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SJ Ball



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Albetraton 2394 AD Brian Pinzon, 2004-06-15 This short story is in two parts the first part is a science fiction account of speculation for a space faring ship that travels to and from distant planets using a unique faster than light FTL engine technology The second part is about the actual attempt at getting the science fiction out of the story and placing it into the real world today The theme of the second part is from a prospective of what is called Cosmo theology Complete with drawings of the spacecraft and various diagrams that show what needs to be done for FTL travel to be completed for a traveler to the first habitable planet The unique vision of the story unfolds in the first chapter of the first part where the explanation of the FTL machine using a sub atomic mirrors and electrostatic bearings is given which requires a telescope a computer in 100 story a building a nuclear fusion or fission reactor on Earth a rotating magnetic ring in orbit near the moon and ground based pico lasers all working together to allow a spaceship to travel FTL *Analog Science Fiction & Fact* ,2006

Good Faith in International Commercial Arbitration Sabrina Pearson-Wenger, 2024-07-15 From the perspective of users of international commercial arbitration the uncertainties surrounding the application of good faith by an arbitral tribunal create an unwelcome unpredictability Acknowledging this prevalent situation this book is the first to study in depth the available international arbitral awards that have applied good faith thus providing detailed guidance on how this notion is and can be applied by tribunals in international commercial arbitration Moreover the author proposes a set of deeply informed guidelines for the future application of good faith by arbitral tribunals to both the parties contract and the arbitration agreement This book provides a comprehensive description of the role and scope of good faith under governing laws in key jurisdictions England New York Switzerland France Germany China Singapore Hong Kong Australia and Canada as well as under the CISG the UNIDROIT Principles and other uniform law and soft law instruments The book greatly clarifies the source and role of good faith with respect to the following issues surrounding the arbitration agreement formal validity of the arbitration agreement incorporation of the arbitration agreement by reference interpretation of the arbitration agreement capacity and power of the parties to arbitrate extension of an arbitration agreement to a non signatory party pre arbitration requirements to negotiate or mediate and performance of the arbitration agreement Proposed guidelines for the application of good faith to each of these issues are included along with useful figures summarizing the content of the obligations to negotiate or mediate in good faith prior to resorting to arbitration as well as the obligation to arbitrate in good faith By analysing the role and scope of good faith under different national and non national laws this book will prove of inestimable value not only by providing invaluable insight into the recourse to good faith by arbitral tribunals but also by providing guidance on how good faith should be applied to the parties contract in international commercial arbitration Arbitrators as well as users of arbitration will welcome the clarity on how good faith is applied to the various issues surrounding the arbitration agreement and in particular to the pre arbitration requirements to negotiate or mediate as well as the

performance of the arbitration agreement Recognition and Enforcement of Foreign Arbitral Awards Herbert Kronke, Patricia Nacimiento, Dirk Otto, 2010-01-01 The analysis thoroughly covers the major issues that have arisen in the application of the Convention including the following the use of reservations made by Contracting States the distinctions between recognition and enforcement and between recognition sought at the seat of the arbitration and outside the seat the role of the courts in reviewing arbitral awards and in particular the Convention's focus on safeguarding due process standards the more favourable rights A principle embodied in Article VII 1 the relevance of forum shopping and asset spotting to the application of the Convention and the role of formalities and formalism The end result is an invaluable work that will prove enormously useful to all international commercial arbitration practitioners and scholars regardless of location

Swiss Contract Law in International Commercial Arbitration Christoph Müller, 2023-08-10 This book provides a systematic presentation of the most important commercial contracts under Swiss law i.e. the contract of sale the contract for work and services the simple mandate contract and the commercial agency contract as well as the licence agreement the exclusive distribution agreement and the settlement agreement The book also contains an in depth introduction of the Swiss law of obligations covering topics such as the fundamental principles of contract law the obligation as the effect of the contract the formation of contracts contract interpretation validity of contracts agency general terms and conditions and breach of contract After English law Swiss law is deemed to be the most attractive law applicable to the parties contract in an international context At the same time English is usually chosen as the language of the arbitration proceedings This book will therefore be an indispensable resource for all English speaking lawyers interested in international commercial arbitration

Interim Measures in International Commercial Arbitration Ajar Rab, 2022-08-09 Interim measures by courts as well as tribunals are often critical to succeed in arbitration proceedings and to effectively safeguard the rights of parties pending the final adjudication of their dispute This important book comprises a comprehensive review of interim measures in international commercial arbitration granted by courts and tribunals across jurisdictions that have adopted the UNCITRAL Model Law to critically assess the practical fault lines in the Indian arbitration regime The book provides an in depth analysis of the following all reported judgments of the Indian Supreme Court and the High Courts from 1993 to 2022 on issues concerning interim measures practical application of the UNCITRAL Model Law and the revisions in 2006 by national arbitration statutes of over 80 jurisdictions with respect to interim measures comparative practice and jurisprudence on interim measures in international commercial arbitration rules of major arbitral institutions on the power and scope of interim measures granted by tribunals detailed analysis of different types of interim measures including anti suit anti arbitration injunctions security for costs and interim measures in aid of foreign seated arbitrations the standards to be applied and the burden of proof to be demonstrated for each type of measure and issues of enforcement of interim measures in domestic international and foreign seated arbitrations The current position of law in India and the problems plaguing the

country's Arbitration and Conciliation Act 1996 IAA as amended in 2015 with respect to interim measures are brought into direct comparison with other Model Law jurisdictions offering an analysis of case laws practical insights and cogent suggestions based on best practices that can be adopted by parties and tribunals The Appendices provide a detailed list of statutory provisions of countries that have adopted the Model Law along with rules of major arbitral institutions on interim measures The author not only describes the current position of law in India and other Model Law jurisdictions on interim measures but also reveals a comprehensive understanding of the requests for interim measures and their enforcement in domestic international and foreign seated arbitrations This book engages in a comprehensive and clear discussion on the fine line between court assistance and court intervention especially in the case of interim measures and suggests draft provisions that India and other jurisdictions can adopt in order to align with the 2006 revisions to the Model Law to foster certainty predictability and efficiency in case of interim measures in international commercial arbitration United States Code United States,1964 **United States Code: Title 1, General provisions to Title 9, Arbitration** United States,1993

International Arbitration and EU Law Nikos Lavranos,Stefano Castagna,2024-08-06 In this substantially revised and updated second edition this work examines the intersection of EU law and international arbitration based on the experience of leading practitioners in both commercial and investment treaty arbitration law It expertly illustrates the depth and breadth of EU law's impact on party autonomy and on the margin of appreciation available to arbitral tribunals This second edition covers all relevant new developments in law and practice and tracks the ever increasing influence of EU law and the jurisprudence of the Court of Justice of the EU CJEU in international arbitration **Transforming Arbitration** Maud Piers,Sean McCarthy,2025-01-07 In an era where technology is rapidly transforming the legal landscape Transforming Arbitration explores how innovations like AI blockchain the Metaverse and Web3 are reshaping arbitration as a key form of dispute resolution The book features insights from leading academics practitioners and policymakers offering a comprehensive look at how these advancements are influencing our conceptual substantive and procedural understandings of many parts of this field Each chapter examines the challenges and opportunities presented by these technologies raising important questions about the compatibility of traditional arbitration processes with digital innovations As the legal field adapts to developments like cryptocurrencies NFTs and virtual disputes this book provides valuable guidance on the future implications for arbitration By questioning established norms and advocating for fresh approaches Transforming Arbitration is a vital resource for legal professionals and scholars committed to evolving with the times Combining theoretical exploration with practical recommendations this collaborative volume equips the legal community with the tools to navigate the complexities of our digital age with confidence and foresight **Document Production in International Arbitration** Reto Marghitola,2015-10-20 Because document production can discover written evidence that would otherwise not be available it is often the key to winning a case However document production proceedings can be a costly and time consuming

exercise and arbitral awards in particular are often challenged on grounds that relate to document production orders. The task of balancing the conflicting interests of the parties in this context is a major responsibility of arbitral tribunals. This book's analysis focuses on whether there exist legal principles on which arbitrators should establish rules of document production in both civil law and common law countries and shows how international arbitration is affected. The author examines the relevant discretion of arbitral tribunals under US English Swiss German and Austrian law and under nine of the most important sets of institutional rules including the ICC Rules the LCIA Rules and the Swiss Rules. The presentation mines case law and legal literature for concepts based on the common expectations of the parties the legitimate expectations of a party the duty to balance different procedural expectations of the parties the presumed intent of the parties the underlying hypothetical bargain implied terms and the arbitrators discretion. Among the topics and issues investigated are the following: procedural rules on document production versus procedural flexibility how arbitral tribunals can modify the IBA Rules on a case by case basis discretion granted by legislation in each country covered electronic document production how to deal with privilege and confidentiality objections how to formulate or answer document production requests effective sanctions in case of non compliance with procedural orders of the arbitral tribunal what grounds for annulment and non enforcement a losing party can raise in what countries. Perhaps the greatest benefit of the book is the inclusion of model clauses commensurate with both civil law and common law expectations. The author explicates the advantages and inconveniences of each model clause and clarifies the influence of each clause on the efficiency of the proceedings and the enforcement risk. For practitioners the book not only gives counsel a thorough overview of possible arguments for and against document production but also assists arbitrators find a way through the jungle of opinions on the interpretation of the IBA Rules. Legal academics will appreciate the author's deeply informed analysis and commentary and the book's contribution to increasing the predictability of arbitral decisions on document production and showing how issues in dispute can be narrowed by tailor made rules thus helping to raise the efficiency and reduce the costs of arbitral proceedings.

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