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Date: 7/5/2016 4:51:24 AM  
Subject: Busy June Shows Dodd-Frank's Benefits And Costs

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## PUBLIC POLICY

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Tuesday, July 5, 2016

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### TOP NEWS

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#### DOJ Snubs ASCAP, BMI On Partial Music Rights Licensing

The U.S. Department of Justice has decided that the antitrust consent decrees governing ASCAP and BMI currently require the music rights giants to license full works instead of partial interests in compositions, and the agency wants to hold the organizations to that rule, ASCAP said Thursday.

#### Judge Blocks Miss. Law Protecting Gay Marriage Objectors

A Mississippi federal judge on Thursday preliminarily blocked a state law providing protection to those who say their religious beliefs are violated by same-sex marriage, declaring that the law violates the Fourteenth Amendment's equal protection clause by protecting some religious beliefs to the detriment of others.

#### Fox News Debate Rules In Line With Election Law, FEC Says

The Federal Election Commission in a split vote found that Fox News Network LLC did not violate federal campaign laws when it loosened the qualification criteria in the days leading up to a Republican debate, according to commission files publicly released on Thursday.

#### Minn. Pays \$1M For Rogue DMV Worker's Data Snooping

Minnesota state officials will pay \$1 million to end a proposed federal class action claiming a former employee of Mille Lacs County's family services department illegally accessed 269 individuals' driver's license information for her own personal use, a Friday filing said.

#### Chicago Bumps Minimum Wage To \$10.50 Per Hour

Chicago has announced that 270,000 workers received a pay boost on Friday when the city's minimum wage increased to \$10.50 an hour, marking the second step in a campaign to raise the municipality's lowest wages to \$13 an hour by 2019.

### ANALYSIS

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#### Busy June Shows Dodd-Frank's Benefits And Costs

June's final week gave Dodd-Frank Act supporters a chance to crow as big banks survived the sudden shock of the British vote to leave the European Union and GE Capital exited enhanced supervision, but financial experts worry that the law is causing harm as well.

#### 2016's Major Immigration Case Developments: Midyear Report

### LAW FIRMS

Andrews Kurth  
BakerHostetler  
Bilzin Sumberg  
Bryan Cave  
Carroll Burdick  
Covington & Burling  
Cravath Swaine  
DLA Piper  
Davis Wright Tremaine  
Debevoise & Plimpton  
Dechert  
Dentons  
Dewey & LeBoeuf  
Dykema Gossett PLLC  
Epstein Becker Green  
Finnegan  
Foley & Lardner  
Fox Rothschild  
Fragomen Del Rey  
Gibson Dunn  
Haynes and Boone  
Herrick Feinstein  
Hertz Schram  
Hogan Lovells  
Iverson Reuvers  
Jenner & Block  
Jones Day  
Kasowitz Benson  
Kaye Scholer  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Law Office of Bradley S. Shear  
LLC

From a fight over a work program for foreign students to seismic litigation involving the EB-5 immigrant investor program, 2016 has unleashed an avalanche of important immigration rulings and enforcement actions. Here, Law360 looks at some of the key immigration milestones so far this year.

### 3 Reasons Brexit Won't Halt EU Market Abuse Rules

While the British vote to exit the European Union continues to sow uncertainty in financial markets and elsewhere, experts say firms can still count on one thing — that the U.K. will hold on to new EU regulations on insider trading and market abuse, set to take effect on Sunday, even if it follows through on opting out of the EU itself.

### Telecommunications Policy Recap For 1st Half Of 2016

The Federal Communications Commission has spent much of this year positioning for final regulatory moves during the Obama administration, but the first six months also saw a major overhaul of the Lifeline low-income phone subsidy program and launch of the incentive auction. Here are the top developments in telecom policy so far this year.

### 5 Public-Private Transportation Projects To Watch

The growing pressure on government to shore up aging highways and modernize mass transit is opening up more opportunities for private industry to step in and help get some of the nation's crucial transportation infrastructure projects financed, built and delivered. Here, Law360 highlights five transportation projects using the public-private partnership model that attorneys are watching closely.

## BANKING & SECURITIES

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### IG Says SEC Should Improve Related Case Coordination

The inspector general for the U.S. Securities and Exchange Commission on Thursday issued a call for closer coordination among agency enforcement staff, after a New York federal judge criticized the SEC for bungling overlapping cases and suggested that a "self-examination" would be appropriate.

### EU Financial Advisory Body Rebuts Basel Risk Measures

Global regulators should use the leverage ratio as the primary means of measuring a bank's capital strength, not risk-weighted assets, Europe's top financial regulation research and advisory body said Friday.

### Regulators Tell EU To Catch Up With US On Swaps Rules

The European Union's top three financial regulators have urged the European Commission to catch up with the U.S. and Japan by implementing swaps rules that have been delayed, expressing "strong concerns" the holdup in Europe was causing global uncertainty.

### China Links Enviro Compliance With Ability To Issue Stock

China's securities watchdog used its bite Friday to force companies to comply with environmental regulations, saying firms with violations wouldn't be allowed to issue stock.

### New UK Bank, Trader Standards Tackle Conflicts, Price-Fixing

A U.K. financial advisory panel has warned London's banks and traders about conflicts of interest and price-fixing in new draft standards for issued on

Levenfeld Pearlstein

Linklaters

Mayer Brown

Mintz Levin

Mishcon de Reya

Moritt Hock

Morrison & Foerster

Native American Rights Fund

Norton Rose Fulbright

Nossaman LLP

Ogletree Deakins

Patterson & Sheridan

Paul Hastings

Pillsbury Winthrop

Ratwik Roszak

Seyfarth Shaw

Shearman & Sterling

Sidley Austin

Simpson Thacher

Skadden

Squire Patton Boggs

Sutherland Asbill

Taylor Wessing

Thomas Law Group

Troutman Sanders

Tucker Ellis

WilmerHale

## COMPANIES

AT&T Inc.

All Aboard Florida - Operations LLC

Alstom SA

Altman Weil Inc.

American Civil Liberties Union

American Society Of Composers Authors & Publishers

BTI Consulting Group Inc.

Bank of America Corporation

Berkeley Research Group

Biglari Holdings Inc.

Bristol-Myers Squibb Company

Broadcast Music Inc.

Charter Communications Inc.

Citigroup Inc.

Cornerstone Research Inc.

Deutsche Bank AG

Thursday, a year after the body was created to tackle a series of high-profile white collar scandals.

## ENERGY & ENVIRONMENTAL

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### GOP Sens. Float Plan To Share Offshore Oil Money With States

Senate Republicans have introduced a proposal to give an expanded selection of coastal states more than a one-third share in federal offshore oil revenue in opposition to President Barack Obama's proposal to eliminate revenue sharing altogether.

### Ex-Flint Officials Say They're Immune From Contamination Suit

Two former emergency managers for the city of Flint told a Michigan federal judge that they're immune from a proposed class action seeking to peg more than a dozen city and state officials with liability for injuries to children from the city's lead contamination crisis.

### Lawmakers Urge EPA To Bolster Lead And Copper Water Rule

A bipartisan group of lawmakers called on the U.S. Environmental Protection Agency Thursday to strengthen a water rule designed to protect the public from lead and copper contamination

### Bay Area Greenhouse Gas Plan Upheld By Appeals Court

A California appeals court on Thursday ruled that Bay Area regulators did not have to consider statewide car and truck emissions reduction goals in crafting their own program to reduce greenhouse gases, finding that doing so would have been inconsistent with state law.

## HEALTH & LIFE SCIENCES

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### Fla. Judge Blocks Implementation Of Restrictive Abortion Law

A Florida federal judge barred a new Florida law restricting abortion and defunding Planned Parenthood just before it was set to go into effect Friday, ruling that Planned Parenthood is likely to succeed in its challenge to the statute.

### La. Clinics File Suit Challenging 7 New Abortion Laws

Two Louisiana abortion clinics and three physicians on Friday sued Louisiana over its seven laws enacted in 2016 restricting access to abortion, arguing they constitute an undue burden on women trying to access abortions.

### Dopamine Agonist Drugs Need Compulsion Warning: Group

A Washington, D.C.-based consumer advocacy group has sent a petition to the U.S. Food and Drug Administration saying that dopamine agonist drugs should have a black-box warning about side effects that can cause compulsive behavior, such as extreme desires for sex, eating, shopping and gambling.

## INSURANCE

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### W. Va. Not Harmed By ACA Tweaks, DC Circ. Rules

The D.C. Circuit on Friday smacked down West Virginia's challenge to the Obama administration's temporary non-enforcement of Affordable Care Act insurance standards, concluding that the state hasn't suffered a legal injury.

## EMPLOYMENT

Facebook

Fiat Chrysler Automobiles NV

Friedman LLP

General Electric Capital Corp.

General Electric Company

Google Inc.

Guttmacher Institute

Intervention Energy Holdings LL

JPMorgan Chase & Co.

Jeppesen Sanderson Inc.

Lex Mundi Ltd

Lippman Jungers LLC

MSCI, Inc.

Manpower Inc.

MasterCard Incorporated

McGraw Hill Financial Inc.

MetLife Inc.

Morgan Stanley

National Association of  
Broadcasters

National Cable &  
Telecommunications Associatio

Natural Resources Defense  
Council

Orange County Transportation  
Authority

Pacific Legal Foundation

Planned Parenthood Federation

PricewaterhouseCoopers

Smithfield Foods Inc.

SunEdison LLC

Time Warner Inc.

Toys "R" Us Inc.

Twitter Inc.

UBS AG

Weatherford International Ltd.

Zeughauser Group LLC

## GOVERNMENT AGENCIES

Agricultural Marketing Service

Bureau of Citizenship and  
Immigration Services

Bureau of Indian Affairs

Bureau of Land Management

California Department of  
Transportation

California Environmental  
Protection Agency

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## German Financial Regulator Opens Whistleblower Office

Germany's Federal Financial Supervisory Authority, or BaFin, on Friday said that it has created a centralized office for whistleblowers to report regulatory violations, calling the protection of those who report corporate wrongdoing a top priority.

## WHITE COLLAR

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### Convicted Ex-Pa. Justice's Sister Loses Federal Appeal

The sister of disgraced ex-Pennsylvania Supreme Court justice Joan Orie Melvin saw a federal judge on Thursday deny a petition seeking an appeal of her conviction on charges over the use of state employees to conduct campaign-related activity.

## GOVERNMENT CONTRACTS

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### GAO Says DOD Needs Better Data To Reduce HQ Costs

The Government Accountability Office criticized the U.S. Department of Defense Thursday for pursuing efforts to save costs by eliminating overlapping and duplicative headquarters functions without adequate data to actually identify those functions that fit under the headquarters umbrella.

## INTERNATIONAL TRADE

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### US, Other Partners Implement \$1.3T Tech Trade Accord

The U.S., European Union and other nations on Friday officially implemented the first round of tariff cuts under a sweeping World Trade Organization agreement that will eventually eliminate duties on more than \$1.3 trillion worth of information technology items.

### GOP Sens. Unveil Bill To Pursue Stand-Alone UK Trade Deal

Calls for the U.S. to pursue a bilateral free trade agreement with the United Kingdom once its exodus from the European Union is complete grew louder on Thursday as a pair of Republican senators introduced legislation directing the White House to maintain a robust trade policy toward Great Britain.

### Saudi Arabia Walks Back 4-Year Ban On US Beef

U.S. beef producers will once again be able to ship to Saudi Arabia after the Middle Eastern nation lifted a moratorium put in place in response to an occurrence of mad cow disease four years ago, Obama administration officials announced Friday.

## TAX

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### Former DC Official, Mayoral Aide Faces Tax Evasion Charge

Federal officials launched a felony tax evasion case against a former Washington, D.C., administration official on Thursday in federal court, alleging that he underreported his 2009 income by more than \$200,000.

## BANKRUPTCY

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### Puerto Rico Defaults On \$1B Debt After Obama OKs PROMESA

Puerto Rico on Friday said it would default on about \$1 billion of debt payments due that day, after President Barack Obama one day earlier signed

Denver International Airport  
European Commission  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Election Commission  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council  
Florida Department of Transportation  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
International Monetary Fund  
Legal Services Corp.  
Los Angeles World Airports  
Metropolitan Transportation Commission  
National Highway Traffic Safety Administration  
National Park Service  
Port of Miami  
Securities and Exchange Commission  
Small Business Administration  
Transportation Security Administration  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
Virginia Department of Transportation

legislation forming a new oversight authority to manage the territory's debt.

World Health Organization

## NATIVE AMERICAN

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### Alaska Loses DC Circ. Bid To Block Native Trust Land Actions

A split D.C. Circuit on Friday rejected Alaska's bid to block the U.S. Department of the Interior from taking land into trust to safeguard it for Native tribes, saying the department's revision of its regulations to allow such trust actions rendered the case moot.

## TELECOMMUNICATIONS

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### 12 States Challenge FCC's Lifeline Change At DC Circ.

A dozen states urged the D.C. Circuit on Thursday to nix a move by the Federal Communications Commission to create a federal process to designate telecom companies as eligible to provide Lifeline broadband services, saying it preempts authority given by Congress to the states alone.

### NY AG Endorses FCC's Broadband Provider Privacy Plan

The New York Attorney General's office on Thursday backed the Federal Communications Commission's plan to set privacy rules for broadband service providers, saying that they are gateways to the internet that consumers can't avoid.

### Time Warner Says Scrap Set-Top Box Plan, Go With Apps

Time Warner Inc. has told the Federal Communications Commission that the conglomerate still has concerns about the agency's plan to unlock set-top boxes, but that an industry-backed apps-based approach is a promising alternative if it ensures competition and consumer choice.

### Broadcasters Slam FCC Plan To Keep Ownership Rules

The Federal Communications Commission's proposal to keep intact media ownership rules ignores the realities of a market that has shifted dramatically, the National Association of Broadcasters told the FCC, saying that the agency has failed to show evidence for holding onto the rules, according to a filing on Thursday.

## INTERNATIONAL ARBITRATION

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### Singapore Proposes Legalizing Third-Party Dispute Funding

Citing a need to stay competitive with international legal hubs like London, Paris and Geneva, Singapore on Thursday proposed abolishing its longstanding ban on third-party funding for lawsuits and arbitration proceedings.

### UK Law Firm Prepares Legal Challenge To Brexit Process

A U.K. law firm has begun legal action to make sure Britain does not start the procedure for withdrawal from the EU without a vote in Parliament, marking the first significant challenge to the referendum vote.

## EXPERT ANALYSIS

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### On Abortion High Court Defers To Evidence, Not Legislatures

While marking an important victory for abortion rights, the U.S. Supreme Court's fact-intensive analysis in *Whole Woman's Health v. Hellerstedt* means



that the scope of the Roe right may still be open to attack, say Jessica Martinez and Jeremy Ershow at Jenner & Block LLP.

### [In Congress: Gun Control, Zika, FAA](#)

After a brief reprieve from partisan battles over the Independence Day recess, the House and Senate return to Capitol Hill to face the same unresolved issues they grappled with in June. One “must pass” order of business during the next two weeks is an extension of current Federal Aviation Administration authorization, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

### [LA Paid Sick Leave Law: Another Bitter Pill To Swallow](#)

Los Angeles' newly enacted sick leave ordinance essentially doubles the minimum amount of paid sick leave employers must provide to their employees. Given the complicated nature of the city ordinance's overlap with California state law, compliance challenges facing employers are significant, says Laura Worsinger at Dykema Gossett PLLC.

### [FTC's New Maximum Civil Penalty And What It Means](#)

For anyone who views Federal Trade Commission civil penalties as a cost of doing business, the cost just went up dramatically. The impact of this change will be most acute in enforcement against Hart-Scott-Rodino Act violations and other continuing violations, says James Fishkin of Dechert LLP.

### [BLM Fracking Decision Is Narrow, But With A Vast Impact](#)

Assuming the Wyoming federal court's decision in *Wyoming v. Department of Interior* is upheld on appeal, it is arguably a narrower holding than many have suggested. It rests on the fact that Congress spoke with unusual clarity and specificity in the Energy Policy Act of 2005, when it substantially curtailed federal authority to regulate hydraulic fracturing, say attorneys at Pillsbury Winthrop Shaw Pittman LLP.

## [LEGAL INDUSTRY](#)

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### [4 Bad Habits Firm Leaders Need To Break Now](#)

The key to being a good law firm leader is simple, experts say: Treat your attorneys how you would like to be treated. It's a straightforward concept, but one too often lost in the high-pressure legal world. Here are a few bad habits leaders can pick up when they lose sight of the golden rule, and some tips on how to fix them.

### [How To Train The Next Generation Of Litigators](#)

BigLaw firms are rethinking how they train young litigators as run-of-the-mill trial work is phased out and high-stakes, high-rate work — largely performed by experienced veterans — is phased in. Here, attorneys share two key approaches their firms use to turn young lawyers into trial all-stars.

### [Norton Rose, Kilpatrick, 3 Other Firms Raise Associate Pay](#)

Norton Rose Fulbright and three other firms said Friday they will match the new salary benchmark set by Cravath Swaine & Moore LLP for first-year associates in certain U.S. markets, a day after Kilpatrick Townsend & Stockton LLP said it would adopt the new \$180,000 standard.

### [Dewey Ex-Chair Ordered To Pay Back \\$400K Loan](#)

A New York state judge on Friday ordered former Dewey & LeBoeuf LLP

chairman Steven H. Davis to pay Citibank nearly \$400,000 for a capital contribution loan he took out to help fund the now-shuttered firm before financial fraud charges were lobbed against him and other executives.

### [Legal Giants Hungry For Overseas Boutiques](#)

Three major international law firms announced Thursday that they plan to break into new markets by gobbling up smaller firms in London, Sweden and Vietnam, a trend experts say indicates a growing hunger in the legal industry for pint-sized cross-border mergers.

### [GC Cheat Sheet: The Hottest Corporate News Of The Week](#)

BigLaw rates come under fire, the U.S. Securities and Exchange Commission wants more details about board member diversity, and a number of legal violations are about to get a lot costlier. Those stories top this past week's news you may have missed.

### [Global 20: Squire Patton Boggs](#)

Squire Patton Boggs has continued to expand its global presence, securing one of the largest firm mergers during the first half of 2016, representing a Chinese creditor as it steered U.S. bankruptcy proceedings for a \$3.5 billion project to the Bahamas, and again earning a spot on Law360's Global 20 list.

### [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.

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