

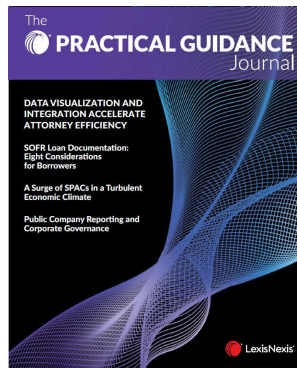
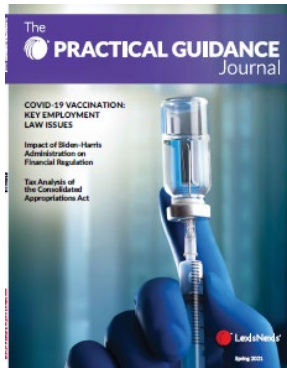


Practical Guidance

Practical Guidance Coronavirus (COVID-19) Resource Kit

This resource kit provides an overview of practical guidance on the novel coronavirus (COVID-19) covered in many practice area offerings in Practical Guidance, including Antitrust, Bankruptcy, Capital Markets & Corporate Governance, Civil Litigation, Commercial Transactions, Corporate and M&A, Data Security & Privacy, Employee Benefits & Executive Compensation, Finance, Financial Services Regulation, Insurance, Intellectual Property & Technology, Labor & Employment, Life Sciences, Private Equity & Investment Management, Real Estate, Tax, and Trusts & Estates. It will be updated regularly with new content additions. It also contains links to related content about the novel coronavirus. Coronavirus Resources are regularly updated in Practical Guidance. **This archived document is no longer being updated.** Practical Guidance [subscribers may view the most recent version of this resource kit here.](#)

State and federal COVID-19 legislative, regulatory and executive order updates [are available here](#) from State Net.



Read these Practical Guidance Journal Editions covering COVID-19.

- [Follow this link for free access to the COVID Vaccination Guidance Edition](#)
- [Follow this link for free access to COVID Response Edition.](#)
- [Follow this link for free access to Additional Coverage Edition.](#)

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Antitrust

Practical Guidance Documents	Notes	Content Type
DOJ Issues First Business Review Letter under Expedited COVID-19 Procedures	Discusses the Business Review Letter that the Antitrust Division of DOJ issued to a group of medical supplies distributors on Saturday, April 4, 2020.	Article
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Antitrust Agencies Respond to COVID-19 Not a subscriber? Access the PDF.	<p>Discusses how the U.S. antitrust agencies, the Antitrust Division of the DOJ, and the FTC are responding to the ongoing COVID-19 pandemic. The DOJ and FTC have issued guidance on how they are changing their own processes in light of COVID-19, especially social distancing, and also have issued a caution on violating the antitrust laws during the crisis.</p>	Article
HSR Annual Reports Provide Clues on Recession's Effect on DOJ/FTC Merger Challenges Not a subscriber? Access the PDF.	<p>This article analyzes data on merger filings and challenges from the Great Recession to look for clues on how COVID-19 might affect merger filings and challenges.</p>	Article

Bankruptcy

Practical Guidance Documents	Notes	Content Type
Suspending Chapter 11 Cases and Delaying Rental Payments in Response to COVID-19 Checklist Not a subscriber? Access the PDF.	<p>Provides an overview of the pleadings filed (and orders entered) in response to the impact of the coronavirus pandemic on Chapter 11 business operations.</p>	Checklist
Is there a Future for Retail after COVID-19: A Look at Modell's and Pier 1 and their Bankruptcy Proceedings Not a subscriber? Access the PDF.	<p>Discusses the impact of the COVID-19 pandemic on the retail industry and retail bankruptcy cases.</p>	First Analysis
SBRA Could Assist Small Businesses Impacted by the Coronavirus Pandemic Not a subscriber? Access the PDF.	<p>Discusses the SBRA, the revisions to the SBRA contained in the CARES Act, and the potential relief these laws provide to small businesses impacted by the COVID-19 pandemic.</p>	First Analysis
Chapter 11 Debtors Seeking PPP Checklist Not a subscriber? Access the PDF.	<p>Lists items to guide attorneys representing Chapter 11 debtors seeking an order enjoining the Small Business Administration from preventing the debtor from receiving a PPP loan.</p>	Checklist
CARES Act's Effect on Bankruptcy Not a subscriber? Access the PDF.	<p>Discusses and analyzes the bankruptcy provisions contained in the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).</p>	First Analysis
CARES Act Bankruptcy Code Revisions Chart	<p>Provides an overview of the bankruptcy provisions contained in</p>	Chart

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Not a subscriber? Access the PDF.	the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).	
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Capital Markets & Corporate Governance

Practical Guidance Documents	Notes	Content Type
COVID-19 Update: SEC Staff Issues Additional Disclosure Guidance Not a subscriber? Access the PDF.	Discusses the recent COVID-19 disclosure guidance issued by the Staff of the Division of Corporation Finance of the Securities and Exchange Commission.	First Analysis
COVID-19 Update: NYSE Provides Temporary Relief for Listed Companies Not a subscriber? Access the PDF.	Discusses the recent rule change by the New York Stock Exchange (NYSE) to provide temporary relief for NYSE-listed companies regarding shareholder approval.	Article
COVID-19 Update: Nasdaq Provides Temporary Relief for Listed Companies Not a subscriber? Access the PDF.	Discusses the recent rule change by The Nasdaq Stock Market LLC (Nasdaq) to provide temporary relief for the Nasdaq-listed companies regarding shareholder approval.	Article
COVID-19 Update: Nasdaq and NYSE Tolling Periods Not a subscriber? Access the PDF.	Discusses the recent rule changes by the NYSE and Nasdaq to provide relief for the listed companies regarding certain compliance periods.	Article
Market Trends 2019/20: COVID-19 from a Securities Law Perspective Not a subscriber? Access the PDF.	Discusses capital markets and securities law in the time of COVID-19, which started in late 2019 and impacted the whole world in a matter of months, and explains how the U.S. Securities and Exchange Commission (the SEC) responded to address the effects of the pandemic, particularly on public companies. In addition, it highlights key Form 10-K and Form 10-Q matters, including risk factors, MD&A and financial statement issues and examines various financing alternatives for companies considering their options to bolster their capital structure.	Market Trends (Practice Note)
COVID-19 Update: The SEC's Temporary Relief from Certain Requirements of Regulation Crowdfunding Not a subscriber? Access the PDF.	Discusses the temporary amendments recently adopted by the Securities and Exchange Commission (SEC) to provide relief from certain requirements of Regulation Crowdfunding and facilitate capital formation for small businesses impacted by COVID-19.	First Analysis

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<p>COVID-19 Update: SEC and Nasdaq Response and Updated SEC C&D is</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the most recent guidance and accommodations by the Securities and Exchange Commission and the national stock exchanges as they continue to monitor the impact of the COVID-19 outbreak and related mitigation efforts on reporting companies, investors and global capital markets.</p>	<p>First Analysis</p>
<p>NYSE Issues Temporary Waivers of Stockholder Approval Rules in Light of COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses NYSE's temporary waivers of related-party and 20% equity issuance rules in light of COVID-19 related liquidity needs.</p>	<p>First Analysis</p>
<p>COVID-19 Update: Q&A for Public Companies</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses some of the most frequently asked questions of public companies on how to navigate the challenges posed by COVID-19</p>	<p>Article</p>
<p>SEC's Conditional Reporting Relief and COVID-19 Disclosure Guidance: First Analysis</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses some key recent updates by the SEC regarding the coronavirus outbreak.</p>	<p>First Analysis</p>
<p>COVID-19 Ramifications for Public Companies—SEC Disclosures, SEC Filings and Shareholder Meeting Logistics: First Analysis</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses some key ramifications of coronavirus outbreak for public companies. In addition to a host of significant general business concerns, such as those relating to liquidity and financing opportunities, revenues, supply chain and employee and community health and welfare, COVID-19 has raised a number of issues specific to public companies that file reports with the SEC. These matters include the application of SEC disclosure requirements, logistics for upcoming shareholder meetings and administrative challenges in complying with SEC requirements.</p>	<p>First Analysis</p>

<p>SEC Issues a Statement on Coronavirus Reporting Considerations and Potential Relief: First Analysis</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the joint Public Statement issued by the U.S. Securities and Exchange Commission (the SEC) Chairman Jay Clayton, SEC Division of Corporation Finance Director Bill Hinman, SEC Chief Accountant Sagar Teotia and PCAOB Chairman William D. Duhnke III (the Statement), addressing financial reporting considerations and potential SEC relief in light of the current and potential effects of the coronavirus.</p>	<p>First Analysis</p>
<p>SEC Reporting Companies: Considering the Impact of the Coronavirus on Public Disclosure and Other Obligations: First Analysis</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses some key areas of focus regarding the coronavirus outbreak. Highlights conditional relief issued by the SEC on March 4, 2020, for reporting companies affected by the coronavirus that have SEC filings due between March 1 and April 30, 2020.</p>	<p>First Analysis</p>
<p>Coronavirus (COVID-19): Implications for Representations and Warranties Insurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Explores how providers of representations and warranties insurance (RWI) are responding to the current pandemic, especially with respect to the possibility of enhanced underwriting scrutiny and new policy exclusions, which may severely limit the desired scope of coverage.</p>	<p>Article</p>
<p>Coronavirus and Corporate Financial Performance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Considers regulatory responses, corporate disclosures, and implications for lawyers of the coronavirus outbreak.</p>	<p>Article</p>
<p>Companies Call on SEC's Coronavirus Relief</p> <p>Not a subscriber? Access the PDF.</p>	<p>Examines steps the SEC is taking to ease the regulatory burden on public companies brought about by the COVID-19 pandemic</p>	<p>Article</p>
<p>Coronavirus and Corporate Financial Performance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Considers regulatory responses, corporate disclosures, and implications for lawyers of the coronavirus outbreak.</p>	<p>Article</p>
<p>GCs Swing Into Action As Cos. Hope To Avoid Virus Outbreaks</p> <p>Not a subscriber? Access the PDF.</p>	<p>Offers perspectives for corporate general counsel on coronavirus implications.</p>	<p>Article</p>
<p>Coronavirus Outbreak Prompts Corporate Disclosures</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses a sampling of corporate disclosures made so far regarding the coronavirus.</p>	<p>Article</p>

Coronavirus Disclosures, Compliance Starting to Come into Focus Not a subscriber? Access the PDF.	Discusses what disclosure issues coronavirus might bring up for U.S.-listed companies.	Article
SEC Urges Firms To Factor Coronavirus Risks In Disclosures Not a subscriber? Access the PDF.	The SEC urged U.S.-listed companies with operations in China to consider whether coronavirus threats should be disclosed and to work with their auditors to ensure that their financial reporting remains robust, given the circumstances.	Article
Coronavirus Likely Means More Virtual Shareholder Meetings Not a subscriber? Access the PDF.	Explores the advantages and disadvantages of virtual shareholders meetings.	Article

Civil Litigation

Practical Guidance Documents	Notes	Content Type
Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (CO) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in Colorado to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in Colorado state court civil litigations.	Checklist
Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (MI) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in Michigan to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in Michigan state court civil litigation.	Checklist
Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (WA) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in Washington state courts to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in Washington state court civil litigation.	Checklist
Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (FL) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in Florida to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in Florida state court civil litigations.	Checklist

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Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (MA) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in Massachusetts to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in Massachusetts state court civil litigations.	Checklist
Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (OH) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in Ohio to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in Ohio state court civil litigations.	Checklist
Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (PA) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in Pennsylvania to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in Pennsylvania state court civil litigations.	Checklist
Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (IL) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in Illinois to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in Illinois state court civil litigations.	Checklist
Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (GA) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in Georgia to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in Georgia state court civil litigations.	Checklist
Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (CA) Not a subscriber? Access the PDF.	Identifies various interim measures implemented in California to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in California state court civil litigation.	Checklist
Can and Should Arbitrators Compel Parties to Participate in Remote Arbitration Hearings? Not a subscriber? Access the PDF.	Discusses the complex issue of whether and how an arbitrator can compel parties to participate in remote arbitration hearings amid the novel coronavirus (COVID-19) pandemic.	Article
Updated New York Orders in Light of COVID-19 Lift Remaining Restrictions on Electronic Filing, Maintain Tolling Not a subscriber? Access the PDF.	Discusses recent orders entered in New York to deal with the novel coronavirus (COVID-19) that have updated emergency measures in place impacting pending and potential litigation.	Article

<p>Update on Virtual Witnessing (New York Executive Order 202.14) During The COVID-19 (Coronavirus) Pandemic</p> <p>Not a subscriber? Access the PDF.</p>	<p>Identifies virtual witnessing procedures implemented in New York to deal with the novel coronavirus (COVID-19).</p>	<p>Article</p>
<p>Remote Notarization Laws Amid COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>Identifies remote notarization procedures implemented in various states to deal with the novel coronavirus (COVID-19).</p>	<p>Articles</p>
<p>Litigating During the Coronavirus; Attorneys Tell How They're Navigating the Challenges</p> <p>Not a subscriber? Access the PDF.</p>	<p>Gives first-person accounts from litigators across the country who are pushing forward with their practices despite the many challenges presented from the novel coronavirus (COVID-19) crisis.</p>	<p>Article</p>
<p>Remote Notarization in New York in the Age of COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>Identifies remote notarization procedures implemented in New York to deal with the novel coronavirus (COVID-19).</p>	<p>Article</p>
<p>Planning Ahead for Future Coronavirus (COVID-19) Litigation</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the steps attorneys can take now in their legal practice to help clients plan and prepare for eventual litigation associated with the novel coronavirus (COVID-19) pandemic.</p>	<p>Article</p>
<p>Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (NY)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Identifies various interim measures implemented in New York to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in New York state court civil litigations.</p>	<p>Checklist</p>
<p>Coronavirus (COVID-19) Impact on Civil Litigation Rules and Procedures Guide (NJ)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Identifies various interim measures implemented in New Jersey to deal with the novel coronavirus (COVID-19) and the effects of those measures on certain rules and procedures in New Jersey state court civil litigations.</p>	<p>Checklist</p>
<p>Litigation Strategies in the Age of the Coronavirus (COVID-19)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the increasing importance of implementing strategies and locating resources for navigating the challenges posed for litigators by COVID-19.</p>	<p>Article</p>

Commercial Transactions

Practical Guidance Documents	Notes	Content Type
Coronavirus and Force Majeure Checklist Not a subscriber? Access the PDF.	Provides guidance on issues and measures counsel should consider when determining the applicability of the coronavirus with respect to force majeure clauses in your clients' commercial contracts.	Checklist
Force Majeure Clause Drafting Not a subscriber? Access the PDF.	Discusses force majeure clauses and issues to consider when drafting such clauses.	Practice Note
Excuses for Nonperformance: Conditions Following Contract Formation Not a subscriber? Access the PDF.	Discusses the various excuses that a party to a contract can rely on to justifiably avoid performance, such as failure of a condition, supervening events, impossibility, impracticability, frustration of purpose, anticipatory repudiation, and later agreements between the parties (including modifications, waivers, rescissions, and accord and satisfactions).	Practice Note
Anticipatory Repudiation and Adequate Assurance of Future Performance Not a subscriber? Access the PDF.	Addresses the concepts of anticipatory repudiation and the right to demand adequate assurance of future performance with respect to an agreement for the sale of goods under	Practice Note
	the UCC. Also discusses, among other things, requirements for repudiation, how a party should proceed in making and responding to a demand for adequate assurance, and available remedies under the UCC.	
Commercial Contracts in International Jurisdictions Not a subscriber? Access the PDF.	Provides links to international guides addressing essential aspects of commercial contracts law and policy.	Practice Note
Commercial Contract Drafting and Review Not a subscriber? Access the PDF.	Addresses the issues to consider when drafting or reviewing a commercial contract. Discusses the standard provisions generally incorporated in a commercial agreement, including without limitation, a preamble, recitals, term and termination, confidentiality, representations and warranties, indemnifications, limitations on liability, and miscellaneous boilerplate provisions.	Practice Note

<p>Risk Allocation in Commercial Contracts</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses common risk allocation mechanisms used in commercial contracts and how parties to an agreement can allocate risk by incorporating some or all of the following: a force majeure clause, an indemnification, a limitation on liability, termination rights, a UCC product warranty, detailed payment terms and guaranties, insurance obligations, and other contractual remedies.</p>	<p>Practice Note</p>
<p>Business Continuity and Contingency Planning in Outsourcing</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses business continuity and contingency planning in outsourcing transactions.</p>	<p>Practice Note</p>
<p>Outsourcing Master Services Agreement Drafting</p> <p>Not a subscriber? Access the PDF.</p>	<p>Describes important components of an outsourcing master services agreement, such as parties, services, and other terms and conditions.</p>	<p>Practice Note</p>
<p>Termination and Cancellation Rights</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the various ways in which a contract may be terminated.</p>	<p>Practice Note</p>
<p>Best Efforts, Commercially Reasonable Efforts, and Reasonable Efforts Provisions in Commercial Contracts</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the use and legal effect of efforts clauses in commercial agreements. Provides guidance in drafting agreements to avoid and/or minimize the risk associated with the use of efforts clauses.</p>	<p>Practice Note</p>
<p>The Implied Covenant of Good Faith and Fair Dealing</p> <p>Not a subscriber? Access the PDF.</p>	<p>Examines how the implied covenant of good faith and fair dealing applies to contracts, the obligations created by the covenant for contracting parties, how the courts have addressed the covenant, and issues that counsel should consider when drafting commercial agreements.</p>	<p>Practice Note</p>
<p>Business Insurance Basics</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides a broad overview of common varieties of business insurance. Explains the theoretical underpinnings of insurance in general, the terminology, the process by which it is obtained, and how you, as the insured's counsel, can best advise a client on general business insurance issues.</p>	<p>Practice Note</p>

<p>Force Majeure Clauses</p> <p>Not a subscriber? Access the PDF.</p>	<p>These Force Majeure clauses allow parties to allocate risks in a contract as they see fit, as permitted by the Uniform Commercial Code and Restatement (Second) of Contracts. These clauses cover a range of events beyond the parties' control, and the occurrence of which will excuse performance by a party.</p>	<p>Form</p>
<p>Letter from Buyer Demanding Adequate Assurances from Seller</p> <p>Not a subscriber? Access the PDF.</p>	<p>This letter can be used by a buyer of goods seeking assurance from a seller that the seller will perform its contractual duties under the sales of goods agreement between the parties.</p>	<p>Form</p>
<p>Letter from Seller Responding to Buyer's Demand for Adequate Assurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form letter can be used by a seller of goods when responding to a buyer's demand for adequate assurance under the parties' sales agreement.</p>	<p>Form</p>
<p>Letter from Seller Demanding Adequate Assurances from Buyer</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form letter can be used by a seller of goods seeking assurance from a buyer that the buyer will perform its contractual duties under the parties' sales agreement.</p>	<p>Form</p>
<p>Letter from Buyer Responding to Seller's Demand for Adequate Assurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form letter can be used by a buyer of goods when responding to a seller's demand for adequate assurance under the parties' sales agreement.</p>	<p>Form</p>
<p>Anticipatory Repudiation Final Notice (Buyer)</p> <p>Not a subscriber? Access the PDF.</p>	<p>This Anticipatory Repudiation Final Notice is from a buyer to a seller under Uniform Commercial Code (UCC) § 2-611 and informs the seller that the buyer considers the seller's anticipatory repudiation of the parties' sales contract final, thereby preventing retraction by the seller.</p>	<p>Form</p>
<p>Expanded Right to Assurance in the Event of Anticipatory Repudiation Clause</p> <p>Not a subscriber? Access the PDF.</p>	<p>This clause can be included in a sale of goods agreement and requires a party to provide written assurance of its intent to perform the agreement should the other party have a good faith concern as to its intent or ability to perform.</p>	<p>Form</p>
<p>Notice of Breach of Contract</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form letter can be used by a party to a commercial contract to provide notice that the other party is in breach of the terms of their agreement and to trigger the period for the defaulting party to cure the breach.</p>	<p>Form</p>

Notice of Termination Not a subscriber? Access the PDF.	<p>This form letter can be used by a party to a commercial contract to provide notice to the other party that it is terminating their agreement. The form includes different clauses that provide notice of termination based upon different grounds, such as breach of contract, convenience, and insolvency.</p>	Form
Notice of Termination for Cause Not a subscriber? Access the PDF.	<p>This form letter may be used by a party to a commercial contract to provide notice to the other party that it is unilaterally terminating their agreement based on cause (i.e., material breach or fraud).</p>	Form
Termination Agreement Not a subscriber? Access the PDF.	<p>This Termination Agreement form can be used by parties to a commercial contract when they have agreed to terminate their agreement.</p>	Form
Termination Clauses Not a subscriber? Access the PDF.	<p>These clauses may be used to terminate a commercial contract, and include termination for breach of contract, bankruptcy, convenience, change of control, and termination subject to designated limitations and obligations.</p>	Form
Release Agreement Not a subscriber? Access the PDF.	<p>This form can be used by parties to a commercial contract when they have agreed to terminate their agreement and to provide mutual releases of all claims related to the terminated agreement.</p>	Form
Services Agreement - Change Order Form Not a subscriber? Access the PDF.	<p>This form is a change order for a services agreement, which is a mutual agreement between the contracting parties to change the existing terms of their obligations.</p>	Form
Services Agreement – Change Order Clause (Excusable Events) Not a subscriber? Access the PDF.	<p>This clause can be used by parties to a Services Agreement to provide what events will necessitate a change order to the agreement.</p>	Form
Commercial Contract Drafting and Review Checklist Not a subscriber? Access the PDF.	<p>Outlines what counsel should consider when drafting or reviewing a commercial contract, including, among other terms and provisions, pricing and payment, term and termination, representations & warranties, indemnifications, limitations on liability,</p>	Checklist

Corporate and M&A

Practical Guidance Documents	Notes	Content Type
Distressed M&A Checklist Not a subscriber? Access the PDF.	This checklist discusses buyer considerations in acquiring a distressed target company. It provides guidance on the unique aspects of due diligence, the timeline, as well as creditor litigation risk.	Checklist
COVID-19 Implications on "Ordinary Course of Business" Covenants in M&A Deals Not a subscriber? Access the PDF.	Discusses recent disputes related to the ordinary course of business covenant in acquisition agreements as a result of the COVID-19 pandemic, with sample language attempting to resolve future disputes.	Article
Strategic Acquisitions of Distressed Companies in the COVID-19 Environment Not a subscriber? Access the PDF.	Discusses key differences between distressed asset transactions and transactions in a non-distressed situation, with additional COVID-19 context.	Article
Life Sciences M&A Transactions Not a subscriber? Access the PDF.	This practice note discusses the impact of COVID-19 on M&A activity and transactions in the life sciences sector, as well as regulatory, structuring, due diligence, acquisition agreement, and transition/integration considerations.	Practice Note
Diagnosing and Treating Coronavirus Risks in M&A Transactions Not a subscriber? Access the PDF.	Helps parties navigate issues in M&A transactions in light of risks posed by COVID-19.	Article
Coronavirus (COVID-19): Implications for Representations and Warranties Insurance Not a subscriber? Access the PDF.	Learn how reps and warranties insurance providers are adapting to the pandemic.	Article
NOL Changes and Opportunities in the CARES Act and Revenue Procedure 2020-24 Not a subscriber? Access the PDF.	Discusses planning opportunities resulting from CARES Act provisions easing the restrictions on carryback of net operating losses.	Article
Five Things to Think About Buying Assets from Distressed Oil and Gas Companies Not a subscriber? Access the PDF.	Discusses particular considerations when buying distressed assets in the oil and gas industry, including the Section 363 sale process, creditor influence in negotiations, executory contracts, and post-closing liabilities.	Article

Transacting in the Time of COVID-19: Practical Considerations for Energy A&D/M&A Transactions Not a subscriber? Access the PDF.	<p>Provides guidance for conducting M&A transactions in the energy industry during the COVID-19 pandemic, including due diligence complications, closing logistics, recording obligations, third party consents, and government approvals.</p>	Article
Antitrust Agencies Respond to COVID- 19 Not a subscriber? Access the PDF.	<p>Summarizes how the FTC and DOJ are handling pre-merger notifications under the Hart-Scott-Rodino Act during the pandemic and provides guidance to antitrust practitioners.</p>	Article
Material Adverse Change Definition Clause Not a subscriber? Access the PDF.	<p>Defines the term “material adverse change” also sometimes called “material adverse effect”</p>	Form
Common Topics of Review in M&A Due Diligence Not a subscriber? Access the PDF.	<p>Discusses areas of due diligence review relating to the impact of COVID-19 on the target's business and the target's use of COVID-19 related financial relief.</p>	Practice Note
Due Diligence Request List Not a subscriber? Access the PDF.	<p>Includes requests for COVID-19 related financial and regulatory documentation.</p>	Form
Preparing in Advance for Unsolicited Bids and Shareholder Activist Proposals Checklist Not a subscriber? Access the PDF.	<p>With stock market volatility, companies should prepare for unsolicited takeovers or activists agitating for change or taking advantage of the dive in stock prices. Use this checklist to prepare for unsolicited shareholder activist proposals or takeover bids.</p>	Checklist
Shelf Rights Plans and Other Strategies to Enhance the Defensibility of Rights Plans Not a subscriber? Access the PDF.	<p>Updated with Proxy Advisory Firm guidance regarding rights plans adopted in response to COVID-19-related financial results.</p>	Practice Note
Shareholder Rights Agreement (Poison Pill) (DE) Not a subscriber? Access the PDF.	<p>Shareholder rights plans are a takeover defense for a board of directors to use against hostile takeovers. Poison Pills are designed to, among other things, promote shareholder value by encouraging bidders to negotiate with the board and offer better initial terms and avoid coercive tactics, as well as to provide the board with time to respond to bids in a deliberative manner and explore alternatives to the proposed transaction.</p>	Form

<p>Shareholder Activist Engagement Board Memorandum</p> <p>Not a subscriber? Access the PDF.</p>	<p>Have you identified a potential shareholder activist? Notify the board with this annotated form, which contains strategy issues and practical guidance.</p>	<p>Form</p>
<p>Key Covenants in Acquisition Agreements (Chart)</p> <p>Not a subscriber? Access the PDF.</p>	<p>In this uncertain time, parties moving forward with a transaction should examine their pre-closing operating covenants for heightened risks that may arise due to the COVID-19 pandemic. Find precedent and understand market standards today with the links to prepared searches in Intelligize®</p>	<p>Checklist</p>
<p>Key Representations and Warranties in Acquisition Agreements (Chart)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Material Adverse Change (MAC) definitions are shifting rapidly in the wake of the coronavirus pandemic. Identify how the markets are changing their MAC language using the targeted links in Intelligize® found here. Also ensure that other highly negotiated representations and warranties are still market, such as no undisclosed liability, 10b-5, financial ability, and other critical representations.</p>	<p>Checklist</p>
<p>Key Drafting Considerations for Indemnification Provisions (Chart)</p> <p>Not a subscriber? Access the PDF.</p>	<p>In the COVID-19 pandemic, how is the definition of loss being negotiated? How long are the survival periods for a target's representations and warranties? What are parties deciding on defense of third-party litigation claims? This chart, with links to prepared searches in Intelligize®, answers these questions by bringing the most recent public precedents on these topics to your fingertips.</p>	<p>Checklist</p>
<p>PIPE Transactions</p> <p>Not a subscriber? Access the PDF.</p>	<p>Does your public company client need additional liquidity quickly? A PIPE transaction could be the speedy technique they need when time is of the essence.</p>	<p>Practice Note</p>

Data Security & Privacy

Practical Guidance Documents	Notes	Content Type
A National Registry of COVID-19 Patients: The Legal Implications Not a subscriber? Access the PDF.	Discusses the potential creation of a national registry of COVID-19 patients and patient information for use by government agencies and healthcare researchers.	Article
Prepare Your Law Firm Tech for Coronavirus Impact Not a subscriber? Access the PDF.	Discusses implications for system access, calendaring, telephone systems, remote conferencing services, and custom paper functions.	Article
COVID-19 Hacks Bring Cyber Hygiene Into Sharp Focus Not a subscriber? Access the PDF.	Companies are seeing a major uptick in the number of COVID-19-related cybersecurity attacks as employees shift to working remotely, prompting attorneys to urge clients across industries to ramp up security protocols for the long haul and be wary of adopting third-party software.	Article
Business Continuity Plan Not a subscriber? Access the PDF.	Establishes contingency planning with respect to companies that provide their clients with mission-critical computer services.	Form

Employee Benefits & Executive Compensation

Practical Guidance Documents	Notes	Content Type
Will 2020 Be a Banner Year for 401(k) Litigation? How Fiduciaries Can Protect Themselves Not a subscriber? Access the PDF.	This article discusses what steps plan fiduciaries in 401(k) and 403(b) plans can do to defend a lawsuit against the plan for various breaches of fiduciary duty.	First Analysis
Retirement Plan Provisions of CARES Act Not a subscriber? Access the PDF.	Describes retirement plan-based relief concerning coronavirus-related distributions, special plan loan rules, waiver of 2020 required minimum distributions, and delayed due date for defined benefit plan contributions.	First Analysis
Suspending or Reducing Safe Harbor 401(k) Plan Employer Contributions in Wake of a Coronavirus Economic Downturn Not a subscriber? Access the PDF.	Guidance for safe harbor plan sponsors seeking to alter their contribution commitments.	First Analysis

<p>Employee Furlough Considerations in the Time of COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses key employer considerations when furloughing employees due to the coronavirus pandemic.</p>	<p>Article</p>
<p>Return-to-Work: Benefits Guidance in the Time of COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>This article discusses how many U.S. businesses are starting to prepare for phased returns to the workplace and the impact that various return-to-work approaches may have on their employee benefits and compensation programs.</p>	<p>First Analysis</p>
<p>ERISA Litigation: Lessons for the Coronavirus Economy from the Great Recession</p> <p>Not a subscriber? Access the PDF.</p>	<p>Advice for ERISA plan sponsors on minimizing litigation risk during a COVID-19 economic downturn.</p>	<p>First Analysis</p>
<p>HHS Addresses HIPAA Privacy and Security Rule Issues in Combatting Coronavirus</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses guidance by the Department of Health and Human Services' Office for Civil Rights addressing how entities subject to the Health Insurance Portability and Accountability Act (HIPAA) and their business associates must continue to comply with HIPAA's privacy and security rules when sharing protected health information (PHI) as part of a response to an outbreak of infectious disease or other emergency situation such as the COVID-19 pandemic.</p>	<p>Article</p>
<p>Addressing the Coronavirus Impact on Executive Compensation</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides overview of executive compensation limits for companies seeking relief under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and discusses alternatives for addressing incentive and equity-based compensation and other executive compensation issues facing companies due to the coronavirus pandemic.</p>	<p>First Analysis</p>
<p>COVID-19 Executive Compensation Q&As: Focus on Incentive Plans and Nonqualified Deferred Compensation</p> <p>Not a subscriber? Access the PDF.</p>	<p>Answers questions concerning incentive plans and nonqualified deferred compensation arrangements raised by a COVID-19 economic downturn.</p>	<p>First Analysis</p>
<p>Adapting Executive Pay Decisions To COVID-19 Impact</p> <p>Not a subscriber? Access the PDF.</p>	<p>Considers the effect of the COVID-19 economic downturn on a range of executive incentive and equity-based compensation topics.</p>	<p>Article</p>

Emerging Coronavirus Issues For Employer Benefit Plans Not a subscriber? Access the PDF.	Initial considerations for employee benefit plan sponsors preparing for consequences of the spread of COVID-19.	Article
How Employers Should Respond to COVID-19 Testing Law Not a subscriber? Access the PDF.	Discusses issues facing employer health plans regarding participants who incur medical expenses for coronavirus testing and treatment.	Article
Mitigating COVID-19 Risk With Employee Benefit Programs Not a subscriber? Access the PDF.	Describes opportunities and risks for employee benefit plans of employers responding to the coronavirus outbreak.	Article
COVID-19 Response: Key Health Plan Sponsor Action Items Not a subscriber? Access the PDF.	To-do list for health and welfare plan sponsors addressing administrative, operational, and legal COVID-19 considerations.	Article
Employee Benefit Plan COVID-19 Relief Chart Not a subscriber? Access the PDF.	Charts showing specific deadline and other relief granted by the Department of Labor, IRS, and Department of Health and Human Services regarding administrative aspects of retirement plans, health and welfare plans, and other employee benefits.	Practice Note
Employee Benefit Plan COVID- 19 Relief Chart and Tracker Not a subscriber? Access the PDF.	Charts showing deadline and other relief regarding administrative aspects of retirement, health and welfare, and other employee benefit plans, along with updated list of further guidance and relief issued by the Department of Labor, IRS, and other agencies.	Practice Note
Qualified Retirement Plan Fundamentals Not a subscriber? Access the PDF.	Covers basic rules for qualified plans, including special distributions permitted under the CARES Act for participants adversely affected by COVID-19.	Practice Note
Plan Loan Rules for Qualified Retirement Plans Not a subscriber? Access the PDF.	Explains rules applicable for participant loans from retirement plans, including special rules under the CARES Act for participants adversely affected by COVID-19.	Practice Note
Beneficiary Designations in Qualified Retirement Plans Not a subscriber? Access the PDF.	Explains retirement plan beneficiary rules, including spousal consent requirements, updated to address temporary relief from the physical presence rule for witnessing a consent in I.R.S. Notice 2020-42.	Practice Note

Required Minimum Distribution Rules for Defined Contribution Plans Not a subscriber? Access the PDF.	Describes defined contribution retirement plan rules requiring older participants to receive an annual distribution of their vested account balance, including the special CARES Act provision waiving the requirement for 2020.	Practice Note
Health Savings Account Design and Compliance Not a subscriber? Access the PDF.	Provides an overview of the requirements for establishing and maintaining health savings accounts (HSAs). Addresses changes allowing high-deductible health plans to cover COVID-19 testing and treatment and telehealth services as no-cost-sharing preventive services.	Practice Note
ACA Cost Sharing Rules Not a subscriber? Access the PDF.	Explains the rules for cost sharing under the Affordable Care Act. Describes mandatory coverage of COVID-19 testing without cost sharing under Families First Coronavirus Response Act, as amended by the CARES Act.	Practice Note
ACA Essential Health Benefits Not a subscriber? Access the PDF.	Explains the rules related to essential health benefits (EHB) under the Affordable Care Act. Links to CMS fact sheet on legal implications for coverage and EHBs with respect to viral infections such as novel coronavirus.	Practice Note
HIPAA Privacy, Security, Breach Notification, and Other Administrative Simplification Rules Not a subscriber? Access the PDF.	Describes, among other rules, HIPAA's privacy and security requirements for protected health information (PHI). Includes information on compliance during public health events, such as the coronavirus pandemic, and notes the relaxed enforcement policy for telehealth services during the COVID-19 public health emergency.	Practice Note
Over-the-Counter Drug Reimbursement Rules after the CARES Act Not a subscriber? Access the PDF.	Describes changes to eligible medical expenses that may be covered by health FSA, HSA, and Archer MSA benefit programs under the CARES Act.	Practice Note
ACA Preexisting Condition, Benefit Limit, Rescission, Patient Protection, and Clinical Trial Rules Not a subscriber? Access the PDF.	Describes the Affordable Care Act's impact on group health plans and health insurance policies relating to several coverage and protection topics.	Practice Note
Leave of Absence Effects on Employee	Discusses employee benefit plan	Practice Note

Benefit Plans Not a subscriber? Access the PDF.	<p>issues for employees on a leave of absence, updated to address issues arising due to coronavirus-related furloughs and reductions in hours.</p>	
Cafeteria Plan Design and Compliance (IRC § 125) Not a subscriber? Access the PDF.	<p>This cafeteria plan practice note has been updated to reflect temporary IRS relief loosening certain rules due to the impact of COVID-19 and other matters.</p>	Practice Note
Amendment and Limited Waiver for Executive Employment Agreement (COVID-19 Salary Reduction) Not a subscriber? Access the PDF.	<p>Form agreement whereby employer and executive agree that a temporary reduction in base salary will not be a breach of the agreement or trigger executive's right to resign for good reason.</p>	Form
Summary of Material Modification for CARES Act Plan Amendment (401(k) Plan) Not a subscriber? Access the PDF.	<p>This form notice can be used to inform plan participants about the relief the plan is making available relating to coronavirus-related distributions, plan loans, and 2020 required minimum distributions as permitted under the Coronavirus Aid, Relief, and Economic Security (CARES) Act.</p>	Form
Board Resolutions: CARES Act Plan Amendment (401(k) Plan) Not a subscriber? Access the PDF.	<p>Board resolutions to amend a 401(k) plan to provide the relief permitted under the Coronavirus Aid, Relief, and Economic Security (CARES) Act relating to coronavirus-related distributions, plan loans, and 2020 required minimum distributions.</p>	Form
Cafeteria Plan Not a subscriber? Access the PDF.	<p>Cafeteria plan form document updated to include provisions for mid-year election and extended grace period relief allowed by IRS due to COVID-19 impact as well as new rules for the health HSA carryover limit.</p>	Form
HIPAA Notice of Privacy Practices Not a subscriber? Access the PDF.	<p>HIPAA notice from employer-sponsored group health plan regarding PHI Protections.</p>	Form
HIPAA Business Associate Agreement Not a subscriber? Access the PDF.	<p>Agreement between HIPAA covered entity and a service provider that handles PHI for the entity covering mandatory provisions regarding HIPAA Privacy and Security Rule requirements.</p>	Form
HIPAA Authorization for PHI Use or Disclosure Not a subscriber? Access the PDF.	<p>Form used to obtain an individual's consent for the plan to use or disclosure PHI for a particular purpose.</p>	Form

Finance

Practical Guidance Documents	Notes	Content Type
Market Trends 2020: COVID-19 Ramifications in Loan Documents Not a subscriber? Access the PDF.	Discusses how the pandemic and the economic aftermath implicates a borrower's ability to comply with certain provisions of its loan documents.	Practice note
Main Street Lending Program: Key Practice Points Not a subscriber? Access the PDF.	Describes the terms of the facilities available under the Main Street Lending Program, in addition to providing practice tips to lawyers whose clients are (or are considering) entering such financing.	Practice Note
CARES Act: Congress Passes the Paycheck Protection Flexibility Act Not a subscriber? Access the PDF.	Discusses the provisions of the Paycheck Protection Flexibility Act of 2020, Act which eases restrictions on Paycheck Protection Program (PPP) loans and gives business owners more flexibility in spending loan funds.	Article
Interim Final Rules on PPP Loan Forgiveness and Review Procedures Released Not a subscriber? Access the PDF.	Discusses recent guidance for loan forgiveness and the SBA's process for reviewing PPP loans under the CARES Act.	Article
COVID-19 Implications for the OTC Derivatives Markets Not a subscriber? Access the PDF.	Discusses a number of issues that OTC market participants should take into account as they develop risk management strategies and adapt to ongoing developments.	Article
SBA Loan Stimulus Package will Trigger More Oversight, 2020 The Banking Law Journal § 2020-6.02 Not a subscriber? Access the PDF.	Discusses the implications of institutions issuing an unprecedented amount of Small Business Administration Section 7(a) loans through the CARES Act's Paycheck Protection Program. Lenders will need to be vigilant and adopt thorough recordkeeping and anti-money laundering compliance programs.	Analytical
The Coronavirus and Similar Global Issues: How to Address Them, 2020 The Banking Law Journal § 2020-6.01 Not a subscriber? Access the PDF.	In this article, the author argues that the coronavirus will affect America in ways not seen since the Great Depression. He discusses how Congress and America's financial institutions are being impacted, and can help; and whether they will survive and still be standing when the virus has run its course.	Analytical

<p>President Signs Additional Appropriation for Small Business Relief into Law, SBA Clarifies Eligibility of Large Companies for PPP Loans</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses latest updates to the PPP Loans federal program, including additional funds made available to small businesses and the restrictions on the use of those funds.</p>	<p>Article</p>
<p>Federal Reserve—Main Street Loan Facilities</p> <p>Not a subscriber? Access the PDF.</p>	<p>Summarizes the term sheets and conditions for the Fed's Main Street Lending Programs to assist small and mid-sized businesses.</p>	<p>Article</p>
<p>Main Street Lending Program Offers Liquidity with Limits</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the Federal Reserve's Main Street Lending Program, which promises relief for cash-starved businesses struggling amid the coronavirus pandemic, including larger companies that missed out on prior government aid, though experts warn the central bank's loan effort is not a cure-all.</p>	<p>Article</p>
<p>Issues with the Main Street Lending Program</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses industry commentary and concerns for lenders and borrowers raised by the term sheets for the Federal Reserve's Main Street Lending Facilities.</p>	<p>Article</p>
<p>First Analysis: CARES Act Paycheck Protection Program Summary</p> <p>Not a subscriber? Access the PDF.</p>	<p>Summary of the key provisions in the CARES Act and related paycheck protection program guidance.</p>	<p>Article</p>
<p>First Analysis: The Liquidity Crunch Amid COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides a summary of the issues companies and creditors should consider when determining the possible forms of funding available under existing bond and/or term loan covenant packages.</p>	<p>Article</p>
<p>First Analysis: Debt Buyback and Liability Management Considerations</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses certain key issues companies should consider when considering potential debt buybacks and amendment/liability management exercises resulting from COVID market disruptions.</p>	<p>Article</p>
<p>First Analysis: Coronavirus Implications in Loan Documents</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses what provisions of loan documents borrowers and lenders will need to examine, including, among other things, any financial covenants (including the definitions of financial terms), grace periods and potential penalties for breaches of representations and warranties, covenants and notice requirements in these documents.</p>	<p>Article</p>

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<p>Amendments, Consents, and Waivers Resource Kit</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides an overview of amendments, consents, and other modifications for loan documents, along with an index of related content. During the life cycle of a credit agreement, changes in the borrower's circumstances or the credit market, such as those triggered by the coronavirus, may prompt the borrower to request relief from the terms of the credit agreement.</p>	<p>Resource Kit</p>
<p>Business Continuity Policy and Procedures: Preparation for a Pandemic, Electronic Banking Compliance 31.08</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form can be used to coordinate a pandemic response plan. It sets forth the coordinator and team members then details each pandemic response team members' responsibilities.</p>	<p>Form</p>
<p>Structure and Governance Policies and Procedures: Pandemic Policy and Procedures, Policies and Procedures P 8.23A</p> <p>Not a subscriber? Access the PDF.</p>	<p>This is a pandemic policy and procedure template for use by a bank.</p>	<p>Form</p>
<p>Business Continuity Compliance Audit (includes influenza pandemic preparedness), Internal Audit Programs P 8.08</p> <p>Not a subscriber? Access the PDF.</p>	<p>This checklist has been adapted from the FFIEC booklet and should be modified to fit the specifics of your institution. You can use the program to determine the adequacy of the business continuity planning process on an enterprise-wide basis or across a particular line of business. For example, you may wish to select a certain line of business to see how your continuity planning or testing processes work on a micro level or for a particular business function or process.</p>	<p>Checklist</p>
<p>Business Recovery Planning and Records Retention and Preservation Policy and Procedures, Policies and Procedures for Credit Unions Chapter 23.synopsis.</p> <p>Not a subscriber? Access the PDF.</p>	<p>Presents business continuity planning materials, including sample records preservation procedures, a business recovery planning checklist, and a records retention schedule.</p>	<p>Secondary Materials</p>

Financial Services Regulation

Practical Guidance Documents	Notes	Content Type
Community Reinvestment Act and Financial Inclusion Not a subscriber? Access the PDF.	Provides an overview of legal, regulatory, and supervisory examination requirements for commercial banks and savings associations under the Community Reinvestment Act of 1977 (CRA), 12 U.S.C. §§ 2901–2906 . Addresses related guidance issued by the Office of the Comptroller of the Currency (OCC) regarding financial inclusion standards applicable to financial technology (Fintech) firms seeking to become special purpose national banks.	Practice Note

Immigration

Practical Guidance Documents	Notes	Content Type
COVID-19 Resources for Immigration Law Not a subscriber? Access the PDF.	Provides a collection of contact information and resources related to immigration law issues.	Article
Immigration Issues Related to Layoffs, Furloughs, and Corporate Downsizing during the Coronavirus (COVID-19) and Beyond Not a subscriber? Access the PDF.	This article describes the immigration implications of downsizing and furloughing foreign national employees during the coronavirus (COVID-19) and after it subsides.	Article

Insurance

Practical Guidance Documents	Notes	Content Type
COVID-19 Insurance Laws and Regulations Part I: Insurance Operations Mandates Not a subscriber? Access the PDF.	Part I in a four-part collection identifies and evaluates the noteworthy COVID-19 guidance, bulletins, regulations and proposed legislation that impact the entire insurance operations continuum. Included in this discussion of the pandemic's wide-sweeping regulatory and legislative developments are impacts to products, sales and delivery systems, coverage and claims handling.	Article

<p>COVID-19 Insurance Laws and Regulations Part II: New Rules on Licensing, Notice, Premiums and Cancellations</p> <p>Not a subscriber? Access the PDF.</p>	<p>Part II in a four-part collection examines the noteworthy COVID-19 regulatory and legislative provisions that are easing and otherwise changing licensing requirements for insurance intermediaries and insureds, particularly under auto insurance policies. The article also discusses new coronavirus provisions that are altering traditional rules about premiums, notice and cancellations.</p>	<p>Article</p>
<p>COVID-19 Insurance Laws and Regulations Part III: Life / Health and Workers' Compensation Insurance and Liability Protections</p> <p>Not a subscriber? Access the PDF.</p>	<p>Part III in a four-part collection identifies and analyzes noteworthy COVID-19 regulatory and legislative activity in the areas of life, health, and workers' compensation insurance, including provisions relating to payment for services, premiums/networks/claim denials, eligibility, operations, telemedicine. The article also discusses the presumption laws being considered for workers' compensation claims, sales restrictions and new products for life insurance, and the unanticipated solvency concerns that these developments are generating.</p>	<p>Article</p>
<p>COVID-19 Insurance Laws and Regulations Part IV: Business Interruption Coverage Mandates</p> <p>Not a subscriber? Access the PDF.</p>	<p>Part IV in a four-part collection addresses proposed legislation and regulatory activity surrounding business interruption insurance in the context of the COVID-19 pandemic. Included is a discussion about the proposed coverage mandates being considered in eight states, communications from other states confirming the exclusions that typically preclude losses from virus-related shutdowns, positions taken by federal lawmakers, including a proposed federal backstop that is reminiscent of TRIA, and the expansion of some states' business interruption mandates from coverage to claims.</p>	<p>Article</p>

<p>COVID-19 Claims Impact Entire Insurance Coverage Spectrum</p> <p>Not a subscriber? Access the PDF.</p>	<p>Identifies the types of insurance that policyholders might pursue for coverage of a loss arising from coronavirus and the positions insureds and insurers are likely to take for and against coverage, so practitioners can consider a client's situation, address coverage weaknesses and gaps, and determine whether to litigate any coronavirus claim.</p>	<p>Article</p>
<p>Coronavirus (COVID-19): Implications for Representations and Warranties Insurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Learn how reps and warranties insurance providers are adapting to the pandemic.</p>	<p>Article</p>
<p>4 Key Coronavirus Insurance Coverage Battlegrounds</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses four types of insurance coverage that are especially ripe for disputes in the context of the coronavirus outbreak: event cancellation, business interruption, workers' compensation, and general liability.</p>	<p>Article</p>
<p>Risk Mitigation Tools For Cos. Facing Coronavirus Losses</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses risk mitigation tools available to policyholders to offset the potentially significant cost of responding to COVID-19, specifically insurance and force majeure clauses.</p>	<p>Article</p>

<p>Director and Officer (D&O) Insurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Reviews the coverage that businessowners may use when faced with liability claims from shareholders alleging the company acted unreasonably with respect to the coronavirus, with resultant economic loss; discusses the key elements of D&O policies, common exclusions, and provisions that impact the parties' rights and duties. Directors and Officers (D&O) Liability Insurance Selection Checklist that supplements this practice note is available below.</p>	<p>Practice Note</p>
<p>Errors and Omissions (E&O) Liability Insurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>A review of the coverage that businesses may use when faced with liability claims from individuals who allege they were infected with coronavirus while on the company's property or because of some alleged action (or inaction) by the company; discusses the general scope of E&O coverage and typical exclusions, and gives examples of when E&O coverage may or may not apply.</p>	<p>Practice Note</p>
<p>Insurance for Product Manufacturers: Maximizing Coverage</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses how product manufacturers can maximize coverage for consumer and product liability claims in a jurisdiction and industry neutral manner that is sufficiently broad to encompass the manufacturers of coronavirus testing, vaccine, and drug products; includes a spectrum of issues for consideration to obtain maximum coverage and identifies potential conflicts of interest between manufacturers and insurers.</p>	<p>Practice Note</p>
<p>Workers' Compensation Insurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the fundamental aspects of workers' compensation insurance, a statutory benefit program that compensates employees for work-related injuries, which could be impacted by the transmission of coronavirus in the workplace; includes details about the fundamental issues involved in most workers' comp claims.</p>	<p>Practice Note</p>

<p>Commercial Property Insurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the commercial property-centric issues of supply chain disruption and the resulting interruption in business, which are the most highly reported commercial impacts of coronavirus; also includes details about marine insurance, which is being severely impacted by developments in the marine transport and oil-trading industries brought about by the coronavirus-driven decline in China's industrial production levels and importing requirements. A Property Insurance Claim Filing Checklist that supplements this practice note is available below.</p>	<p>Practice Note</p>
<p>Commercial Property and Liability Insurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the various types of bundled commercial property and liability coverages that practitioners specialized in the nuances of insurance can recommend to address the myriad losses and claims that may arise in connection with coronavirus; identifies concepts useful to understanding the coverages typically provided under these policies. A Property Insurance Claim Filing Checklist that supplements this practice note is available below.</p>	<p>Practice Note</p>
<p>Business Interruption Insurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the insurance that businesses purchase for situations when business is interrupted because of property damage or loss; includes issues relating to the elements necessary to establish a loss, various coverage extensions (such as government action/civil authority provisions), and interpretation of the physical damage requirement which could preclude claims resulting from business interruption caused by the coronavirus.</p>	<p>Practice Note</p>
<p>Travel Insurance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the basic aspects of the coverage that protects policyholders from loss arising from the inability to take a scheduled trip, or from loss tangential to a trip such as lost baggage, which may occur because of travel restrictions relating to the coronavirus.</p>	<p>Practice Note</p>
<p>Political Risk Insurance: Issues to Consider When Submitting a Claim</p> <p>Not a subscriber? Access the PDF.</p>	<p>Highlights the risks that arise from operating in a foreign country with unstable political conditions; includes discussion of the claims process,</p>	<p>Practice Note</p>

	exclusions, and claims disputes typical of PRI policies.	
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Political Risk Insurance: A Lender's Guide Not a subscriber? Access the PDF.	Discusses current international market providers, coverage and exclusions, and other important considerations of using PRI coverage to insure against risks in cross-border or international project finance.	Practice Note
Aviation Liability in International Jurisdictions Not a subscriber? Access the PDF.	Discusses major air law treaties as they relate to carrier liability for passenger injury or death, reduced mobility, and flight delays which have the potential to occur with increased frequency because of travel restrictions and other international travel developments occasioned by the coronavirus pandemic; encompasses the law of 20 international jurisdictions including the United States, China, Italy, and the United Kingdom.	Practice Note
Health Insurance Not a subscriber? Access the PDF.	A comprehensive review of the private insurance that covers an infected policyholder's claim for the testing and treatment of coronavirus; includes discussion about exclusions and exceptions, litigation of underwriting issues, and potential coverage disputes.	Practice Note
ACA Essential Health Benefits Not a subscriber? Access the PDF.	A comprehensive review of the health plans purchased through state-run health insurance exchanges or the federal marketplace; includes discussion about mandatory coverage requirements that health plans under the ACA must provide.	Practice Note
Major Medical Insurance Not a subscriber? Access the PDF.	Offers perspectives on the coverage implications that may arise from coronavirus claims under medical indemnity insurance that covers expenses related to disease, sickness or illness, including emergency treatment, and in-patient costs of medical treatment, equipment/supplies and prescriptions.	Practice Note
Critical Illness Insurance Not a subscriber? Access the PDF.	Discusses the conditions that are covered under policies that pay lump sum benefits for a specified illness and explores the expansion of critical illness	Practice Note

	insurance to include more minor illnesses and occurrences.	
Domestic Partner Health Benefits Not a subscriber? Access the PDF.	Explains the complexities of the insurance arrangements under which employers make health benefits available to the domestic partners of their employees.	Practice Note
ERISA Coverage of Benefit Plans Not a subscriber? Access the PDF.	Guidance for identifying employee benefit plans and programs—including employer-sponsored group health insurance plans—that are subject to regulation under ERISA.	Practice Note
Life Insurance Not a subscriber? Access the PDF.	Discusses the basic principles and general varieties of life insurance, which provide benefits upon the death of an insured, including those caused by pandemic illness.	Practice Note
Directors and Officers (D&O) Liability Insurance Selection Checklist Not a subscriber? Access the PDF.	A checklist that supplements the Director and Officer (D&O) Insurance practice note above, which lists the issues to consider and steps to take when selecting an insurance policy to cover directors and officers from liability arising from performance of their official duties.	Checklist
Property Insurance Claim Filing Checklist Not a subscriber? Access the PDF.	A checklist that supplements the Commercial Property Insurance and Commercial Property and Liability Insurance practice notes listed above; the checklist outlines the steps and considerations that will assist counsel representing a policyholder/insured with navigating the general claims process for property loss or damage and maximizing insurance recovery for the loss.	Checklist
Insurers Braced For Claims Following Coronavirus Lockdown Not a subscriber? Access the PDF.	Describes how insurance companies are being warned by their lawyers and loss adjusters to expect a jump in claims under business interruption policies as the impact of the spread of coronavirus from China continues to cut into business activity.	Article
Lloyds, NatWest To Give Businesses Coronavirus Support Not a subscriber? Access the PDF.	Describes how the Lloyds Banking Group and NatWest said they will provide small to mid-sized businesses with working capital to shore up financial losses related to COVID-19	Article

Intellectual Property & Technology

Practical Guidance Documents	Notes	Content Type
Impact of COVID-19 on IP Timing Deadlines Not a subscriber? Access the PDF.	Discusses extensions of time for filing certain trademark- and patent-related documents and fees with the USPTO, as well as the U.S. Copyright Office's adjustment of timing provisions for certain copyright applications and notices of termination, in response to the coronavirus (COVID-19) pandemic.	First Analysis
IP Licensing in the Age of Coronavirus Not a subscriber? Access the PDF.	Examines licensing issues that IP counsel will need to consider now and in the future as a result of the coronavirus crisis.	First Analysis
4 Things To Know About Plan To Speed COVID-19 Patent Apps Not a subscriber? Access the PDF.	Discusses the USPTO's program to prioritize the examination of COVID-19-related patent applications from small businesses.	Article
How Pandemic-Related Delays Affect Hatch-Waxman Litigants Not a subscriber? Access the PDF.	Discusses potential options for addressing the impact of the COVID-19 pandemic on 30-month stays in Hatch-Waxman litigation and whether COVID-19 will affect FDA approval of ANDAs.	Article
3D Printing And The Shifting Legal Landscape For COVID-19 Not a subscriber? Access the PDF.	Highlights key issues for the 3D printing community regarding the scope of new immunities, the evolving FDA regulatory landscape for COVID-19 products, and intellectual property rights considerations.	Article
7 Ways COVID-19 Product Makers Can Mitigate IP Infringement Not a subscriber? Access the PDF.	Describes what happens when a manufacturer seeks to serve the public interest by quickly retooling its facilities to produce different products desperately needed to help combat the COVID-19 pandemic?	Article
Trademark Audit Checklist Not a subscriber? Access the PDF.	Details the key components of a trademark audit, including pre-audit considerations, audit questionnaires, employee interviews, and the audit itself.	Checklist
How COVID-19 Could Shake Up Patent Strategies	The coronavirus pandemic may spur new thinking about patent issues, as	Article

<p>Not a subscriber? Access the PDF.</p>	<p>owners of relevant patents face the risk of backlash for asserting them, and companies developing equipment or treatments consider ways to limit potential liability. Here's how attorneys are counseling clients navigating this unprecedented situation.</p>	
<p>Joint Research Considerations As Biotech Responds To Virus</p> <p>Not a subscriber? Access the PDF.</p>	<p>This article details key legal considerations for those engaging in joint research endeavors in the biotechnology industry in response to the threat of COVID-19.</p>	Article
<p>10 Ways In-House IP Counsel Can Get Ahead Amid Quarantine</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses 10 ways that in-house IP counsel can provide value to their companies during the pandemic when their normal docket of work has temporarily slowed.</p>	Article
<p>Running A Lean, Mean TM Portfolio In Cost-Conscious Times</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses ideas for brand owners to consider implementing over the coming weeks and months to weather the storm and even come out ahead during the cost-conscious times brought on by the COVID-19 pandemic.</p>	Article
<p>Patent Enforcement Strategies to Meet Business Objectives</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses patent enforcement strategies that can be used to meet clients' varying business objectives. Such strategies may be especially important during an economic downturn, when effectively monetizing, strengthening, and asserting a company's IP can help its bottom line.</p>	Practice Note
<p>Intellectual Property Audits</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses strategies for conducting an IP audit or counseling clients in how to do so, including reviewing the company's existing IP, assessing IP policies, and best practices for seeking protection for new IP.</p>	Practice Note
<p>Trademark Audits</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides guidance on conducting a trademark audit.</p>	Practice Note
<p>Trademark Licenses: Key Provisions</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides guidance on drafting and negotiating key provisions in a trademark license, for both trademark licensors and licensees.</p>	Practice Note
<p>Patent Licenses: Key Provisions</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides guidance on drafting and negotiating key provisions in a patent license, for both patent licensors and licensees.</p>	Practice Note

Trademark Applications: Drafting the Application Not a subscriber? Access the PDF.	Provides guidance on drafting and filing U.S. use-based and intent-to-use trademark applications.	Practice Note
Trademark Registrations: Maintenance and Renewal Not a subscriber? Access the PDF.	Discusses maintenance and renewal requirements for U.S. trademark registrations and Madrid Protocol-based registrations.	Practice Note

Labor & Employment

Practical Guidance Documents	Notes	Content Type
Pandemic Flu/Influenza/Coronavirus (COVID-19): Key Employment Law Issues, Prevention, and Response Not a subscriber? Access the PDF.	This practice note will assist employers in preventing and responding to a pandemic flu, including the coronavirus (COVID-19). It addresses new legislation passed due to COVID-19, such as the FFCRA. It also discusses new agency guidance from OSHA, the CDC, the DOL, and the EEOC regarding COVID-19. Finally, it addresses key employment law issues most affected by a pandemic flu and COVID-19, such as health and safety, leave law, the ADA, wage and hour, telecommuting, layoffs and furloughs, and the WARN Act.	Practice Note
Coronavirus (COVID-19) Federal and State Employment Law Tracker Not a subscriber? Access the PDF.	This tracker covers federal, state, and major local employment laws addressing the COVID-19 pandemic. It covers (1) expanded paid sick leave; (2) expanded family and medical leave; (3) expanded unemployment rights and benefits; and (4) other key developments (including, inter alia, health and safety issues and modified mini-Worker Adjustment and Retraining Notification (WARN) acts).	Practice Note
COVID-19 Workplace Litigation Trends Not a subscriber? Access the PDF.	This practice note summarizes the various types of COVID-19 workplace cases that employees have filed against employers to date, along with an analysis of the frequency of these types of lawsuits to identify current litigation trends.	Practice Note
Returning to Work during and after COVID-19 Not a subscriber? Access the PDF.	This article addresses what employers must prioritize when employees return to work both during the COVID-19 pandemic and after it subsides.	Article

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CDC Guidance and the Return to Work during COVID-19 Not a subscriber? Access the PDF.	<p>This article analyzes guidance from the Centers for Disease Control and Prevention (CDC) related to employees returning to work during COVID-19.</p>	Article
Wage and Hour Obligations for California Employers during COVID-19 Not a subscriber? Access the PDF.	<p>This article addresses key wage and hour issues that California employers face during the COVID-19 pandemic.</p>	Article
Wage and Hour Obligations for New York Employers during COVID-19 Not a subscriber? Access the PDF.	<p>This article addresses key wage and hour issues that New York employers face during the COVID-19 pandemic.</p>	Article
Leaves of Absence under Federal Law before and after the Families First Coronavirus Response Act (FFCRA) Not a subscriber? Access the PDF.	<p>This article addresses leave of absences under federal law before and after the Families First Coronavirus Response Act (FFCRA), including the interaction between the FFCRA and previously enacted laws relating to employee leaves, such as the Family and Medical Leave Act (FMLA) and the Americans with Disabilities Act (ADA).</p>	Article
Screening and Self-reporting COVID-19 Symptoms/Exposure Policy Not a subscriber? Access the PDF.	<p>This form is a screening and self-reporting symptoms/exposure policy that governs employees' obligation to have their temperature taken, to complete a health/exposure screening form before entering the workplace, and to self-report any symptoms of COVID-19 (or potential exposure) to their employer.</p>	Form
Face Mask and Personal Protective Equipment (PPE) Policy Not a subscriber? Access the PDF.	<p>This form is a face mask and personal protective equipment policy that governs the use of face coverings and other protective equipment in the workplace.</p>	Form
Infection and COVID-19 Event Response and Communication Plan Not a subscriber? Access the PDF.	<p>This form is an infection event response and communication plan that governs an employer's response to infections and coronavirus (COVID-19) cases in the workplace or the community.</p>	Form
Quarantine and Isolation Protocols Not a subscriber? Access the PDF.	<p>This form is a quarantine and isolation protocols policy that governs employees who must isolate or quarantine due to concerns related to the coronavirus (COVID-19).</p>	Form
COVID-19 Testing Policy Not a subscriber? Access the PDF.	<p>This form is a COVID-19 testing policy that governs employee testing for COVID-19, and the consequences of a positive test result.</p>	Form

Social Distancing Policy Not a subscriber? Access the PDF.	<p>This form is a social distancing policy that requires employees to maintain a safe distance from others to avoid the spread of COVID-19 in the workplace.</p>	Form
Leave and Vacation Sharing and Donation Policies: Key Drafting Tips and Legal Issues Not a subscriber? Access the PDF.	<p>This practice note provides best practices for employers when drafting leave and vacation sharing and donation policies. A leave-sharing and donation policy allows employees to donate or share paid time off (PTO) for use by other employees for medical emergencies, including those related to pandemics such as the coronavirus (COVID-19).</p>	Practice Note
Leave and Vacation Sharing and Donation Policy Not a subscriber? Access the PDF.	<p>This form is a leave-sharing and donation policy that allows employees to donate or share paid time off for use by other employees for medical emergencies, including those related to pandemics such as the coronavirus (COVID-19).</p>	Form
OSHA Whistleblower Claims Jump Amid Virus, Watchdog Says Not a subscriber? Access the PDF.	<p>This article addresses the increase of OSHA whistleblowing claims during COVID-19.</p>	Article
DOL Loosens FLSA Double Damages Policy Due To COVID-19 Not a subscriber? Access the PDF.	<p>Discusses the DOL's Wage and Hour Division announcement that, in order to help the economy rebound from the pandemic, it will not pursue prelitigation liquidated damages, which double unpaid overtime and minimum wages for FLSA violations.</p>	Article
Business Continuity and Emergency Planning Not a subscriber? Access the PDF.	<p>This practice note provides guidance to employers on business continuity plans and preparing for and responding to emergencies, such as natural disasters and pandemic diseases like the coronavirus (COVID-19).</p>	Practice Note
Business Continuity and Emergency Planning Checklist Not a subscriber? Access the PDF.	<p>This extremely comprehensive checklist guides employers on drafting business continuity plans (BCP) and OSHA-required Emergency Action Plans (EAP) to prepare for and handle emergencies, including, among others, fires, natural disasters, workplace accidents and violence, terrorist attacks, bomb threats, and pandemics, like the coronavirus (COVID-19).</p>	Checklist
Americans' Views on COVID-19 Vaccine Raise Concern for Employers Not a subscriber? Access the PDF.	<p>Provides initial guidance for employers in light of recent survey showing a large percent of Americans who are hesitant to get vaccinated for COVID-19.</p>	Article

Employers Should Plan For Vaccine Religious Exemptions Not a subscriber? Access the PDF.	Discusses employers' options with respect to a forthcoming COVID-19 vaccine, including making it mandatory, and the exceptions to such a requirement.	Article
Cos. Should Brace For Workers' Vaccine Safety Concerns Not a subscriber? Access the PDF.	Discusses the challenges employers are likely to face given the large percentage of people who say they intend to decline a COVID-19 vaccine.	Article
Pandemic Flu/Influenza/Coronavirus (COVID-19) Prevention and Response Checklist (Best Practices for Employers) Not a subscriber? Access the PDF.	This checklist highlights key considerations for private employers to prepare for and respond to influenza (flu) and other potential pandemic outbreaks (including the coronavirus (COVID-19) pandemic)	Checklist
Employers Confront Their Obligations as Coronavirus (COVID-19) Spreads Not a subscriber? Access the PDF.	Provides practical guidance regarding how employers should address legal issues raised by the coronavirus. As the coronavirus spreads around the globe the United States, employers must confront issues in the workplace concerning risks to their employees.	Article
Top Employer Return-To-Work Considerations: Part 1 Not a subscriber? Access the PDF.	Discusses general workplace considerations of which employers should be aware in connection with returning to work following expiration of shelter-in-place orders.	Article
Top Employer Return-To-Work Considerations: Part 2 Not a subscriber? Access the PDF.	Discusses employee benefits issues that may be impacted as shelter-in-place orders expire, including mid-year changes to cafeteria plan elections, Affordable Care Act implications, and retirement plan considerations.	Article
Top Employer Return-To-Work Considerations: Part 3 Not a subscriber? Access the PDF.	Discusses some considerations and guidelines to address future pandemic situations, including with respect to remote work, employment contracts, safety, and employee benefits.	Article
Labor Arbitration: Key COVID-19 Issues Not a subscriber? Access the PDF.	This article addresses key labor arbitration issues to consider during COVID-19, including whether a labor arbitrator can order a video hearing.	Article
DOL Wage and Hour Investigations: Preparation and Response Not a subscriber? Access the PDF.	Provides guidance on avoiding, preparing for, and responding to wage and hour investigations by the U.S. Department of Labor (DOL).	Practice Note

<p>EEOC Says Employers Can't Require COVID-19 Antibody Tests</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the EEOC's position that businesses can't make workers take tests that detect COVID-19 antibodies without violating the Americans with Disabilities Act.</p>	<p>Article</p>
<p>Making Antibody Tests Optional Won't Erase Legal Risks</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses risks employers face if they make antibody detection part of their reopening plan.</p>	<p>Article</p>
<p>Employer Best Practices From EEOC's New Virus Q&A</p> <p>Not a subscriber? Access the PDF.</p>	<p>On June 11, 2020, the EEOC issued a new round of Q&A offering guidance to employers on COVID-19, the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act (PDA), potential harassment against Asian employees, various workplace accommodations, and other equal employment opportunity issues.</p>	<p>Article</p>
<p>4 Takeaways from EEOC's New At-Risk Worker Guidance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses recent EEOC guidance on what employers should do to accommodate workers under the ADA who may be vulnerable to COVID-19.</p>	<p>Article</p>
<p>EEOC Reissues Yanked Virus Accommodations Guidance</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the EEOC's guidance for how businesses should go about accommodating workers with medical conditions during the coronavirus pandemic under the ADA.</p>	<p>Article</p>
<p>Coronavirus (COVID-19) Considerations for Traveling Employees</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses key health and safety considerations for employee travel within the United States and abroad during the COVID-19 pandemic.</p>	<p>Article</p>
<p>Form I-9 Instructions for Remote Employees and Employers' Designated Agents</p> <p>Not a subscriber? Access the PDF.</p>	<p>This practice note addresses Form I-9 instructions for remote employees and employers' options for verifying remote employees, including designated agents. This note also contains guidance on verifying remote employees during the COVID-19 pandemic.</p>	<p>Practice Note</p>

<p>Form I-9 Best Practices: Training Presentation</p> <p>Not a subscriber? Access the PDF.</p>	<p>This presentation provides training on the best practices in completing the Form I-9 and E-Verify processes, including the do's and don'ts of completing the Form I-9 and storage of the Form I-9. It also addresses how the coronavirus (COVID-19) pandemic has affected the Form I-9 and E-Verify processes.</p>	<p>Practice Note</p>
<p>COVID-19 Resources for Immigration Law</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides a collection of contact information and resources related to immigration law issues.</p>	<p>Article</p>
<p>Immigration Issues Related to Layoffs, Furloughs, and Corporate Downsizing during the Coronavirus(COVID-19) and Beyond</p> <p>Not a subscriber? Access the PDF.</p>	<p>This article describes the immigration implications of downsizing and furloughing foreign national employees during the coronavirus (COVID-19) and after it subsides.</p>	<p>Article</p>
<p>Employee Furlough Considerations in the Time of COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses key employer considerations when furloughing employees due to the coronavirus pandemic.</p>	<p>Article</p>
<p>What Employers Need To Know About Furloughs</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses how employer considerations for implementing furloughs should include wage and hour challenges, paid time off questions, and federal and state notice requirements.</p>	<p>Article</p>
<p>Workers' Compensation: Key COVID-19 Issues</p> <p>Not a subscriber? Access the PDF.</p>	<p>This practice note provides guidance on how COVID-19 affects workers' compensation claims now and in the future. Among other things, the practice note provides guidance on whether employees will be able to claim that the workers' compensation bar does not preclude their claims in court and discusses how employers can prevent workers' compensation claims during the coronavirus pandemic and after it subsides.</p>	<p>Practice Note</p>

<p>Cos. Must Prepare For COVID-19 Workers' Comp Claims</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the potential liability and costs associated with increasingly complex workers' compensation claims in light of COVID-19.</p>	<p>Article</p>
<p>EEOC Gives Employers A Green Light To Test For COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the EEOC's position that employers will be allowed to test employees for COVID-19 before they enter a work site without running afoul of the Americans with Disabilities Act.</p>	<p>Article</p>
<p>An Employer's Guide To Unemployment During Pandemic</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses various issues related to unemployment during the COVID-19 pandemic.</p>	<p>Article</p>
<p>Workplace Body Temperature Devices Raise Privacy Concerns</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses privacy concerns raised by taking employees' temperature as they return to work during the pandemic.</p>	<p>Article</p>
<p>Can a Labor Arbitrator Order a Video Hearing and other Questions in the Time of COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>The accepted norms for conducting in-person hearings have been upended due to requirements for maintaining social distancing; the reluctance of participants, including arbitrators, to conduct such hearings; and the heightened health risks posed by traveling to hearings.</p>	<p>Article</p>
<p>DOL Guidance Tackles Coronavirus Unemployment Programs</p> <p>Not a subscriber? Access the PDF.</p>	<p>Describes the U.S. Department of Labor's guidelines for implementing programs that Congress enacted to expand unemployment insurance coverage for those put out of work during the novel coronavirus pandemic, laying out a road map for independent contractors and gig workers seeking benefits.</p>	<p>Article</p>
<p>DOL Issues New Guidance On Unemployment Expansion</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the DOL's guidance to states grappling with a recent federal unemployment supplement that extended emergency jobless benefits to "gig" workers and others who are out of work due to the pandemic, but can't collect under existing laws.</p>	<p>Article</p>
<p>DOL Says Idled Gig Workers Can Collect Unemployment</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses DOL guidance on the recent emergency unemployment expansion, clarifying that app-based drivers and other "gig workers" whose work has slowed due to COVID-19 can collect.</p>	<p>Article</p>

Furloughs: Weighing The Unemployment Costs And Benefits Not a subscriber? Access the PDF.	<p>Explains how employers considering furloughs so workers can access expanded unemployment benefits under the Coronavirus Aid, Relief, and Economic Security Act should look for two factors that would minimize drawbacks for all parties.</p>	Article
DOL Virus Leave Rule Sheds Light On Small Biz Carveout Not a subscriber? Access the PDF.	<p>Describes the U.S. Department of Labor's rule released on Wednesday to help employers and workers navigate the recent paid sick leave expansion.</p>	Article
DOL Hits 'Critical Issues' In Coronavirus Leave Law Guidance Not a subscriber? Access the PDF.	<p>Describes the DOL's new sick leave law guidance.</p>	Article
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Saving Our Small Businesses – Law Extends PPP Forgiveness Period and Loosens Other Restrictions Not a subscriber? Access the PDF.	<p>This article discusses the Paycheck Protection Program Flexibility Act of 2020, which amends certain provisions of the Small Business Act and the Coronavirus Aid, Relief, and Economic Security (CARES) Act.</p>	Article
President Signs Additional Appropriation for Small Business Relief into Law, SBA Clarifies Eligibility of Large Companies for PPP Loans Not a subscriber? Access the PDF.	<p>Discusses latest updates to the PPP Loans federal program, including additional funds made available to small businesses and the restrictions on the use of those funds.</p>	Article
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<p>CARES Act's Forgivable Paycheck Protection Loans to Small Businesses</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides practical guidance regarding the Paycheck Protection Program provisions of the CARES Act and loans to small businesses.</p>	<p>Article</p>
<p>COVID-19 and OSHA</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides practical guidance regarding the impact of the Occupational Safety and Health Act (OSHA), on an employer's maintenance of a safe workplace in view of the COVID-19 pandemic.</p>	<p>Article</p>
<p>Employers Providing Face Masks Should Review Their Health and Safety Obligations</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides practical guidance on an employer's requirement that employees use face masks in fulfilling their employment responsibilities.</p>	<p>Article</p>
<p>Political and Protest Activity Policy</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form is an employer policy governing employee political and protest activity that occurs both inside and outside the workplace. The drafting notes to this policy provide practical guidance regarding how employers should respond to employee political activity and protests (including Black Lives Matter (BLM) protests) amid the coronavirus (COVID-19) pandemic.</p>	<p>Form</p>
<p>Labor Dept. Expands Guidance On COVID-19 Paid Leave Law</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the U.S. Department of Labor's updated guidance designed to help American businesses and their employees familiarize themselves with the details of the new emergency sick leave law that was enacted in response to the novel coronavirus pandemic.</p>	<p>Article</p>
<p>Virus Relief Expands Paid Leave, With Growing Calls For More</p> <p>Not a subscriber? Access the PDF.</p>	<p>As an emergency sick leave measure moves to the president's desk as part of a coronavirus relief package passed by the U.S. Senate on Wednesday, workers' advocates and employers are already angling to address perceived flaws through a new round of legislation.</p>	<p>Article</p>
<p>Trump Signs 2nd COVID-19 Relief Bill into Law</p> <p>Not a subscriber? Access the PDF.</p>	<p>President Donald Trump signed legislation Wednesday evening to provide paid sick leave to American workers affected by the new coronavirus, taking a second major step this month to bolster the U.S. economy from falling into a recession</p>	<p>Article</p>

<p>Feds Relax EEO Rules For Contractors Helping Fight Virus</p> <p>Not a subscriber? Access the PDF.</p>	<p>The Office of Federal Contract Compliance Programs said Tuesday that it will waive various equal employment opportunity requirements for at least three months for companies that are contracted by the federal government to provide services related to the novel coronavirus.</p>	<p>Article</p>
<p>NY Adopts Paid Sick Time Plan For Workers Hurt By COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>New York lawmakers on Wednesday swiftly enacted a plan to safeguard workers' jobs and guarantee them some measure of paid sick time if they can't go to work because of the novel coronavirus outbreak.</p>	<p>Article</p>
<p>Calif. Relaxes Layoff Notice Rules During COVID-19 Outbreak</p> <p>Not a subscriber? Access the PDF.</p>	<p>California Gov. Gavin Newsom has loosened requirements for employers to give workers notice before laying them off in large numbers, as part of an executive order aimed at containing the economic fallout from the COVID-19 outbreak.</p>	<p>Article</p>
<p>6 Ways Cos. Can Mitigate Telework Risks During COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>While remote work arrangements are useful for limiting the spread of COVID-19, they can pose risks and challenges related to discrimination, timekeeping, expense reimbursements, cybersecurity and trade secrets, say attorneys at Debevoise.</p>	<p>Article</p>
<p>Cybersecurity Measures to Protect Employers' Confidential Information and Trade Secrets</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides guidance on cybersecurity measures available to employers to protect their confidential information and trade secrets and includes a section on protecting trade secrets while employees telework (i.e., telecommute, work remotely) during COVID-19.</p>	<p>Practice Note</p>
<p>The Wary Employer's Guide To Key Coronavirus Concerns</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses potential consequences to employers of failure to take adequate measures in response to the COVID-19 pandemic. Potential legal and compliance issues relate to, among others, the Americans with Disabilities Act, the Occupational Safety and Health Act, the Fair Labor Standards Act, the Family and Medical Leave Act, and liability to subscribers for negligence.</p>	<p>Article</p>

<p>Employer Action Items Amid Coronavirus Outbreak</p> <p>Not a subscriber? Access the PDF.</p>	<p>Describes steps employers are considering, including restricting international travel to affected areas; performing medical inquiries to the extent legally permitted; imposing potential quarantines for employees who have traveled; permitting leaves of absence and work-from-home options; and educating management and employees.</p>	<p>Article</p>
<p>Telework Takes Center Stage Amid Coronavirus Pandemic</p> <p>Not a subscriber? Access the PDF.</p>	<p>Explains steps employers can take to create a productive and fair teleworking plan for their employees.</p>	<p>Article</p>
<p>Coronavirus Outbreak: Legal Implications</p> <p>Not a subscriber? Access the PDF.</p>	<p>Considers relevant contractual provisions and risk management strategies which may be invoked in the wake of the coronavirus outbreak.</p>	<p>Article</p>
<p>Legal Risks May Lurk In Employers' Coronavirus Response</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses legal risks of preventative measures to safeguard against the spread of coronavirus.</p>	<p>Article</p>
<p>Emergency Action Plan (EAP)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Typically, hazards that Emergency Actions Plans (EAP) cover are associated with emergencies that arise in the physical realm (weather, security incidents, fires, and pandemics (including COVID-19)). OSHA requires employers with 11 or more employees to keep their EAPs in writing, at the workplace, and available for employees to review. Employers with 10 or less employees must, at a minimum, communicate the EAP to employees verbally</p>	<p>Form</p>
<p>Business Continuity Plan</p> <p>Not a subscriber? Access the PDF.</p>	<p>Establishes contingency planning with respect to companies that provide their clients with mission-critical computer services.</p>	<p>Form</p>
<p>Telecommuting Agreements: Key Drafting Considerations</p> <p>Not a subscriber? Access the PDF.</p>	<p>This practice note addresses the purposes for entering into telecommuting agreements (also known as teleworking and remote working agreements), the essential components of effective telecommuting agreements, and practical drafting suggestions and tips, both for during the COVID-19 pandemic and more generally.</p>	<p>Practice Note</p>

<p>Telecommuting Agreement</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form is a telecommuting agreement (also known as a teleworking, telework, work from home, or remote work agreement), which employers can use to establish expectations and requirements for remote workers and people working at home during the novel coronavirus (COVID-19) pandemic and more generally.</p>	<p>Form</p>
<p>Settlement Agreements: Initial Assessment, Drafting, and Negotiating Techniques (Pro-Employer)</p> <p>Not a subscriber? Access the PDF.</p>	<p>This practice note outlines common concerns you will address as counsel to an employer in assessing the employer's settlement prospects and drafting and negotiating settlement agreements.</p>	<p>Practice Note</p>
<p>Rule 30(b)(6) Deposition Strategies for</p> <p>Not a subscriber? Access the PDF.</p>	<p>This practice note discusses depositions in employment cases under Federal Rules of Civil Procedure 30(b)(6), which allows an employee to depose an employer that is a corporation, governmental agency, or other organization.</p>	<p>Practice Note</p>
<p>Flu/Influenza Policy</p> <p>Not a subscriber? Access the PDF.</p>	<p>This non-jurisdictional form is a policy concerning the flu/influenza in the workplace. It also addresses the coronavirus (COVID-19). This form contains practical guidance, drafting notes, and alternate clauses.</p>	<p>Form</p>
<p>Declination of Flu/Influenza Vaccination for Medical Contraindication</p> <p>Not a subscriber? Access the PDF.</p>	<p>This non-jurisdictional form is a policy allowing employees to decline a flu/influenza vaccination. It also addresses the coronavirus. It contains practical guidance and drafting notes.</p>	<p>Form</p>
<p>OSH Act Requirements, Inspections, Citations, and Defenses</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides guidance on complying with federal OSH Act requirements and inspections and understanding defenses and potential citations for noncompliance.</p>	<p>Practice Note</p>

OSH Act Compliance, Employee Health, and Workplace Security State Practice Notes Chart Not a subscriber? Access the PDF.	Lists each state's practice notes on state OSH Act compliance, employee health, and workplace security issues in the Practical Guidance Labor & Employment offering, including relevant sections of the XpertHR Employment Law Manual.	Chart
Life Sciences Industry Guide for Labor and Employment Not a subscriber? Access the PDF.	This guide covers topics that labor and employment counsel regularly face in representing employers within the life sciences industry, including coronavirus (COVID-19) guidance for life sciences employers.	Practice Note
Workplace Safety Policies: Key Drafting Tips Not a subscriber? Access the PDF.	Addresses best practices for drafting workplace safety policies. For a sample annotated workplace safety policy, see Workplace Safety Policy .	Practice Note
Emergency Procedure Policies: Key Drafting Tips Not a subscriber? Access the PDF.	Addresses best practices for drafting emergency procedures policies. For an annotated form of emergency response procedures, see Emergency Response Procedures .	Practice Note
Telecommuting Policies: Key Drafting Tips Not a subscriber? Access the PDF.	Provides guidance on drafting telecommuting policies to help attract and retain employees, create a professional atmosphere supportive of employees reaching their full potential, and meet the needs of a 24-hour global marketplace.	Practice Note
Attendance, Time-Off, and Leave of Absence Policies: Best Drafting and Administration Practices Not a subscriber? Access the PDF.	Addresses issues to consider when assisting employers with drafting and administering attendance, time off, and leaves of absence policies. Provides guidance on the applicable federal laws to understand when drafting and administering these policies.	Practice Note
Sick Leave Policies: Key Drafting Tips Not a subscriber? Access the PDF.	Addresses best practices for drafting sick leave policies.	Practice Note
HIPAA Privacy, Security, Breach Notification, and Other Administrative Simplification Rules Not a subscriber? Access the PDF.	Discusses rules under HIPAA impacting employers and the group health plans they sponsor.	Practice Note

<p>Confidential Medical Information in the Employee Leaves and Disability Context</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides guidance on meeting medical recordkeeping and confidentiality requirements under the FMLA, the ADA, GINA, and HIPAA.</p>	<p>Practice Note</p>
<p>Reduction in Force (RIF) Alternatives (Including Furloughs)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Details the steps a company should take when implementing a reduction in force (RIF). It also discusses whether an employer that is implementing a RIF must comply with the requirements of the federal Worker Adjustment and Retraining Notification Act (the WARN Act or WARN), 29 U.S.C. § 2101 et seq., and if so, how it can do so.</p>	<p>Practice Note</p>
<p>Reduction in Force (RIF) Alternatives</p> <p>Not a subscriber? Access the PDF.</p>	<p>Addresses alternatives to reductions in force, including furloughs, voluntary separation programs (VSPs), and early retirement incentive plans (ERIPs).</p>	<p>Practice Note</p>
<p>Investigations, Discipline, and Terminations State Practice Notes Chart</p> <p>Not a subscriber? Access the PDF.</p>	<p>Contains state-specific information related to layoffs/terminations. Among other things, it includes information on state-specific mini-WARN and termination notice obligations. Note also that the termination notice obligation sections of these notes always contain a subsection on corresponding federal termination notice requirements.</p>	<p>Chart</p>
<p>Employee Privacy State Practice Notes Chart</p> <p>Not a subscriber? Access the PDF.</p>	<p>Lists the relevant sections of the XperthR Employment Law Manual that discuss state employee privacy laws and that are included in the Practical Guidance Labor & Employment offering.</p>	<p>Chart</p>
<p>Timekeeping Policies and Practices under the FLSA</p> <p>Not a subscriber? Access the PDF.</p>	<p>This practice note discusses some of the key timekeeping issues for employers, including those raised by COVID-19, and recommends policies and practices that allow employers to successfully navigate them under federal law.</p>	<p>Practice Note</p>
<p>Telecommuting Employees: Best Practices Checklist</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides practical guidance on navigating the various legal and practical issues facing employers with respect to telecommuting, from responding to one-off employee requests to telework to deploying a formal telecommuting policy.</p>	<p>Checklist</p>

<p>Paid Sick Leave Policies Checklist (Best Drafting Practices for Employers)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides issues to consider when you assist employers with drafting paid sick leave policies.</p>	<p>Checklist</p>
<p>Mediating Employment Disputes Checklist (Including Sexual Harassment Claims)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Highlights the main points for attorneys to consider when pursuing the mediation of employment disputes, including mediation in the age of the coronavirus and best practices for videoconferencing.</p>	<p>Checklist</p>
<p>Workplace Safety Policy</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form is a Workplace Safety Policy that provides an employer the opportunity to inform employees of this commitment and to communicate to its employees its associated expectations.</p>	<p>Form</p>
<p>Emergency Response Procedures</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form is an Emergency Response Procedures for use by employers to provide clear direction to employees—and help manage the risk that is created—in the event of a workplace emergency such as fire or medical injury.</p>	<p>Form</p>
<p>Travel Policy (Including COVID-19 Travel)</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form is a Travel Policy (including COVID-19 Travel) that governs employee travel for personal and work-related reasons (including travel to and from work and business trips). This policy also addresses the consequences of employee travel to areas at high risk for COVID-19 transmission.</p>	<p>Form</p>
<p>Telecommuting Policy</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form is a Telecommuting Policy that helps attract and retain employees, create a professional atmosphere supportive of employees reaching their full potential, and meet the needs of a 24-hour global marketplace. It applies to home-based employees and other employees who work remotely.</p>	<p>Form</p>
<p>Flexible Work Schedule Policy</p> <p>Not a subscriber? Access the PDF.</p>	<p>Defines which employees are eligible, explains how employees may apply, describes the types of flexible schedules available, and sets forth the employer's expectations for employees with alternate schedules. It may apply to employees who work</p>	<p>Form</p>

	flex-time, part-time, or on a compressed schedule, share a position, or telecommute, including home-based employees and other employees who work remotely.	
Flexible Work Schedule Policy (IL) Not a subscriber? Access the PDF.	Defines which employees are eligible, explains how employees may apply, describes the types of flexible schedules available, and sets forth the employer's expectations for employees with alternate schedules. It may apply to employees who work flex-time, part-time, or on a compressed schedule, share a position, or telecommute, including home-based employees and other employees who work remotely.	Form
Paid Sick Leave Policy (with Acknowledgment) Not a subscriber? Access the PDF.	This non-jurisdictional form is a Paid Sick Leave Policy (with Acknowledgment) that governs employees' entitlement to sick leave. Employers may include this policy in an employee handbook or distribute it as a standalone policy. It is the template for our state sick leave policies and has not been tailored for any jurisdiction. Use this template alone or customize it for one or more jurisdictions. It is intended for private employers.	Form
Paid Time Off (PTO) and Sick Days Policy Not a subscriber? Access the PDF.	This form is a Paid Time Off (PTO) and Sick Days Policy for use by employers who elect to provide their employees paid time off (PTO) in lieu of vacation, sick, and/or other paid time off.	Form
HIPAA Privacy and Security Policy Not a subscriber? Access the PDF.	Use this HIPAA Privacy and Security Policy for a group health plan to satisfy the regulatory requirement that it set forth the written policies and procedures that it will follow to ensure its compliance with the privacy, security, and breach notification requirements of HIPAA.	Form

Life Sciences

Practical Guidance Documents	Notes	Content Type
<p>FDA Warning Letters Tracker</p> <p>Not a subscriber? Access the PDF.</p>	<p>Assists attorneys representing drug and medical device companies who need to monitor trends in Food and Drug Administration (FDA) enforcement activity affecting their clients. This tracker highlights selected drug and medical device-focused warning letters issued by the FDA in response to FDA's determination that a manufacturer has violated, or potentially violated, applicable requirements of the Food, Drug, and Cosmetics Act (FDCA), FDA regulations, or agency guidance. It also highlights warning letters for products related to coronavirus disease (COVID-19).</p>	Tracker
<p>FDA Drug Regulatory Activity Tracker</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides an editorially curated resource for attorneys representing drug companies who need to monitor FDA regulatory activity affecting their clients. In addition to summarizing FDA regulatory activity, this tracker features action items for attorneys including effective dates and compliance dates, deadlines for submitting comments in response to FDA proposed rules and draft guidance, and other key information.</p>	Tracker
<p>FDA Medical Device Regulatory Activity Tracker</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides an editorially curated resource for attorneys representing medical device companies who need to monitor FDA regulatory activity affecting their clients. In addition to summarizing FDA regulatory activity, this tracker features action items for attorneys including effective dates and compliance dates, deadlines for submitting comments to FDA proposed rules and draft guidance, and other key information.</p>	Tracker
<p>FDA Emergency Use Authorizations</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides guidance on FDA Emergency Use Authorizations (EUAs). Gives an overview of the legal and regulatory framework for EUAs, provides practical tips for obtaining an EUA, introduces considerations for importing and exporting under an EUA, and highlights certain recent EUAs.</p>	Practice Note

<p>Right-to-Try and Expanded Access to Experimental Drugs</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses best practices for pharmaceutical companies to manage requests for access to drugs as part of right-to-try and expanded access programs.</p>	<p>Practice Note</p>
<p>Right-to-Try and Expanded Access to Experimental Drugs Checklist</p> <p>Not a subscriber? Access the PDF.</p>	<p>Addresses best practices for advising drug companies about complying with right-to-try and expanded access provisions of the 21st Century Cures Act, 114 Pub. L. 255, and the Right to Try Act of 2018, Pub. L. 115–176 (RTTA).</p>	<p>Checklist</p>
<p>Pharmacist-Provided Immunization and Vaccination State Law Survey</p> <p>Not a subscriber? Access the PDF.</p>	<p>Addresses pharmacist administration of immunizations and immunization registries, including immunization provider reporting requirements and registry access in all 50 states, the District of Columbia, Guam, and Puerto Rico. Highlighted issues include continuing education requirements, administration to minors, administration pursuant to orders, protocols, prescriptions, reporting requirements, restrictions on immunizations or vaccines that may be administered, and availability of opting out of immunization registries.</p>	<p>State Law Survey</p>
<p>COVID-19 Spurs Big Changes in Telemedicine Regulation</p> <p>Not a subscriber? Access here.</p>	<p>The COVID-19 pandemic has done more than force most people to avoid leaving the house for anything but essentials; it has also prompted lawmakers and regulators to dramatically loosen the rules around the use of telemedicine, which allows doctors to treat patients remotely via phone, email or video.</p>	<p>Article</p>
<p>Deceptive Trade Practices and False Advertising State Law Survey</p> <p>Not a subscriber? Access the PDF.</p>	<p>Addresses prohibitions against false advertising and deceptive or unfair trade practices, including unlawful practices, applicable statute of limitations, civil and criminal penalties, and private causes of action.</p>	<p>State Law Survey</p>
<p>Coronavirus (COVID-19) Legal Issues for Healthcare Organizations</p> <p>Not a subscriber? Access the PDF.</p>		<p>Practice Note</p>
<p>Coronavirus (COVID-19) Key CMS Regulatory Guidance Tracker</p> <p>Not a subscriber? Access the PDF.</p>		<p>Practice Note</p>

Life Sciences Industry Guide for Labor and Employment Not a subscriber? Access the PDF.	<p>This guide covers topics that labor and employment counsel regularly face in representing employers within the life sciences industry, including coronavirus (COVID-19) guidance for life sciences employers.</p>	Practice Note
Managing FCA Risk Stemming from Virus Relief Funds Not a subscriber? Access the PDF.	<p>Discusses the intersection between Coronavirus Aid, Relief and Economic Security Act (CARES Act) and the False Claims Act (FCA).</p>	Article
Pandemic Creates Extra Cyber Risk for Health Care Providers Not a subscriber? Access the PDF.	<p>Discusses steps that life sciences and healthcare companies should take to minimize the cybersecurity risks to their patients, systems, and data.</p>	Article
Life Sciences M&A Transactions Not a subscriber? Access the PDF.	<p>This practice note discusses the impact of COVID-19 on M&A activity and transactions in the life sciences sector, as well as regulatory, structuring, due diligence, acquisition agreement, and transition/integration considerations.</p>	Practice Note
Compliance Tips For Running Clinical Trials During COVID-19 Not a subscriber? Access the PDF.	<p>Discusses unique challenges for sponsors and research institutions in conducting clinical research in the midst of the COVID-19 pandemic.</p>	Article
Coronavirus (COVID-19) FDA Administrative Activity Tracker Not a subscriber? Access the PDF.	<p>This practice note provides an editorially curated resource for attorneys representing drug, medical device, biotechnology, and other life sciences companies who need to monitor FDA regulatory activity related to COVID-19.</p>	Practice Note
COVID-19 Vaccine Developers Can Limit Liability From Trials Not a subscriber? Access the PDF.	<p>Discusses steps vaccine manufacturers can take to protect themselves against liability for accelerated development and testing of investigational COVID-19 vaccines.</p>	Article
What COVID-19 Means For The Future Of Health Mergers Not a subscriber? Access the PDF.	<p>What COVID-19 Means For The Future Of Health Mergers Text Box: Discusses the effect of COVID-19 on M&A activity in the healthcare industry, including hospitals and health systems, physician organizations, and telehealth.</p>	Article

Local Government Law

Practical Guidance Documents	Notes	Content Type
Local Government Law, Police Power Regulation: Health and Welfare, Antieau § 29B.03	Analysis of police power regulation to protect public health and welfare.	Analytical
Local Government Law, Police Power Regulation: Public Movement, Antieau § 29A.04	Analysis of police powers related to public movement and conduct limitations including curfews, gatherings and assemblies.	Analytical
Local Government COVID-19 Response	Much of the national discussion about COVID-19 has revolved around the federal and state governments' response to the pandemic, as well as the intermittent tensions between President Donald Trump and a number of state governors. Local governments have seen their share of conflict in relation to the pandemic too. But they have also been extremely active on the issue, considering a wide range of measures.	State Net
Top COVID-19 Priorities for Local Governments	More than a dozen cities and counties in multiple states have considered ordinances to help businesses weather the coronavirus pandemic, including loan and grant programs and extensions of business tax filing deadlines. Another top priority for local governments has been worker protections, such as COVID-19 leave. At least 18 cities and counties have also considered moratoriums on COVID-related commercial and residential evictions, but all of those jurisdictions are located in California.	State Net

Private Equity & Investment Management

Practical Guidance Documents	Notes	Content Type
Strategic Acquisitions of Distressed Companies in the COVID-19 Environment Not a subscriber? Access the PDF.	Discusses key differences between distressed asset transactions and transactions in a non-distressed situation, with additional COVID-19 context.	Article

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Real Estate

Practical Guidance Documents	Notes	Content Type
<p>Commercial Leasing --Financial Issues Facing Landlords and Tenants Related to COVID-19</p> <p>Not a subscriber? Access the PDF.</p>	<p>This article focuses on some of the financial issues facing landlords and tenants in the commercial lease context related to COVID-19, particularly as tenants begin seeking rent abatements and other concessions from landlords as a result of the inability to properly occupy, utilize and enjoy their business premises.</p>	Article
<p>Real Estate Deals and Leases — COVID-19 Considerations</p> <p>Not a subscriber? Access the PDF.</p>	<p>This article focuses on contractual provisions in existing documents that should be examined in light of concerns raised by the COVID-19 outbreak.</p>	Article
<p>How Technology May be a Key X-Factor in the Real Estate Industry's Road to Recovery</p> <p>Not a subscriber? Access the PDF.</p>	<p>This article provides a real estate asset class-specific overview supporting the vision that PropTech industry growth will pick up pace as the Coronavirus the crisis lifts.</p>	Article
<p>Steps That Property Owners Should Consider Taking During the COVID-19 Pandemic to Protect Their Real Estate Assets</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides practical guidance on protecting real estate assets during the COVID-19 pandemic.</p>	Article
<p>Florida Practice Alert: Does the Coronavirus Excuse Contract Performance?</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides guidance on the use of force majeure clauses and affirmative defenses to excuse contract performance in Florida due to COVID-19.</p>	Article
<p>Seven Ways the CARES Act Impacts the Real Estate Industry</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses ways the CARES Act affects the real estate industry.</p>	Article
<p>Post-COVID-19 Environmental Compliance Checklist</p> <p>Not a subscriber? Access the PDF.</p>	<p>This checklist to assist a company in assessing its environmental compliance status after COVID-19 federal and state limitations are lifted or reduced.</p>	Checklist
<p>Where in The World Is the Real Estate Relief?</p> <p>Not a subscriber? Access the PDF.</p>	<p>Discusses the lack of relief for commercial real estate owners and potential legislation to address that.</p>	Article
<p>Turbulent Times Ahead—Remember the Real Estate Workout?</p> <p>Not a subscriber? Access the PDF.</p>	<p>Explains lender and borrower concerns when considering a loan workout as an alternative to foreclosure during the economic downcycle triggered by COVID-19.</p>	Article

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Considerations for Florida Commercial Landlords and Tenants During the COVID-19 Crisis Not a subscriber? Access the PDF.	<p>Outlines considerations for landlords and tenants when encountering a default under the applicable lease.</p>	Article
CARES Act, Eviction Restrictions and Mortgage Relief Not a subscriber? Access the PDF.	<p>Explains eviction restrictions and mortgage relief contained in the CARES Act.</p>	Article
Managing Illinois Real Estate in the Time of COVID-19 Not a subscriber? Access the PDF.	<p>Discusses the impact of Illinois' statewide shelter in place order and the federal Cares Act on real estate owners and property managers in Illinois</p>	Article
Top Five Considerations for Construction Projects During the COVID-19 Outbreak Not a subscriber? Access the PDF.	<p>Discusses the top five issues that might have an impact on construction projects as a result of the pandemic.</p>	Article
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Navigating Coronavirus: A Guide for REIT General Counsel Not a subscriber? Access the PDF.	<p>Discusses key considerations for REIT general counsel.</p>	Article
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Amendment to Office Lease Agreement (Base Rent Concession, Extension of Lease Term) Not a subscriber? Access the PDF.	<p>This form of amendment to office lease agreement may be used to amend an existing office lease to provide for a mid-term free rent period and an extension of the lease term.</p>	Form
Amendment to Commercial Purchase and Sale Agreement (Excuse Seller's Performance for COVID-19 Conditions; Modify Leasing Covenants) (Pro-Seller) Not a subscriber? Access the PDF.	<p>This form of amendment to purchase and sale agreement may be used to amend an existing commercial purchase and sale agreement to modify or excuse the performance of certain seller obligations due to conditions arising from the COVID-19 pandemic.</p>	Form

Amendment to Retail Lease Agreement (Fixed Rent Concession, Extension of Lease Term) Not a subscriber? Access the PDF.	This form of amendment to retail lease agreement may be used to amend an existing retail lease to provide for a mid-term free rent period and an extension of the lease term.	Form
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Tax

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Remote Working Implicates State Payroll Tax, Corporate Income/Franchise Tax Nexus Concerns Not a subscriber? Access the PDF.	This article discusses how employee remote working arrangements during the coronavirus (COVID-19) pandemic may inadvertently trigger state payroll tax registration and filing requirements for their businesses, as well as corporate income/franchise tax "nexus" with another state.	Article
PPP Borrowers Might Take Biz Deductions Despite IRS Notice Not a subscriber? Access the PDF.	In IRS Notice 2020-32, the IRS indicates that taxpayer business expenses that would normally be deductible in computing taxable income may not be deductible if the taxpayer uses funds from a forgiven PPP loan to pay such expenses. Taxpayers may disagree.	Article
Covid-19: New IRS Guidance Provides Relief for IRA Owners and Providers Not a subscriber? Access the PDF.	This article discusses recent IRS guidance in Notice 2020-50 and Notice 2020-51 to help owners and beneficiaries of IRAs and IRA providers navigate CARES Act relief related to required minimum distributions for 2020.	Article
Tax Effects of PPP Loan Forgiveness – IRS Notice 2020-32 Not a subscriber? Access the PDF.	This article discusses IRS Notice 2020-32 which the IRS issued to address the deductibility of loan amounts received under the Paycheck Protection Program (PPP) of the CARES Act	Article

Key Tax Factors To Consider Before Accepting PPP Loans Not a subscriber? Access the PDF.	<p>While the CARES Act specifically provides that Payroll Protection Loans (PPP) can be forgiven and that the loan amounts are not taxable income, this article discusses the terms and conditions that will apply.</p>	Article
Coronavirus Tax Relief Not a subscriber? Access the PDF.	<p>Discusses action taken by Congress and the IRS to provide coronavirus tax relief including H.R. 6201 and high deductible health plan guidance. Also included is a discussion of the IRC Section 139 tax benefits and the potential tax filing extension.</p>	Article
Coronavirus Aid, Relief, and Economic Security Act or the "CARES Act" (H.R. 748) Not a subscriber? Access the PDF.	<p>Provides a detailed discussion of the tax provisions of the CARES Act.</p>	Article
NOL Changes and Opportunities in the CARES Act and Revenue Procedure 2020-24 Not a subscriber? Access the PDF.	<p>Discusses planning opportunities resulting from CARES Act provisions easing the restrictions on carryback of net operating losses.</p>	Article
IRS To Suspend Some Tax Enforcement in Light Of COVID-19 Not a subscriber? Access the PDF.	<p>Describes the IRS announcement Wednesday that it will immediately suspend certain tax payments and compliance programs and pledged not to begin new audits or private debt collections until at least July 15 in response to the coronavirus outbreak.</p>	Article

Trusts & Estates

Practical Guidance Documents	Notes	Content Type
Power of Attorney Not a subscriber? Access the PDF.	<p>A jurisdiction-neutral power of attorney that may be modified for any state. Modeled on the Uniform Power of Attorney Act statutory form.</p>	Form
Estate Planning during the COVID-19 (Coronavirus) Pandemic: IRS Low Interest Rates for May and June 2020 Not a subscriber? Access the PDF.	<p>Discusses estate planning opportunities created by current low interest rates.</p>	Articles

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Remote Notarization Chart Not a subscriber? Access the PDF.	Identifies the status of remote notarization laws in key states. It includes Executive Orders recently issued to address notarization challenges related to COVID-19.	Chart
Advance Health Care Directive Not a subscriber? Access the PDF.	Form which enables an individual to both memorialize his or her desires regarding life-sustaining treatment and authorize an agent to make health care decisions on his or her behalf. It is non-jurisdictional and may be modified for any state.	Form
Estate Planning in an Emergency Checklist Not a subscriber? Access the PDF.	Checklist providing estate planning considerations for use in an emergency or time-sensitive situation, such as the COVID-19 pandemic. It provides a quick reference on the primary issues to keep in mind when preparing a client's estate planning documents.	Checklist
Letter to Client (COVID-19 Estate Planning Guidance) (NJ) Not a subscriber? Access the PDF.	Letter to a current or former client that provides general guidance on estate planning during the coronavirus (COVID-19) pandemic.	Form
Virtual Consent Clause Not a subscriber? Access the PDF.	Clause authorizing a client's designated representative to communicate virtually with his or her health care provider. Given the quarantine orders many individuals are experiencing during the coronavirus (COVID-19) pandemic, it is imperative for the appointed representative to have the authority to consent to treatment through virtual means.	Clause
Not a subscriber? Access the PDF.	Letter to a current or former client that provides general guidance on estate planning during the coronavirus (COVID-19) pandemic.	Form
HIPAA Release (NJ) Not a subscriber? Access the PDF.	This form can be signed by an individual to authorize the release of protected health information to third parties that would otherwise not be permitted by the HIPAA privacy rule. While the form is specific to New Jersey, it applies federal privacy laws and regulations, and can be adapted for the law of the state in which the client resides with minimal modification.	Form

<p>Estate Planning Checklist (Initial Client Interview) (NY)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Provides guidance on issues to consider and questions to ask clients when discussing their estate planning.</p>	<p>Checklist</p>
<p>Standby Guardian Designation (NJ)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Form that can be used to appoint a guardian of minor children to take effect upon the occurrence of a specified event, typically the incapacity of the custodial parent. In light of the coronavirus pandemic and the potential that a client could face an unexpected medical emergency, you should ensure your clients have the proper documents in place to accurately protect them and their children. While this form is drafted in accordance with New Jersey law, it can be adapted for use in other jurisdictions.</p>	<p>Form</p>
<p>Advance Health Care Directive (NJ)</p> <p>Not a subscriber? Access the PDF.</p>	<p>This form is an advance directive for use in New Jersey. It is a combined directive, enabling the client to both appoint a health care representative and memorialize her/his intentions regarding future medical treatment and preferences in the event he/she loses decision-making capability. While the form is specific to New Jersey, it can be adapted for the law of the state in which the client resides.</p>	<p>Form</p>
<p>Life-Sustaining Treatment Directive Clause (Non-terminal Illness)</p> <p>Not a subscriber? Access the PDF.</p>	<p>Clause to include in a living will to memorialize an individual's wishes for life-sustaining treatment when the individual is severely ill, but not terminal. For example, an individual experiencing severe respiratory failure due to COVID-19 would not be considered terminal or incurable, but in some circumstances may survive only with intubation or other life-sustaining measures.</p>	<p>Clause</p>

Related Content

Coronavirus Aid, Relief and Economic Security Act, [2020 Enacted H.R. 748, Enacted H.R. 748, P.L. No. 116-136](#)

Employee Health (Federal): [XpertHR Employment Law Manual 3225](#)

[Novel Coronavirus Information Center](#) (Elsevier)

[How to Protect Yourself & Others](#) (Centers for Disease Control and Prevention)

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