THE FINANCIAL COURTS

In *The Financial Courts*, Jo Braithwaite analyses thirty years of cases involving the global derivatives markets, exploring the nature of these legal disputes and assessing their impact on financial markets and on commercial law more broadly. Weaving together this substantial body of cases with theoretical insights drawn from the growing literature on the internationalisation of financial law, Braithwaite offers readers a detailed and highly original contribution to the debate about the role of private law in international financial markets. This important work should be read by lawyers, economists and regulators in the field.

Jo Braithwaite is an Associate Professor of International Commercial Finance Law at the London School of Economics and an Associate Academic Fellow of the Honourable Society of the Inner Temple. Her areas of expertise relate to the use of private law in international financial markets, including the post-crisis reform of the OTC derivatives markets. She has published widely on such topics, winning awards for both her research and teaching in this field. Before undertaking her doctorate, Jo practised as a solicitor in a City of London law firm, where she specialised in litigation.

The Financial Courts

ADJUDICATING DISPUTES IN DERIVATIVES MARKETS

JO BRAITHWAITE

London School of Economics and Political Science



CAMBRIDGE UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India

79 Anson Road, #06-04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781108474795 DOI: 10.1017/9781108647434

© Jo Braithwaite 2020

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2020

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloging-in-Publication Data

NAMES: Braithwaite, Jo, 1972- author

TITLE: The financial courts: adjudicating disputes in derivatives markets / Jo Braithwaite,

London School of Economics and Political Science.

DESCRIPTION: Cambridge, United Kingdom; New York, NY: Cambridge University Press, 2020. | Series: International corporate law and financial market regulation | Includes bibliographical references and index.

IDENTIFIERS: LCCN 2020046960 (print) | LCCN 2020046961 (ebook) | ISBN 9781108474795 (hardback) | ISBN 9781108647434 (ebook)

SUBJECTS: LCSH: Commercial courts - Great Britain. | Arbitration and

award – Great Britain. | Derivative securities – Law and legislation – Great Britain. |

Commercial law - Great Britain.

classification: LCC KD7182 .B73 2020 (print) | LCC KD7182 (ebook) |

DDC 346.42/0922-dc23

LC record available at https://lccn.loc.gov/2020046960

LC ebook record available at https://lccn.loc.gov/2020046961

ISBN 978-1-108-47479-5 Hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.