# Senate Kills Rule On Class-Action Suits Against Financial Companies

***News***

Vice President Pence cast the tie-breaking vote to rollback the Consumer Financial Protection Bureau rule banning restrictive mandatory arbitration clauses found in the fine print of credit card and checking account agreements.

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# Webinar on Improving Legal and Contract Collaboration, Featuring Forrester

***Event, Nov. 2, 2017, 11 a.m. ET***

Optimus BT will present a free webinar providing a comprehensive overview of Legal Contract Collaboration by Optimus and Forrester for the Microsoft Cloud.

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# Microsoft SPLA Self-Assessment – What It Is, and

# How to Respond

***Insight***

Christopher Barnett of Scott & Scott LLP writes that many of his clients have been contacting his firm in recent weeks regarding notices they received from Microsoft requesting an internal self-assessment of their license positions under their Services Provider License Agreements.

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# Business With a Friend: Lessons from a Liftboat Contract

***Insight***

Charles Sartain, a partner in Gray Reed, uses a recent 5th Circuit ruling on a liftboat construction contract to illustrate his advice on how to administer and perform a contract, especially one with a friend.

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# When Contracts and Bankruptcy Collide, a Short Term May Be Better in the Long Term

***Insight***

The U.S. Bankruptcy Code has a lot to say about the rights of

both the debtor and the non-debtor party once a bankruptcy is filed – often to the chagrin of the non-debtor party, writes Jeffrey A. Krieger, a partner in Greenberg Glusker.

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# Mitigating Cyber Risk: Third-Party Service Provider Contract Considerations

***Insight***

If data is trusted to a third party, the parameters of what is expected to keep your data safe should be memorialized in a contract with that service provider, writes Marc C. Tucker of Smith Moore Leatherwood LLP.

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# Webinar: Contract Compliance – Why it Matters to Procurement

***Event, Oct. 24, noon EDT***

Determine, Inc. and Jason Busch of Spend Matters will co-host a webinar titled Contract Compliance – Why it Matters to Procurement, on Tuesday, Oct. 24 at noon Eastern time.

# How Lawyers Protect the Harvey Weinstein in Your Workplace

***News***

NDAs are geared to ensure that the fraction of people who do come forward can’t warn others or bring claims to light, all of which contributes to the culture of silence around workplace harassment, according to Bloomberg Law.

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# Webinar: Focus on Higher Value Work – How GC Can Improve Their Contracting Process

***Event, Nov. 1, and on-demand***

ContractWorks will host a complimentary live webinar titled “Focus on Higher Value Works: How General Counsel Can Improve Their Contracting Process” on Wednesday, Nov. 1, at 11 a.m. Pacific time.

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# How to Structure Global Mobility Assignments, Expatriate Postings and Cross-Border Secondments

***Insight***

In structuring overseas postings, multinationals inevitably struggle with the interplay between expatriate assignment strategy and the legal ramifications of a particular foreign posting, points out Donald C. Downling, a shareholder in Littler Mendelson P.C.

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# ‘Commercially Reasonable Efforts,’ ‘Best Efforts’ and Similar Standards

***Insight***

These contracting terms are inconsistently interpreted by courts and are often subjectively applied, warns Morrison Foerster.

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# Construction Contracts, Third Party Claims and Tort Law Liability

***Insight***

Carl R. Pebworth, a partner in Faegre Baker Daniels, asks and answers the question: What tort obligations does a design professional on a construction project owe to non-parties – like, for example, the persons who will use what has been designed after it is built?

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# Lessons Learned: Vendor Sued in Class Action Suit for Security Misses

***Insight***

A recent federal class action suit filed in Pennsylvania against Aetna and its vendor illustrates several new privacy and security considerations for vendors and their customers, writes Eric Begun of King & Fisher.

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# Why Lawyers Won’t Be Replaced

# By Smart Contracts

***Insight***

The smart contract carries out what it is programmed to do, and that’s it. It doesn’t think independently, nor does it provide any reasoned analysis, writes Gary J. Ross.

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# Will the Supreme Court End Employment Contract Arbitration Clauses?

***Insight***

The relevant cases being considered are from the 5th Circuit, which found the arbitration clause did not violate the NLRA, and the 7th and 9th circuits, which found similar clauses unenforceable.

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# 2017 AIA Contract Documents Update

***Insight***

Cozen O’Connor has published an update that reviews the new construction contract documents adopted by the American Institute of Architects (AIA).

# Onit to Unveil Contract Lifecycle Management at ACC

***Event, Oct. 16-18***

Onit will unveil its Contract Lifecycle Management (CLM) solution at the 2017 ACC Annual Meeting in Washington, DC,, Oct. 16-18.

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# Undefinitized Contracts – *Turner Construction Co. v. Smithsonian Institution*