

Anglo-American Contract Models
Department of Private Law / Scandinavian Institute of Maritime Law
Faculty of Law, University of Oslo

ANGLO-AMERICAN CONTRACT MODELS
NEWSLETTER – SPRING 2007

NEW RESEARCH ASSISTANT

We are pleased to announce that we have just employed a new research assistant, *Kyrre Kielland* (financed by the Law firm DLA Piper), who will write a thesis on the subject of liquidated damages.

Kyrre will work closely with the project's US law advisor, Ed Canuel of the US Embassy in Oslo, who is working on a PhD thesis within our project with the working title: *Analyzing Liquidated Damages Clauses under Norwegian Law: Interpreting U.S. Clauses within the Context of Venture Capital Transactions*.

CURRENT WORK ON THESIS

Andre Bjerketveit, who was employed as a research assistant in the Autumn semester (financed by the Norwegian Research Council), is continuing his work on a thesis on Indemnification and Hold Harmless clauses.

LINKS TO THESES

On the project's site (http://www.jus.uio.no/ifp/anglo_project/index.html) you can find links to the following theses that were so far submitted in the framework of the project (the full text is in Norwegian; draft abstracts in English are available for some theses and will soon be available for all):

- [Subject to Contract clause](#), by *Christine Halvorsen Thaulow*
- [No Waiver clause](#), by *Fredrik Skribeland*
- [Conditions, Representations, Warranties and Covenants](#), by *Tor Sandsbraaten*, with [abstract](#) in English
- [Material Adverse Changes](#), by *Lars Ole Sikkeland* with [abstract](#) in English
- [Entire Agreement clause](#), by *Henrik Wærsted Bjørnstad* with abstract in English (forthcoming)

- Subject to Contract and Best Efforts to Negotiate, by *Bodil Kristine Høstmælingen* (forthcoming)

Links are available also to the theses that were written on specific marine insurance subjects:

- [Mortgagee's interest insurance](#), by *Silje Gundersen*
- [Norwegian Marine Insurance Plan](#), by *Ingrid Lind Groh*
- [Various reinsurance clauses](#), by *Kaja de Vibe*

FUTURE THESES

We are planning to research on following topics in the next semesters:

- No Oral Amendments
- No Reliance clause
- Sole remedy clauses
- Retention of title, Hold in trust clauses

A full overview of the topics for research can be found at:

http://www.jus.uio.no/ifp/anglo_project/essays.html

WORKSHOP

On June 15th we held a workshop with our English and US law advisors, [Jim Percival](#), Head of Dispute Resolution, British Nuclear Fuels plc, [Edwin Peel](#), Fellow & Tutor in Law, Solicitor, Keble College, Oxford, [Edward T. Canuel](#), U.S. Embassy Oslo, Political & Economic Affairs Section and a group of practicing lawyers from the project's [users group](#). We discussed parts of the topic of the Dr.juris thesis upon which *Margrethe B. Chistofferesen* is working on, in particular the assessment of damage for breach of Share Purchase Agreements, as well as parts of the thesis that *Andre Bjerketveit* is working on, on indemnity clauses. More information can be found on the [programme](#). Professor Gerhard Dannemann of the Humboldt University of Berlin participated in the discussion and gave a very interesting lecture on the approach of German courts to contract clauses that are based on Common Law models but governed by German law.

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