Choice-of-Law Provision in Employment and Non-Compete Agreement Disregarded

Article

A Dallas appellate court considered whether California law governed contract and tort claims against California-based former employees who signed employment agreements containing a choice-of-law clause stating that Texas substantive law would apply, according to a report by Neil R. Burger of Carrington Coleman Sloman.

Consideration of Force Majeure in Construction Contracts

Article

Before entering into a construction contract, consider how force majeure events are evolving in today's world, advise Jonathan Massell and David A. Senter of Nexsen Pruet on the firm's website.

Exari Delivers Contract Risk Playbook for Senior Executives and Board Directors

Article

A new publication from Exari offers detailed guidance for corporate boards and executives and assists in finding, assessing and minimizing contract risk.

The End of Consumer Arbitration As We Know It?

Article

As a result of the passage of the Dodd-Frank Act in 2010, the use of mandatory pre-dispute arbitration in consumer transactions has become tenuous, according to an article written by Maurice Shevin for Sirote & Permutt, PC.

The Blockchain Revolution, Smart Contracts and Financial

Transactions

Article

Although the blockchain was developed to facilitate cryptocurrency transactions, entrepreneurs are now developing the technology for use in smart contracts, according to DLA Piper.

Fifth Circuit Holds Additional Insureds Lack Coverage for Contractual Liability

News

The 5th U.S. Circuit Court of Appeals has affirmed a lower-court decision declining to broaden additional insured coverage afforded under a commercial general liability policy to an energy operator to contractual liabilities assumed by an energy service provider, writes David J. Saltaformaggio of Phelps Dunbar.

Study Finds Need for

Visibility in Contract Process to Eliminate Human Error

Survey

Most companies take more than a month to go from the initial “handshake” with a customer to a signed contract because they rely on manual tools, according to a survey conducted by SpringCM, a contract management solution for Salesforce customers.

Former Epix Executive Arrested For $8 Million Fraud at Network

NewsThe former chief digital officer of the Epix cable television network was arrested on Tuesday on charges that he defrauded the company of more than $8 million, reports Reuters.

Agreement to Arbitrate May

Not Require a Written Contract

Article

From two different courts in two different states on two very different claims come the same concept: an agreement to arbitrate may be binding even without a signed contract, according to a report by Stan Martin on the Commonsense Construction Law website.

Employer's Failure to Sign Agreement Torpedoes Its Motion to Compel Arbitration

Article

A fundamental principle of contract law is that a written contract is an agreement in writing that serves as proof of the parties' obligations, writes Virginia Whitehill Guldi of Zuckerman Spaeder LLP. What happens, however, when the parties forget some of the niceties of formalizing a written contract?

International Sales

Contracts: Square Peg, Round Hole

Article

The article covers what law applies, where will disputes be resolved, arbitration of foreign disputes, who pays the costs of dispute resolution, and miscellaneous important contract provisions.

Key Issues in Service Contracts for Startup Businesses

Article

If your company is providing professional services as opposed to selling a product, you may find that you need a good Agreement for Professional Services, writes Richard Harroch for AllBusiness.

How Close Are Smart Contracts to Impacting Real-World Law?

Article

Banks, exchanges, and other financial institutions are actively developing blockchain technologies that will enable

them to store and trade real assets over blockchain systems.

Court Rules Insurer's Privacy Policy Can Give Rise to Breach of Contract Claim

Article

The process of issuing an insurance policy, either directly or through an employer group, requires care and deliberate action when it comes to issues of proper integration, documentation and transmittal.

Are Electronically-Signed Contracts Enforceable?

Article

In the United States, the federal government has adopted the E-Sign Act, which states that a signature cannot be denied legal effect simply because it is made in an electronic form.

Court Won’t Enjoin Physician Who Breached Non-Compete and Consented to Injunction

Article

When his former employer asked a Providence, Rhode Island Superior Court judge to enter an injunction, the judge refused to prevent patients from being treated by a doctor of their own choosing, reports Paul E. Freehling of Seyfarth Shaw on the firm’s Trading Secrets blog.

Agreements to Arbitrate Are Simple, Right?

Article

The protracted time for a construction case to get to trial and the attendant cost and expense has led the construction bar away from the courthouse and into the arbitration room, writes Ira M. Schulman of Pepper Hamilton LLP.

U.S. Treasury Issues Report on the Economic Effects of

Non-Compete Contracts

Article

The Treasury Department is concerned that the prevalence of non-compete agreements raises important questions about worker welfare, job mobility, business dynamics, and economic growth.

Technology Contracts and Boilerplate Language: Be Aware of the Pitfalls

Article

The most dangerous terms of a contract – the terms in the "boilerplate" – are often ignored and overlooked, writes Brad N. Mondschein in an article published on Pullman & Comley LLC's website.

Are they Worth Price of Paper They're Printed On? – Ubersization of Arbitration Clauses

Article

Vanessa L. Goddard, of counsel with Steptoe & Johnson,

provides some tips that make arbitration agreements more likely to be upheld by courts in the employment context.