

COVID-19 Updates

As we continue to monitor COVID-19, White and Williams lawyers are working collaboratively to stay current on developments and counsel clients through the various legal and business issues that may arise across a variety of sectors.

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Education

How Can Colleges and Universities “Stay” Open: Lessons from the Pandemic (Webinar)
September 9, 2020 | Presented By: James P. Anelli, Nancy Conrad and George C. Morrison

COVID-19: Mitigating Risk and Liability for a Fall Reopening (Virtual Workshop)
August 5, 2020 | Presented by: Nancy Conrad

University Students Seek Refund of Tuition Fees and Other Costs
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Employee Benefits

Winter COVID-19 Relief Bill: Overview of Key Provisions
December 23, 2020

COVID-19 and Its Effect on Unemployment Benefits
May 14, 2020 | By: James P. Anelli and Robert M. Pettigrew

Finance and Lending

Good News for the Restaurant Industry – and Perhaps Their Landlords and Lenders
March 17, 2021 | By: Jared A. Sheinberg and Nancy Sabol Frantz

States Clarify Personal Income Tax Treatment Related To PPP Loan Forgiveness
January 29, 2021 | By: John J. Eagan and L. Stephen Bowers

Winter COVID-19 Relief Bill: Overview of Key Provisions
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IRS Issues Guidance on PPP Loans and the Employee Retention Credit in M&A Transactions
November 19, 2020 | By: John J. Eagan, Ryan J. Udell and L. Stephen Bowers

It's a Bird, It's a Plane, It's...the SBA? SBA Issues Guidance on Change of Ownership Transactions Involving PPP Loans
November 19, 2020 | By: Ryan J. Udell and Adam J. Chelminiak

You Have Questions...SBA Releases PPP Loan Forgiveness FAQs
August 19, 2020 | By: Ryan J. Udell and Adam J. Chelminiak

Evolving Trends in Valuation and Transaction Implications for Private Equity Firms in Today's COVID-19 Impacted World
ACG New York Webinar | Presented By: Lori S. Smith

Are We There Yet? - Part Deux
July 9, 2020 | By: Ryan J. Udell and Adam J. Chelminiak

Are We There Yet? SBA Issues Revised Guidance to Harmonize PPP with Flexibility Act Changes
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Cannabis Reform Introduced as a Response to the COVID-19 Crisis
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The Main Street Business Lending Program - Opening of Lender Registration and Proposed Expansion to Nonprofit Loans
June 17, 2020 | By: Jennifer R. Santangelo, Ryan J. Udell, Maulin S. Vidwans, Adam J. Chelminiak and Patrick A. Haggerty

The Main Street Business Lending Program - Expanded Terms
June 11, 2020 | By: Jennifer R. Santangelo, Ryan J. Udell, Maulin S. Vidwans, Adam J. Chelminiak and Patrick A. Haggerty

If You Don't Like the PPP Now, Wait a Few Minutes...Major Changes to PPP Loan Program as Congress Passes Payroll Protection Program Flexibility Act
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The Main Street Business Lending Program - Forms and Agreements
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The Main Street Business Lending Program - Update to Frequently Asked Questions
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Forgive or Regret?: SBA and Treasury Release Long-Awaited PPP Loan Forgiveness Final Interim Rules
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What's the Standard for "Commercially Reasonable" in a Commercially Unreasonable World (Health Crisis)? Part II
May 19, 2020 | By: Timothy E. Davis, Steven Coury and Kristen Andreoli

"Forgive Me SBA, For I Have Complied With the PPP": SBA Releases PPP Loan Forgiveness Application
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Get Answers to Your SBA Loan Questions
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Are We Entering Another "Nuclear Winter" for Venture Capital Financing?
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Making It Up As We Go Along?: Real-Time Changes to Paycheck Protection Program Continue with Release of Additional Rules
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The Main Street Lending Program - Frequently Asked Questions
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Private Equity and Other Businesses Need Not Apply: SBA Issues Fourth Paycheck Protection Program Interim Final Rule
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Lenders Win in Eligibility Battle - Heightened PPP Eligibility Policies Allowed
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The Main Street Business Lending Program
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Loan Modifications Due to COVID-19 Pandemic: FDIC Answers CARES Act FAQs
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Importance of Reviewing Existing Financing Agreements During COVID-19 Crisis
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Financial Restructuring and Bankruptcy

COVID-19 Pandemic Preference Amendments to Bankruptcy Code Benefiting Vendors, Customers, Commercial Landlords and Tenants
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Mezzanine Loan Defaults, UCC Foreclosures and Recent New York Court Decisions
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Recipe for Survival: What Restaurants Should "Takeaway" From Recent Retail Bankruptcies

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Looming Hotel Bankruptcies Impact Loan Workouts

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Second Circuit Decision Addresses New York Usury Laws and Post-Default Mortgage Loan Obligations

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New Subchapter V May be the Bankruptcy Lifeline Small Businesses Need to Survive COVID-19

Updated April 15, 2020 | By: Amy E. Vulpio

Commercial Lease Workouts During the COVID-19 Pandemic

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Distressed Debt and Workout Agreements During the COVID-19 Pandemic

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Healthcare, HIPAA, Health Technology and Telehealth

Are Telehealth Laws Here to Stay? A Survey of Legislation in NJ, DE, NY, PA and MA

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Protecting Access to Post-COVID-19 Telehealth Act Reintroduced to Congress

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COVID-19 Vaccine: The Key to Reopening the Garden State & Recovering from the Pandemic

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PA Bill Offering Healthcare Providers COVID-19 Civil Immunity Vetoed

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HHS Purports to Expand Civil Immunities Related to COVID-19 Vaccine

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New PA Bill Offers COVID-19 Civil Immunity to Healthcare Providers

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PA Issues New Detailed, Comprehensive Guidelines for SNF Visitation and Activities
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CMS 2021 Proposed Home Health Payment Rule May Make Certain Telehealth Changes Introduced During COVID-19 Pandemic Permanent
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Telehealth and Medical Liability
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A National Registry of COVID-19 Patients: The Legal Implications
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CMS Announces New COVID-19 Surveys and Enforcement
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New Jersey Wants You to Return to Your Doctor's Office
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COVID-19 Testing At Skilled Nursing Facilities: Guidance Based on PA DOH Advice
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Governor Wolf Signs Executive Order Providing Limited Immunity to Healthcare Providers
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COVID-19 CMS Blanket Waivers
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A Framework for Mitigating Liability Claims for Eldercare Facilities
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Will Pennsylvania Join Other States and Provide Immunity for Healthcare Workers Treating COVID-19 Patients?
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HHS Office of Civil Rights Reinforces Preclusion of Discriminatory Treatment Denials
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CMS Suspends Standard Facility Surveys to Prioritize Immediate Jeopardy and Targeted Infection Surveys
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Fighting COVID-19 Across State Lines: Relaxing Provider Licensure and Renewal Requirements
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COVID-19 Pandemic Relief for Healthcare Providers Participating in Quality Reporting Programs
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To Combat COVID-19, Delaware Opens Its Doors to Out-of-State and Retired Healthcare Providers (and Limits Their Liability)
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Insurance

How Are Insurers And Policyholders Faring in COVID-19 Business Interruption Coverage Litigation?
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Court Holds That Insurance Producer Cannot Be Liable for Denial of COVID-19 Business Interruption Claim
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No Global MDL for COVID Business Interruption Claims, but Panel Will Consider Separate Consolidated Proceedings for Lloyds, Cincinnati, Hartford, Society
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MDL Panel Presented With Numerous Solutions for Handling Hundreds of Federal COVID-19 Coverage Actions
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The Show Must Go On: Navigating Arbitration In The Wake Of The COVID-19 Outbreak
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Case of First Impression Rules No Coverage for COVID Business Interruption Claim Because No Direct Physical Loss
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Recent Decisions Raise Ceiling for Homeowners Seeking Coverage for COVID-19 Losses
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Shuttered Businesses Seek National Consolidation of COVID-19 Business Interruption Claims
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Pennsylvania Joins the Fray: Legislature Introduces Bill to Force Insurers to Pay for COVID-19-Related Business Interruption Losses
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COVID-19 and Subrogation: The Coronavirus' Impact on Property Losses and Subrogation Claims
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New York Joins Growing Collection of States Considering Laws to Force Insurers to Pay COVID-19 Business Interruption Losses
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New DJ Takes Different Tack on Business Interruption Coverage for COVID-19
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PA State Representative Requests a Resolution Urging Congress to Reimburse Insurers for COVID-19 Business Interruption Claim Payments
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Massachusetts Joins the Fray, Introduces Bill Forcing Insurers to Pay for COVID-19-Related Business Interruption Losses
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Ohio Follows NJ: Legislature Introduces Bill to Force Insurers to Pay for COVID-19-Related Business Interruption Losses
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"Direct Physical Loss or Damage": The Gatekeeper to Property Insurance Coverage and COVID-19
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Why the Disconnect Between Perception and Reality for COVID-19 Business Interruption Coverage
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New Jersey's Proposed COVID-2019 Business Interruption Insurance Legislation Fails to Socially Distance Itself From Constitutional Prohibitions

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COVID-19: The Real Operation of New Jersey's Proposed Insurance Legislation
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First Coronavirus Coverage Suit Filed For Business Interruption
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ISO Excluded Coronavirus Coverage 15 Years Ago
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New Jersey Legislature Considering Bill To Force Insurers To Pay COVID-19 Business Interruption Claims Expressly Excluded By ISO's "Virus" Exclusion
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CGL Coverage and Coronavirus: Is Causing Exposure an "Occurrence"?
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Intellectual Property

USPTO Issues Third Notice Extending Certain Patent & Trademark Deadlines Due to COVID-19

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USPTO Issues Notice Waiving Certain Patent and Trademark Deadlines Due to COVID-19
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Labor and Employment

Key Takeaways For Employers in the Aftermath of the Supreme Court's Halt to OSHA's Vax/Testing Mandate
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Five Things Employers Must Know About Their Workplaces, the Raging Covid-19 Pandemic and OSHA's Emergency Rule Status
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OSHA ETS Heads to Sixth Circuit
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New Requirements for Most Employers for the New Year
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EEOC Updates COVID-19 Religious Accommodation Guidance
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Employers Beware: EEOC Files Pandemic Related Remote Work Lawsuit
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More Guidance Yields More Questions
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A "Key to NYC" Checklist for New York City Employers
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Are Vaccine Mandates Becoming the "New Normal" For Employers?
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Employer Vaccination Policies Will Continue to Gain Momentum as DOJ Offers New Guidance and Federal Employers Impose New
Vaccine Requirements
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Managing Generation Z in the Workplace
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EEOC Updates on Vaccination Policies
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Masks Off for Fully Vaccinated Employees?
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Employment Discrimination Claims Related to Vaccination Refusal – Religious Beliefs
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COVID-19 Update for New Jersey and Pennsylvania
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New Jersey Employers Should Update Their Workplace COVID-19 Safety Protocols In Light of Recent Executive Order
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Department of Labor Revises Families First Coronavirus Response Act Temporary Rule
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5 Steps Employers Should Take to Gear Up For Back-to-School
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PA Governor Orders Targeted Mitigation Measures, Including Telework Unless Not Possible
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Philadelphia Enacts COVID-19 Whistleblower Protection Ordinance
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Green Phase or Next Phase: Updated Guidance for Pennsylvania Employers and Employees Returning to the Workplace
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Checklist For Returning Employees to the Workplace
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Pennsylvania Return to the Workplace
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PA's Potential for a Presumption of Work-Related COVID-19 Injuries
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Return-to-Workplace Checklist: Considerations and Emerging Best Practices for Employers
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NJ Essential Employers Can Expect a Presumption For Work-Related COVID-19
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Updated Guidance from the EEOC Regarding COVID-19 and the ADA, the Rehabilitation Act and Other EEO Laws
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Return to Work: Guidance for Workplace Reopening
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Striking the Balance: Making the Tough Judicial Call
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COVID-19 Fallout: Enforceability of Restrictive Covenants Against Furloughed and Laid Off Employees
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Worker Safety Measures Ordered in Pennsylvania and Other Jurisdictions
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Multi-Agency Guidance Clarifies Statutory Impact on Employer Health Plans
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Enforcement Guidance for Recording Cases of COVID-19
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OSHA Releases COVID-19 Guidance
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Understanding New Paid Leave Rules In The Coronavirus Response Act
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DOL Issues First Guidance on Families First Act
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An Emergent Webinar: Navigating COVID-19's Impact - What Every Employer Must Know (Recording)
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PA Work Injuries While Working Remotely
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FAQ: What Every Employer Needs to Know About the Families First Coronavirus Response Act
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The Families First Coronavirus Response Act: An Analysis
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Coronavirus (COVID-19) in the Course and Scope of PA Employment
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Coronavirus Panic Is Going Viral-Steps to Take to Protect Your Workplace
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Litigation

Open Court: Return of In-Person Jury Trials in Philadelphia and Resolving Cases During COVID-19 Fair Cross-Section Concerns Potentially Impacting Pandemic Jury Trials
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Fair Cross-Section Concerns Potentially Impacting Pandemic Jury Trials
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Successor Liability in the Pandemic Era
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Considering the Juror Pandemic Lens – Seating a Jury
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M&A Risk Allocation: Drafting and Litigation Considerations in the Era of COVID-19
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Workers' Compensation Act Exclusivity Likely Bars Most Employee COVID-19 Claims
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It Has Started: Supply-Chain, Warehouse and Retail Workers of Essential Businesses Are Filing Suit

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Not Remotely Law As Usual: Don't Settle for Delays - Settle at Remote Mediation

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Pennsylvania Courts Closed Through April 30, 2020: Litigating in the Current Statewide Emergency

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The Remote Deposition – The Same But Different

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Is a Violation of a COVID-19 Order the Basis For Civil Liability?

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Social Distancing and the Impact on Service of Process Amid the COVID-19 Pandemic

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Attempt to Enjoin Governor Wolf's Shutdown Order Denied by PA Supreme Court

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Real Estate

Good News for the Restaurant Industry – and Perhaps Their Landlords and Lenders

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CDC Issues Moratorium on Residential Evictions Through 2020

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New York Court Temporarily Enjoins UCC Foreclosure Sale

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Congress Introduces HOPE-ful Solution for Distressed CRE Borrowers

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How COVID-19 Mezzanine Foreclosures May Fare In NY Courts

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Mezzanine Loan Defaults, UCC Foreclosures and Recent New York Court Decisions

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Debt Forbearance/Settlement Agreements: One of the Most Important and Often Overlooked Clauses

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Consider Short-Term Lease Workouts For Commercial Tenants

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What's the Standard for "Commercially Reasonable" in a Commercially Unreasonable World (Health Crisis)? Part II

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Delaware Covid-19 Emergency Order Restricts Normal Operations of Insurers, Lenders, Landlords and Utilities

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Selling and Purchasing Performing and Non-Performing Loans: Threshold Issues to Consider

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