Germany

“Objection to an Expert VI” (Sachverständigenablehnung VI)

Code of Civil Procedure, Secs. 42, 406(1)

**Decision of the Federal Supreme Court (Bundesgerichtshof)
23 October 2012 – Case No. X ZR 137/09**

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The appearance of less than total impartiality can be justified if an expert has economic ties with one of the parties. If the expert agrees to render an opinion for a third party who in turn has a consulting relationship to one of the parties, this is only permissible under very strict conditions.

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