
Waiving arbitration rights

Posted by Lex - 2008/04/05 22:13

If I signed a contract agreeing to arbitrate a breach, how can I avoid that clause and sue in court?

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Re:Waiving arbitration rights

Posted by Samantha - 2008/04/29 12:25

Is your claim civil or tort?

You can try and sue in court but you may not get past summary disposition. I think the only exception is for a tort claim.

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Re:Waiving arbitration rights

Posted by Lex - 2008/04/29 13:59

its a civil case, and we are expecting a summary disposition. Our counter argument is that the damages are greater than anything expected when the contract was formed and that judicial equity is the only way to make my client whole.

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Re:Waiving arbitration rights

Posted by manny_mandy - 2008/05/05 18:39

You fairly cannot avoid with your undertaking.

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Re:Waiving arbitration rights

Posted by clan_law - 2008/05/05 18:54

Sue in court directly, no problem

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