

From: Public Policy Law360 <news-q@law360.com>
To: Adams, ChaneyChaneyAdams@gov.sc.gov
Date: 10/7/2016 4:27:53 AM
Subject: First Global Agreement To Cut Aviation Emissions Reached

PUBLIC POLICY

Friday, October 7, 2016

TOP NEWS

[First Global Agreement To Cut Aviation Emissions Reached](#)

The first-ever global accord to cut greenhouse gas emissions from commercial airlines was announced Thursday, with 191 nations agreeing to a sweeping deal aimed at capping carbon pollution from the international aviation sector and their effect on climate.

[FTC Head Calls Out Possible Nuisance Patent Settlements](#)

Federal Trade Commission Chairwoman Edith Ramirez recommended changes by courts and lawmakers to discourage business models that rely on nuisance infringement suits Thursday, following the release of the agency's investigation into patent assertion entities.

[FCC Sets Out Revised Privacy Rules For Broadband Providers](#)

Federal Communications Commission Chairman Tom Wheeler rolled out revised new privacy rules for broadband providers Thursday that the agency says are more in line with the Federal Trade Commission's approach and are based on the sensitivity of consumer data.

[Gov. Pence Says Muslim Ban No Longer On The Table](#)

Republican vice presidential nominee Mike Pence indicated Thursday that a ban on Muslim immigration is no longer among his running mate Donald Trump's campaign positions, even though the candidate's website still includes a statement calling for a "complete shutdown" of Muslims coming to the U.S.

[Swiss High Court Says Bank Can't Share Atty Info With US](#)

A Swiss bank is barred from handing over the names of two attorneys and their law firm representing American customers unless there is a strong public interest for doing so, such as avoiding tensions with the U.S., according to a Wednesday statement from Switzerland's highest court.

[Uber, Lyft Ordered To Stop Service By Philly Judge](#)

A Pennsylvania state judge reportedly barred Uber and Lyft from operating in Philadelphia on Thursday after taxi and limousine drivers argued the ride-hailing services skirt expensive regulatory measures.

[Revamped EU Border Patrol To Have More Resources, Duties](#)

The European Union relaunched its border security agency on Thursday with an ambitious plan to protect against threats and help its member states track, process and repatriate the large numbers of migrants who have tried to gain

LAW FIRMS

Akin Gump
Becker & Poliakoff
Bracewell LLP
Carothers DiSante
Cole Scott
Davis Wright Tremaine
Dowd Bennett
Greenberg Traurig
Hausfeld
Hogan Lovells
Ice Miller
Klein Moynihan
Loeb & Loeb
McDermott Will
McElroy Deutsch
Meyer Glitzenstein
Morris Nichols
Munger Tolles
Organ Cole
Quinn Emanuel
Ross Aronstam
Seyfarth Shaw
Shulman Rogers
Simpson Thacher
Taft Stettinius
Vinson & Elkins
Weisbrod Matteis
White & Case

COMPANIES

AK Steel Holding Corp
Airbnb Inc.
Amazon.com Inc.
America Fujikura Ltd.
American Bar Association

entry in the past two years.

ANALYSIS

Living-Will Pressure Mounts On Fed, FDIC Amid Bank Lapses

The Federal Reserve and the Federal Deposit Insurance Corp. will face considerable pressure to punish JPMorgan Chase & Co., Wells Fargo & Co. and three other big banks if their recently resubmitted living wills do not show significant improvements from versions deemed insufficient earlier this year, experts say.

Clock Could Run Out On FCC's Push For Video Diversity

The Federal Communications Commission last week floated a proposal to promote diverse and independent programmers by limiting certain contract terms it deems unfair, but experts say the November election could further muddy the rules' already hazy fate.

Daily Fantasy In A Better Position To Face NY Challenge

A lawsuit filed this week in New York questions whether a law passed to authorize daily fantasy sports contests violates the state's constitutional prohibition on gambling expansion, but experts say a protracted constitutional fight over whether the contests are ones of skill or chance will be more difficult for challengers now that the law is in effect.

BANKING & SECURITIES

SEC Needs To Define Internal Controls Review Goals: GAO

The U.S. Securities and Exchange Commission should spell out formal goals for those within the agency tasked with reporting on the efficiency and impact of its internal supervisory controls, the U.S. Government Accountability Office said in a report Thursday.

Miami Commission To Weigh \$1M Deal To End SEC Fraud Suit

The Miami City Commission will consider approving a \$1 million proposed settlement with the U.S. Securities and Exchange Commission to resolve litigation following a jury verdict that found the city violated securities laws through \$38 million in improper transfers aimed at improving its bond ratings.

ENERGY & ENVIRONMENTAL

States Say EPA Ignored Plea To Limit Cross-State Pollution

Six northeastern U.S. states sued the U.S. Environmental Protection Agency in New York federal court on Thursday, accusing the agency of ignoring calls to crack down on air pollution from several upwind states that contribute to elevated ozone levels in the region.

USDA Makes Deal to Stop Killing Nevada Predators

The U.S. Department of Agriculture agreed Wednesday to halt a predator-killing program in Nevada and phase out the environmental review it was based on under a settlement agreement with WildEarth Guardians, which puts an end to claims that were revived by the Ninth Circuit.

Daimler Trucks Pays \$28.5M To Settle Engine Pollution Suit

A Daimler Trucks North America unit has agreed to put \$14.5 million toward pollution-reduction programs and pay a \$14 million civil penalty to resolve

American Federation of Labor & Congress of Industrial Organizations

American Medical Association
Association of Corporate Couns

BT Group plc

Bank of America Corporation

Burford Capital LLC

CITGO Petroleum Corp.

CPI Corporation

Center for Biological Diversity I

Chevron Corporation

Citigroup Inc.

Comcast Corporation

ConocoPhillips

Daimler AG

Dolby Laboratories, Inc.

DraftKings Inc.

Exxon Mobil Corporation

Facebook

FanDuel Inc.

Florida Bar Association

Ford Motor Company

General Motors

Goldman Sachs Group Inc.

Google Inc.

HomeAway Inc.

Hubbell Inc.

Impax Laboratories, Inc.

JPMorgan Chase & Co.

Lyft Inc.

Macy's Inc.

Marathon Petroleum Corp.

Marsh & McLennan Companies Inc.

McGraw Hill Financial Inc.

Microsoft Corporation

Minnesota State Bar Associatio

Moody's Corporation

Morgan Stanley

Mylan NV

NFL Enterprises LLC

NII Holdings, Inc.

National Collegiate Athletic Association

Natural Resources Defense Council

allegations that the company sold heavy-duty diesel engines that didn't meet emissions standards.

Advocates Push For Halt To BLM Horse Removal

A band of wild horse preservation groups and photographers asked a federal court Thursday to temporarily stop the Bureau of Land Management from removing hundreds of wild horses from public land, citing a pending Tenth Circuit appeal over whether they can be removed from public land under the Wild Free-Roaming Horses and Burros Act.

HEALTH & LIFE SCIENCES

NJ Lawmakers Advance EpiPen Affordability Bill

New Jersey lawmakers on Thursday advanced legislation that would help increase the affordability of Mylan MV's EpiPens, which jumped 400-fold in price over seven years, by allowing them to be sold in single units rather than multiples.

IP & TECHNOLOGY

FTC Patent Assertion Study Urges Curbs On 'Nuisance' Suits

The Federal Trade Commission on Thursday released a long-awaited study analyzing the business practices of patent assertion entities and offering the commission's support for several proposals in Congress that are aimed at curbing "nuisance" patent lawsuits.

US Parsing Ukraine's IP Enforcement Reform Efforts

Trade officials for the U.S. and Ukraine huddled in Washington, D.C., for a bilateral summit on Wednesday that focused in part on Ukraine's efforts to improve its shaky intellectual property enforcement system, among numerous other trade and investment issues.

MEDIA & ENTERTAINMENT

Supreme Court Asked To Review NJ Sports Betting Decision

A New Jersey organization that advocates for horse racing has asked the U.S. Supreme Court to review the Third Circuit's rejection of the state's attempt to allow sports betting at its casinos and racetracks, saying it unconstitutionally deprives political and individual liberties protected by federalism.

TRANSPORTATION & INFRASTRUCTURE

Ex-Staffer Now Unsure If Christie Lied About GWB Closings

A former member of New Jersey Gov. Chris Christie's administration testified Thursday at the George Washington Bridge lane-closing trial that she used a "poor choice of words" when she said the governor lied during a press conference about his senior staff not being involved in the alleged political payback scheme, saying she did not know whether he did or not.

REAL ESTATE

Texas AG Joins Fight Against Austin Short-Term Rental Law

Texas Attorney General Ken Paxton on Wednesday intervened in a lawsuit against the city of Austin over its short-term rental ordinance, saying the

Navistar International Corporation
Netflix Inc.

PayPal Inc.

Plains All American Pipeline, L.

Public Knowledge

QUALCOMM Incorporated

RSM US LLP

Robert Half International Inc.

STR Holdings, Inc.

Sanofi-Aventis

St. Louis Metropolitan Taxicab
Commission

State Bar of California

State Street Corp.

StubHub Inc.

Teva Pharmaceutical Industries
Limited

Texas Public Policy Foundation

The Bank of New York Mellon
Corporation

The Boeing Company

Turner Broadcasting System Inc.

Twitter Inc.

UBS AG

Uber Technologies Inc.

Verizon Communications

Wells Fargo & Co.

GOVERNMENT AGENCIES

Animal and Plant Health
Inspection Service

Bureau of Land Management

Delaware Court of Chancery

Delaware Department of Finance

Department of Commerce

European Commission

Executive Office of the President

Federal Bureau of Investigation

Federal Communications
Commission

Federal Deposit Insurance Corp.

Federal Reserve System

Federal Trade Commission

Food and Drug Administration

Government Accountability Office

International Chamber of

Commerce

municipal legislation exceeds the lawful scope of the city's authority and infringes upon residents' constitutional rights.

Judge Not Sold On Airbnb Free-Speech Claim On SF Rent Law

A California federal judge appeared torn Thursday over Airbnb and HomeAway's request to block a recent San Francisco law fining web platforms for offering short-term rentals that aren't registered with the city, criticizing the city's failure to provide an easy way to check its registry but calling the websites' free speech argument unconvincing.

COMPETITION

Uber Gets Green Light For Cab Commission Antitrust Suit

A Missouri federal judge on Thursday refused to dismiss a suit brought by an Uber Technologies Inc. unit accusing the St. Louis Metropolitan Taxicab Commission of conspiring with its commissioners to institute onerous regulations that unlawfully stifle competition, saying the quasi-government agency isn't immune to antitrust claims.

GOVERNMENT CONTRACTS

SBA Rule Would Allow Challenges To Biz Size Standards

Companies will soon be able to challenge standards set by the U.S. Small Business Administration determining what does and does not qualify as a small business eligible for set-aside contracts and other benefits under a new rule proposed by the agency Thursday.

ConocoPhillips Sues Venezuela's Oil Arm Over Asset Dumps

ConocoPhillips sued state-owned Latin America gasoline giant Petroleos de Venezuela SA and Citgo Petroleum Corporation in Delaware federal court on Thursday, alleging PDVSA's attempts to sell its Citgo assets is a scheme to defraud creditors.

TAX

Del. Asks Chancery To Enforce Unclaimed Property Summons

The Delaware Department of Finance asked the Chancery Court Thursday to enforce a summons under the state's unclaimed property law against a company that handles rebates and reward programs for retailers, saying the firm is not cooperating with government demands to examine its records.

Online Fantasy Sports Entry Fee Not Subject To NJ Sales Tax

The entry fee to participate in online fantasy sports games isn't subject to the New Jersey sales tax applicable to information services because the player is paying to enter contests, not for data received during the transaction, the Division of Taxation said Thursday in a letter ruling.

Ind. Law On Property Valuation Holds Up, Tax Court Says

The Indiana Tax Court ruled Wednesday that AK Steel Corp. cannot use a certain property valuation method for its facility in the state, rejecting the steel products maker's arguments that language in a state law regarding that method is unconstitutional.

TELECOMMUNICATIONS

International Monetary Fund
Los Angeles World Airports
National Telecommunications and Information Administration
New Jersey Legislature
New York State Department of Health
New York State Gaming Commission
Office of Foreign Assets Control
Port Authority of New York & New Jersey
Securities and Exchange Commission
Small Business Administration
U.S. Department of Agriculture
U.S. Department of Justice
U.S. Department of Transportation
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Secret Service
U.S. Supreme Court
United Nations
World Bank Group

Comcast Slams Verizon Plan For FCC Special Access Reform

Verizon, competitive group Incompas and others pressing for rate regulations in the market for business data services are arguing for the Federal Communications Commission to improperly conclude all business data services are common carrier services, Comcast told the FCC Wednesday, slamming that approach as "unlawful."

Senate Dems Push For 'Transparent' Spectrum Sharing Tests

A pair of Senate Democrats pushed the Federal Communications Commission on Thursday to move forward with a transparent and thorough testing process as the agency eyes the feasibility of spectrum sharing between short-range communications for advanced vehicle safety equipment and unlicensed Wi-Fi technology.

PEOPLE

Giuliani Takes A Break From BigLaw To Campaign For Trump

Just months after joining Greenberg Traurig LLP earlier this year, former New York City Mayor Rudolph Giuliani is taking a leave of absence from the firm through Nov. 9 to help out with Donald Trump's presidential campaign, the firm said Thursday.

EXPERT ANALYSIS

EPA Sets The Stage For Expanded GHG Regulations

Although the clock will run out before it can issue a proposal to regulate existing oil and gas sources, the Obama administration is putting the building blocks in place for the next U.S. Environmental Protection Agency to finalize a rule that will cover a wide swath of emission sources. Of particular concern is the fact that the agency is seeking information about natural gas venting during maintenance activities, say attorneys at Vinson & Elkins LLP.

Employers Beware A Patchwork Of Calif. Minimum Wage Laws

While California employers face a statewide minimum wage increase to \$15 per hour by 2023, many face even greater and/or more rapid increases under local ordinances. These very real costs and complications should be considered as part of every California employer's decision of where to do business in the state, say Dan Forman and Brian Cole II of Carothers DiSante & Freudenberger LLP.

Coming Soon: The 3-D (And 4-D) Brief

From e-discovery to attorney profitability, the technologies of the 21st century have had a major impact on legal practice. Yet the tech revolution has had surprisingly little impact on the form and content of legal briefs — the very bread-and-butter of many legal practices. This is about to change, according to Martin Bienstock of Weisbrod Matteis & Copley PLLC.

LEGAL INDUSTRY

Why Tech Skills Are Your Ethical Duty

Lawyers aren't known as the tech-savviest of professionals, but in the ABA's view, you do have a duty to your clients to have at least a little know-how. Here, experts discuss the ethical obligation of technological competence and what it means for you.

[Attorney Base Pay Projected To Climb in 2017, Report Says](#)

Legal profession pay is expected to rise by 3.6 percent in 2017, while starting salaries for first-year associates at large law firms and more experienced attorneys at small to midsize firms could see a larger than average boost, according to a report released Thursday.

[Hogan Lovells Hamburg MP Steps Down Amid Spying Scandal](#)

The managing partner at Hogan Lovells' Hamburg, Germany, office has stepped down after he was accused of teaming up with an energy supplier client's human resources director to spy on a former employee who had filed a labor lawsuit against the company, the firm confirmed Thursday.

[Seyfarth NY Litigation Head Drops Profit-Sharing Litigation](#)

Seyfarth Shaw LLP New York litigation head Jonathan Wolfert has settled litigation with two of his former partners at a now-defunct law firm after exchanging millions of dollars in claims and counterclaims with the duo over the past two years, a court filing shows.

[Burford Capital Launches Legal Arm To Enforce Judgments](#)

New York-based litigation funder Burford Capital has launched its own legal practice, Burford Law, which will be headed up by a recent U.K.-based commercial litigation and international arbitration hire pulled from Akin Gump Strauss Hauer & Feld LLP, the company said Wednesday.

[Proskauer Partner To Be Southern District Of NY Magistrate](#)

Katharine H. Parker, a partner in Proskauer's labor and employment law practice and a 23-year veteran of the firm has been selected to serve as a magistrate judge in the U.S. District Court for the Southern District of New York, the law firm announced Wednesday.

[Law360 Closed For Columbus Day](#)

The offices of Law360 will be closed Monday for the Columbus Day holiday. Newsletter service will resume Tuesday, Oct. 11.

[Pro Bono Firm Of 2016: Simpson Thacher](#)

Simpson Thacher & Bartlett LLP attorneys spent 20 years advocating for a death row inmate before getting his conviction vacated in November and were instrumental in expanding girls' access to sports in three California schools, helping the firm secure a spot as one of Law360's Pro Bono Firms of 2016.

[Rainmaker Q&A: McDermott's Lazar Raynal](#)

Work at being the best lawyer you can be. If you are not an excellent lawyer first, you don't have a strong foundation to answer client needs, says Lazar Raynal, global chairman of the litigation practice group at McDermott Will & Emery LLP.

[Rainmaker Q&A: Quinn Emanuel's Juan Morillo](#)

Most of the time, clients don't need your services. In particular, it's during these dormant times that it is essential to continue to be visible to them, says Juan Morillo, co-chairman of the white collar and corporate investigations practice at Quinn Emanuel Urquhart & Sullivan LLP.

JOBS

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