The Trend Towards Liability Waivers in Design and Construction

White Paper

General contractors and architects need to be on guard against sub-tier liability waivers often lurking in the fine print or at the end of lengthy proposals.

Houston Federal Jury Clears National Oilwell Varco in Employment Lawsuit

NEWS

A Houston federal jury this week returned a verdict in favor of National Oilwell Varco, L.P., (NYSE: NOV), finding no wrongdoing in an employment discrimination lawsuit filed by eight African-Americans who sought $120 million in damages.

Health Care Arbitration Agreements: Five Ways to

Improve Enforceability

White Paper

Because the arbitration laws stack the deck against a facility, there is no foolproof way to draft an arbitration agreement; what may be found enforceable by one judge may be found unenforceable by another.

Texas Jury Hands J&J Victory At First Prosima Pelvic Mesh Trial

NEWS

Johnson & Johnson scored a defense win in a lawsuit over its Prosima pelvic mesh implant Oct. 5, after a Texas state jury ruled that the device was not defectively designed and that J&J subsidiary Ethicon's risk warnings were adequate, reports Courtroom View Network.

Court Upholds $236 Million Verdict in Exxon Mobil Pollution Case

NEWS

New Hampshire's Supreme Court upheld a record $236 million

judgment Oct. 2 against Exxon Mobil for its use of a gasoline additive that contaminated groundwater in the state, the Associated Press reports.

Use Email Domains for Filtering and Privilege Review

White Paper

Email discovery is at the nexus of high volume and low relevance. Although email discovery is burdensome and expensive, it’s also necessary and important. Filtering using email domains is a cost-effective means of culling significant volumes of non-relevant email with minimal human review.

Drafting Intellectual Property Agreements: Best Practices From a Litigator’s Perspective

White Paper

Whether negotiating a complex cross-license of intellectual property rights or drafting a supplier agreement, practitioners should consider certain license provisions and

practice notes to ensure that a party's licensing objectives are met.

Issues of Data Privacy & Cross Border Litigation: Roundtable in DC

EVENT, Oct. 6, 8:30 a.m.UBIC will present a roundtable discussion at the National Press Club in Washington, D.C., covering matters of big data privacy and international litigation.

How to Score a Contract from the Red Zone

NEWS

Charles Sartain, writing in Gray Reed & McGraw's Energy and the Law blog, uses a football metaphor to describe how a negotiating party could fail to score an enforceable contract while near the end of the negotiation process.

Federal District Court Articulates Criteria for Electronic Contracts

NEWSIn a case involving “clickwrap” and “signwrap” agreements, the Eastern District of New York denied a motion to dismiss and compel arbitration filed by an in-flight wifi provider, according to Buckley Sandler LLP in its InfoBytes blog.

EDD Basics: The Three Parts of a Keyword Search, Part 2

White Paper

Keyword searching is one of the workhorses of eDiscovery. The second part of a two-part series covers grammar, validation and more.

EDD Basics: The Three Parts of a Keyword Search, Part 1

White Paper

Use of keyword searching in general is driven by two interlocking goals. The first is to improve review efficiency by narrowing the scope of review to documents most likely to be relevant. The second goal is to improve feasibility and

cost-effectiveness of reviewing large volumes of ESI by culling non-relevant documents prior to the costly attorney review stage.

Case Study: Using Near-Duplicate Detection to Find Documents

White Paper

Maureen Holland of D4, LLC has written a case study describing how expert consultants inexpensively applied analytics to find documents that would not have been found though traditional review and saved the client $134,955.

Texas Court of Appeals Rules on Permission Needed for Off-Lease Horizontal Drilling

NEWS

The Fourth Court of Appeals in Texas recently held that surface owners control the matrix of the underlying earth; thus, a surface owner can give permission to drill through the subsurface to an adjacent lease, reports Lauren N. Randle in The Energy Law blog published by Liskow & Lewis.

Hogan Lovells Adds Former UnitedHealth Litigation Chief to Litigation Practice

NEWS

Walsh joins Hogan Lovells from UnitedHealth Group, where he was Senior Deputy General Counsel and Chief of Litigation and Government Investigations.

Ethics and eDiscovery: Do You Meet Expectations of Competence?

On-Demand

D4, LLC has posted an on-demand webinar that explores ethical duties of counsel to understand clients' use of technology, to find the right ESI, and to negotiate scope effectively.

Employment Agreement Breach:

Failure to Assign Can’t be Fixed Because of Statute of Limitations

NEWS

A federal appellate court has denied Google’s breach of contract claim relating to assignment of the invention of an employee of another company, reports Dennis Crouch in the patent law blog Patentlyo.

Agreement to AAA Rules Confirms an Arbitrator’s Authority to Determine Jurisdiction

NEWS

Two recent cases confirm that incorporation of AAA Rules into an arbitration agreement evidences an intent to allow the arbitrator to determine what issues are arbitrable – including arbitration, reports *The National Law Review*.

Firm Wins on Both Sides of the Docket in Recent Civil Trials

NEWS

Lawyers with Gruber Hurst Elrod Johansen Hail Shank have recently scored big wins on the plaintiff side and the defendant side of the docket in civil litigation.

Legal Hold and Data Preservation Benchmark Survey

Survey Results

Zapproved’s latest edition of its Legal Hold and Data Preservation Benchmark Survey Report, a survey series focused on legal data preservation and collections practices, shows that processes still lack maturity.