



[Back to News](#)

Novack and Macey Attorneys Obtain Dismissal of Arbitration Proceeding

DECEMBER 22ND, 2011

Novack and Macey attorneys [Tim Miller](#) and [Chris Moore](#) represented members of an extended family involved in a dispute over a family-owned and operated business. Another family member attempted to enforce an arbitration award in federal court using the United Nations Convention for the Recognition and Enforcement of Foreign Arbitral Awards. The plaintiff alleged that the Convention gave the federal court subject-matter jurisdiction to hear the case. Novack and Macey argued that the case should be dismissed because, among other things, the case did not involve an international arbitration award, and hence, the Court lacked subject-matter jurisdiction to hear the case.

In a recent decision, the federal judge handling the case agreed with Novack and Macey's argument and dismissed the case. The judge held that the Court lacked subject-matter jurisdiction to adjudicate the case because, although the arbitration award was not entered in the United States, all of the disputants were United States citizens and the dispute did not "arise from a relationship that has a significant foreign element."

[Novack and Macey LLP](#) 100 North Riverside Plaza, Chicago, IL 60606-1501 Toll-Free: (800) 788-9879 Phone: (312) 419-6900 Fax: (312) 419-6928 [Email Us](#)