Mitigation of Construction Defect Litigation – Top 10 Construction Contract Issues

Insight

A construction contract will need to be reviewed thoroughly and revised to better protect the owner, and in the case of residential construction, should in particular, address 10 key issues, advises Rebecca W. Dow in Holland & Hart's Construction Law Blog.

Uber Faces Criminal Probe Over the Secret 'Greyball' Tool It Used to Stymie Regulators

News

Some Uber employees told Reuters that the Greyball technique was used against suspected local officials who could have been looking to fine drivers, impound cars or otherwise prevent Uber from operating.

Creating Material Wealth for Business Owners & Labor with ESOPs

Event, June 1, 2017, New York

ESOPs are commonly used by an owner seeking to retire, however, in today's business market of successful start-ups, there's an opportunity to consider them earlier in the lifecycle of the company.

Kimberly-Clark Sues Spinoff Over $454 Million Gown Verdict

News

The plaintiff claims Halyard agreed to indemnify Kimberly-Clark for all costs tied to a lawsuit that accused the companies of misleading consumers about the safety of their MicroCool surgical gowns, Bloomberg reports.

U.S. Accuses UnitedHealth of

Medicare Advantage Fraud

News

The accusation against the company is the latest, following separate lawsuits in two separate whistleblower lawsuits against the country’s largest health insurer, reports Reuters.

Lanier Law Firm Adds Experienced Oil & Gas Attorney Todd Grimmett

News

Veteran energy company in-house counsel Todd L. Grimmett has joined The Lanier Law Firm as a member of the commercial litigation team.

Using a TRO to Stop Legal Opponents in Their Tracks

Insight

a TRO provides immediate relief from the court system when a party can show irreparable harm will be caused if someone is allowed to remain in control of assets that belong to the company, writes Mehendru P.C.

3 Cases of Cross-Border Compliance Mishaps

Insight

The paper discusses three recent cases involving international brands, failure to meet U.S. compliance regulations yielded high penalties. Missteps like these not only cost billions in fines, they can also erode customer trust and public opinion.

Best Practices for Limiting Liability Arising from Smart Contract Vulnerabilities

Insight

Jared Butcher, writing in the Steptoe Blockchain Blog, offers six best practices to consider when implementing a smart contract.

Restrictive Covenants Can

Swing Both Ways: A 3-Step Plan To Avoiding Legal Risks When Onboarding New Employees

Insight

Increased media attention on the practice of forcing lower-level employees to sign non-compete covenants, combined with the widely publicized report on non-compete restrictions issued by the Obama White House in its waning days, has led to an increase in the number of reported cases, writes Michael Elkon with Fisher Phillips.

Not an Inside Job: How Two Analysts Became SEC Whistleblowers

News

Reuters tells the story of how two analysts who liked to swap notes on numbers they thought looked odd took a fateful step and tipped off U.S. regulators about a company that one of them had watched for months.

Big Law Business Summit Set for May 24

Event, May 24, 12-6 p.m. New York

Bloomberg Big Law Business will host its 3rd annual Summit in Manhattan Wednesday, May 24, 2017, A networking lunch and cocktail reception will be included.

Jay Peak Resort Receiver Reaches $150 Million Settlement with Raymond James

News

Michael I. Goldberg, the SEC appointed receiver in charge of the Jay Peak Resort and Burke Mountain Hotel in Vermont, reached a settlement agreement with Raymond James that will significantly benefit the defrauded investors and creditors of the receivership estate.

Clear Arbitration Provision Deemed Enforceable

Insight

In his Petes' Take blog for Porzio, Bromberg & Newman, Peter J. Gallagher describes a New Jersey case in which a court

ruled that a clear arbitration provision, negotiated by a sophisticated party while represented by counsel, is enforceable.

5th Circuit: Unpatented Products Can Be Given Patent-Like Protections by Contract

Insight

The decision has significant and potentially far-reaching impacts for companies who seek to protect their product designs.

Is American Retail at a Historic Tipping Point?

News

The shift to e-commerce has been building gradually for years. But economists, retail workers and real estate investors say it appears that it has sped up in recent months, according to *The New York Times*.

Health Law: Is Your Arbitration Agreement Enforceable?

Insight

A recent decision of the Arizona Court of Appeals provides guidance for evaluation of the enforceability of arbitration agreements in the health care field, reports Snell & Wilmer in its Health Law Checkup blog.

Standard Contract Terms in the ‘Widgetal’ Age

Insight

A company that now uses an online portal or provides other electronic access to counterparties should update its trusty standard contract terms, advises Morgan Lewis.

Dewey’s Former GC on the Crisis at United Airlines

News

Bloomberg Law asked a former GC with experience in crises to explain the likely legal ramifications of United Airlines’ botched handling of an overbooked flight and what the company

may do to mitigate the fallout.

Trump Loses Suit Over Unpaid Bill: $32K Debt Costs Him $315K

News

A Florida appellate court rejected Trump National Doral's attempt to get out of paying a Miami paint store chain over $315,000 – based on an unpaid bill for $32,535, reports *The Miami Herald*.