

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.

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.

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.

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.”

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.

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.

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.

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.

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.”

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.