



Israel Practice

# COVID-19 INSIGHTS UPDATE

## Holland & Knight COVID-19 Insights

June 12, 2020

We trust you and your families are all well, safe and in good health. Holland & Knight in partnership with the Israel-America Chamber of Commerce keeps you updated on pertinent American-Israeli topics relating to legal considerations and federal funding opportunities in connection with the coronavirus (COVID-19).

We invite you to read the Alerts below and reach out to us to discuss your thoughts or any questions you may have on this issue.

More information is available on our [COVID-19 Response Team page](#).

### Relevant Insights:

- [Part 1: Duties Among Members of Closely Held Businesses](#)

In this blog, the typical issues will be discussed, including the existence of fiduciary duties among the owners, relationship of the termination of employment with shareholder-employee claims, the existence of a claim for and the varying definitions of shareholder "oppression," impact of the behavior surrounding



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decisions, the frequent use of the remedy of a buyout and the standard of value to use in a buyout.

- [MassDEP Posts Guidance on Public Involvement Plan Activities During State of Emergency](#)

The Massachusetts Department of Environmental Protection's (MassDEP) Bureau of Waste Site Cleanup (BWSC) posted detailed guidance on June 3, 2020, regarding compliance with Public Involvement Plan (PIP) requirements under the Massachusetts Contingency Plan (MCP). The guidance addresses the three key areas impacted by the Massachusetts State of Emergency due to the COVID-19 pandemic, namely public notice requirements, holding public meetings and establishing public repositories for sites designated as PIP sites under 310 CMR 40.1404.

- [California Businesses Must Consult Local Guidelines Before Reopening](#)

As of June 1, 2020, almost all California counties have qualified and filed a Variance Attestation to operate in the latter part of Stage 2.1 However, in addition to consulting with the state's industry-specific guidelines, businesses are strongly urged to check with their local city and county to ensure that local jurisdictions are permitting those operations to resume and whether adherence to stricter local guidelines is required.

- [Civility Could Be Litigators' New Normal Even Post-Pandemic](#)

Holland & Knight Partner Matthew Vafidis wrote an article published in *Law360* sharing his experience with what he calls "new levels of civility" in litigation throughout the course of the COVID-19 pandemic. Mr. Vafidis recounts that this civility began with small gestures like mutually agreeing to postponements and says these small acts became part of a larger pattern of cooperation and courtesy.

- [Forwarding and Logistics Startups Must Be Wary of U.S. Licensing, Registration and Compliance Requirements](#)

When businesses offer to move goods in U.S. import or export trade, especially by ocean container transportation, including less than container load (LCL) packages, they are quite likely to be subject to license, registration, bonding, tariff publication and other regulatory compliance requirements under U.S. law and federal regulations. Comparing the service offerings of a number of these companies with the list of licensees and registrants on the Federal maritime Commission (FMC) list, it seems likely that some of these new players may not be aware of applicable regulatory requirements – or perhaps interpret them differently than the government does.

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- [HR Toolkit: Focusing on HR Fundamentals to Minimize Employment Law Liability in Uncertain Times](#)

Date/Time: June 19 at 12pm ET

Holland & Knight's HR Toolkit Series highlights fundamental HR best practices that are critical to help minimize employment law liability. During these unprecedented and challenging times, a renewed focus on the basics is critical for the success of every employer's HR function.

#### **About Our Israel Practice:**

Holland & Knight is a U.S.-based global law firm with a strong commitment to the state of Israel. With an intimate understanding of the Israeli economic, political and social environment, members of Holland & Knight's [Israel Practice Team](#) provide a wide array of legal services to both Israeli clients operating abroad and companies and investors doing business in Israel. With more than 1,400 professionals in 28 offices, we are highly experienced in all the interdisciplinary areas necessary to guide entrepreneurs, investors, and startup or established companies through the opportunities and challenges that arise throughout the business or investment life cycles. Areas of legal guidance that are typically provided to our Israel Practice clients include real estate, mergers and acquisitions, private equity, international tax, cross border and customs, Internet privacy and cybersecurity, intellectual property, government lobbying, regulations and compliance, U.S. Foreign Corrupt Practices Act (FCPA), U.S. Foreign Account Tax Compliance Act (FATCA), and litigation and dispute resolution.

**DISCLAIMER:** Please note that the situation surrounding COVID-19 is evolving and that the subject matter discussed in these publications may change on a daily basis. Please contact your responsible Holland & Knight lawyer or the authors of these alerts for timely advice.

The information provided herein presents general information and should not be relied on as legal advice when analyzing and resolving a specific legal issue. If you have specific questions regarding a particular fact situation, please consult with competent legal counsel about the facts and laws that apply.

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