Judge Guts FTC’s $4-Billion Lawsuit Against DirecTV

News

The judge said there remain a number of problems with the FTC’s theories for relief and that the FTC “has an uphill climb.”

National Law Journal Honors Loewinsohn Flegle Deary Simon

News

The publication’s research staff selected the Dallas-based firm for its lawyers’ “exemplary performance in cutting-edge work on behalf of plaintiffs over the last 18 months.”

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10 Contract Issues to Consider When Implementing an ERP System

Insight

Morgan Lewis offers 10 framework issues to consider when in-house lawyers start thinking about how to support a business client that is looking to implement a new or replacement enterprise resource platform.

Automatic Renewals of Consumer Contracts: Everything You Ever Wanted to Know But Were Afraid to Ask

Insight

Automatic renewals of consumer contracts should be used with care, particularly in light of recent changes to state automatic renewal laws and increased scrutiny from government officials and class action lawyers, warns a recent post on the website of Drinker Biddle & Reath.

Recovering Data Breach Losses from Non-Contractual Parties

Insight

Often, the loss initially falls on the financial institution through account or card agreement provisions or deadlines imposed by statutes or regulations, according to a Dykema blog post.

DOJ Says Ruling on AT&T-Time Warner Ignored ‘Economics and Common Sense’

News

In its filing, the DOJ called the district court’s decision a “deeply flawed assessment of the government’s evidence.”

Securities Lawyers Shocked By Elon Musk’s Tweet, Point to Potential Legal Minefield

News

Securities lawyers said Telsa’s board would have to form a committee to explore a take-private or risk being accused of skirting their duty, reports CNBC.

How Fair — or Legal — are Non-poaching Agreements?

Insight

Franchisors have these agreements with their franchisees in order to prevent employees from leaving one franchise to join another within the same chain.

When Your Contract Includes an Arbitration Clause: Who Decides the Arbitrability of the Dispute?

Insight

Parties wishing to ensure resolution of “gateway” questions of arbitrability by a specific decision-maker —whether the court or arbitrator —should spell out their preference as clearly as possible in the arbitration clause, according to Williams Mullen.

Invention Assignment Agreements — How to Avoid Pitfalls

Insight

Agreements should also be drafted to encompass the widest range of intellectual property possible, advises Jeffrey A. Simmons of Foley & Lardner.

Requiring Buyers to Buy Service Contracts? Read This.

Insight

When a dealer requires a service contract in financing transactions, but not in similar cash transactions, the charge for the service contract must be treated as a finance charge, according to a Hudson Cook post.

Parking Garage Collapse: What Car Owners With Damaged Vehicles Should Consider

News

When it comes to repairing cars damaged in a commercial parking garage collapse, owners should consider going through their car insurance carriers first, says a Dallas lawyer.

Firm Disqualified for Dropping One Client, Then Suing It for Another

News

A Massachusetts federal judge said Sunstein Kann Murphy &

Timbers LLP’s breach of duty of loyalty was clear and the situation was not “unforeseeable,” reports Bloomberg Law.

Google Just Promoted Its Top Lawyer to Run Global Affairs

News

In his new role, Kent Walker will oversee Google’s policy, legal, trust and safety, and corporate philanthropy teams.

Can a Smart Legal Contract Be Considered a Contract According to U.S. Contract Law?

Insight

Smart contracts can easily comply with offer, acceptance, and consideration requirements of conventional contracts, writes Mykyta Sokolov for lawless.tech.

Buy-Sell Agreements – A Must for Start-Ups with Multiple Owners

Insight

A buy-sell agreement addresses voluntary separations – i.e. an owner wants to retire, finds other interests or simply loses the spark with his/her co-owners, explain authors Amy Plummer and Laura Wasson.

Papa John's Founder Sues the Company, Seeking Documents Related to His Ouster

News

A Papa John's spokesman called John Schnatter's filing "a needless and wasteful lawsuit in an attempt to distract from his own words and actions."

Burn Victim Sues Chinese Phone Subsidiary ZTE USA Over

House Fire

News

The plaintiff suffered serious burns from a fire he attributed to his recently purchased ZTE ZMax Pro Blu phone catching fire while he slept.

US Duck Boat Operators Under Scrutiny Following Branson Drowning Tragedy

Insight

The latest tragedy should spur operators everywhere to take a close look at safety procedures and design issues and ensure that personnel are properly trained to respond to emergencies, said Steve Fernelius of Houston-based Fernelius Simon.

Facebook GC Leaving as the Company Grapples With Election Aftermath, Federal Investigation

News

Colin Stretch led Facebook’s investigation into Russian

meddling, and has been key in crafting the company’s legal response to the Cambridge Analytica privacy debacle.