

Jenner & Block Japan Newsletter

Publications

October 2024

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Welcome to the October 2024 edition of the *Jenner & Block Japan Newsletter*, a publication containing updates about legal developments in the United States that may be noteworthy to our clients and other leaders in the Japanese legal and business communities.

First, we are pleased to report that this year Jenner & Block was again named to *The American Lawyer's* A-List, an annual list highlighting the top 20 law firms in the United States. We received this accolade in part because of your support, for which we are grateful. Considered to be among the industry's most prestigious rankings, the A-List comprises firms that *The American Lawyer* considers "the best of the best."

Turning to the content of this month's issue, the October 2024 edition of our newsletter begins with an update on the status of "non-competition" agreements in the US, which were declared an unfair method of competition by the Federal Trade Commission earlier this year. This is followed by an examination of a recent Notice of Proposed Rulemaking issued by the Committee on Foreign Investment that has wide reaching implications on overseas investors, including those from Japan.

We also address a few major court decisions, including a ruling by the Delaware Supreme Court regarding the fairness standard of review for controlling stockholder transactions; a decision by the US Court of Appeals for the DC Circuit which impacts the Foreign Agent Registration Act; and the Supreme Court's reversal of the 40-year-old *Chevron* doctrine, which has particular consequence for US regulatory agencies and executive departments. This edition also provides an update on proposed amendments to the English Arbitration Act, recently signed reforms to California's Private Attorneys General Act, and changes to the National Defense Authorization Act. It also contains an overview and prospects regarding the Infrastructure Investment and Jobs Act and Inflation Reduction Act.

We hope that you find the information in the *Jenner & Block Japan Newsletter* of interest. We thank you for taking the time to review our publication.

Regards,

The Jenner & Block Team

Articles

CFIUS

2024 CFIUS Developments: Implications for Japanese Investors in the United States

Noncompete

Non-Competition Agreements; FTC Rule Status

Corporate

Delaware Supreme Court Clarifies *MFW* Framework

Arbitration

Amendments to the English Arbitration Act on Hold

Corporate

Drafting Oversight Costs Seller \$109 Million: The Save Mart Case

Mergers & Acquisitions

Changes to Reporting Requirements for U.S. Defense Transactions

PAGA

California Governor Signs PAGA Amendments into Law, Declaring “a big win for both workers and businesses.”

Energy

Energy Infrastructure Funding Opportunities under the Infrastructure Law and Inflation Reduction Act

FARA

DC Circuit Upholds Bar on Registration for Former Foreign Agents

US Supreme Court

End of an Era: The Supreme Court Reverses *Chevron*

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