisdiction, **21:5**

Foreign jurisdictions

Nigerian Supreme Court Act, **40:11**

Nigerian Supreme Court Rules, **40:12**

High court of federal capital territory,
jurisdiction, **21:6**

Implied choice of law by parties, **21:12**

Interim measures in support of arbitra-
tion proceedings, **21:22**

Introduction to Nigerian legal system,
21:1

INDEX

NIGERIA—Cont'd

- Judgment of Lagos state high court, **21:16**
- Judicial system and structure of courts, **21:3**
- Jurisdiction and choice of forum
 - Nigerian Supreme Court Act, **40:11**
 - Nigerian Supreme Court Rules, **40:12**
- Jurisdiction of arbitral tribunal, **21:20**
- Jurisdiction of courts
 - appellate courts, **21:4**
 - courts of appeals, **21:4**
 - federal high court, **21:5**
 - high court of federal capital territory, **21:6**
 - state high courts, **21:6**
 - supreme court, **21:4**
 - trial courts, **21:5, 21:6**
- Lagos state high court
 - commencement of suit, **21:14**
 - evidence, **21:15**
 - judgment and enforcement, **21:16**
 - trial litigations, generally, **21:14 to 21:16**
- Law of closest connection, **21:13**
- Legal system
 - introduction, **21:1**
 - sources of laws, **21:2**
- Non-recognition of international commercial arbitral award, **21:25**
- Parties' express choice of law, **21:11**
- Parties' implied choice of law, **21:12**
- Recognition and enforcement of foreign arbitral awards, **21:24**
- Service of court process
 - generally, **21:7**
 - service of process abroad in relation to domestic proceeding, **21:8**
 - service of process domestically in relation to foreign proceeding, **21:9**
- Setting aside international commercial arbitral award, **21:25**
- Sources of laws, **21:2**
- State high courts, jurisdiction, **21:6**
- Supreme court jurisdiction, **21:4**
- Trial courts, jurisdiction, **21:5, 21:6**

OATHS

- Italy, admissibility and presentation at trial of evidence taken domestically or abroad, **17:34 to 17:36**

OBTAINING JURISDICTION AND CHOICE OF FORUM

- Canada** (this index)
- Denmark** (this index)

PARALLEL PROCEEDINGS

- Australia** (this index)
- Austria** (this index)
- Belgium, obtaining jurisdiction and choice of forum, **4:12**
- Brazil, obtaining jurisdiction and choice of forum, **5:11**
- Canada, obtaining jurisdiction and choice of forum, **6:8**
- China, People's Republic, obtaining jurisdiction and choice of forum, **7:23**
- Czech Republic, obtaining jurisdiction, **9:12**
- Denmark** (this index)
- Finland, obtaining jurisdiction and choice of forum, **11:10**
- France, obtaining jurisdiction and choice of forum, **12:12**
- Germany, obtaining jurisdiction and choice of forum, **13:10**
- Hungary, obtaining jurisdiction and choice of forum, **14:14**
- Japan, obtaining jurisdiction and choice of forum, **18:11**
- Korea, obtaining jurisdiction and choice of forum, **19:29**
- Kuwait, **20:10, 20:33**
- Russian Federation, **22A:13**
- Sweden, obtaining jurisdiction and choice of forum, **24:10**
- Switzerland, obtaining jurisdiction and choice of forum, **25:10**
- Turkey, obtaining jurisdiction and choice of forum, **27:15**
- United Kingdom, obtaining jurisdiction and choice of forum, **29:10**
- United States of America, obtaining jurisdiction and choice of forum, **30:10**

PARALLEL PROCEEDINGS—Cont'd

Uruguay, obtaining jurisdiction and choice of forum, **31:7**

PARTY AUTONOMY

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Czech Republic (this index)
Denmark (this index)
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India, **15:10**
Ireland, **16:8**
Italy (this index)
Japan (this index)
Korea (this index)
Kuwait (this index)
Singapore, **23:10**
Sweden (this index)
Turkey (this index)
United Kingdom, **29:12**, **29:14**
United States of America (this index)
Uruguay, **31:4**, **31:9**

PAYMENT ORDER

Korea, **19:48**

PERSONAL INJURY CLAIMS

Ireland, court procedure, **16:5**

PERSONAL JURISDICTION

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada, **6:4**
China, People's Republic (this index)
Czech Republic (this index)
Denmark, **10:5**, **10:6**
Finland (this index)
France, obtaining jurisdiction and choice of forum, **12:5**
Germany (this index)
Hungary, **14:6**

PERSONAL JURISDICTION—Cont'd

India, **15:7**, **15:9**, **15:39**
Ireland, **16:6**
Japan (this index)
Korea (this index)
Kuwait (this index)
Sweden (this index)
Switzerland (this index)
Taiwan (this index)
Turkey (this index)
United Kingdom, **29:6**
United States of America, **30:6**

PETITIONS

Australia, **2:35**, **2:36**
Austria, **3:40**, **3:41**
Belgium, **4:33**, **4:34**
Brazil, **5:36**, **5:37**
Canada, **6:24**, **6:25**
China, People's Republic, **7:48**, **7:49**
Czech Republic, **9:33**, **9:34**
Finland, **11:31**, **11:32**
France, **12:32**, **12:33**
Germany, **13:33**, **13:34**
Hungary, **14:41**, **14:42**
Italy, **17:22**, **17:23**
Japan, **18:34**, **18:35**
Korea, **19:53**, **19:54**
Kuwait, **20:30**, **20:31**
Russian Federation, **22A:36**
Sweden, **24:34**, **24:35**
Switzerland, **25:40**, **25:41**
Taiwan, **26:21**
Turkey, **27:41**, **27:42**
United Kingdom, **29:36**, **29:37**
United States of America, **30:37**, **30:38**

PHILIPPINES

Generally, **22:1 to 22:114**
Admissibility and presentation at trial of evidence taken domestically or abroad, **22:60 to 22:68**
Appeal and review of transnational judgments, **22:69 to 22:72**
Arbitration, **22:98 to 22:114**
Choice of law, **22:14 to 22:16**
Commencement of suit, **22:26 to 22:28**
Compromise and settlement, **22:85 to 22:87**

INDEX

PHILIPPINES—Cont'd

- Costs and fees, **22:94 to 22:97**
- Court structure, **22:2**
- Damages, **22:73 to 22:79**
- Documentary evidence, **22:52 to 22:57, 22:58, 22:59**
- Emergency relief measures, **22:34 to 22:38**
- Evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **22:60 to 22:68**
 - taking of documentary evidence abroad in support of domestic action, **22:58, 22:59**
 - taking of documentary evidence domestically in support of foreign action, **22:52 to 22:57**
 - taking of witness evidence abroad in support of domestic action, **22:46 to 22:51**
 - taking of witness evidence domestically in support of foreign action, **22:39 to 22:45**
- Fees and costs, **22:94 to 22:97**
- Immunity of a sovereign, **22:88 to 22:93**
- Injunctions and similar emergency measures, **22:34 to 22:38**
- Interim and conservatory relief, **22:34 to 22:38**
- Obtaining jurisdiction and choice of forum, **22:8 to 22:13**
- Recognition and enforcement of foreign civil-commercial judgments, **22:80 to 22:84**
- Service of process abroad to commence domestic action, **22:21 to 22:25**
- Service of process domestically to commence foreign action, **22:17 to 22:20**
- Settlement and compromise, **22:85 to 22:87**
- Sovereign immunity, **22:88 to 22:93**
- Structure of courts, **22:2**
- Substantive and practical overview of key distinguishing issues in Philippines, **22:1 to 22:7**
- Summary judgments and equivalent proceedings, **22:29 to 22:33**

PHILIPPINES—Cont'd

- Taking of documentary evidence abroad in support of domestic action, **22:58, 22:59**
- Taking of documentary evidence domestically in support of foreign action, **22:52 to 22:57**
- Taking of witness evidence abroad in support of domestic action, **22:46 to 22:51**
- Taking of witness evidence domestically in support of foreign action, **22:39 to 22:45**
- Witness evidence, **22:39 to 22:45, 22:46 to 22:51**

PHYSICIAN-PATIENT PRIVILEGE

Austria (this index)

PLEADINGS

- Singapore, **23:24, 23:25**
- Switzerland, supplemental pleadings, **25:30**
- United Kingdom, **29:27, 29:29**

POST-JUDGMENT ATTACHMENT

- Australia, **2:92**
- Austria, **3:116**
- Belgium, **4:71**
- Brazil, **5:103**
- Canada, **6:76**
- Finland, **11:92**
- Japan, **18:97**
- Kuwait, **20:101**
- Sweden, **24:94**
- Switzerland, **25:81**
- Turkey, **27:90**
- United States of America, **30:89**
- Uruguay, **31:75**

POWER OF ATTORNEY

- Italy, **17:18**

PRE-JUDGMENT ATTACHMENT

- Australia, **2:91**
- Austria, **3:116**
- Belgium, **4:71**
- Brazil, **5:102**
- Canada, **6:76**
- Finland, **11:92**
- Germany, **13:92**

PRE-JUDGMENT ATTACHMENT

—Cont'd

Japan, **18:96**
 Korea, **19:128**
 Kuwait, **20:100**
 Sweden, **24:93**
 Switzerland, **25:80**
 Turkey, **27:89**
 United Kingdom, **29:91**
 United States of America, **30:88**
 Uruguay, **31:75**

PRINCIPAL AND AGENT

Austria, **3:87**
 Brazil, **5:69**
 Finland, **11:65**
 Germany, **13:61**
 Hungary, **14:71**
 Japan, **18:69**
 Kuwait, **20:67**

PRIVILEGES

Immunities and Privileges (this index)

PRODUCT LIABILITY

Australia, damages recovery in, **2:75**
 Austria, **3:89, 3:98**
 Belgium, damages recovery, **4:57**
 Brazil, **5:71, 5:85**
 Canada, Quebec, **6:63**
 China, People's Republic, **7:87**
 Denmark, damages, **10:52**
 Finland, **11:67, 11:78**
 France, damages, **12:48**
 Germany, **13:63, 13:76**
 Hungary, **14:73, 14:83**
 India, **15:34**
 Japan, **18:71, 18:80**
 Kuwait, **20:69, 20:82**
 Russian Federation, **22A:57, 22A:73**
 Sweden, **24:71, 24:81**
 Switzerland, **25:67**
 Taiwan, **26:48**
 Turkey, **27:72**
 United Kingdom, **29:75**
 United States of America, **30:73**
 Uruguay, **31:62**

PROPERTY

Australia, **2:6, 2:37**

PROPERTY—Cont'd

Austria, **3:8, 3:42**
 Belgium, **4:8**
 Brazil, **5:7, 5:38**
 Canada, **6:4, 6:27**
 China, People's Republic, **7:19, 7:50**
 Czech Republic, **9:8**
 Denmark, security device, **10:35**
 Finland, **11:6, 11:33**
 France, **12:34**
 Germany, **13:6**
 Hungary, **14:7, 14:43**
 Ireland, **16:7**
 Italy, **17:7**
 Japan, **18:7, 18:36**
 Korea, **19:58**
 Kuwait, **20:6, 20:32**
 Sweden, **24:36**
 Switzerland, **25:6, 25:42**
 Taiwan, **26:7, 26:23**
 Turkey, **27:11, 27:43**
 United Arab Emirates, **28:17**
 United Kingdom, **29:7, 29:38**
 United States of America, **30:39**

PUBLIC POLICY

Australia (this index)
Austria (this index)
 Belgium, damages, **4:59**
 Brazil, **5:87, 5:94**
Canada (this index)
 China, People's Republic, **7:89, 7:95**
 Czech Republic, **9:65, 9:71**
 Finland, **11:80**
 Finland, damages, **11:80**
 France, **12:50**
 Germany, **13:78, 13:84**
 Hungary, **14:87, 14:92**
 Ireland, **16:16**
 Japan, **18:82, 18:88**
Korea (this index)
 Kuwait, **20:84, 20:91**
 Russian Federation, **22A:75**
 Singapore, **23:46**
 Singapore, recognition and enforcement
 of foreign civil-commercial judg-
 ments, **23:46**
 Sweden, **24:81, 24:88**

INDEX

PUBLIC POLICY—Cont'd

Switzerland, **25:69**
Turkey, **27:74, 27:81**
United Kingdom, **29:77**
United States of America, **30:75**
Uruguay, **31:64**

PUNITIVE/EXEMPLARY DAMAGES

Australia, recognition and enforcement of foreign civil and commercial judgments, **2:83**
Austria, recognition and enforcement of foreign civil and commercial judgments, **3:108**
Brazil, **5:94**
Canada, **6:57**
China, People's Republic, **7:95**
Hungary, **14:92**
Japan, **18:88**
Russian Federation, **22A:75**
Switzerland, **25:69**
Turkey, **27:81**

RECEIVER

Singapore, appointment, **23:35**

RECOGNITION AND ENFORCEMENT OF FOREIGN CIVIL-COMMERCIAL JUDGMENTS

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Czech Republic (this index)
Denmark, **10:54**
European Community/European Union Convention on Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters, **35:3**
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India, **15:36**
Ireland (this index)
Japan (this index)
Korea (this index)

RECOGNITION AND ENFORCEMENT OF FOREIGN CIVIL-COMMERCIAL JUDGMENTS—Cont'd

Kuwait (this index)
Philippines, **22:80 to 22:84**
Russian Federation (this index)
Sweden (this index)
Switzerland (this index)
Taiwan (this index)
Turkey (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

RECOGNITION OF FOREIGN COUNTRY MONEY JUDGMENTS

United States statute, NY CPLR Art 53, **39:15**

REFEREES

Cuba (this index)

REGULATORY LITIGATION

Generally, **1:2**

REI VINDICATIO

Denmark, **10:32**

REPLY AND DEFENSE TO COUNTERCLAIM

Singapore, **23:23**

REPLY OR REPLICATION

Switzerland, **25:28**

REPUGNANT FOREIGN LAWS

Ireland, **16:16**

ROMANIA

Court of International Commercial Arbitration of the Romanian Chamber of Commerce and Industry Arbitration Rules (in force 25 Mar 2010), **41:27**

RUSSIAN FEDERATION

Generally, **22A:1 to 22A:93**
Abbreviations, list of, **App. 22A**
Ab initio objection to jurisdiction, **22A:12**

RUSSIAN FEDERATION—Cont'd

Absence of conventions. Other means and absence of conventions, below

Acceptance of statement of claim, arbitration courts, **22A:26**

Admiralty, admissibility and presentation at trial of evidence taken domestically or abroad, **22A:61**

Admissibility and presentation at trial of evidence taken domestically or abroad

admiralty, **22A:61**

charter party, **22A:59**

construction work, **22A:58**

general requirements and practices, **22A:53**

insurance, **22A:60**

intellectual property, **22A:55**

maritime, **22A:61**

product liability, **22A:57**

sale of goods, **22A:54**

torts, **22A:56**

Admission of claims, **22A:83**

Answer to statement of claim, arbitration courts, **22A:28**

Appeal and protest against judgments of arbitration courts

generally, **22A:66**

cassation, **22A:67**

international commercial arbitration, **22A:70**

newly discovered circumstances, review on grounds of, **22A:69**

supervision, review of award by way, **22A:68**

Appeal and protest against judgments of courts of general jurisdiction

generally, **22A:62**

cassation, **22A:63**

general jurisdiction, courts of, **22A:62**

newly discovered circumstances, review on grounds of, **22A:65**

supervisory instance, proceedings in court of, **22A:64**

Application for foreign commission, taking of witness evidence abroad in support of domestic action, **22A:47**

RUSSIAN FEDERATION—Cont'd

Arbitration courts

generally, **22A:4, 22A:24**

acceptance of statement of claim, **22A:26**

answer to statement of claim, **22A:28**

appeal and protest against judgments of arbitration courts, above

commencement of suit, generally, **22A:24**

court costs, **22A:91**

interim and conservatory relief, injunctions and similar emergency measures, **22A:38**

international commercial arbitration, below

jurisdiction and choice of forum, **22A:8**

practical difficulties, **22A:30**

return of statement of claim, **22A:27**

shelving of statement of claim, **22A:26**

statements of claim, **22A:25**

Attorney-client privilege, taking of witness evidence domestically in support of foreign proceedings, **22A:45**

Attorney fees, **22A:93**

Attorney work product privilege, taking of witness evidence domestically in support of foreign proceedings, **22A:45**

Blocking statutes, taking of documentary evidence domestically in support of foreign action, **22A:49**

Cassation

appeal and protest against judgments of arbitration courts, **22A:67**

appeal and protest against judgments of courts of general jurisdiction, **22A:63**

Challenges to jurisdiction, **22A:11**

Charter party, admissibility and presentation at trial of evidence taken domestically or abroad, **22A:59**

Choice of forum. Jurisdiction and choice of forum, below

Choice of law

choice of law clauses, **22A:16**

INDEX

RUSSIAN FEDERATION—Cont'd

- Choice of law—Cont'd
 - foreign substantive law, bases for application, **22A:15**
 - party autonomy, **22A:16**
 - relevance to later efforts to recognize and enforce, **22A:17**
 - statutory and other bases for application of foreign substantive law, **22A:15**
- Commencement of suit
 - generally, **22A:23**
 - arbitration courts, above
 - statement of claim, **22A:23**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conservatory relief. Interim and conservatory relief, injunctions and similar emergency measures, below
- Construction work, admissibility and presentation at trial of evidence taken domestically or abroad, **22A:58**
- Contingent fees, **22A:93**
- Contract, kinds of damages recovery in, **22A:71**
- Conventions
 - generally, **33:9**
 - jurisdiction and choice of forum, **22A:14**
 - other means and absence of conventions, below
 - recognition and enforcement of foreign civil and commercial judgments, **22A:78**
 - service of process abroad to commence domestic action, **22A:21**
 - service of process domestically to commence foreign action, **22A:18**
 - taking of documentary evidence domestically in support of foreign action, **22A:50**
 - taking of witness evidence domestically in support of foreign proceedings, **22A:41**
- Costs and fees
 - generally, **22A:87**

RUSSIAN FEDERATION—Cont'd

- Costs and fees—Cont'd
 - arbitration proceedings, court costs, **22A:91**
 - attorney fees, **22A:93**
 - civil proceedings, court costs, **22A:90**
 - contingent fees, **22A:93**
 - court costs, **22A:89 to 22A:92**
 - international commercial arbitration, below
 - schedule of fees, **22A:93**
 - security for costs, **22A:87, 22A:88**
- Court costs, **22A:89 to 22A:92**
- Court settlement of disputes, **22A:81**
- Currency conversion, damages recovery, **22A:76**
- Damages
 - generally, **22A:71**
 - contract, kinds of damages recovery, **22A:71**
 - currency conversion, **22A:76**
 - lost profits damages, specific issues, **22A:72**
 - non-contractual bases, damages recovery in, **22A:73**
 - product liability, damages recovery in, **22A:73**
 - public policy constraints, **22A:75**
 - punitive damages, **22A:75**
 - standards of burden of proof for recovery, **22A:74**
 - tort action, damages recovery in, **22A:73**
- Default judgment, summary judgments and equivalent proceedings, **22A:32**
- Discovery
 - taking of documentary evidence domestically in support of foreign action, **22A:49**
 - taking of witness evidence domestically in support of foreign action, **22A:40**
- Emergencies. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of foreign civil and commercial judgments. Recognition and enforcement of foreign civil

RUSSIAN FEDERATION—Cont'd

- and commercial judgments, below
- Enforcement of jurisdiction, **22A:12**
- Evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - damages recovery, standards of burden of proof, **22A:74**
 - expert evidence, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign proceedings, below
- Expert evidence
 - taking of documentary evidence domestically in support of foreign action, **22A:52**
 - taking of witness evidence domestically in support of foreign proceedings, **22A:44**
- Fees. Costs and fees, above
- Forum non conveniens and equivalent notions, **22A:11**
- Fulfillment of foreign commission to summon witnesses and take evidence, taking of witness evidence domestically in support of foreign proceedings, **22A:42**
- General jurisdiction, courts of
 - generally, **22A:3**
 - appeal and protest against judgments of courts of general jurisdiction, above, **22A:62**
 - jurisdiction and choice of forum, **22A:7**
 - security for costs, interim and conservatory relief, injunctions and similar emergency measures, **22A:37**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Insurance, admissibility and presentation at trial of evidence taken domesti-

RUSSIAN FEDERATION—Cont'd

- cally or abroad, **22A:60**
- Intellectual property, admissibility and presentation at trial of evidence taken domestically or abroad, **22A:55**
- Interim and conservatory relief, injunctions and similar emergency measures
 - generally, **22A:36**
 - arbitration courts, **22A:38**
 - international commercial arbitration, **22A:39**
 - petitions abroad in connection with domestic proceedings, **22A:36**
 - petitions domestically in support of foreign proceedings, **22A:36**
 - security for costs, courts of general jurisdiction, **22A:37**
- International commercial arbitration
 - generally, **22A:29**
 - appeal and protest against judgments of arbitration courts, **22A:70**
 - costs and fees
 - court costs, **22A:92**
 - security for costs, **22A:88**
 - court costs, **22A:92**
 - interim and conservatory relief, injunctions and similar emergency measures, **22A:39**
 - jurisdiction and choice of forum, International Commercial Arbitration Courts (ICAC), **22A:9**
 - security for costs, **22A:88**
 - settlement and compromise of proceedings, **22A:84**
- Judicial Assistance in Russia, **33:9**
- Judicial system
 - generally, **22A:2**
 - arbitration courts, **22A:4**
 - general jurisdiction, courts of, **22A:3**
- Jurisdiction and choice of forum
 - generally, **22A:6**
 - ab initio objection to jurisdiction, **22A:12**
 - arbitration courts, **22A:8**
 - challenges to jurisdiction, **22A:11**
 - choice of forum clauses, **22A:10**

INDEX

RUSSIAN FEDERATION—Cont'd

Jurisdiction and choice of forum

—Cont'd

enforcement of jurisdiction, **22A:12**

forum non conveniens and equivalent notions, **22A:11**

general jurisdiction, court of, **22A:7**

International Commercial Arbitration Courts (ICAC), **22A:9**

international conventions and treaties, **22A:14**

parallel proceedings, **22A:13**

party autonomy, **22A:10**

statutory and other bases, **22A:6**

Key distinguishing issues, **22A:1**

List of abbreviations, **App. 22A**

Lost profits damages, specific issues, **22A:72**

Maritime, admissibility and presentation at trial of evidence taken domestically or abroad, **22A:61**

Newly discovered circumstances

appeal and protest against judgments of arbitration courts, **22A:69**

appeal and protest against judgments of courts of general jurisdiction, **22A:65**

Non-contractual bases, damages recovery in, **22A:73**

Other means and absence of conventions

recognition and enforcement of foreign civil and commercial judgments, **22A:79**

service of process abroad to commence domestic action, **22A:22**

service of process domestically to commence foreign action, **22A:19**

taking of documentary evidence domestically in support of foreign action, **22A:51**

Parallel proceedings, jurisdiction and choice of forum, **22A:13**

Party autonomy

choice of law, **22A:16**

jurisdiction and choice of forum, **22A:10**

Petitions abroad in connection with domestic proceedings, interim and conservatory relief, **22A:36**

RUSSIAN FEDERATION—Cont'd

Petitions domestically in support of foreign proceedings, interim and conservatory relief, **22A:36**

Pre-trial settlement of disputes, **22A:80**

Privileges, taking of witness evidence domestically in support of foreign proceedings, **22A:45**

Procedural requirements and issues

sovereign immunity, **22A:86**

summary judgments and equivalent proceedings, **22A:31**

Product liability

admissibility and presentation at trial of evidence taken domestically or abroad, **22A:57**

damages recovery, **22A:73**

Protest against judgments of arbitration courts. Appeal and protest against judgments of arbitration courts, above

Protest against judgments of courts of general jurisdiction. Appeal and protest against judgments of courts of general jurisdiction, above

Public policy, damages, **22A:75**

Punitive damages, **22A:75**

Recognition and enforcement of foreign civil and commercial judgments

generally, **22A:77**

absence of treaties, **22A:79**

treaties, **22A:78**

Relevance to later efforts to recognize and enforce judgment

choice of law, **22A:17**

summary judgments and equivalent proceedings, **22A:35**

taking of witness evidence domestically in support of foreign proceedings, **22A:43**

Return of statement of claim, arbitration courts, **22A:27**

Sale of goods, admissibility and presentation at trial of evidence taken domestically or abroad, **22A:54**

Schedule of fees, **22A:93**

Secrecy laws, taking of documentary evidence domestically in support of foreign action, **22A:49**

RUSSIAN FEDERATION—Cont'd

- Security for costs
 - arbitration proceedings, **22A:87**
 - interim and conservatory relief, injunctions and similar emergency measures, **22A:37**
 - international commercial arbitration, **22A:88**
- Service of process abroad to commence domestic action
 - generally, **22A:21**
 - conventions, **22A:21**
 - other means and absence of conventions, **22A:22**
- Service of process domestically to commence foreign action
 - generally, **22A:18**
 - conventions, **22A:18**
 - manner of requesting service of process, **22A:20**
 - other means in absence of convention, **22A:19**
- Settlement and compromise of proceedings
 - generally, **22A:80**
 - admission of claim, **22A:83**
 - court settlements, **22A:81**
 - international commercial arbitration, disputes referred to, **22A:84**
 - pre-trial settlements, **22A:80**
 - withdrawal of claim, **22A:82**
- Shelving of statement of claim, arbitration courts, **22A:26**
- Sovereign immunity
 - generally, **22A:85**
 - current status of legislation, **22A:85**
 - procedural issues, **22A:86**
- Standards of burden of proof for damages recovery, **22A:74**
- Statements of claim
 - generally, **22A:23**
 - arbitration courts, **22A:25**
- Statutory and other bases
 - choice of law, **22A:15**
 - jurisdiction and choice of forum, **22A:6**
- Substantive requirements and issues
 - choice of law, **22A:15**

RUSSIAN FEDERATION—Cont'd

- Substantive requirements and issues
 - Cont'd
 - summary judgments and equivalent proceedings, **22A:31**
- Summary judgments and equivalent proceedings
 - generally, **22A:31**
 - default judgment, **22A:32**
 - procedural requirements, **22A:31**
 - relevance to later efforts to recognize and enforce judgment, **22A:35**
 - substantive requirements, **22A:31**
 - summary proceedings, **22A:34**
 - writ, **22A:33**
- Supervision
 - appeal and protest against judgments of arbitration courts, **22A:68**
 - appeal and protest against judgments of courts of general jurisdiction, **22A:64**
- Taking of documentary evidence
 - domestically in support of foreign action
 - generally, **22A:48**
 - blocking statutes, **22A:49**
 - conventions and international agreements, **22A:50**
 - discovery, **22A:49**
 - expert evidence, special issues, **22A:52**
 - other means and absence of conventions, **22A:51**
 - secrecy laws, **22A:49**
- Taking of witness evidence abroad in support of domestic action
 - generally, **22A:46**
 - application for foreign commission, **22A:47**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **22A:40**
 - attorney-client privilege, **22A:45**
 - attorney work product privilege, **22A:45**
 - conventions, **22A:41**
 - discovery, **22A:40**
 - expert evidence, special issues, **22A:44**

INDEX

RUSSIAN FEDERATION—Cont'd

- Taking of witness evidence domestically in support of foreign proceedings—Cont'd
 - fulfillment of foreign commission to summon witnesses and take evidence, **22A:42**
 - privileges, **22A:45**
 - relevance to later efforts to recognize and enforce, **22A:43**
- Time frames for adjudication, **22A:5**
- Tort actions
 - admissibility and presentation at trial of evidence taken domestically or abroad, **22A:56**
 - damages recovery in, **22A:73**
- Withdrawal of claims, **22A:82**
- Writ, summary judgments and equivalent proceedings, **22A:33**

SAFE HARBOR

- European Union decision. **Case Law** (this index)

SALE OF GOODS

- Brazil, **5:67**
- Convention on Contracts for the International Sale of Goods, **34:2**
- Finland, **11:63**
- Germany, **13:59**
- Hungary, **14:69**
- Japan, **18:67**
- Kuwait, **20:65**
- Russian Federation, **22A:54**
- United Arab Emirates, execution of judgments, **28:65**

SAUDIA ARABIA

- Foreign jurisdictions, Saudia Arabia, Law of Arbitration, **40:19**

SECRECY LAWS

- Australia** (this index)
- Austria** (this index)
- Belgium, taking of witness evidence domestically in support of foreign proceedings, **4:36**
- Brazil, **5:41, 5:54**
- China, People's Republic, **7:52, 7:65**
- Czech Republic, **9:35, 9:46**
- Finland, **11:36, 11:50**

SECRECY LAWS—Cont'd

- France, **12:35**
- Germany, **13:37, 13:49**
- Hungary, **14:45, 14:58**
- Japan, **18:39, 18:53**
- Kuwait, **20:51**
- Russian Federation, **22A:49**
- Sweden, **24:39, 24:49**
- Switzerland, **25:45**
- Turkey, **27:46, 27:54**
- United Kingdom, **29:40, 29:52**

SECURITY

- Australia** (this index)
- Austria** (this index)
- Belgium, security for costs, **4:73**
- Brazil, **5:38, 5:106**
- Canada** (this index)
- China, People's Republic, **7:50, 7:106**
- Czech Republic, **9:78**
- Denmark, property, **10:35**
- Finland, **11:33, 11:95**
- France, **12:34, 12:65**
- Germany, security for costs, **13:95**
- Hungary, **14:43, 14:99**
- India, security for costs, **15:40**
- Ireland, security for costs, **16:40**
- Japan, **18:36, 18:99**
- Korea, **19:58, 19:131**
- Kuwait, **20:32, 20:104**
- Russian Federation, **22A:37, 22A:87, 22A:88**
- Singapore, security for costs, **23:50**
- Sweden, **24:36, 24:97**
- Switzerland, **25:42, 25:83**
- Taiwan, **26:23, 26:57**
- Turkey, **27:43, 27:92**
- United Kingdom, **29:38, 29:95**
- United States of America, **30:39, 30:92**
- Uruguay, **31:78**

SERVICE OF PROCESS

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- Canada** (this index)
- China, People's Republic** (this index)
- Czech Republic** (this index)

SERVICE OF PROCESS—Cont'd

Denmark (this index)
Finland (this index)
France (this index)
Germany (this index)
Hague Conventions, Service of Legal Documents Abroad, **33:2**
Hungary (this index)
India, **15:13, 15:38**
Ireland (this index)
Italy, **17:14**
Japan (this index)
Korea (this index)
Kuwait (this index)
Nigeria (this index)
Philippines, **22:17 to 22:20, 22:21 to 22:25**
Recommendations of Hague Special Commission on Service, Taking of Evidence, and Access to Justice Convention, **33:16**
Russian Federation (this index)
Singapore (this index)
Sweden (this index)
Switzerland (this index)
Taiwan (this index)
Turkey (this index)
United Arab Emirates (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

SETTING ASIDE

Austria, arbitral award, **3:137**
Belgium, arbitral award, **4:90**
Brazil, arbitral award, **5:124**
Czech Republic, arbitral award, **9:95**
France, arbitral award, **12:83**
India, arbitral award, **15:57**
Ireland, arbitral award, **16:58**
Nigeria, international commercial arbitral award, **21:25**

SETTLEMENT AND COMPROMISE

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada, **6:72**

SETTLEMENT AND COMPROMISE—Cont'd

China, People's Republic (this index)
Czech Republic (this index)
Denmark, **10:55**
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India, **15:37**
Ireland, **16:36**
Italy, **17:42**
Japan (this index)
Korea (this index)
Kuwait (this index)
Philippines, **22:85 to 22:87**
Russian Federation (this index)
Singapore (this index)
Sweden, **24:90**
Switzerland (this index)
Taiwan, **26:52**
The Netherlands, Royal Dutch Settlement Agreement, **42A:1**
The Netherlands, Royal Dutch Settlement Notice, **42A:2**
Turkey (this index)
United Kingdom (this index)
United States of America (this index)

SHARIA COURT

United Arab Emirates, **28:8**

SINGAPORE

Generally, **23:1 to 23:53**
Ab initio objection to jurisdiction, **23:8**
Admissibility and presentation at trial of evidence taken domestically or abroad, **23:41**
Answer or statement of defence, **23:21**
Anton Piller order, **23:33**
Appointment of receiver, **23:35**
Arbitration, Singapore International Arbitration Act, **40:21**
Arbitration rules, Singapore Arbitration Act of 2001, **41:28**
Attorneys' fees, **23:53**
Audience in court, role, **23:3**
Challenges to jurisdiction, **23:7**
Choice of forum clauses, **23:6**

INDEX

SINGAPORE—Cont'd

- Choice of law
 - application of foreign substantive law, **23:9**
 - choice-of-law clauses, **23:10**
 - foreign substantive law, **23:9**
 - party autonomy, **23:10**
 - relevance to later efforts to recognise and enforce, **23:11**
 - statutory and other bases for application of foreign substantive law, **23:9**
- Commencement of suit
 - generally, **23:19**
 - counterclaim, **23:22**
 - defense, **23:21, 23:23, 23:47**
 - pleadings, **23:24, 23:25**
 - reply and defense to counterclaim, **23:23**
 - statement of claim, **23:20**
 - statement of defense, **23:21**
 - striking out the writ and pleadings, **23:25**
 - writ of summons, **23:19, 23:25**
- Complaint or statement of claim, **23:20**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, **23:43**
 - service of process abroad to commence domestic action, **23:15**
 - service of process domestically to commence foreign action, **23:12**
- Costs and fees
 - generally, **23:50**
 - attorneys' fees, **23:53**
 - court costs, **23:51**
 - hearing fees, **23:51**
 - interest on judgment debts, **23:52**
 - security for costs, **23:50**
- Counterclaim, **23:22, 23:23**
- Court structure
 - adjudication, time horizons, **23:4**
 - audience in court, role, **23:3**
 - foreign co-counsel, role, **23:3**
 - general structure, **23:2**
- Damages, **23:42**
- Debtor's Act remedies, **23:34**

SINGAPORE—Cont'd

- Default judgments, service of process abroad to commence domestic action, **23:18**
- Defense, **23:21, 23:23, 23:47**
- Evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **23:41**
 - taking of witness evidence abroad in support of domestic action, **23:38 to 23:40**
 - taking of witness evidence domestically in support of foreign action, **23:37**
- Fees. Costs and fees, above
- Foreign co-counsel, role, **23:3**
- Foreign jurisdictions, Singapore International Arbitration Act, **40:21**
- Forum non conveniens and equivalent notions, **23:7**
- Hearing fees, **23:51**
- Interest on judgment debts, **23:52**
- Interim relief, injunctions and similar emergency measures
 - generally, **23:29**
 - Anton Piller order, **23:33**
 - appointment of receiver, **23:35**
 - Debtor's Act remedies, **23:34**
 - interlocutory mandatory injunctions, **23:31**
 - Mareva injunctions, **23:32**
 - ordinary interlocutory injunctions, **23:30**
 - other forms of relief, **23:36**
- Interlocutory mandatory injunctions, **23:31**
- Judicial authorities of foreign country, examination of witness by, **23:39**
- Leave of court to serve legal process out of jurisdiction, **23:16**
- Local procedural requirements, recognition and enforcement of foreign civil-commercial judgments, **23:45**
- Mareva injunctions, **23:32**
- Obtaining jurisdiction and choice of forum
 - generally, **23:5**

SINGAPORE—Cont'd

- Obtaining jurisdiction and choice of forum—Cont'd
 - ab initio objection to jurisdiction, **23:8**
 - challenges to jurisdiction, **23:7**
 - choice of forum clauses, **23:6**
 - forum non conveniens and equivalent notions, **23:7**
 - relevance to later efforts to recognise and enforce, **23:8**
 - statutory and other bases, **23:5**
- Ordinary interlocutory injunctions, **23:30**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **23:44**
 - service of process domestically to commence foreign action, **23:13**
- Party autonomy, choice of law, **23:10**
- Pleadings, **23:24, 23:25**
- Procedural requirements for service of process domestically, **23:14**
- Public policy issues, recognition and enforcement of foreign civil-commercial judgments, **23:46**
- Receiver, appointment, **23:35**
- Recognition and enforcement of foreign civil-commercial judgments
 - conventions, **23:43**
 - defenses, **23:47**
 - local procedural requirements, **23:45**
 - other means and absence of convention, **23:44**
 - public policy issues, **23:46**
- Relevance to later efforts to recognise and enforce
 - choice of law, **23:11**
 - obtaining jurisdiction and choice of forum, **23:8**
- Reply and defense to counterclaim, **23:23**
- Security for costs, **23:50**
- Service of process abroad to commence domestic action
 - application, **23:17**
 - conventions, **23:15**
 - default judgments, **23:18**

SINGAPORE—Cont'd

- Service of process abroad to commence domestic action—Cont'd
 - leave of court to serve legal process out of jurisdiction, **23:16**
 - manner of application, **23:17**
- Service of process domestically to commence foreign action
 - conventions, **23:12**
 - other means and absence of conventions, **23:13**
 - procedural requirements, **23:14**
- Settlement and compromise of proceedings
 - effects on litigation, **23:49**
 - kinds of settlement and compromise, **23:48**
- Singapore International Arbitration Act, **40:21**
- Special examiner, examination of witness by, **23:40**
- Statement of claim, **23:20**
- Statutory and other bases for obtaining jurisdiction and choice of forum, **23:5**
- Strategic considerations, summary judgments and equivalent proceedings, **23:28**
- Structure of courts. Court structure, above
- Substantive and practical overview of key distinguishing issues in Singapore, **23:1**
- Summary judgments and equivalent proceedings
 - procedural requirements, **23:26**
 - substantive requirements, **23:27**
- Table of Cases, **App. 23A**
- Taking of witness evidence abroad in support of domestic action
 - generally, **23:38**
 - admissibility and presentation at trial of evidence taken domestically or abroad, **23:41**
 - judicial authorities of foreign country, examination of witness by, **23:39**
 - special examiner, examination of witness by, **23:40**

INDEX

SINGAPORE—Cont'd

- Taking of witness evidence domestically in support of foreign proceedings generally, **23:37**
- admissibility and presentation at trial of evidence taken domestically or abroad, **23:41**
- Time factors in adjudication, **23:4**
- Witness evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **23:41**
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, **23:37**
- Writ of summons, **23:19, 23:25**

SOUTH AFRICA

- Arbitration, South African Arbitration Act, **40:13**
- Arbitration Foundation of Southern Africa
 - administered arbitration and mediation, introduction to, **41:19**
 - commercial arbitration rules, **41:20**
 - recommended standard clauses, **41:21**
- Case law, In the Matter Between Michael Richman and Gershon Ben-Tovim, **43:1**
- Foreign jurisdictions, South African Arbitration Act, **40:13**
- In the Matter Between Michael Richman and Gershon Ben-Tovim, **43:1**

SOUTH KOREA

- Hague Conventions, **33:10**
- Judicial Assistance in South Korea, **33:10**

SOVEREIGN IMMUNITY

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- Canada** (this index)
- China, People's Republic** (this index)
- Czech Republic** (this index)
- Denmark**, **10:56**

SOVEREIGN IMMUNITY—Cont'd

- Finland** (this index)
- France** (this index)
- Germany** (this index)
- Hungary** (this index)
- India**, **15:38**
- Ireland**, **16:37, 16:38**
- Italy** (this index)
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Philippines**, **22:88 to 22:93**
- Russian Federation** (this index)
- Sweden** (this index)
- Switzerland** (this index)
- Taiwan**, **26:53**
- Turkey** (this index)
- United Kingdom** (this index)
- United States of America** (this index)
- Uruguay** (this index)

SPECIALIZED COURTS

- China, People's Republic, **7:10**

STANDARDS OF BURDEN OF PROOF FOR DAMAGES RECOVERY

- Evidence** (this index)

STATE IMMUNITY

- United Nations Convention and its effect, **1:7**

STATEMENTS OF CLAIM

- China** (this index)
- Russian Federation** (this index)

STATUTE OF LIMITATIONS

- Kuwait, damages, **20:86**

STRATEGIC CONSIDERATIONS

- Generally, **1:1**
- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- Canada** (this index)
- China, People's Republic** (this index)
- Czech Republic** (this index)
- Denmark** (this index)
- Finland** (this index)

STRATEGIC CONSIDERATIONS

—Cont'd

France (this index)
Germany (this index)
Hungary (this index)
Italy, 17:16
Japan (this index)
Korea (this index)
Kuwait (this index)
 Singapore, summary judgments and
 equivalent proceedings, 23:28
Sweden (this index)
Switzerland (this index)
Turkey (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

SUBJECT MATTER JURISDICTION

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
China, People's Republic (this index)
Czech Republic (this index)
Denmark, 10:5, 10:6
Finland (this index)
 France, obtaining jurisdiction and choice
 of forum, 12:5
Germany (this index)
Hungary, 14:6
India, 15:39
Ireland, 16:6
Japan (this index)
Korea (this index)
Kuwait (this index)
Sweden (this index)
Switzerland (this index)
Turkey (this index)
United Kingdom, 29:6
United States of America, 30:6

SUBMISSION

Hungary, obtaining jurisdiction and
 choice of forum, 14:10

**SUMMARY JUDGMENTS AND
 EQUIVALENT PROCEEDINGS**

Australia (this index)
Austria (this index)

**SUMMARY JUDGMENTS AND
 EQUIVALENT PROCEEDINGS**

—Cont'd

Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Czech Republic (this index)
Denmark (this index)
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India (this index)
Ireland, 16:24
Italy, 17:20
Japan (this index)
Korea (this index)
Kuwait (this index)
 Philippines, 22:29 to 22:33
Russian Federation (this index)
Singapore (this index)
Sweden (this index)
Switzerland (this index)
Taiwan, 26:20
Turkey (this index)
United Arab Emirates (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

SUMMONS

Hungary, commencement of suit, 14:32
 Ireland, example of plenary summons,
 App. 16E
United Arab Emirates (this index)
Writ of Summons (this index)

SUPERVISION

Russian Federation (this index)

SUPPLEMENTAL PLEADINGS

Switzerland, 25:30

SUPPLETORY OATH

Italy, 17:35

SUPREME PEOPLE'S COURT

China, People's Republic, 7:11

INDEX

SWEDEN

- Generally, **24:1 to 24:100**
- Ab initio objection to jurisdiction, **24:9**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - burden of proof, **24:62**
 - charter party, **24:70**
 - commercial agency, **24:71**
 - construction projects, **24:70**
 - construction work, **24:70**
 - documentary evidence, **24:67**
 - examination of witnesses, **24:66**
 - expert witnesses, **24:65**
 - general requirements and practices, **24:59**
 - insurance contracts, **24:70**
 - procedural regulations, **24:58**
 - production of evidence, **24:61**
 - product liability, **24:71**
 - statute of limitation, **24:60, 24:61**
 - time and place, **24:63**
 - view, **24:68**
 - witness testimony, **24:64**
- Agency, admissibility and presentation at trial of evidence taken domestically or abroad, **24:71**
- Answer or statement of defense, **24:28**
- Appeal and review of transnational judgments
 - generally, **24:72**
 - conclusiveness and finality of judgments, generally, **24:73**
 - practical problems, **24:76**
 - procedural issues, **24:74**
 - relevance to later efforts to recognize and enforce, **24:78**
 - strategic considerations, **24:77**
 - substantive issues, **24:75**
 - time factors, **24:76**
- Arbitration Institute of Stockholm Chamber of Commerce
 - expedited arbitration rules, **41:13**
 - rules of arbitration, **41:12**
- Attachment
 - post-judgment attachment, sovereign immunity, **24:94**

SWEDEN—Cont'd

- Attachment—Cont'd
 - pre-judgment attachment, sovereign immunity, **24:93**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **24:58**
 - taking of documentary evidence domestically in support of foreign action, **24:54**
- Attorney fees, **24:100**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **24:58**
 - taking of documentary evidence domestically in support of foreign action, **24:54**
- Audience in court, rights, **24:3**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **24:49**
 - taking of witness evidence domestically in support of foreign action, **24:39**
- Cases from Supreme Court, **App. 24D**
- Challenges to jurisdiction, **24:8**
- Charter party, admissibility and presentation at trial of evidence taken domestically or abroad, **24:70**
- Choice of forum clauses, **24:7**
- Choice of law
 - choice of law clauses, **24:12**
 - foreign substantive law, bases for application, **24:11**
 - limits to use of foreign law, **24:14**
 - party autonomy, **24:12**
 - relevance to later efforts to recognize and enforce, **24:13**
 - statutory and other bases for application of foreign substantive law, **24:11**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - answer or statement of defense, **24:28**

SWEDEN—Cont'd

- Commencement of suit—Cont'd
 - complaint or statement of claim, **24:27**
 - statement of defense, **24:28**
- Commercial agency, admissibility and presentation at trial of evidence taken domestically or abroad, **24:71**
- Complaint or statement of claim, **24:27**
- Compromise and settlement of proceedings, **24:90**
- Conclusiveness and finality of judgments, generally, **24:73**
- Construction work, admissibility and presentation at trial of evidence taken domestically or abroad, **24:70**
- Contract, acceptable kinds of damages recovery in, **24:79**
- Conventions, **App. 24B**
 - recognition and enforcement of foreign civil-commercial judgments, **24:86**
 - service of process abroad to commence domestic action, **24:21**
 - service of process domestically to commence foreign action, **24:15**
 - taking of documentary evidence domestically in support of foreign action, **24:50**
 - taking of witness evidence abroad in support of domestic action, **24:46**
 - taking of witness evidence domestically in support of foreign proceedings, **24:40**
- Costs and fees
 - generally, **24:96**
 - attorney fees, **24:100**
 - court costs, **24:98**
 - interest, **24:99**
 - security for costs, **24:97**
- Court structure
 - adjudication, time horizon and influencing factors, **24:4**
 - audience rights, **24:3**
 - general structure, **24:2**
- Currency conversion, damages recovery, **24:84**

SWEDEN—Cont'd

- Damages
 - generally, **24:79**
 - acceptable kinds of damages recovery in contract, **24:79**
 - currency conversion, **24:84**
 - lost profits damages, specific issues, **24:80**
 - non-contractual bases, damages recovery in, **24:81**
 - product liability, damages recovery in, **24:81**
 - public policy constraints, **24:83**
 - standards of burden of proof for recovery, **24:82**
 - tort action, damages recovery in, **24:81**
- Default judgments
 - service of process abroad to commence domestic action, **24:26**
 - service of process domestically to commence foreign action, **24:20**
- Discovery
 - taking of documentary evidence domestically in support of foreign action, **24:49**
 - taking of witness evidence domestically in support of foreign action, **24:39**
- Documentary evidence
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of judgments against foreign sovereigns, **24:94, 24:95**
- Enforcement of jurisdiction, **24:9**
- Evidence
 - damages recovery, standards of burden of proof, **24:82**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of

INDEX

SWEDEN—Cont'd

- Evidence—Cont'd
 - foreign action, below
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence, taking of witness evidence domestically in support of foreign proceedings, **24:44**
- Fees. Costs and fees, above
- Forum non conveniens and equivalent notions, **24:8**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence abroad in support of domestic action, **24:58**
 - taking of documentary evidence domestically in support of foreign action, **24:54**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Insurance, admissibility and presentation at trial of evidence taken domestically or abroad, **24:70**
- Interest, costs and fees, **24:99**
- Interim and conservatory relief, injunctions and similar emergency measures
 - foreign sovereigns, injunction against, **24:93**
 - parallel proceedings, possible strategies, **24:37**
 - petitions abroad, in connection with domestic proceedings, **24:34**
 - petitions domestically, in support of foreign proceedings, **24:35**
 - property as security device, **24:36**
 - strategies in event of parallel proceedings, **24:37**
- Limits to use of foreign law, choice of law, **24:14**
- Literature, **App. 24C**
- Local procedural requirements at place of action
 - service of process abroad to commence domestic action, **24:23**

SWEDEN—Cont'd

- Local procedural requirements at place of action—Cont'd
 - service of process domestically to commence foreign action, **24:17**
- Lost profits damages, specific issues, **24:80**
- Non-contractual bases, damages recovery in, **24:81**
- Obtaining jurisdiction and choice of forum
 - generally, **24:5**
 - ab initio objection to jurisdiction, **24:9**
 - challenges to jurisdiction, **24:8**
 - choice of forum clauses, **24:7**
 - enforcement of jurisdiction, **24:9**
 - forum non conveniens and equivalent notions, **24:8**
 - parallel proceedings, **24:10**
 - party autonomy, **24:7**
 - personal jurisdiction, basis for acceptance, **24:6**
 - relevance to later efforts to recognize and enforce, **24:9**
 - statutory and other bases, **24:6**
 - subject matter jurisdiction, basis for acceptance, **24:6**
- Other means and absence of conventions
 - taking of documentary evidence domestically in support of foreign action, **24:51**
 - taking of witness evidence abroad in support of domestic action, **24:47**
 - taking of witness evidence domestically in support of foreign proceedings, **24:41**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **24:10**
- Party autonomy
 - choice of law, **24:12**
 - obtaining jurisdiction and choice of forum, **24:7**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **24:6**
 - sovereign immunity, **24:92**

SWEDEN—Cont'd

- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **24:34**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **24:35**
- Post-judgment attachment, sovereign immunity, **24:94**
- Practical problems
 - appeal and review of transnational judgments, **24:76**
 - recognition and enforcement of foreign civil-commercial judgments, **24:87**
 - service of process abroad to commence domestic action, **24:24**
 - service of process domestically to commence foreign action, **24:18**
 - summary judgments and equivalent proceedings, **24:31**
 - taking of documentary evidence abroad in support of domestic action, **24:56**
 - taking of documentary evidence domestically in support of foreign action, **24:52**
 - taking of witness evidence domestically in support of foreign proceedings, **24:42**
- Pre-judgment attachment, sovereign immunity, **24:93**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **24:29**
- Product liability
 - admissibility and presentation at trial of evidence taken domestically or abroad, **24:71**
 - damages recovery, **24:81**
- Property as security device, **24:36**
- Public policy
 - damages, **24:83**
 - recognition and enforcement of foreign civil-commercial judgments, **24:88**
- Recognition and enforcement of foreign civil-commercial judgments generally, **24:85**

SWEDEN—Cont'd

- Recognition and enforcement of foreign civil-commercial judgments
 - Cont'd
 - conventions, **24:86**
 - other issues, **24:89**
 - practical problems, **24:87**
 - public policy issues, **24:88**
 - regulations and conventions, **24:86**
 - time factors, **24:87**
- Recognition and enforcement of judgments against foreign sovereigns, **24:94, 24:95**
- Regulations and conventions
 - recognition and enforcement of foreign civil-commercial judgments, **24:86**
- Relevance to later efforts to recognize and enforce
 - appeal and review of transnational judgments, **24:78**
 - choice of law, **24:13**
 - obtaining jurisdiction and choice of forum, **24:9**
 - service of process abroad to commence domestic action, **24:25**
 - service or process domestically to commence foreign action, **24:19**
 - summary judgments and equivalent proceedings, **24:33**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **24:57**
 - taking of documentary evidence domestically in support of foreign action, place of evidence, **24:53**
 - taking of witness evidence abroad in support of domestic action, **24:48**
 - taking of witness evidence domestically in support of foreign proceedings, **24:43**
- Rights of audience in court, **24:3**
- Secrecy laws
 - taking of documentary evidence domestically in support of foreign action, **24:49**
 - taking of witness evidence domestically in support of foreign action, **24:39**

INDEX

SWEDEN—Cont'd

- Security
 - costs, security for, **24:97**
 - property as security device, **24:36**
- Service of process abroad to commence domestic action
 - generally, **24:21**
 - conventions, **24:21**
 - default judgments, **24:26**
 - local procedural requirements at place of action, **24:23**
 - practical problems, **24:24**
 - relevance to later efforts to recognize and enforce, **24:25**
 - time factors, **24:24**
 - treaties, **24:22**
- Service of process domestically to commence foreign action
 - generally, **24:15**
 - conventions, **24:15**
 - default judgments, **24:20**
 - local procedural requirements at place of action, **24:17**
 - practical problems, **24:18**
 - relevance to later efforts to recognize and enforce, **24:19**
 - time factors, **24:18**
 - treaties, **24:16**
- Settlement and compromise of proceedings, **24:90**
- Sovereign immunity
 - generally, **24:91**
 - aids in enforcement of judgments against foreign sovereigns, **24:94**
 - enforcement of judgments against foreign sovereigns, **24:94, 24:95**
 - injunctive measures against foreign sovereigns, **24:93**
 - personal jurisdiction, **24:92**
 - post-judgment attachment, **24:94**
 - pre-judgment attachment, **24:93**
 - recognition and enforcement of judgments against foreign sovereigns, **24:95**
 - service of process on foreign sovereigns, **24:91**
 - subject matter jurisdiction, **24:92**
- Standards of burden of proof for damages recovery, **24:82**

SWEDEN—Cont'd

- Statement of claim, **24:27**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **24:11**
 - obtaining jurisdiction and choice of forum, **24:6**
 - statutes, **App. 24A**
- Strategic considerations
 - appeal and review of transnational judgments, **24:77**
 - parallel proceedings, **24:37**
 - summary judgments and equivalent proceedings, **24:32**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **24:6**
 - sovereign immunity, **24:92**
- Substantive and practical overview of key distinguishing issues in Sweden, **24:1**
- Substantive issues, choice of law, **24:11**
- Summary judgments and equivalent proceedings
 - practical problems, **24:31**
 - procedural requirements, **24:29**
 - relevance to later efforts to recognize and enforcement, **24:33**
 - strategic considerations, **24:32**
 - substantive requirements, **24:30**
 - time factors, **24:31**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **24:55**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **24:58**
 - attorney work product privilege, **24:58**
 - practical problems, **24:56**
 - privileges, **24:58**
 - relevance to later efforts to recognize and enforce at place of judgment, **24:57**
 - time factors, **24:56**

SWEDEN—Cont'd

- Taking of documentary evidence
 - domestically in support of foreign action
 - generally, **24:49**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **24:54**
 - attorney work product privilege, **24:54**
 - blocking statutes, **24:49**
 - conventions, **24:50**
 - discovery, **24:49**
 - other means and absence of conventions, **24:51**
 - practical problems, **24:52**
 - privileges, **24:54**
 - relevance to later efforts to recognize and enforce at place of evidence, **24:53**
 - secrecy laws, **24:49**
 - time factors, **24:52**
 - time of discovery, **24:49**
- Taking of witness evidence abroad in support of domestic action
 - generally, **24:45**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - conventions, **24:46**
 - other means in absence of conventions, **24:47**
 - relevance to later efforts to recognize and enforce at place of judgment, **24:48**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **24:38**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - blocking statutes, **24:39**
 - conventions, **24:40**
 - discovery, when and from whom, **24:39**
 - expert evidence, special issues, **24:44**
 - other means and absence of conventions, **24:41**

SWEDEN—Cont'd

- Taking of witness evidence domestically in support of foreign proceedings
 - Cont'd
 - practical problems, **24:42**
 - relevance to later efforts to recognize and enforce, **24:43**
 - secrecy laws, **24:39**
 - time factors, **24:42**
 - Time factors
 - adjudication, time horizon and influencing factors, **24:4**
 - appeal and review of transnational judgments, **24:76**
 - recognition and enforcement of foreign civil-commercial judgments, **24:87**
 - service of process abroad to commence domestic action, **24:24**
 - service of process domestically to commence foreign action, **24:18**
 - summary judgments and equivalent proceedings, **24:31**
 - taking of documentary evidence abroad in support of domestic action, **24:56**
 - taking of documentary evidence domestically in support of foreign action, **24:49, 24:52**
 - taking of witness evidence domestically in support of foreign action, **24:39, 24:42**
 - Tort action, damages recovery in, **24:81**
 - Treaties
 - service of process abroad to commence domestic action, **24:22**
 - service of process domestically to commence foreign action, **24:16**
 - Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above
- SWITZERLAND**
- Generally, **25:1 to 25:85**
 - Ab initio objection to jurisdiction, **25:9**

INDEX

SWITZERLAND—Cont'd

- Admissibility and presentation at trial of evidence taken domestically or abroad
 - documentary evidence, **25:54**
 - expert opinion, **25:57**
 - general principles, **25:53**
 - inspection by court, **25:56**
 - interrogation of parties, **25:58**
 - witnesses, **25:55**
- Answer to complaint, **25:27**
- Appeal and review of transnational judgments
 - generally, **25:59**
 - conclusiveness and finality of judgments, generally, **25:59**
 - practical problems, **25:62**
 - procedural issues, **25:60**
 - relevance to later efforts to recognize and enforce, **25:64**
 - strategic considerations, **25:63**
 - substantive issues, **25:61**
 - time factors, **25:62**
- Arbitration, interim and conservatory relief in Swiss international arbitration, **25:44**
- Attachment
 - post-judgment attachment, sovereign immunity, **25:81**
 - pre-judgment attachment, sovereign immunity, **25:80**
- Attorney fees, **25:83, 25:85**
- Audience in court, rights, **25:3**
- Blocking statutes, taking of evidence domestically in support of foreign action, **25:45**
- Challenges to jurisdiction, **25:8**
- Choice of forum clauses, **25:7**
- Choice of law
 - choice of law clauses, **25:12**
 - foreign substantive law, bases for application, **25:11**
 - party autonomy, **25:12**
 - relevance to later efforts to recognize and enforce, **25:13**
 - statutory and other bases for application of foreign substantive law, **25:11**

SWITZERLAND—Cont'd

- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Comity, service of process domestically to commence foreign action, **25:15**
- Commencement of suit
 - answer to complaint, **25:27**
 - complaint or statement of claim, **25:26**
 - conciliation proceedings, **25:24**
 - counterclaims, **25:31**
 - duplicatio, **25:29**
 - general principles of Swiss procedural law, **25:25**
 - impleader, **25:34**
 - intervention, **25:35**
 - joinder of claims and parties, **25:32**
 - reply or replication, **25:28**
 - statement of claim, **25:26**
 - supplemental pleadings, **25:30**
 - third-party claims, **25:33**
- Commissioners
 - taking of documentary evidence domestically in support of foreign action, **25:51**
 - taking of witness evidence domestically in support of foreign action, **25:49**
- Complaint or statement of claim, **25:26**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conciliation proceedings, commencement, **25:24**
- Conclusiveness and finality of judgments, generally, **25:59**
- Contract, acceptable kinds of damages recovery in, **25:65**
- Conventions
 - Lugano convention, **25:71**
 - recognition and enforcement of foreign civil-commercial judgments, **25:71**
 - service of process domestically to commence foreign action, **25:14**
 - taking of evidence domestically in support of foreign action, **25:46**

SWITZERLAND—Cont'd

- Costs and fees
 - generally, **25:83**
 - attorney fees, **25:83, 25:85**
 - court costs, **25:84**
 - security for costs and attorney's fees, **25:83**
- Counterclaims, **25:31**
- Court costs, **25:84**
- Court structure
 - adjudication, time horizon and influencing factors, **25:4**
 - audience rights, **25:3**
 - foreign co-counsel, role, **25:3**
 - general structure, **25:2**
- Currency conversion, damages recovery, **25:70**
- Damages
 - generally, **25:65**
 - acceptable kinds of damages recovery in contract, **25:65**
 - currency conversion, **25:70**
 - lost profits damages, specific issues, **25:66**
 - non-contractual bases, damages recovery in, **25:67**
 - product liability, damages recovery in, **25:67**
 - public policy constraints, **25:69**
 - punitive/exemplary damages, **25:69**
 - standards of burden of proof for recovery, **25:68**
 - tort action, damages recovery in, **25:67**
- Default judgments
 - service of process abroad to commence domestic action, **25:23**
 - service of process domestically to commence foreign action, **25:18**
- Documentary evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **25:54**
 - taking of documentary evidence domestically in support of foreign action, below
- Duplicatio, commencement of suit, **25:29**

SWITZERLAND—Cont'd

- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of judgments against foreign sovereigns, **25:81, 25:82**
- Enforcement of jurisdiction, **25:9**
- Evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - damages recovery, standards of burden of proof, **25:68**
 - expert opinion, **25:57**
 - Hague evidence convention, **25:46**
 - standards of burden of proof for damages recovery, **25:68**
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence abroad in support of domestic action, **25:52**
 - taking of evidence against foreign sovereign entities, **25:79**
 - taking of evidence domestically in support of foreign proceedings, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert opinion, admissibility and presentation at trial of evidence taken domestically or abroad, **25:57**
- Fees. Costs and fees, above
- Foreign co-counsel, role, **25:3**
- Forum non conveniens and equivalent notions, **25:8**
- Hague evidence convention, **25:46**
- Immunities and privileges. Sovereign immunity, below
- Impleader, **25:34**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Inspection by court, admissibility and presentation evidence taken domestically or abroad, **25:56**

INDEX

SWITZERLAND—Cont'd

- Interim and conservatory relief, injunctions and similar emergency measures
 - foreign sovereigns, injunction against, **25:80**
 - international arbitration, **25:44**
 - parallel proceedings, possible strategies, **25:43**
 - petitions abroad, in connection with domestic proceedings, **25:40**
 - petitions domestically, in support of foreign proceedings, **25:41**
 - property as security device, **25:42**
 - strategies in event of parallel proceedings, **25:43**
- Interrogation of parties, admissibility and presentation at trial of evidence taken domestically or abroad, **25:58**
- Intervention, **25:35**
- Joinder of claims and parties, **25:32**
- Judicial assistance
 - taking of documentary evidence domestically in support of foreign action, **25:50**
 - taking of witness evidence domestically in support of foreign action, **25:48**
- Local procedural requirements at place of action, recognition and enforcement of foreign civil-commercial judgments, **25:73**
- Lost profits damages, specific issues, **25:66**
- Lugano convention, recognition and enforcement of foreign civil-commercial judgments, **25:71**
- Non-contractual bases, damages recovery in, **25:67**
- Obtaining jurisdiction and choice of forum
 - generally, **25:5**
 - ab initio objection to jurisdiction, **25:9**
 - challenges to jurisdiction, **25:8**
 - choice of forum clauses, **25:7**
 - enforcement of jurisdiction, **25:9**
 - forum non conveniens and equivalent notions, **25:8**

SWITZERLAND—Cont'd

- Obtaining jurisdiction and choice of forum—Cont'd
 - parallel proceedings, **25:10**
 - party autonomy, **25:7**
 - personal jurisdiction, basis for acceptance, **25:5**
 - property as jurisdictional basis, **25:6**
 - relevance to later efforts to recognize and enforce, **25:9**
 - statutory and other bases, **25:5**
 - subject matter jurisdiction, basis for acceptance, **25:5**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **25:72**
 - taking of evidence domestically in support of foreign action, **25:47**
- Overview of key distinguishing issues in Switzerland, **25:1**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **25:10**
- Party autonomy
 - choice of law, **25:12**
 - obtaining jurisdiction and choice of forum, **25:7**
- Party-to-party service domestically, **25:19**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **25:5**
 - sovereign immunity, **25:78**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **25:40**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **25:41**
- Pleadings, supplemental pleadings, **25:30**
- Post-judgment attachment, sovereign immunity, **25:81**
- Practical problems
 - appeal and review of transnational judgments, **25:62**
 - service of process abroad to commence domestic action, **25:21**

SWITZERLAND—Cont'd

- Practical problems—Cont'd
 - service of process domestically to commence foreign action, **25:16**
 - summary judgments and equivalent proceedings, **25:38**
- Pre-judgment attachment, sovereign immunity, **25:80**
- Privileges. Immunities and privileges, above
- Product liability, damages recovery, **25:67**
- Property as jurisdictional basis, **25:6**
- Property as security device, **25:42**
- Public policy, damages, **25:69**
- Punitive/exemplary damages, **25:69**
- Recognition and enforcement of foreign civil-commercial judgments
 - conventions, **25:71**
 - local procedural requirements at place of action, **25:73**
 - Luago conventions, **25:71**
 - other means and absence of convention, **25:72**
- Recognition and enforcement of judgments against foreign sovereigns, **25:81, 25:82**
- Relevance to later efforts to recognize and enforce
 - appeal and review of transnational judgments, **25:64**
 - choice of law, **25:13**
 - obtaining jurisdiction and choice of forum, **25:9**
 - service of process abroad to commence domestic action, **25:22**
 - service or process domestically to commence foreign action, **25:17**
 - summary judgments and equivalent proceedings, **25:39**
- Relevant Conventions, **App. 25A**
- Reply or replication, **25:28**
- Rights of audience in court, **25:3**
- Secrecy laws, taking of evidence domestically in support of foreign action, **25:45**
- Security
 - attorney's fees, security for, **25:83**
 - costs, security for, **25:83**

SWITZERLAND—Cont'd

- Security—Cont'd
 - property as security device, **25:42**
- Service of process abroad to commence domestic action
 - generally, **25:20**
 - default judgments, **25:23**
 - practical problems, **25:21**
 - relevance to later efforts to recognize and enforce, **25:22**
 - time factors, **25:21**
- Service of process domestically to commence foreign action
 - generally, **25:14**
 - comity, **25:15**
 - conventions, **25:14**
 - default judgments, **25:18**
 - domestic law, **25:15**
 - party-to-party service in Switzerland, **25:19**
 - practical problems, **25:16**
 - relevance to later efforts to recognize and enforce, **25:17**
 - treaties, **25:15**
- Settlement and compromise of proceedings
 - generally, **25:74**
 - formalities, **25:75**
 - kinds of settlement and compromise, **25:74**
 - litigation, effect on, **25:76**
 - requirements, **25:75**
- Sovereign immunity
 - generally, **25:77**
 - aids in enforcement of judgments against foreign sovereigns, **25:80, 25:81**
 - enforcement of judgments against foreign sovereigns, **25:81, 25:82**
 - injunctive measures against foreign sovereigns, **25:80**
 - personal jurisdiction, **25:78**
 - post-judgment attachment, **25:81**
 - pre-judgment attachment, **25:80**
 - recognition and enforcement of judgments against foreign sovereigns, **25:82**
 - service of process on foreign sovereigns, **25:77**

INDEX

SWITZERLAND—Cont'd

- Sovereign immunity—Cont'd
 - subject matter jurisdiction, **25:78**
 - taking of evidence against foreign sovereign, **25:79**
 - taking of evidence against foreign sovereign entities, **25:79**
- Standards of burden of proof for damages recovery, **25:68**
- Statement of claim, **25:26**
- Statutory and other bases
 - blocking statutes, **25:45**
 - choice of law, **25:11**
 - obtaining jurisdiction and choice of forum, **25:5**
- Table of Statutes, **App. 25B**
- Strategic considerations
 - appeal and review of transnational judgments, **25:63**
 - parallel proceedings, **25:43**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **25:5**
 - sovereign immunity, **25:78**
- Substantive issues, choice of law, **25:11**
- Summary judgments and equivalent proceedings
 - generally, **25:36**
 - practical problems, **25:38**
 - relevance to later efforts to recognize and enforcement, **25:39**
 - substantive requirements, **25:37**
 - time factors, **25:38**
- Supplemental pleadings, **25:30**
- Table of Authorities, **App. 25C**
- Table of Cases, **App. 25D**
- Table of Statutes, **App. 25B**
- Taking of documentary evidence
 - domestically in support of foreign action
 - generally, **25:50**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - Commissioners, **25:51**
 - judicial assistance, **25:50**

SWITZERLAND—Cont'd

- Taking of evidence abroad in support of domestic action, **25:52**
- Taking of evidence against foreign sovereign, **25:79**
- Taking of evidence domestically in support of foreign action
 - generally, **25:45**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - blocking statutes, **25:45**
 - conventions, **25:46**
 - Hague evidence convention, **25:46**
 - secrecy laws, **25:45**
- Taking of witness evidence domestically in support of foreign action
 - generally, **25:48**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - Commissioners, **25:49**
 - judicial assistance, **25:48**
 - other means and absence of conventions, **25:47**
- Third-party claims, **25:33**
- Time factors
 - adjudication, time horizon and influencing factors, **25:4**
 - appeal and review of transnational judgments, **25:62**
 - service of process abroad to commence domestic action, **25:21**
 - summary judgments and equivalent proceedings, **25:38**
- Tort actions, damages recovery in, **25:67**
- Witness evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **25:55**
 - taking of witness evidence domestically in support of foreign action, above

TAIWAN

- Generally, **26:1 to 26:57**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - burden of proof, **26:40**

TAIWAN—Cont'd

- Admissibility and presentation at trial of evidence taken domestically or abroad—Cont'd
 - documentary evidence, **26:42**
 - witness evidence, **26:41**
- Answer to complaint, **26:19**
- Appeal and review of transnational judgments
 - generally, **26:43**
 - conclusiveness and finality of judgments, generally, **26:43**
 - procedural issues, **26:44**
 - substantive issues, **26:44**
 - time factors, **26:45**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **26:39**
 - taking of witness evidence domestically in support of foreign action, **26:28**
- Attorney fees, **26:56**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **26:39**
 - taking of witness evidence domestically in support of foreign action, **26:28**
- Audience in court, rights, **26:3**
- Burden of proof, admissibility and presentation at trial of evidence taken domestically or abroad, **26:40**
- Challenges to jurisdiction, **26:11**
- Choice of forum clauses, **26:10**
- Choice of law
 - choice of law clauses, **26:13**
 - foreign substantive law, bases for application, **26:12**
 - party autonomy, **26:13**
 - statutory and other bases for application of foreign substantive law, **26:12**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below

TAIWAN—Cont'd

- Commencement of suit
 - answer to complaint, **26:19**
 - complaint or statement of claim, **26:18**
 - defense, statement of, **26:19**
 - statement of claim, **26:18**
- Complaint or statement of claim, **26:18**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **26:43**
- Concurrent jurisdiction, **26:8**
- Contract, acceptable kinds of damages recovery in, **26:46**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, **26:49**
 - service of process abroad to commence domestic action, **26:16**
 - service of process domestically to commence foreign action, **26:14**
 - taking of documentary evidence abroad in support of domestic action, **26:36**
 - taking of documentary evidence domestically in support of foreign action, **26:32**
 - taking of witness evidence abroad in support of domestic action, **26:29**
 - taking of witness evidence domestically in support of foreign action, **26:25**
- Costs and fees
 - generally, **26:54**
 - attorney fees, **26:56**
 - court costs, **26:54**
 - interest, **26:55**
 - security for costs, **26:57**
- Court costs, **26:54**
- Damages
 - generally, **26:46**
 - acceptable kinds of damages recovery in contract, **26:46**
 - lost profits damages, specific issues, **26:47**

INDEX

TAIWAN—Cont'd

Damages—Cont'd

- non-contractual bases, damages recovery in, **26:48**
- product liability, damages recovery in, **26:48**
- tort action, damages recovery in, **26:48**

Default judgments, service of process abroad to commence domestic action, **26:17**

Defense, statement of, **26:19**

Discovery

- taking of documentary evidence domestically in support of foreign action, **26:31**
- taking of witness evidence domestically in support of foreign action, **26:24**

Disqualification/withdrawal, **26:5**

Documentary evidence, admissibility and presentation at trial of evidence taken domestically or abroad, **26:42**

Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below

Evidence

- admissibility and presentation at trial of evidence taken domestically or abroad, above
- expert evidence, taking of witness evidence domestically in support of foreign action, **26:27**
- taking of documentary evidence abroad in support of domestic action, below
- taking of documentary evidence domestically in support of foreign action, below
- taking of witness evidence abroad in support of domestic action, below
- taking of witness evidence domestically in support of foreign action, below

Exclusive jurisdiction, **26:9**

Expert evidence, taking of witness evidence domestically in support of foreign action, **26:27**

TAIWAN—Cont'd

Fees. Costs and fees, above

Foreign co-counsel, role, **26:3**

Immunities and privileges

- attorney-client privilege, **26:28, 26:39**
- attorney work product privilege, **26:39**
- sovereign immunity, **26:53**
- taking of documentary evidence abroad in support of domestic action, **26:39**

Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below

Interest, costs and fees, **26:55**

Interim and conservatory relief, injunctions and similar emergency measures

- petitions abroad, in connection with domestic proceedings, **26:21**
- petitions domestically, in support of foreign proceedings, **26:22**
- property as security device, **26:23**

Lost profits damages, specific issues, **26:47**

Non-contractual bases, damages recovery in, **26:48**

Obtaining jurisdiction and choice of forum

- generally, **26:6**
- challenges to jurisdiction, **26:11**
- choice of forum clauses, **26:10**
- concurrent jurisdiction, **26:8**
- exclusive jurisdiction, **26:9**
- party autonomy, **26:10**
- personal jurisdiction, basis for acceptance, **26:6**
- property as jurisdictional basis, **26:7**
- statutory and other bases, **26:6**
- subject matter jurisdiction, basis for acceptance, **26:6**

Other means and absence of conventions

- recognition and enforcement of foreign civil-commercial judgments, **26:49**
- service of process abroad to commence domestic action, **26:16**
- taking of documentary evidence abroad in support of domestic action, **26:36**

TAIWAN—Cont'd

- Other means and absence of conventions
 - Cont'd
 - taking of documentary evidence domestically in support of foreign action, **26:32**
 - taking of witness evidence abroad in support of domestic action, **26:29**
 - taking of witness evidence domestically in support of foreign action, **26:25**
- Party autonomy
 - choice of law, **26:13**
 - obtaining jurisdiction and choice of forum, **26:10**
- Personal jurisdiction, obtaining jurisdiction and choice of forum, **26:6**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **26:21**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **26:22**
- Practical problems
 - service of process domestically to commence foreign action, **26:15**
 - taking of documentary evidence abroad in support of domestic action, **26:37**
 - taking of documentary evidence domestically in support of foreign action, **26:33**
 - taking of witness evidence abroad in support of domestic action, **26:30**
 - taking of witness evidence domestically in support of foreign action, **26:26**
- Privileges. Immunities and privileges, above
- Production of documents by third-party, **26:35**
- Product liability, damages recovery, **26:48**
- Property as jurisdictional basis, **26:7**
- Property as security device, **26:23**
- Recognition and enforcement of foreign civil-commercial judgments
 - conventions, **26:49**

TAIWAN—Cont'd

- Recognition and enforcement of foreign civil-commercial judgments
 - Cont'd
 - other means and absence of convention, **26:49**
 - other means and absence of conventions, **26:49**
 - procedural requirements in Taiwan, **26:50**
- Relevance to later efforts to recognize and enforce
 - taking of documentary evidence abroad in support of domestic action, **26:38**
 - taking of documentary evidence domestically in support of foreign action, **26:34**
- Rights of audience in court, **26:3**
- Security
 - costs, security for, **26:57**
 - property as security device, **26:23**
- Service of process abroad to commence domestic action
 - generally, **26:16**
 - conventions, **26:16**
 - default judgments, **26:17**
 - other means in absence of conventions, **26:16**
- Service of process domestically to commence foreign action
 - generally, **26:14**
 - conventions, **26:14**
 - other means in absence of conventions, **26:14**
 - practical problems, **26:15**
 - time factors, **26:15**
- Settlement and compromise of proceedings
 - generally, **26:51**
 - formalities, **26:52**
 - kinds of settlement and compromise, **26:51**
 - litigation, effect on, **26:52**
 - requirements, **26:52**
- Sovereign immunity, **26:53**
- Statement of claim, **26:18**
- Statutory and other bases
 - choice of law, **26:12**

INDEX

TAIWAN—Cont'd

- Statutory and other bases—Cont'd
 - obtaining jurisdiction and choice of forum, **26:6**
- Structure
 - adjudication, time horizon and influencing factors, **26:4**
 - audience rights, **26:3**
 - foreign co-counsel, role, **26:3**
 - general structure, **26:2**
 - withdrawal/disqualification, **26:5**
- Subject matter jurisdiction, **26:6**
- Substantive and practical overview of key distinguishing issues, **26:1**
- Summary judgments and equivalent proceedings, **26:20**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **26:36**
 - attorney-client privilege, **26:39**
 - attorney work product privilege, **26:39**
 - conventions, **26:36**
 - other means and absence of conventions, **26:36**
 - practical problems, **26:37**
 - privileges, **26:39**
 - relevance to later efforts to recognize and enforce at place of judgment, **26:38**
 - time factors, **26:37**
- Taking of documentary evidence domestically in support of foreign action
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - conventions, **26:32**
 - discovery, **26:31**
 - other means and absence of conventions, **26:32**
 - practical problems, **26:33**
 - relevance to later efforts to recognize and enforce at place of service, **26:34**
 - third-party production of documents, **26:35**
 - time factors, **26:31, 26:33**

TAIWAN—Cont'd

- Taking of witness evidence abroad in support of domestic action
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - conventions, **26:29**
 - other means and absence of conventions, **26:29**
 - practical problems, **26:30**
- Taking of witness evidence domestically in support of foreign action
 - generally, **26:24**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **26:28**
 - attorney work product privilege, **26:28**
 - conventions, **26:25**
 - discovery, **26:24**
 - expert evidence, **26:27**
 - other means and absence of conventions, **26:25**
 - practical problems, **26:26**
 - privileges, **26:28**
 - time factors, **26:24, 26:26**
- Third-party production of documents, **26:35**
- Time factors
 - adjudication, time horizon and influencing factors, **26:4**
 - appeal and review of transnational judgments, **26:45**
 - service of process domestically to commence foreign action, **26:15**
 - taking of documentary evidence abroad in support of domestic action, **26:37**
 - taking of documentary evidence domestically in support of foreign action, **26:31, 26:33**
 - taking of witness evidence domestically in support of foreign action, **26:24, 26:26**
- Tort actions, damages recovery in, **26:48**
- Withdrawal/disqualification, **26:5**

TAIWAN—Cont'd

- Witness evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **26:41**
 - taking of witness evidence domestically in support of foreign action, above

TAKING OF DOCUMENTARY EVIDENCE ABROAD IN SUPPORT OF DOMESTIC ACTION

- Australia** (this index)
- Austria** (this index)
- Belgium**, **4:46 to 4:48**
- Brazil** (this index)
- Canada** (this index)
- China, People's Republic** (this index)
- Czech Republic** (this index)
- Denmark**, **10:40**
- Finland** (this index)
- Germany** (this index)
- Hungary** (this index)
- India** (this index)
- Ireland**, **16:28, 16:29**
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Philippines**, **22:58, 22:59**
- Sweden** (this index)
- Turkey** (this index)
- United Kingdom** (this index)
- United States of America** (this index)
- Uruguay** (this index)

TAKING OF DOCUMENTARY EVIDENCE DOMESTICALLY IN SUPPORT OF FOREIGN ACTION

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- Canada** (this index)
- China, People's Republic** (this index)
- Czech Republic** (this index)
- Denmark**, **10:39**
- Finland** (this index)

TAKING OF DOCUMENTARY EVIDENCE DOMESTICALLY IN SUPPORT OF FOREIGN ACTION—Cont'd

- Germany** (this index)
- Hungary** (this index)
- India** (this index)
- Italy** (this index)
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Philippines**, **22:52 to 22:57**
- Russian Federation** (this index)
- Sweden** (this index)
- Switzerland**, **25:50, 25:51**
- Turkey** (this index)
- United Kingdom** (this index)
- United States of America** (this index)
- Uruguay** (this index)

TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS

- Hague Convention on Taking of Evidence Abroad in Civil or Commercial Matters, **33:13**

TAKING OF EVIDENCE ABROAD IN SUPPORT OF DOMESTIC ACTION

- Switzerland**, **25:52**

TAKING OF WITNESS EVIDENCE ABROAD IN SUPPORT OF DOMESTIC ACTION

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- Canada** (this index)
- China, People's Republic** (this index)
- Czech Republic** (this index)
- Denmark**, **10:38**
- Finland** (this index)
- Germany** (this index)
- Hungary** (this index)
- India** (this index)
- Ireland**, **16:27, 16:29**
- Italy** (this index)
- Japan** (this index)

INDEX

TAKING OF WITNESS EVIDENCE ABROAD IN SUPPORT OF DOMESTIC ACTION—Cont'd

Korea (this index)
Kuwait (this index)
Philippines, **22:46 to 22:51**
Russian Federation (this index)
Singapore, **23:38**
Sweden (this index)
Turkey (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

TAKING OF WITNESS EVIDENCE DOMESTICALLY IN SUPPORT OF FOREIGN ACTION

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Czech Republic (this index)
Denmark, **10:37**
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India (this index)
Ireland, **16:26, 16:29**
Italy (this index)
Japan (this index)
Korea (this index)
Kuwait (this index)
Philippines, **22:39 to 22:45**
Russian Federation (this index)
Singapore (this index)
Sweden (this index)
Switzerland, **25:48, 25:49**
Turkey (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

TERRITORIAL JURISDICTION

China, People's Republic, obtaining
jurisdiction and choice of forum,
7:18

TERRITORIAL JURISDICTION —Cont'd

India, **15:8**

THIRD-PARTY CLAIMS

Switzerland, **25:33**

TIME FACTORS

Australia (this index)
Austria (this index)
Belgium (this index)
Brazil (this index)
Canada (this index)
China, People's Republic (this index)
Czech Republic (this index)
Denmark (this index)
Finland (this index)
France (this index)
Germany (this index)
Hungary (this index)
India (this index)
Ireland (this index)
Italy, 17:28
Japan (this index)
Korea (this index)
Kuwait (this index)
Russian Federation, time frames for
adjudication, **22A:5**
Sweden (this index)
Switzerland (this index)
Taiwan (this index)
Turkey (this index)
United Arab Emirates (this index)
United Kingdom (this index)
United States of America (this index)
Uruguay (this index)

TORT ACTION

Alien's Action for Tort, United States
statute, **39:11**
Australia, damages recovery in, **2:75**
Austria, **3:88, 3:98**
Belgium, damages recovery, **4:57**
Brazil, **5:70, 5:85**
Canada, **6:55**
China, People's Republic, **7:87**
Denmark, **10:52**
Finland, **11:66, 11:78**
France, damages, **12:48**

TORT ACTION—Cont'd

Germany, **13:62, 13:76**
 Hungary, **14:72, 14:83**
 India, **15:34**
 Japan, **18:70, 18:80**
 Korea, **19:98**
 Kuwait, **20:68, 20:82**
 Russian Federation, **22A:56, 22A:73**
 Sweden, **24:81**
 Switzerland, **25:67**
 Taiwan, **26:48**
 Turkey, **27:72**
 United Kingdom, **29:75**
 United States of America, **30:73**
 Uruguay, **31:62**

TRADE SECRET PRIVILEGE

Austria (this index)

TRANSNATIONAL REGULATORY LITIGATION

Generally, **1:2**

TREATIES

Bilateral Treaties and Conventions
 (this index)

Contracting Parties to the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, 1997, **37:2**

Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and Related Documents, **37:1**

Council of Europe Conventions (this index)

European Community/European Union Conventions (this index)

Hague Conventions (this index)

Inter-American Conventions (this index)

International Convention on Choice of Courts, Status Table, and Recommended Form, **37:3**

United Nations Conventions (this index)

TRIBUNALS

United Kingdom, **29:5**

TURKEY

Generally, **27:1 to 27:95**

Ab initio objection to jurisdiction, **27:14**

Admissibility and presentation at trial of evidence taken domestically or abroad

burden of proof, **27:63**

categories of evidence, **27:64**

general requirements and practices, **27:62**

presentation of evidence at trial, generally, **27:65**

Answer or statement of defense, **27:33**

Appeal and review of transnational judgments

generally, **27:66**

conclusiveness and finality of judgments, generally, **27:67**

practical problems, **27:68**

procedural issues, **27:67**

relevance to later efforts to recognize and enforce, **27:69**

strategic considerations, **27:68**

substantive issues, **27:67**

time factors, **27:68**

Attachment

post-judgment attachment, sovereign immunity, **27:90**

pre-judgment attachment, sovereign immunity, **27:89**

Attorney-client privilege

taking of documentary evidence abroad in support of domestic action, **27:61**

taking of documentary evidence domestically in support of foreign action, **27:58**

taking of witness evidence domestically in support of foreign proceedings, **27:52**

Attorney fees, 27:95

Attorney work product privilege

taking of documentary evidence abroad in support of domestic action, **27:61**

taking of documentary evidence domestically in support of foreign action, **27:58**

INDEX

TURKEY—Cont'd

- Attorney work product privilege
 - Cont'd
 - taking of witness evidence domestically in support of foreign proceedings, **27:52**
- Audience in court, rights, **27:7**
- Bilateral Treaties for Legal Assistance, **App. 27C**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **27:54**
 - taking of witness evidence domestically in support of foreign action, **27:46**
- Burden of proof
 - admissibility and presentation at trial of evidence taken domestically or abroad, **27:63**
 - standards of burden of proof for damages recovery, **27:73**
- Categories of evidence, admissibility and presentation at trial, **27:64**
- Challenges to jurisdiction, **27:13**
- Choice of forum clauses, **27:12**
- Choice of law
 - choice of law clauses, **27:17**
 - foreign substantive law, bases for application, **27:16**
 - party autonomy, **27:17**
 - relevance to later efforts to recognize and enforce, **27:18**
 - statutory and other bases for application of foreign substantive law, **27:16**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - answer or statement of defense, **27:33**
 - complaint or statement of claim, **27:32**
 - content of complaint or statement of claim, **27:32**
 - form of complaint or statement of claim, **27:32**
 - statement of defense, **27:33**
 - strategic considerations, **27:32**

TURKEY—Cont'd

- Commencement of suit—Cont'd
 - substance of complaint or statement of claim, **27:32**
- Complaint or statement of claim, **27:32**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **27:67**
- Content of complaint or statement of claim, **27:32**
- Contingent fees, **27:95**
- Contract, acceptable kinds of damages recovery in, **27:70**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, **27:77**
 - Selected International Conventions and Bilateral Treaties, **App. 27D**
 - service of process abroad to commence domestic action, **27:26**
 - service of process domestically to commence foreign action, **27:20**
 - taking of documentary evidence abroad in support of domestic action, **27:59**
 - taking of documentary evidence domestically in support of foreign action, **27:55**
 - taking of witness evidence domestically in support of foreign proceedings, **27:47**
- Costs and fees
 - generally, **27:92**
 - attorney fees, **27:95**
 - contingent fees, **27:95**
 - court costs, **27:93**
 - fee schedules, **27:95**
 - interest, **27:94**
 - security for costs, **27:92**
- Court costs, **27:93**
- Court structure
 - adjudication, time horizon and influencing factors, **27:8**
 - audience rights, **27:7**
 - foreign co-counsel, role, **27:7**
 - general structure, **27:5, 27:6**

TURKEY—Cont'd

- Court structure—Cont'd
 - hierarchy of local court system, **27:6**
 - local court system, organization and hierarchy, **27:6**
 - organization of local court system, **27:6**
- Currency conversion, damages recovery, **27:75**
- Damages
 - generally, **27:70**
 - acceptable kinds of damages recovery in contract, **27:70**
 - currency conversion, **27:75**
 - lost profits damages, specific issues, **27:71**
 - non-contractual bases, damages recovery in, **27:72**
 - product liability, damages recovery in, **27:72**
 - public policy constraints, **27:74**
 - punitive damages, **27:81**
 - standards of burden of proof for recovery, **27:73**
 - tort action, damages recovery in, **27:72**
- Default judgments
 - recognition and enforcement of foreign civil-commercial judgments, **27:81**
 - service of process abroad to commence domestic action, **27:31**
 - service of process domestically to commence foreign action, **27:25**
- Discovery
 - recognition and enforcement of foreign civil-commercial judgments, **27:81**
 - taking of documentary evidence domestically in support of foreign action, **27:54**
 - taking of witness evidence domestically in support of foreign action, **27:46**
- Documentary evidence
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of

TURKEY—Cont'd

- Documentary evidence—Cont'd
 - foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of judgments against foreign sovereigns, **27:90, 27:91**
- Enforcement of jurisdiction, **27:14**
- Evidence
 - burden of proof, above
 - damages recovery, standards of burden of proof, **27:73**
 - expert evidence, taking of witness evidence domestically in support of foreign proceedings, **27:51**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **27:88**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below
- Expert evidence, taking of witness evidence domestically in support of foreign proceedings, **27:51**
- Fees. Costs and fees, above
- Foreign co-counsel, role, **27:7**
- Form of complaint or statement of claim, **27:32**
- Forum non conveniens and equivalent notions, **27:13**
- Hierarchy of legislation, **27:3**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence abroad in support of domestic action, **27:61**
 - taking of documentary evidence domestically in support of foreign action, **27:58**
 - taking of witness evidence domestically in support of foreign

INDEX

TURKEY—Cont'd

- Immunities and privileges—Cont'd proceedings, **27:52**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Interest, costs and fees, **27:94**
- Interim and conservatory relief, injunctions and similar emergency measures
 - generally, **27:40**
 - foreign sovereigns, injunction against, **27:89**
 - parallel proceedings, possible strategies, **27:44**
 - petitions abroad, in connection with domestic proceedings, **27:41**
 - petitions domestically, in support of foreign proceedings, **27:42**
 - property as security device, **27:43**
 - strategies in event of parallel proceedings, **27:44**
- Legal system, background, **27:2**
- Legislation, hierarchy, **27:3**
- Local court system, **27:6**
- Local procedural requirements at place of action
 - recognition and enforcement of foreign civil-commercial judgments, **27:79**
 - service of process abroad to commence domestic action, **27:28**
 - service of process domestically to commence foreign action, **27:22**
- Lost profits damages, specific issues, **27:71**
- Non-contractual bases, damages recovery in, **27:72**
- Obtaining jurisdiction and choice of forum
 - generally, **27:9**
 - ab initio objection to jurisdiction, **27:14**
 - challenges to jurisdiction, **27:13**
 - choice of forum clauses, **27:12**
 - enforcement of jurisdiction, **27:14**
 - forum non conveniens and equivalent notions, **27:13**
 - parallel proceedings, **27:15**

TURKEY—Cont'd

- Obtaining jurisdiction and choice of forum—Cont'd
 - party autonomy, **27:12**
 - personal jurisdiction, basis for acceptance, **27:10**
 - property as jurisdictional basis, **27:11**
 - relevance to later efforts to recognize and enforce, **27:14**
 - statutory and other bases, **27:10**
 - subject matter jurisdiction, basis for acceptance, **27:10**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **27:78**
 - service of process abroad to commence domestic action, **27:27**
 - service of process domestically to commence foreign action, **27:21**
 - taking of documentary evidence domestically in support of foreign action, **27:56**
 - taking of witness evidence domestically in support of foreign proceedings, **27:48**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **27:15**
- Party autonomy
 - choice of law, **27:17**
 - obtaining jurisdiction and choice of forum, **27:12**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **27:10**
 - sovereign immunity, **27:87**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **27:41**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **27:42**
- Post-judgment attachment, sovereign immunity, **27:90**
- Practical problems
 - appeal and review of transnational judgments, **27:68**
 - recognition and enforcement of foreign civil-commercial judgments, **27:80**

TURKEY—Cont'd

- Practical problems—Cont'd
 - service of process abroad to commence domestic action, **27:29**
 - service of process domestically to commence foreign action, **27:23**
 - summary judgments and equivalent proceedings, **27:37**
 - taking of documentary evidence domestically in support of foreign action, **27:57**
 - taking of witness evidence domestically in support of foreign proceedings, **27:49**
- Pre-judgment attachment, sovereign immunity, **27:89**
- Presentation of evidence at trial. Admissibility and presentation at trial of evidence taken domestically or abroad, above
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **27:35**
- Product liability, damages recovery, **27:72**
- Property
 - jurisdictional basis, **27:11**
 - security device, **27:43**
- Public policy
 - damages, **27:74**
 - recognition and enforcement of foreign civil-commercial judgments, **27:81**
- Recognition and enforcement of foreign civil-commercial judgments
 - generally, **27:76**
 - conventions, **27:77**
 - default judgments, **27:81**
 - discovery, **27:81**
 - local procedural requirements at place of action, **27:79**
 - other means and absence of convention, **27:78**
 - practical problems, **27:80**
 - public policy issues, **27:81**
 - punitive damages, **27:81**
 - time factors, **27:80**

TURKEY—Cont'd

- Recognition and enforcement of judgments against foreign sovereigns, **27:90, 27:91**
- Relevance to later efforts to recognize and enforce
 - appeal and review of transnational judgments, **27:69**
 - choice of law, **27:18**
 - obtaining jurisdiction and choice of forum, **27:14**
 - service of process abroad to commence domestic action, **27:30**
 - service or process domestically to commence foreign action, **27:24**
 - summary judgments and equivalent proceedings, **27:39**
 - taking of documentary evidence abroad in support of domestic action, **27:60**
 - taking of witness evidence domestically in support of foreign proceedings, **27:50**
- Rights of audience in court, **27:7**
- Rules Regarding Jurisdiction of Turkish Courts, **App. 27B**
- Secrecy laws
 - taking of documentary evidence domestically in support of foreign action, **27:54**
 - taking of witness evidence domestically in support of foreign action, **27:46**
- Security
 - costs, security for, **27:92**
 - property as security device, **27:43**
- Selected International Conventions and Bilateral Treaties, **App. 27D**
- Service of process abroad to commence domestic action
 - generally, **27:26**
 - conventions, **27:26**
 - default judgments, **27:31**
 - local procedural requirements at place of action, **27:28**
 - other means and absence of conventions, **27:27**
 - practical problems, **27:29**
 - relevance to later efforts to recognize and enforce, **27:30**

INDEX

TURKEY—Cont'd

- Service of process abroad to commence domestic action—Cont'd
 - time factors, **27:29**
- Service of process domestically to commence foreign action
 - generally, **27:19**
 - conventions, **27:20**
 - default judgments, **27:25**
 - local procedural requirements at place of action, **27:22**
 - other means in absence of convention, **27:21**
 - practical problems, **27:23**
 - relevance to later efforts to recognize and enforce, **27:24**
 - time factors, **27:23**
- Service of process on foreign sovereigns, **27:86**
- Settlement and compromise of proceedings
 - formalities, **27:83**
 - kinds of settlement and compromise, **27:82**
 - litigation, effect on, **27:84**
 - requirements, **27:83**
- Sovereign immunity
 - generally, **27:85**
 - aids in enforcement of judgments against foreign sovereigns, **27:89, 27:90**
 - enforcement of judgments against foreign sovereigns, **27:90, 27:91**
 - injunctive measures against foreign sovereigns, **27:89**
 - personal jurisdiction, **27:87**
 - post-judgment attachment, **27:90**
 - pre-judgment attachment, **27:89**
 - recognition and enforcement of judgments against foreign sovereigns, **27:91**
 - service of process on foreign sovereigns, **27:86**
 - subject matter jurisdiction, **27:87**
 - taking of evidence against foreign sovereign entities, **27:88**
- Standards of burden of proof for damages recovery, **27:73**
- Statement of claim, **27:32**

TURKEY—Cont'd

- Statutory and other bases
 - blocking statutes, above
 - choice of law, **27:16**
 - obtaining jurisdiction and choice of forum, **27:10**
- Table of Statutes, **App. 27A**
- Strategic considerations
 - appeal and review of transnational judgments, **27:68**
 - commencement of suit, **27:32**
 - parallel proceedings, **27:44**
 - summary judgments and equivalent proceedings, **27:38**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **27:10**
 - sovereign immunity, **27:87**
- Substance of complaint or statement of claim, **27:32**
- Substantive and practical overview of key distinguishing issues in Turkey
 - generally, **27:1**
 - background of Turkish legal system, **27:2**
 - court decisions, **27:4**
 - hierarchy of legislation, **27:3**
 - historical perspective, **27:2**
- Substantive issues, choice of law, **27:16**
- Summary judgments and equivalent proceedings
 - generally, **27:34**
 - practical problems, **27:37**
 - procedural requirements, **27:35**
 - relevance to later efforts to recognize and enforcement, **27:39**
 - strategic considerations, **27:38**
 - substantive requirements, **27:36**
 - time factors, **27:37**
- Table of Statutes, **App. 27A**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **27:59**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **27:61**

TURKEY—Cont'd

- Taking of documentary evidence abroad
 - in support of domestic action
 - Cont'd
 - attorney work product privilege, **27:61**
 - conventions, **27:59**
 - privileges, **27:61**
 - relevance to later efforts to recognize and enforce at place of service, **27:60**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **27:54**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **27:58**
 - attorney work product privilege, **27:58**
 - blocking statutes, **27:54**
 - conventions, **27:55**
 - discovery, **27:54**
 - other means and absence of conventions, **27:56**
 - practical problems, **27:57**
 - privileges, **27:58**
 - secrecy laws, **27:54**
 - time factors, **27:57**
 - time of discovery, **27:54**
- Taking of witness evidence abroad in support of domestic action
 - generally, **27:53**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **27:45**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **27:52**
 - attorney work product privilege, **27:52**
 - blocking statutes, **27:46**
 - conventions, **27:47**

TURKEY—Cont'd

- Taking of witness evidence domestically in support of foreign proceedings
 - Cont'd
 - discovery, when and from whom, **27:46**
 - expert evidence, special issues, **27:51**
 - other means and absence of conventions, **27:48**
 - practical problems, **27:49**
 - privileges, **27:52**
 - relevance to later efforts to recognize and enforce, **27:50**
 - secrecy laws, **27:46**
 - time factors, **27:49**
- Time factors
 - adjudication, time horizon and influencing factors, **27:8**
 - appeal and review of transnational judgments, **27:68**
 - recognition and enforcement of foreign civil-commercial judgments, **27:80**
 - service of process abroad to commence domestic action, **27:29**
 - service of process domestically to commence foreign action, **27:23**
 - summary judgments and equivalent proceedings, **27:37**
 - taking of documentary evidence domestically in support of foreign action, **27:54, 27:57**
 - taking of witness evidence domestically in support of foreign action, **27:46, 27:49**
- Tort actions
 - damages recovery in, **27:72**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

UGANDA

- Jurisdiction and choice of forum, **40:14**
- Ugandan Civil Procedure Act, **40:14**

INDEX

UNCITRAL MODEL LAW ON INTERNATIONAL COMMERCIAL ARBITRATION

Generally, **42:2**
Austria, **3:127**
Belgium, **4:80**
Brazil, **5:114**
Case law, UNCITRAL arbitration cases
 Chevron v. Ecuador UNCITRAL
 Arbitration Award, **45:2**
 Chevron v. Ecuador UNCITRAL
 Notice of Arbitration, **45:1**
Czech Republic, **9:85**
France, **12:72**
India, **15:47**
Ireland, **16:48**

UNCITRAL NOTES ON ORGANIZING ARBITRAL PROCEEDINGS

Generally, **42:3**

UNIFORM FOREIGN MONEY-JUDGMENTS RECOGNITION ACT

United States Statute (13 Uniform Laws
Annotated 263 (1962)), **39:1**

UNITED ARAB EMIRATES

Generally, **28:1 to 28:72**
Administrative jurisdiction, **28:14**
Alternative service, **28:28**
Announcement on board, summons by,
 28:29
Appeal
 attachments, **28:52**
 Court of Cassation, review of judg-
 ment, **28:72**
 execution proceedings, **28:67**
Application for attachment after main
 action is filed, **28:50**
Application for attachment ex parte
 before action, **28:49**
Attachments
 generally, **28:48**
 appeal, **28:52**
 application for attachment after main
 action is filed, **28:50**
 application for attachment ex parte
 before action, **28:49**

UNITED ARAB EMIRATES—Cont'd

Attachments—Cont'd
 disposing of assets before order is
 enforced, **28:56**
 enforcement of attachment orders,
 28:53
 land, **28:55**
 objection against application, **28:51**
 orders, enforcement, **28:53**
 sale of assets, **28:54**
Attendance, **28:46**
Auction sale, **28:65**
Bar association, **28:3**
Challenging execution proceedings,
 28:63
Challenging service of summons, **28:32**
Children, action filed against, **28:41**
Choice of law
 enforcement of foreign judgments,
 28:19
 local jurisdiction, **28:18**
Civil courts, **28:6**
Clerks of court, **28:21**
Commencement of suits
 generally, **28:20**
 attendance, **28:46**
 claim for forgery documents, **28:37**
 counterclaim, **28:39**
 court clerks, **28:21**
 default judgments, **28:43**
 defense, **28:34**
 discovery, **28:38**
 enforcement of foreign judgments,
 28:19
 experts, **28:36**
 failure to attend, **28:46**
 filing statement of claim and docu-
 ments, **28:21**
 forgery documents, **28:37**
 hearing, failure to attend, **28:46**
 interim judgment, **28:45**
 joining existing action, **28:40**
 judgments, **28:42**
 main action, **28:33**
 minors, action filed against, **28:41**
 preliminary defense, **28:34**
 presence of both parties, judgment in,
 28:44

UNITED ARAB EMIRATES—Cont'd

Commencement of suits—Cont'd
 proceeding with main action, **28:33**
 scheduled hearing, failure to attend, **28:46**
 service of summons, below
 special requirements, **28:23**
 time factors, **28:22**
 witnesses, **28:35**
 Constitutional law, **28:1**
 Constitutional structure of courts, **28:5 to 28:9**
 Counterclaim, **28:39**
 Court of Cassation
 application to suspend execution of judgments, **28:70**
 judgment of Court, **28:71**
 review of judgments, **28:72**
 structure, **28:9**
 summary judgments, **28:69 to 28:72**
 Court structure
 civil courts, **28:6**
 Court of Cassation, above
 criminal courts, **28:7**
 execution courts, application to, **28:63**
 forum and jurisdiction of UAE courts, below
 general structure, **28:4**
 Sharia Court, **28:8**
 Criminal courts, **28:7**
 Custodian, application for appointment, **28:61**
 Default judgments, **28:43**
 Defendant, service on, **28:31**
 Defense, **28:34**
 Discovery, **28:38**
 Disposing of assets before attachment order is enforced, **28:56**
 Documents
 application for document status, **28:58**
 filing to commence suit, **28:21**
 forgery documents, claim for, **28:37**
 Enforcement of attachment orders, **28:53**
 Enforcement of foreign judgments, **28:19**
 Evidence, **28:36**

UNITED ARAB EMIRATES—Cont'd

Execution courts, application to, **28:63**
 Execution proceedings
 generally, **28:62**
 appeal, **28:67**
 application to execution courts, **28:63**
 challenging execution proceedings, **28:64**
 Court of Cassation, application to suspend execution of judgments, **28:70**
 end of procedure, **28:66**
 execution courts, **28:63**
 sale by auction, **28:65**
 sub-appeal, **28:68**
 Experts, **28:36**
 Failure to attend court or scheduled hearing, **28:46**
 Forgery documents, claim for, **28:37**
 Forum and jurisdiction of UAE courts
 administrative jurisdiction, **28:14**
 forum non conveniens, **28:16**
 international jurisdiction, **28:11**
 jurisdictional real estate property, **28:15**
 labour jurisdiction, **28:12**
 local jurisdiction, **28:10**
 property as jurisdictional basis, **28:17**
 rent disputes, **28:13**
 Forum non conveniens, **28:16**
 Hearing, failure to attend, **28:46**
 Interim judgment, **28:45**
 International jurisdiction, **28:11**
 Joining existing action, service of summons, **28:40**
 Judgment of Court of Cassation, **28:71**
 Judgments, generally, **28:42**
 Jurisdiction. Forum and jurisdiction of UAE courts, above
 Jurisdictional real estate property, **28:15**
 Labour jurisdiction, **28:12**
 Land, attachment of, **28:55**
 Legal system, **28:2**
 Local jurisdiction
 choice of law, **28:18**
 forum and jurisdiction of UAE courts, **28:10**
 service of summons, **28:25**

INDEX

UNITED ARAB EMIRATES—Cont'd

- Main action, **28:33**
- Minors, action filed against, **28:41**
- Objection against attachment application, **28:51**
- Orders of attachments, enforcement, **28:53**
- Preliminary defense, **28:34**
- Presence of both parties, judgment in, **28:44**
- Proceeding with main action, **28:33**
- Property as jurisdictional basis, **28:17**
- Real estate property, forum and jurisdiction of UAE courts, **28:15**
- Rent disputes, forum and jurisdiction of UAE courts, **28:13**
- Review of judgments of Court of Cassation, **28:72**
- Sale by auction, **28:65**
- Sale of attachment assets, **28:54**
- Scheduled hearing, failure to attend, **28:46**
- Service of summons
 - generally, **28:24**
 - alternative service, **28:28**
 - announcement on board, summons by, **28:29**
 - another emirate, service in, **28:26**
 - challenging service of summons, **28:32**
 - defendant, service on, **28:31**
 - foreign jurisdiction, service in, **28:27**
 - local jurisdiction, **28:25**
 - service in another emirate, **28:26**
 - twice, requirement for service, **28:30**
- Sharia Court, **28:8**
- Statement of claim, filing to commence suit, **28:21**
- Structure of courts. Court structure, above
- Substantive and practical overview of key distinguishing issues
 - generally, **28:1**
 - bar association, **28:3**
 - constitutional law, **28:1**
 - legal system, **28:2**
- Summary judgments
 - generally, **28:47**
 - attachments, above

UNITED ARAB EMIRATES—Cont'd

- Summary judgments—Cont'd
 - Court of Cassation, above
 - custodian, application for appointment, **28:61**
 - documents, order from another court for, **28:60**
 - document status, application for, **28:58**
 - execution proceedings, above
 - other urgent applications, **28:57 to 28:61**
 - survey, application for, **28:58**
 - witness to be heard before main action, **28:59**
 - witness to be heard by deputation from another court, **28:60**
- Summons. Service of summons, above
- Survey, application for, **28:58**
- Time factors
 - commencement of suit, **28:22**
 - disposing of assets before attachment order is enforced, **28:56**
- Twice, requirement that service be done, **28:30**
- Witnesses
 - service of summons, **28:35**
 - summary judgments, application for witness to be heard before main action, **28:59**

UNITED KINGDOM

- Generally, **29:1 to 29:98**
- Ab initio objection to jurisdiction, **29:9**
- Access to justice, substantive and practical overview of key distinguishing issues in United Kingdom, **29:2**
- Administration of Justice Act (1920), **App. 29A**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - conclusion, **29:68**
 - documentary evidence, **29:66**
 - evidence taken abroad, generally, **29:67**
 - general requirements and practices, **29:64**
 - oral evidence, **29:65**

UNITED KINGDOM—Cont'd

- Appeal and review of transnational judgments
 - generally, **29:69**
 - civil division of court of appeal, appeal to, **29:71**
 - conclusiveness and finality of judgments, generally, **29:69**
 - district judge decision, appeals against, **29:70**
 - House of Lords, appeal to, **29:72**
 - master judge decision, appeals against, **29:70**
 - rights of appeal, **29:69**
- Attachment, pre-judgment attachment, sovereign immunity, **29:91**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **29:63**
 - taking of documentary evidence domestically in support of foreign action, **29:58**
 - taking of witness evidence abroad in support of domestic action, **29:51**
 - taking of witness evidence domestically in support of foreign proceedings, **29:44**
- Attorney fees, **29:98**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **29:63**
 - taking of documentary evidence domestically in support of foreign action, **29:58**
 - taking of witness evidence abroad in support of domestic action, **29:51**
 - taking of witness evidence domestically in support of foreign proceedings, **29:44**
- Blocking statutes
 - taking of documentary evidence domestically in support of foreign action, **29:52**
 - taking of witness evidence domestically in support of foreign action, **29:40**

UNITED KINGDOM—Cont'd

- Blocking statutes—Cont'd
 - taking of witness evidence domestically in support of foreign proceedings, **29:40, 29:52**
- Case law
 - Index of Cases, **App. 29C**
 - 129 Yukos Capital Sarl v. OJSC Rosneft Oil Co., enforcement of foreign arbitration award, **46:1**
 - Sulamerica CIA Nacional de Seguros SA v. Enesa Engenharia SA—Enesa, anti-suit injunction, **46:2**
- Challenges to jurisdiction, **29:8**
- Choice of law
 - choice of law clauses, **29:12**
 - foreign substantive law, bases for application, **29:11**
 - party autonomy, **29:12, 29:14**
 - relevance to later efforts to recognize and enforce, **29:13**
 - statutory and other bases for application of foreign substantive law, **29:11**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Civil division of court of appeal, appeal to, **29:71**
- Commencement of suit
 - generally, **29:26**
 - contents of pleadings, **29:29**
 - formal requirements, **29:29**
 - pleadings, **29:27, 29:29**
 - service of writ, **29:27**
 - strategic considerations, **29:28**
- Common law, **29:82**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **29:69**
- Contents of pleadings, **29:29**
- Contingent fees, **29:98**
- Contract, acceptable kinds of damages recovery in, **29:73**
- Conventions
 - recognition and enforcement of foreign civil-commercial judg-

INDEX

UNITED KINGDOM—Cont'd

- Conventions—Cont'd
 - ments, European conventions, **29:80**
 - service of process abroad to commence domestic action, **29:21**
 - service of process domestically to commence foreign action, **29:15**
 - taking of documentary evidence abroad in support of domestic action, **29:59**
 - taking of documentary evidence domestically in support of foreign action, **29:53**
 - taking of witness evidence abroad in support of domestic action, **29:46**
 - taking of witness evidence domestically in support of foreign proceedings, **29:41**
- Costs and fees
 - generally, **29:95**
 - attorney fees, **29:98**
 - contingent fees, **29:98**
 - court costs, **29:96**
 - fee schedules, **29:98**
 - interest on a claim, **29:97**
 - security for costs, **29:95**
- Court costs, **29:96**
- Court structure
 - adjudication, time horizon and influencing factors, **29:4**
 - general structure, **29:3**
 - tribunals and other judicial bodies, **29:5**
- Currency conversion, damages recovery, **29:78**
- Damages
 - generally, **29:73**
 - acceptable kinds of damages recovery in contract, **29:73**
 - currency conversion, **29:78**
 - lost profits damages, specific issues, **29:74**
 - non-contractual bases, damages recovery in, **29:75**
 - product liability, damages recovery in, **29:75**
 - public policy constraints, **29:77**

UNITED KINGDOM—Cont'd

- Damages—Cont'd
 - standards of burden of proof for recovery, **29:76**
 - tort action, damages recovery in, **29:75**
- Discovery
 - taking of documentary evidence domestically in support of foreign action, **29:52**
 - taking of witness evidence domestically in support of foreign action, **29:40**
- District judge decision, appeals against, **29:70**
- Documentary evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **29:66**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of judgments against foreign sovereigns, **29:92, 29:94**
- Enforcement of jurisdiction, **29:9**
- Evidence
 - damages recovery, standards of burden of proof, **29:76**
 - expert evidence, below
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **29:90**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below

UNITED KINGDOM—Cont'd

- Expert evidence
 - taking of documentary evidence
 - domestically in support of foreign action, **29:57**
 - taking of witness evidence abroad in support of domestic action, **29:50**
- Fees. Costs and fees, above
- Fee schedules, **29:98**
- Foreign Judgments (Reciprocal Enforcement) Act of 1933, **App. 29B**
- Forum non conveniens and equivalent notions, **29:8**
- Hague Conventions, **33:11**
- House of Lords, appeal to, **29:72**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence
 - abroad in support of domestic action, **29:63**
 - taking of documentary evidence
 - domestically in support of foreign action, **29:58**
 - taking of witness evidence abroad in support of domestic action, **29:51**
 - taking of witness evidence domestically in support of foreign proceedings, **29:44**
- Index of Cases, **App. 29C**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Interest on a claim, **29:97**
- Interim and conservatory relief, injunctions and similar emergency measures
 - foreign sovereigns, injunction against, **29:91**
 - general principles, **29:34**
 - parallel proceedings, possible strategies, **29:39**
 - petitions abroad, in connection with domestic proceedings, **29:36**
 - petitions domestically, in support of foreign proceedings, **29:37**
 - property as security device, **29:38**
 - recognition of foreign judgment
 - against United Kingdom, **29:93**

UNITED KINGDOM—Cont'd

- Interim and conservatory relief, injunctions and similar emergency measures—Cont'd
 - specific injunctions, **29:35**
 - strategies in event of parallel proceedings, **29:39**
- Judicial Assistance in The United Kingdom, **33:11**
- Local procedural requirements at place of action
 - service of process abroad to commence domestic action, **29:24**
 - service of process domestically to commence foreign action, **29:17**
- Lost profits damages, specific issues, **29:74**
- Master judge decision, appeals against, **29:70**
- Non-contractual bases, damages recovery in, **29:75**
- Obtaining jurisdiction and choice of forum
 - generally, **29:6**
 - ab initio objection to jurisdiction, **29:9**
 - challenges to jurisdiction, **29:8**
 - enforcement of jurisdiction, **29:9**
 - English Arbitration Act, **40:3**
 - forum non conveniens and equivalent notions, **29:8**
 - parallel proceedings, **29:10**
 - personal jurisdiction, basis for acceptance, **29:6**
 - property as jurisdictional basis, **29:7**
 - relevance to later efforts to recognize and enforce, **29:9**
 - statutory and other bases, **29:6**
 - subject matter jurisdiction, basis for acceptance, **29:6**
- Oral evidence, admissibility and presentation at trial of evidence taken domestically or abroad, **29:65**
- Other means and absence of conventions
 - service of process abroad to commence domestic action, **29:22**
 - service of process domestically to commence foreign action, **29:16**

INDEX

UNITED KINGDOM—Cont'd

- Other means and absence of conventions—Cont'd
 - taking of documentary evidence abroad in support of domestic action, **29:60**
 - taking of documentary evidence domestically in support of foreign action, **29:54**
 - taking of witness evidence abroad in support of domestic action, **29:47**
 - taking of witness evidence domestically in support of foreign proceedings, **29:42**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **29:10**
- Party autonomy, choice of law, **29:12, 29:14**
- Personal jurisdiction, **29:6**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **29:36**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **29:37**
- Pleadings, **29:27, 29:29**
- Practical problems
 - recognition and enforcement of foreign civil-commercial judgments, **29:84**
 - service of process abroad to commence domestic action, **29:23**
 - service of process domestically to commence foreign action, **29:18**
 - summary judgments and equivalent proceedings, **29:32**
 - taking of documentary evidence abroad in support of domestic action, **29:61**
 - taking of documentary evidence domestically in support of foreign action, **29:55**
 - taking of witness evidence abroad in support of domestic action, **29:48**
 - taking of witness evidence domestically in support of foreign proceedings, **29:43**

UNITED KINGDOM—Cont'd

- Pre-judgment attachment, sovereign immunity, **29:91**
- Privileges. Immunities and privileges, above
- Procedural requirements, summary judgments and equivalent proceedings, **29:31**
- Property
 - jurisdictional basis, **29:7**
 - security device, **29:38**
- Public policy, damages, **29:77**
- Recognition and enforcement of foreign civil-commercial judgments
 - generally, **29:79**
 - common law, **29:82**
 - European conventions, **29:80**
 - methods of enforcement, **29:83**
 - other treaties, **29:81**
 - practical problems, **29:84**
 - time factors, **29:84**
- Recognition and enforcement of judgments against foreign sovereigns, **29:92, 29:94**
- Recognition of foreign judgment against United Kingdom, **29:93**
- Relevance to later efforts to recognize and enforce
 - choice of law, **29:13**
 - obtaining jurisdiction and choice of forum, **29:9**
 - service of process abroad to commence domestic action, **29:25**
 - service of process domestically to commence foreign action, **29:19**
 - summary judgments and equivalent proceedings, **29:33**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **29:62**
 - taking of documentary evidence domestically in support of foreign action, place of evidence, **29:56**
 - taking of witness evidence abroad in support of domestic action, **29:49**
- Secrecy laws
 - taking of documentary evidence domestically in support of

UNITED KINGDOM—Cont'd

- Secrecy laws—Cont'd
 - foreign action, **29:52**
 - taking of witness evidence domestically in support of foreign action, **29:40**
- Security
 - costs, security for, **29:95**
 - property as security device, **29:38**
- Service of process abroad to commence domestic action
 - generally, **29:20**
 - conventions, **29:21**
 - leave to serve out, **29:22**
 - local procedural requirements at place of action, **29:24**
 - other means and absence of conventions, **29:22**
 - practical problems, **29:23**
 - relevance to later efforts to recognize and enforce, **29:25**
 - time factors, **29:23**
- Service of process domestically to commence foreign action
 - generally, **29:15**
 - conventions, **29:15**
 - local procedural requirements at place of action, **29:17**
 - other means in absence of convention, **29:16**
 - practical problems, **29:18**
 - relevance to later efforts to recognize and enforce, **29:19**
 - time factors, **29:18**
- Service of process on foreign sovereigns, **29:89**
- Settlement and compromise of proceedings
 - generally, **29:85**
 - formalities, **29:86**
 - kinds of settlement and compromise, **29:87**
 - litigation, effect on, **29:87**
 - requirements, **29:86**
- Sovereign immunity
 - generally, **29:88**
 - enforcement of judgments against foreign sovereigns, **29:92, 29:94**

UNITED KINGDOM—Cont'd

- Sovereign immunity—Cont'd
 - injunctive measures against foreign sovereigns, **29:91**
 - pre-judgment attachment, **29:91**
 - recognition and enforcement of judgments against foreign sovereigns, **29:92, 29:94**
 - service of process on foreign sovereigns, **29:89**
 - taking of evidence against foreign sovereign entities, **29:90**
 - within United Kingdom, immunity, **29:88**
- Standards of burden of proof for damages recovery, **29:76**
- Statutory and other bases
 - blocking statutes, above
 - choice of law, **29:11**
 - obtaining jurisdiction and choice of forum, **29:6**
- Strategic considerations
 - commencement of suit, **29:28**
 - parallel proceedings, **29:39**
 - summary judgments and equivalent proceedings, **29:32**
- Structure of courts. Court structure, above
- Subject matter jurisdiction, **29:6**
- Substantive and practical overview of key distinguishing issues in United Kingdom
 - Lord Woolf's report "access to justice," **29:2**
 - meaning of English law, **29:1**
 - reform, **29:2**
- Substantive issues, choice of law, **29:11**
- Summary judgments and equivalent proceedings
 - generally, **29:30**
 - practical problems, **29:32**
 - procedural requirements, **29:31**
 - relevance to later efforts to recognize and enforcement, **29:33**
 - strategic considerations, **29:32**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **29:59**

INDEX

UNITED KINGDOM—Cont'd

- Taking of documentary evidence abroad in support of domestic action
 - Cont'd
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **29:63**
 - attorney work product privilege, **29:63**
 - conventions, **29:59**
 - other means and absence of conventions, **29:60**
 - practical problems, **29:61**
 - privileges, **29:63**
 - relevance to later efforts to recognize and enforce at place of judgment, **29:62**
 - time factors, **29:61**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **29:52**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **29:58**
 - attorney work product privilege, **29:58**
 - blocking statutes, **29:52**
 - conventions, **29:53**
 - discovery, **29:52**
 - expert evidence, **29:57**
 - other means and absence of conventions, **29:54**
 - practical problems, **29:55**
 - privileges, **29:58**
 - relevance to later efforts to recognize and enforce at place of evidence, **29:56**
 - secrecy laws, **29:52**
 - time factors, **29:55**
 - time of discovery, **29:52**
- Taking of witness evidence abroad in support of domestic action
 - generally, **29:45**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above

UNITED KINGDOM—Cont'd

- Taking of witness evidence abroad in support of domestic action
 - Cont'd
 - attorney-client privilege, **29:51**
 - attorney work product privilege, **29:51**
 - conventions, **29:46**
 - expert evidence, special issues, **29:50**
 - other means in absence of conventions, **29:47**
 - practical problems, **29:48**
 - relevance to later efforts to recognize and enforce at place of judgment, **29:49**
- Taking of witness evidence domestically in support of foreign proceedings
 - generally, **29:40**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **29:44**
 - attorney work product privilege, **29:44**
 - blocking statutes, **29:40**
 - conventions, **29:41**
 - discovery, when and from whom, **29:40**
 - other means and absence of conventions, **29:42**
 - practical problems, **29:43**
 - privileges, **29:44**
 - secrecy laws, **29:40**
 - time factors, **29:43**
- Time factors
 - adjudication, time horizon and influencing factors, **29:4**
 - recognition and enforcement of foreign civil-commercial judgments, **29:84**
 - service of process abroad to commence domestic action, **29:23**
 - service of process domestically to commence foreign action, **29:18**
 - taking of documentary evidence abroad in support of domestic action, **29:61**
 - taking of documentary evidence domestically in support of

UNITED KINGDOM—Cont'd

- Time factors—Cont'd
 - foreign action, **29:52, 29:55**
 - taking of witness evidence domestically in support of foreign action, **29:40, 29:43**
- Tort actions, damages recovery in, **29:75**
- Tribunals and other judicial bodies, **29:5**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

UNITED NATIONS CONVENTIONS

- Generally, **34:1 to 34:8**
- Contracting states to the UN Convention, **34:1**
- Convention on Consular Relations, **34:6**
- Convention on Contracts for the International Sale of Goods, **34:2**
- Convention on Diplomatic Relations, **34:5**
- Convention on Jurisdictional Immunities of States and Their Property, 2004, **34:8**
- Convention on the Privileges and Immunities of United Nations, **34:3**
- Convention on the Recognition and Enforcement of Foreign Arbitral Awards, **34:4**
- European Convention on International Commercial Arbitration, **34:7**
- State immunity: United Nations Convention and its effect, **1:7**

UNITED STATES OF AMERICA

- Generally, **30:1 to 30:100, 39:1 to 39:19**
- Ab initio objection to jurisdiction, **30:9**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - documentary evidence, **30:63**
 - exclusions, **30:64**
 - general requirements and practices, **30:60**
 - rulings on evidence at trial, **30:61**

**UNITED STATES OF AMERICA
—Cont'd**

- Admissibility and presentation at trial of evidence taken domestically or abroad—Cont'd
 - witness testimony, **30:62**
- Alien's Action for Tort, **39:11**
- American Arbitration Association
 - AAA International Dispute Resolution Procedures (including Mediation and Arbitration Rules), **41:2**
 - AAA Rules and Procedures with Supplementary Procedures for International Commercial Arbitration, **41:1**
- Answer or statement of defense, **30:29**
- Anti-bribery, Foreign Corrupt Practices Act, **39:19**
- Appeal and review of transnational judgments
 - generally, **30:65**
 - conclusiveness and finality of judgments, generally, **30:66**
 - practical problems, **30:69**
 - procedural issues, **30:67**
 - strategic considerations, **30:70**
 - substantive issues, **30:68**
 - time factors, **30:69**
- Arbitration
 - generally, **30:96, 30:97**
 - arbitrators, **30:99**
 - awards, **30:97**
 - Federal Arbitration Act, **30:97, 30:98, 39:7**
 - institutions, **30:100**
 - New York Convention, **30:98**
 - rules. Arbitration rules, below
- Arbitration rules
 - American Arbitration Association, above
 - U.S. Department of Commerce International Arbitration Guide, **41:29**
- Attachment
 - post-judgment attachment, sovereign immunity, **30:89**
 - pre-judgment attachment, sovereign immunity, **30:88**

INDEX

UNITED STATES OF AMERICA

—Cont'd

- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **30:59**
 - taking of witness evidence abroad in support of domestic action, **30:53**
 - taking of witness evidence domestically in support of foreign proceedings, **30:48**
- Attorney fees, **30:95**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **30:59**
 - taking of witness evidence abroad in support of domestic action, **30:53**
 - taking of witness evidence domestically in support of foreign proceedings, **30:48**
- Audience rights, **30:4**
- Books and records, Foreign Corrupt Practices Act, **39:19**
- California Civil Procedure Code
 - § 410.10 [long arm statute] (2007), **39:13**
- Case law
 - Arista Records, Inc., et al v. Sakfield Holding Company S.L., et al, conducting business via Internet, **44:5**
 - Chevron v. Naranjo, enforcement of foreign money judgment, **44:16**
 - conducting business via Internet, **44:5, 44:6**
 - enforcement of foreign money judgments, Chevron v. Naranjo, **44:16**
 - forum non conveniens, **44:10, 44:11**
 - Harry Edelson v. Raymond K.F. Ch'ien, et al, passive websites, **44:8**
 - injunction against enforcement of foreign judgment vacated, Chevron v. Naranjo, **44:16**
 - interactive websites, Morris Material Handling, Inc., et al v. KCI

UNITED STATES OF AMERICA

—Cont'd

- Case law—Cont'd
 - Konecranes PLC, et al, **44:7**
 - International Organization Immunities Act, **44:3, 44:4**
 - Internet jurisdiction, **44:5 to 44:8**
 - In the Matter of the Arbitration Between: Monegasque De Reassurances S.A.M. (Monde Re), Petitioner-Appellant, v. NAK Naftogaz of Ukraine and State of Ukraine, Respondents-Appellees, forum non conveniens, **44:10**
 - Janet E. Atkinson, Appellant v. The Inter-American Development Bank, et al, Appellees, **44:3**
 - Morris Material Handling, Inc., et al v. KCI Konecranes PLC, et al, interactive websites, **44:7**
 - Morrison et al. v. National Australia Bank Ltd. et al, below
 - OSS Nokalva, Inc. v. European Space Agency, Appellant; OSS Nokalva, Inc. Appellant v. European Space Agency, **44:4**
 - passive websites, Harry Edelson v. Raymond K.F. Ch'ien, et al, **44:8**
 - Sinochem International Co., Ltd., Petitioner v. Malaysia International Shipping Corporation, forum non conveniens, **44:11**
 - Termorio S.A. E.S.P. and Leaseco Group, LLC, Appellants v. Electranta S.P., et al, Appellees, **44:1**
 - 22 U.S.C. § 288. Societe Nationale v. District Court, **44:9**
 - 28 U.S.C. § 1782(A), Intel Corporation, Petitioner v. Advanced Micro Devices, Inc., **44:2**
 - VIZ Communications, Inc. v. REDSUN, et al, conducting business via Internet, **44:6**
- Case law, Termorio S.A. E.S.P. and Leaseco Group, LLC, Appellants v. Electranta S.P., et al, Appellees, **44:1**

UNITED STATES OF AMERICA

—Cont'd

- Challenges to jurisdiction, **30:8**
- Choice of law
 - choice of law clauses, **30:13**
 - foreign substantive law, bases for application, **30:12**
 - party autonomy, **30:13**
 - relevance to later efforts to recognize and enforce, **30:14**
 - statutory and other bases for application of foreign substantive law, **30:12**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - generally, **30:28**
 - answer or statement of defense, **30:29**
 - complaint or statement of claim, **30:28**
 - contents of pleadings, **30:29**
 - formal requirements, **30:29**
 - form of answer or statement of defense, **30:29**
 - form of complaint or statement of claim, **30:28**
 - preliminary motions, **30:30**
 - statement of defense, **30:29**
 - strategic consideration, complaint or statement of claim, **30:28**
 - strategic considerations for answer or statement of defense, **30:29**
 - substance and content of answer or statement of defence, **30:29**
 - substance and content of complaint or statement of claim, **30:28**
- Complaint or statement of claim, **30:28**
- Compromise of proceedings. Settlement and compromise of proceedings, below
- Conclusiveness and finality of judgments, generally, **30:66**
- Constitutional notice requirements, service of process abroad to commence domestic action, **30:24**
- Content
 - answer or statement of defense, **30:29**

UNITED STATES OF AMERICA

—Cont'd

- Content—Cont'd
 - complaint or statement of claim, **30:28**
- Contract, acceptable kinds of damages recovery in, **30:71**
- Conventions
 - recognition and enforcement of foreign civil-commercial judgments, European conventions, **30:77**
 - service of process abroad to commence domestic action, **30:22**
 - service of process domestically to commence foreign action, **30:16**
 - taking of documentary evidence abroad in support of domestic action, **30:55**
 - taking of witness evidence abroad in support of domestic action, **30:49**
 - taking of witness evidence domestically in support of foreign proceedings, **30:43**
- Costs and fees
 - generally, **30:91**
 - attorney fees, **30:95**
 - court costs, **30:93**
 - interest, **30:94**
 - security for costs, **30:92**
- Court costs, **30:93**
- Court structure
 - generally, **30:2**
 - adjudication, time horizon and influencing factors, **30:5**
 - audience rights, **30:4**
 - federal courts, **30:3**
- Currency conversion, damages recovery, **30:76**
- Damages
 - generally, **30:71**
 - acceptable kinds of damages recovery in contract, **30:71**
 - currency conversion, **30:76**
 - lost profits damages, specific issues, **30:72**
 - non-contractual bases, damages recovery in, **30:73**

INDEX

UNITED STATES OF AMERICA

—Cont'd

- Damages—Cont'd
 - product liability, damages recovery in, **30:73**
 - public policy constraints, **30:75**
 - standards of burden of proof for recovery, **30:74**
 - tort action, damages recovery in, **30:73**
- Default judgments
 - service of process abroad to commence domestic action, **30:27**
 - service of process domestically to commence foreign action, **30:20**
- Definition of Letters Rogatory, 22 CFR 92.54, **39:8**
- Documentary evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **30:63**
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
- Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below
- Enforcement of judgments against foreign sovereigns, **30:89, 30:90**
- Enforcement of jurisdiction, **30:9**
- Evidence
 - damages recovery, standards of burden of proof, **30:74**
 - expert evidence, below
 - taking of documentary evidence abroad in support of domestic action, below
 - taking of documentary evidence domestically in support of foreign action, below
 - taking of evidence against foreign sovereign entities, **30:87**
 - taking of witness evidence abroad in support of domestic action, below
 - taking of witness evidence domestically in support of foreign action, below

UNITED STATES OF AMERICA

—Cont'd

- Examples of letters rogatory, **39:9**
- Exclusions, admissibility and presentation at trial of evidence taken domestically or abroad, **30:65**
- Expert evidence
 - taking of witness evidence domestically in support of foreign action, **30:47**
 - taking of witness evidence domestically in support of foreign proceedings, **30:47**
- Federal Arbitration Act, **30:97, 30:98, 39:7**
- Federal courts, **30:3**
- Fees. Costs and fees, above
- Foreign Corrupt Practices Act
 - generally, **39:10**
 - books and records, **39:19**
- Foreign cubed case. *Morrison et al. v. National Australia Bank Ltd. et al.*, below
- Foreign Sovereign Immunities Act (Title 28 U.S. Code §§ 1602 to 1611)
 - jurisdictional immunities of foreign states, **39:2**
 - U.S. State Department Circular re: Foreign Sovereign Immunities Act and service of process on foreign government, **39:3**
- Form
 - answer or statement of defense, **30:29**
 - complaint or statement of claim, **30:28**
- Forum non conveniens and equivalent notions
 - case law, **44:10, 44:11**
 - obtaining jurisdiction and choice of forum, **30:8**
- Forum selection clauses, **30:7**
- Illinois Compiled Statutes Annotated ch 735, para 5/2-209 [long-arm statute] (2007), **39:14**
- Immunities and privileges
 - sovereign immunity, below
 - taking of documentary evidence abroad in support of domestic action, **30:59**

UNITED STATES OF AMERICA

—Cont'd

- Immunities and privileges—Cont'd
 - taking of witness evidence abroad in support of domestic action, **30:53**
 - taking of witness evidence domestically in support of foreign proceedings, **30:48**
- Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below
- Interest, **30:94**
- Interim and conservatory relief, injunctions and similar emergency measures
 - generally, **30:36**
 - foreign sovereigns, injunction against, **30:88**
 - parallel proceedings, possible strategies, **30:40**
 - petitions abroad, in connection with domestic proceedings, **30:37**
 - petitions domestically, in support of foreign proceedings, **30:38**
 - property as security device, **30:39**
 - recognition of foreign judgment against United States of America, **30:90**
 - strategies in event of parallel proceedings, **30:40**
- International arbitration. Arbitration, above
- Judicial doctrines limiting exercise of U.S. jurisdiction, **30:11**
- Jurisdictional Immunities of Foreign States (U.S. Foreign Sovereign Immunities Act of 1976) Title 28 U.S. Code §§ 1602 to 1611, **39:2**
- Limitations to exercise of U.S. jurisdiction, **30:11**
- Local procedural requirements, recognition and enforcement of foreign civil-commercial judgments, **30:79**
- Lost profits damages, specific issues, **30:72**
- Morrison et al. v. National Australia Bank Ltd. et al
 - concurring opinion, **44:15**
 - opinion of Court, **44:13**

UNITED STATES OF AMERICA

—Cont'd

- Morrison et al. v. National Australia Bank Ltd. et al—Cont'd
 - opinion of Justice Breyer, **44:14**
 - syllabus, **44:12**
- New York Convention, **30:98**
- Non-contractual bases, damages recovery in, **30:73**
- Notice requirements, service of process abroad to commence domestic action, **30:24**
- NY Civil Practice Law and Rules: § 302 [long-arm statute] (2007), **39:16**
- NY Civil Practice Law and Rules Art 53, Recognition of Foreign Country Money Judgments, **39:15**
- Obtaining jurisdiction and choice of forum
 - generally, **30:6**
 - ab initio objection to jurisdiction, **30:9**
- California Civil Procedure Code § 410.10 [long arm statute] (2007), **39:13**
- challenges to jurisdiction, **30:8**
- enforcement of jurisdiction, **30:9**
- forum non conveniens and equivalent notions, **30:8**
- forum selection clauses, **30:7**
- Illinois Compiled Statutes Annotated ch 735, para 5/2-209 [long-arm statute] (2007), **39:14**
- judicial doctrines limiting exercise of U.S. jurisdiction, **30:11**
- limitations to exercise of U.S. jurisdiction, **30:11**
- Ohio Revised Code Annotated 2307.282 [long-arm statutes] (2007), **39:17**
- parallel proceedings, **30:10**
- party autonomy, **30:7**
- personal jurisdiction, basis for acceptance, **30:6**
- relevance to later efforts to recognize and enforce, **30:9**
- statutory and other bases, **30:6**
- subject matter jurisdiction, basis for acceptance, **30:6**

INDEX

UNITED STATES OF AMERICA

—Cont'd

- Obtaining jurisdiction and choice of forum—Cont'd
 - Texas Civil Practice and Remedies Code § 17.042 [long-arm statute in suit on business transaction or tort] (2007), **39:18**
- Ohio Revised Code Annotated 2307.282 [long-arm statutes] (2007), **39:17**
- Other means and absence of conventions recognition and enforcement of foreign civil-commercial judgments, **30:78**
- service of process abroad to commence domestic action, **30:23**
- service of process domestically to commence foreign action, **30:17**
- taking of documentary evidence abroad in support of domestic action, **30:56**
- taking of witness evidence abroad in support of domestic action, **30:50**
- taking of witness evidence domestically in support of foreign proceedings, **30:44**
- Overview of key distinguishing issues in United States of America, **30:1**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **30:10**
- Party autonomy
 - choice of law, **30:13**
 - obtaining jurisdiction and choice of forum, **30:7**
- Personal jurisdiction
 - obtaining jurisdiction and choice of forum, **30:6**
 - sovereign immunity, **30:85**
- Petitions abroad, in connection with domestic proceedings, interim and conservatory relief, **30:37**
- Petitions domestically, in support of foreign proceedings, interim and conservatory relief, **30:38**
- Post-judgment attachment, sovereign immunity, **30:89**
- Practical problems
 - appeal and review of transnational judgments, **30:69**

UNITED STATES OF AMERICA

—Cont'd

- Practical problems—Cont'd
 - service of process abroad to commence domestic action, **30:25**
 - service of process domestically to commence foreign action, **30:18**
 - taking of documentary evidence abroad in support of domestic action, **30:57**
 - taking of witness evidence abroad in support of domestic action, **30:51**
 - taking of witness evidence domestically in support of foreign proceedings, **30:45**
- Pre-judgment attachment, sovereign immunity, **30:88**
- Preliminary motions, commencement of suit, **30:30**
- Preparation of Letters Rogatory, U.S. State Department, **39:8**
- Privileges. Immunities and privileges, above
- Privileges and Immunities of International Organizations (22 USC 288), **39:12**
- Procedural requirements, summary judgments and equivalent proceedings, **30:32**
- Property as security device, **30:39**
- Public policy
 - damages, **30:75**
 - recognition and enforcement of foreign civil-commercial judgments, **30:80**
- Recognition and enforcement of foreign civil-commercial judgments
 - generally, **30:77**
 - applicable conventions, **30:77**
 - conventions, **30:77**
 - local procedural requirements, **30:79**
 - other means in absence of convention, **30:78**
 - public policy issues, **30:80**
- Recognition and enforcement of judgments against foreign sovereigns, **30:89, 30:90**
- Recognition of foreign judgment against United States of America, **30:90**

UNITED STATES OF AMERICA

—Cont'd

- Records and books, Foreign Corrupt Practices Act, **39:19**
- Relevance to later efforts to recognize and enforce
 - choice of law, **30:14**
 - obtaining jurisdiction and choice of forum, **30:9**
 - service of process abroad to commence domestic action, **30:26**
 - service or process domestically to commence foreign action, **30:19**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **30:58**
 - taking of witness evidence abroad in support of domestic action, **30:52**
 - taking of witness evidence domestically in support of foreign proceedings, **30:46**
- Security
 - costs, security for, **30:92**
 - property as security device, **30:39**
- Service of process abroad to commence domestic action
 - generally, **30:21**
 - constitutional notice requirements, **30:24**
 - conventions, **30:22**
 - default judgment, **30:27**
 - other means and absence of conventions, **30:23**
 - practical problems, **30:25**
 - relevance to later efforts to recognize and enforce, **30:26**
 - time factors, **30:25**
- Service of process domestically to commence foreign action
 - generally, **30:16**
 - bilateral treaties, **30:17**
 - conventions, **30:16**
 - default judgments, **30:20**
 - other means in absence of convention, **30:17**
 - practical problems, **30:18**
 - relevance to later efforts to recognize and enforce, **30:19**

UNITED STATES OF AMERICA

—Cont'd

- Service of process domestically to commence foreign action—Cont'd
 - time factors, **30:18**
- Service of process on foreign sovereigns, **30:86**
- Settlement and compromise of proceedings
 - generally, **30:81**
 - formalities, **30:82**
 - kinds of settlement and compromise, **30:81**
 - litigation, effect on, **30:83**
 - requirements, **30:82**
- Sovereign immunity
 - generally, **30:84**
 - aids in enforcement against foreign sovereigns, **30:89**
 - enforcement of judgments against foreign sovereigns, **30:89, 30:90**
 - injunctive measures against foreign sovereigns, **30:88**
 - personal jurisdiction, **30:85**
 - post-judgment attachment, **30:89**
 - pre-judgment attachment, **30:88**
 - recognition and enforcement of judgments against foreign sovereigns, **30:89, 30:90**
 - service of process on foreign sovereigns, **30:86**
 - subject matter jurisdiction, **30:85**
 - taking of evidence against foreign sovereign entities, **30:87**
- Standards of burden of proof for damages recovery, **30:74**
- Statement of claim, **30:28**
- Statutory and other bases
 - choice of law, **30:12**
 - obtaining jurisdiction and choice of forum, **30:6**
 - statutes, generally, **39:1 to 39:19**
- Strategic considerations
 - answer or statement of defense, **30:29**
 - appeal and review of transnational judgments, **30:70**
 - commencement of suit, **30:28**
 - complaint or statement of claim, **30:28**

INDEX

UNITED STATES OF AMERICA

—Cont'd

- Strategic considerations—Cont'd
 - parallel proceedings, **30:40**
 - summary judgments and equivalent proceedings, **30:35**
- Structure of courts. Court structure, above
- Subject matter jurisdiction
 - obtaining jurisdiction and choice of forum, **30:6**
 - sovereign immunity, **30:85**
- Substance and content
 - answer or statement of defense, **30:29**
 - complaint or statement of claim, **30:28**
- Substantive issues, choice of law, **30:12**
- Summary judgments and equivalent proceedings
 - generally, **30:31**
 - procedural requirements, **30:32**
 - strategic considerations, **30:35**
 - substantive requirements, **30:33**
 - tactical problems, **30:34**
 - time factors, **30:34**
- Table of Cases, **App. 30A**
- Tactical problems, summary judgments and equivalent proceedings, **30:34**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **30:55**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **30:59**
 - attorney work product privilege, **30:59**
 - conventions, **30:55**
 - other means and absence of conventions, **30:56**
 - practical problems, **30:57**
 - privileges, **30:59**
 - relevance to later efforts to recognize and enforce at place of judgment, **30:58**
 - time factors, **30:57**
- Taking of documentary evidence domestically in support of foreign action, **30:54**
 - admissibility and presentation at trial

UNITED STATES OF AMERICA

—Cont'd

- Taking of documentary evidence
 - domestically in support of foreign action, **30:54**—Cont'd
 - of evidence taken domestically or abroad, above
- Taking of witness evidence abroad in support of domestic action
 - generally, **30:49**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **30:53**
 - attorney work product privilege, **30:53**
 - conventions, **30:49**
 - other means in absence of conventions, **30:50**
 - practical problems, **30:51**
 - relevance to later efforts to recognize and enforce at place of judgment, **30:52**
- Taking of witness evidence domestically in support of foreign action
 - generally, **30:41**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **30:48**
 - attorney work product privilege, **30:48**
 - conventions, **30:43**
 - discovery, when and from whom, **30:42**
 - expert evidence, **30:47**
 - expert evidence, special issues, **30:47**
 - other means and absence of conventions, **30:44**
 - practical problems, **30:45**
 - privileges, **30:48**
 - relevance to later efforts to recognize and enforce at place of service, **30:46**
 - time factors, **30:45**
- Termorio S.A. E.S.P. and Leaseco Group, LLC, Appellants v. Electranta S.P., et al, Appellees, **44:1**

UNITED STATES OF AMERICA

—Cont'd

- Texas Civil Practice and Remedies Code
 - § 17.042 [long-arm statute in suit on business transaction or tort] (2007), **39:18**
- Time factors
 - adjudication, time horizon and influencing factors, **30:5**
 - appeal and review of transnational judgments, **30:69**
 - service of process abroad to commence domestic action, **30:25**
 - service of process domestically to commence foreign action, **30:18**
 - summary judgments and equivalent proceedings, **30:34**
 - taking of documentary evidence abroad in support of domestic action, **30:57**
 - taking of witness evidence domestically in support of foreign action, **30:42, 30:45**
- Title 28 of US Code, Judiciary and Judicial Procedure, **39:6**
- Title 28 of US Code §§ 1602 to 1611 (Foreign Sovereign Immunities Act), **39:2**
- Tort actions, damages recovery in, **30:73**
- 22 USC 288, Privileges and Immunities of International Organizations, **39:11**
- 28 U.S.C. § 1782(A), Intel Corporation, Petitioner v. Advanced Micro Devices, Inc., **44:2**
- Uniform Foreign Money-Judgments Recognition Act (13 Uniform Laws Annotated 263 (1962)), **39:1**
- U.S. Federal Rules of Civil Procedure, Rule 4, **39:4**
- U.S. Federal Rules of Civil Procedure, Rule 26, **39:5**
- U.S. State Department Circular re: Foreign Sovereign Immunities Act and service of process on foreign government, **39:3**
- Witness evidence
 - admissibility and presentation at trial of evidence taken domestically or abroad, **30:62**

UNITED STATES OF AMERICA

—Cont'd

- Witness evidence—Cont'd
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

URUGUAY

- Generally, **31:1 to 31:86**
- Ab initio objection to jurisdiction, **31:6**
- Admissibility and presentation at trial of evidence taken domestically or abroad
 - general requirements and practices, **31:54**
 - means of evidence expressly regulated, **31:55**
 - regulation of means of evidence, **31:55**
- Answer or statement of defense, **31:20**
- Appeal and review of transnational judgments
 - generally, **31:56**
 - conclusiveness and finality of judgments, generally, **31:56**
 - practical problems, **31:59**
 - procedural issues, **31:57**
 - substantive issues, **31:58**
 - time factors, **31:59**
- Arbitration
 - generally, **31:82**
 - conventions, **31:83**
 - institutions, **31:86**
 - local provisions, **31:84**
 - qualifications of arbitrators, **31:85**
- Attachment
 - post-judgment attachment, sovereign immunity, **31:75**
 - pre-judgment attachment, sovereign immunity, **31:75**
- Attorney-client privilege
 - taking of documentary evidence abroad in support of domestic action, **31:53**
 - taking of documentary evidence domestically in support of foreign action, **31:48**

INDEX

URUGUAY—Cont'd

- Attorney-client privilege—Cont'd
 - taking of witness evidence abroad in support of domestic action, **31:42**
 - taking of witness evidence domestically in support of foreign proceedings, **31:35**
- Attorney fees, **31:81**
- Attorney work product privilege
 - taking of documentary evidence abroad in support of domestic action, **31:53**
 - taking of documentary evidence domestically in support of foreign action, **31:48**
 - taking of witness evidence abroad in support of domestic action, **31:42**
 - taking of witness evidence domestically in support of foreign proceedings, **31:35**
- Challenges to jurisdiction, **31:5**
- Choice-of-forum clauses, **31:4**
- Choice of law
 - choice of law clauses, **31:9**
 - foreign substantive law, bases for application, **31:8**
 - party autonomy, **31:9**
 - relevance to later efforts to recognize and enforce, **31:10**
 - statutory and other bases for application of foreign substantive law, **31:8**
- Civil and commercial judgments. Recognition and enforcement of foreign civil and commercial judgments, below
- Commencement of suit
 - generally, **31:19**
 - answer or statement of defense, **31:20**
 - complaint or statement of claim, **31:19**
 - ordinary proceedings, stages, **31:21**
 - stages of ordinary proceedings, **31:21**
 - statement of claim, **31:19**
 - statement of defense, **31:20**
- Complaint or statement of claim, **31:19**

URUGUAY—Cont'd

- Compromise and settlement of proceedings, **31:72**
- Conclusiveness and finality of judgments, generally, **31:56**
- Contract, acceptable kinds of damages recovery in, **31:60**
- Conventions
 - arbitration, **31:83**
 - recognition and enforcement of foreign civil-commercial judgments, European conventions, **31:67**
 - service of process abroad to commence domestic action, **31:15**
 - service of process domestically to commence foreign action, **31:11**
 - taking of documentary evidence abroad in support of domestic action, **31:49**
 - taking of documentary evidence domestically in support of foreign action, **31:44**
 - taking of witness evidence abroad in support of domestic action, **31:37**
 - taking of witness evidence domestically in support of foreign proceedings, **31:30**
- Costs and fees
 - generally, **31:78**
 - attorney fees, **31:81**
 - court costs, **31:79**
 - interest, **31:80**
 - monetary adjustment, **31:80**
 - security for costs, **31:78**
- Court costs, **31:79**
- Court structure, **31:2**
- Currency conversion, damages recovery, **31:65**
- Damages
 - generally, **31:60**
 - acceptable kinds of damages recovery in contract, **31:60**
 - currency conversion, **31:65**
 - lost profits damages, specific issues, **31:61**
 - moral damages, **31:66**

URUGUAY—Cont'd

Damages—Cont'd

- non-contractual bases, damages recovery in, **31:62**
- product liability, damages recovery in, **31:62**
- public policy constraints, **31:64**
- standards of burden of proof for recovery, **31:63**
- tort action, damages recovery in, **31:62**

Discovery

- taking of documentary evidence domestically in support of foreign action, **31:43**
- taking of witness evidence domestically in support of foreign action, **31:29**

Documentary evidence

- taking of documentary evidence abroad in support of domestic action, below
- taking of documentary evidence domestically in support of foreign action, below

Emergency relief measures. Interim and conservatory relief, injunctions and similar emergency measures, below

Enforcement of judgments against foreign sovereigns, **31:75, 31:76**

Enforcement of jurisdiction, **31:6**

Evidence

- damages recovery, standards of burden of proof, **31:63**
- expert evidence, below
- taking of documentary evidence abroad in support of domestic action, below
- taking of documentary evidence domestically in support of foreign action, below
- taking of evidence against foreign sovereign entities, **31:74**
- taking of witness evidence abroad in support of domestic action, below
- taking of witness evidence domestically in support of foreign action, below

URUGUAY—Cont'd

Expert evidence

- taking of witness evidence abroad in support of domestic action, **31:41**
- taking of witness evidence domestically in support of foreign action, **31:34**

Fees. Costs and fees, above

Forum non conveniens and equivalent notions, **31:5**

Immunities and privileges

- sovereign immunity, below
- taking of documentary evidence abroad in support of domestic action, **31:53**
- taking of documentary evidence domestically in support of foreign action, **31:48**
- taking of witness evidence abroad in support of domestic action, **31:42**
- taking of witness evidence domestically in support of foreign proceedings, **31:35**

Injunctions. Interim and conservatory relief, injunctions and similar emergency measures, below

Interest, **31:80**

Interim and conservatory relief, injunctions and similar emergency measures

- generally principles, **31:26**
- applicable law, **31:26**
- common measures in internal law, **31:28**
- foreign sovereigns, injunction against, **31:75**
- particularities in Uruguayan law, **31:27**
- recognition of foreign judgment against Uruguay, **31:76**

International arbitration. Arbitration, above

Labor justice, sovereign immunity, **31:77**

Local procedural requirements arbitration, **31:84**

- recognition and enforcement of foreign civil-commercial judgments, **31:69**

INDEX

URUGUAY—Cont'd

- Local procedural requirements—Cont'd
 - service of process abroad to commence domestic action, **31:17**
 - taking of witness evidence abroad in support of domestic action, **31:36**
- Lost profits damages, specific issues, **31:61**
- Monetary adjustment, **31:80**
- Moral damages, **31:66**
- Non-contractual bases, damages recovery in, **31:62**
- Obtaining jurisdiction and choice of forum
 - generally, **31:3**
 - ab initio objection to jurisdiction, **31:6**
 - challenges to jurisdiction, **31:5**
 - choice-of-forum clauses, **31:4**
 - enforcement of jurisdiction, **31:6**
 - forum non conveniens and equivalent notions, **31:5**
 - parallel proceedings, **31:7**
 - party autonomy, **31:4**
 - personal jurisdiction, basis for acceptance, **31:3**
 - relevance to later efforts to recognize and enforce, **31:6**
 - statutory and other bases, **31:3**
 - subject matter jurisdiction, basis for acceptance, **31:3**
- Other means and absence of conventions
 - recognition and enforcement of foreign civil-commercial judgments, **31:68**
 - service of process abroad to commence domestic action, **31:16**
 - service of process domestically to commence foreign action, **31:12**
 - taking of documentary evidence abroad in support of domestic action, **31:50**
 - taking of documentary evidence domestically in support of foreign action, **31:45**
 - taking of witness evidence abroad in support of domestic action, **31:38**

URUGUAY—Cont'd

- Other means and absence of conventions—Cont'd
 - taking of witness evidence domestically in support of foreign proceedings, **31:31**
- Parallel proceedings, obtaining jurisdiction and choice of forum, **31:7**
- Party autonomy
 - choice of law, **31:9**
 - obtaining jurisdiction and choice of forum, **31:4**
- Personal jurisdiction, obtaining jurisdiction and choice of forum, **31:3**
- Post-judgment attachment, sovereign immunity, **31:75**
- Practical problems
 - appeal and review of transnational judgments, **31:59**
 - recognition and enforcement of foreign civil-commercial judgments, **31:70**
 - service of process abroad to commence domestic action, **31:18**
 - service of process domestically to commence foreign action, **31:13**
 - summary judgments and equivalent proceedings, **31:25**
 - taking of documentary evidence abroad in support of domestic action, **31:51**
 - taking of documentary evidence domestically in support of foreign action, **31:46**
 - taking of witness evidence abroad in support of domestic action, **31:39**
 - taking of witness evidence domestically in support of foreign proceedings, **31:32**
- Pre-judgment attachment, sovereign immunity, **31:75**
- Privileges. Immunities and privileges, above
- Property, obtaining jurisdiction and choice of forum, **31:3**
- Public policy
 - damages, **31:64**
 - recognition and enforcement of foreign civil-commercial judgments, **31:71**

URUGUAY—Cont'd

- Recognition and enforcement of foreign civil-commercial judgments
 - generally, **31:67**
 - conventions, **31:67**
 - local procedural requirements, **31:69**
 - other means in absence of convention, **31:68**
 - practical problems, **31:70**
 - public policy issues, **31:71**
 - time factors, **31:70**
- Recognition and enforcement of judgments against foreign sovereigns, **31:76**
- Recognition of foreign judgment against Uruguay, **31:76**
- Relevance to later efforts to recognize and enforce
 - choice of law, **31:10**
 - obtaining jurisdiction and choice of forum, **31:6**
 - service or process domestically to commence foreign action, **31:14**
 - taking of documentary evidence abroad in support of domestic action, place of judgment, **31:52**
 - taking of documentary evidence domestically in support of foreign action, **31:47**
 - taking of witness evidence abroad in support of domestic action, **31:40**
 - taking of witness evidence domestically in support of foreign proceedings, **31:33**
- Security for costs, **31:78**
- Service of process abroad to commence domestic action
 - generally, **31:15**
 - conventions, **31:15**
 - local procedural requirements at place of action, **31:17**
 - other means and absence of conventions, **31:16**
 - practical problems, **31:18**
 - time factors, **31:18**
- Service of process domestically to commence foreign action
 - generally, **31:11**

URUGUAY—Cont'd

- Service of process domestically to commence foreign action—Cont'd
 - conventions, **31:11**
 - other means in absence of convention, **31:12**
 - practical problems, **31:13**
 - relevance to later efforts to recognize and enforce, **31:14**
 - time factors, **31:13**
- Service of process on foreign sovereigns, **31:73**
- Settlement and compromise of proceedings, **31:72**
- Sovereign immunity
 - generally, **31:73**
 - aids in enforcement against foreign sovereigns, **31:75**
 - enforcement of judgments against foreign sovereigns, **31:76**
 - injunctive measures against foreign sovereigns, **31:75**
 - labor justice, **31:77**
 - post-judgment attachment, **31:75**
 - pre-judgment attachment, **31:75**
 - recognition and enforcement of judgments against foreign sovereigns, **31:76**
 - service of process on foreign sovereigns, **31:73**
 - taking of evidence against foreign sovereign entities, **31:74**
- Standards of burden of proof for damages recovery, **31:63**
- Statement of claim, **31:19**
- Statutory and other bases
 - choice of law, **31:8**
 - obtaining jurisdiction and choice of forum, **31:3**
- Structure of courts. Court structure, above
- Subject matter jurisdiction, obtaining jurisdiction and choice of forum, **31:3**
- Substantive and practical overview of key distinguishing issues in Uruguay, **31:1**
- Substantive issues, choice of law, **31:8**

INDEX

URUGUAY—Cont'd

- Summary judgments and equivalent proceedings
 - generally, **31:22, 31:24**
 - extraordinary proceeding, **31:23**
 - monitory structure, **31:24**
 - practical problems, **31:25**
 - time factors, **31:25**
- Taking of documentary evidence abroad in support of domestic action
 - generally, **31:49**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **31:53**
 - attorney work product privilege, **31:53**
 - conventions, **31:49**
 - other means and absence of conventions, **31:50**
 - practical problems, **31:51**
 - privileges, **31:53**
 - relevance to later efforts to recognize and enforce at place of judgment, **31:52**
 - time factors, **31:43, 31:51**
 - treaties, **31:49**
- Taking of documentary evidence domestically in support of foreign action
 - generally, **31:43**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **31:48**
 - attorney work product privilege, **31:48**
 - conventions, **31:44**
 - discovery, when and from whom, **31:43**
 - other means and absence of conventions, **31:45**
 - practical problems, **31:46**
 - privileges, **31:48**
 - relevance to later efforts to recognize and enforce at place of judgment, **31:47**
 - time factors, **31:46**
 - treaties, **31:44**

URUGUAY—Cont'd

- Taking of witness evidence abroad in support of domestic action
 - generally, **31:36**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **31:42**
 - attorney work product privilege, **31:42**
 - conventions, **31:37**
 - expert evidence, **31:41**
 - local procedures, **31:36**
 - other means in absence of conventions, **31:38**
 - practical problems, **31:39**
 - relevance to later efforts to recognize and enforce at place of judgment, **31:40**
 - time factors, **31:39**
- Taking of witness evidence domestically in support of foreign action
 - generally, **31:29**
 - admissibility and presentation at trial of evidence taken domestically or abroad, above
 - attorney-client privilege, **31:35**
 - attorney work product privilege, **31:35**
 - conventions, **31:30**
 - discovery, when and from whom, **31:29**
 - expert evidence, **31:34**
 - other means and absence of conventions, **31:31**
 - practical problems, **31:32**
 - privileges, **31:35**
 - relevance to later efforts to recognize and enforce at place of service, **31:33**
 - time factors, **31:32**
 - treaties, **31:30**
- Time factors
 - appeal and review of transnational judgments, **31:59**
 - recognition and enforcement of foreign civil-commercial judgments, **31:70**

URUGUAY—Cont'd

- Time factors—Cont'd
 - service of process abroad to commence domestic action, **31:18**
 - service of process domestically to commence foreign action, **31:13**
 - summary judgments and equivalent proceedings, **31:25**
 - taking of documentary evidence abroad in support of domestic action, **31:51**
 - taking of documentary evidence domestically in support of foreign action, **31:43, 31:46**
 - taking of witness evidence abroad in support of domestic action, **31:39**
 - taking of witness evidence domestically in support of foreign action, **31:29, 31:32**
- Tort actions, damages recovery in, **31:62**
- Treaties
 - taking of documentary evidence abroad in support of domestic action, **31:49**
 - taking of documentary evidence domestically in support of foreign action, **31:44**
 - taking of witness evidence domestically in support of foreign proceedings, **31:30**
- Witness evidence
 - taking of witness evidence abroad in support of domestic action, above
 - taking of witness evidence domestically in support of foreign action, above

VACATING ARBITRAL AWARD

- Austria, **3:137**
- Belgium, **4:90**
- Brazil, **5:124**
- Czech Republic, **9:95**
- France, **12:83**
- India, **15:57**
- Ireland, **16:58**

VACATING INJUNCTION

- United States of America case law, *Chevron v. Naranjo*, **44:16**

VIETNAM

- Generally, **32:1 to 32:46**
- Appeals courts, **32:6, 32:9**
- Arbitration of transnational disputes
 - appeal, **32:44**
 - appeal to provincial peoples court, **32:36**
 - application for cancellation of arbitral award in court, **32:35**
 - arbitration agreement, **32:25 to 32:27**
 - Arbitration Center Rules, **41:32**
 - arbitration clause, relationship to contract, **32:28**
 - cancellation of award, **32:34 to 32:36**
 - cancellation of decision, **32:45**
 - court meeting, **32:41**
 - definition of arbitration agreement, **32:25**
 - demand to cancel arbitral award, appeal to provincial peoples court, **32:36**
 - domestic legal system, recognition by, **32:23**
 - enforcement of award, **32:37**
 - forms of arbitration agreement, **32:26**
 - forms of dispute settlement by arbitration, **32:30**
 - historical perspective, **32:22**
 - international agreements with foreign countries, recognition by, **32:23**
 - International Arbitration Center, Rules of Arbitration of, **41:33**
 - invalid arbitration agreement, **32:27**
 - local laws, recognition by, **32:24**
 - overview of Vietnamese arbitration history, **32:22**
 - petition for recognition and enforcement of foreign arbitration award in Vietnam, **32:38 to 32:45**
 - preparation for consideration of petition, **32:40**
 - principles, **32:29**
 - principles for application of language and place to settle disputes, **32:32**
 - principles for application of laws to settle disputes, **32:31**
 - proceedings, **32:29 to 32:33**
 - protest, **32:44**

INDEX

VIETNAM—Cont'd

- Arbitration of transnational disputes
 - Cont'd
 - recognition and enforcement of foreign arbitration award in Vietnam, **32:38 to 32:45**
 - recognition by international agreements with foreign countries, **32:23**
 - rejection of foreign arbitration award, **32:42**
 - sending court decision, **32:43**
 - steps of arbitral proceedings, **32:33**
 - transmission of documents to court, **32:39**
- Burden of proof
 - admissibility of evidence, **32:12**
 - disclosure of evidence, **32:13**
 - evaluation of evidence, **32:13**
 - gathering evidence, **32:13**
 - outline, **32:11**
 - using evidence, **32:13**
- Cancellation
 - arbitral award, **32:34 to 32:36**
 - injunction, **32:17**
- Court settlement of transnational disputes
 - admissibility of evidence, **32:12**
 - appeals courts, **32:6, 32:9**
 - application for injunctive relief during litigation, **32:15**
 - authentication of documents by foreign competent agencies, recognition, **32:21**
 - burden of proof, **32:11 to 32:13**
 - cancellation of injunction, **32:16, 32:17**
 - conduct of litigation, **32:8**
 - disclosure of evidence, **32:13**
 - district peoples court, **32:5**
 - evaluation of evidence, **32:13**
 - execution of decision for injunctive relief, **32:17**
 - first instance court, **32:5**
 - gathering evidence, **32:13**
 - grant of injunction, **32:16**
 - injunctions, **32:14 to 32:17**
 - injunctive relief during litigation, **32:15**

VIETNAM—Cont'd

- Court settlement of transnational disputes—Cont'd
 - international judicial assistance, **32:18 to 32:21**
 - issuance of documents by foreign competent agencies, recognition, **32:21**
 - judicial review procedure, **32:7**
 - judicial review proceedings, **32:10**
 - modification of injunction, **32:16, 32:17**
 - outline of burden of proof, **32:11**
 - outline of injunction, **32:14**
 - performance of international judicial authorization, **32:19**
 - preparation of documents by foreign competent agencies, recognition, **32:21**
 - principles of international judicial assistance, **32:18**
 - procedure for performance of international judicial investigation authorization, **32:20**
 - Provincial Peoples Court, **32:5, 32:6, 32:7**
 - Supreme Peoples Court, **32:6, 32:7**
 - trial of first instance, **32:8 to 32:10**
 - using evidence, **32:13**
- Court structure, **32:4**
- Definition of arbitration agreement, **32:25**
- District peoples court, **32:5**
- First instance court, **32:5**
- First instance trial, **32:8 to 32:10**
- Injunctive relief
 - application for injunctive relief during litigation, **32:15**
 - cancellation of injunction, **32:16, 32:17**
 - court settlement of transnational disputes, **32:14 to 32:17**
 - grant of injunction, **32:16**
 - injunctive relief during litigation, **32:15**
 - modification of injunction, **32:16**
 - outline of injunction, **32:14**
- International Arbitration Center, Rules of Arbitration of, **41:33**

VIETNAM—Cont'd

- Judicial system, **32:4**
- Legal system
 - generally, **32:2, 32:3**
 - judicial system and court structure, **32:4**
 - sources of law, **32:3**
- Provincial Peoples Court, **32:5, 32:6, 32:7**
- Recognition and enforcement of foreign arbitration award in Vietnam, **32:38 to 32:45**
- Structure of courts, **32:4**
- Supreme Peoples Court, **32:6, 32:7**
- Trial of first instance, **32:8 to 32:10**

WAIVER

- Korea, situations involving sovereign immunity, **19:130**

WALES

- United Kingdom** (this index)

WITHDRAWAL OF CLAIMS

- Russian Federation, **22A:82**

WITNESS EVIDENCE

- Australia** (this index)
- Austria** (this index)
- Belgium** (this index)
- Brazil** (this index)
- China, People's Republic** (this index)
- Czech Republic** (this index)
- Denmark** (this index)
- Finland** (this index)
- France** (this index)
- Germany** (this index)
- Hungary** (this index)
- India** (this index)

WITNESS EVIDENCE—Cont'd

- Ireland** (this index)
- Italy** (this index)
- Japan** (this index)
- Korea** (this index)
- Kuwait** (this index)
- Philippines, **22:39 to 22:45, 22:46 to 22:51**
- Singapore** (this index)
- Sweden** (this index)
- Switzerland** (this index)
- Taiwan** (this index)
- Turkey** (this index)
- United Arab Emirates** (this index)
- United Kingdom** (this index)
- United States of America** (this index)
- Uruguay** (this index)

WORK PRODUCT PRIVILEGE

- Attorney Work Product Privilege** (this index)
- Austria** (this index)

**WORLD INTELLECTUAL
PROPERTY ORGANIZATION
ARBITRATION RULES**

- Generally, **41:11.70**

WRIT

- Russian Federation, summary judgments and equivalent proceedings, **22A:33**

WRIT OF SUMMONS

- Singapore, **23:19, 23:25**

**WRITTEN STATEMENT OR
STATEMENT OF
DEFENCE/DEFENSE**

- India, **15:15**