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Lauren Gardner



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volume in the series will offer an insider's perspective into specific areas of contract law remedies formation parties contents vitiating factors change of circumstances illegality and public policy It will explore how these diverse jurisdictions address common problems encountered in contractual disputes and will offer a comparative assessment horizontally as between the Asian jurisdictions and vertically with source jurisdictions and international codes Book jacket **Left Out of the Bargain** Jacinta Anyango Oduor, Francisca M.U. Fernando, Agustin Flah, Dorothee Gottwald, Jeanne M. Hauch, Marianne Mathias, Ji Won Park, Oliver Stolpe, 2013-12-11 Over the past decade countries have increasingly used settlements that is any procedure short of a full trial to conclude foreign bribery cases and have imposed billions in monetary sanctions There exists a gap in knowledge however regarding settlement practices around the world and the disposition of these monetary sanctions notably through the lens of recovery of stolen assets Left out of the Bargain a study by the Stolen Asset Recovery Initiative StAR provides an overview of settlement practices by civil and common law countries that have been active in the fight against foreign bribery Using the United Nations Convention against Corruption UNCAC as its point of reference the study addresses concerns voiced by the international community What happens to the money associated with the settlements and is it being returned to those most directly harmed by the corrupt practices And what can be done to assist those countries harmed by foreign bribery Left out of the Bargain has found that 395 settlement cases took place between 1999 and mid 2012 resulting in a total of US 6.9 billion in monetary sanctions imposed against companies and individuals Of this amount nearly US 6 billion came from settlements that took place in a country different from that of the allegedly bribed foreign public officials But only about US 197 million or 3 percent has been returned or ordered returned to the countries whose officials were accused of accepting bribes Left out of the Bargain urges countries whose officials were allegedly bribed to intensify their efforts to investigate and prosecute the providers and recipients of foreign bribes hence improving these countries prospects for recovery of assets lost through corruption The study also calls for more proactive international cooperation and coordination to ensure that all affected countries are afforded the opportunity to seek redress for harms suffered and for the recovery of assets thus fulfilling the principles set out in UNCAC The Law Times, 1848 Insurance Disputes Robert Merkin, Iain Goldrein QC, Jonathan Mance, 2020-11-25 Written by an impressive team of specialist contributors Insurance Dispute is the authoritative guide to litigation for both the insurer and the insured Divided into two parts principles of law and their practical use in individual types of insurance it aims to identify and resolve questions such as How should the claimant handle a dispute Is the claim within the cover When should an insurer dispute cover What steps can an insurer take to deny cover Updated and revised to include new chapters on marine insurance the Financial Ombudsman Service and ATE insurance Insurance Disputes is essential reading for anyone involved in insurance law and litigation

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