# Private Company Director Liability and Protection

***White Paper***

Fisher Broyles LLP has posted a paper outlining the sources of liability for directors of private companies.

---

# Contractor Licensing: What You Don’t Know Can Hurt You

***White Paper***

Failure to follow contractor licensing laws can have draconian consequences, writes Kraftson Caudle of Virginia on its blog.

---

# Key Considerations in Understanding and Negotiating Non-Disclosure Agreements

***White Paper***

Authors outline some key provisions and potential pitfalls that should be considered when negotiating NDAs.

# 9 Key Provisions of Outsourcing Contracts That Matter

***White Paper***

When entering into outsourcing agreements, what provisions of the governing contract (such as a master services agreement) should both parties pay particular attention to?

---

# Indemnification Pitfalls in Commercial Contracts

***White Paper***

A modest amount of forethought can address some of the more common defects seen in indemnification provisions, writes Michael Didriksen of Baker Botts.

---

# Global Versus Local Agreements

***White Paper***

Companies should consider the advantages and potential

pitfalls of using a single global agreement versus local (or “site-specific”) agreements to govern transactions.

---

# 20 Questions When Your Vendor’s Cyber-Coverage Matters

***White Paper***

Always make sure you know what if any critical digital assets other than personally-identifiable information (PII) are covered by cyber-risk insurance coverage.

---

# 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.

---

# Does the ‘No-Rehire’ Provision in Your Settlement Agreement Restrain the Lawful Practice of a Profession?

***White Paper***

There is a risk that a no-rehire provision may be unenforceable and undermine the enforceability of settlement agreements, writes Daniel J. Kanter of Ogletree Deakins.

---

# China Contracts: Make Them Enforceable Or Don’t Bother

***White Paper***

Every foreign business person who enters into a contract with a Chinese company needs to consider a fundamental question: how will the contract be enforced, writes Steve Dickinson on the China Law Blog.

---

# SDV Workers’ Compensation Immunity State by State

# Survey

***Survey***

Saxe Doernberger & Vita has released a comprehensive survey that examines several key issues relating to the scope and extent of workers' compensation requirements and immunity across all 50 states.

---

# Understanding Security Audit Requirements in Technology Contracts

***White Paper***

As concerns about the security practices of service providers continue to grow with the occurrence of each high profile security breach, the reliance on security audits and security certifications will continue to steadily increase.

---

# Everything You Need to Know About Construction Contracts

***White Paper***

Although construction contracts have changed over the years, there are still some basic guidelines to follow when creating a contract.

# What Every Contractor Needs To Know About Mediation

***White Paper***

It is rare that a construction claim goes to trial without some effort at mediation first. Indeed, a substantial percentage of construction contracts require mediation as a precondition to filing suit or demanded arbitration.

---

# Incentivizing Performance in Cloud and Outsourcing Contracts: Key Points

***White Paper***

Defining and incentivizing high-quality performance is often key to the structure of complex service or technology-oriented agreements, writes Steve Gold, a McGuireWoods LLP partner in a legal alert from the firm.

---

# Eighth Circuit Finds Non-

# Compete May Be Assignable

***Contracts***

The Eight U.S. Circuit Court of Appeals has concluded that the Arkansas Supreme Court would likely adopt the majority rule that a covenant not to compete can be assigned to the purchaser of a business, reports Jackson Lewis in its *Non-Compete and Trade Secrets Report*.

---

# Data Privacy White Paper: 6 Step Health Check

***White Paper***

A new white paper from Mitratech titled "An Ounce of Prevention is Worth a Pound of Cure: A 6-Step Health Check for your Organization's Data Privacy Program," is designed to help readers learn more about how to diagnose a company's security measures.

---

# From *NACD Directorship*: Think Like an Activist Investor

***White Paper***

The National Association of Corporate Directors has made available a complimentary article titled "In Practice: How to Think Like an Activist Investor," a feature in the

organization's *NACD Directorship* magazine.

---

# 'As-Is' Commercial Transactions: Let the Seller Beware

***White Paper***

A New York court earlier this year explored the issue of disclosure obligations in "as-is" commercial transactions and came to an unexpected answer, writes DLP Piper's Michael Hamilton in *Commercial Property Executive*.

---

# The True Cost of Defending Against Copyright Infringement Litigation

***White Paper***

Several cost factors should be considered when evaluating strategy for resolving any outstanding copyright infringement claims, writes Keli Johnson Swan, an associate at Scott & Scott, LLP..