

Does an Arbitrator Have Authority to Compel Production of Third-Party Documents?

Construction disputes often involve voluminous amounts of discovery, including documents in the hand of third parties, points out **Matthew DeVries** in Burr & Forman's **Best Practices Construction Law** blog.

If the case is subject to arbitration, it is likely there will be a dispute about whether the arbitrator has the authority to compel production of third-party documents or witnesses for deposition, he writes.

DeVries discusses a case in which the 11th Circuit concluded that Section 7 of the Federal Arbitration Act precludes all pre-hearing discovery from non-parties.

Read the article.