



Pinsent Masons

European claims

Jacquetta Castle

European claims



- Court procedures and evidence
- Different approaches
 - Claims made/occurrence based
 - Misrepresentation and non-disclosure
- Dealing with lawyers abroad
- Future developments



Court procedures and evidence



- Document disclosure
- Adversarial or inquisitorial
- Oral evidence
- Timing and limitation
- Quirks and nuances



Different approaches



- Claims made/occurrence based
- Non-disclosure and misrepresentation
- Other quirks

Dealing with lawyers abroad



- Instructing foreign lawyers
 - cost
 - risk
- Insuring foreign offices



Future developments



The European Restatement

- To facilitate cross-border business
- Voluntary - opt in, opt out
- Principles of European Insurance Contract Law (PEICL)

Class actions

- Contingency fees
- EC green paper

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