



KEVIN BENISH QUOTED IN LAW360 ON ARBITRATION TRENDS TO WATCH IN 2023

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New York—Law360 turned to Holwell Shuster & Goldberg LLP associate and New York University School of Law adjunct professor Kevin Benish to discuss key arbitration trends to watch in 2023. Kevin, who regularly litigates cross-border matters at HSG, co-teaches NYU's International Litigation and Arbitration course and is a former Second Circuit clerk, opined on the foreign discovery statute, Section 1782, and its applicability in foreign or international tribunals.

Back in June, the Supreme Court narrowed the scope of Section 1782 in a case involving an American unit of German auto parts maker ZF Automotive US Inc. Kevin noted that he believes in the next year “we will see more cases trying to probe the contours of the Supreme Court’s recent decision on this issue.”

Kevin regularly assists clients seeking evidence in aid of foreign proceedings pursuant to Section 1782 and has been following recent court decisions which impact the applicability of Section 1782, including a New York magistrate judge recently ruling that Section 1782 cannot be used for a proceeding before the International Centre for Settlement of Investment Disputes.

Kevin has successfully argued cases in both state and federal courts and has co-authored briefs at every level of the federal judiciary, including an *amicus* brief that was cited by the U.S. Supreme Court in two separate cases. He frequently writes and speaks about issues such as jurisdiction, procedure, sovereign immunity, and data privacy.

Read the full Law360 article featuring Kevin’s insights [here](#).

ATTORNEYS

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