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Arbitrating Commercial Disputes in the United States

by David C. Singer

Bringing or defending commercial arbitrations requires a clear grasp of the latest developments in the field, a practical understanding of how the arbitration process works, and knowledge of how the courts interpret and enforce arbitration agreements and treat arbitral awards. And participating in an arbitration demands a distinctive set of skills, different from those learned in the courtroom. Author/editor David Singer and his contributors—many of them arbitrators, and all of them deeply familiar with the arbitration process—provide the information and insights that will help readers master commercial arbitration.

Citing hundreds of cases, as well as drawing upon the extensive experience of the contributors, this book addresses the strategies that lead to success. It answers key questions like these: What is the difference between privacy and confidentiality in the arbitration proceeding, and how can both be preserved? To what extent does the Federal Arbitration Act preempt state statutes regarding arbitration? Can parties that did not sign an arbitration agreement be compelled to arbitrate? What topics should be covered in the preliminary conference? What sanctions might arbitrators impose for violations of discovery orders? How do arbitrators deal with experts and their reports? Can a party to an arbitration move to bifurcate issues of liability and damages? What are the differences between opening statements in arbitration and in court? What obligations do arbitrators have to disclose potential conflicts of interest? What is a “reasoned” award, and are there reasons to prefer the simpler “standard” award?

To aid in research, the book includes a Table of Authorities and an Index.

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