

Fabian Klein

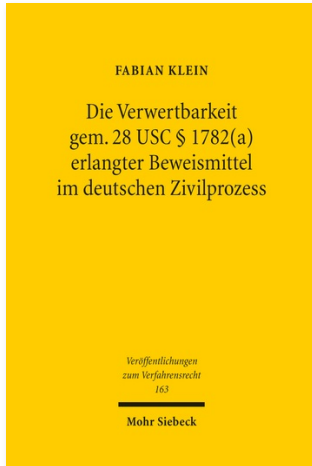
Die Verwertbarkeit gem. 28 USC § 1782(a) erlangter Beweismittel im deutschen Zivilprozess

[Admissibility of Evidence Obtained Pursuant to 28 U.S.C. § 1782(a) in German Civil Proceedings.]

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Under German civil procedural law, a party generally is not obliged to contribute to the production of evidence against his or her own cause. The opposite is true in the US system of pre-trial discovery. This divergence is potentially disruptive because in certain circumstances, 28 U.S.C. § 1782(a) allows the parties in a German civil litigation to seek discovery in the US. Fabian Klein asks how German courts should deal with evidence thus obtained.

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