

<i>Lerner</i> v. <i>Prince</i>: New York Appellate Division Holds No Right to Discovery in Demand-Refused Litigation, Applies Delaware Substantive Law

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On May 22, 2014, in *Lerner v. Prince*, the New York Appellate Division held that the plaintiff's right to discovery in a demand-refused derivative action is a substantive question, rather than a procedural one, and thus is governed by the law of the state where the corporation is chartered rather than the law of the forum state.

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