SCOTUS Clarifies Vague Arbitration Clauses Affecting Class Disputes for Growing Businesses

Insight

If class arbitration is not explicitly addressed in an arbitration agreement, it cannot be compelled, writes Patrick K. Burns in a blog post for PilieroMazza.

When is a Contract Provision a Liquidated Damages Clause?

News

A liquidated damages clause is a provision in a contract specifying a dollar amount to be paid by a party if the party breaches the contract.

Want to Protect Your Trade Secrets? Update Your

Employment Agreements

Insight

Notice of the whistle-blower protection provisions must be included in any contract or agreement with an employee that governs the use of a trade secret.

Don’t Get Caught Overlooking Boilerplate Clauses in Commercial Contracts

Insight

Neglecting those contract boilerplate provisions can lead to unintended legal consequences, warns Thompson Coburn LLP.

Court Compels Arbitration Based on Clause Incorporated Into Guaranty Agreement

News

The case involved a leasing agreement that contained an arbitration provision, but the personal guaranty did not.

Important Changes Coming to Nondisclosure Agreements in New York

Insight

The prohibition in New York state on requiring nondisclosure sexual harassment claims in nondisclosure agreements has been strengthened, reports Hogan Lovells.

Five Suggestions for Drafting (and Defending) Pre-Dispute Contractual Jury Waivers

Insight

Jury waivers memorialize an agreement between contracting parties that fact-finding in disputes arising between them will be decided by judges.

Top Five Construction

Contract Modifications to Comply with Texas Law

Insight

To avoid unanticipated liability on construction projects, the parties should modify contracts consistent with Texas law—or at least be aware of the limitations that are in place due to certain Texas statutes.

Biglaw Firm Hit by Law Student Protests Over Arbitration

News

DLA Piper partner Vanina Guerrero, who claims she was sexually assaulted and retaliated against by a fellow partner, said she is unable to bring those claims in court because of a mandatory arbitration agreement.

Lessons in Drafting and Implementing an Enforceable

Mandatory Arbitration Agreement

News

The Court found that the arbitration agreement's execution involved a high degree of procedural unconscionability.

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3 Types of Contracts and Agreements Your Company Should Be Using

Insight

Regina Campbell offers an overview of the three types of contracts and agreements that companies should consider using.

The Negligent Breach of Contract Problem In Liability Insurance

Insight

Even if an errors and omissions policy contains a breach of contract exclusion, coverage may be available in a breach claim, depending on the circumstances and applicable law, writes Charles P. Edwards for Barnes & Thornburg.

Distribution Damage: 5 Common Distribution Agreement Mistakes

Insight

By having a distribution agreement, businesses save time and money by avoiding misunderstandings that affects the profitability of each party and preventing future litigation over disputes.

Tracking Obligations in Supply Chain Contracts

Insight

A post on the website of Bryan Cave Leighton Paisner discusses a key component of obligation management – increasing obligation tracking and traceability.

Merger Non-Compete Clauses –

Be Lawful or Be Gone

Insight

A recent FTC enforcement action clarifies the requirements for non-compete clauses in M&A agreements.

Association Construction Contracts – What are Risks of That Waiver of Subrogation Term?

Insight

The 4th Circuit held that a subrogation waiver provision in a construction contract barred an association's insurance company from seeking to recover from an allegedly negligent contractor.

Global Employment Contracts: The Modern Tower of Babel

Insight

Companies must ensure the legal compliance of their contractual documentation for each country in which they do business.

Rx Savings Solutions Selects Contract Logix for Contract Lifecycle Management

News

A platform developed by Contract Logix has been selected by Rx Savings Solutions to streamline functions.

Spudding? Reworking? What are ‘Operations’ Under an Oil and Gas Lease?

Insight

Gray Reed’s Energy & the Law blog discusses an energy lease that featured some dueling provisions that resulted in a lawsuit in a Texas court.

Choice of Law and Covenants

Not to Compete

Insight

Drinker Biddle & Reath takes a look at two states' competing views on the enforceability of restrictive covenants and the critical importance of conducting a "choice of law" analysis.