Bankruptcy Court Finds Arbitration Clause in Consumer Loan Contract to be Sufficient Cause to Grant Relief from Automatic Stay

Insight

Because the court concluded that the invalidity claims were not core issues, the court granted the borrowers' motion for relief from the stay.

Why Getting the Wrong Result in Arbitration May Be What You Bought

Insight

Resolving disputes in arbitration can sometimes lead to surprising results, even ones that might be inconsistent with the underlying contract or with applicable state law, warns Ken Slavens for Husch Blackwell.

Understanding Similarities and Differences in Four Oilfield Anti-Indemnity Acts

Insight

Indemnity provisions in the energy industry are a staple in Master Service Agreements and can be unilateral or mutual, explains a post on the website of Kean Miller LLP.

China Contracts: Not Quite Legal Usually Means 100% Illegal

Insight

A less than fully legal, truly enforceable contract is no contract at all, warns Dan Harris of Harris Bricken, LLP, writing in China Law Blog.

Where Can I Sue You? Forum Selection vs. Choice of Law

News

A post on the website of Meislik & Meislik discusses the differences between two contract provisions that sometimes are

confused: forum selection and choice of law.

Teaming Up? Avoid Unenforceable Agreements to Agree

Insight

Teaming agreements are intended to define the relationships, rights and responsibility of all parties involved during both the pursuit of the work.

Take Care: Headings Can Affect Contract Interpretation

Insight

Contract headings can be a trap for the unwary—courts have used them to interpret the parties' intent when a provision is ambiguous or misleading, warns Julie Brook for CEBblog.

Federal Appeals Court Rules Uber Can Force Drivers Into Individual Arbitration, Voids Class-Action

News

The U.S. 9th Circuit Court of Appeals in San Francisco overturned a lower-court order that had certified the drivers' class-action effort.

White Paper: User Authentication for E-Signature Transactions

Insight

OneSpan has published a white paper titled "User Authentication for E-Signature Transactions" and made it available for downloading at no charge.

Time to Reconsider No

Poaching Agreements? Yes, Emphatically.

Insight

Franchisors need to review their franchise agreements and take immediate action in response to the recent onslaught of legal action over “naked no-poaching” provisions in franchise agreements, according to a post in Franchise Law Update on the website of Fox Rothschild.

Podcast: Legal Writing Pro Is Helping Teach AI to Draft Contracts

News

Ken Adams has brought his contract expertise to a Pittsburgh artificial intelligence startup, according to the *ABA Journal*.

Subcontractor Approval in Contract Drafting

Insight

Nearly every form of service agreement contains a provision restricting the ability of one or both parties to subcontract their obligations, points out a post in the Tech & Sourcing

blog at Morgan Lewis.

Non-Enforcement of Non-Competes: What's an Employer to Do?

Insight

Companies should consider the reasonableness of the restrictions and consider whether the restrictions can be tied to legitimate protectable business interests, advises Baker, Donelson, Bearman, Caldwell & Berkowitz, PC.

No Law Prohibits a Sudden NFL Retirement

Insight

Surprising as it seems, an NFL football player, a CEO or a partner in a partnership can generally walk off the job at any time, says Dallas labor and employment attorney Rogge Dunn of Rogge Dunn Group, PC.

Minimum Volume Commitments in the Midstream Industry

Insight

In the midstream industry, these contracts are typically utilized to enable the operator to recoup the costs of constructing infrastructure, such as a processing plant or pipeline lateral, for the benefit of the counterparty, according to Opportune.

Construction Arbitration: The Pros and Cons

Insight

Most parties involved in a construction project have a contract that defines their responsibilities, and many of these construction contracts also contain arbitration clauses, according to Ward and Smith.

Unsigned Contract Still a Written Contract

Insight

Can an unsigned contract still be a contract? The answer is yes, for statute of limitations purposes, says the 7th Circuit

Court of Appeals, according to Masuda, Funai, Eifert & Mitchell.

NDAs: Confidentiality and Context in the Workplace

Insight

While threats of enforcement as to the agreement Omarosa Manigault signed while part of the administration have been bantered about, it appears that the legal battle will focus on an NDA she signed while working on the campaign, according to Obermayer Rebmann Maxwell & Hippel .

Texas Court Construes Breach of Contract Exclusion Narrowly in Duty-to-Defend Case

Insight

A recent decision from the Western District of Texas narrowly construed a common breach-of-contract exclusion and held that the insurer had a duty to defend its insured against an underlying lawsuit over construction defects, according to the Hunton Insurance Recovery Blog.

Contractual Standards: Distinctions Without a Difference?

Insight

Contract standards are inconsistently interpreted by courts and are often subjectively applied, warns an article on the website of Mayer Brown.,