Federal Judge Scolds Slow-Moving BigLaw Lawyers

News

A federal judge in New Jersey has criticized Samsung Electronics America and its lawyers at Squire Patton Boggs for alleged “poor judgment and a misunderstanding” of their obligations in litigation involving two would-be class actions, reports the *ABA Journal*.

Don’t Risk Having an Equivocal Forum Selection Clause

Insight

The language in a forum selection clause is critical if you want to ensure that potential litigation takes place on your “home court,” writes Shep Davidson in the Burns Levinson In-House Advisor blog.

Why Your Contracts Need a Force Majeure Clause

Insight

Elizabeth A. Whitman of Whitman Legal Solutions, LLC, says

that parties should work with their attorneys to determine what types of circumstances should be listed given the nature of the specific contract.

Littler Survey: Employers Reeling from Regulatory Shifts, New Forces Impacting Workplace

Insight

Littler's seventh annual survey of more than 1,100 employers reveals how companies are responding to rapid social and political changes.

Novartis Lawyer to Retire Over Contract With Trump Attorney Michael Cohen

News

Felix R. Ehrat, group general counsel of Novartis, is retiring "in the context of discussions surrounding Novartis' former agreement with Essential Consultants, owned by Michael Cohen," the company said.

Chipotle Cuts Losses, Settles Case With Ex-Worker Rather Than Face Big Damages

News

Chipotle Mexican Grill Inc. on Monday reached a confidential settlement with a former employee, rather than face punitive damages for wrongfully firing her in January 2015 from the the restaurant she once managed, reports *The Fresno Bee*.

Provisions for Vendor Contracts: Subjects to Cover

Insight

Drafting your own checklist and standard provisions that satisfy your company's privacy and security requirements in advance can save time and money in the future, writes Katila Howard for Foster Swift Collins & Smith.

Gig Worker's Hopes of Arguing

Case in Court Are Dashed By Arbitration Agreement

Insight

The April 25 decision is a solid win for gig employers and could provide a template for how other similar businesses should structure their own arbitration agreements, according to Fisher & Phillips LLP.

Malpractice Suit Takes Aim At 2 Biglaw Firms

News

Two Biglaw firms are facing a malpractice suit alleging that they failed to properly advise their mutual client in a contract deal.

Download: Study Shows 4X ROI With Digital Discovery Pro

Insight>

Zapproved and Hobson & Company recently partnered to research the average return on investment (ROI) that businesses gained by implementing Digital Discovery Pro for in-house ediscovery.

Banks Cannot Skirt Contract Remedies in Data Breach Suit Against Retail Merchant

Insight

The financial institutions sought to recover some of their costs from the grocery store chain that was allegedly responsible for the loss of the data.

Is Your Insurance Provision Meeting Its Full Potential?

Insight

Careful review should go into contracts' insurance provisions, as it could have enormous effect on your protection from risk and liability, advises Morgan, Lewis & Bockius LLP.

'Not Looking for Old White Guys': Restaurant Chain Must

Pay in Age Bias Suit

News

The EEOC said applicants who were turned away were told they were “too experienced,” as well as, “we are not looking for old white guys.”

No-Poach, No-Solicit Provisions of Corporate Agreements Now Face Criminal Prosecution

News

A nearly ubiquitous element of corporate conduct, thought to be legal and competitively harmless, now faces the prospect of criminal prosecution by the U.S. Department. of Justice, according to Locke Lord.

CLE: Vendor, Customer and Competitor Bankruptcies, What GCs Need to Know

Webinar, Wednesday, May 9, 2018, at 9 a.m. PT / 12 ET

A Select Counsel webinar will discuss a range of issues

commonly presented to healthy companies when vendors, customers or competitors file bankruptcy cases.

Software Deliverables and Damage Provisions Must Be in Agreement

Insight

One of a court's most frequent tasks is interpreting ambiguous contracts created by the use of ambiguous language in contracts; however, by the time a court is deciding the issue, costly litigation may have taken years, according to Holland & Knight.

Pay IF Paid: It Means What it Says

Insight

If you are a subcontractor, lookout for language establishing payment from the owner as a condition precedent for payment, warns Bradley Arant Boult Cummings.

Look Before You Sign … the Pitfalls of Personal Guaranties

Insight

Any potential guarantor should read a proposed guaranty agreement carefully and understand each contractual provision. Often the terms can be negotiated, even if a business entity is a startup and has limited assets and income, according to Ward and Smith.

Franchise ‘No-Hire’ Agreement Class Actions and the Single Enterprise Defense

Insight

Franchisor employers should assess whether the joint employer risk is worth accepting in order to pursue the single-enterprise defense, warns Seyfarth Shaw.

5th Circuit Nixes $151M J&J

Verdict, Cites Plaintiff Lawyer's Alleged 'Deceptions'

News

DePuy Orthopaedics and Johnson & Johnson will get a new trial after the previous one in 2016 ended with the companies having to pay $151 million in damages to five plaintiffs with alleged hip replacement injuries, reports the *SE Texas Record*.