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MAZZOLA LINDSTROM LLP SETS PRECEDENT IN THE UNITED STATES DISTRICT COURT OF WYOMING
FOR CASES INVOLVING CONFIRMATION OF A FOREIGN ARBITRATION AWARD

Kevin Kelly, Ruofei Xiang, and Jean-Claude Mazzola set precedent in the United States District Court of Wyoming for cases involving confirmation of a foreign arbitration award. This was a case of first impression in the District of Wyoming involving a foreign arbitration award that was granted to the petitioner by the China International Economic and Trade Arbitration Commission ("CIETAC") in Beijing. The arbitration award pertained to the respondent's failure to pay for goods delivered. Confirmation of foreign arbitration awards in the United States are governed under the Federal Arbitration Act (9 U.S.C. §§201, 207), which incorporates the provisions of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the "New York Convention").

The respondent claimed notice deficiencies by the arbitration tribunal and fraud in the underlying transactions as grounds for refusal of recognition of the award. While discovery is not typical in these cases, we conducted limited discovery in the interest of justice. Our team honed in on inconsistencies in the respondent's claims and established the respondent's apparent authority and implied ratification of the underlying transactions. The Court agreed with our arguments and ultimately ruled in the petitioner's favor.

Mazzola Lindstrom LLP, specializes in international commercial litigation and has a depth of experience in navigating the challenges involved in international disputes. Our attorneys have decades of experience representing China-based businesses and individuals in litigation, arbitration, mediation and complex transactions serving US-based clients with various China-related legal needs. Our sophisticated attorneys are true partners and advocates on the global stage and bring specialized expertise and effective solutions to our clients who conduct business and prosper in both major markets.

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