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Subject: Trump's AG Shortlist Likely Filled With Familiar Names

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## PUBLIC POLICY

### Law360's Election 2016 Hub

Check out our complete coverage of the runup and fallout of the 2016 election

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Thursday, November 10, 2016

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#### TOP NEWS

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##### Analysis

### Trump's AG Shortlist Likely Filled With Familiar Names

While President-elect Donald Trump is expected to pick a loyal insider to help deliver on a host of campaign promises as his attorney general, experts see him weighing who can best surmount a potential challenge from the Democratic minority in the Senate.

##### Analysis

### Trump Win Could Moot Cases Over Obama Climate Regs

President-elect Donald J. Trump's victory Tuesday dealt a devastating blow to the controversial Clean Power Plan and other regulations aimed at curbing climate change, and could render what had been closely watched D.C. Circuit challenges to the CPP and other Obama administration rules moot, experts say.

##### Analysis

### Trade-Fatigued Rust Belt Fueled Trump's Stunning Win

Among the most shocking developments in Donald Trump's rise to the White House on Tuesday were his gains in traditionally Democratic strongholds like Wisconsin, Michigan and Pennsylvania, where experts say his protectionist bombast resonated with a beleaguered working class that has soured on trade liberalization.

##### Analysis

### State Minimum Wage Proposals Could Spike Under Trump

Lost in the midst of President-elect Donald Trump's astonishing electoral victory Tuesday night were a handful of state ballot initiatives that resoundingly increased minimum wages and expanded the availability of paid sick leave, a trend that experts say could be accelerated in the absence of federal action by the new Republican-led Congress.

##### Analysis

### 5 Transportation Ballot Measures Voters Gave A Green Light

American voters strongly backed boosting investments in transportation infrastructure at the state and local level on Tuesday, signing off on ballot initiatives in California, Illinois, New Jersey and elsewhere to ensure funding

#### LAW FIRMS

Alston & Bird  
Arent Fox  
Arnold & Porter  
Baker Botts  
Beasley Allen  
Becker & Poliakoff  
Bell Nunnally  
Birch Stewart  
Brann & Isaacson  
BuckleySandler  
Cozen O'Connor  
DLA Piper  
Day Pitney  
Epstein Becker Green  
Fisher Phillips  
Ford & Harrison  
Gibson Dunn  
Greenberg Traurig  
Haynes and Boone  
Hirschfeld Kraemer  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Jackson Lewis  
Jackson Walker  
Jones Day  
K&L Gates  
Katten Muchin  
Kaye Scholer  
Kirkland & Ellis

for mass transit and other major projects. Here are five key transportation ballot initiatives approved by voters.

### Analysis

#### Controlled Foreign Corp. Rules Could Deter Joint Ventures

New Treasury regulations aimed at curbing the use of certain partnership transactions with respect to U.S. property held by controlled foreign corporations are not crystal clear on when the transactions will be deemed as possible tax avoidance measures and could discourage joint ventures between large multinational groups, experts say.

## BANKING & SECURITIES

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#### DOL Cites Fiduciary Rule Win In US Chamber's Challenge

The U.S. Department of Labor has wasted little time applying a recent D.C. federal court decision upholding its so-called fiduciary rule to one of several other federal court suits over the new rule, pointing the ruling out to the Texas federal judge hearing a challenge by trade groups including the U.S. Chamber of Commerce.

## HEALTH & LIFE SCIENCES

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#### 5 Takeaways From FDA's Off-Label Promo Forum

The U.S. Food and Drug Administration on Wednesday heard sharply divergent views about off-label promotion of drugs and medical devices, with manufacturers and BigLaw attorneys urging more leeway while consumer advocates voiced dire warnings about risks to public health. Here are five takeaways from the first day of a two-day public forum.

#### Calif. Voters Reject Measure To Limit Gov't Drug Costs

California voters on Tuesday rejected a controversial proposition that would have barred state agencies from paying more for drugs than the U.S. Department of Veterans Affairs does in the hopes of cracking down on rising drug costs.

## MEDIA & ENTERTAINMENT

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#### Californians Veto Condom Requirement For Porn

California voters rejected a controversial proposal on the state ballot Tuesday that would have mandated condom use in pornographic films and granted a private right of action for viewers to sue adult film producers if condoms aren't visible in their films.

## GOVERNMENT CONTRACTS

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#### SBA Disadvantaged Biz Program Should Stand, DC Circ. Told

The U.S. Department of Defense and the U.S. Small Business Administration on Tuesday asked the D.C. Circuit not to revisit its decision upholding an SBA program for disadvantaged small businesses, arguing that a contractor's challenge to the ruling incorrectly asserts that it conflicts with other appellate court decisions.

## TAX

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#### States Ask Justices To Nix Test For Taxing Remote Sales

Latham & Watkins

Little Mendelson

McDermott Will

Morgan Lewis

Nelson Hardiman

Nossaman LLP

Paley Rothman

Pillsbury Winthrop

Pryor Cashman

Quinn Emanuel

Reed Smith

Robins Kaplan

Ropes & Gray

Saul Ewing

Schiff Hardin

Sidley Austin

Skadden

Snell & Wilmer

Stoel Rives

Sullivan & Worcester

Sutherland Asbill

Tucker Ellis

White & Case

Wiley Rein

WilmerHale

## COMPANIES

AARP Inc.

AIDS Healthcare Foundation In

Allergan PLC

Altman Weil Inc.

Amazon.com Inc.

American Public Transportation  
Association

American Road & Transportatic  
Builders Association

Anthem Inc.

BDO USA LLP

Business Insider Inc.

California Medical Association

Friedman LLP

Genentech Inc.

Gilead Sciences Inc.

GlaxoSmithKline

Hearst Corp.

Humana Inc.

International Longshore and

Eleven states urged the U.S. Supreme Court on Monday to overturn its controversial 1992 ruling requiring retailers to have a physical presence in a state for the purpose of collecting sales and use taxes, saying that the ruling is outdated and robs states of billions of dollars in much-needed revenue.

### Chamber Of Commerce, IRS Clash On Anti-Inversion Rule

The U.S. Chamber of Commerce slammed the Internal Revenue Service's bid to toss its suit over a rule meant to combat corporate inversions, arguing Tuesday in Texas federal court that it has standing to bring a suit on behalf of its members, which suffered injury in this case.

## BANKRUPTCY

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### NJ Gambles On State Takeover Of Broke Atlantic City

New Jersey officials signed off Wednesday on a state takeover of Atlantic City, stripping the struggling resort town of major decision-making powers after a state agency rejected the city's financial recovery plan.

## IMMIGRATION

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### Justices Weigh Gender Bias, Remedy In Citizenship Row

The U.S. Supreme Court heard arguments Wednesday over criteria that make it easier for mothers than fathers to pass their U.S. citizenship on to children born abroad and out of wedlock, with the court's liberal members homing in on the issue of gender discrimination.

## TELECOMMUNICATIONS

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### Windstream Pushes FCC For Biz Data Price Protections

Windstream Services LLC continues to lobby the Federal Communications Commission for pricing safeguards in its proposed business data services regulations, according to an ex parte filing Tuesday that argued for prohibitions on price discrimination.

### Rural Telecom Group Wants FCC Subsidy Gaps Filled

NTCA-The Rural Broadband Association's chief executive officer on Tuesday urged the Federal Communications Commission to plug the gaps plaguing the "woefully underfunded" high-cost Universal Service Fund subsidy for small carriers aimed at helping to bring voice and broadband to rural customers.

## EXPERT ANALYSIS

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### Employment Law Possibilities Under President Trump

President-Elect Donald Trump offered little specifics about employment law policies on the campaign trail, but he painted enough broad brush strokes to offer some possibilities. He also energized whites, a demographic group not emphasized since George Wallace's failed candidacy. That reality points all of us in a starkly new direction for employment law, says Michael LeRoy, a professor of law at the University of Illinois at Urbana-Champaign.

### Foreign Affairs Outlook For Trump Presidency, 115th Congress

In assessing how domestic and foreign affairs issues may play out during President-elect Trump's term, it's important to keep in mind that not everything a presidential candidate says during an election campaign is

Warehouse Union

Medtronic Inc.

Microsoft Corporation

Mylan NV

National Association of Broadcasters

National Telephone Cooperative Association

Pfizer Inc.

PhRMA

Public Broadcasting Service

Retrophin Inc.

SIFMA

Southern Poverty Law Center

The Cato Corporation

Turing Pharmaceuticals AG

Turner Broadcasting System Inc.

Twitter Inc.

U.S. Chamber of Commerce

Valeant Pharmaceuticals International

Washington Legal Foundation

Washington Post Co.

Wells Fargo & Co.

Windstream Corporation

## GOVERNMENT AGENCIES

Army Corps of Engineers

Centers for Medicare & Medicaid Services

Consumer Financial Protection Bureau

Consumer Product Safety Commission

Equal Employment Opportunity Commission

Executive Office of the President

Federal Communications Commission

Federal Election Commission

Food and Drug Administration

Internal Revenue Service

Los Angeles County Metropolitan Transportation Authority

NAFTA

NATO

National Labor Relations Board

Occupational Safety and Health

predictive of exactly how he will act as president. This is particularly the case for Mr. Trump, who, more than most presidential candidates, relied on general foreign policy prescriptions without providing many details, say Andrew Zausner and Alan Slomowitz of Greenberg Traurig LLP.

### [What New DOL Overtime Rules Mean For The Media Industry](#)

The U.S. Department of Labor's final rule on overtime could qualify many more journalists, photographers and other creative professionals for overtime pay under the Fair Labor Standards Act. However, there are many exemptions to these requirements, including one for an individual employed in a "creative professional" capacity, says Cassidy Daniels of Haynes and Boone LLP.

### [TSCA Nanoscale Rule May Turn Out To Be A Big Deal](#)

The U.S. Environmental Protection Agency is moving swiftly forward with what could be the first federal environmental regulation to impose reporting requirements specifically for nanoscale materials. The regulation is expected to create reporting and recordkeeping requirements for both current and future manufacturers and processors of existing and new chemical substances produced at the nanoscale, says Lawrence Cullen of Arnold & Porter LLP.

## LEGAL INDUSTRY

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Feature

### [BigLaw PACs Back Incumbents With Donations In 2016 Races](#)

Donations by BigLaw employees were all over the map this cycle, but political action committees of the nation's 10 largest law firms have largely stayed the course of backing incumbents. This article is the third in a four-part series.

### [BigLaw Reacts To Trump's Election To The White House](#)

Donald J. Trump has captured the U.S. presidency, bringing with him a promise of change. Law360 asked attorneys how they think a Trump presidency may impact the regulatory landscape and what it will mean for their practices and their clients.

### [GCs Let Law Firms Off Easy On Data Security: Survey](#)

Most corporate legal departments don't bother asking their most-used firms to adopt any particular data security measures, and only a few have shifted work away from a firm because of security concerns, according to a survey.

### [Katten Muchin In Privilege Danger Zone With Shkreli Doc Bid](#)

With Katten Muchin Rosenman LLP confronting ethically tricky questions about whether attorney-client privilege extends to corporate clients that no longer exist, the firm is wisely seeking an extra layer of legal cover before agreeing to hand over a trove of documents related to legal work done for former client Martin Shkreli and the firm's representation of more than a dozen of his ventures, experts say.

### [Law360 Closed For Veterans Day](#)

The offices of Law360 will be closed Friday for Veterans Day. Newsletter

[Administration](#)  
[Pension Benefit Guaranty Corp](#)  
[San Francisco Bay Area Rapid Transit District \(BART\)](#)  
[Securities and Exchange Commission](#)  
[Small Business Administration](#)  
[U.S. Department of Agriculture](#)  
[U.S. Department of Defense](#)  
[U.S. Department of Energy](#)  
[U.S. Department of Homeland Security](#)  
[U.S. Department of Justice](#)  
[U.S. Department of Labor](#)  
[U.S. Department of Veterans Affairs](#)  
[U.S. Environmental Protection Agency](#)  
[U.S. Postal Service](#)  
[U.S. Senate](#)  
[U.S. Supreme Court](#)  
[United Nations](#)  
[Wage and Hour Division](#)

service will resume Monday, Nov. 14.

### Rainmaker Q&A: Jackson Walker's Alfred Meyerson

It's vital that I know the bench strength of my firm, because that brings so much more expertise and experience than I alone can offer, and it's always easier to brag about my colleagues than myself, says Alfred Meyerson, partner at Jackson Walker LLP.

### Rainmaker Q&A: Sutherland Asbill's Ram Sunkara

Nothing is static, including business relationships. In this day and age when in-house legal departments are increasingly scrutinizing outside counsel expenditures and re-evaluating fit with existing panel firms, you need to do more than just periodically take your client to lunch or send them a relevant article or two every once in a while, says Ram Sunkara, partner at Sutherland Asbill & Brennan LLP.

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