The course explores issues common to controversies arising from cross-border business, including subject matter and personal jurisdiction, service of process, obtaining discovery and other evidence from abroad, and privilege and ethical considerations. While this course centers on litigation in U.S. federal courts, the course also covers the resolution of global disputes in arbitral proceedings and through regulatory and other internal investigations, and explores issues such as the Foreign Corrupt Practices Act.

**Office Hours:** Please contact us with questions or comments, and to set up phone or in person meetings: Prof. Benitez [Contact Information] Prof. Paz [Contact Information]

**Attendance:** Regular and punctual class attendance is required.

**Requirements and Grading:** Measuring your progress in this class:

We will administer a final take-home exam. You may consult your notes, the textbook or any written materials.

**Readings:**

The readings are below and will be posted online. All materials will be made available online.


**Class Schedule and Assignments:**

*The following class schedule and reading list is subject to change. Please check online regularly for updated readings.*
Class 1: June 1- Introduction and Overview and Subject Matter Jurisdiction

Assigned reading:

United States Constitution, Article III, Section 2.


Class 2: June 8 - Personal Jurisdiction

Assigned reading:


*Benton v. Cameco Corp.*, 375 F.3d 1070 (10th Cir. 2004).

Class 3: June 15 - Service of Process

Assigned reading:

Rules 4 (b), (c), (e), (f) and (h), Federal Rules of Civil Procedure.


*Rio Properties, Inc. v. Rio International Interlink*, 284 F.3d 1007 (9th Cir. 2002).

Class 4: June 22 – Choice of Forum (Forum Non Conveniens and Forum Selection Agreements)

Assigned reading:


In re Alcon Shareholder Litig., 2010 WL 2076991 (S.D.N.Y. May 24, 2010).


Class 5: June 29 – Obtaining Discovery for Use in Foreign or U.S. Proceedings

Assigned reading:


Class 6: July 6 – Guest Lecturer: Perspectives from an International Law Practitioner

Assigned reading: TBD

Class 7: July 13 - Foreign Corrupt Practices Act and Regulatory Investigations

Assigned reading:


Class 8: July 20 – International Arbitration/Privilege Issues and Legal Ethics

Assigned reading:


Michael Feder and McCarthy Tetrault, “Privilege in Cross-Border Litigation,” ABA Section of Litigation Annual Conference, April 29 – May 2, 2009.