

From: New York Law360 <news-alt@law360.com>

To: <[REDACTED]>

Subject: DOJ Beats Gizmodo FOIA Suit Over Trump Wiretap Docs

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 Law360 New York

NEW YORK

Thursday, April 4, 2019

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TOP NEWS

DOJ Beats Gizmodo FOIA Suit Over Trump Wiretap Docs

The U.S. Department of Justice acted within the law when it told Gizmodo Media Group LLC that the agency couldn't confirm or deny the existence of records related to alleged wiretapping of President Donald Trump's 2016 campaign, a New York federal judge ruled Wednesday.

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Ex-Long Island Pol Pleads Guilty To Tax Evasion Scheme

A former Long Island councilman pled guilty Wednesday to tax fraud in connection with a scheme to divert funds from a law firm he worked for to a company he had sole control over.

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Appraisal 'Inappropriate' In Geico Coverage Suit: 2nd Circuit

Geico can't appraise damage to a vehicle at the center of a proposed class action alleging that the insurance company unlawfully undervalues totaled vehicles, the Second Circuit ruled Wednesday, finding appraisal inappropriate to resolve policy interpretation disputes.

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NY Firm Escapes Claims Of Shady Debt Collection Practices

A New York law firm did not violate federal debt collection laws or state deceptive practices laws when it sued a man for \$50,000 owed to a nursing home, but it's too soon to say whether it ran afoul of a legal ethics statute, a federal judge ruled Wednesday.

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POLICY & REGULATION

House Says Private Email Off-Limits In Collins Case

The U.S. House of Representatives has urged a New York federal court to adopt a broader interpretation of the Constitution's speech or debate clause than the government has presented in its insider trading case against U.S. Rep. Christopher Collins, implying prosecutors overstepped their bounds in seizing legislative materials.

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SECURITIES & WHITE COLLAR

Rakoff Asked To Bar Fair Market Claim In Insider Trading Case

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Davis Wright Tremaine
Foley Hoag
Glancy Prongay
Godosky & Gentile
Gutridge Safier
Hausfeld
Hooper Lundy
Jones Day
Jorge Guttman & Associates
Kase & Druker
Katten Muchin

Prosecutors shouldn't be allowed to tell jurors that the stock market is supposed to be a "level playing field," counsel for a former analyst set to stand trial for allegedly tipping off friends to an \$11 billion merger told U.S. District Judge Jed S. Rakoff on Tuesday.

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CONSUMER PROTECTION

Arizona Hit With Suit Over Ginseng Labels On Green Tea

Buyers of Arizona tea filed a proposed class action against the beverage company Tuesday, claiming its "Green Tea with Ginseng and Honey" drinks do not actually contain ginseng.

[Read full article »](#)

INTELLECTUAL PROPERTY

Pinduoduo Wants Out Of Investor Suit Over Counterfeit Goods

Pinduoduo Inc. said Tuesday that investors suing the e-commerce company for allegedly misrepresenting its ability to quell the third-party sale of counterfeit goods on its platform are simply trying to twist securities laws "into an all-purpose insurance for investors."

[Read full article »](#)

TeeFLii, 2 Chainz's '24 Hours' Copies '90s Song, Suit Says

TeeFLii and 2 Chainz's hit 2014 song "24 Hours" copied its music from Robin S.' 1993 song "Back It Up," the owners of the older song have alleged in a copyright infringement suit.

[Read full article »](#)

EMPLOYMENT

WTA Gender Pay Spat With Madrid Tournament Reopened

The Women's Tennis Association has another chance to stop a lawsuit challenging its policy that male and female winners be paid the same amounts after a Spanish tournament operator reneged on plans to dismiss the suit, a New York federal judge has ruled.

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MLB Says Umpire Can't Discuss Racial Bias Suit With Media

Major League Baseball is asking a New York federal court to deny an umpire's motion for clearance to speak with the media about his racial discrimination claims against the league, saying the court can't judge if his statements cross a legal line until he says them.

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COMPETITION

Attys Shouldn't Get \$300M Slice Of Forex Deal, Objector Says

The sole objector to a \$300 million fee award for the firms that scored an investor class billions of dollars in settlements from banks in the sweeping forex scandal is asking the Second Circuit to cut that award by \$112 million.

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BANKRUPTCY

Sizmek Can Pay Workers As It Fields Ch. 11 Purchase Bids

Bankrupt advertising tech firm Sizmek Inc. received court approval Wednesday to continue paying its domestic employees for the next three weeks as it works on selling substantially all its assets, which the company's lawyers say have fielded interest from more than two dozens parties.

King & Spalding
Klee Tuchin
Latham & Watkins
Lazer Aptheker
Meister Seelig & Fein
Meriwether & Tharp
Miller Law Offices
Orrick Herrington
Parness Law Firm
Podhurst Orseck
Proskauer Rose
Quinn Emanuel
Rivkin Radler
Robbins Arroyo
Ropes & Gray
Rosen Law Firm PA
Sanford Heisler Sharp
Scott + Scott
Seyfarth Shaw
Skadden
Smith Villazor
Squire Patton Boggs
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White & Case
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COMPANIES

Amazon.com Inc.
Amerex Group Inc.
Bank of America Corp.
BuzzFeed Inc.
CCC Information Services Inc.
Citigroup Inc.
Elliott Management Corp.
Epic Records
Facebook
Geico
Gizmodo Media Group LLC
Global Atlantic Financial Group Ltd.
JPMorgan Chase & Co.
Kobalt Music Group Ltd.
LinkedIn Corp.
Long Island Power Authority
Major League Baseball Inc.
Miramax Film Corp.
Morgan Stanley
National Fuel Gas Co.
National Grid PLC
New York City Bar Association
New York University

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IMMIGRATION

2nd Circ. Revives Man's Bid To Pause His Deportation Case

The Second Circuit gave a Mexican citizen a second shot to stop his deportation, finding Wednesday that he is not required to prove that his U visa application for victims of crimes will be processed in a "reasonable" amount of time in order to postpone his removal proceedings while the application is pending.

[Read full article »](#)

ENERGY & ENVIRONMENTAL

Long Island Power Authority Can't Shake \$100M Sandy Suit

Long Island's public power utility and its contractor must face negligence claims brought by property owners over an estimated \$100 million in damage caused by electrical equipment left fully energized while Hurricane Sandy clobbered the Rockaway Peninsula, a New York state judge has ruled.

[Read full article »](#)

FERC Won't Reconsider NY Pipeline Authority Ruling

The Federal Energy Regulatory Commission relied on a recent D.C. Circuit decision Tuesday when it upheld its conclusion that New York state environmental regulators waived their authority to deny a Clean Water Act permit for a \$455 million natural gas pipeline project by blowing a one-year deadline.

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REAL ESTATE & DEVELOPMENT

Seyfarth Steers Mack-Cali's \$487M Sale Of Office, Flex Assets

Mack-Cali said Wednesday it closed the sale of its office and flexible space portfolio, bringing in \$487.5 million as the Seyfarth Shaw LLP-led real estate investment trust looks to focus its attention on waterfront office and residential spaces.

[Read full article »](#)

Atty Suspended For Urging Client's Tenant To Kill Himself

A real estate attorney who encouraged a tenant of his client to kill himself and who burst into an arbitration hearing, snapping pictures and making threats, has been suspended from practicing law for four months, according to a New York court order.

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PEOPLE

Squire Patton Boggs Grabs Litigation Partner From DLA Piper

Squire Patton Boggs has boosted its global litigation practice by bringing in partner Joe Alonzo from DLA Piper to work in its New York office, the firm announced Wednesday.

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King & Spalding Adds Stroock Insurance M&A Pro In NY

A Stroock partner with an "eclectic" insurance-transactional practice has moved to King & Spalding's New York Office, he told Law360 Wednesday, citing the latter's attractiveness to private equity clients increasingly hungry for insurance-related investments.

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Northeastern University
PacifiCorp
Pine Brook Partners LLC
Rocket Fuel Inc.
S&P Global Inc.
Sony Music Entertainment Inc.
Spotify Technology SA
StubHub Inc.
The Sherwin-Williams Co.
The Valspar Corporation
Twitter Inc.
Vector Capital LP
WTA Tour Inc.
Wynn Resorts Ltd.
YouTube Inc.
eBay Inc.

GOVERNMENT AGENCIES

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Federal Aviation Administration
Federal Bureau of Investigation
Federal Energy Regulatory Commission
Hoopa Valley Tribe
Internal Revenue Service
Massachusetts Gaming Commission
New York State Department of Environmental Conservation
New York State Department of Taxation and Finance
Securities and Exchange Commission
Solicitors Regulation Authority
U.S. Attorney's Office
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. House of Representatives
U.S. Supreme Court
United States Bankruptcy Court for the Southern District of New York
United States District Court for the Southern District of New York

Ex-Proskauer Tax Atty Joins Brown Rudnick's Tax Group

Brown Rudnick LLP has announced that a former Proskauer Rose LLP attorney has joined the firm as a partner in its tax practice group based in New York.

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LEGAL INDUSTRY

Kavanaugh's Law School Gig Faces Student Backlash

Students at George Mason University are demanding that the school reverse its decision to hire U.S. Supreme Court Justice Brett Kavanaugh as a law school lecturer this summer in light of decades-old sexual misconduct claims against him that surfaced during his confirmation hearing.

[Read full article »](#)

Senate Rules Axed To Speed Judicial, Administration Picks

Senate Republicans voted to ax the chamber's nominee debate rules Wednesday, potentially opening the floodgates for dozens of President Donald Trump's trial judge and lower-level administrative nominees to be confirmed.

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Ex-Jones Day Associates Hit Firm With \$200M Bias Suit

A group of former Jones Day associates hit the BigLaw powerhouse with a \$200 million pregnancy and gender discrimination suit Wednesday, accusing the firm of systematically underpaying women, devaluing the work of female associates and pushing out lawyers who have children.

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Analysis

GC Missteps Loom Large In Mass. Regulator's Wynn Probe

Executives in the legal division of Wynn Resorts were among those flagged in a regulator's report detailing how sexual abuse allegations against ex-CEO and Chairman Steve Wynn were swept under the rug. Here, Law360 looks at how those attorneys may have failed to serve their ultimate client, the company.

[Read full article »](#)

Stars, BigLaw Atty Make 'Varsity Blues' Court Debut

Hollywood stars Lori Loughlin and Felicity Huffman, along with ex-Willkie Farr & Gallagher LLP co-chair Gordon Caplan, faced a federal judge for the first time Wednesday after being charged in the "Varsity Blues" college admissions scandal, attracting a crush of media and autograph-seekers to the waterfront Boston courthouse.

[Read full article »](#)

Allen & Overy Atty For Weinstein Referred For Discipline

An Allen & Overy attorney has been referred to a U.K. disciplinary tribunal following an investigation into alleged misconduct connected to the representation of disgraced movie mogul Harvey Weinstein and the use of nondisclosure agreements to hush up allegations of sexual assault.

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Court Staffer's Happy Hour Sparks Recusal Bid

A Georgia man has asked a state court judge to remove herself from his divorce case, saying a member of the judge's staff never disclosed that she attends a monthly happy hour with a lawyer at the firm representing his ex-wife, even when she was asked.

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Amazon Atty Joins StubHub As New General Counsel

StubHub has snagged former Amazon attorney Stephanie Burns to be its new vice president and general counsel, the online ticket exchange company announced Wednesday.

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Interview

Law Firm Leaders: Bryan Cave's Mayhew And Pritchard

Wednesday marks the one-year anniversary of the transatlantic merger that formed Bryan Cave Leighton Paisner. The law firm's top leaders, Therese Pritchard and Lisa Mayhew, sat down recently with Law360 to chat about the combination and the law firm's future.

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