

Zane Gilmer, Sharon Markowitz Quoted on Force Majeure and Breach of Contracts

In the News

03.26.2020

With the coronavirus pandemic expected to impact businesses and supply chains throughout the coming months, companies are taking a look at their contracts and their options. Partners [Zane Gilmer](#) and [Sharon Markowitz](#) were quoted in an [article by Bloomberg Law](#) on what businesses should keep in mind when it comes to contract breaches and force majeure clauses.

Zane noted an increase in bankruptcy cases is expected in the coming weeks but [force majeure provisions](#), intended to protect against uncontrollable circumstances, may help some companies avoid damages associated with a breach of contract.

Zane and Sharon further explained that the timing of invoking force majeure is critical. If a company invokes force majeure prematurely, before knowing they are unable to perform their services, they could be breaching their contract. And “if it turns out you can perform the contract, you may have caused your counterparty extra damage by telling them you could not perform the service, thereby forcing them to go out into the market and find a substitute for you when that was unnecessary,” said Sharon.

With a background in securities, banking and compliance, Zane is an experienced litigator representing financial services firms and others in highly regulated industries. He frequently represents individuals and companies in high-stakes litigation involving business and investment disputes, banks and other financial institutions, cannabis investors, and others.

In addition to counseling clients and litigating force-majeure issues, Sharon defends clients in high-exposure, complex litigation, often involving complex quantitative analysis. She focuses her representation on financial services clients and also handles class action litigation and appellate litigation for a range of clients. She uses her quantitative analysis skills to assess damages theories, quantitative methods of proof, the quantitative impact of various arguments, potential exposure, and the appropriate

Zane Gilmer, Sharon Markowitz Quoted on Force Majeure and Breach of Contracts

legal strategy for each case.

Stinson's Coronavirus Task Force supports the short and long-term business needs as COVID-19 impacts companies and affects workforces and the global supply chain. The task force provides subject matter authorities as a quick-response team with current, authoritative legal guidance on the ever-changing aspects of how COVID-19 impacts business.

CONTACTS

Zane A. Gilmer

Sharon R. Markowitz

RELATED CAPABILITIES

Business Litigation

STINSON

STINSON LLP \ STINSON.COM