

California Court of Appeal Confirms Four-Year Statute Does Not Apply to Claim for Express Indemnity

(by Jacqueline Pons-Bunney, Esq. and Brian P. Roteliuk, Esq.)

In the recently decided Valley Crest case, the California Court of Appeal held that California's four-year statute of repose does not apply to claims for express indemnity. *Valley Crest Landscape Development, Inc. v. Mission Pools of Escondido, Inc.* (2015) 238 Cal.App.4th 468.

Update to AAA Arbitration Rules Regarding Dispositive Motions

(by Brian P. Roteliuk, Esq.)

Recently, the American Arbitration Association ("AAA") amended its Construction Industry Arbitration Rules and Mediation Procedures, effective July 1, 2015. The prior version of the AAA Construction Industry rules were those amended and effective October 1, 2009.

A significant addition to the newly revised AAA Construction Industry rules is the inclusion of new rule R-34, entitled "**Dispositive Motions**," and which sets forth as follows:

"Upon prior written application, the arbitrator may permit motions that dispose of all or part of a claim, or narrow the issues in a case."

(See AAA Construction Industry Rule R-34, amended and effective July 1, 2015.)

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