Akima Hires Barbara Doherty as VP of Contracts, Procurement

Insights

Government solutions provider Akima has named Barbara Doherty vice president of contracts and procurement to oversee the company’s corporate contracts, subcontracts and purchasing operations.

What Should an Estate Plan Include?

Insights

The Huffington Post’s recent article entitled ‘A Guide To Estate Planning During The Coronavirus Pandemic’ says that almost everyone should have an estate plan—even if there’s no major health threat.

Is A Poorly Written Force Majeure Clause Worth the Ink?

Insights

We’ve all seen, or perhaps been assaulted by, a surfeit of articles about force majeure clauses and how all of our

agreements should include one. Other pundits have gotten way ahead of this one by explaining how we will have a better world if the advice to include such clauses would be taken by all.

Faulty Jury Instruction Wipes Out $740 Million Verdict

News

The Fourth Court of Appeals of Texas overturned a jury verdict awarding HouseCanary, Inc. (“HouseCanary”) $740 million in damages for trade secret theft and fraud against Title Source, Inc., now known as Amrock.

From Both Sides Now: Looking at Contracts Through a Post-Pandemic Lens

Insights

Now, more than ever, clients and their advisors need to revisit contract forms on which they may have been relying for years.

Information on Covid-19 and Insurance Claims

Insights

“For the past three months there has been a lot of information about Covid-19. What is not clear is how insurance policies, in particular, commercial insurance policies do or do not provide coverage for losses experienced because of Covid-19 or government reaction to Covid-19.

Source-of-Duty Rule May Apply to Bar Fraud Claim Inextricably Entwined with Contractual Duties

Insights

If you sue someone for fraud, you can win punitive damages in addition to regular compensatory damages.

What Is a Juridical Entity?

Insights

While ‘juridical’ simply means ‘legal’, knowing the characteristics of a juridical entity is helpful to know.

10 Best Practices for Digital Contract Transformation

Insights

With the vast majority of CEOs expecting their business models to change over the next three years, it’s no surprise that digital transformation (DX) continues to be a strategic priority for organizations of all industries and sizes.

Exculpatory Agreements: Mitigating COVID-19 Related Risks as the Economy Reopens

Insights

Stores, restaurants, bars, and other customer-facing business owners are in various stages of reopening around the country and facing a patchwork of regulations and recommendations for dealing with the ongoing pandemic.

COVID-19: Due Diligence

Considerations for M&A Transactions

Insights

Buyers in M&A transactions should consider a number of due diligence items in response to COVID-19 and the governmental response thereto.

Your Purchase Client Has Been "Cleared to Close" By Their Lender. Not So Fast.

Insights

The seminal moment in any real estate transaction is when the purchaser has been cleared to close by their lender, thereby removing, in most transactions, the last bar on the way to a successful closing.

Arbitrating in the Age of Zoom

Insights

The new norm of social distancing, and a recent decision out of the Eleventh Circuit Court of Appeals, are changing the way arbitrations are conducted. Now is the time to update the

arbitration provisions in your contracts to take advantage of these changes the next time you have to arbitrate a dispute.

Ten Due Diligence Keys to Unlock Value from Your Software-As-A-Service Contract

Insights

The increased reliance on cloud-based technology in today's remote world makes it critically important for a SaaS customer to be able to quickly identify the important contract provisions that will lead to receiving value from the customer's technology spend.

Advance Directives are More Important than Ever

Insights

Why have advance directives and access to them become more crucial during Covid-19?

If it’s a Trade Secret, Define “Reasonable Effort”

Insights

How can innovators and developers protect their intellectual property in the form of trade secrets? How a date- and time-stamped audit trail of their IP development can be protected by a trusted third-party.

Restrictive Covenants: The Importance of Understanding Their Contractual Limits

Insights

In a recent decision, the First Department upheld a portion of Justice Andrea Masley’s Order which enjoined a defendant modeling agent and modeling agency from unfairly competing, disclosing or misappropriating plaintiff’s confidential information, and interfering with plaintiff’s contractual relationship with its models, but refused to extend the terms of the employment agreement which prohibited the agent from contacting and soliciting models throughout the pendency of the litigation.

As COVID-19 Surges, So Too Should the Use of Well-Crafted Contractual Arbitration Clauses

Insights

Virtually every aspect of our lives has been disrupted in one way or another as a result of the COVID-19 pandemic and the ensuing economic collapse.

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10 Contract Management KPIs Every Org. Needs

Webinar

A lot of organizations we speak with are looking for ways to improve the performance of their contracts and contracting process. One of the best ways to accomplish this is to establish key performance indicators.

How to Avoid Breach of Contract: ABA Business Law

Section Releases Standstill/Tolling Agreement

Insights

For many businesses, a nationwide lockdown has caused them to revisit all of their contracts to determine how the pandemic will impact their business agreements, and what happens if they aren’t able to perform as agree.