Damage Control: Common Errors in Contractually Limiting Damages

Article

“Damage control” provisions are not one-size-fits-all, writes Theresa Y. Kananen for Arnall Golden Gregory LLP. While form agreements can be a good starting point, provisions limiting, or even eliminating, contractual damages must be considered on a case-by-case basis, and tailored to the terms of your particular deal.

These Two Decisions Highlight How Scalia’s Absence Has Affected the Court

News

The lack of a majority is problematic when it leaves a split in the circuits and when it creates confusion in the law. This is what happened in two cases that came down on May 16, writes law school dean Erwin Chemerinsky in the *ABA Journal*.

North Carolina Blue Cross and Blue Shield Sues U.S. Over Health-Care Payments

News

Blue Cross and Blue Shield of North Carolina sued the federal government, becoming the latest health insurer to claim it is owed money under the Affordable Care Act, according to a report in *The Wall Street Journal*.

Litigating the Meaning of Contract Language? Consider Retaining an Expert

Article

A new article published by Ken Adams, president of Adams Contracts Consulting LLC, explains how to reduce the chances of the confusion that results when a judge or litigator without a grounding in the subject analyzes ostensibly ambiguous contract language.

These Gawker Jurors Don’t

Care That a Billionaire Funded Hulk Hogan's Lawsuit

News

The outrage following last week's revelation that Silicon Valley billionaire Peter Thiel had funded Hulk Hogan's lawsuit against Gawker Media LLC wasn't just about a rich guy throwing his money around; it was about a rich guy secretly throwing his money around, writes Joshua Brustein for Bloomberg Technology.

Viacom Board Members Vow to Fight Removal Attempt

News

Gearing up for a battle for control of media company Viacom, board members took the unusual step of vowing to fight an expected campaign by Sumner Redstone and his family to shake up the board, the Los Angeles Times reports.

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Zapproved has published its updated Preservation Case Law Summaries 2008-2016, the definitive guide to preservation case law with summaries tagged by venue, sanction and topic.

Takata Hires Lazard, Seeks Cash Infusion After Air Bag Deaths

News

Takata Corp. has confirmed it has hired investment bank Lazard Ltd. to lead a financial restructuring in an effort to resolve costs stemming from its recall of tens of millions of faulty air bags linked to at least 13 deaths and more than 100 injuries worldwide, Reuters is reporting.

New Judge, Same Result – $81 Million CWA Civil Penalty Appealed

News

The Fifth Circuit’s response to CITGO’s second appeal may provide guidance on whether these types of judgments could be

a trend in future Clean Water Act enforcement actions.

Q&A on SCOTUS and Arbitration

Article

In an article posted on their firm's website, Matthew T. Furton and Julie L. Young, partners in Locke Lord, discuss some recent rulings on arbitration by the U.S. Supreme Court, particularly as they apply to insurance and reinsurance.

Google Beats Oracle on Copyright, Defeating $9 Billion Claim

News

Google won a jury verdict that ends Oracle's claim to a $9 billion slice of the search giant's Android phone business, reports The Washington Post.

China's Huawei Files Patent

Suits Against Samsung Over Smartphone Tech

News

Huawei Technologies sued Samsung Electronics on claims of infringement of smartphone patents, the Chinese firm’s first intellectual property challenge against the world’s top mobile maker, reports Reuters.

Judge: Substantial Progress in Volkswagen Emissions Talks

News

The Associated Press is reporting that Volkswagen and attorneys for vehicle owners affected by the company’s emissions cheating scandal are on target to meet a June deadline for a final settlement proposal, a federal judge said Tuesday.

Ernest Aliseda Joins Dykema’s McAllen Office

News

Ernest Aliseda has joined Dykema in its Commercial Litigation Practice Group as a member in the firm’s McAllen, Texas

office.

$100M Uber Settlement Attacked By Drivers Saying Lawyer Sold Out

News

The lawyer who struck a $100 million deal with Uber Technologies Inc. is being accused of greed by some of the drivers covered by the accord who want her bumped, reports Bloomberg News.

Recent Ruling Creates Potential Liability For Use of Common Contractual Terms

Article

While the law generally favors freedom of contract and supports the enforceability of uniform terms and conditions, a recent case applying New Jersey law shows that a business could be exposed to liability for simply including certain types of limiting clauses in consumer contracts.

Eric Schmidt Plays Good Defense at the Oracle-Google Trial

News

Eric Schmidt took the witness stand Tuesday in Oracle's copyright infringement lawsuit against Google, and he gave little ground during some tense exchanges with Oracle's attorney, reports *PCWorld.*

Roberts Refuses to be Drawn Into Controversy About Filling Supreme Court Vacancy

News

Chief Justice John G. Roberts Jr. shrugged off any difficulty the Supreme Court might be having reaching consensus with an equal number of ideologically divided justices, reports The Washington Post.

Judge to Consider Timing of Trump University Trial

News

Trump’s lawyers, who have put the candidate on a list of witnesses who may testify, oppose a trial while Trump is in the race, citing the possibility of a zoo-like atmosphere.

Quinn Emanuel Sues Hillel Chodos’ Estate

News

Los Angeles-based Quinn Emanuel law firm and two of its partners sued the estate of high-profile attorney Hillel Chodos, claiming the famous litigator crossed the line in one of the final cases of his career, reports Courthouse News.