



Institut suisse de droit comparé  
Schweizerisches Institut für Rechtsvergleichung  
Istituto svizzero di diritto comparato  
Swiss Institute of Comparative Law

June 23, 2017  
Dorigny, Lausanne

29<sup>e</sup> Journée DIP

# US Litigation Today: Still a Threat For European Businesses or Just a Paper Tiger?

*Unil*  
UNIL | Université de Lausanne  
Centre de droit comparé,  
européen et international

With the support of



Center for Business Law

Registration : [news@isdch.ch](mailto:news@isdch.ch)

June 23, 2017

- 9:00 **Welcome Address**
- 9:10 **Introduction to the subject**  
**Exposure to US Litigation – Myth or Reality for European Businesses?**  
Thomas Werlen, Partner,  
*Quinn Emanuel, Zurich and Privat Docent, University of St. Gallen*
- 9:30 **First Session : The Jurisdictional Reach of US Courts**  
**Goodyear and Daimler : The End of the « Doing Business » Era – What’s Next?**  
Linda Silberman, Professor,  
*NYU School of Law*  
**Specific Jurisdiction in Products Liability Cases after *McIntyre v. Nicastro***  
Samuel Baumgartner, Professor,  
*University of Zurich*
- 10:20 **Discussion**
- 10:40 *Coffee Break*
- 11:00 **Second Session : Procedural Law Aspects**  
**Choice of Court Agreements: American Practice in a Comparative Perspective**  
Symeon Symeonides, Dean Emeritus and Professor,  
*Willamette University College of Law*  
**Class Actions à l’Européenne – Competition for US Litigation?**  
Eva Lein, Professor and Senior Research Fellow,  
*University of Lausanne, BIICL, London*  
**US Discovery Rules and In-House Counsel of Swiss Companies (Markwalder Initiative)**  
Karen Druckman, Legal Adviser and Lecturer,  
*Swiss Institute of Comparative Law and University of Lausanne*
- 12:10 **Discussion**
- 12:30 *Standing Lunch*

- 13:30 **Third Session : Extraterritorial Application of US Law**  
**The New Presumption against Extraterritoriality in the US Supreme Court’s Case Law and the Restatement Fourth of the Law of Foreign Relations**  
William S. Dodge, Professor,  
*UC Davis School of Law, California*  
**American vs. European Approaches to Extraterritoriality in Civil Litigation**  
Matthias Lehmann, Professor,  
*University of Bonn*  
**Extraterritorial Application of US Sanctions Law**  
Susan Emmenegger, Professor,  
*University of Bern*  
**US DoJ Program for Swiss Banks : Lessons Learned and Perspectives**  
Louis Burrus, Partner,  
*Schellenberg Wittmer, Geneva*
- 15:00 **Discussion**
- 15:30 *Coffee Break*
- 16:00 **Fourth Session : Recognition and Enforcement of Judgments**  
**New Obstacles for the Recognition of Foreign Judgments in the US after the *Chevron v. Donziger* Case**  
Christoph Kern, Professor,  
*University of Heidelberg and University of Lausanne*  
**Recognition of US judgments in Switzerland and Europe**  
Andrea Bonomi, Professor,  
*University of Lausanne*
- 16:40 **Round Table Discussion**
- 17:15 **Closing Address**

# How to find us

## By air

The closest airport is the Cointrin airport located in Geneva (approx. 60km from the Institute). From the Geneva-Cointrin airport, there is direct access to Lausanne's main railway station by train.

## By train

Exit Lausanne's main railway station (CFF), cross the Place de la Gare and locate the metro station (Lausanne CFF). Take the metro m2 one stop to the station Lausanne-Flon. At the Lausanne-Flon metro station, transfer to the Metro m1. Take the Metro m1 to the station UNIL-Dorigny (6th stop) and follow the signs marked Institut Suisse de droit comparé.

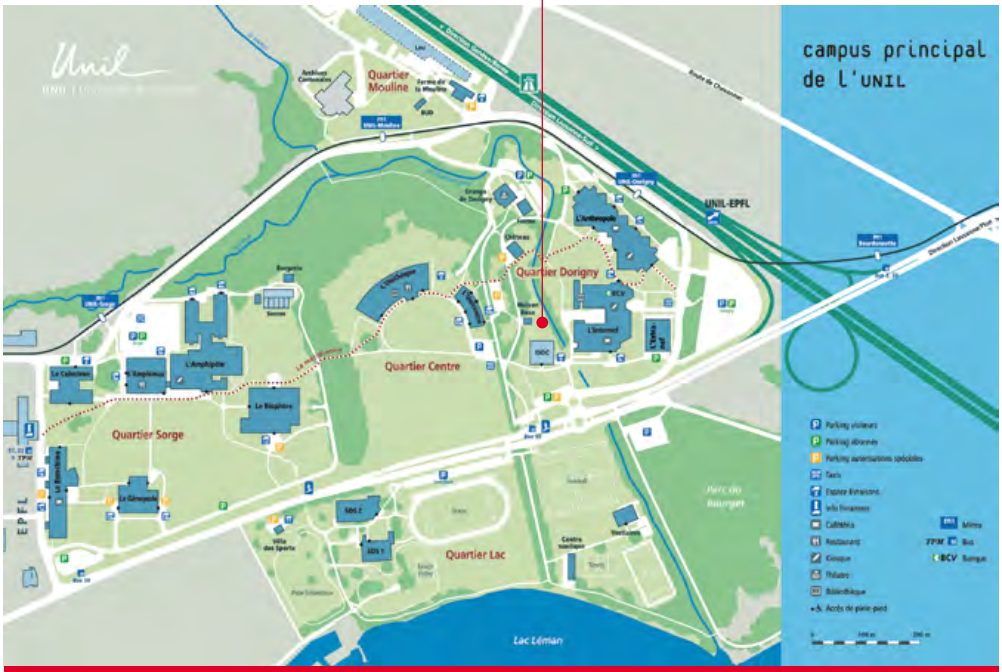
## By car

Take the freeway A1 or A12/A19 (direction Lausanne-Sud). Exit at Université-EPFL. The Swiss Institute of Comparative Law is located on the right of the freeway; follow the sign to the ISDC parking lot.

[www.isdc.ch](http://www.isdc.ch)

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**ISDC**

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SUISSE

# Registration form

Mr.  Ms.

Family Name

First name

Company/Organisation

Position

Address

Postal Code

City

Country

E-mail

## Payment

Upon reception of your registration form, you will receive our confirmation and invoice (with payment instructions). Any bank charges must be paid by the participant.

## Cancellation

In the event of cancellation, written notification should be sent to the Swiss Institute of Comparative Law. CHF 50 will be retained for any cancellation reaching us by June 9. No refund possible as of June 10.

**To be sent by June 9 to:** SWISS INSTITUTE OF COMPARATIVE LAW, Dorigny, CH-1015 LAUSANNE

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Website : [www.isdc.ch](http://www.isdc.ch) – Contact person : Marie-Laure Lauria – e-mail: [news@isdc.ch](mailto:news@isdc.ch)

## Participants

CHF 400.-

**Permanent staff of universities  
and research institutes,  
Employees of the Swiss Confederation,  
AiSDC members**

CHF 200.-

## Assistants and students

CHF 50.-

*I agree to the above mentioned conditions as well as the conditions stated in the Invitation Programme.*

*I have read and accept the cancellation terms.*

Date

Signed by