

Index

ACCESS

Partners, 2:57

ACCOUNTS

Analysis of, 2:50

Firms, 2:59

Personal, 1:47, 2:48, 2:50, 2:53,
11:23

Preparation of, 2:82

ACQUISITIONS

Joint ventures, 4:5

ADDITIONAL

Limited liability companies, 11:23

ADMINISTRATIVE DISPUTE RESOLUTION ACT

Appropriations, 14:19, 14:25

Arbitrators, 2:59, 14:15, 14:16

Authority, 14:2, 14:3, 14:15, 14:17,
14:25

Authorization, 14:1, 14:25

Awards, 14:15, 14:17, 14:24

Confidentiality, 2:59, 5:11, 14:5,
14:8, 14:9, 14:11, 14:24, 14:25

Contract Disputes Act, 14:21

Court opinions, 14:24

Disclosure, 5:11, 14:6, 14:7, 14:9,
14:11, 14:24

Enforcement, 2:59, 14:7

Freedom of Information Act, 14:10

Implementation authority, 14:2

Judicial review, 2:59, 14:20, 14:25

Negotiated Rulemaking Act, 14:22

Support services, 14:18

U.S. Court of Federal Claims, 14:23

ADVANTAGES

Corporation, 6:2, 9:13, 12:37

ADVERTISING

Authority, 1:40, 2:50, 11:23, 17:24

Contracts, 1:40, 2:50, 11:23, 17:24

Defenses, 1:40

ADVERTISING—Cont'd

Disclosure, 1:40, 2:50

False advertising, 2:50, 17:24

Internet, 1:40, 2:50, 17:24

Liability, 2:50, 11:23, 17:24

Remedies, 17:24

Requirements, 2:50, 11:23

Standing, 1:40

Unfair practices, 1:40, 2:50

ADVICE

Corporations, 2:54

AGE DISCRIMINATION IN EMPLOYMENT ACT

Claims, 2:87, 3:50, 3:51, 9:11, 11:24,
12:29

Procedure, 3:51, 9:11

Remedies, 3:51, 11:24

Requirements, 3:50, 3:51, 9:11

Waiver, 2:87, 3:51, 9:11, 11:24,
12:29

AGENCY

Distinctions, 1:40, 2:69, 10:26, 11:23

AGREEMENT

Advantages of, 1:7, 1:57, 2:38, 2:40,
12:45

Breach, 1:13, 1:28, 1:40, 1:43, 1:45,
1:47, 1:50 to 1:53, 2:12, 2:31 to
2:35, 2:46, 2:50, 2:52 to 2:54,
2:56, 2:57, 2:59 to 2:62, 2:64,
2:67, 2:69, 2:71, 2:74, 2:76,
2:79, 2:82, 2:85, 2:90 to 2:92,
2:101, 2:102, 3:16, 3:32, 3:43,
3:44, 3:46, 3:48, 9:1, 9:3 to 9:5,
9:7, 9:8, 9:11, 10:2, 10:4, 10:6,
10:7, 10:10, 10:11, 10:14 to
10:16, 10:19, 10:21, 10:23,
10:24, 10:26, 11:2, 11:21,
11:23, 11:24, 11:26, 11:37,
12:25, 16:6 to 16:8, 16:11 to
16:13, 16:18, 17:24

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

AGREEMENT—Cont'd

Consideration, 1:40, 1:41, 1:51, 2:31, 2:39, 2:50, 2:52, 2:57, 2:58, 2:64 to 2:66, 2:94, 2:98, 3:43, 3:44, 3:53, 3:55, 3:60, 5:10, 6:7, 7:44, 9:3 to 10:4, 10:13, 10:15, 11:2, 11:6, 11:23, 11:29, 11:30, 11:33, 12:19, 12:40, 12:45, 17:24

Corporation, 1:45, 1:47, 1:50, 1:51, 1:53, 2:32, 2:33, 2:37, 2:50, 2:56, 2:57, 2:59, 2:61, 2:62, 2:65, 2:74, 2:79, 2:82, 2:85, 2:90, 2:92, 2:94, 4:1, 4:5, 9:8, 9:11, 9:13, 10:3 to 10:9, 10:20, 11:2, 11:23, 11:24, 11:30, 12:37

Disadvantages, 2:30

Dividends, 1:3

Employment agreements, 2:34, 11:23, 11:24

Express, 1:40, 1:41, 1:47, 1:54, 2:17, 2:31, 2:32, 2:36, 2:46, 2:50, 2:52, 2:54, 2:56, 2:57, 2:64, 2:66, 2:69, 2:72, 2:80, 2:82, 2:83, 2:87, 2:99, 2:101, 5:8, 5:10, 9:15, 10:6, 10:10, 10:11, 10:13, 10:14, 10:16, 10:17, 10:21, 10:24, 10:26, 11:2, 11:6, 11:7, 11:21, 11:24, 11:26, 11:27, 11:29, 11:34, 12:39, 16:11 to 16:13, 16:18

General partnership, 1:50

Implied, 1:41, 2:50, 2:52, 2:63, 2:68, 2:69, 2:71, 5:10, 10:6, 10:8, 10:21, 10:24, 11:2, 16:18

Joint ventures, 4:5

Loans, 2:60, 2:82, 10:5

Performance, 1:40, 1:41, 1:44, 1:51, 2:28, 2:32, 2:33, 2:35, 2:38, 2:54, 2:59 to 2:62, 2:65, 2:71, 2:72, 2:85, 2:91, 2:103, 3:16, 3:44, 4:5, 5:8, 8:19, 9:4, 9:11, 10:4, 10:5, 10:7, 10:9, 10:10, 10:16, 10:17, 10:20, 10:22, 10:24, 11:6, 11:23, 11:30, 11:33

Validity, 1:43, 1:47, 1:48, 1:51, 2:37, 2:46, 2:50, 2:52, 2:56 to 2:58, 2:60 to 2:62, 2:71, 2:79, 2:85, 2:91, 2:94, 2:106, 3:48, 5:10, 9:5, 9:7, 9:8, 9:12, 10:5, 10:6, 10:15, 10:21, 10:23, 11:2, 11:5

AGREEMENT—Cont'd

to 11:7, 11:23, 11:26, 11:27, 11:31, 11:32, 12:1, 12:19, 12:36, 17:24

ALTERNATIVE DISPUTE RESOLUTION ACT OF 1998

Arbitration, 6:3, 6:4, 15:2 to 15:5, 15:7 to 15:10, 15:12

Arbitrators, 6:4, 15:8, 15:11

Award, 15:10

Compensation, 15:11

Judgment, 15:10

Jurisdiction, 6:4, 15:7

Neutrals, 15:2, 15:6, 15:11

Purpose, 15:2, 15:7

Subpoenas, 15:9

AMERICAN ARBITRATION ASSOCIATION

Authority, 1:47, 1:52, 2:50, 2:57, 2:61, 2:99, 2:106, 3:32, 9:1, 9:3, 10:2, 10:10, 10:11, 10:16, 11:6, 11:27, 11:34, 12:1, 12:45

Awards, 1:7, 2:54, 2:57, 2:61, 2:106, 3:18, 9:3, 10:11

Bare necessities, 12:27

Best practices, 12:45

Class action, 1:47, 2:50, 2:57, 2:61, 11:34, 12:27

Confidentiality, 1:1, 2:57, 2:59, 9:3, 11:6

Counsel, 1:1, 1:7, 1:59, 2:3, 2:57, 2:59, 2:61, 2:99, 9:1, 10:10, 10:11, 11:27, 12:45

Discovery, 1:1, 1:7, 1:52, 2:3, 2:40, 2:54, 2:57, 2:61, 3:32, 10:10, 12:45

Due process, 1:7, 2:57, 2:61, 10:17, 11:34, 12:1, 12:2

Employment Arbitration Rules and Mediation Procedures, 11:27, 12:1, 12:2, 12:27, 12:45

Expense, 2:3, 2:57, 10:10, 11:27

Fees, 1:1, 2:3, 2:50, 2:54, 2:57, 2:59, 2:61, 2:106, 9:1, 9:3, 11:6, 11:27, 12:1

Initiation, 2:106, 12:1

Injunctive relief, 1:47, 1:51, 2:61, 2:62, 11:27

INDEX

AMERICAN ARBITRATION

ASSOCIATION—Cont'd

Interim measures, 12:1, 12:45
International arbitration, 3:42, 9:1,
9:3, 9:7
Judicial review, 2:57, 2:59, 11:6,
11:34
Online dispute resolution, 17:2
Remedies, 1:51, 2:54, 2:57, 2:106,
9:3, 10:11, 11:27
Risk, 1:1, 2:50, 2:54, 2:57, 11:27
Severability clause, 2:62
Waiver, 1:35, 1:47, 2:50, 2:54, 2:57,
2:106, 10:10, 10:16, 10:23,
11:27, 11:34, 12:1

AMERICANS WITH DISABILITIES ACT

Enforcement, 2:91
Remedies, 2:91, 11:24
Scope, 2:91, 11:23, 11:24

ANSWER

Limited liability companies, 11:23

ANTITRUST

Agreements, 1:47, 2:1, 2:33, 2:50,
2:52, 2:57, 2:59, 2:61, 2:62,
2:64, 2:82, 2:85, 2:87, 9:11,
11:6, 11:27
Anticompetitive conduct, 2:82
Background, 2:1, 2:50, 2:52, 2:57,
9:11, 11:27
Class actions, 2:57, 2:61, 11:27
Clayton Act, 2:82, 2:87
Comity, 2:82, 9:11
Conspiracy, 2:61, 11:6
Cooperation, 2:82
Defenses, 2:57, 2:61, 2:64, 2:85,
11:6, 11:27
Department of Justice, 2:57
Direct evidence, 2:50
Elements of, 1:47, 2:50, 2:52, 2:61
Enforcement, 1:47, 2:33, 2:50, 2:52,
2:57, 2:59, 2:61, 2:62, 2:64,
2:81, 2:82, 2:85, 2:87, 9:11,
11:27
Federal antitrust laws, 2:57
Hearing, 1:47, 2:50, 2:61, 2:64, 9:11,
11:6

ANTITRUST—Cont'd

Injunctive relief, 1:47, 2:33, 2:61,
2:62, 2:64, 11:27
Investigations, 2:61
Jurisdiction, 1:47, 2:33, 2:50, 2:57,
2:59, 2:61, 2:62, 2:85, 2:87,
9:11, 11:6
Objectives, 2:57
Overview, 1:47, 2:57
Per se rule, 2:57
Purposes, 2:50, 2:52, 2:57, 2:82,
2:85, 2:87, 9:11, 11:6
RICO claims, 2:82
Role, 2:57, 11:6
Scope, 1:47, 2:33, 2:50, 2:52, 2:57,
2:59, 2:61, 2:64, 2:82, 2:85,
9:11, 11:6, 11:27
Sherman Act, 2:59, 2:82
State laws, 2:57, 2:61, 2:82, 9:11,
11:27
Statute of limitations, 2:57, 11:27
Thrust of, 2:57
Trade association, 2:33
Tying arrangements, 2:57
Unfair practices, 2:50

APPEAL

Limited liability companies, 11:23

APPRAISAL

Actions, 5:8
Certification, 5:8
Reports, 5:8

APPRAISERS

Association, 1:13
Damages, 1:13
Hearings, 1:13

ARBITRATION

Alternative dispute resolution, 1:1,
1:6 to 1:11, 1:13, 1:19, 1:21 to
1:23, 1:29, 1:32, 1:34 to 1:60,
2:1, 2:52, 2:59, 2:64, 2:98, 3:4,
3:6 to 3:9, 3:13, 3:15, 3:17 to
3:60, 4:2, 5:11, 6:3, 6:4, 11:2,
11:5 to 11:7, 11:14, 11:17,
11:19 to 11:37, 12:18, 12:19,
12:33, 14:1, 15:2 to 15:5, 15:7
to 15:10, 15:12, 16:11, 17:1 to
17:3, 17:11, 17:13, 17:15,

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

ARBITRATION—Cont'd

17:18, 17:22 to 17:24
 Binding arbitration, 1:1, 1:7 to 1:10, 1:19, 1:21, 1:23, 1:29, 1:35, 1:40, 1:47, 2:33 to 2:35, 2:39, 2:50, 2:52, 2:54, 2:56, 2:57, 2:59, 2:61, 2:66, 2:69, 2:71, 2:74, 2:79, 2:86, 2:87, 2:90, 2:91, 2:103, 3:4, 3:6, 3:50, 3:51, 8:2, 8:14, 9:13, 10:11, 10:14, 10:16, 10:24, 10:26, 11:2, 11:5, 11:6, 11:17, 11:19, 11:21, 11:22, 11:25, 11:29, 11:34, 11:37, 12:17, 12:19, 12:32, 12:33, 12:40, 12:45, 13:10, 14:12, 16:2, 16:4, 16:6, 16:7, 16:11 to 16:13, 16:18
 Checklist, 1:60
 Confidentiality, 1:1, 2:33, 2:57, 2:59, 2:67, 3:43, 3:46, 5:4, 5:11, 8:27, 9:3, 11:6, 12:12, 12:25, 12:37, 14:25, 15:5
 Consulting architect, 1:19
 Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 2:17, 2:31, 2:32, 2:71, 2:91, 9:8, 9:11 to 9:14
 Employment agreements, 2:34, 11:23, 11:24, 12:16
 Enforcement, 1:38, 1:43, 1:47, 1:58, 2:17, 2:21, 2:31 to 2:33, 2:46 to 2:87, 2:91, 2:95, 2:106, 8:27, 9:8, 9:11 to 9:15, 10:6, 10:8, 10:15, 10:18, 10:19, 10:22, 10:26, 11:19, 11:21, 11:22, 11:27, 11:31, 11:33, 11:37, 12:39, 12:40, 16:12, 16:18
 Federal Arbitration Act, 1:38, 1:43, 1:47, 1:48, 1:53, 1:58, 2:17, 2:31 to 2:33, 2:48, 2:54, 2:56, 2:57, 2:61, 2:64, 2:65, 2:67, 2:71, 2:76, 2:90, 2:95, 2:99, 3:15, 3:19, 3:38, 8:23, 8:28, 9:9, 9:11 to 9:14, 10:2, 10:4, 10:6, 10:10, 10:14, 11:6, 11:19, 11:21 to 11:23, 11:34, 12:39, 16:11, 17:22
 ICC rules, 3:44, 3:47, 9:1, 9:4 to 9:6, 9:16

ARBITRATION—Cont'd

International Chamber of Commerce, 2:35, 2:74, 2:91, 3:42, 3:44, 9:1, 9:4, 9:11
 International disputes, 3:43
 Litigation, 1:1, 1:7, 1:13, 1:29, 1:32, 1:38, 1:43, 1:45, 1:47, 1:50, 1:58, 1:60, 2:1 to 2:9, 2:14, 2:17, 2:31, 2:34, 2:44 to 2:46, 2:48 to 2:50, 2:52 to 2:58, 2:60, 2:61, 2:64, 2:67, 2:71, 2:73, 2:76, 2:79, 2:85, 2:88 to 2:90, 2:92, 2:94, 2:95, 2:97, 2:102, 2:104, 2:105, 3:13, 3:19 to 3:23, 3:27, 3:28, 3:40, 3:42, 3:49, 3:51, 4:1, 4:2, 4:10, 4:11, 5:1, 6:4, 9:3, 9:8, 9:9, 9:11, 10:3, 10:6, 10:10, 10:13, 10:15, 10:20 to 10:22, 10:24, 11:2, 11:6, 11:19, 11:23, 11:27, 11:30, 11:31, 11:33, 11:34, 11:36, 12:17, 12:26, 12:31, 12:32, 12:34, 12:40, 12:44, 12:45, 14:1, 14:16, 15:2, 15:5, 16:2, 16:8, 16:11, 16:18, 17:23
 Loan agreements, 2:65
 Mandatory arbitration, 1:40, 1:51, 2:46, 2:50, 2:52, 2:54, 2:57, 2:69, 2:85, 2:99, 3:50, 3:51, 3:60, 10:5, 10:26, 11:2, 11:17, 11:19 to 11:22, 11:24, 11:27, 11:30, 11:37, 12:18, 12:19, 12:25, 12:28, 12:33, 12:40, 17:24
 Mediation, 1:6, 1:7, 1:9, 1:11, 1:13, 1:19, 1:21 to 1:23, 1:32, 1:35, 1:36, 2:57, 2:59, 2:64, 2:91, 2:98, 3:6, 3:43, 4:1, 4:2, 4:10, 4:11, 5:1, 5:4, 5:11, 6:3, 6:4, 8:2, 8:5, 8:6, 8:14, 8:22, 8:27, 8:30, 8:37, 9:2, 9:3, 10:6, 10:11, 10:17, 10:24, 11:7, 11:14, 11:22, 11:27, 12:1 to 12:46, 13:1 to 13:19, 14:1, 15:2, 15:4, 15:5, 15:12, 16:11, 17:2, 17:3, 17:11, 17:13
 Mini-trial, 1:10, 1:21, 3:7
 Negotiation, 1:1, 1:10, 1:21, 1:23, 1:35, 1:45, 1:54, 2:36, 2:61, 2:62, 2:98, 2:103, 3:7, 4:1 to 5:1, 9:3, 10:5, 11:6, 11:21,

INDEX

ARBITRATION—Cont'd

11:30, 11:33, 12:45, 13:10

Nonbinding arbitration, 1:6, 1:7,
1:10, 1:35, 3:9, 6:3, 6:4, 10:6,
14:3, 14:25

Optional arbitration, 1:41

Private judging, 3:9

Provisions, 1:1, 1:32, 1:40, 1:42 to
1:44, 1:47, 1:50, 1:53, 1:54,
1:58, 2:15, 2:17, 2:20, 2:31,
2:32, 2:34, 2:36, 2:42, 2:44,
2:50, 2:52, 2:54, 2:56, 2:57,
2:59 to 2:67, 2:69, 2:72, 2:73,
2:76, 2:78 to 2:80, 2:85, 2:87,
2:90 to 2:92, 2:94, 2:98, 2:100,
2:101, 2:103, 2:106, 3:17, 3:30,
3:36, 3:51, 3:52, 3:54, 3:55,
5:1, 5:4, 5:11, 6:3, 6:4, 9:1, 9:4,
9:7, 9:8, 9:10 to 9:13, 10:2,
10:6, 10:7, 10:12, 10:13, 10:15
to 10:17, 10:22, 10:24, 10:26,
11:2, 11:6, 11:19 to 11:24,
11:27 to 11:35, 12:19, 12:20,
12:25, 12:27, 12:28, 12:37,
12:39, 12:45, 14:1, 15:4, 16:4,
16:6, 16:12, 16:13, 16:18, 17:24

Summary jury trial, 3:8, 6:3 to 6:5,
6:8

United Nations Commission on
International Trade Law, 3:42,
5:1, 9:7 to 11:7

ARCHITECTS

Compensation, 2:57

Contractual, 2:57, 10:10

Definitions, 10:17

Drawings, 10:17

Employment, 2:57, 2:95

Lien, 10:10

Rules, 2:57, 10:10, 10:14, 10:16,
10:17

Specifications, 10:17

Statutes, 2:57

ASSESSMENT

Corporations, 11:23

ASSIGNMENT

Partners, 2:67

Transfer, 2:74, 10:8

ATTRIBUTES

Corporations, 2:52

AUCTION

Dispute resolution, 17:6

AUTHORITY

Architects, 2:57, 10:10, 10:16

BANKRUPTCY

Acceptance, 10:5

Alternatives to, 15:2

Chapter 7, 7:41

Chapter 11, 2:94, 7:37

Conversion, 7:41

Creditor, 2:76, 10:5

Disclosure, 5:11, 6:4, 10:5, 14:11

Dismissal, 7:41

Exceptions, 2:94, 5:11, 9:11

Jurisdiction, 6:4, 9:11, 10:5

Management, 9:11

Reorganization, 2:76, 7:37

Securities, 2:94, 9:11

Structure, 15:4

Trustee, 2:76, 5:11, 7:37, 7:41, 14:11

Trustees, 9:11

BLUE CROSS

Administrative conference, 8:20,
8:21, 8:24

Amendments, 2:57

Answer, 2:57, 8:6, 8:9, 8:10, 8:14,
8:25

Attorney fees, 8:41 to 8:43

Awards, 2:57, 8:19, 8:28, 8:32

Binding arbitration, 2:56, 2:57, 8:2,
8:14

Complaint, 8:4 to 8:6, 8:9, 8:10,
8:12 to 8:14, 8:25, 8:31

Counterclaim, 8:7, 8:9, 8:10, 8:14,
8:16, 8:25

Default, 2:57, 8:10, 8:27, 8:32

Discovery, 2:56, 2:57, 8:20, 8:21,
8:24, 8:27, 8:29

Dispute resolution requirement, 8:2

Expenses, 8:17, 8:34, 8:42, 8:43

Hearing memoranda, 8:25

Hearing procedures, 8:27

Hearings, 8:20, 8:35

Initial conference, 8:6, 8:16, 8:17

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

BLUE CROSS—Cont'd

Intervention, 8:38
Jurisdiction, 2:56, 2:57, 8:9, 8:19
Mediation committee, 8:2, 8:5 to 8:10, 8:30, 8:37
Neutral evaluation, 8:22, 8:40
Notice, 2:56, 2:57, 8:13, 8:14, 8:16, 8:24, 8:26, 8:32
Preliminary arbitration hearing, 8:20
Preliminary injunctive relief, 8:31
Procedure, 2:57, 8:1, 8:2, 8:8, 8:12, 8:21
Recovery, 2:57
Settlement, 8:12, 8:22, 8:27
Subpoena, 8:23
Termination, 2:57, 8:13, 8:14, 8:16

BLUE SHIELD

Administrative conference, 8:20, 8:21, 8:24
Amendments, 2:57
Answer, 2:57, 8:6, 8:9, 8:10, 8:14, 8:25
Attorney fees, 8:41 to 8:43
Awards, 2:57, 8:19, 8:28, 8:32
Binding arbitration, 2:57, 8:2, 8:14
Complaint, 8:4 to 8:6, 8:9, 8:10, 8:12 to 8:14, 8:25, 8:31
Counterclaim, 8:7, 8:9, 8:10, 8:14, 8:16, 8:25
Default, 2:57, 8:10, 8:27, 8:32
Discovery, 2:57, 8:20, 8:21, 8:24, 8:27, 8:29
Dispute resolution requirement, 8:2
Expenses, 8:17, 8:34, 8:42, 8:43
Hearing memoranda, 8:25
Hearing procedures, 8:27
Hearings, 8:20, 8:35
Initial conference, 8:6, 8:16, 8:17
Intervention, 8:38
Jurisdiction, 2:57, 8:9, 8:19
Mediation committee, 8:2, 8:5 to 8:10, 8:30, 8:37
Neutral evaluation, 8:22, 8:40
Notice, 2:57, 8:13, 8:14, 8:16, 8:24, 8:26, 8:32
Preliminary arbitration hearing, 8:20
Preliminary injunctive relief, 8:31

BLUE SHIELD—Cont'd

Procedure, 2:57, 8:1, 8:2, 8:8, 8:12, 8:21
Recovery, 2:57
Settlement, 8:12, 8:22, 8:27
Subpoena, 8:23
Termination, 2:57, 8:13, 8:14, 8:16

BONDS

Fidelity, 10:7
Surety, 10:7

BRIBERY

Authority, 2:93
Fraud, 2:93

BROKERAGE

Authority, 2:44, 2:91, 2:101
Enforcement, 2:72, 2:83, 2:91
Exceptions, 2:91
Intent, 2:44, 2:72
Jurisdiction, 2:91, 2:101
Knowledge, 2:72
Standing, 2:91

BUILDING

Enforcement, 2:60, 2:62, 2:69, 10:6, 10:15, 10:19, 10:22, 10:26
Engineers, 10:17

BUSINESS

Accountants, 2:94
Administration, 2:76, 9:3
Applications, 2:46, 2:50, 2:52, 2:57, 11:27, 17:18, 17:24
Architects, 2:57, 2:95
Associations, 9:1
Business entity, 11:23
Complaints, 2:61, 12:17
Control, 1:4, 2:3, 2:31, 2:33, 2:46, 2:50, 2:52, 2:57, 2:61, 2:76, 2:79, 2:97, 2:101, 4:10, 9:4, 9:5, 9:11, 11:23, 11:27, 12:45, 17:24
Definition of, 2:50, 2:52, 5:8, 10:3, 11:2, 11:6, 11:23, 16:11, 17:24
Definitions, 2:33, 11:19
Documentary evidence, 1:10
Due process, 2:57, 2:61
Employment, 2:33, 2:50, 2:57, 2:61, 2:87, 2:95, 2:99, 4:5, 9:11, 11:2,

INDEX

BUSINESS—Cont'd

11:6, 11:19, 11:23, 11:27, 12:17, 12:23, 12:45, 12:46, 16:11, 17:24

Enforcement, 2:17, 2:31, 2:33, 2:46, 2:50 to 2:52, 2:54, 2:57, 2:59, 2:61, 2:62, 2:74, 2:76, 2:78, 2:79, 2:82, 2:87, 2:95, 5:8, 9:11, 10:8, 10:15, 11:19, 11:27

Evidence, 1:4, 1:10, 1:32, 1:45, 2:46, 2:50, 2:52, 2:57, 2:61, 2:74, 2:79, 2:87, 2:96, 2:97, 2:105, 3:45, 4:4, 5:8, 9:1, 9:3, 9:5, 9:11, 10:3, 10:5, 10:15, 11:2, 11:6, 11:23, 11:27, 16:2, 17:14, 17:15, 17:17, 17:18, 17:21, 17:24

Fees, 1:1, 1:11, 2:3, 2:50, 2:52, 2:54, 2:57, 2:59, 2:61, 3:44, 3:45, 9:1, 9:3 to 9:5, 9:11, 11:6, 11:27, 17:17

Hearings, 1:32, 2:29, 3:44, 3:45, 9:1, 9:4, 9:5, 10:13, 11:23

Liability, 1:4, 1:32, 2:31, 2:33, 2:46, 2:50, 2:54, 2:76, 2:87, 4:1, 4:5, 10:5, 10:8, 11:23, 17:12, 17:24

Meetings, 11:2, 17:9

Negligence, 2:33, 2:50, 2:52, 2:54, 4:1

Ordinances, 2:33

Peer review, 12:17

Penalties, 2:54

Reasonableness, 2:46, 2:50, 2:52

Reciprocity, 9:11

Registration, 2:46, 2:50 to 2:52, 9:4, 17:12, 17:14, 17:15, 17:17, 17:18, 17:21

Retirement, 2:59, 9:11, 11:6

Scope, 1:45, 1:50, 1:53, 2:33, 2:46, 2:50, 2:52, 2:57, 2:59, 2:61, 2:79, 2:82, 2:94, 2:101, 5:8, 7:38, 9:1, 9:11, 10:8, 10:13, 11:6, 11:19, 11:23, 11:27, 12:17, 17:24

Specifications, 2:46, 10:3, 10:8, 17:24

Third parties, 2:76, 5:9, 12:17, 17:18

Tort actions, 2:76

Validity, 2:46, 2:50, 2:52, 2:57, 2:61, 2:62, 2:79, 2:94, 2:96, 3:45,

BUSINESS—Cont'd

3:48, 9:5, 10:5, 10:15, 11:2, 11:6, 11:23, 11:27, 17:24

Violations, 2:57, 2:61, 2:82, 2:99, 9:11, 10:15, 11:2, 11:23, 11:27

BUSINESS ENTITY

Corporation, 11:23

CALLS

Corporations, 11:23

CAPACITY

Limited liability companies, 11:23

CAPITAL

Accounts, 2:50, 2:57

Assets, 2:46, 2:54

Corporations, 2:54

CAPITALIZATION

Corporations, 2:52

CIVIL RIGHTS ACT OF 1964

Discrimination, 2:57, 11:1, 11:21

Dismissal, 11:1

Enforcement, 2:57, 11:21, 11:37

Private, 2:57, 11:21

Remedies, 2:57, 11:21

Retaliation, 2:57, 11:21, 11:37

Sexual harassment, 11:37

Violations, 2:57, 11:21

CLAYTON ACT

Antitrust, 2:82, 2:87

Damages, 2:82, 2:87

Discrimination, 2:87

Evidence, 2:87

CLICK-WRAP

Arbitration, 2:1, 17:24

Forum selection, 17:24

CLIENT

Control, 1:4, 4:10, 8:27

COMMERCIAL ARBITRATION

Agency, 2:56, 2:61, 2:67, 2:69 to 2:71, 2:75, 2:90, 2:98, 9:1

Alter ego, 2:54, 2:60, 2:67, 2:75

Answer, 2:16, 2:17, 2:43, 2:46, 2:57, 2:60, 2:62, 2:64, 2:73, 2:98

COMMERCIAL ARBITRATION**—Cont'd**

Antitrust claims, 2:33, 2:57, 2:82, 2:85
 Appeal, 1:7, 1:47, 2:31 to 2:33, 2:35, 2:46, 2:50, 2:52, 2:54 to 2:57, 2:60, 2:61, 2:64, 2:67, 2:72, 2:82, 2:90, 2:92, 2:94, 2:98, 2:106, 9:14
 Appointment, 1:7, 1:52, 2:18, 2:29, 2:36, 2:37, 2:82, 2:97, 2:103, 3:32, 10:11
 Arbitration clause, 1:47, 1:52, 1:53, 1:59, 2:1, 2:9, 2:12, 2:13, 2:15, 2:17, 2:30 to 2:37, 2:40, 2:42 to 2:44, 2:46, 2:50, 2:52, 2:54, 2:56, 2:57, 2:59 to 2:63, 2:65 to 2:76, 2:78 to 2:83, 2:85, 2:91, 2:92, 2:94, 2:99, 2:101, 2:104, 3:32, 3:40, 9:1, 9:15, 17:24
 Arbitrators, 1:7, 1:47, 1:52, 2:1, 2:3 to 2:5, 2:8, 2:10, 2:14, 2:16 to 2:18, 2:20, 2:21, 2:23 to 2:25, 2:28 to 2:31, 2:33, 2:36 to 2:38, 2:43 to 2:46, 2:54, 2:57, 2:59, 2:60, 2:62, 2:64, 2:74, 2:76, 2:78, 2:85, 2:90, 2:92 to 2:102, 2:105, 2:106, 3:18, 3:24, 3:32, 9:1, 9:3, 9:13 to 9:16, 10:11, 17:2
 Assignment, 2:36, 2:37, 2:65, 2:67, 2:74
 Assumption, 2:17, 2:31, 2:48, 2:54, 2:57, 2:67, 2:68, 2:75
 Awards, 1:7, 2:1, 2:13, 2:17, 2:31, 2:32, 2:45, 2:54, 2:57, 2:61, 2:71, 2:89 to 2:92, 2:95, 2:96, 2:98, 2:100 to 2:102, 2:104, 2:106, 3:18, 9:3, 9:13 to 9:15, 10:11
 Bankruptcy, 2:76, 2:94
 Battle of the forms, 2:77, 2:79
 Business relationship, 2:9, 2:33
 Choice of law, 1:53, 2:32
 Class arbitration, 1:47, 2:56, 2:57
 Closing statement, 2:25
 Collateral agreements, 2:73
 Commercial forms, 2:77, 2:79
 Compelling arbitration, 2:17, 2:26, 2:31, 2:37, 2:47, 2:48, 2:52,

COMMERCIAL ARBITRATION**—Cont'd**

2:54, 2:56, 2:61, 2:64, 2:73
 Consolidation, 2:13, 2:17, 2:31, 2:57, 2:64, 2:106
 Cost, 2:3, 2:24, 2:36, 2:42, 2:43, 2:46, 2:52, 2:54, 2:87, 2:92, 2:99
 Counterclaims, 2:10, 2:17, 2:29, 2:31, 2:33, 2:47, 2:82, 2:85, 9:3, 12:15
 Demand, 1:7, 1:47, 2:15 to 2:18, 2:21, 2:29, 2:37, 2:40, 2:44, 2:46, 2:50, 2:57, 2:59, 2:64, 2:65, 2:71, 2:76, 2:85, 2:91, 17:24
 Discovery, 1:7, 1:52, 2:3, 2:4, 2:10, 2:14, 2:16, 2:19 to 2:21, 2:40, 2:46, 2:54, 2:56 to 2:58, 2:60, 2:61, 2:64, 2:69, 2:73, 2:95, 2:96, 3:32
 Enforcement, 1:47, 2:17, 2:21, 2:31 to 2:33, 2:46 to 2:87, 2:91, 2:95, 2:106, 9:13 to 9:15
 Equitable merits, 2:5
 Estoppel, 2:54, 2:57, 2:64, 2:67, 2:71, 2:75, 2:82, 2:104, 9:1
 Ethics, 2:1, 2:99, 17:24
 Evidence, 1:7, 1:47, 1:52, 2:8, 2:14, 2:19 to 2:21, 2:23 to 2:25, 2:36, 2:37, 2:42, 2:43, 2:45, 2:46, 2:50, 2:52, 2:53, 2:56 to 2:58, 2:60, 2:61, 2:63, 2:68, 2:69, 2:71 to 2:74, 2:79, 2:85, 2:87, 2:90, 2:96 to 2:98, 2:105, 2:106, 3:32, 9:1, 9:3, 9:16, 10:11, 17:24
 Expedited procedures, 2:10, 2:29
 Finality, 2:54, 2:57, 2:92, 2:94, 2:95, 2:105
 Forms, 1:53, 2:1, 2:2, 2:50, 2:52, 2:57, 2:77 to 2:79
 Fraud in the inducement, 1:47, 2:60, 2:61
 Hearings, 1:52, 2:7, 2:10, 2:22, 2:26, 2:29, 2:41, 2:64, 2:68, 2:85, 2:106, 3:18, 3:32, 9:1
 Incorporation by reference, 1:47, 2:50, 2:54, 2:57, 2:67, 2:72, 2:75

INDEX

COMMERCIAL ARBITRATION

—Cont'd

Initial considerations, 2:11
Injunctive relief, 1:47, 2:33, 2:61,
2:62, 2:64, 2:73, 2:79, 2:91,
2:103
Integration clause, 2:35, 2:63
Intellectual property claims, 2:61
International commercial contracts,
9:1
Jurisdiction, 1:7, 1:47, 1:52, 1:53,
1:59, 2:12, 2:31 to 2:33, 2:37,
2:46 to 2:50, 2:54 to 2:57, 2:59,
2:61, 2:62, 2:79, 2:85, 2:87,
2:88, 2:90 to 2:92, 2:101,
2:103, 3:29, 3:32, 9:13 to 9:15,
17:24
Legal merits, 3:18
Litigation, 1:7, 1:47, 2:1 to 2:9, 2:14,
2:17, 2:31, 2:34, 2:44 to 2:46,
2:48 to 2:50, 2:52 to 2:58, 2:60,
2:61, 2:64, 2:67, 2:71, 2:73,
2:76, 2:79, 2:85, 2:88 to 2:90,
2:92, 2:94, 2:95, 2:97, 2:102,
2:104, 2:105, 3:40, 9:3
Location, 1:52, 1:53, 2:3, 2:15, 2:17,
2:20, 2:31, 2:46, 2:50, 2:52,
2:65, 2:72, 2:91, 3:32, 9:3,
17:24
Misconduct, 2:24, 2:25, 2:60, 2:67,
2:71, 2:82, 2:90, 2:92, 2:93,
2:95, 2:98, 10:11
Multiple agreements, 2:61
Nonsignatory parties, 2:67, 2:69,
2:71, 2:72, 2:74
Number of arbitrators, 1:52, 2:30,
2:36, 9:3, 9:15
Opening statement, 2:16, 2:23, 2:25
Place of arbitration, 1:47, 1:52, 2:30,
2:91, 9:3, 9:13
Preemption, 2:52, 2:56, 2:73, 2:99,
2:101, 2:105, 2:106
Process of arbitration, 2:30
Production of documents, 2:21
Public policy exception, 2:105
Publicity, 2:7, 2:85
Punitive damages, 2:1, 2:44, 2:56,
2:101, 2:103, 2:106, 3:40, 9:3
Remedies, 2:33, 2:44, 2:54, 2:57,
2:65, 2:82, 2:91, 2:93, 2:101,

COMMERCIAL ARBITRATION

—Cont'd

2:103, 2:106, 3:40, 9:3, 9:16,
10:11, 17:24
RICO claims, 2:82, 2:84
Scheduling, 2:64
Severability, 2:61 to 2:63
Subpoenas, 2:19, 2:21
Survival clause, 2:63
Third-party beneficiary, 2:54, 2:67,
2:70
Time, 1:7, 1:52, 1:53, 2:3, 2:4, 2:14
to 2:16, 2:25, 2:29, 2:30, 2:32,
2:34, 2:36, 2:37, 2:41, 2:42,
2:46, 2:49 to 2:54, 2:56, 2:57,
2:60 to 2:65, 2:67 to 2:69, 2:71
to 2:74, 2:76, 2:78, 2:79, 2:82,
2:90 to 2:92, 2:94, 2:100,
2:102, 2:105, 2:106, 3:18, 3:32,
9:1, 9:3, 9:13, 9:15
Unconscionability, 1:47, 2:50, 2:52,
2:56, 2:57, 2:61, 2:62, 2:65,
2:69, 17:24
Uniform Arbitration Act, 2:24, 2:32,
2:59, 2:90, 2:91, 2:98, 2:106
Unilateral arbitration agreements,
2:65
Waiver, 1:47, 2:50, 2:52, 2:54, 2:56
to 2:58, 2:64, 2:69, 2:73, 2:79,
2:82, 2:87, 2:92, 2:95, 2:106,
9:15, 17:24

COMMERCIAL DISPUTES

Arbitration, 1:7, 1:13, 2:1, 2:7, 2:10,
2:14, 3:25, 8:18, 9:1, 9:3, 9:8,
9:11
Assistance, 2:14
Mediation, 1:7, 1:13, 5:15, 9:3
Negotiation, 9:3

COMMODITIES

Agency, 3:45, 9:5

COMPENSATION

Architects, 2:57
Limited liability companies, 11:23

COMPLIANCE

Antitrust, 11:6
Discrimination, 11:6
Exercises, 11:23, 16:7

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

COMPLIANCE—Cont'd

Intellectual property, **9:7**
Oral presentations, **16:2**
Records, **16:2**

COMPUTER SOFTWARE

Acceptance, **1:53**
Agents, **1:50**
License, **1:53**
Misrepresentation, **1:50**
Ownership, **1:50**
Patent, **17:18**
Purchase agreement, **1:50**
Software, **1:50, 1:53, 17:18**
Third parties, **17:18**
Warranty, **1:50**

CONCEALMENT

Corporations, **2:52**

CONFIDENTIALITY

Agreements, **1:1, 2:33, 2:57, 2:59, 2:67, 5:8, 5:11, 9:3, 11:6**
Trade secrets, **2:33, 2:59, 12:25**

CONSTRUCTION

Electrical contractors, **1:51**
Enforcement, **2:31, 2:33, 2:46, 2:52, 2:54, 2:56, 2:57, 2:60, 2:62 to 2:65, 2:67, 2:69, 2:73, 2:74, 2:91, 5:8, 9:11, 10:6, 10:8, 10:15, 10:18, 10:19, 10:22, 10:26, 11:19, 11:27, 16:18**
Engineers, **10:4, 10:10, 10:17**

CONSTRUCTION CONTRACT

Arbitrability, **2:62, 9:11, 10:6, 10:16, 10:17**
Breach, **2:62, 2:74, 9:11, 10:6, 10:10, 10:15, 10:16**
Defenses, **10:5, 10:10**
Errors, **9:11**
Implied warranty, **10:8**
Liability, **10:5, 10:8, 10:16, 10:20**
Manufacturing company, **10:5**
Materials, **2:74, 10:6, 10:17, 10:20**
Waiver, **9:11, 10:6, 10:10, 10:16**
Workmanship, **10:16**

CONSTRUCTION DISPUTES

Arbitrability, **10:6, 10:13, 10:14, 10:16, 10:17**
Arbitration clause, **10:2 to 10:8, 10:10, 10:13, 10:15 to 10:18, 10:21, 10:23, 10:26**
Assignment, **10:5, 10:8, 10:14**
Consolidation, **10:17, 10:18**
Enforcement, **10:6, 10:8, 10:15, 10:18, 10:19, 10:22, 10:26**
Evidence, **10:2 to 10:5, 10:10, 10:11, 10:14, 10:15, 10:17, 10:20, 10:24 to 10:27**
Expedited arbitration, **10:25**
Federal Arbitration Act, **10:2, 10:4, 10:6, 10:10, 10:14**
Full faith and credit, **10:19**
Incorporation by reference, **10:7, 10:13, 10:17**
Mediation, **10:6, 10:11, 10:17, 10:24**
Non-signatories, **10:26**
Res judicata, **10:20**
Severability, **10:15**
Standing, **10:6, 10:22**
Third-party beneficiaries, **10:20**
Waiver, **10:6, 10:10, 10:13, 10:16, 10:23, 10:24**

CONSULTING

Breach of warranty, **1:50, 2:61**
Causes of action, **2:34, 2:71**
Contract defenses, **2:61, 2:69, 11:6**
Damages, **2:33, 2:59, 2:71, 2:91, 2:103, 11:6**
Defenses, **2:61, 2:69, 10:5, 11:6**
Duty, **2:33, 2:67, 2:71, 2:98, 11:6**
Estoppel, **2:67, 2:71**
Fiduciary duty, **2:33**
Fraud, **1:50, 2:33, 2:59, 2:61, 2:69, 10:5, 11:6, 11:23**
Negligence, **2:33, 2:67, 2:71**
Statute of limitations, **2:32**
Warranty, **1:50, 2:61, 2:69**

CONSUMER WARRANTY

Dispute resolution, **16:7, 16:18**
Enforcement, **16:18**
FTC regulations, **16:7, 16:18**

INDEX

CONSUMER WARRANTY—Cont'd

Magnuson-Moss Warranty Act, **16:7, 16:18**

Preemption, **16:18**

Written warranty, **16:7, 16:18**

CONTRACT

Acceptance, **1:40, 1:44, 1:53, 2:37, 2:46, 2:50, 2:52, 2:53, 2:57, 2:61, 2:69, 2:78, 2:79, 2:82, 2:90, 2:97, 2:99, 10:5, 10:16, 10:26, 11:2, 11:5, 11:19, 11:27, 12:19, 17:24**

Advantages of, **1:7, 11:19**

Advertising, **1:40, 2:50, 11:23, 17:24**

Bargaining power, **1:45, 2:52, 2:57, 2:60, 2:61, 3:56, 11:27**

Beneficiaries, **1:50, 2:67, 10:20**

Breach, **1:13, 1:28, 1:40, 1:43, 1:45, 1:47, 1:50 to 1:53, 2:12, 2:31 to 2:35, 2:46, 2:50, 2:52 to 2:54, 2:56, 2:57, 2:59 to 2:62, 2:64, 2:67, 2:69, 2:71, 2:74, 2:76, 2:79, 2:82, 2:85, 2:90 to 2:92, 2:101, 2:102, 3:16, 3:18, 3:29, 3:32, 3:43, 3:44, 3:46, 3:48, 6:6, 9:1, 9:3 to 9:5, 9:7, 9:8, 9:11, 10:2, 10:4, 10:6, 10:7, 10:10, 10:11, 10:14 to 10:16, 10:19, 10:23, 10:24, 10:26, 11:2, 11:21, 11:23, 11:26, 11:37, 16:4 to 16:7, 16:11, 16:18, 17:24**

Capacity, **1:47, 2:46, 2:54, 2:57, 2:59, 2:85, 2:90, 2:91, 5:8, 10:5, 10:15, 11:2, 11:23**

Clickwrap contracts, **2:52**

Compensatory damages, **2:90**

Conditions precedent, **1:35, 2:57, 9:8**

Consideration, **1:40, 1:41, 1:51, 2:31, 2:39, 2:50, 2:52, 2:57, 2:58, 2:64, 2:65, 3:43, 3:44, 3:53, 9:3 to 10:4, 10:13, 10:15, 11:2, 11:6, 11:23, 11:30, 11:33, 12:19, 17:24**

Corporation, **1:45, 1:47, 1:50, 1:51, 1:53, 2:21, 2:32, 2:33, 2:37, 2:50, 2:56, 2:57, 2:59, 2:61, 2:62, 2:65, 2:74, 2:79, 2:82, 2:85, 2:90, 2:92, 9:8, 9:11, 9:13,**

CONTRACT—Cont'd

10:3 to 10:9, 10:20, 11:2, 11:23, 11:30

Covenant of good faith and fair dealing, **2:85**

Damages, **1:13, 1:47, 1:51, 2:33, 2:44, 2:46, 2:52, 2:56, 2:57, 2:59, 2:60, 2:62, 2:71, 2:82, 2:87, 2:90 to 2:92, 2:96, 2:101, 2:104, 3:43, 5:11, 9:3, 9:11, 10:6, 10:8, 10:10, 10:11, 10:13, 10:18 to 10:20, 11:6, 11:22, 11:34, 12:19, 16:4, 16:16**

Definition of, **2:50, 2:52, 2:64, 5:8, 10:3, 11:2, 11:6, 11:23, 16:11, 16:18, 17:24**

Dividends, **1:3**

Duress, **1:40, 1:47, 2:57, 2:61, 2:62, 2:69, 11:6, 11:27, 11:34**

Elements, **1:41, 1:47, 2:50, 2:52, 2:58, 2:61, 2:82, 2:90, 10:13, 10:20**

Employment, **1:40, 1:47, 2:33, 2:34, 2:50, 2:57, 2:61, 2:64, 2:68, 2:69, 2:71, 2:87, 2:92, 2:99, 3:18, 3:50, 3:53, 3:54, 3:56, 3:57, 9:11, 10:2, 10:26, 11:2, 11:5, 11:6, 11:17, 11:19 to 11:23, 11:25 to 11:28, 11:30, 11:32 to 11:34, 11:37, 12:1, 12:15, 12:19, 12:20, 12:28, 12:36, 12:39, 16:11, 17:24**

Employment agreements, **2:34, 11:23**

Formation, **1:40, 1:47, 2:46, 2:50, 2:52, 2:56, 2:57, 2:60 to 2:62, 2:69, 9:7, 9:13, 10:6, 10:15, 11:2, 11:5, 11:6, 11:27, 11:34, 12:19, 17:24**

Fraud, **1:40, 1:45, 1:47 to 1:50, 1:53, 2:33, 2:45, 2:46, 2:50, 2:54, 2:57, 2:59 to 2:62, 2:69, 2:90, 2:92, 2:93, 3:41, 10:5, 10:11, 10:15, 11:6, 11:23, 11:27, 11:34, 11:37, 16:6**

General partnership, **1:50**

Illegality, **1:47, 2:32, 2:60, 2:62, 2:90, 2:99, 11:34**

Impossibility, **2:57**

Injunctive relief, **1:13, 1:47, 1:51, 2:33, 2:61, 2:62, 2:64, 2:73,**

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

CONTRACT—Cont'd

2:79, 2:91, 3:16, 11:22, 11:27,
14:24
Introduction, 1:7, 2:8, 9:1, 12:1
Lease, 1:51, 1:54, 2:36, 2:37, 2:65,
2:71, 2:76, 11:27, 16:4, 16:7
Liquidated damages, 2:62, 10:13
Loans, 2:60, 2:82, 10:5
Menace, 1:47
Misrepresentation, 1:3, 1:45, 1:50,
2:33, 2:35, 2:52, 2:60 to 2:62,
10:5, 10:10, 10:20
Mistake, 2:43, 2:90, 2:92, 9:13
Mutual assent, 1:40, 2:46, 2:52, 2:53,
2:62
Mutuality of obligation, 2:50, 2:65
Offer, 1:29, 1:40, 1:44, 1:47, 2:46,
2:50, 2:52, 2:53, 2:57, 2:69,
2:71, 2:79, 2:99, 5:8, 10:5,
10:26, 10:27, 11:2, 11:23,
11:26, 11:27, 11:33, 16:4, 17:24
Opinion, 1:7, 1:18, 1:19, 1:21, 1:37,
1:43, 1:51, 2:43 to 2:45, 2:50,
2:57, 2:61, 2:74, 2:79, 2:87,
2:90, 2:92, 2:99, 9:8, 9:11, 10:5,
11:2, 11:6, 11:19, 11:21, 11:32,
11:34, 12:28
Performance, 1:40, 1:41, 1:44, 1:51,
2:28, 2:32, 2:33, 2:35, 2:54,
2:59 to 2:62, 2:65, 2:71, 2:72,
2:85, 2:91, 3:16, 3:44, 5:8, 9:4,
9:11, 10:4, 10:5, 10:7, 10:9,
10:10, 10:16, 10:17, 10:20,
10:22, 10:24, 11:6, 11:23,
11:30, 11:33
Performance or breach, 2:32, 2:59,
2:62, 2:91
Public policy, 1:51, 1:53, 2:31, 2:43,
2:56, 2:57, 2:65, 2:67, 2:90,
2:92, 2:101, 2:105, 10:4 to
10:6, 10:15, 10:16, 11:21,
11:22, 11:37, 14:24, 16:6
Ratification, 2:69, 11:6
Rejection, 1:40, 2:52, 2:61, 2:71
Reliance, 2:60, 2:67, 2:69, 2:82,
2:90, 5:11, 11:23
Remedies, 1:51, 2:33, 2:44, 2:54,
2:57, 2:65, 2:82, 2:91, 2:93,
2:101, 3:16, 3:43, 9:3, 10:6,
10:11, 11:21, 11:22, 11:27,

CONTRACT—Cont'd

12:19, 12:20, 16:11, 16:16,
16:18, 17:24
Repudiation, 9:11, 10:15
Rescission, 1:47
Revocation, 1:40, 1:54, 2:33, 2:36,
2:46, 2:56 to 2:58, 2:61, 2:62,
2:64, 2:69, 2:71, 11:2, 11:6,
11:19, 11:34
Sale of goods, 1:40, 2:61, 2:69,
10:26
Specific performance, 2:28, 2:54,
10:22
Termination, 1:44, 1:45, 1:50, 2:33,
2:43, 2:46, 2:52, 2:57, 2:59,
2:61, 2:63, 2:64, 2:71, 2:73,
2:74, 2:80, 2:85, 2:92, 3:18,
3:44 to 3:46, 3:48, 9:1, 9:4, 9:5,
9:11, 10:15, 10:17, 11:2, 11:6,
11:23, 11:26, 11:37, 14:21
Third-party beneficiaries, 1:50, 2:67,
10:20
Unconscionability, 1:40, 1:47, 2:50,
2:52, 2:56, 2:57, 2:61, 2:62,
2:65, 2:69, 11:2, 11:6, 11:26,
11:27, 11:33, 11:34, 17:24
Undue influence, 1:47, 2:54
Validity of, 1:43, 1:47, 1:48, 2:37,
2:46, 2:50, 2:52, 2:56 to 2:58,
2:60 to 2:62, 2:71, 2:79, 2:85,
2:91, 2:93, 2:96, 9:7, 9:8, 10:5,
10:6, 10:15, 10:23, 11:6, 11:23,
11:32, 12:1, 12:19, 12:36, 17:24
Waiver, 1:35, 1:40, 1:43, 1:47, 2:50,
2:52, 2:54, 2:56 to 2:58, 2:64,
2:69, 2:73, 2:79, 2:82, 2:87,
2:92, 5:8, 5:11, 9:8, 9:11, 9:15,
10:6, 10:10, 10:13, 10:16,
10:23, 10:24, 11:2, 11:22,
11:27, 11:34, 12:1, 16:18, 17:24
Writing, 1:13, 1:40, 1:42, 1:47, 1:50,
2:21, 2:28, 2:33, 2:50, 2:57,
2:69, 2:77, 2:78, 2:91, 3:43,
5:8, 5:11, 9:3, 9:11, 10:11,
10:16, 10:17, 10:26, 11:2,
11:21, 14:12, 17:24

CONTRACTORS

Architects, 10:10

CONTRIBUTION

Liability, 2:76, 7:40

INDEX

CONTRIBUTION—Cont'd

Property, 2:76

CONTROL

Architects, 2:57

COPIES

Corporations, 1:50

COPYRIGHT

Access, 2:33, 2:46, 2:50

Analysis, 2:46, 2:50

Common law, 2:33, 2:46, 2:50

Costs, 2:46, 2:92, 2:103

Damages, 2:33, 2:46, 2:92, 2:103

Defenses, 2:85

Duration, 2:85

Elements, 2:50

Employees, 2:33, 2:50, 17:24

Form, 2:46, 2:50, 2:92, 17:24

Graphics, 2:50

Infringement, 2:33, 2:70, 2:85, 2:103

Injunctive relief, 2:33, 2:103

Internet, 2:46, 2:50, 17:24

Knowledge, 2:46, 2:50, 17:24

Licenses, 2:92

Licensing, 2:33, 2:46, 2:50, 2:85,
17:24

Limitations, 2:103

Notice, 2:46, 2:50, 2:85, 2:92, 17:24

Placement, 2:46, 2:50, 17:24

Profits, 2:92

Registration, 2:46, 2:50

Remedies, 2:33, 2:103, 17:24

Scope, 2:33, 2:46, 2:50, 2:85, 2:92,
17:24

Software, 2:46, 2:50, 2:85, 17:24

Subject matter, 2:92

Termination, 2:33, 2:46, 2:85, 2:92

Trade secrets, 2:33, 2:70, 2:103

Transfer, 2:46

CORPORATIONS

Acceptance, 2:52, 2:99

Accounting, 11:23

Acquisition, 1:50

Actions, 2:52, 10:6, 11:23

Activity, 3:44, 11:23

Adoption, 11:23

CORPORATIONS—Cont'd

Agreements, 1:50, 2:1, 2:52, 2:54,
3:44, 8:1, 10:6, 11:23

Alteration, 2:52, 11:23

Amount, 2:52, 3:44, 10:6, 17:5

Appeal, 1:50, 2:52, 2:54, 10:6, 11:23

Application, 1:50, 2:52, 2:54, 2:99,
5:5, 10:6, 11:23

Approval, 11:23

Articles, 2:99

Assertion, 2:52

Assets, 1:50, 2:54

Authority, 2:99, 3:44, 10:6, 11:23

Bias, 2:1

Binding, 2:1, 2:52, 2:54, 8:1, 11:23

Breach of contract, 10:6, 11:23

Burden of proof, 2:52, 2:54

Calls, 11:23

Capital, 2:54

Care, 10:6

Cash, 11:23

Cause, 2:99

Challenges, 2:52, 2:99

Claims, 1:50, 2:1, 2:52, 2:54, 10:6,
11:23, 12:22, 17:5

Classification, 2:52

Collateral agreements, 1:50

Common law, 11:23

Communication, 2:52

Compensation, 2:1, 2:52, 11:23, 17:5

Compliance, 11:23

Concealment, 2:52

Conditions, 1:50, 2:52, 11:23

Conflict of interest, 2:99

Consent, 1:50, 2:52, 2:54, 10:6

Consideration, 2:52, 3:44, 11:23

Constructive notice, 1:50, 2:52

Contents, 11:23

Contests, 10:6

Continuation, 2:54

Contracts, 2:1, 2:52, 2:54, 2:99,
10:6, 11:23

Contractual, 2:52, 2:99, 10:6, 11:23

Control, 2:52, 8:1, 11:23

Costs, 2:54

Courts, 1:50, 2:1, 2:52, 2:54, 10:6,
11:23

Creation, 2:52

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

CORPORATIONS—Cont'd

Criminal, 2:52, 2:54
Damages, 2:1, 2:52, 10:6
Death, 2:52
Debts, 11:23
Decisions, 2:54, 2:99, 10:6, 11:23
Declaration, 10:6
Delay, 2:54
Delegation, 11:23
Delivery, 1:50, 2:52, 11:23
Demand, 10:6
Denial, 2:54, 5:5
Determinations, 1:50
Disclosure, 2:54, 2:99, 5:5
Discovery, 2:54, 11:23
Dismissal, 2:54
Disposition, 2:54, 11:23
Distribution, 10:6, 11:23
Documents, 1:50, 2:1, 3:44, 10:6, 11:23
Duties, 10:6, 11:23
Employers, 11:23
Employment contract, 11:23
Enforcement, 2:52, 2:54, 10:6
Entity, 11:23
Estoppel, 2:54
Evidence, 2:52, 11:23
Exclusive, 2:54, 11:23
Existence, 2:52, 11:23
Extent, 2:52, 2:54, 10:6, 11:23
Federal statutes, 2:1, 11:23
Fees, 2:1, 2:52, 2:54, 3:44
Fiduciary duty, 2:54
Filing, 2:54, 10:6
Formalities, 11:23
Formation, 2:52, 10:6
Framework, 2:52
Fraud, 1:50, 2:54, 11:23
Functions, 2:52
Good faith, 2:54
Hearings, 3:44, 11:23
Incorporation, 2:54
Increase, 2:1, 2:99
Injury, 2:1, 17:5
Insurance, 2:52, 2:99, 17:5
Intent, 2:52, 2:99, 10:6, 12:22
Judgments, 2:1, 2:54
Jurisdiction, 2:54, 10:6

CORPORATIONS—Cont'd

Knowledge, 2:52
Lack, 2:52, 2:54, 10:6
Leasing, 1:50
Legislature, 2:99
Less than, 11:23
Liability, 2:54, 11:23
Liberal construction, 10:6
Limited liability, 2:54, 11:23
Limited liability companies, 11:23
Mail, 2:52
Management, 1:50, 2:54
Manner, 1:50, 2:52, 10:6
Material, 2:52
Members, 3:44, 11:23
Money, 2:52
Motions, 2:52, 2:54, 11:23
Name, 3:44, 11:23
Natural persons, 11:23
Nature, 2:52, 2:54, 11:23
Necessary, 2:1, 2:52, 5:5, 11:23
Negligence, 2:52, 2:54
Notes, 5:5
Notice, 1:50, 2:52
Obligations, 1:50, 2:52, 2:99, 5:5, 10:6
Offer, 2:52, 2:99, 11:23
Offices, 3:44
One, 1:50, 2:1, 2:52, 2:54, 2:99, 3:44, 10:6, 11:23
Operations, 11:23
Orders, 2:54, 11:23
Organization, 1:50, 2:99, 3:44
Ownership, 1:50, 11:23
Parties, 1:50, 2:1, 2:52, 2:54, 2:99, 3:44, 5:5, 10:6, 11:23, 17:5
Payment, 2:52, 11:23
Penalties, 2:54
Performance, 2:54, 3:44, 11:23
Personal interest, 5:5
Piercing the corporate veil, 2:54
Plans, 8:1, 12:22
Pleadings, 1:50
Powers, 10:6, 11:23
Prejudice, 2:54
Premium, 11:23
President, 1:50, 2:99
Procedure, 2:54, 8:1, 10:6

INDEX

CORPORATIONS—Cont'd

Property, 17:5
Protection, 2:52, 2:99
Public policy, 10:6
Punitive damages, 2:1
Purchase, 1:50, 2:52, 11:23
Purpose, 2:1, 2:52, 2:99, 10:6, 11:23
Qualifications, 5:5
Reasonable, 2:52, 5:5, 11:23
Recourse, 3:44
Refusal, 2:54, 2:99, 10:6
Registration, 2:52
Reliance, 11:23
Removal, 11:23
Representatives, 1:50, 2:52, 2:54
Requirements, 1:50, 2:52, 2:54, 2:99, 11:23
Rights, 1:50, 2:1, 2:52, 2:54, 10:6, 11:23
Role, 11:23
Sales, 1:50, 2:52, 11:23
Scope, 1:50, 2:52, 10:6, 11:23, 12:22
Securities, 2:1, 2:99, 11:23
Securities law, 2:99
Security, 11:23
Services, 1:50, 2:52, 2:54, 10:6, 11:23
Settlement, 1:50, 2:54, 17:5
Special proceeding, 2:54
Special rules, 2:1
Specific performance, 2:54
State, 2:52, 2:54, 2:99, 5:5, 10:6, 11:23
Statements, 2:52
Status, 1:50, 2:1, 2:52, 11:23
Statutes, 2:1, 2:52, 2:54, 10:6, 11:23
Stay of proceedings, 10:6
Stipulations, 3:44
Stock, 2:54
Subrogation, 17:5
Tax, 2:54
Termination, 1:50, 2:52, 3:44, 11:23
Theory of, 2:52, 11:23
Title, 2:52, 11:23
Tort, 2:99
Transactions, 1:50, 2:1, 2:52, 10:6, 11:23
Types, 2:1, 2:54

CORPORATIONS—Cont'd

Ultra vires, 10:6
Vacation, 2:99
Validity, 2:52, 10:6, 11:23
Venue, 10:6, 11:23
Violations, 2:99, 11:23
Waiver, 2:52, 2:54, 5:5, 10:6
Waste, 2:54

DAMAGES

Consequential damages, 2:101, 16:16
Liability, 1:32, 2:33, 2:46, 2:71, 2:87, 2:104, 5:11, 6:1, 7:40, 10:8, 10:11, 10:20, 14:11, 16:15
Liquidated damages, 2:62, 10:13
Magnuson-Moss Warranty Act, 16:4, 16:14 to 16:16
Mitigation, 11:22
Personal injury, 2:33, 2:56
Punitive damages, 1:32, 2:1, 2:44, 2:56, 2:101, 2:103, 2:106, 3:40, 3:43, 9:3, 11:1, 11:22, 11:31
Tort Claims, 2:33, 10:20
Trade secrets, 1:47, 2:33, 2:59, 2:71, 2:103
Wrongful, 2:52, 2:56, 2:71

DEFAULT

Rules, 1:44, 1:58, 2:15, 2:16, 2:26, 2:32, 2:43, 2:57, 2:79, 2:106, 3:38, 3:42, 3:46, 8:27, 8:32, 9:12, 10:27, 11:27

DEPARTMENT OF JUSTICE

Antitrust Laws, 2:57
Role, 2:57

DIRECTORS

Contractual, 2:57, 2:59, 2:61, 11:6, 11:24
Duties, 2:61, 11:24
Election, 2:59
Insurance, 11:6
Liability, 11:24
Limitations, 2:57, 2:61, 11:6
Powers, 2:57
Statutory, 2:57, 2:59, 11:24

DISABILITY

Insurance, 11:6

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

DISCLAIMER

Appearance, **2:50**
Contractors, **1:40**
Enforceability, **2:50, 17:24**
Implied warranty, **16:1**
Revocation, **1:40**
Unconscionability, **1:40, 2:50, 17:24**

DISCLOSURE

Franchise, **1:53**
Nondisclosure, **2:96, 5:11**
Partnerships, **5:5**
Subscription, **2:50**
Trade secrets, **12:17**

DISPOSITION

Limited liability companies, **11:23**

DISSENT

Limited liability companies, **11:23**

DISTINCTIVENESS

Corporation, **17:18**

DISTRIBUTION

Agents, **1:40, 2:59, 2:61, 11:23**
Clayton Act, **2:82**
Compensation, **2:33, 2:34, 2:59, 11:23**
Sherman Act, **2:59, 2:82**

DOCUMENTS

Limited liability company, **2:31**

DOMAIN NAME DISPUTES

Uniform Dispute Resolution Policy, **17:12**

DRAWINGS

Architects, **10:17**

DRUG

Employees, **2:66, 2:105, 11:29**
Employment, **2:64, 2:66, 2:71, 11:29**
Marijuana, **2:105**

E-COMMERCE

Advertising, **2:50**
Arbitration, **2:50, 2:52, 17:1, 17:11**
Copyright, **2:50**
Disclaimer, **2:50**
Disclaimers, **2:50**
Forum selection, **2:50**

E-COMMERCE—Cont'd

Insurance, **2:52**
Intellectual property, **2:50**
Jurisdiction, **2:50**
Liability, **2:50**
Privacy, **2:50, 2:52**
Promotions, **2:52**
Terms of use, **2:50, 2:52**
Web site, **2:50, 17:9**

ELECTION

Directors, **2:59**

ELECTRONIC

Contractors, **11:23**

ELECTRONIC

Licensing, **2:33, 2:46, 2:50, 17:24**

EMERGENCY

Business, **11:27**

EMPLOYEE

Architects, **2:57**
Business, **1:50, 1:53, 2:33, 2:50, 2:57, 2:61, 4:5, 7:11, 9:11, 11:2, 11:6, 11:23, 11:27, 12:17**
Contracts of employment, **11:23**
Contractual, **1:40, 2:33, 2:50, 2:57, 2:61, 3:51, 9:11, 11:2, 11:6, 11:21, 11:23, 11:24, 11:27, 11:33, 11:34**
Covenants not to compete, **11:6**
Development of, **11:22**
Employment agreements, **11:23, 11:24, 12:16**
Independent contractor, **11:23, 11:37**
Noncompetition agreements, **11:6**
Nondisclosure agreements, **2:33**
Patents, **9:11**
Registration, **2:50**
Restrictions, **2:66, 11:29, 11:31, 12:18, 12:43**
Trade secrets, **2:33, 12:17**

EMPLOYER

Architects, **2:57**
Business, **2:50, 2:57, 2:61, 11:2, 11:6, 11:19, 11:23, 11:27, 12:17, 12:23**

INDEX

EMPLOYER—Cont'd

Contracts of employment, 11:19,
11:23
Registration, 2:50

EMPLOYMENT

Americans with Disabilities Act,
11:1, 11:2, 11:23, 11:24
Antitrust, 1:47, 2:1, 2:33, 2:50, 2:57,
2:61, 2:64, 2:87, 9:11, 11:6,
11:27
Applicants, 11:2, 12:40
Application, 1:40, 2:33, 2:50, 2:57,
2:61, 2:66, 2:69, 2:71, 2:98,
2:99, 9:11, 10:2, 11:2, 11:6,
11:19, 11:21, 11:23, 11:26,
11:27, 11:29, 11:34, 12:1,
12:18, 12:24, 12:29, 12:40,
12:45
Benefits, 1:40, 2:50, 2:57, 2:71, 3:51,
11:2, 11:3, 11:6, 11:9, 11:19,
11:21 to 11:24, 11:26, 11:34,
12:17, 12:45, 13:12
Clayton Act, 2:87
Compensation, 2:1, 2:33, 2:34, 2:57,
2:71, 9:11, 11:21, 11:23, 11:37,
12:14, 12:17
Contracts, 1:40, 1:47, 2:1, 2:34,
2:50, 2:57, 2:61, 2:64, 2:69,
2:71, 2:98, 2:99, 3:51, 3:56,
9:11, 10:2, 10:26, 11:2, 11:6,
11:19, 11:20, 11:22, 11:23,
11:27, 11:28, 11:30, 11:33,
11:34, 11:37, 12:19, 12:29,
12:32, 12:45, 17:24
Covenants not to compete, 11:6
Disabilities, 11:1, 11:2, 11:23, 11:24,
13:2
Discipline, 2:98
Discrimination, 1:47, 2:50, 2:57,
2:61, 2:66, 2:87, 3:50, 3:51,
4:5, 9:11, 11:1, 11:2, 11:6,
11:19, 11:21, 11:22, 11:24,
11:27, 11:29, 11:31, 11:32,
11:34, 12:17 to 12:19, 12:29,
12:42, 13:2, 13:16, 17:24
Family and Medical Leave Act, 11:1
Investigations, 2:61, 11:9, 12:37
Job description, 11:23
Leave of absence, 11:2

EMPLOYMENT—Cont'd

New employees, 12:19
Ombudsman, 1:14, 11:4, 11:15
Orientation, 11:2, 11:27
Overtime, 11:21, 11:24, 12:29
Patents, 9:11
Privacy, 1:14, 2:50, 2:57, 3:50, 17:24
Reinstatement, 11:22, 12:43
Restrictive covenants, 12:25
Sales, 1:40, 1:47, 2:33, 2:50, 2:57,
11:19, 11:23, 11:26, 11:34,
12:17
Termination, 2:33, 2:57, 2:61, 2:64,
2:66, 2:71, 2:92, 2:95, 3:18,
3:51, 9:11, 11:2, 11:6, 11:23,
11:24, 11:26, 11:29, 11:37,
12:17, 12:42, 12:45, 13:16
Trade secrets, 1:47, 2:33, 2:71,
2:103, 12:17, 12:25
Wrongful termination, 2:64, 2:71

EMPLOYMENT AGREEMENTS

Alternative dispute resolution, 11:23,
11:24
Arbitration, 2:34, 11:23, 11:24, 12:16
Arbitration agreement, 2:34, 11:23,
11:24
Costs, 2:34
Evidence, 11:23
Fees, 2:34
Independent contractor, 11:23
Scope, 2:34, 11:23, 11:24, 12:16
Term, 2:34, 11:23
Termination agreement, 11:24

EMPLOYMENT ARBITRATION

Agreement, 2:33, 2:95, 3:59, 11:2,
11:21, 11:27, 11:32, 11:33, 12:1,
12:2, 12:10, 12:15, 12:19,
12:20, 12:22, 12:25, 12:27,
12:29, 12:34, 12:36, 12:37,
12:39, 12:40, 12:42, 12:44,
12:45
Claims covered, 12:26
Class arbitration, 12:27 to 12:29,
12:34
Consideration, 11:2, 11:33, 12:17,
12:19, 12:40, 12:45
Costs, 11:2, 11:19, 11:27, 11:32,
11:33, 12:1, 12:10, 12:14,

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

EMPLOYMENT ARBITRATION —Cont'd

12:19, 12:31, 12:34, 12:36
Estoppel, 3:59
Fees, 11:27, 11:32, 11:33, 12:1,
12:14, 12:15, 12:31, 12:34,
12:36, 12:43
Mediation, 11:27, 12:1 to 12:46
Severability, 11:33, 12:20
Unfairness, 11:27, 12:19
Waiver, 2:95, 3:59, 11:2, 11:27, 12:1,
12:10, 12:29

EMPLOYMENT DISPUTES

Arbitration, 2:50, 3:49, 3:51, 3:57,
11:2, 11:5, 11:17, 11:20, 12:1,
12:16, 12:19, 12:32, 12:46
Class actions, 12:19
Contracts, 2:50, 3:51, 11:2, 11:20,
12:19, 12:32
Expenses, 12:16
Fact-finding, 12:32
Fees, 2:50, 12:1
Interstate commerce, 11:2
Legal implications, 11:20
Mediation, 4:5, 12:1, 12:16, 12:19,
12:32, 12:46
Settlement, 4:5, 11:8
Statutory claims, 11:20
Unconscionability, 2:50, 11:2
Waiver, 2:50, 3:51, 11:2, 12:1

ENFORCEMENT

Agreement, 1:43, 1:47, 1:58, 2:17,
2:31 to 2:33, 2:46, 2:47, 2:49 to
2:54, 2:56 to 2:80, 2:82, 2:83,
2:85 to 2:87, 2:91, 2:95, 2:106,
5:8, 8:27, 9:8, 9:11 to 9:13,
9:15, 10:6, 10:8, 10:15, 10:18,
10:19, 10:22, 10:26, 11:21,
11:22, 11:27, 11:31, 11:33,
11:37, 12:39, 12:40, 14:7,
16:12, 16:18
Comity, 2:82, 9:8, 9:11, 10:19
Intellectual property, 1:47, 2:50,
2:61, 2:71, 2:74, 2:81, 2:85
International, 2:17, 2:31, 2:33, 2:57,
2:61, 2:65, 2:71, 2:74, 2:75,
2:82, 2:91, 9:8, 9:11 to 9:15,
10:6

ENFORCEMENT—Cont'd

Limited liability company, 2:31

EQUAL EMPLOYMENT OPPORTUNITY

Age discrimination, 3:50
Enforcement, 11:27
Remedies, 11:27
Sexual harassment, 3:50, 11:27

EQUITABLE ESTOPPEL

Corporations, 2:54

ESTATE

Liability, 2:76, 4:1, 5:11, 14:11

ETHICS

Communication, 8:18
Exceptions, 2:1

EXISTENCE

Limited liability companies, 11:23

EXPRESS WARRANTY

Breach of warranty, 16:11, 16:13

FAIR LABOR STANDARDS ACT

Employee, 2:57, 2:58, 11:2, 11:5,
11:21, 11:23, 11:24, 11:34,
12:29
Employer, 2:57, 2:58, 11:2, 11:5,
11:21, 11:23, 11:24
Enforcement, 2:52, 2:57, 2:58, 11:21
Hours worked, 11:21
Overtime, 2:58, 11:21, 11:24, 12:29
Payment, 2:52, 11:21, 11:23
Regular rate, 11:21

FEEES

Maintenance, 16:1
Patents, 9:11

FINANCING

Accountant, 2:54
Capital, 2:54

FIXING

Compensation, 9:11

FRANCHISE

Antitrust laws, 2:57
Disclosure, 1:53
Documents, 2:60, 2:64

INDEX

FRANCHISE—Cont'd

- Enforcement, 2:56, 2:57, 2:60, 2:64, 2:65, 9:11
- Enforcement of, 2:56, 2:57, 2:60, 2:64, 2:65, 9:11
- Fees, 2:56, 2:57, 9:11
- Franchisee, 2:64
- Franchisor, 1:51, 1:53, 2:56, 2:60, 2:65
- Litigation, 2:56, 2:57, 2:60, 2:64, 9:11
- Preparation, 2:64
- Rule, 1:53, 2:56, 2:57, 2:60, 2:64, 9:11
- Sale, 9:11
- Selection, 1:53, 2:56, 9:11
- State laws, 1:53, 2:56, 2:57, 2:65, 9:11
- Termination, 2:57, 2:64, 9:11
- Tying arrangements, 2:57

FRAUD

- Bankruptcy, 10:5
- Beneficiary, 1:40, 2:54
- Business, 1:45, 1:50, 1:53, 2:33, 2:46, 2:50, 2:54, 2:57, 2:59, 2:61, 2:62, 10:5, 10:15, 11:6, 11:23, 11:27
- Damages, 1:47, 2:33, 2:46, 2:57, 2:59, 2:60, 2:62, 2:90, 2:92, 10:11, 11:6, 11:34
- Forgery, 1:47
- License, 1:40, 1:53, 2:50, 2:62, 2:69, 2:90, 2:92, 10:15, 11:27
- Third parties, 2:69

GAIN

- Limited partnership, 17:17
- Rights, 2:50, 12:17, 17:14, 17:17, 17:19

GENERAL PARTNERSHIP

- Agreement, 1:50
- Interests, 1:50
- Management, 1:50
- Notice, 1:50
- Ownership, 1:50
- Rights, 1:50
- Scope, 1:50
- Termination, 1:50

GUARDS

- Liability, 2:71

HEARINGS

- Limited liability companies, 11:23

HISTORY

- Limited liability company, 2:31

HOURS

- Business, 2:52, 2:57, 11:23, 11:27

IMPLIED WARRANTY

- Express warranty, 16:10
- Magnuson-Moss Warranty Act, 16:1, 16:4, 16:5, 16:10, 16:16

INCORPORATION

- Corporation, 1:47, 2:50, 2:57, 2:61, 9:8, 10:7

INDEMNITY

- Directors, 7:38
- Officers, 2:96, 7:38

INDEPENDENT CONTRACTOR

- Employment agreements, 11:23

INFRINGEMENT

- Analysis, 2:61, 17:12
- Copyright, 2:33, 2:70, 2:85, 2:103
- Corporate name, 17:17
- Cyberpiracy, 17:22
- Defenses, 2:61, 2:85
- Dilution, 17:12
- Internet, 17:12, 17:17
- Likelihood of confusion, 17:15, 17:17
- Patents, 2:85
- Procedure, 2:61, 9:7, 17:17
- Remedies, 2:33, 2:103
- Trademarks, 17:12, 17:17, 17:22
- Use in commerce, 17:12

INSURANCE

- Business, 1:45, 2:33, 2:52, 2:76, 2:96, 2:99, 3:45, 4:1, 4:4, 5:8, 9:5, 10:3, 10:7, 11:6
- Commercial, 2:25, 2:32 to 2:34, 2:52, 2:67, 2:71, 2:73, 2:76, 2:96, 2:99, 3:45, 7:9, 9:5, 10:7, 10:11, 11:6
- Corporations, 2:52, 2:99, 17:5

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

INSURANCE—Cont'd

Coverage, 1:45, 2:25, 2:32, 2:33, 2:71, 7:9, 11:6, 16:4
Directors, 11:6
Disability, 11:6
Liability, 2:32, 2:33, 2:71, 2:76, 4:1, 5:11, 10:11
Life, 1:45, 2:33, 2:52, 2:67, 2:71, 2:73, 14:3
Motor vehicle, 17:5
Officers, 2:96, 5:11, 11:6
Policies, 1:45, 2:71, 2:76
Property, 2:71, 2:76, 10:7, 10:11, 17:5
Specialty, 2:33, 2:67

INTELLECTUAL PROPERTY

Antitrust, 1:47, 2:50, 2:61, 2:81, 2:85
Bad faith, 17:12
Copyright, 2:50, 2:85
E-commerce, 2:50
Enforcement, 1:47, 2:50, 2:61, 2:71, 2:74, 2:81, 2:85
Fraud, 1:47, 2:50, 2:61
Infringement, 2:61, 2:85, 9:7, 17:12
License, 2:50, 2:85, 9:7
Licensing, 2:50, 2:61, 2:85
Patents, 2:85
Royalties, 2:85, 9:7
Trade secrets, 1:47, 2:71, 2:74

INTEREST

Liability, 1:4, 2:15, 2:33, 2:50, 2:54, 2:71, 3:50, 5:11, 7:24, 10:8, 11:23, 11:24, 14:11
Limited liability companies, 11:23
Ownership interests, 2:95
Rates, 2:50

INTERFERENCE

Business, 2:33, 9:5

INTERNATIONAL ARBITRATION

Ad hoc arbitration, 3:42, 9:10, 9:15
American Arbitration Association, 3:42, 9:1, 9:3, 9:7
Arbitrability, 9:7, 9:8, 9:11
Arbitral awards, 2:17, 2:31, 9:8, 9:11 to 9:15

INTERNATIONAL ARBITRATION —Cont'd

Arbitration clauses, 3:42, 9:8, 9:11, 9:15
Enforcement, 2:17, 2:31, 9:8, 9:11 to 9:15
International Chamber of Commerce, 3:42, 3:44, 9:1, 9:4, 9:11
International commercial contracts, 9:1
London Court of International Arbitration, 3:42, 3:44, 9:1, 9:5
Sanctions, 9:16
Treaties, 9:8
UNCITRAL arbitration rules, 3:44, 3:47, 9:1, 9:4 to 9:8

INTERNATIONAL TRANSACTIONS

Arbitration, 2:33, 2:82
Construction, 2:33
Enforcement, 2:33, 2:82
Interest, 2:33
Local laws, 2:33
Payments, 2:33
Terms, 2:33, 2:82

INTERNET

Bad faith intent, 17:12
Characteristics, 1:40, 2:50
Copyright, 2:46, 2:50, 17:24
Cybersquatting, 17:12, 17:17
Domain names, 17:12, 17:17, 17:18, 17:21, 17:23
Electronic signatures, 2:50, 2:106
Framing, 1:47
Global and National Commerce Act, 2:106
Hyperlinks, 1:40, 2:46, 2:50, 2:52, 2:53, 17:24
Immunity, 2:106
Infringement, 17:12, 17:17
Intellectual property, 1:47, 2:50, 17:12
Likelihood of confusion, 17:14, 17:17
Misrepresentation, 2:52
Online contracts, 2:46, 2:50, 2:52
Personal jurisdiction, 2:50
Privacy, 2:46, 2:50, 2:52, 2:53, 17:24

INDEX

INTERNET—Cont'd

- Privacy policy, 2:46, 2:50, 2:52, 2:53, 17:24
- Purchase agreement, 2:52
- Registration, 2:46, 2:50, 2:52, 17:12, 17:14, 17:17, 17:18, 17:21
- Remedies, 2:106, 17:24
- Social media, 2:52
- Standing, 1:40
- Terms and conditions of sale, 2:46, 2:50, 17:24
- Trade secrets, 1:47
- Trademark, 17:12, 17:14, 17:17, 17:18, 17:23
- Uniform Electronic Transactions Act, 2:50, 17:24
- Use in commerce, 17:12

INVESTIGATION

- Access, 1:13, 12:37, 12:40
- Results, 1:13, 3:50, 12:37

INVESTMENTS

- Corporations, 1:50

JOINT VENTURES

- Liability, 4:5
- Parties, 4:5

JURISDICTION

- Personal jurisdiction, 2:48, 2:50, 9:12, 9:13

KNOWLEDGE

- Copyright, 2:46, 2:50, 17:24
- Trademarks, 9:11, 17:18

LANGUAGE

- Terminology, 2:57, 10:2, 11:19

LEASE

- Damages, 1:51, 2:71, 16:4
- Default, 11:27
- Enforceability, 1:51, 2:65, 2:71
- Interference, 2:71
- Performance, 1:51, 2:65, 2:71
- Remedies, 1:51, 2:65, 11:27
- Revocation, 1:54, 2:36, 2:71
- Statute of limitations, 11:27
- Third parties, 2:76
- Waiver, 11:27
- Warranties, 16:4

LIABILITY

- Agents, 2:71, 7:40, 11:23, 17:24
- Breach of fiduciary duty, 2:33, 2:54, 11:24
- Burden of proof, 2:54
- Buyer, 10:8, 11:23, 17:24
- Contracts, 1:54, 2:32, 2:36, 2:46, 2:50, 2:54, 2:71, 4:1, 10:11, 10:16, 10:20, 11:23, 12:29, 17:24
- Contractual, 2:15, 2:31, 2:33, 2:46, 2:50, 2:71, 7:40, 7:45, 10:8, 10:11, 11:23, 11:24
- Criminal, 2:54, 5:11
- Damages, 1:32, 2:33, 2:46, 2:71, 2:87, 2:104, 5:11, 6:1, 7:40, 10:8, 10:11, 10:20, 14:11, 16:15
- Defense, 2:46, 2:50, 2:71, 2:76, 5:11, 7:40, 10:11, 14:11
- Directors, 11:24
- Enforceability, 2:46, 2:50, 2:71, 11:23, 12:29, 17:24
- Evidence, 1:4, 1:32, 1:54, 2:36, 2:46, 2:50, 2:71, 2:87, 5:11, 6:1, 6:7, 7:24, 10:5, 10:11, 10:20, 11:23, 14:11, 17:24
- Exemption, 11:23
- Fraud, 2:33, 2:46, 2:50, 2:54, 10:5, 10:11, 11:23
- Implied warranty, 10:8
- Knowledge, 1:4, 2:46, 2:50, 10:5, 17:24
- Limited liability company, 2:31
- Officers, 5:11, 14:11
- Owners, 2:32, 2:46, 2:50, 2:54, 2:76, 11:23, 17:12, 17:24
- Purchase price, 11:23
- Statutory, 2:15, 2:33, 2:54, 2:71, 2:87, 10:5, 10:11, 10:16, 10:20, 11:23, 11:24, 11:32, 12:29
- Torts, 2:71
- Trade secrets, 2:33, 2:71
- Unconscionability, 2:50, 17:24

LIABILITY INSURANCE

- Coverage, 2:71
- Policies, 2:71

LICENSES

- Fees, 2:1, 2:52, 2:92

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

LICENSES—Cont'd

Property, 2:90, 2:92

LIMITATIONS

Accountants, 2:94

LIMITED LIABILITY COMPANIES

Adoption, 11:23
Agency, 11:23
Agents, 11:23
Agreements, 11:23
Application, 11:23
Claims, 11:23
Compensation, 11:23
Courts, 11:23
Documents, 11:23
Duties, 11:23
Effect, 11:23
Finances, 11:23
Function, 11:23
Hearings, 11:23
Information, 11:23
Liability, 11:23
Manager, 11:23
Member, 11:23
Members, 11:23
Name, 11:23
Nature, 11:23
Operating agreement, 11:23
Orders, 11:23
Parties, 11:23
Payment, 11:23
Rights, 11:23
Sales, 11:23
Services, 11:23
Statutes, 11:23
Structure, 11:23
Termination, 11:23
Time, 11:23
Transactions, 11:23

LIQUIDATION

Courts, 2:32
Resolution, 2:32

LOANS

Agreements, 2:60, 2:82, 10:5
Arbitration provisions, 2:60
Borrower, 2:60, 10:5

LOANS—Cont'd

Factors, 10:5
Form, 2:60, 2:82, 10:5
Parties, 2:60, 2:82, 10:5

LOSS

Rights, 2:57, 2:67, 2:79, 7:40, 13:2

MAGNUSON-MOSS WARRANTY ACT

Application, 16:3, 16:5, 16:10, 16:18
Informal dispute resolution mechanisms, 16:2, 16:5, 16:11, 16:14, 16:19
Oral warranties, 16:1, 16:12
Preemption, 16:17 to 16:19
Regulations, 16:2, 16:4, 16:5, 16:7, 16:11, 16:12, 16:14, 16:16, 16:18, 16:19
Statutory provisions, 16:3

MANDAMUS

Corporations, 11:23

MANUFACTURING

Construction contract, 2:74, 10:5
Service agreement, 1:50

MEDIATION

Bargaining table, 4:7
Construction disputes, 10:6, 10:11, 10:17, 10:24
Employment, 2:57, 2:64, 2:98, 4:5, 4:11, 11:7, 11:9, 11:12, 11:14, 11:22, 11:27, 12:1 to 12:46, 13:2, 13:12, 13:16, 16:11
Evaluative mediation, 1:5
Hybrid, 1:9, 1:11, 3:6
Voluntary mediation, 4:1 to 4:13, 11:9

MEETINGS

Corporation, 11:2
Notice, 1:26, 3:11, 11:2
Waiver, 11:2

MEMBERS

Limited liability company, 2:31

MERGER

Analysis, 1:13, 2:57
Anticompetitive effects, 2:82

INDEX

MERGER—Cont'd

Antitrust, **2:57, 2:59, 2:82**
Antitrust law, **2:57, 2:82**
Consent, **2:57, 10:8**
Corporation, **2:57, 2:59, 2:82, 10:8**
Damages, **1:13, 2:57, 2:59, 2:71, 2:82, 10:8**
Defenses, **2:57**
Directors, **2:57, 2:59**
Enforcement, **2:57, 2:59, 2:71, 2:82, 10:8**
Exceptions, **2:59**
Fees, **2:57, 2:59**
Filing, **2:57**
Injunctive relief, **1:13**
Intellectual property, **2:71**
Investigation, **1:13**
Remedies, **2:57, 2:82**
Rights, **2:57, 2:59, 2:71, 10:8**
Transactions, **2:59, 2:82**
Types, **2:59, 2:82**

MOTIONS

Corporations, **2:52, 2:54, 11:23**

NAME

Assumed, **1:53, 11:23**
Availability, **2:50, 2:61, 11:34, 12:27, 17:18, 17:22**
Enforceability, **2:46, 2:50, 2:61, 2:71, 11:23, 12:27**
Fictitious, **2:50**
Registration, **2:46, 2:50, 17:12 to 17:15, 17:17 to 17:22**
Rights in, **17:12, 17:17, 17:18**

NONCOMPETITION

AGREEMENTS

Employee, **11:6**

NONDISCLOSURE

Agreement, **2:33, 5:11**
Trade secrets, **2:33**

NOTES

Securities laws, **11:21**

NOTICE

Copyright, **2:46, 2:50, 2:85, 2:92, 17:24**
General partnership, **1:50**

NOTICE—Cont'd

Patent infringement, **2:85**
Trademarks, **1:47, 9:11, 17:17, 17:18, 17:22**

OFFICERS

Conflict of interest, **2:96, 14:4**
Contractual, **2:59, 2:61, 11:6**
Criminal, **5:11**
Duties, **2:61**
Insurance, **2:96, 5:11, 11:6**
Liability, **5:11, 14:11**
Ratification, **11:6**
Statutory, **2:59**

ORDERS

Limited liability companies, **11:23**

ORGANIZATION

Corporation, **1:50, 2:59, 17:12**

OVERTIME

Regular rate, **11:21**

OWNERSHIP

Control, **11:23**
Liability, **10:8, 11:23, 11:24**
Ownership interests, **2:95**

PARTIES

Joint ventures, **4:5**

PARTNERSHIP

Agent, **1:40, 1:50, 2:69**
Agreement, **1:40, 1:50, 2:69, 2:102, 4:4, 9:1, 17:17**
Agreements, **1:40, 1:50, 2:69, 9:1**
Assets, **1:50**
Assignment, **1:50**
Associations, **9:1**
Authority, **1:40, 2:69, 2:102, 9:1**
Business, **1:50, 4:4, 4:10, 9:1, 17:17**
Claims, **1:40, 1:50, 2:69, 2:102**
Consent, **1:40, 1:50, 2:69**
Consideration, **1:40**
Contracts, **1:40, 2:69, 9:1**
Corporations, **1:50**
Courts, **1:40, 1:50, 2:69, 2:102**
Definition, **1:40, 2:69**
Denial, **1:40**
Disclosure, **1:40**

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

PARTNERSHIP—Cont'd

Entity, 2:69
Estoppel, 9:1
Evidence, 1:40, 2:69, 4:4, 9:1, 17:17
Existence, 1:40, 2:69, 17:17
Formation, 1:40, 2:69
Fraud, 1:40, 1:50, 2:69
Funds, 2:69
General partnership, 1:50
Individual, 1:40, 2:69
Interests, 1:50, 4:4, 17:17
Knowledge, 1:40, 2:69
Limited partnership, 17:17
Management, 1:40, 1:50, 2:69
Misrepresentation, 1:50
Name, 1:40, 2:69, 17:17
Notice, 1:40, 1:50, 2:69, 17:17
Obligations, 1:50, 9:1
Operation, 1:50
Orders, 1:40
Ownership, 1:50
Parties, 1:40, 1:50, 2:69, 2:102, 4:4, 4:10, 9:1
Pleadings, 1:50
Property, 1:40, 2:69
Purpose, 9:1, 17:17
Ratification, 2:69
Rights, 1:40, 1:50, 9:1, 17:17
Scope, 1:40, 1:50, 9:1
Services, 1:40, 1:50, 2:69, 9:1, 17:17
Statements, 1:40
Statutes, 2:102
Termination, 1:50, 9:1
Third parties, 2:69
Transactions, 1:40, 1:50, 2:69, 9:1
Use, 1:40, 2:69, 9:1, 17:17
Waiver, 1:40, 2:69

PATENTS

Appeals, 9:11
Application, 9:11
Claims, 2:85, 9:11
Defenses, 2:85
Enforcement, 2:85, 9:11
Evidence, 2:85, 9:11
Filing, 2:85
Foreign, 9:11
Infringement, 2:85

PATENTS—Cont'd

Initial, 9:11
Interpretation, 2:85, 9:11
Jurisdiction, 2:85, 9:11
Licensing, 2:85, 9:11
Notice, 2:85, 9:11
Obtaining, 9:11
Pending, 9:11
Requirement, 9:11
Rights, 2:85, 9:11
Scope, 2:85, 9:11
Statutes, 9:11
Subject matter, 9:11
Term, 2:85
Types, 2:85

PAYMENT

Advance, 2:50, 2:52, 9:3, 9:6
Bankruptcy, 2:94, 10:5
Compensation, 2:33, 2:34, 2:52, 2:59, 2:71, 2:96, 11:21, 11:23
Contracts, 1:54, 2:34, 2:36, 2:46, 2:50, 2:52, 2:59, 2:62, 2:65, 2:71, 10:10, 10:11, 10:17, 11:23, 17:24
Demand for, 2:50, 2:65, 10:3, 10:8, 10:17, 17:24
Enforcement, 2:33, 2:46, 2:50 to 2:52, 2:59, 2:62, 2:65, 2:71, 10:8, 10:15, 11:21
Guarantees, 11:21
Interest, 2:33, 2:34, 2:50, 2:62, 2:65, 2:71, 2:90, 2:94, 2:96, 10:8, 10:17, 11:21, 11:23
Loans, 10:5
Terms, 1:54, 2:27, 2:33, 2:34, 2:36, 2:46, 2:50 to 2:52, 2:59, 2:62, 2:65, 2:71, 2:90, 2:92, 2:94, 10:3, 10:11, 10:15, 10:17, 11:21, 11:23, 12:34, 16:14, 17:24
Transfers, 11:23

PENSION

Civil Rights Act of 1964, 2:57

PERMITS

Architects, 2:57
Fees, 1:29, 2:50, 2:54, 2:56, 2:57, 2:106, 9:1, 9:4, 11:6, 11:27,

INDEX

PERMITS—Cont'd

11:33, 16:1, 16:5

Issuance, 2:91, 2:106, 10:11

Limited liability companies, 11:23

Property, 2:50, 2:69, 2:71, 2:90,
2:91, 2:105, 10:11

Residency, 2:56

Restrictions, 2:56, 2:71, 9:13

PLANS AND SPECIFICATIONS

Architects, 10:17

PLEADINGS

Allegations, 2:71, 16:15

PRIVACY

Breach of contract, 2:50, 2:57, 6:6

E-commerce, 2:50, 2:52

E-mail, 2:50, 2:52, 2:53, 17:24

Enforcement, 2:46, 2:50, 2:52, 2:53,
2:57, 8:27

Fair Credit Reporting Act, 2:53

Litigation, 2:7, 2:9, 2:46, 2:50, 2:52,
2:53, 2:57, 6:4

Notice, 2:46, 2:50, 2:52, 2:53, 2:57,
17:24

Social media, 2:52

Technology, 2:50, 2:52, 17:24

Text messaging, 2:50

PRIVITY OF CONTRACT

Damages, 9:11

PROPERTY

Intellectual property, 1:47, 2:50,
2:61, 2:71, 2:74, 2:81, 2:85,
3:16, 9:2, 9:7, 17:12

PUBLIC AND QUASI-PUBLIC CORPORATIONS

Quasi-public corporations, 3:44

PUNITIVE DAMAGES

Corporations, 2:1

PURCHASE

Limited liability companies, 11:23

Loans, 10:5

PURPOSE

Limited liability companies, 11:23

RECORDS

Documents, 1:45, 2:21, 2:50, 11:2

RELIANCE

Limited liability companies, 11:23

Partnership, 2:69

REMOVAL

Limited liability companies, 11:23

REORGANIZATION

Purpose of, 2:76

RESTORATION

Rights, 2:71

REVOCAATION

Architects, 2:57

SECURITIES

Advantages, 16:18

Broker-dealers, 2:83

Company, 2:1, 2:57, 2:69, 2:82,
2:94, 2:99, 3:16, 9:11, 11:23

Compensation, 2:1, 2:57, 2:59, 9:11,
11:21, 11:23

Consequences, 11:23

Damages, 2:1, 2:57, 2:59, 2:82, 2:84,
9:11, 11:31

Defenses, 2:57, 2:69

Disclosure, 2:99

Duty to disclose, 2:99

Enforcement, 2:32, 2:57, 2:59, 2:69,
2:81 to 2:84, 9:11, 11:21, 11:31,
16:18

Exposure, 2:1

Forms, 2:1, 2:57, 9:11, 11:23

Fraud, 2:57, 2:59, 2:69, 11:23

Indemnification, 9:11

Liability, 2:32, 11:23

Materiality, 2:98

Notice, 2:57, 2:59, 2:69, 2:98, 3:16,
9:11

Omission, 11:21

Permit, 2:57, 2:59, 2:82, 2:98, 3:16,
9:11, 10:4

Purpose, 2:1, 2:32, 2:57, 2:59, 2:98,
2:99, 9:11, 11:21, 11:23

Reliance, 2:69, 2:82, 11:23

Remedies, 2:57, 2:82, 3:16, 11:21,
11:31, 16:18

SECURITIES—Cont'd

Reporting, 11:21
 Reports, 16:18
 Representations, 2:59, 2:69, 9:11
 Restrictions, 11:31
 Review process, 2:57
 Sale, 2:69, 9:11, 11:23
 Sales, 2:57, 2:59, 2:82, 11:23
 Scope, 2:57, 2:59, 2:82, 2:94, 2:98, 9:11, 10:4, 11:23
 Securities Act of 1933, 2:83
 Securities Exchange Act of 1934, 2:82, 16:18
 Standing, 2:69, 16:18
 State, 2:32, 2:57, 2:69, 2:82, 2:98, 2:99, 3:16, 9:11, 10:4, 11:23, 11:31, 16:18
 Statute of limitations, 2:32, 2:57, 11:21
 Transactions, 2:1, 2:59, 2:69, 2:82, 11:23

SECURITIES EXCHANGE ACT OF 1934

Company, 2:82
 Reports, 16:18
 Transactions, 2:82

SECURITIES LAW

Federal, 2:99
 Purpose, 2:99
 Purpose of, 2:99
 State, 2:99

SERVICES

Limited liability companies, 11:23

SETTLEMENT

Bankruptcy, 2:76, 5:11, 6:4, 7:6, 7:9, 7:37, 7:41, 7:48, 9:11, 14:11, 15:4
 Bibliography, 7:23, 7:49
 Candor, 1:4, 1:10, 5:4, 7:22, 7:32
 Commercial dispute, 1:7, 7:1 to 7:49
 Confidentiality, 1:1, 2:59, 5:4, 5:8, 5:11, 5:14, 6:6, 6:7, 6:9, 8:12, 8:27, 9:3, 14:11, 14:24
 Consideration, 1:40, 2:31, 2:98, 5:10, 6:7, 7:24, 7:44, 8:12, 9:3, 9:4, 10:13, 12:45

SETTLEMENT—Cont'd

Costs, 1:4, 1:18, 1:21, 1:29, 2:31, 2:54, 2:59, 2:61, 2:73, 2:92, 4:1, 4:2, 4:4, 5:4, 6:2, 7:11, 7:12, 7:40, 8:27, 9:4, 9:11, 9:15, 10:10, 10:13, 15:12, 16:5, 16:16
 Court approval, 7:48
 Covenants, 2:85, 7:42, 7:43
 Credibility, 1:1, 6:1, 6:2, 6:4, 7:32, 9:11
 Decision makers, 1:4, 7:16
 Documentation, 7:21, 7:35, 7:42, 7:45, 7:47, 8:12
 Employment, 1:40, 2:61, 2:71, 2:86, 2:92, 2:98, 3:18, 4:5, 4:11, 9:11, 11:8, 11:9, 11:15, 11:18, 11:22, 12:43, 12:45, 16:11
 Ethics, 1:3, 7:25
 Evidence, 1:4, 1:6, 1:7, 1:10, 1:15, 1:40, 2:37, 2:61, 2:71, 2:73, 2:85, 2:98, 3:9, 4:4, 4:11, 5:4, 5:8, 5:10 to 5:12, 6:1, 6:2, 6:7, 7:24, 7:42, 8:12, 8:27, 9:3, 9:7, 9:11, 10:10 to 14:11, 16:2, 16:3, 16:18, 16:19
 Governing law, 7:36, 9:11
 Indemnities, 7:39 to 7:46
 Insurance coverage, 7:9
 Leverage, 7:10
 Mediation, 1:4 to 1:7, 1:11, 1:21, 2:59, 2:91, 2:98, 3:5, 4:1 to 4:13, 5:4, 5:8, 5:10 to 5:12, 5:14, 6:3, 6:4, 7:20, 8:12, 8:22, 8:27, 9:2, 9:3, 10:11, 11:9, 11:22, 12:43, 12:45, 13:1, 14:11, 15:4, 15:12, 16:11, 17:11
 Moderated settlement conferences, 11:8
 Negotiation, 1:1, 1:3, 1:10, 1:21, 1:28, 2:61, 2:98, 3:7, 3:10, 4:1 to 4:4, 7:20, 7:35, 9:3, 12:45, 14:24
 Parties, 1:1, 1:4 to 1:7, 1:10, 1:11, 1:15, 1:16, 1:18, 1:21, 1:26, 1:28, 1:29, 1:37, 1:40, 1:50, 1:59, 2:12, 2:15, 2:17, 2:18, 2:28, 2:31, 2:37, 2:54, 2:59, 2:61, 2:71, 2:73, 2:75, 2:76, 2:85, 2:91, 2:92, 2:98, 3:5, 3:7, 3:8, 3:10, 3:18, 4:1 to 4:11, 5:4,

INDEX

SETTLEMENT—Cont'd

5:8, 5:10 to 5:12, 5:14, 6:1 to 6:7, 7:20, 7:28, 7:35, 7:37, 7:38, 7:40, 7:41, 7:43 to 7:47, 8:12, 8:22, 8:27, 9:2 to 9:4, 9:7, 9:11, 9:13, 9:15, 10:8, 10:10, 10:11, 10:13, 10:16, 10:19, 11:8, 11:9, 11:22, 12:45, 14:3, 14:11, 14:24, 15:12, 16:2, 16:7, 16:11, 16:12, 16:15, 16:16, 16:18, 17:5

Representations, 1:40, 2:59, 7:42, 7:43, 9:11, 16:12

Structured settlement, 7:14, 7:20, 9:15

Tax effect, 7:13

Time value of money, 7:12

Timing, 1:4, 2:59, 2:73, 2:76, 7:18, 7:29

Voluntary mediation, 4:1 to 4:13, 11:9

Warranties, 1:40, 7:43, 16:3, 16:11, 16:12, 16:18

SEXUAL HARASSMENT

Civil Rights Act, 11:27, 11:37

Supervisor, 11:37

SHARE

Definition of, 2:52, 11:23

Validity of, 2:46, 2:52, 2:85, 2:94, 11:23

SHAREHOLDERS

Directors, 7:38

SHRINK-WRAP

Arbitration, 2:1, 2:50, 2:52

Browse-wrap, 2:52

Forum selection, 2:50

Hybrid, 2:50

Preemption, 2:52

STATUTES

Architects, 2:57

Corporations, 2:1, 2:52, 2:54, 10:6, 11:23

Limited liability companies, 11:23

STOCK

Common law, 2:46, 2:57

Consideration, 2:57, 2:94

STOCK—Cont'd

Corporations, 2:54

Defendant, 2:32, 2:34, 2:46, 2:54, 2:57, 9:1, 11:24, 11:26

Distribution, 2:34, 2:59

Evidence, 2:46, 2:57, 9:1, 11:26

Options, 2:46, 2:54, 2:57, 9:1

Purpose, 2:32, 2:34, 2:57, 2:59, 9:1, 11:24, 11:26

Rights, 2:34, 2:46, 2:54, 2:57, 2:59, 9:1, 11:24

Sale, 2:46, 2:54, 11:26

SUBROGATION

Corporations, 17:5

TAX

Agreements, 2:32, 2:46, 2:54, 2:57, 2:59, 2:61, 5:8

Allocations, 2:57

Architects, 2:57, 10:16

Assets, 2:46, 2:54

Capital, 2:46, 2:54, 2:57

Capitalization, 2:61

Classes, 2:46, 2:57

Classification, 2:46

Corporations, 2:54

Costs, 2:46, 2:54, 2:57, 2:59, 2:61

Courts, 2:32, 2:46, 2:54, 2:57, 2:59, 2:61, 10:16

Credit, 2:46, 2:54

Debt, 2:59

Discount, 2:61

Distribution, 2:59, 2:61

Equity, 2:46, 2:57, 2:61

Escrow, 5:8

Formation, 2:46, 2:57, 2:61

Income, 2:59

Income tax, 2:59

Incorporation, 2:54, 2:57, 2:61

Interest, 2:54

Leasing, 2:59

Licensing, 2:46, 2:61

Liquidation, 2:32

Loss, 2:57, 7:13

Members, 2:32, 2:57, 10:16

Merger, 2:57, 2:59

Methods, 2:59

Options, 2:46, 2:54, 2:57, 2:61

TAX—Cont'd

Owners, 2:32, 2:46, 2:54, 2:57, 2:61
 Property, 2:61
 Purchase, 2:46, 2:61
 Reports, 5:8
 Revocation, 2:46, 2:57, 2:61
 Sales, 2:46, 2:57, 2:59
 Securities, 2:32, 2:57, 2:59
 Services, 2:32, 2:46, 2:54, 2:57,
 2:59, 2:61
 Small business, 2:54
 Status, 2:57, 5:8
 Stock, 2:32, 2:46, 2:54, 2:57, 2:59
 Termination, 2:46, 2:57, 2:59, 2:61

TITLE

Patents, 2:85, 9:11

TRADE

Corporations, 2:99, 3:44, 10:6

TRADE SECRETS

Acquisition, 2:59, 2:74
 Agreement, 1:47, 2:33, 2:59, 2:70,
 2:71, 2:74, 2:103, 12:25
 Burden of proof, 1:47
 Claim, 1:47, 2:33, 2:59, 2:71, 2:74,
 2:103
 Confidentiality, 2:33, 2:59, 12:25
 Damages, 1:47, 2:33, 2:59, 2:71,
 2:103
 Development, 1:47, 2:59
 Disclosure, 12:17
 Employee, 2:33, 12:17
 Employer, 2:71, 12:17, 12:25
 Improper means, 2:71
 Injunctive relief, 1:47, 2:33, 2:103,
 12:17, 12:25
 Internet, 1:47
 Law, 1:47, 2:33, 2:59, 2:70, 2:71,
 2:103, 3:25, 12:17
 Liability, 2:33, 2:71
 Misappropriation, 2:33, 2:70, 2:71,
 2:103
 Nondisclosure agreements, 2:33
 Overview of, 1:47
 Product, 2:74
 Programs, 2:33, 12:17, 12:25
 Remedies, 2:33, 2:103, 12:25
 Restrictions, 2:71

TRADE SECRETS—Cont'd

Restrictive covenants, 12:25
 Sources of, 2:71
 Submitted, 1:47, 2:33, 2:59, 2:71,
 12:17
 Termination, 2:33, 2:59, 2:71, 2:74,
 12:17
 Third party, 12:17
 Use, 1:47, 2:33, 2:59, 2:71
 Value, 2:33, 2:74

TRADEMARKS

Adoption, 1:47, 9:11
 Anticybersquatting Consumer Protec-
 tion Act, 17:12
 Appeal, 1:47
 Application, 2:65, 9:11, 17:17, 17:18
 Assignment, 2:65, 17:12
 Availability, 1:47, 17:18, 17:22
 Bad faith, 17:12, 17:17, 17:18,
 17:22, 17:23
 Civil action, 17:22
 Commerce, 1:47, 9:11, 17:12
 Commercial use, 17:12
 Common law, 9:11
 Confusion, 17:17, 17:18, 17:23
 Cyberpiracy, 17:22
 Cybersquatting, 17:12, 17:17, 17:19
 Damages, 1:47, 9:11, 17:23
 Descriptive use, 17:18
 Dilution, 17:12
 Distinctiveness, 17:18
 Domain name, 17:12, 17:17 to
 17:19, 17:22, 17:23
 Domain names, 17:12, 17:17 to
 17:19, 17:22, 17:23
 Fair use, 17:17, 17:19
 Federal Trademark Dilution Act,
 17:12
 Fee, 2:65, 9:11, 17:19
 Framing, 1:47
 Generic, 17:18, 17:19
 Hijacking, 17:17
 Infringement, 17:12, 17:17, 17:22
 Intent, 1:47, 9:11, 17:12, 17:17,
 17:18, 17:22
 Internet, 1:47, 17:12, 17:17, 17:18,
 17:23
 Licensing, 9:11

INDEX

TRADEMARKS—Cont'd

- Likelihood of confusion, 17:17
- Notice, 1:47, 9:11, 17:17, 17:18, 17:22
- Opposition, 1:47
- Registered mark, 17:18
- Registration, 17:12, 17:17 to 17:19, 17:22
- Remedies, 2:65
- Requirement, 1:47, 9:11
- Secondary meaning, 17:18
- Selection, 1:47, 9:11
- Service marks, 17:22
- Subject matter, 9:11
- Techniques, 1:47
- Types, 1:47, 2:65, 17:17
- Uniform Dispute Resolution Policy, 17:12, 17:17 to 17:19, 17:22
- Use, 1:47, 2:65, 17:12, 17:17 to 17:19, 17:22, 17:23
- Web sites, 17:12, 17:17, 17:19

TRANSFER

- Trademarks, 9:11, 17:17 to 17:19, 17:22

TRUSTS

- Corporations, 5:5

TYING

- Antitrust, 2:57
- Class actions, 2:57
- Conditioning, 2:57
- Defenses, 2:57
- Franchise, 2:57
- Per se rule, 2:57

TYING—Cont'd

- Risks, 2:57

UNCONSCIONABILITY

- Bargaining power, 2:52, 2:57, 2:61, 11:27, 12:44
- Disclaimer, 1:40, 2:50, 17:24
- Negotiation, 2:61, 2:62, 11:6, 11:33
- Unequal bargaining power, 2:52, 12:44

UNIFORM COMMERCIAL CODE

- Express warranty, 16:12
- Notice, 1:42, 1:44, 2:50

UNIFORM ELECTRONIC TRANSACTIONS ACT

- Notice requirements, 2:50, 11:2

UNIFORM MEDIATION ACT

- Confidentiality, 5:2, 5:4, 5:8, 5:9, 5:11, 5:14
- Final order, 5:13
- International mediation, 5:15
- Participants, 5:4, 5:5, 5:8 to 5:11, 5:13
- Principles, 2:98, 5:1, 5:2, 5:6, 5:11
- Settlement agreements, 5:12
- Uniformity, 5:2 to 5:4, 5:6
- Waiver, 5:5, 5:8, 5:10, 5:11

VALUATION

- Business, 2:94, 5:8

VENUE

- Corporations, 10:6, 11:23