**INTERNATIONAL CIVIL LITIGATION**

**Professor Mike Ramsey**

**Spring 2024**

**Reading List**

**Part 3 – Applicable Law in Transnational Cases**

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[Note: All paginated assignments refer to the casebook (Childress, Ramsey & Whytock, *Transnational Law and Practice* (2d ed. 2021)) or if designated as “in the supplement” they refer to the Fall 2023 Supplement to the casebook, available for download at <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4178684>].

I. U.S. Federal Laws in Transnational Cases

A. Introduction: pp. 1-6

B. The presumption against extraterritoriality: pp. 6-33 (*EEOC v. Arabian American Oil Co.* and *Morrison v. National Australia Bank*)

C. *RJR Nabisco v. European Community*, pp. 34-48, plus the *Abitron* and *Yegiazaryan* cases on pp. 2-3 of the supplement

D. Jurisdiction to prescribe under international law: pp. 48-57

E. Extraterritoriality – further considerations: pp. 58-78 (*Hartford Fire,* *Empagran* and related notes)

II. State Law and Foreign Law in Transnational Cases

1. Choice of law methods: pp. 78-114 (*Raskin*, *Edwards,* *Tucci, Ortega* and *Naghiu*)
2. Comparative perspective: pp. 114-116
3. Determining foreign law: pp. 116-127
4. Choice of law clauses: pp. 127-146, plus note on *Great Lakes Insurance* on pp. 4-5 of the supplement
5. Review notes and questions: pp. 146-147

III. The Act of State Doctrine

1. Basic principles: pp. 874-892, esp. *Sabbatino* and related notes on pp. 874-882, plus note on *Celestin* on pp. 20 of the supplement
2. Exceptions to the act of state doctrine: pp. 892-898