

# Recent Oil and Gas Verdict Highlights Importance of FLSA Compliance

## *Insight*

A recent case from the United States District Court for the Western District of Pennsylvania highlights how expensive a Fair Labor Standards Act case can be.

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# New Decision Highlights (Again) the Importance of Defining ‘Commercially Reasonable Efforts’

## *Insight*

If your client is going to contractually commit to using commercially reasonable efforts to do something – and if your client expects that obligation to require something less than “all reasonable efforts” – then you’ll want to make that expectation clear in the contract itself, advises D.C. Toedt III in the On Contracts Blog.

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# Discrimination Defense Lawyer Confirmed for Trump Civil Rights Post

## *News*

Bloomberg Law reports that the U.S. Senate has confirmed Eric Dreiband, a Jones Day attorney who defends companies accused of discrimination, to lead the Justice Department office that enforces anti-bias laws.

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# In Rare Bipartisan Move, 31 States Ask SCOTUS to Undo Ban on Consumer Antitrust Claims

## *News*

Reuters points to an effort illustrating a rare show of bipartisanship as state politicians rally around the cause of overturning U.S. Supreme Court precedent that protects monopolists from consumer suits.

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# Texas Lawyer Who Claimed

# Political Donations Influenced Appeal Faces Possible Discipline

## **News**

Plaintiffs' lawyer John McCraw of Dallas is facing possible disciplinary action because he filed a motion asking two appellate court justices to remove themselves from a case, according to *Dallas Observer*.

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# Feds Settle Huge Whistleblower Suit Over Medicare Advantage Fraud

## **News**

MedCity News reports that one of the nation's largest dialysis providers will pay \$270 million to settle a whistleblower's allegation that it helped Medicare Advantage insurance plans cheat the government for several years.

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# Morrison & Foerster Will Eat

# \$16M in Fees, Costs Pursuing Vets' Claims

## *News*

Bloomberg Law reports that Morrison & Foerster LLP accepted a fee award from the U.S. Army that's \$16 million less than the fee the firm could have sought.

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# Law Firm Admits 'Unjust Enrichment,' Agrees to \$23 Million Settlement

## *News*

Stan Chesley, who was disbarred in Kentucky over his actions, was the sole owner of the firm, Waite Schneider Bayless & Chesley.

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# Vizio Reaches Potential Settlement for Its Spying TVs – And Victims Could Receive

# Less Than a Dollar

## **News**

Vizio has announced a potential \$17 million settlement in a recent class action lawsuit, which could result in a pay-out that is as little as a few cents for each of the millions of affected customers, reports the *New York Daily News*.

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# Founder of Tea Party Nation Has Been Disbarred for Trying to Scam Timeshare Owners

## **News**

Tennessee attorney Judson Wheeler Phillips, a senior partner with Nashville-based Castle Law Group, was accused of taking off with the money he earned from the fraudulent transactions, the Tennessee Supreme Court has ruled.

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# Overqualified? Or Too Old? Ex-GC's Age Discrimination Case Takes Aim at Biased

# Recruiting Practices

## **News**

*The Chicago Tribune* tells the story of a former general counsel who had been unemployed and job hunting for three years when he came across a position that seemed promising, but the part that excluded any applicants with his years of experience.

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## **Federal Appeals Court Rules Uber Can Force Drivers Into Individual Arbitration, Voids Class-Action**

## **News**

The U.S. 9th Circuit Court of Appeals in San Francisco overturned a lower-court order that had certified the drivers' class-action effort.

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## **Florida Supreme Court Deals Blow to Geico in 'Bad Faith'**

# Dispute

## *News*

The 4-3 ruling came in a multimillion-dollar case that has been watched by the insurance industry and trial attorneys.

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## **Former Skadden Partner May Face Charges Related to Manafort-Linked Ukraine Report**

## *News*

The report was written by Skadden attorneys about the 2011 trial of Yulia Tymoshenko, a former prime minister of Ukraine who was found guilty of abusing her office.

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## **Cloak-and-Dagger Saga Over Cybercrime, Trump Dossier Plays Out in Miami Courtroom With Celebrity Lawyer**

## *News*

A federal courtroom in Miami is now the intersection for a

celebrity attorney, two major cybercrimes and a foreign tech firm with an ephemeral South Florida address and entanglement in the Trump-Russia probe, reports the *Miami Herald*.

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## **IBM Sued for Age Discrimination After Thousands of Older Workers Laid Off**

### **News**

The lawsuit alleges that the plaintiffs are among thousands of IBM employees to be laid off recently as the result of a shift in IBM's focus to recruit millennials, reports *USA Today*.

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## **'Outrageously Excessive' Requests for Attorney Fees Can Be Altogether Denied, 3rd Circuit Says**

### **News**

Lawyers seeking the fees had admittedly tasked one lawyer with recreating time records that included vague descriptions and excessive hours, the appeals court said.

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# State Supreme Courts Increasingly Face Partisan Impeachment Threats

## **News**

Lawmakers' partisan disapproval of rulings appears to be a strong motivator for ousting judges, according to *Governing*.

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# 2 Firms Each Sanctioned \$500 After Defendant Complains of 'Egregious Discovery Gamesmanship'

## **News**

The judge said the plaintiffs' lawyers had tried "to use as a weapon in this litigation whatever misunderstanding occurred regarding how discovery requests and/or responses would be exchanged," reports the *ABA Journal*.

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# SEC Says Biotech Billionaire CEO Took Part in Pump-and-Dump Schemes

## *News*

In a lawsuit filed in federal court in New York, the SEC alleged OPKO Health chairman and CEO Phillip Frost took part in three pump-and-dump schemes between 2013 and 2018, according to MedCity News.