Rejecting Power-Purchase Agreements in Energy Cases: Do Bankruptcy Courts Have Exclusive Jurisdiction?

Insight

A bankruptcy court held that it not only has exclusive jurisdiction over the rejection of wholesale power-purchase agreements, but that the Federal Energy Regulatory Commission has no such jurisdiction, according to Holland & Hart.

Understanding Where And When a Pre-Printed Form is Appropriate

Insight

Business owners often fail to carefully review the pre-printed sections of contracts to know what the contract actually says.

The Devil is in the Details

(or Lack Thereof): A Costly Lesson in Allocating Environmental Responsibility in Contracts

Insight

The seller could have more carefully crafted the language of the rider to limit its remediation obligations.

Business Lobby Prods 9th Circuit to Revisit Decision Curbing Consumer Arbitration

News

The briefs come in the wake of the 9th Circuit’s June 28 rulings in which plaintiffs claimed they couldn’t be forced into arbitration because they sought injunctions against corporate defendants.

LIBOR Phase-Out:

Considerations for Oil & Gas Companies

Insight

Oil and gas companies are encouraged to consider the impact of the phase-out to their organization and take steps to assess existing agreements and carefully monitor the execution of new agreements.

Third-Party Contract Due Diligence in Outsourcing Agreements

Insight

The due diligence review of existing third-party contracts is a critical component of any outsourcing deal, according to Morgan Lewis.

Private Equity: The Little-Regarded Confidentiality Agreement

Insight

Global Private Equity Watch discusses a case that

distinguishes between affiliates entitled by the non-disclosure agreement that are entitled to receive confidential information and affiliates actually bound by the agreement.

Ambiguous Limitation-of-Liability Clause Did Not Clearly Restrict Owner's Claims

Insight

A Mississippi federal court denied a defendant's motion for partial summary judgment in connection with a limitation-of-liability clause, according to a Pepepr Hamilton post .

American Airlines Demands Mechanics' Unions Pay For 'Enormous Financial Losses' From Flight Delays, Cancellations

News

American Airlines is demanding that the mechanics' unions pay

for hundreds of flight delays and cancellations over the last two months.

Rejecting Power-Purchase Agreements in Energy Cases: Do Bankruptcy Courts Have Exclusive Jurisdiction?

News

The U.S. Bankruptcy Court for the Northern District of California held that it has exclusive jurisdiction over the rejection of wholesale power-purchase agreements, reports Holland & Hart.

International Manufacturing Contracts: Why Templates Are a No-Go

Insight

Dan Harris of Harris Bricken discusses why he sometimes has to explain to companies why he never does “template” manufacturing agreements.

Typical 1031 Exchange Agreements

Insight

A post on the website of Mackay, Caswell & Callahan discusses the basics of drafting contracts associated with Section 1031 exchanges.

Don’t Let ERP Contracts Fool You Twice

Insight

Never sign the vendor’s or integrator’s template contract without negotiating and redrafting key provisions – even the boilerplate ones, Taft’s Marcus Harris advises.

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12 Tips for Shippers Negotiating Freight Contracts

Insight

A collaborative contracting process with shared goals and understandings, clear expectations and mutual obligations will reduce a company’s legal risk.

U.S. Supreme Court to Rule on Important International Arbitration Issue

Insight

The answer to the question depends on where in the United States the dispute is being litigated, according to China Law Blog.

Gunmaker Asks Justices to Rule Against Sandy Hook Families

News

The company argued that the 2005 federal Protection of Lawful Commerce in Arms Act shields firearm makers from liability when their products are used in acts of violence.

Thompson & Knight Counsels

Conflicts Committee of American Midstream Partners in Going-Private Merger with ArcLight

News

Thompson & Knight LLP advised the Conflicts Committee of American Midstream Partners, LP in its merger with an affiliate of ArcLight Energy Partners Fund V.

Recent Case Law Focuses on Drafting Considerations in Payments Contracts

News

A court recently ruled that where a contract between a credit card processor and its sale agent had conflicting clauses, the clause should be read in favor of the sales agent.

Drafting Sublicense

Provisions in Intellectual Property Licenses

Insight

A sublicense in the context of an IP license is any agreement where the licensee grants a third party rights to any of the licensed IP.

Equifax Data-Breach Settlement: Get Up to $20,000 If You Can Prove Harm

News

Individual victims may be able to claim as much as $20,000 in compensation for losses resulting from the breach if they can prove they were harmed.