

ARBITRATION

LITIGATION AND ITS ALTERNATIVES

- Litigation** – a form of adjudication where the dispute is resolved by the binding, although sometimes appealable, judgment of the court.
- Arbitration** – arbitration is a consensual dispute resolution process which depends entirely upon the agreement of the parties to arbitrate. Parties have the right to agree to arbitrate, and to do so in the manner that they see fit (party autonomy).
- Mediation** – mediation is a flexible and confidential process which is private, in the interests of settlement, and is conducted by a neutral independent mediator.
- Expert determination** – the expert's duty is not to hear and determine a dispute but rather to decide the questions submitted to him by agreement between the parties. The expert is expected to resolve the issue by honest judgment and skill without a judicial enquiry.
- ARBITRATION-** Popular method of dispute resolution
South Africa has lagged behind in the development of international arbitration.
-Not previously regarded as user friendly and supportive.
-Arbitration Act 1965 is outdated.
- Definition -** Procedure whereby the parties refer a dispute to a third party, the arbitrator, for a final decision, after the arbitrator had first impartially received & considered evidence & submissions from the parties. The Arbitrator therefore makes a decision.

Arbitration: what is it?

Not mediation

Section 21(a) of the Arbitration Act No. 42 of 1965 prohibits a reference to arbitration of any matrimonial cause or any matter incidental to such cause

When to arbitrate

- Speedy resolution is required
- Where certain expertise is required
- Remain confidential

Beyond Arbitration Designing Alternatives To Securities Litigation

Edgar H. Adcock (Jr.)



Beyond Arbitration Designing Alternatives To Securities Litigation:

Beyond arbitration Danny Ertel, Ralph C. Ferrara, 1991-11 *Abandonment of the Private Right of Action for Aiding and Abetting Securities Fraud/staff Report on Private Securities Litigation* United States. Congress. Senate. Committee on Banking, Housing, and Urban Affairs. Subcommittee on Securities, 1994 Distributed to some depository libraries in microfiche Annual Institute on Securities Regulation, 2010 World Arbitration & Mediation Report, 1992

Американские и глобальные депозитарные расписки: теория и практика листинга российских акций на зарубежных биржах Кирилл Ратников, 2015-12-19 **The Arbitration Journal**, 1992 **Searching the Law, 3d Edition** Frank Bae, Edward Bander, Francis Doyle, Joel Fishman, Paul Richert, 2021-12-13 American Jurisprudence Trials, 1964 An encyclopedic guide to the modern practices techniques and tactics used in preparing and trying cases with model programs for the handling of all types of litigation **Manual of Dispute Resolution** Edward A. Dauer, 1994 **Recent Acquisitions** Ohio State University. College of Law. Library, 1993 *AALS Mini-workshop on Alternative Dispute Resolution*, 1996 **The Arbitration Journal** American Arbitration Association, 1992 **Takeovers** Meredith M. Brown, 2001 Written by securities attorneys this book explains the mergers process and offers guidance on managing the legal regulatory and economic aspects of corporate combinations It summarizes legal doctrines and case law explains the strategies involved in mergers and outlines the techniques for implementing those strategies Considerations for both **Ohio State Journal on Dispute Resolution**, 1994 **Section Newsletters** Association of American Law Schools, 1992 Law Books in Print: Subject index Nicholas Triffin, 1994 **Mainstreaming**, 1994 Martindale-Hubbell Law Directory Martindale-Hubbell, 2002-03 **Law Books in Print: Publishers** Nicholas Triffin, 1994 *Ulrich's Periodicals Directory 2003* Edgar H. Adcock (Jr.), 2003

Reviewing **Beyond Arbitration Designing Alternatives To Securities Litigation**: Unlocking the Spellbinding Force of Linguistics

In a fast-paced world fueled by information and interconnectivity, the spellbinding force of linguistics has acquired newfound prominence. Its capacity to evoke emotions, stimulate contemplation, and stimulate metamorphosis is really astonishing. Within the pages of "**Beyond Arbitration Designing Alternatives To Securities Litigation**," an enthralling opus penned by a highly acclaimed wordsmith, readers embark on an immersive expedition to unravel the intricate significance of language and its indelible imprint on our lives. Throughout this assessment, we shall delve in to the book is central motifs, appraise its distinctive narrative style, and gauge its overarching influence on the minds of its readers.

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