

Interview With(out) a Vampire Getting the Most Out of Your Legal Representation

Best Practices

Involve litigators in reviewing agreements before there is a dispute

- If you wait until there is potential or actual litigation, it can be too late
- Key provisions: Indemnification; Limitation of Liability; Dispute Resolution

Ask your attorney about alternatives that can save resources

- One resource that can be especially helpful is in contract management
- Helps ensure standardization of key contractual provisions
- Provides an automated manner to determine if there is a deviation from key language and ensure that any deviation is approved by legal
- Examples: Cancellation provisions; indemnification provisions; limitation of liability and dispute resolution provisions

Avoiding Common Mistakes and Inefficiencies

- Initial communications – shared knowledge of business plan and operations model
- Strategy versus Tactics – know the difference and get on the same page with counsel
- Budgeting issues – what are the major considerations and where are the landmarks
- Goals and Outcomes – discuss and evaluate, establish, pursue...what's missing?

Additional Considerations

- Historical Perspectives
- Communication Flow
- Timing Expectations