Record Nr. UNINA9910299866003321 Autore Tajti Tibor Titolo A Cross Border Study of Freezing Orders and Provisional Measures [[electronic resource]]: Does Mareva Rule the Waves? // by Tibor Tajti, Peter Iglikowski Cham:,: Springer International Publishing:,: Imprint: Springer,, Pubbl/distr/stampa 2018 3-319-94349-9 ISBN Edizione [1st ed. 2018.] Descrizione fisica 1 online resource (100 pages) Collana SpringerBriefs in Law, , 2192-855X Disciplina 347.41077 Soggetti Private international law Conflict of laws Commercial law Law-Europe International law Trade Private International Law, International & Foreign Law, Comparative Law **Business Law European Law** International Economic Law, Trade Law Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di contenuto Introduction -- Provisional measures in France and the United Kingdom -- Provisional measures in the United States -- Post-socialist jurisdictions: Provisional measures in Hungary -- The European account preservation order: Nuclear weapon or paper tiger? --Conclusions and possible ways forward. Sommario/riassunto This book compares the law on provisional measures of common law and civil law countries, the goal being to identify and compare their main advantages and disadvantages. The guiding concept is a well-

> known statement by the Justices of the US Supreme Court expressed in the famous Grupo Mexicano case, according to which the "age of slowmoving capital and comparatively immobile wealth" has now passed, and the 21st century requires a fresh look at the law of provisional

measures. In the quest to find a model for interim relief, the Mareva Injunction, subsequently renamed the 'Freezing Order' in the English Civil Procedural Rules, is used as the benchmark to which each of the targeted systems discussed here is compared. This is because international scholarship, as well as e.g. the US Supreme Court, generally consider the Mareva Injunction to be the most effective and farthest-reaching provisional remedy. The analysis suggests that the Mareva Injunction / Freezing Order represents the type of relief that will most likely continue to dominate as the most efficient and farthest-reaching interim measure in the years to come.