

US Supreme Court to Review Argentina v. NML Capital

See this post of Ted Folkman over at Letters Blogatory.

On Friday, the Supreme Court granted Argentina's petition for a writ of certiorari in Republic of Argentina v. NML Capital, Ltd. to review the Second Circuit's decision in EM Ltd. v. Republic of Argentina, 695 F.3d 201 (2d Cir. 2012), in which the court held that Argentina's judgment creditors could take post-judgment discovery generally, without showing that the discovery was aimed at particular assets that would be liable to attachment or execution under the FSIA. The Second Circuit's decision was squarely at odds with Rubin v. Islamic Republic of Iran, 637 F.3d 783 (7th Cir. 2011), cert. denied, 133 S. Ct. 23 (2012), which the Supreme Court took a pass on in 2012.

I will be following the case closely. Here are some resources:

- 1. Argentina's petition*
- 2. NML's opposition*
- 3. Argentina's reply*
- 4. The United States's amicus brief*
- 5. Argentina's supplemental brief*
- 6. NML's supplemental brief*
- 7. SCOTUSBlog's case page*