



Daily COVID-19 Bulletin

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April 27, 2020

To Our Clients and Colleagues:

Gibson Dunn's lawyers regularly counsel clients on issues raised by the COVID-19 pandemic, and we are working with many of our clients on their response to COVID-19. The following is a round-up of today's client alerts on this topic prepared by the Gibson Dunn team. Our lawyers are available to assist with any questions you may have regarding developments related to the outbreak. As always, for additional information, please feel free to contact the Gibson Dunn lawyer with whom you usually work, or any member of the firm's **[Coronavirus \(COVID-19\) Response Team](#)**.

GLOBAL OVERVIEW

COVID-19: Fundraising Considerations for Private Investment Fund Sponsors

This briefing covers steps sponsors should consider taking when fundraising in the current environment. Investor interest in private investment funds is generally expected to remain subdued in the months ahead, based on recent industry surveys. These trends may become especially challenging for less established sponsors throughout 2020 and into 2021. Sponsors currently or soon to be fundraising should plan to be proactive in communicating with investors about the impact of the pandemic on their investments and operations.

[Read more](#)

COVID-19 Events: Key High-Level Considerations in Reviewing Project Agreements and Financing Documents

As you navigate through the implications of the pandemic on your business, the following is a high-level list of some of the key issues to consider with respect to one or more events or consequences caused by the COVID-19 pandemic (“COVID-19 Event”) in reviewing your project agreements and financing documents. These include the impact of a COVID-19 Event under project agreements and commercial contracts such as concession agreements, offtake agreements, construction contracts, supply contracts, O&M agreements, among other issues.

[Read more](#)

Argued vs. Submitted Cases At 9th Circ. During Pandemic

The COVID-19 outbreak has placed significant pressure on courts and resulted in a surge of courts submitting cases on the briefs without oral argument. In response to COVID-19, the Ninth Circuit recently took the unusual step of canceling en banc oral arguments for the months of March, April and May. The court also announced that its panel hearings would be rescheduled, submitted on the briefs (without oral arguments), or argued remotely via teleconference or video. Since the Ninth Circuit’s March 2020 Notice, the percentage of cases submitted on the briefs without oral argument has increased from about 43% of the cases on the court’s calendar in January, February, and the first half of March 2020 to about 69% of cases in the second half of March and April. As illustrated below, this increase in the number of cases submitted on the briefs has affected all aspects of the court’s docket, but the effect on the court’s civil cases has been particularly notable. *Originally published by Law360 on April 24, 2020.*

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