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liability and insurance**

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Layout & Distribution: Valéria Kozakova

International Forum Shopping and Transnational Law Suits

Harald Koch

A. Forum shopping in general

1. The pleasures of “shopping”
2. Procedural concepts to “better react on developments in liability and insurance”
3. Prerequisites for forum shopping
 - (i) End of negotiations
 - (ii) Choices to be made
4. Legality and limits of forum shopping

B. Plaintiff's forum shopping

1. Motives for (international) forum shopping

- (i) "Guide to international litigation"
- (ii) The jurisdiction question
- (iii) Why suits in the US?
- (iv) The law to be applied

B. Plaintiff's forum shopping

2. More realistic attractions: procedure

- (i) Easy evidence, discovery
- (ii) Speed and efficiency of proceedings
- (iii) Costs
- (iv) Jury trial
- (v) class actions
- (vi) Prospects of execution

C. Defendant's perspective

1. Objections against forum shopping

2. Counter-strategies

- (i) Negotiations and ADR
- (ii) Anti-suit injunction
- (iii) Declaratory action denying liability,
torpedo action
- (iv) Forum non convenience
- (v) Third party procedure

D. Conclusion