Government Contracts Legislative and Regulatory Update – February 2017

News

Dentons has published the latest edition of its “Government Contracts Legislative and Regulatory Update a summary of the relevant changes that took place during January.

Court Finds Contract and Arbitration Clause Unenforceable Due to Fraud in the Inception

News

The court cited a California Court of Appeals decision for the proposition that it was enough that defendants, as the party drafting the contract, drafted the contract “‘in such a way as to not apprise’ the other party of its intentions.”

Key Issues for Due Diligence

of Government Contracts – Part I

Insight

Comprehensive due diligence review of any target company is imperative when determining whether to buy another company, writes Kimi Murakami for Piliero Mazza.

Who Is Authorized to Bind Your Family Business to Contracts?

Insight

It’s important for family business owners and management to clearly instruct their employees and agents as to whether those employees or agents are authorized to sign contracts, writes Michael P. Connolly for Murtha Cullina LLP.

Commercial Contract Risk in 2017

Insight

With international and domestic supply chain contracts, there is little or no room for error. according to an article posted by a team of lawyers at Foley & Lardner LLP.

Protecting Your Event with Contracts and Insurance

Insight

Attorney Barbara Dunn O'Neal and Lance Ewing, executive vice president Global Risk Management & Client Services at Cotton Holdings Inc., recently discussed some of the basics of contract drafting when they spoke at a meeting of professional meeting planners.

Recovery of Contractual Attorneys' Fees for Tort and Contract Claims

Insight

Low, Ball & Lynch discusses a case in which the California Court of Appeal addresses whether attorneys' fees can be awarded when a plaintiff alleges both tort and contract causes of action and dismisses the entire complaint before trial.

The Top Priority for Negotiating Cloud Services

Insight

A Baker McKenzie report highlights the top objectives, hesitations, and criteria that buyer respondents factored into their cloud procurement determinations.

When an Arbitration Clause Sounds Permissive But Is Not: Does ‘May’ Really Mean ‘Must’?

Insight

Narges Kakalia of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo asks and then answers some pointed questions about arbitration in an article on the firm’s ADR Advice website.

E-Sign: Reducing Risk & Strengthening Enforceability

Webinar

Event, Feb. 7, 2 p.m. EST

eSignLive by Vasco will present a complimentary one-hour webinar providing practical evidentiary considerations of electronic records and signatures and guidance on how to reduce your risk.

Government Contracts Legislative and Regulatory Update

Insight

Dentons has published the latest edition of its "Government Contracts Legislative and Regulatory Update," a summary of the relevant changes that took place during December.

The Implied Covenant of Good Faith and Fair Dealing

Insight

Inherent in every contract is an unwritten "implied" additional covenant that is not expressly set forth; namely, the implied covenant of good faith and fair dealing writes David Allen of Jaburg Wilk.

Contracting by Tweet: What Impact Can the New Administration Have on Existing Contracts and Future Awards?

Insight

A president always can pressure high-profile government contractors to “voluntarily” take actions to their detriment and in favor of the government, but what legal tools or contractual remedies are available if a president forces a particular outcome?

Fixing Your Contracts: What Training in Contract Drafting Can and Can’t Do

Insight

Most contracts prose is dysfunctional, but training is available to help contracts professionals draft clearly and concisely. But that gets you only so far; you also have to supplement training with centralized initiatives, write Chris Lemens and Kenneth A. Adams for the Association of Corporate Counsel.

3 Things Smart Contracts Need Before They Can Finally Take Off

Insight

A new article in CoinDesk provides an overview of the ongoing issues with smart contract development, selecting just three that could remain barriers to mainstream use.

Artificial Intelligence in Contract Management – Part 2

Insight

Pierre Mitchell, writing for Spend Matters, continues his series on artificial intelligence (AI) in contract management by discussing AI and knowledge representation.

Non-Compete Earns a Preliminary Injunction in

Case Involving a Community Publication

Insight

Stacey Lantagne writes in ContractsProf Blog about an interesting dispute over a non-compete provision that resulted in a preliminary injunction.

Be Cautious in Navigating Microsoft's Forest of EA Documents

Insight

Microsoft occasionally will incorporate substantive or potentially substantive language in forms that otherwise would appear to have only administrative purposes, writes Christopher Barnett of Scott & Scott LLP.

Contract Drafting for Dispute Resolution

Insight

John M. Newman of the Cecil C. Humphreys School of Law at the University of Memphis has compiled a guide to drafting for dispute resolution.

Artificial Intelligence in Contract Management: Considerations for Practitioners

Insight

There is perhaps no area where the impact of artificial intelligence systems will be felt more than in legal departments and, more broadly, in the area of managing contracts, according to an article in Spend Matters.