

**From:** Trials Law360 <news-alt@law360.com>

**To:** [REDACTED]

**Subject:** Judge Scolds Lawyer At Walmart Trial & Nazi-Looted Art Case Gets Day In Court

**Date:** Wed, 05 Dec 2018 09:59:22 +0000

 Law360 Trials

TRIALS

## The Data-Driven Lawyer

Meet the 2018 award winners and get insights into their innovative practices.

Wednesday, December 5, 2018

 Follow Law360

### TOP NEWS

#### 'I Am Not Co-Plaintiff Counsel,' Judge Scolds At Walmart Trial

Counsel for a class of Walmart workers seeking more than \$200 million for missed meal breaks and incomplete pay stubs was chastised by U.S. District Judge Lucy Koh at the end of a bench trial Tuesday for asking her to look for evidence in the record, at one point snapping, "I am not co-plaintiff counsel."

[Read full article »](#)

#### Epstein Ducks Victim Testimony With Eve-Of-Trial Settlement

Convicted billionaire sex offender Jeffrey Epstein on Tuesday settled a dispute with the attorney who represented his teenage victims, avoiding a trial that was to have featured testimony from the women.

[Read full article »](#)

#### FDIC Staffer 'Accidentally' Took Bank Secrets, Jury Told

Federal prosecutors and a lawyer for ex-FDIC employee Allison Aytes gave a Brooklyn jury competing narratives Tuesday about what drove Aytes to make copies of secret regulatory records before quitting, the feds saying she used them for job interviews and Aytes saying she accidentally swept them up with other personal files.

[Read full article »](#)

#### 6 NECC Workers Had Role In Drug Fraud, Feds Say In Closing

Prosecutors on Tuesday urged a jury after seven weeks of testimony to convict six former employees of the Massachusetts compounding pharmacy whose steroids sparked a deadly meningitis outbreak in 2012, saying they participated in a scheme to defraud federal regulators and ship out unsafe drugs to medical facilities around the country.

[Read full article »](#)

#### Jewish Family Seeking Art Stolen By Nazis Gets Day In Court

The family of a Jewish woman who surrendered an Impressionist painting for her freedom from Nazi Germany told a California federal judge at a bench trial Tuesday that the masterpiece that has hung in a Spanish museum for the past 25 years rightfully belongs to the woman's descendants.

[Read full article »](#)

#### Atty Tells Jury CrossFit's Sloppiness Caused Her Slipped Disc

An attorney who specializes in personal injury work suffered a herniated disc because CrossFit Inc.'s shoddy training led a local St. Louis affiliate to rush

 Law360 Pro Say Podcast

[Listen to our new podcast here](#)

### LAW FIRMS

Alexander Dubose

Arnold & Itkin

Baker Botts

Baker McKenzie

Boies Schiller

Brown & Crouppen

Carlton Fields

Cole Scott

Dechert

DiMuroGinsberg PC

Doll Amir

Duane Morris

Ewell Brown

Fox Rothschild

Friday & Cox

Gibson Dunn

Greenberg Traurig

Holland & Knight

Horack Talley

her into lifting too much weight on her first class, her counsel told a Missouri jury during Tuesday opening statements. [Read full article »](#)

## SERIES SPOTLIGHT

### Data-Driven Lawyer: Littler's Scott Forman

Littler Mendelson PC shareholder Scott Forman's innovative case management platform helps his firm analyze litigation data, craft defense strategies, predict outcomes and greatly reduce client costs, earning him a spot on our 2018 list of Data-Driven Lawyers. [Read full article »](#)

## WHITE COLLAR

### NY Jury To Weigh Bribery Charges Against Hong Kong Doc

A Manhattan jury was on track Tuesday to begin deliberating bribery and money laundering charges against a Hong Kong doctor accused of boxing up \$2 million in cash for the president of Chad to facilitate an oilfield investment on behalf of a Chinese energy giant. [Read full article »](#)

### 2nd Circ. Nixes \$8.9M Restitution From Gambler Billy Walters

A Second Circuit panel on Tuesday vacated and remanded back to trial \$8.89 million in restitution ordered against professional sports gambler Billy Walters for insider trading. [Read full article »](#)

## INSURANCE

### Progressive Settles \$23M Bad Faith Case As Trial Nears

Progressive and the family of a child hit by a policyholder's car announced a settlement Tuesday in Florida federal court in a case accusing the insurer of exposing the policyholder to a \$22.7 million judgment by failing to coax him to complete critical paperwork. [Read full article »](#)

## PERSONAL INJURY & MEDICAL MALPRACTICE

### NC Court Slashes \$6.5M Jury Award In Patient Death Suit

A North Carolina appeals court on Tuesday vacated the bulk of a \$6.5 million judgment in a suit accusing a hospital of negligently treating a chest pain patient, which caused his death the same day, saying the jury should not have been allowed to award for pain and suffering. [Read full article »](#)

### Pa. Justices Snub Appeal Over Jury's Role In Tree Fall Case

Pennsylvania's highest court said Tuesday that it would not hear an appeal of a decision that jurors be allowed to consider whether a man's misuse of a safety harness that broke and sent him falling from a tree canceled out claims that the product came with faulty warnings and instructions. [Read full article »](#)

## COMMERCIAL CONTRACTS

### Mercedes-Benz Tells Texas Justices To Ax \$115M Fraud Award

Mercedes-Benz told the Texas Supreme Court in oral arguments Tuesday that a \$115 million punitive damages award against it must be tossed because it's based not on the contract between it and a former business partner, but on alleged oral agreements. [Read full article »](#)

### Body Glove's Tactics Didn't Hurt Asia Licensee, Jury Says

Body Glove and its private equity owner, Marquee Brands LLC, didn't harm the Asia licensee of the watersports company despite engaging in hardball business tactics during a dispute over licensing rights in the world's most populous region, a California federal jury has determined. [Read full article »](#)

Jackson Lewis  
Jomarron Lopez  
K&L Gates  
Kendall Brill  
Kirkland & Ellis  
Kramer Levin  
Krieger Kim  
Link & Rockenbach  
Littler Mendelson  
McDermott Will  
Moore & Associates LLP  
Morgan Lewis  
Murphy & King  
Nixon Peabody  
Reese Marketos  
Scheper Kim  
Searcy Denney  
Shapiro Arato  
Shipley Snell  
Squire Patton Boggs  
Stubbs Alderton  
Tucker Ellis  
Weinberg Wheeler  
Zaytoun Law Firm

## COMPANIES

Altman Weil Inc.  
American Cancer Society Inc.  
Bass Pro Shops  
Burford Capital LLC  
Cabela's Inc.  
California Teachers Association  
Carolinas HealthCare System  
Chicago Bulls  
Citizens for Responsibility and Ethics in Washington  
Counsel on Call Services Inc.  
CrossFit Inc.  
Deutsche Bank AG  
General Motors  
Harbour Litigation Funding Ltd.  
Hilton Worldwide Inc.  
IMF Bentham Ltd.  
Johnson & Johnson  
Lehman Brothers Holdings Inc.  
LexisNexis Group  
LinkedIn Corp.  
Manchester United  
Mercedes-Benz  
Monsanto Co.  
Mylan NV

## TAX

### Tax Court Judge Presses IRS On Mylan Legal Fee Deduction

A U.S. Tax Court judge on Tuesday questioned the Internal Revenue Service's reasoning for denying Mylan Inc. a \$50 million legal fee deduction, challenging the agency's argument that the deduction could not be taken for litigation related to the generic drug approval process. [Read full article »](#)

## PEOPLE

### Carlton Fields Picks Up K&L Gates Litigator In Miami

Carlton Fields said Monday it has added a K&L Gates LLP trial lawyer as a shareholder in its business litigation and white collar crime practice groups in Miami. [Read full article »](#)

## EXPERT ANALYSIS

### Property And Casualty Insurers Face A Genomics Revolution

Plaintiffs attorneys are winning big in civil litigation by invoking genomic susceptibility arguments, and trends suggest that property and casualty insurers will face more and larger claims as a result. But genomic data can assist both plaintiffs and defendants, say David Schwartz of Innovative Science Solutions and William Wilt of Assured Research. [Read full article »](#)

## LEGAL INDUSTRY

### Feature

#### NewLaw Is Wooing BigLaw's Young Talent

In search of new experiences and more flexibility, some young lawyers are pointing their career paths toward alternative legal service providers. [Read full article »](#)

### DC Circ. Asks Why Gov't Legal Opinions Are FOIA-Exempt

The U.S. Justice Department faced pointed questions from D.C. Circuit judges Tuesday about its rationale for keeping legal advice to federal agencies from public view. [Read full article »](#)

### Hilton Sued Over Secret Filming Of NY Bar Exam Taker

A law school graduate who stayed at a New York hotel before taking the bar exam has sued Hilton and its affiliates for \$100 million in Virginia state court, claiming that secretly filmed footage of her showering in her room was posted on pornographic websites and emailed to her friends and colleagues. [Read full article »](#)

### Scottie Pippen Claims Atty-Comedian Trashed Fla. Mansion

NBA Hall of Famer and former Chicago Bulls star Scottie Pippen hit a South Florida attorney-comedian and her husband with a lawsuit in state court Monday, accusing them of trashing his \$10 million mansion, stealing cutlery and allowing their pets to urinate all over the property. [Read full article »](#)

### Litigation Funder Validity Poaches Pair From Bentham IMF

Litigation funder upstart Validity Finance LLC said Tuesday it has poached two ex-litigators from rival Bentham IMF to oversee risk management and underwriting. [Read full article »](#)

### Insights From 2017-2018 High Court Term And What's Ahead

Many expect the U.S. Supreme Court's new conservative majority to track rightward, while others wonder if any justices might assert a moderating influence as the new "swing vote." The court's recent decisions and upcoming docket provide the best clues about its trajectory, says Chad Eggspuehler of Tucker Ellis LLP. [Read full article »](#)

National Basketball Association  
National Collegiate Athletic Association  
New England Compounding Pharmacy Inc.  
Planned Parenthood Federation  
Quill Corp.  
Reed Elsevier  
Tampa Bay Buccaneers  
The American Law Institute  
The American Legion  
The Florida Bar  
Twitter Inc.  
UnitedLex Corp.  
Wal-Mart Stores Inc.  
Wayfair LLC  
Zillow Inc.

## GOVERNMENT AGENCIES

Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Food and Drug Administration  
Internal Revenue Service  
Pennsylvania Supreme Court  
Social Security Administration  
Texas Supreme Court  
U.S. Attorney's Office  
U.S. Department of Justice  
U.S. Supreme Court  
U.S. Tax Court

## **JOBS**

Search full listings or advertise your job opening

### **Employment Associate / NY mid-size law firm**

Schoen Legal Search  
New York, New York

### **Regional NYS law firm seeks additional partner for White Plains office**

Schoen Legal Search  
White Plains, New York

### **Labor & Employment Associate**

Nixon Peabody LLP  
Jericho, New York

### **Matrimonial Litigation Director**

Law Offices of Jeffery M. Leving, Ltd.  
Chicago, Illinois

### **IP or Patent Partner tired of commuting to NYC**

Schoen Legal Search  
Stamford, Connecticut

### **L&E Partner -Mid-sized NYC law firm**

Schoen Legal Search  
New York City, New York

### **Litigation Associate**

Stoel Rives LLP  
Minneapolis, Minnesota

### **Corporate Associate (East Brunswick Office)**

McCarter & English, LLP  
East Brunswick, New Jersey

Not sure if your firm subscribes? Ask your librarian.

We hope you found this message to be useful.  
However, if you'd rather not receive future emails of this sort,  
you may unsubscribe [here](#).

Please DO NOT reply to this email. For customer support inquiries, please call +1-646-783-7100 or visit our [Contact Us](#) page.

[Privacy Policy](#)

Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011