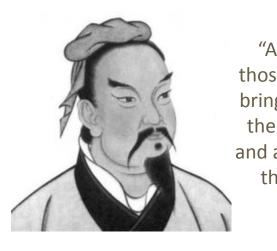
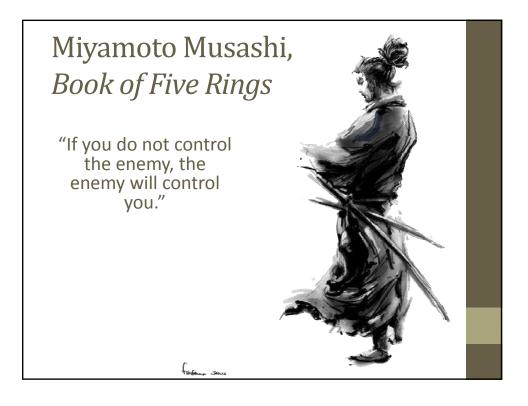
Forum Selection... Choice of Law... and a Tale of Stipulations

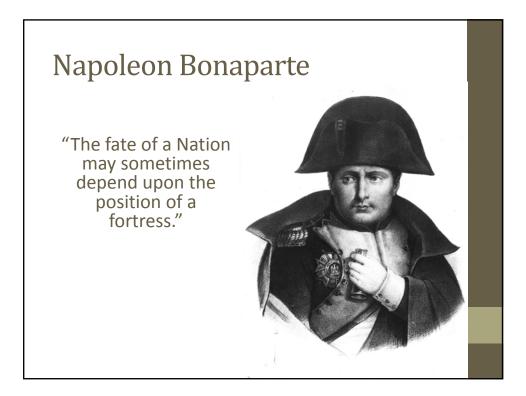


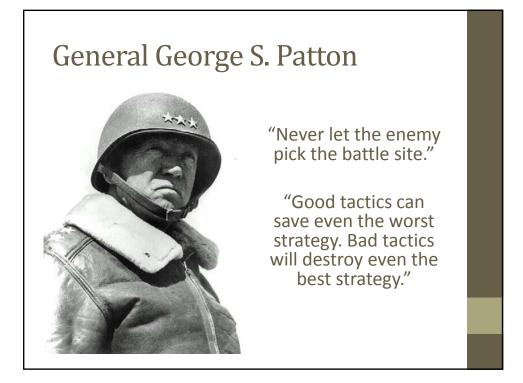
Sun Tzu, The Art of War



"And therefore those skilled in war bring the enemy to the field of battle and are not brought there by him."







Forum Selection Clauses

Majority Rule

• The common understanding is that these provisions are prima facie valid and should be enforced unless unreasonable under the circumstances. *See Bremen v. Zapata Off-Shore Co.*, 407 U.S. 1 (1972).

Texas Rule

• Conspicuous Clauses are generally upheld, unless fraud, overreaching, or unreasonable and unjust. *In re AIU Ins. Co.*, 148 S.W.3d 109 (Tex. 2004).



Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the <u>UT Law CLE eLibrary (utcle.org/elibrary)</u>

Title search: Forum Selection... Choice of Law... and a Tale of Stipulations

Also available as part of the eCourse <u>Ethics: Embracing the Cutting Edge of Effective Non-Competes</u>

First appeared as part of the conference materials for the 2015 Non-Compete Camp session "Forum Selection... Choice of Law... and a Tale of Stipulations"