

Can a Non-Signatory to a Contract Enforce an Arbitration Provision?

In an article published on Butler Snow's website, Lauren Patton describes a contract situation in which an executive has signed a contract "on behalf of" the company, but did not sign the contract individually. During the course of the matter, the third party brings claims in court against the executive in his individual capacity, and the executive wants to force those claims to arbitration.

She discusses whether the fact that the executive did not sign the contract containing the arbitration provision in his individual capacity is fatal to enforcement of the provision.

She cites prior cases and common law in her discussion.

Read the white paper.