Don’t Ask, Don’t Add?

InsightsShould you add or suggest a modification to a contract or lease when it is not to your client’s best interest? No? Never? The answer is Yes and here’s why.

Time to Stitch Up Those Legal Documents: Common Mistakes, Misunderstandings and Oversights

Insight

Legal documentation governing subscription credit facilities has certainly improved for both lenders and funds alike since the product first came to market.

Practical Tips for In-House Counsel From Recent Cybersecurity Decisions

Insight

The possibility of a cybersecurity incident—and ensuing litigation—is a fact of life for almost every business.

Court’s $179 Million Award Underscores Importance of Confidentiality Agreements

Insight

In an important lesson for both employers and employees a California superior court judge affirmed a $179 million arbitration award against a former Uber executive.

“Reasonableness” Is in the Eye of the Beholder: Vague Contracts Clauses Invite Litigation

Insight

Schick, the shaving product company, recently announced it was abandoning its proposed $1.4 billion acquisition of rival startup Harry’s Razors.

Detecting Fraudulent Certificates of Insurance

Insight

The certificate of insurance is one of the most important documents that you can review in connection with your business contract, because if something goes wrong, you may need to tap that coverage.

Can a Third-Party Successfully Sue You for Failing to Provide Service Beyond the Scope of Your Contract?

Insight

A Florida appellate court concluded that a security services provider could not be held responsible for allegedly failing to protect a person who was criminally attacked.

Mangling the Drafting of

Binding Arbitration Clauses

Insight

Arbitration is a matter of contract. There are plenty of articles out there on drafting arbitration clauses, but far too often drafters fail to consider the basics.

When a "Time of the Essence" Closing Date Keeps Rolling Like a Stone for 60 Days

Insight

Sellers need to consider the effect of the automatic bankruptcy extension when negotiating with buyers over the terms of a consensual closing extension even if the contract does not have a financing contingency.

The Three "Musts" for a Competent Affidavit or Declaration

Insight

The court reminded litigants that supporting affidavits must comply with three "musts" for a competent affidavit or declaration.

Why Change Orders Matter

Insight

Changes are often needed in the course of a construction project. And those changes typically include work that is either added or removed from the original scope of work.

Indemnify is a Funny Word Carrying Historical Baggage—Be Aware and Use with Care

Insight

An indemnification remedy against sellers (subject to a cap) continues to find its way into many private company acquisition agreements.

China Contracts: Not Quite Legal Usually Means 100%

Illegal

Insight

A less than fully legal, truly enforceable contract is no contract at all, warns Dan Harris of Harris Bricken, LLP, writing in China Law Blog.

Decision Chips Away at the Enforceability of Teaming Agreements

Insight

A recent decision from the Virginia Supreme Court further weakens the enforceability of teaming agreements, which may mean trouble for prospective subcontractors, according to an alert from Baker & Hostetler.

Blockchain Smart Contracts Need a New Kind of Due Diligence

News

An article by two Hogan Lovells lawyers and published by Lexology outlines some of the due diligence steps to take in the age of blockchain age of smart contracts.