“Don’t Mess with Texas” (Choice of Law Provisions)

White Paper

eyfarth Shaw reports on a contract case in which a California court found that an arbitration agreement between Texas-based Neiman Marcus and a California-based employee was unconscionable because the agreement designated Texas law as the law to apply.

Hogan Lovells Adds Top-Ranked Disputes Team in Houston

NEWS

Hogan Lovells has announced that Maria Boyce, Jennifer Smith and Cristina Rodriguez will be joining the Litigation and Arbitration practice group as partners in the firm’s Houston office.

9th Circuit Again Clarifies That Arbitration is Creature of Contract

White Paper

Arbitration remains a preferred forum for many employers, yet

courts are often wary of enforcing arbitration agreements against employee-plaintiffs.

Hogan Lovells Adds International Arbitration Partner Samaa Haridi in New York

NEWS

Samaa Haridi has joined its International Arbitration Practice (IA) as a partner in the firm’s New York office

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First Circuit Affirms Confirmation of Arbitration Award

White Paper

The agreements between the parties contained an honorable engagement provision, which directs the arbitrators to consider each agreement as an honorable engagement, not merely a legal one.

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

White Paper

Apart from comporting with common law principles of agency, the enforcement of an arbitration provision by a non-signatory agent conforms with traditional notions of justice and fair play

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Fifth Circuit Finds Parties Can Authorize Arbitrators By Their Conduct

White Paper

Appellate court’s ruling reverses a district court finding that the court was the proper decision-maker on contract formation.

Make Sure Your Agreement Addresses the Availability of Class Arbitration

White Paper

Companies could find themselves facing unfavorable, but reviewable, court determinations in some jurisdictions, while being more tightly bound in other jurisdictions by arbitrator determinations subjecting them to class arbitration against their will.

Forced Arbitration Pervades Contractual Agreements, Binding Consumers

Article

The words “forced arbitration” might not appear in a contract and instead are referred to by the term “dispute-resolution mechanism.”

Dispute Resolution: Working

Together Toward Conflict Resolution

White Paper

Harvard’s Program on Dispute Resolution offers a free white paper offering advice on understanding how relationships can help in negotiations.

Monetizing Large Judgments and Arbitration Awards

On-Demand

The Association of Corporate Counsel’s Litigation Committee presents a free on-demand webinar on the international judgment enforcement and asset recovery process.

Tips for Avoiding Disputes and Prevailing when Disputes Are Inevitable