

# Wave Goodbye to Unenforceable Mineral Lien Waivers

## *Insight*

A post on the Gray Reed website covers an opinion that will have profound impacts on mineral liens and contractual provisions purporting to waive mineral liens.

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# Biglaw Firm Sued by Crypto Fund Manager for Alleged Malpractice

## *News*

Digital Capital Management's complaint alleges that the law firm provided "inaccurate analysis and advice."

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# Financial Tug-Of-War Emerges Over California Fire Victims' Settlement

## *News*

The settlement leaves open just how much would be used to compensate victims, their lawyers and federal and state agencies for the money they spent on rescue and recovery

operations.

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## Suit Claims Biglaw Firm Took Over Corporate Client's Finances and Took Advantage of Its Impaired CEO

### *News*

The suit, filed in state court in New York, says Akin Gump took over finances and bookkeeping for Future Media Architects, a family-owned company.

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## Sullivan & Cromwell Sued for Malpractice by Ex-Skadden Attorney

### *News*

The plaintiff, Andrew Delaney, claims that Sullivan & Cromwell acted “unlawfully” and “unethically” in the international arbitration matter.

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# Does a No-Damage-for-Delay Clause Also Preclude Acceleration Damages?

## *News*

Courts are split as to whether damages for a contractor's "acceleration" efforts are distinguishable from "delay" damages such that they may be recovered under an enforceable no-damage-for-delay clause.

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# From Guns to Hemp to Immigration: Texas' Top Legal Stories of 2019

## *News*

Texas legal news in 2019 reflected the debates and court disputes being heard all across the country, according to this year's list of Top 10 stories highlighted by Androvett Legal Media & Marketing.

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# Eighth Circuit Rejects Claim

# That Arbitration Clause in Retainer Was Unconscionable

## *News*

The Eight Circuit has rejected a plaintiff's claim that an arbitration clause in a retainer agreement she signed with a law firm was unconscionable, according to Carlton Fields.

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# Aldous\Walker Earns Elite Trial Lawyers Finalist Honors for 2020

## *News*

American Lawyer Media and The National Trial Lawyers have named the Aldous\Walker law firm a finalist for a 2020 Elite Trial Lawyers Law Firm of the Year honor.

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# NYC Litigation Boutique Sued for 'Absurd' Fees

## *News*

Plaintiffs claim the firm charged "almost \$1.9 million over a three year period, without engaging in any discovery, or document collection, whatsoever."

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# University of Phoenix Reaches Landmark Agreement to Forgive Student Loans

## *News*

The university will pay \$191 million, of which \$141 million will be used to forgive some student loans for certain borrowers who attended the university.

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# The Importance of a Forum Selection Clause

## *Insight*

Courts tend to enforce forum selection clauses unless there is a compelling showing of prejudice to the party opposing the agreed-upon forum.

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# A Contractual Non-Disparagement Provision May

# Violate the National Labor Relations Act

## *Insight*

Employers may prohibit illegal conduct, such as defamation, but prohibiting disparagement generally of the employer, management or policies is inappropriate.

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# Divided Virginia Federal Court Hears Trump Emoluments Case

## *News*

The hearing marks the first time that a full appellate court has considered the emoluments or anticorruption clauses of the Constitution.

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# Lawyer's Heart Attack One Day Before Raise Doesn't Cut Benefits

## *News*

Harlan Ten Pas, a former partner with McGladrey LLP, is entitled to disability benefits based on his annual salary of

\$390,000, which became effective one day after he suffered a heart attack over Labor Day weekend.

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## Former GC Sues for \$300K in Canceled Bonuses; Agency Countersues, Alleging Fraud

### *News*

The former general counsel claims he negotiated for the bonuses in exchange for keeping his base salary lower.

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## Sanctions Motion By BigLaw Firm Alleges Plaintiffs Made Up Pay-Bias Claims 'Out of Whole Cloth'

### *News*

The firm alleges in the sanctions motion that the plaintiffs made up the lawsuit's pay-bias claims and seeks their dismissal.

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# How Amazon Dodges Responsibility for Unsafe Products: The Case of the Hoverboard

## *News*

The cases are testing a longtime argument made by Amazon and other internet companies, one that underpins the modern tech industry.

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# Forum Selection Clause Gone Wrong, and Indemnification Woes

## *Insight*

Lewitt Hackman discusses two recent cases concerning franchise agreements, one involving a forum selection clause and the other covering indemnification.

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# Trump Fills Longest-Standing



# Vacancy in Federal Judiciary

## *News*

Multiple presidents struggled to fill the vacancy in North Carolina over the course of 14 years.