McGuireWoods Hit With Records Demand in Suit Over Energy Deal

News

Bloomberg Law reports that an importer-exporter who says two former partners and their attorneys at McGuireWoods LLP used dirty tricks to strip their joint venture of its assets has accused the law firm of sitting on the records he needs to prove it.

Federal Appeals Court Upholds $9.5 Million Judgment for Encompass Office Solutions

News

The appellate court found that BlueCross BlueShield of Louisiana failed to properly reimburse Encompass Office Solutions for in-office medical procedures.

Apple, Qualcomm Settle Bitter

Dispute Over iPhone Technology

News

Apple will make an undisclosed one-time payment to Qualcomm and pay unspecified patent royalties to the chipmaker, reports the *San Francisco Chronicle*.

Revenge of the Robocall Recipients: Jury Finds Marketer ViSalus Liable for 1.8 Million Calls

News

Thei verdict exposes ViSalus to statutory damages of about $925 million, which could be trebled.

Boeing Shareholder Files Class-Action Lawsuit, Alleges Plane Maker Concealed 737 Max

Safety Risks

News

Shareholder Richard Seeks claims Boeing “effectively put profitability and growth ahead of airplane safety and honesty,” causing investors to suffer economic losses.

Former Hertz General Counsel Rebuffs Demand for Clawback

News

The Hertz suit accused the former executives of pressuring employees to use fraudulent accounting techniques to inflate income and earnings, reports *The Global Legal Post*.

Key Considerations When Contracting Cloud

Insight

It makes sense to check whether the key features are (or can be) described in a document and to refer to that description in the agreement, according to Baker McKenzie.

Audit Provisions in Services Agreements

Insight

In many cases, the customer is the auditing party and the service provider is the audited party, but there are situations where the roles will be reversed.

Webinar: The Role of In-House and External Counsel in Managing Open Source

Webinar, April 18, 2019

Flexera will present a complimentary webinar discussing the role of in-house and external counsel in managing open source software in the business environment.

San Antonio Bans Chick-fil-A From Its Airport, Sparking Controversy

News

The City starts out ahead, but Chick-fil-A could catch up if it shows that this decision was based solely on its unrelated

speech rather than a standard contract-procurement process, according to Dallas attorney David Coale of Lynn Pinker Cox & Hurst.

Key Terms for Provider Contracts

Insight

A good contract with an employed or contracted physician or other practitioner may help you avoid regulatory violations and future disputes, advises Kim Stanger of Holland & Hart.

An Anti-Reliance Clause Should Actually Disclaim Reliance on Extra-Contractual Representations

Insight

Nothing is more fundamental to private equity deal practice than limiting the exposure of private equity sellers for post-closing claims, writes Glenn D. West for Weil, Gotshal & Manges LLP’s Global Private Equity Watch.

After Years of Apologies for Customer Abuses, Wells Fargo CEO Suddenly Quits; GC Takes Over

News

Wells Fargo general counsel C. Allen Parker will take over as interim president and chief executive of the company after the abrupt departure of chief executive Tim Sloan on Thursday.

Keeping Boilerplate Coupled to the Transaction: The Ongoing Struggles with 'Wrap' Arbitration Provisions

Insight

The relevant hyperlink concerning arbitration was "neither spatially nor temporally coupled with the transaction," the court found.

Energy Market Manipulation Remains a Hot Issue at FERC

Insight

The Federal Energy Regulatory Commission is continuing to aggressively investigate and bring enforcement action against companies that engage in energy market manipulation, reports WilmerHale in its 10-in-10 Hot Topics in Energy Series.

Webinar: The Role of Financial Experts in Commercial Litigation

Webinar, March 26, 2019

Expert Webcast will present a complimentary webinar roundtable titled “The Role of Financial Experts in Commercial Litigation.”

Unambiguous Terms of Written Contract Trump Claims of Fraudulent Inducement

Insight

A recent Texas Supreme Court opinion provided a definitive

answer to the question of whether a party can ignore the written words of a contract that directly contradict what you are being told by your counterparty is the real deal.

The Top Five Ways to Ruin Your Contracts

Insight

Forbes contributor Jack Garson says a company's contracts can be remendous assets that lock down rights to money, goods and services. But common mistakes can ruin all of that.

Service Contract Sold Separately (Batteries Not Included)

Insight

Companies should use a conservative approach when offering protection plans for products, advises Weil, Gotshal & Manges LLP in its Product Liability Monitor.

Data Privacy and Security Contractual Provisions

Insight

Business relationships often do not have contractual language applicable to data privacy and security, writes Linn Foster Freedman for Robinson+Cole LLP.