Trump Lawyer: No Settlement in Lawsuit Against Celeb Chef

News

Lawyers for the Trump Organization and for Zakarian's company told the judge that the two parties had reached an impasse.

Navigating Construction Disputes, From Mediation to Litigation

Insight

All parties involved with a construction contract need to explore which dispute resolution option is right for them and the project, and also ensure their contract terms are as clear as possible to avoid potential problems down the road, writes Kim Slowey in *Construction Dive*.

Don't Bury Arbitration in Your Employee Handbook

Insight

Getting an arbitration clause to stick isn't always easy, but the effort can be worth it if it avoids just one drawn-out, expensive lawsuit, advises *Business Management Daily*.

It Can Be Challenging to Enforce an Arbitration Provision in an Expired Contract

Insight

The case highlights the reality that provisions that are contained in written agreements will not necessarily survive expiration of the agreement simply because the relationship between the parties continues, reports Erin Palmer Polly for Butler Snow.

Fuzzy Math? 6 Differing Arbitration Agreements = 0 Arbitration Agreement

Insight

If the parties intend their choice of arbitration to be binding and enforceable, the arbitration agreements in interrelated agreements must be compatiblewrites Liz Kramer in the Stinson Leonard Street blog.

Smart Contracts Pose Enforceability Issues

Insight

Business Insider summarizes the major findings of a new white paper by blockchain consortium R3 and global law firm Norton Rose Fulbright.

China Contracts: Dispute Resolution Clauses

Insight

Dan Harris explains why a provision calling for Chinese contract dispute resolution in U.S. courts can sometimes be a hindrance, compared to a clause requiring dispute resolution to take place in Chinese courts.

Incorporation by Reference of an Arbitration Clause Is a Simple Matter … Isn’t It?

Insight

Drafting an arbitration clause for an agreement may seem like a straightforward matter most of the time, writes Gilbert A. Samberg for Mintz, Levin.

In Contracts, What a Difference a Word Makes

Insight

Larry P. Schiffer of Squire Patton Boggs describes a recent case that illustrates his point that legalese and unnecessary words can cause a trier of fact to interpret a clause in a way that is unexpected.

Four Significant, But Often Overlooked, Provisions in Domestic Commercial Contracts

Insight

Contractual provisions that parties choose to include in their agreement depend on a number of factors including, among others, the identity of and relationship between the parties and the size and nature of the transaction, according to a K&L Gates article.

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5 Points: Arbitration Clauses in Real Estate Contracts

Insight

While consumers may not have many choices when signing agreements that contain arbitration clauses, commercial parties often negotiate every last term of their agreements, according to a post on Shutts & Bowen LLP's website.

Arbitration Award Overturned Because Arbitrator Impersonated Lawyer

News

The Ninth U.S. Circuit Court of Appeals overturned an arbitration award in a multimillion-dollar investment case Friday because the lead arbitrator impersonated a California attorney – something he did in dozens of cases before being exposed, the San Francisco Chronicle reports.

Arbitration Provisions in Employment Agreements: The

Pros and Cons

Insight

Deciding whether to include an arbitration provision in an employment agreement requires thorough consideration based upon an employer's individual circumstances, according to a post in Trenam Law's Employment Law Update.

Three Tips for Writing Effective Arbitration Clauses

Insight

A well-drafted arbitration provision can save companies from expensive and time-consuming class litigation, two defense attorneys say in a report published by Bloomberg BNA.

Class-Action Attorneys Awarded $555.2 Million for Work in BP Suits

News

U.S. District Judge Carl Barbier pointed out that award represents about 4.3 percent of the estimated $13 billion that BP is expected to pay under the ongoing settlements, reports *The Times-Picayune*.

Arbitration Clauses in Consumer Contracts: Is There Change Afoot?

Insight

Many state and federal government representatives, judges, politicians, and interest groups have been speaking up about arbitration, and some have publicly pulled away from upholding universal “forced arbitration,” according to an article posted by Newsome Melton.

Ethics Issues in International Arbitration

Event, Oct. 6, 1 p.m. EDT

Practical Law will present a webinar titled “Ethics Issues in International Arbitration” on Thursday, Oct. 6, at 1-2:30 p.m. EDT.

Wells Fargo Customers May

Never See Their Day in Court, Experts Say

News

Mandatory arbitration contract clauses may protect the bank from class-action suits brought by customers who had bank or credit card accounts opened in their names without their knowledge, reports NBC News.

When Arbitration Is Favored Despite USERRA Violations

Insight

The Eleventh Circuit found in *Bodine v. Cook's Pest Control Inc.* that an arbitration agreement in an employment contract is enforceable despite the fact that certain provisions of the arbitration agreement violate the Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA).

How to Write an Arbitration Clause for Offshore Outsourcing Deals

Insight

Incorporating an effective arbitration clause into

international outsourcing contracts is critical, writes Stephanie Overby for CIO magazine.