

DENMARK

ISSUES FOR NON-US COLLECTION AGENCIES

AND LAWYERS TO ANSWER:

1. Are there any problems with a US claimant pursuing a claim against a debtor in your country? - NO
2. The outstanding invoices are in dollars. Can the claim made in court proceedings be in dollars? - YES
3. If there is no contractual right to interest, can interest nonetheless be claimed and if so at what rate? – 8 %
4. Can agency lawyers in your jurisdiction work upon a contingency fee basis and if so, typically what are the rates? – DON'T UNDERSTAND THE QUESTION
5. How do court costs compare with the US? – PERCENT OF THE SIZE OF THE CLAIM
6. What language would the court proceedings be in and do documents have to be translated? – WOULD BE IN DANISH – YES TO TRANSLATATION OF DOCUMENT
7. Will witnesses be required to visit your country for depositions in the trial? – YES AND NO (depends on the case)
8. What are the rules regarding enforcement of a US judgment in your country? – SEE PAGE 2
9. What personal liability is there on the offices of a corporation that has issued cheques which have not been honoured? - THERE ARE MANY VARIATIONS OF COMPANY COMPOSITION IN DK, WITH AND WITHOUT PERSONAL LIABILITY
10. What liability do officers of the corporation have if the corporation goes into bankruptcy? – ALSO DEPENDS ON THE COMPANY STRUCURE
11. Do agencies and lawyers operate a trust or client account for monies recovered from a debtor? - YES
12. Is this requirement mandatory or voluntary? - MANDATORY
13. What fidelity or malpractice insurance do you have? – DON'T UNDERSTAND THE QUESTION

Answer to question 8:

By far most, if not all, EU countries as well as most European countries outside EU cooperation have acceded to one of three conventions which commit us to recognize and enforce each other's decisions. The United States has unfortunately not acceded to any convention that allows our courts / courts to enforce a verdict issued by a US court so the short answer is no.

SWEDEN

ISSUES FOR NON-US COLLECTION AGENCIES

AND LAWYERS TO ANSWER:

1. Are there any problems with a US claimant pursuing a claim against a debtor in your country? **No**
2. The outstanding invoices are in dollars. Can the claim made in court proceedings be in dollars? **Yes**
3. If there is no contractual right to interest, can interest nonetheless be claimed and if so at what rate? **No**
4. Can agency lawyers in your jurisdiction work upon a contingency fee basis and if so, typically what are the rates? **Not at Lindorff**
5. How do court costs compare with the US? **Generally cheaper in Sweden**
6. What language would the court proceedings be in and do documents have to be translated? **Court proceedings are in Swedish, and sometimes documents can be in English, but if the debtor does not understand English, the documents have to be translated to Swedish.**
7. Will witnesses be required to visit your country for depositions in the trial? **It is not always necessary for a witness to participate, it depends on the case. A witness can sometimes testify via phone or video, although this testimony might not always be considered as equally strong as if the witness is present at the trial.**
8. What are the rules regarding enforcement of a US judgment in your country? **You need to start a new legal action process in Sweden. There is no convention to convert an American Judgment to go for Distraint in Sweden.**
9. What personal liability is there on the offices of a corporation that has issued cheques which have not been honoured? **Do not know**
10. What liability do officers of the corporation have if the corporation goes into bankruptcy? **It depends. If it is limited company, and the board of the company/ someone has been careless, or acted wrongfully with intent, hiding property or money etc.**
11. Do agencies and lawyers operate a trust or client account for monies recovered from a debtor? **No, money is transferred to the clients for B2C, B2B cases.**
12. Is this requirement mandatory or voluntary? **?**
13. What fidelity or malpractice insurance do you have? **Lindorff has a fidelity insurance.**

NORWAY

ISSUES FOR NON-US COLLECTION AGENCIES

AND LAWYERS TO ANSWER:

1. Are there any problems with a US claimant pursuing a claim against a debtor in your country? **Normally no problem.**
2. The outstanding invoices are in dollars. Can the claim made in court proceedings be in dollars? **Yes.**
3. If there is no contractual right to interest, can interest nonetheless be claimed and if so at what rate? **Yes, 8,50 % per year.**
4. Can agency lawyers in your jurisdiction work upon a contingency fee basis and if so, typically what are the rates? **Regulated by law what the court / bailiff gets in fee and what we as debt collector can add in fee (depends on the amount).**
5. How do court costs compare with the US? **Cheaper than US, especially in undisputed files. Fixed tariffs to the court and to the debt collector in undisputed files. Per hour if disputed and summons for court.**
6. What language would the court proceedings be in and do documents have to be translated? **Documents needs normally to be translated to Norwegian. Although it for the judge / court normally is not a problem with English. If debtor or the court require a translation it must be translated.**
7. Will witnesses be required to visit your country for depositions in the trial? **Very seldom or never.**
8. What are the rules regarding enforcement of a US judgment in your country? **We must have a certificate that the judgment is final (not appealed) in the United States. In Norway we use the US verdict as a legal basis for obtaining a mortgage in the debtor's values or deductions in salary etc.**
9. What personal liability is there on the offices of a corporation that has issued cheques which have not been honoured? **Checks have not been used for a generation, so this is difficult to answer on. But probably it is only the company that is responsible.**
10. What liability do officers of the corporation have if the corporation goes into bankruptcy? **To a relatively small extent. We must be able to prove that management deliberately defrauded / withheld funds from its creditors.**
11. Do agencies and lawyers operate a trust or client account for monies recovered from a debtor? **This is regulated by the law. All client money must be credited to a client account, immediately.**

12. Is this requirement mandatory or voluntary? **Mandatory!**
13. What fidelity or malpractice insurance do you have? **Also regulated by the law in order to at all times, to get the debt collection license and to be able to carry out debt collection activities. Everyone must be insured for large amounts in relation to, for example, single-employee mistakes.**

The answers in this form cannot be used to sue the person who, in the best sense, tried to answer the questions as shortly as possible. There are exceptions and other interpretations on some of the questions.