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ARBITRABILITY IV: ANOTHER CHAPTER ON THE ARBITRABILITY OF DISPUTES REGARDING PARTNERS' RESOLUTIONS IN PARTNERSHIPS

IF A DISPUTE ARISES BETWEEN SHAREHOLDERS/PARTNERS ABOUT SHAREHOLDERS'/PARTNERS' RESOLUTIONS, THERE IS OFTEN AN INTEREST IN A QUIET RESOLUTION OUTSIDE THE ORDINARY COURT PROCEEDINGS. HOWEVER, IT IS IMPORTANT FOR ARBITRATION AGREEMENTS BETWEEN SHAREHOLDERS/PARTNERS TO MEET THE LEGAL REQUIREMENTS. THESE HAVE BEEN DEVELOPED BY THE FEDERAL COURT OF JUSTICE IN ITS DECISIONS ARBITRABILITY II AND III. WITH THE MOST RECENT DECISION FROM 2021 (ARBITRABILITY IV), THE COURT HAS FURTHER SPECIFIED THEM. THIS NEWSLETTER ARTICLE IS INTENDED TO PRESENT THE MOST IMPORTANT LEARNINGS FROM THIS DECISION AND TO PROVIDE AN OUTLOOK ON FUTURE DEVELOPMENTS. ([more...](#))