SEC Hires General Counsel From Company Under Investigation

News

The state attorney general has been investigating TIAA's mutual fund and annuity sales practices following a whistleblower complaint filed by TIAA with the SEC, according to *The Global Legal Post*.

Are Smart Contracts Smart Enough for the Insurance Industry?

Insight

In an article in the Pillsbury Policyholder Pulse blog, Kimberly Buffington and Cara Adams discuss the question: Will insurance policies become the laboratory to test the thesis behind smart contracts?

Six Tips for Drafting Better

Statements of Work

Insight

If a statement of work fails to adequately describe the deliverables and the services to be rendered, projects can fail, cost can overrun results and project schedules can be delayed, writes Michael R. Overly of Foley & Lardner LLP.

Not So Fast: Limits of ‘Settlement Negotiation’ Protections

Insight

It’s far too simplistic to suggest that anything your company considers to be a “settlement negotiation” is going to be kept out of court, warns Joseph A. Schouten of Ward and Smith, P.A

Keys to Negotiating Indemnity Agreements

Insight

It’s imperative that your company’s risk management and legal departments strategically manage indemnification and insurance obligations to minimize the always increasing cost-of-business demands, writes Buldas of Pietragallo Gordon Alfano Bosick &

Raspanti L.L.P. in Pittsburgh.

How to Build a Solid Contractual Risk-Transfer Program

Insight

Without a properly structured risk-transfer program, a general contracto, owner or property manager could assume financial responsibility unnecessarily for losses caused by a third party, warns Tommy Williams, USI Uniondale vice president.

How Boards Must Think Differently in Today’s Digital Landscape

On-Demand

In a video discussion, Alex Schmelkin, board member with Essendant and founder & CEO of Cake & Arrow, outlines several approaches that boards can take to better understand the “end user” no matter the organization or industry.

A Primer on Deal Structure and Its Implications on the Sale of a Business

Insight

Jeremy S. Piccini discusses a few examples of the ideal target purchasers for a sale, including strategic competitors, private equity buyers, and employee stock ownership plans.

Assessing the Ability to Change Culture – Complimentary Article from NACD

Insight

The NACD has published a complimentary article titled "Assessing the Ability to Change Culture," providing a quick overview of best practices set forth in the Report of the NACD Blue Ribbon Commission on Culture as a Corporate Asset.

Key Provisions for Supply

Chain Contracts

Insight

By paying careful attention to the terms of its supply chain contracts, a company can help to mitigate its risks while at the same time maximizing the value of its supply chain, according to a Foley & Lardner post on its website.

Three Legal Pitfalls to Avoid in Blockchain Smart Contracts

Insight

While the use of smart contracts is tempting, this silver bullet of efficiency and lower costs doesn’t come without potential problems, warns Gregg M. Jacobson of Chamberlain Hrdlicka.

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6 Essential ‘TENANT’ Tips for Negotiating a Commercial Lease

Insight

Real estate lawyer Laura A. Drossman uses a handy acronym to illustrate some of the issues and some tips for tenants approaching lease negotiations in a commercial setting.

AT&T Would Win a Fight With DOJ Over Time Warner Deal, Analyst Says

News

AT&T and the Justice Department could be on their way to a major court battle, which one analyst believes the company stands a strong chance of winning, CNBC reports.

Insurance Giant Receives New York Subpoena on Sales Practices

News

New York's attorney general has subpoenaed TIAA, the giant insurance company and investment firm, seeking documents and information relating to its sales practices, according to people briefed on the inquiry, reports *The New York Times*.

Defending Breach-of-Contract Claims in Data-Breach Litigation

Insight

A post on the What's Fair? blog on the Ellis & Winters LLP website discusses a recent federal appellate decision that shows how data-breach lawsuits premised on overpayment theories – which often assert claims sounding in contract – still face an uphill battle.

Billionaire CEO Shuts Down Publications After Vote to Unionize

News

The CEO of a group of digital local news sites shut down the publications a week after reporters and editors in the combined newsroom of DNAinfo and Gothamist voted to join a union, reports *The New York Times*.

Dealmakers Increasingly

Optimistic About M&A Market and U.S. Economy in Dykema Survey

Insight

Respondents to Dykema's 13th Annual M&A Outlook Survey expressed an overall bullish viewpoint of the economy and U.S. M&A market, bringing a new level of optimism, not seen in several years.

GCs Taking the Heat in Congressional Grilling of Social Media Giants

News

Sen. Mark Warner chided Facebook General Counsel Colin Stretch for his "I will have to come back to you on that, sir" reply to a question on cross-checking fake accounts.

U.S. States Allege Broad Generic Drug Price-Fixing

Collusion

News

The states said the drugmakers and executives divided customers for their drugs among themselves, according to Reuters.

Allocation of Data Breach Risks and Costs in Vendor Contracts: Negotiate, Negotiate, Negotiate

Insight

If the organization’s sensitive data is breached while under the control of a vendor, the vendor’s only obligation is to notify the organization, warns Anne S. Peterson of McGuireWoods.