Boeing Has Friends in High Places, Thanks to Its 737 Crash Czar/General Counsel

News

When he was a federal appellate court judge, J. Michael Luttig brought on dozens of promising young clerks who are now spread throughout the judiciary and beyond,

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Contractual Insurance Requirements: Traps for the Unwary

Insight

Lyndon Bittle of Carrington Coleman discusses “traps for the unwary” lurking in construction contract insurance requirements, focusing on the ubiquitous commercial general liability policy.

In Form Contracts, Don’t Silence Consumers with Gag

Clauses: FTC’s Consumer Review Fairness Act

Insight

The FTC’s Consumer Review Fairness Act states that such gas clauses are illegal and void in form contracts.

More Idiosyncrasies of the Common Law of Contract You Need to Know

Insight

Simply reading the agreement and concluding that indefinite is the same as forever, or that there is not a built-in implied end date not otherwise stated, is not enoughm warns Glenn D. West of Weil, Gotshal & Manges.

Understanding Contractual Limitations on Liability

Insight

A post on the website of Best Best & Krieger discusses what contractual limitations on liability can mean for a business.

Web Scraping Decisions Consider Contract Cause of Action

Insight

Two recent web scraping disputes highlight some important issues regarding whether a website owner may successfully allege a breach of contract action against a commercial party that has scraped website content, according to a Proskauer post.

Survey: Business Practioners See Challenges From Increasing Demand, Tight Budgets, Compliance

Insight

The EY global survey finds that legal functions must change their operating models to maximize value from digital transformation.

Supply Chain Agreements: Structuring Key Provisions

Insight

Complex supply chains and the current political climate create an environment of uncertainty for some companies, explains a Foley & Lardner post.

Texas Adds New Statutory Requirements on Land Leases for Wind Farms

Insight

Future land leases in Texas for wind power facilities should include provisions to comply with the new statute's requirements, advises Holland & Knight.

Don't Assume That Closely Related Agreements Will Be Interpreted As One Contract

Insight

Even very closely related agreements still may be viewed as completely independent if there is a claim that only one of

them has been breached, warns Burns & Levinson.

Dali Wireless Declares Victory Over Industry Giant CommScope in Patent Fight

News

Dali Wireless has prevailed over its much larger rival after a multiyear battle over both companies' patents.

Protecting Privileged Pre-Merger Communications Through Contractual Provisions

Insight

Sell-side counsel are well advised to negotiate provisions akin to the retention clause, or privileged communications may fall into the hands of acquirors to be used in post-closing litigation against the sellers, advises Pepper Hamilton.

To Indemnify, Hold Harmless and Defend; Frequently Used and Frequently Misunderstood Contract Terms

Insight

A post on the Vandeventer Black LLP website provides an overview of contract terms addressing indemnity and requirements to hold harmless or responsible for the defense of another.

Amazon is (So Far) Winning Its War Against Products Liability Exposure

News

Reuters reports that a federal appeals court has determined that Amazon is not liable for facilitating the sale of a defective product manufactured by another company.

Limiting Liability: Three

Clauses to Consider in Construction Contracts

Insight

Gordon & Rees LLP's Construction Law discusses three clauses to consider when writing construction contracts, with an eye to limiting liability and maximizing profits.

PG&E Ordered to Prove New Board is Fit to Serve

News

PG&E has seen a cascade of management-level changes following the deadly November 2018 Camp Fire that burned more than 18,000 buildings and ruined the town of Paradise, according to Courthouse News Service.

Think Twice About Depreciating Repair Costs in Our State, says the Tennessee Supreme Court

News

Tennessee's Supreme Court recently held that an insurer may

not withhold repair labor costs as depreciation when the policy definition of actual cash value is found to be ambiguous. Tennessee joins other states like California and Vermont that prohibit the depreciation of repair labor costs in property policies.

Blockchain: Understanding Smart Contracts

Insight

Smart contracts still have a long way to reach maturity and overcome traditional text-based contracts, according to Hogan Lovells.

Ninth Circuit Enforces Online Arbitration Clause That Tested 'Outer Limits' of Reasonable Conspicuousness in Consumer Contract

Insight

The class action complaint in *Holl* alleged that UPS systematically overcharged its retail customers.

Thompson & Knight Attorneys Help Randa Accessories Acquire Haggar Clothing Co.

News

Thompson & Knight attorneys helped Randa Accessories acquire Dallas-based Haggar Clothing Co.