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Subject: UN Bribery Ruling Further Defines The Limits Of McDonnell

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 Law360 New York

NEW YORK

Monday, August 12, 2019

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TOP NEWS

Analysis

UN Bribery Ruling Further Defines The Limits Of McDonnell

The Second Circuit closed the door on defendants hoping to invoke the U.S. Supreme Court's McDonnell ruling in Foreign Corrupt Practices Act cases — a decision showing the ruling does not apply across the spectrum of corruption prosecutions as some defense attorneys had hoped.

[Read full article »](#)

2nd Circ. Says McDonnell Rule Doesn't Apply In FCPA Cases

The high bar for certain corruption cases the U.S. Supreme Court set in McDonnell does not apply to prosecutions under the Foreign Corrupt Practices Act, the Second Circuit ruled Friday, affirming the conviction of a Chinese real estate developer for bribing United Nations officials.

Opinion attached | [Read full article »](#)

Ex-KPMG Accountant Gets 8 Months For Inspection Plan Theft

A Manhattan federal judge on Friday sentenced a former KPMG accountant from Texas, who admitted poaching confidential inspection plans from the Public Company Accounting Oversight Board and giving them to KPMG, to eight months in prison.

[Read full article »](#)

NYT Wins Toss Of Arpaio's \$147M Defamation Suit

A Washington, D.C., federal judge on Friday threw out a \$147.5 million defamation suit brought by Joe Arpaio against The New York Times, saying the former sheriff of Arizona's Maricopa County had come "nowhere close" to proving a crucial aspect of his case.

Order attached | [Read full article »](#)

Epstein Dead In Apparent Suicide, As Feds Investigate

Federal investigators will examine the death of Jeffrey Epstein, the financier charged with sex trafficking underage girls, after officials said he was found dead in his Manhattan federal jail cell on Saturday morning, derailing a blockbuster trial a day after a trove of documents connected to him were made public.

9 documents attached | [Read full article »](#)

Judges Say 'We've Had It' With Attacks On The Judiciary

The time has come for judges to "take more aggressive action" to fight back against attacks on the judiciary made by President Trump and other

 Law360 Pro Say Podcast

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Consovoy McCarthy
Constantine Cannon
Cravath Swaine
Crowell & Moring
DLA Piper
Davis Polk
Davis Wright Tremaine
Debevoise & Plimpton
Dechert
Dewey & LeBoeuf
Eisner LLP
Ellenoff Grossman
Eversheds Sutherland

politicians, Washington Supreme Court Justice Debra Stephens said Friday, speaking on a six-judge panel on the topic.

[Read full article »](#)

Analysis

Cisco's \$8.6M Deal Shows Cost Of Ignoring Cyber Flaws

Cisco's agreement to pay \$8.6 million to resolve a whistleblower's allegations that it knowingly sold hackable video surveillance gear to government agencies is the first payout in a False Claims Act case brought over cybersecurity, illustrating the growing legal risks of mishandling discovered digital flaws.

[Read full article »](#)

CYBERSECURITY & PRIVACY

Delta Sues Software Provider Over Data Breach

Delta Airlines sued its customer service chat provider in New York federal court Thursday, accusing it of lax digital security practices that allowed a hacker to steal the personal information of more than 800,000 people.

Complaint attached | [Read full article »](#)

INTELLECTUAL PROPERTY

Humvee Says 'Call Of Duty' TM Case Won't Cause 'Mayhem'

The automaker behind the Humvee is urging a federal court to reject claims that "the world will end" if the company wins its trademark lawsuit against Activision Blizzard over the appearance of the famous truck in "Call of Duty" video games.

Memorandum attached | [Read full article »](#)

NBA Star Sues Over 'Greek Freak' Mark On Hoodies, T-Shirts

NBA player Giannis Antetokounmpo filed suit in New York federal court on Friday against a clothing label for infringing on his "Greek Freak" and "Greek Fr34K" trademarks, both nicknames the athlete said were born of his skill, nationality and jersey number.

Complaint attached | [Read full article »](#)

'Grease' Parody Writers Say Fair Use Is The One They Want

The Georgia-based comedians behind "Vape: The Musical" asked a New York federal court on Friday to declare their play eligible for protection from copyright infringement claims by the creators of "Grease," claiming their story is a parody of the iconic theatrical production.

Complaint attached | [Read full article »](#)

SECURITIES & WHITE COLLAR

Ex-Dewey CFO Urges NY Appeals Court To Toss Conviction

Former Dewey & LeBoeuf LLP Chief Financial Officer Joel Sanders is urging a New York appeals court to throw out his fraud conviction and resulting \$1 million fine, arguing that a slew of errors by the court, the prosecution and his former attorneys deprived him of his right to a fair trial.

Brief attached | [Read full article »](#)

Ex-Barbados Official Denies Money Laundering Charges

A former minister for the government of Barbados on Friday denied charges stemming from bribes he allegedly took for steering a state contract to an insurance company, ahead of a fall trial on conspiracy and money laundering charges.

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Fine Kaplan
Gibson Dunn
Goodwin
Haddon Morgan
Haynes and Boone
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King & Spalding
Kirkland & Ellis
Latham & Watkins
Law Lyman
Law Offices of Tim Powers
LeClairRyan
Luse Gorman
Mei & Mark
Mitchell Silberberg
Morgan Lewis
Morrison & Foerster
Morvillo Abramowitz
Munger Tolles
Orrick Herrington
Pardalis & Nohavicka
Parker McCay
Patterson Belknap
Paul Weiss
Perkins Coie
Quinn Emanuel
Rogers Joseph
Ropes & Gray
Sheppard Mullin
Skadden
Stevens & Lee
Thompson Hine
Venable LLP
Wargo & French
Weil Gotshal
Williams & Connolly
WilmerHale
Winston & Strawn
WolfBlock

COMPANIES

AM General LLC
AT&T Inc.
Activision Blizzard Inc.
Aerojet Rocketdyne Holdings Inc.
Altice SA
Altice USA
Amazon.com Inc.

Charity Accused Of Iran Sanctions Violations Gets New Trial

The Second Circuit on Friday gave a New York charity a second chance to fight allegations that it violated U.S. sanctions against Iran, scolding a Manhattan court for allowing the government to present illegally obtained evidence at trial.

Opinion attached | [Read full article »](#)

COMPETITION

Comcast, AT&T Get Sought T-Mobile/Sprint Info Locks

Comcast and AT&T have persuaded a New York federal judge to impose stricter safeguards for their sensitive business information submitted in the state attorneys generals' case challenging T-Mobile's purchase of Sprint, with the judge upping the level of protection from what the merging companies had proposed.

1 document attached | [Read full article »](#)

BANKING

Wells Fargo Blasts Bankrupt Fund's Bid To Probe Casino IPO

Wells Fargo and a group of bondholders who claim they're owed nearly \$900 million have blasted a bankrupt hedge fund's request to investigate the contested Macau casino IPO at the heart of the dispute, calling the debtors "hopelessly conflicted."

1 document attached | [Read full article »](#)

TAX

Trump Tax Return Suit Belongs In NY, State Officials Say

New York officials on Friday asked a D.C. federal judge to transfer to their state President Donald Trump's suit seeking to bar enforcement of a law allowing Congress access to his state tax returns, saying it lacks a D.C. connection.

Motion attached | [Read full article »](#)

ProPublica Sues IRS To Release Emails On Private Tax Prep

Nonprofit news organization ProPublica sued the Internal Revenue Service in a New York federal court on Friday for the immediate release of documents related to the renewal of a partnership between the agency and private industry providers of free online tax filing services.

Complaint attached | [Read full article »](#)

CAPITAL MARKETS

3 Firms Guide OceanFirst Bank Deals Valued At \$285M Total

The parent of Toms River, New Jersey-based OceanFirst Bank said Friday that it has inked separate agreements totaling roughly \$285 million to acquire two fellow banking companies, in deals guided by Skadden, Stevens & Lee and Luse Gorman.

[Read full article »](#)

Ellenoff-Led Blank Check Co. Nabs \$300M IPO For Fintech Buy

Blank check company Thunder Bridge Acquisition II Ltd. hit the market Friday, a day after pricing \$300 million in an initial public offering the Ellenoff Grossman & Schole LLP-led company says will be used to acquire a business in the financial technology space.

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American Civil Liberties Union
Apple Inc.
Boenning & Scattergood Inc.
Brigham Young University
Charter Communications Inc.
Cisco Systems Inc.
Comcast Corp.
DISH Network LLC
Delta Air Lines Inc.
Deutsche Telekom AG
EisnerAmper LLP
Federal - Mogul Corporation
First Capital, Inc.
GNC Corp.
Gerson Lehrman Group Inc.
Goldman Sachs Group Inc.
Google Inc.
H&R Block Inc.
Health Diagnostic Laboratory Inc.
Intuit Inc.
KPMG International
LexisNexis Group
LinkedIn Corp.
Milwaukee Bucks
Morgan Stanley
NASDAQ OMX Group Inc.
National Conference of State Legislatures
New York Times Co.
OceanFirst Financial Corp.
Philadelphia Phillies
Piper Jaffray Companies
Public Company Accounting Oversight Board
Purdue Pharma LP
QUALCOMM Inc.
RELX PLC
Retail Industry Leaders Association Inc.
Rolls-Royce
Sandler O'Neill & Partners LP
SeaWorld Entertainment Inc.
Silver Point Capital LP
Spotify Technology SA
Sprint Nextel Corporation
State Bar of California
T-Mobile USA Inc.
Tenneco Inc.
Twitter Inc.
Two River Bancorp

PEOPLE

EXPERT ANALYSIS

State Net

How States Are Attending To Medical Balance Billing

With emergency room visits involving care from out-of-network providers sometimes resulting in balance bills reaching thousands of dollars, 32 states this year have taken legislative action, and those that have not are under increasing pressure to do so, says Korey Clark of State Net Capitol Journal.

[Read full article »](#)

LEGAL INDUSTRY

Global 20: Eversheds Sutherland

Continued growth in the U.S. and the U.K., new offices in the Czech Republic and the Netherlands and a client-first attitude world-wide have earned Eversheds Sutherland a spot on Law360's Global 20 list.

[Read full article »](#)

Analysis

5 Things To Know As Trial Starts For Ex-Skadden Atty Craig

Former Skadden partner and onetime White House counsel Gregory Craig heads to trial on Monday in a convoluted case involving an analysis he wrote six years ago about an overseas criminal prosecution and alleged lies over that work. Here's what attorneys should know about the case.

[Read full article »](#)

Analysis

As LeClairRyan Folds, What Comes Next For Its Attorneys?

LeClairRyan's announcement that those affected by its closure wouldn't receive COBRA health care benefits added to mounting worries expressed by the firm's current employees and former members, who say they don't expect they'll see much or any of the capital the firm owes them.

[Read full article »](#)

LeClairRyan Beats Ex-Blood Test Exec's Malpractice Suit

A Virginia state court has thrown out a \$603 million malpractice suit against LeClairRyan brought by the ex-CEO of defunct blood test company Health Diagnostic Laboratory Inc., saying her case rested on arguments that had already been heard and rejected by another court.

[Read full article »](#)

2019 Snapshot Of The Legal Profession Shows Slowed Growth

The U.S. attorney population grew at a slower rate during the past two years than it has during any two-year period in the last century, according to a report released Saturday at the ABA Annual Meeting in San Francisco.

[Read full article »](#)

9th Circ. Judge Warns 'Judicial Independence Is At Risk'

Accepting an American Bar Association award on Friday, Ninth Circuit Judge M. Margaret McKeown told a room packed with judges and attorneys that recent attacks on judges pose a threat to the rule of law, and urged her colleagues to do more to defend judicial independence.

[Read full article »](#)

How Unauthorized Immigrants Are Fighting To Practice Law

Utah could join a small but growing number of states that allow unauthorized immigrants to join the bar, though a looming U.S. Supreme Court case has

United Parcel Service Inc.

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GOVERNMENT AGENCIES

Bureau of Labor Statistics

California Supreme Court

City of Richmond, Virginia

Federal Bureau of Investigation

Federal Bureau of Prisons

Federal Communications
Commission

Federal Judicial Center

Federal Trade Commission

Internal Revenue Service

National Aeronautics and Space
Administration

National Labor Relations Board

New York Attorney General's Office

Occupational Safety and Health
Administration

Securities and Exchange
Commission

U.S. Army

U.S. Attorney's Office

U.S. Bankruptcy Court for the
Southern District of New York

U.S. Court of Appeals for the
Second Circuit

U.S. Department of Homeland
Security

U.S. Department of Justice

U.S. Department of Labor

U.S. District Court for the Eastern
District of New York

U.S. District Court for the Southern
District of New York

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

United Nations

raised new fears among both attorney hopefuls and practicing lawyers without legal status.

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Why Lawyer Well-Being Can Impact Access To Justice

Promoting mental health and well-being among public interest attorneys goes beyond creating healthy work environments and has a direct impact on the quality and availability of legal services accessible to low-income people, panelists said Friday at the American Bar Association's annual meeting in San Francisco.

[Read full article »](#)

Dems Tell Trump Tapping Scalia To Head DOL 'Alarming'

More than two-dozen House Democrats have urged President Donald Trump to reconsider his nomination of Gibson Dunn & Crutcher LLP attorney Eugene Scalia to lead the U.S. Department of Labor, a move the Democrats called "extremely alarming" because of Scalia's "patent hostility" toward workers' rights.

[Read full article »](#)

Haynes And Boone's London Growth Leads To New Office

Haynes and Boone LLP is relocating to larger offices in London, the Texas-based firm said Thursday, after seeing the number of partners it has in the city double in under three years.

[Read full article »](#)

Wash. Judges Can't Pursue Records Suit On Public's Dime

The Washington Supreme Court has ruled that a group of state judges cannot appoint their own taxpayer-funded attorney in order to sue a county clerk in a dispute over digital record-keeping, saying that if the judges wanted to pursue legal action, it should be on their own dime.

[Read full article »](#)

GC Cheat Sheet: The Hottest Corporate News Of The Week

A surge of attorneys are moving to in-house positions in the ever-evolving cannabis space, another tech giant was hit with a proposed privacy class action and Purdue Pharma has argued that the opioid suit it is facing sets a dangerous precedent for corporate directors. These are some of the stories in corporate legal news you may have missed in the past week.

[Read full article »](#)

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

[Read full article »](#)

Podcast

Law360's Pro Say: Can Mexico Extradite The El Paso Shooter?

Last week's mass shooting in El Paso killed eight Mexican citizens, leading Mexico's government to suggest that it will take the unusual step of seeking to extradite the shooter. On this week's episode of Pro Say we're joined by John Bellinger, a partner at the law firm Arnold & Porter and a former legal adviser at the U.S. State Department, to discuss the legal and practical dimensions of the situation.

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ECVC Associate Attorney

Perkins Coie LLP
New York, New York

New York, New York

Real Estate Mid to Senior Attorney

Hunton Andrews Kurth
New York, New York

music industry copyright associate

Schoen Legal Search
New York, New York

Intellectual Property Assistant

Knobbe Martens Olson & Bear, LLP
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Schoen Legal Search
NYC, New York

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NYC, New York

Real Estate Associate

Hunton Andrews Kurth LLP
New York, New York

Paralegal, IP Litigation

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