

# Founder of Tea Party Nation Has Been Disbarred for Trying to Scam Timeshare Owners

## *News*

Tennessee attorney Judson Wheeler Phillips, a senior partner with Nashville-based Castle Law Group, was accused of taking off with the money he earned from the fraudulent transactions, the Tennessee Supreme Court has ruled.

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# Where Can I Sue You? Forum Selection vs. Choice of Law

## *News*

A post on the website of Meislik & Meislik discusses the differences between two contract provisions that sometimes are confused: forum selection and choice of law.

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# Inside the Private Justice Department Meeting That Could Lead to New Investigations of

# Tech Giants

## *News*

Participants voiced lingering frustrations that these companies are too big, fail to safeguard users' private data and don't cooperate with legal demands.

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## **White Paper: User Authentication for E-Signature Transactions**

### *Insight*

OneSpan has published a white paper titled "User Authentication for E-Signature Transactions" and made it available for downloading at no charge.

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## **Time to Reconsider No Poaching Agreements? Yes, Emphatically.**

### *Insight*

Franchisors need to review their franchise agreements and take immediate action in response to the recent onslaught of legal action over "naked no-poaching" provisions in franchise agreements, according to a post in Franchise Law Update on the

website of Fox Rothschild.

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# Subcontractor Approval in Contract Drafting

## *Insight*

Nearly every form of service agreement contains a provision restricting the ability of one or both parties to subcontract their obligations, points out a post in the Tech & Sourcing blog at Morgan Lewis.

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# Minimum Volume Commitments in the Midstream Industry

## *Insight*

In the midstream industry, these contracts are typically utilized to enable the operator to recoup the costs of constructing infrastructure, such as a processing plant or pipeline lateral, for the benefit of the counterparty, according to Opportune.

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# Construction Arbitration: The Pros and Cons

## *Insight*

Most parties involved in a construction project have a contract that defines their responsibilities, and many of these construction contracts also contain arbitration clauses, according to Ward and Smith.

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# Unsigned Contract Still a Written Contract

## *Insight*

Can an unsigned contract still be a contract? The answer is yes, for statute of limitations purposes, says the 7th Circuit Court of Appeals, according to Masuda, Funai, Eifert & Mitchell.

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# Cryptocurrency GC Has Left the Company at an Awkward Time

## *News*

Brynly Llyr, general counsel of Ripple, one of the world's leading cryptocurrency companies, has left the payment and

remittance network, reports Quartz's Private Key newsletter.

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## **Five Legal Issues to Consider When Contracting for Utility-Scale Energy Storage**

### ***Insight***

Utility-scale battery energy storage system transactions present unique legal issues and require special analysis of traditional contract provisions, according to *Solar Industry*.

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## **Contractual Distinctions Without a Difference? Standards: Without a**

### ***Insight***

Contract standards are inconsistently interpreted by courts and are often subjectively applied, warns an article on the website of Mayer Brown.,

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# Check Those 'Choice of Law' Provisions

## *Insight*

Choice of law" clauses in contracts are often overlooked in their potential importance, as the parties and counsel concentrate on the more immediate matter of the explicit commercial terms, according to Nexsen Pruet.

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# Site Cannot Compel Arbitration Based on Amended Terms Without User Notification of Change

## *Insight*

The court's opinion offers some lessons on building a record that establishes that users have been given notice of a later-added arbitration clause and that an actual mailing or attempt to mail have been directed personally to the user, according to Proskauer Rose.

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# Warren Burns Appointed

# Interim Lead Counsel in Online Price-Fixing Class Action

## *News*

A federal judge has appointed Warren Burns of Dallas-based Burns Charest LLP as sole interim lead class counsel in a nationwide antitrust class action.

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# Judge Rejects Ex-Bank Executives' Bids for Acquittals, New Trials

## *News*

Judge Richard Andrews refused to enter judgments of acquittal or set new trials for the former Wilmington Trust executives.

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# Microsoft GC to Business Partners: If You Want to Work With Us, Offer Paid Family

# Leave

## *News*

Microsoft announced a new policy Thursday, pledging it will ink contracts only with service providers who give their employees 12 weeks of paid family leave.

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# IP Warranties v. IP Indemnification

## *Insight*

Morgan Lewis discusses a frequent point of contention between parties negotiating the allocation of risk related to intellectual property rights in connection with the acquisition of intellectual property.

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# Decision Chips Away at the Enforceability of Teaming Agreements

## *Insight*

A recent decision from the Virginia Supreme Court further weakens the enforceability of teaming agreements, which may mean trouble for prospective subcontractors, according to an alert from Baker & Hostetler.



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# Circuit Split – Allowing Receiverships by Contract

## *News*

A post on Bryan Cave's website discusses a circuit split on the weight courts give contractual provisions allowing the appointment of a receiver in loan documents.