

COMMERCIAL DISPUTES WEEKLY – ISSUE 10

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BITE SIZE KNOW HOW FROM THE ENGLISH COURTS

Jurisdiction

The Court of Appeal has sought clarification from the Court of Justice of the European Union on whether the Brussels Recast Regulation gives parties domiciled in a Member State the right not to be sued in a third State which can be enforced by an anti-suit injunction. The response is eagerly awaited.

Gray v Hurley

Litigation

Following his bugging of an in-house lawyer's office, the Court of Appeal has held that a defendant could not use the recordings to bring a counterclaim or related action until he had established that he had a right to use the information.

DSM SFG Group Holdings Limited & Ors v Kelly

Maritime

The High Court has confirmed that a demurrage time bar provision did not require owners to re-submit supporting documents already provided to charterers.

"Amalie Essberger" Tankreederei GmbH & Co KG v Marubeni Corporation

Settlement

In a welcome clarification of the enigmatic Part 36 regime, the Court of Appeal has confirmed that a valid Part 36 offer cannot exclude interest, even where made in the context of detailed assessment proceedings.

King v City of London Corporation

FOR MORE INFORMATION

Should you wish to discuss any of these cases in further detail, please speak with a member of our London dispute resolution team below, or your regular contact at Watson Farley & Williams:

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