

Who is Bound by the Brussels Regulation? LMCLQ November 2007

Adrian Briggs (*Oxford*) has written a note in the November issue of the L.M.C.L.Q. (2007, 4(Nov), 433-438) on the recent decision of the Court of Appeal in *Samengo-Turner v J&H Marsh & McLennan (Services) Ltd* [2007] EWCA Civ 723. The Westlaw abstract reads:

Discusses the Court of Appeal judgment in Samengo-Turner v J&H Marsh & McLennan (Services) Ltd on whether to grant an anti-suit injunction to stop New York proceedings. Examines whether the insurance broker should be allowed to sue an associate's former employees in New York to recover incentive payments, under a contract which stipulated the New York court. Considers whether the rules on contracts of employment under Regulation 44/2001 (Brussels Regulation) applied to an action by the employer's associate.

There is also an article in the same issue on "Ship Mortgagees and Charterers" by David Osborne which touches on conflict of laws issues:

Explores the circumstances in which the mortgagee of a ship could be liable to a charterer or cargo interest when it enforces its mortgage, thereby preventing performance of a charterparty or contract of affreightment by the owner, in light of the Commercial Court's consideration of the issue on an obiter basis in Anton Durbeck GmbH v Den Norske Bank ASA. Assesses the often conflicting case law on the question and the re-shaping of the law regarding economic torts.

Several book reviews are also in the LMCLQ this month:

- R. Cox, L. Merrett & M. Smoth, *Private International Law of Insurance and Reinsurance* (LLP, 2007), reviewed by Johanna Hjalmarsson
- J. Fawcett, J. Harris & M. Bridge, *International Sale of Goods in the Conflict of Laws* (OUP, 2005), reviewed by Christopher Hare
- L. Collins et al, *Dicey Morris & Collins on the Conflict of Laws* (Sweet & Maxwell, 14th edn, 2006), reviewed by Andrew Scott

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