

The International Society of Primerus Law Firms

XPRESS e-Newsletter

October 2019

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Labor & Employment

UNITED STATES

#Timesup On Claims of Sexual Harassment Filed Too Late?

[Theresa Nelson](#)

[Strauss Troy](#)

Cincinnati, Ohio

In the past two years, we have seen allegations or accusations of sexual harassment being reported in the media on a regular basis. And, campaigns and posts on social media, including the #metoo and #TimesUp movements, have revealed countless more allegations. While there is no time limit on someone's right to free speech, there is a time limit to take an accusation of sexual harassment out of social media or the press and into a courtroom.

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Business

BELGIUM

Why Belgium is the Perfect Location for Setting Up or Expanding Your Business

[Seeds of Law](#)

Brussels, Belgium

It is becoming increasingly clear that there is a good chance that there will be a no-deal Brexit. And in that case, both the duties and formalities of customs will come into force and the free movement of goods, services and people will be halted.

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Real Estate

NETHERLANDS

Liability For Information About the Use of Business Premises

Ynze Kliphuis

Russell Advocaten B.V.

Amsterdam, Netherlands

You cannot just start a business anywhere. It is therefore important to check when buying a business property whether what you want to do in it (shop, office, restaurant, etc.) can be done in it according to the zoning plan. Often, the estate agent or seller will provide information about this. Can you rely on this information and neglect your own research with the risk of buying a cat in a bag? And does it matter who gave this information, the seller or the estate agent?

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Construction Law

UNITED STATES

Michigan Court of Appeals Holds that a Construction Lien is Limited to the Amount of the Contract Less any Payment Already Made

Demorest Law Firm, PLLC

Royal Oak, Michigan

In the Michigan Court of Appeals' September 10, 2019 published opinion, *TSP Services, Inc. v. National-Standard, LLC*, (No. 342530), the Court held that in a dispute over a construction contract, Michigan law limits a construction lien to the amount of the contract minus any payment already made.

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International Litigation

UNITED STATES

The Netherlands Commercial Court: Litigation in a Global Age

Michael Kiernan

Earp Cohn P.C.

Cherry Hill, New Jersey

Efficient and speedy resolution of disputes in English is the future of international commercial litigation. In a truly global age, international business cannot be burdened with inefficient and costly litigation. The Netherlands Commercial Court (NCC) is a specialized commercial court, opened on January 1, 2019 (post-Brexit), to provide an English language forum located in Amsterdam for the speedy disposition of disputes with an international element.

[Full Article](#)

NETHERLANDS

Brexit: How to Prepare as an Expat in the Netherlands

Ynze Kliphuis

Russell Advocaten B.V.

Amsterdam, Netherlands

The clock is ticking while discussions about deal or no-deal, backstop and extensions continue. British nationals living, working and/or studying in the Netherlands can prepare for a smooth application of a post-Brexit residence permit in the meantime.

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Banking & Finance

GERMANY

Establishment of a Subsidiary for Financial Services in Germany

[Phillipe Dagobert Winterstein](#)

[WINHELLER Attorneys at Law & Tax Advisors](#)

Frankfurt, Germany

The establishment of a branch in Germany offers European companies an undreamt-of advantage. This advantage will be revealed below. Furthermore, the relevant supervisory law for the establishment of a subsidiary in Germany will be examined.

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Insolvency & Restructuring

HONG KONG

Is Arbitration Clause an Absolute Bar to Winding-Up Petition? The Latest Position After the *Lasmos Case*

[ONC Lawyers](#)

Hong Kong

If there is an arbitration clause in the contract between two parties, can one party who claims that an undisputed sum is owed by the party commence winding-up proceedings against the party in default?

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Cybersecurity

UNITED STATES

California Ballot Initiative Seeks to Align the State with GDPR - and Other States May Follow

[Kenneth Rashbaum](#)

[Barton LLP](#)

New York, New York

Alistair Mactaggart, who proposed the 2018 ballot initiative that prompted the California legislature to pass the California Consumer Privacy Act (CCPA), has proposed a new ballot

initiative that, if passed, could bring California closer to the European standard of privacy. As in the past, other states may well follow California's lead.

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Environment

UNITED STATES

SF Regional Board Attempts to Clarify Vapor Intrusion Approach

[Sherry Jackman](#)

[Brian Moskal](#)

[Greenberg Glusker](#)

Los Angeles, California

The San Francisco Regional Water Quality Control Board recently issued a fact sheet summarizing changes to its approach to remediating environmental impacts and mitigating vapor intrusion (VI) at properties impacted with volatile organic compounds (VOCs). This follows a January 2019 update to the Board's vapor intrusion environmental screening levels- which are, not surprisingly, lower than ever before.

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Paradigm Magazine



The [2019 Fall Paradigm Magazine](#) delivers articles regarding developments and trends in legal issues relevant to corporate clients around the world, while showcasing Primerus members as leaders with the expertise to assist clients with any legal needs they may have. It is published twice a year and mailed to Primerus members as well as clients around the world.

If you would like to be added to our hard copy mailing list, please include your mailing address in a brief email to Alicia Bos at abos@primerus.com.

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Primerus Client Resource Institute

The Primerus Client Resource Institute (PCRI) is the client section of the Primerus membership intended for in-house counsel, risk managers, claims managers, and corporate executives who are responsible for the legal affairs of their companies. Given the challenges of doing business in today's fast-paced, global economy, it has never been more important for companies around the world to develop trusted relationships with law firms that offer high quality legal services at reasonable fees. Primerus seeks out, screens and audits our firms



to make sure we have only the finest, so companies in need of legal services can call upon any Primerus lawyer with complete confidence that he or she is reasonably priced, highly competent, and worthy of your trust.

The PCRI was created with the help of some long-standing Primerus corporate clients, and offers in-house counsel and corporate executives an opportunity to connect with not only great law firms and lawyers, but also with other similarly situated in-house and corporate professionals.

Membership Benefits:

- There is no cost to join
- Free 30-minute legal consultation phone call with any Primerus member, anywhere in the world
- Assistance in finding the right Primerus lawyer(s) to meet your needs
- Access to free Primerus educational webinars
- Access to the PCRI Listserv to communicate with other PCRI members
- On-site education programs can be arranged that are customized to your industry and business

It's Easy to Join the PCRI

Click below to complete a brief online application. Once submitted, membership applications are reviewed and approved by the Primerus Client Resource Institute Executive Committee. Apply today, and you will hear from us soon.

[JOIN THE PCRI TODAY](#)

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[Legal Articles](#)

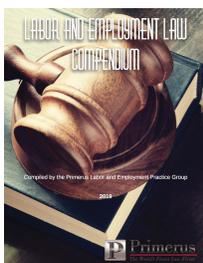
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Compendiums:

- [A Survey of the Law of Dram Shop and Alcohol Liability](#)
- [Doing Business in the Asia Pacific Region](#)
- [Young Lawyers Section Stare Decisis](#)
- [Women Lawyers Section Lady Justice Newsletter](#)

Additional Resources



On behalf of the Primerus Labor and Employment Practice Group, we are pleased to provide to all you, our valued clients, the Labor and Employment Law Compendium. Please review it and utilize it in your business. If you have any specific questions on the application of the labor and employment laws in your jurisdiction and their application to your specific issues, please consider contacting the firm or attorneys who contributed to this very scholarly and timely update of the current laws in this field. Please feel free to send this compendium to any of your colleagues who may benefit from its contents.

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Navigating U.S. Regulatory, Legal & Communications Hurdles - A Guidebook for Foreign Companies was prepared by [Levick](#) as part of the E-Book Series Volume 3. The obstacles facing foreign companies seeking to establish or expand operations in the U.S. are formidable. Not only are there a host of federal regulatory rules that must be observed but foreign companies must also comply with state and, in certain markets, local regulations.

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Join us for a Webinar!
Thursday, November 14, 2019
10:00 am PT/11:00 am MT/12:00 pm CT/1:00 pm ET

**Wage & Hour Regulations Effective January 1, 2020:
How Will This Impact Your Organization**
Speaker: Kimberly A. Nash, MBA, SHRM-SCP, SPHR, CMS of Brown & Brown Insurance

Join us for this webinar as we focus on the wage & hour regulations that will be effective January 1, 2020. Organizations should begin now to prepare for the changes and the impact of the changes.

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About Primerus

Primerus is a society of the world's finest independent, boutique law firms. With nearly 200 member firms in 50 countries, Primerus provides clients easy access to the right lawyer, with the right skills, in the right location, and at the right cost. We seek out, accept and retain only the best firms for membership. Each firm is screened to ensure its commitment to excellence as embodied in the Six Pillars: Integrity, Excellent Work Product, Reasonable Fees, Continuing Legal Education, Civility and Community Service. After more than 20 years, in which Primerus has experienced tremendous growth in membership and expansion of services, we have never wavered from this commitment, and we never will. [Click Here](#) to visit our website and learn more.

[Video: Why Hire a Primerus Lawyer?](#)
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