# Keeping Boilerplate Coupled to the Transaction: The Ongoing Struggles with ‘Wrap’ Arbitration Provisions

***Insight***

The relevant hyperlink concerning arbitration was “neither spatially nor temporally coupled with the transaction,” the court found.

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# Reichman Jorgensen Opens in DC With ITC Leader From Finnegan

***News***

Reichman Jorgensen has opened a new office in Washington, D.C., and named Christine Lehman as managing partner of the office.

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# Biglaw Partner Runs Face

# First Into Contempt Order

***News***

Above the Law reports that a U.S. District Judge delivered a benchslap to a Baker Donelson partner and a senior public policy advisor after they tried to jump the line in a receivership situation involving a hundred-million-dollar Ponzi scheme.

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# Webinar: The Role of Financial Experts in Commercial Litigation

***Webinar, March 26, 2019***

Expert Webcast will present a complimentary webinar roundtable titled “The Role of Financial Experts in Commercial Litigation.”

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# Unambiguous Terms of Written Contract Trump Claims of Fraudulent Inducement

***Insight***

A recent Texas Supreme Court opinion provided a definitive answer to the question of whether a party can ignore the

written words of a contract that directly contradict what you are being told by your counterparty is the real deal.

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# 5th Circuit Nixes Ex-NBA Star's $1.5 mln BP Spill Claim – Because He Didn't Lose Any Money

***News***

The 5th U.S. Circuit Court of Appeals has overturned a $1.5 million award to ex-NBA All Star David West, who claimed he qualified for a payout in the BP oil spill settlement because he earned less in 2010 than in 2009.

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# How Has Personal Injury Changed Over Time?

***Insight***

Three trends have dominated the practice of law, and personal injury law in Texas, writes Bryan O. Blevins, an equity partner with Beaumont, Texas-based Provost Umphrey Law Firm.

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# High-Profile Defendants in College Scandal Hiring Biglaw Heavy-Hitters

*News*

Defendants in the college admissions cheating scandal case have been turning to Biglaw firms for representation, including Cooley, Sidley Austin, Latham & Watkins, Boies Schiller Flexner, and Ropes & Gray.

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# Biglaw Firm Sued for Role in $1.36B Grocery Chain Buyout

*News*

The complaint alleges Cravath drafted the SEC filing "to procure stockholder approval and cover up prior wrongdoing," and in doing so, pocketed $5.5 million in fees in what amounted to "a sham sale process."

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# Suit Against Lawyers of Mormon 'Prophet' Revived

*News*

Former members of the polygamous Fundamentalist Church of Jesus Christ of Latter-Day Saints have provided enough

evidence of misdeeds by their old lawyers for parts of a lawsuit to proceed.

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# Arbitration Award ‘Irrational’ Because It Disregards Contract’s Plain-Text to Reach a Just Result

***Insight***

The Ninth Circuit has ruled in a contract arbitration case that incorporated multiple Federal Acquisition Regulation clauses that govern the recovery of expenses in the event a contractor is terminated for convenience.

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# Ruling Allows Sandy Hook Case to Go Forward: A Path Around Federal Protection for Gun Makers?

***News***

The decision that kept the landmark gun case alive possibly created a path that other mass shooting victims can follow to get around the federal Protection of Lawful Commerce in Arms

Act.

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# U.S. Judge Rules Qualcomm Owes Apple Nearly $1 Billion Rebate Payment

***News***

A district judge in California ruled Thursday that Qualcomm must make the rebate payments to Apple, which for years used Qualcomm's modem chips to connect iPhones to wireless data networks.

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# CEO of OxyContin-Maker Says Bankruptcy is 'an Option' as Company Faces Opioid Lawsuits

***News***

Declaring bankruptcy could halt litigation against the company, bankruptcy lawyers said, and it can be more difficult for plaintiffs to secure judgments in bankruptcy court than in civil court.

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# Biglaw Co-Chair Charged in College Bribery Scheme

*News*

Caplan was arrested at 6:30 a.m. Tuesday and was released on $500,000 bail after appearing in Manhattan federal court.

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# Roundup Cancer Claims Could Come Down to a Feather's Weight

*News*

Roundup, not hepatitis, caused the plaintiff's cancer, his lawyers argued at a critical juncture in the company's second U.S. trial over the popular herbicide.

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# Johnson & Johnson Acted as Opioid 'Kingpin,' Oklahoma Attorney General Says

*News*

The Oklahoma case is set to be the first in the nation to go before a jury that could determine pharmaceutical companies' role in the nation's opioid epidemic and whether Big Pharma

should pay for it.

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# What *Mission Products Holdings v. Tempnology* May (Or May Not) Mean For Trademark Licenses In Bankruptcy

***Insight***

Tom Kulik of Dallas-based Scheef & Stone discusses what happens when a bankruptcy debtor exercises its statutory right to reject a contract.

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# 7th Cir. Holds Mere Need for Extrinsic Evidence to Interpret Ambiguous Contract May Not Be Enough to Avoid Class Cert

***Insight***

The Seventh Circuit held that merely requiring extrinsic evidence to interpret a provision of a form contract does not

render class certification improper, and that absent a more thorough explanation of its reasoning from the trial court, it could not uphold the trial court's ruling decertifying the class.

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# Do Indemnity Obligations Cover First-Party Claims, Or Only Third-Party Claims?

***Insight***

The Supreme Court of Texas is considering whether to grant a petition for review to establish whether an indemnity provision covers only third-party claims, not first-party claims, unless the provision unequivocally states otherwise, writes D.C. Toedt III in the On Contracts blog.