

Book: Transnational Litigation

A new book offers an Irish perspective on international and European litigation. Michelle Smith De Bruin, an Irish barrister at King's Inns, Dublin, has recently published *Transnational Litigation – Jurisdiction and Procedure* (Thomson Round Hall Press, hardback).

Transnational Litigation: Jurisdiction and Procedure is a new book that addresses the complex jurisdictional rules and procedural issues which arise when dealing with disputes which cross national boundaries. It focuses on the issues which are most likely to come across the desk of an Irish practitioner.

The primary focus is on the determination of jurisdiction and practical matters such as how to serve defendants out of the jurisdiction, choice of court clauses, service of proceedings, protective measures, the taking of evidence and cross border discovery, and the enforcement of judgments at home and abroad.5 good reasons to have Transnational Litigation – Jusridiction and Procedure on your desk:

- 1. Helps you to consider geographical and tactical matters which influence where your client should issue proceedings.*
- 2. It is the only Irish text which sets out the procedure in transnational litigation, for applications in the Circuit Court, High Court and Supreme Court.*
- 3. Brings you right up to date with latest case law.*
- 4. It is the most comprehensive Irish text in the area of transnational commercial litigation, family law and insolvency.*
- 5. Includes the text of each of the main Regulations and Conventions in the appendices together with a list of the Contracting States and Member States.*

The book is composed of the following chapters:

1. Introduction

Transnational litigation within the European Union – Litigation outside the European Union – Iceland, Norway and Switzerland – The Hague Conference –

Bilateral and Multilateral Conventions

2. Choice of Court Agreements

Choice of court agreements in commercial litigation – The Hague Choice of Court Convention

3. Commercial Matters in The European Union

What constitutes civil or commercial proceedings? – Where should civil or commercial actions be brought? – Exceptions to the principle that defendants are sued in the country of their – Actions in which a Member State has exclusive jurisdiction – Civil and commercial actions within the EU and

4. Family Law

Introduction – Divorce, legal separation and annulment – Child Law – Developments in EU Family Law

5. Insolvency Matters within The EU

The Insolvency Regulation – Main principles – Main and Secondary Proceedings – Centre of Main Interests (CoMI) – Applicable Law – The Liquidator – The Creditor – The application of the Regulation in Ireland

6. Proceedings in Which The Permission of The Court is Required to Serve Defendants Outside The Jurisdiction

Categories of claim – Comparative cost and convenience or forum non conveniens

7. Service Of Proceedings Commenced In Ireland On Defendants Abroad

Indorsement of claim – The Service Regulation – Service by consular means – Iceland, Norway and Switzerland – The Hague Convention

8. The Conduct Of Proceedings In Ireland Once Served On A Foreign Defendant

The Appearance – Entering an appearance to contest jurisdiction – Judgment in default of appearance – Issues common to both the High Court and Circuit Court – Applications to set aside service

9. Service of proceedings commenced abroad on defendants in Ireland

Service from other EU Member States on Irish defendants under the Service Regulation - Service of foreign proceedings under the Hague Convention or through the Minister for Foreign Affairs

10. Interlocutory orders in aid of foreign proceedings - provisional or protective measures

Preservation measures in EU civil and commercial litigation - Applications to the courts of an EU Member State for protective measures - Preservation measures available to foreign litigants in the Irish Courts - The anti-suit injunction

11. Evidence and cross-border discovery

Intra-EU requests for evidence - Non-EU evidence and discovery - The Hague Evidence Convention - The taking of evidence by diplomatic or consular means

12. Enforcing judgments

Judgments obtained in civil or commercial matters - European Enforcement Orders (EEO) - Recognition and Enforcement of Family Law Judgments in Ireland - Enforcing Insolvency Judgments