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Subject: Jones Day Attys Nab Key Legal Jobs In Trump Administration

PUBLIC POLICY

Monday, January 23, 2017

TOP NEWS

[Jones Day Attys Nab Key Legal Jobs In Trump Administration](#)

Around a dozen lawyers at Jones Day, the Trump campaign's outside counsel, will assume top legal jobs in the business mogul's incoming administration, the firm said on Friday, announcing a wave of appointments for plum positions in the White House, the U.S. Department of Justice, the Solicitor General's office and elsewhere.

[Trump's Business Holdings Target Of New 'Emoluments' Suit](#)

A handful of renowned ethics and constitutional lawyers plan to file a federal lawsuit Monday seeking to make President Donald J. Trump divest his various assets that do business with foreign governments, teaming up with a liberal political watchdog group for perhaps the most high-profile legal test of the U.S. Constitution's emoluments clause.

[Senate Approves Defense Sec. As 1st Trump Cabinet Member](#)

The Defense Department will have a new head, as the Senate approved the nomination of a former Marine general hours after President Donald Trump was sworn in Friday, the first member of the new president's cabinet.

[Trump Aims To Guard US Interests In Trade, Jobs](#)

Shortly after being sworn in Friday, President Donald J. Trump laid out a vision for his administration that he said would put "America first" through a regime of tax, international trade and immigration policy meant to increase job creation and protect U.S. interests.

[Analysis](#)

[Obama's FDA Leaves Mark With Last-Minute Policy Blitz](#)

The U.S. Food and Drug Administration capped off the Obama administration with a flurry of bold policy statements on drug and device regulation, potentially influencing or hamstringing a Trump administration that has flirted with greatly relaxed oversight, attorneys say.

[Analysis](#)

[What We Know About Trump's Antitrust Take So Far](#)

As President Donald Trump took office Friday, the ranks at the front office at the Antitrust Division thinned dramatically, leaving criminal deputy Brent Snyder in charge as rumors continue to swirl about who the new administration will tap to lead the competition agencies. Here's more on the changes and other signals about where U.S. antitrust policy will head in the

LAW FIRMS

Bailey Cavalieri
Ballard Spahr
Buchanan Ingersoll
Bush Ross
Cooley
Covington & Burling
Cozen O'Connor
Cravath Swaine
Cuddy & Feder
DLA Piper
Dechert
Dentons
Dickinson Wright
Dorsey & Whitney
Epstein Becker Green
Faegre Baker
Fish & Richardson
Foley & Lardner
Goodwin
Greenberg Gross
Greenberg Traurig
Gupta Wessler
Hobbs Straus
Hueston Hennigan
Hunton & Williams
Husch Blackwell
Jenner & Block
Jones Day
Kanji & Katzen
Kasowitz Benson
Kilpatrick Townsend
Kleinbard LLC
Levine Staller
Littler Mendelson

next four years.

Retired Gen. Kelly Confirmed as Trump's DHS Secretary

Retired Gen. John Kelly received the approval of the Senate Friday evening for the post of Department of Homeland Security and is poised to take control of the agency responsible for much of the nation's anti-terrorism efforts and immigration policy.

Mnuchin's Testimony Leaves Many Regulatory Questions

While there had been hopes Treasury Secretary nominee Steven Mnuchin's confirmation hearings Thursday would provide more clarity on the Trump administration's plans for bank regulations, Mnuchin's responses on a broad range of topics left lawmakers with even more questions to be answered.

Senate Moves Forward On CIA Director Nomination

After objections from Democrats on Friday the Senate agreed to a Monday vote on President Donald Trump's nominee for CIA director, leaving the new administration with just two appointees approved after its first day in office.

FCC's Pai To Be Named New Permanent Chairman Of Agency

Republican Commissioner Ajit Pai of the Federal Communications Commission will be named its new permanent chairman, a former FCC official familiar with the matter confirmed Friday to Law360, elevating an Open Internet Order critic and launching a new era in telecom policymaking.

BANKING & SECURITIES

SEC Inks Cooperation Deal With Hong Kong Regulators

The U.S. Securities and Exchange Commission said Thursday that it has signed a new cooperation agreement with regulators in Hong Kong, expanding the scope of activity about which the watchdogs will share information.

Analysis

SEC Unlikely To Escape Partisan Chokehold Under Trump

The U.S. Securities and Exchange Commission became an increasingly political focal point in the eight years of Barack Obama's presidency, buffeted by partisan forces both inside and out that experts say have damaged the SEC's credibility and are unlikely to abate during the Trump administration.

Hong Kong Warns Against Rule-Breaking In Growth Market

Hong Kong's securities watchdog and its stock exchange operator issued a joint statement on Friday, taking aim at activity they say is causing volatility in a market made for investment opportunities in higher-risk companies.

ENERGY & ENVIRONMENTAL

Feds Strengthen Rules For Reporting Pipeline Accidents

The U.S. Department of Transportation issued new guidelines on Thursday requiring pipeline operators to report accidents and spills more quickly, continuing efforts to fulfill obligations set out by Congress in 2011 aimed at strengthening pipeline regulations and safety.

EPA, Envirosearch Reach Deadline Agreement On Ozone Plans

A California federal judge on Thursday signed off on a binding schedule for

Locke Lord
Lowenstein Sandler
McDermott Will
Milbank Tweed
Morgan Lewis
Obermayer Rebmann
Paul Hastings
Peckar & Abramson
Reed Smith
Ropes & Gray
Saul Ewing
Sheppard Mullin
Skadden
Sullivan & Cromwell
Warren Environmental Counsel
LLC
White & Case
Wilkinson Walsh
WilmerHale
Zuckerman Spaeder

COMPANIES

AT&T Inc.
American Bar Association
American Cable Association
American Society Of Composer
Authors & Publishers
Atlanta Falcons
Bayer AG
Berdon LLP
Bipartisan Policy Center
Burford Capital LLC
Business Roundtable
Center for Biological Diversity I
Citizens for Responsibility and
Ethics in Washington
ConAgra Foods, Inc.
Delaware Riverkeeper Network
Enterprise Holdings Inc.
Facebook
Financial Industry Regulatory
Authority Inc.
Friedman LLP
Getty Images Inc.
Google Inc.
Great American Insurance
Company

the U.S. Environmental Protection Agency to make decisions about air pollution plans in several states, resolving a lawsuit brought by three environmental groups last year.

Calif. Eyes 2030 With Broad Greenhouse Gas Cut Plan

California unveiled a sweeping plan Friday to slash 1990-level greenhouse gas emissions by 40 percent by 2030, which includes a 10-year extension of the state's cap-and-trade program and a new requirement for oil refineries to slash their emissions by 20 percent.

Pa. GOP Sens. Back Landowner In Fracking Ban Suit

Three Republican Pennsylvania state senators on Thursday urged a federal judge to advance a landowner's lawsuit challenging the Delaware River Basin Commission's fracking moratorium, saying the state did not cede its authority to regulate development when it entered into the compact that created the multistate organization.

Analysis

Politics Put Pa. Methane Reduction Efforts On Thin Ice

A year after Pennsylvania Gov. Tom Wolf announced an ambitious strategy to curb methane emissions from natural gas production, political realities in Washington, D.C., and Harrisburg are threatening to take regulation of the greenhouse gas in the opposite direction.

HEALTH & LIFE SCIENCES

Among Trump's First Orders Is One To Ease ACA Regulations

President Donald Trump got to work on his first day in office, signing executive orders including one that aims to "ease the economic burdens" of the Affordable Care Act in advance of its promised repeal, according to reports on Friday.

EMPLOYMENT

DOL Wants Judge To Toss Case Against Retaliation Rule

The U.S. Department of Labor asked a Texas federal judge on Thursday to toss a case filed by numerous business groups challenging an anti-retaliation provision in the recently implemented injury and reporting rule by the Occupational Safety and Health Administration, saying the rule doesn't hurt them.

PRIVACY & CONSUMER PROTECTION

Calif. AG Says Actor-Age Law No 1st Amendment Threat

A California privacy law aimed at keeping online entertainment industry employment services from listing film industry workers' ages doesn't violate IMDb.com Inc.'s free speech rights, in part because it's a law about contracts, the state attorney general's office argued Thursday.

GOVERNMENT CONTRACTS

Planned Parenthood Texas Contracts Upheld Through Feb.

A Texas federal judge on Thursday banned the state from ending its Medicaid contract with its Planned Parenthood affiliates in an attempt to preserve the status quo while he reviews a "mountain of evidence" in the

Hertz Global Holdings Inc.
Hong Kong Exchanges and Clearing
KPMG International
Liberty Mutual
LinkedIn Corp.
Marathon Petroleum Corp.
Monsanto Company
NFL Enterprises LLC
National Association of Manufacturers
National Retail Federation Inc.
Newegg Inc.
Overstock.com Inc.
Pandora Media Inc.
Pfizer Inc.
Planned Parenthood Federation
Portigon AG
Sony/ATV Music Publishing LLC
Spotify Technology SA
Starbucks Corporation
Stepan Co.
Temple-Inland Inc.
The Golf Channel LLC
Thrivent Financial
Time Warner Inc.
Trump Organization Inc.
Turner Broadcasting System Inc.
Twitter Inc.
U.S. Chamber of Commerce
Verizon Communications
Wal-Mart Stores Inc.
Washington Post Co.
Wayfair LLC
Zimmer Biomet Holdings Inc.

GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
Bureau of Indian Education
California Environmental Protection Agency
Central Intelligence Agency
Colorado Department of Revenue
Congressional Budget Office
Consumer Financial Protection

case.

[General Fed Contractors Can Recoup Atty Fees: 11th Circ.](#)

An Eleventh Circuit panel's unpublished opinion Friday revived a bid by a U. S. Department of Veterans Affairs general contractor and its insurer sureties to recoup attorneys' fees on a dropped subcontractor suit alleging shorted payment, concluding the law doesn't limit attorneys' fees from such suits only to subcontractors.

[GAO Says It Saved \\$63B For Gov't In 2016](#)

The U.S. Government Accountability Office on Wednesday said it had helped save the federal government more than \$63 billion in fiscal 2016, pointing to efforts such as helping to stem improper Medicare payments, cut procurement costs, and streamline tax collection.

[INTERNATIONAL TRADE](#)

[WTO Boss Again Cautions World Leaders On Protectionism](#)

As has become something of a tradition at high-level economic summits, World Trade Organization Director-General Roberto Azevêdo on Friday implored the globe's most powerful nations to refrain from imposing new trade barriers that could lead to another financial crisis.

[Newly Minted As President, Trump Puts Trade At The Fore](#)

Soon after Donald J. Trump was sworn in as the 45th president of the United States on Friday, he doubled down on the economic nationalism underpinning his trade policy, vowing to bring back manufacturing jobs and punish foreign producers that have pushed U.S. companies out of business.

[TAX](#)

[IRS Finalizes Dividend Payment Rules For Nonresident Aliens](#)

The Internal Revenue Service Thursday finalized regulations on tax withholdings on dividends paid to nonresident aliens and foreign corporations.

[Miss. Out-Of-State Use Tax Bill Moves Through Legislature](#)

A Mississippi bill that would require out-of-state sellers to collect and remit use taxes has been referred to the state's Senate Finance Committee, a move that follows legislative efforts from several states to defy decades-old U.S. Supreme Court precedent that limits states' ability to collect sales and use taxes from those sellers.

[Ill. High Court Strikes Down Chicago Tax On Car Rentals](#)

The Illinois Supreme Court told Chicago on Friday to stop collecting taxes on suburban businesses that may rent cars for use within city limits, saying that the way the city imposes the tax violates the home rule article of the state constitution.

[Split Pa. High Court Delays End To Local Casino Tax Shares](#)

Over a stern dissent from Justice David Wecht, the Pennsylvania Supreme Court on Friday agreed to give state lawmakers an extension on their efforts to craft a solution after a decision concluding that a two-tiered system for taxing casinos to fund host municipalities violated constitutional requirements for uniform taxation.

Bureau

Delaware River Basin Commiss

Department of Commerce

Executive Office of the Presiden

Federal Communications
Commission

Federal Deposit Insurance Corp

Federal Reserve System

Federal Trade Commission

Food and Drug Administration

Government Accountability Offi

Illinois Supreme Court

Indian Health Service

Internal Revenue Service

Minnesota Chippewa Tribe

Mississippi Legislature

NAFTA

NATO

National Labor Relations Board

Northern Cheyenne Tribe

Occupational Safety and Health
Administration

Oglala Sioux Tribe

Pipeline and Hazardous Materi:
Safety Administration

Securities and Exchange
Commission

Seminole Tribe of Florida

Small Business Administration

Substance Abuse and Mental
Health Services Administration

Texas Attorney General's Office

Tulalip Tribes of Washington

U.S. Air Force

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 Transporta

U.S. Department of Veterans
Affairs

U.S. Department of the Treasur

U.S. Environmental Protection
Agency

Retailers Back Challenge To Del. Property Audits At 3rd Circ.

The National Retail Federation on Thursday backed Marathon Petroleum's appeal of the dismissal of its challenge to a Delaware law that allows the state to carry out business audits in search of seizable abandoned property, including prepaid gift cards, telling the Third Circuit it's clear the state is abusing the audit process.

IMMIGRATION

Texas Judge Rips Into DOJ For Behavior In Immigration Case

A Texas federal judge withdrew portions of sanctions against the U.S. Department of Justice on Thursday in a case over then-President Barack Obama's 2014 immigration executive actions, but ripped into the government for its unethical behavior in the case, saying that it has been "nothing short of stunning."

USCIS Issues Policy Memo For Gender Changes

U.S. Citizenship and Immigration Services said Thursday it will issue immigration-related documents reflecting a changed-gender designation if the individual presents one of three specific forms of evidence in support of the requested change.

NATIVE AMERICAN

BIA Launches Tribal Youth Meth Prevention Program

The Bureau of Indian Affairs on Thursday announced a multi-agency program called "Culture and Meth Don't Mix," which it said is aimed at facilitating a "culturally appropriate" method for preventing methamphetamine use among Native American youth through a mixture of interagency and community participation.

Fla. Appeals Seminole Card Game Ruling

The state of Florida on Thursday said it was appealing a November ruling that the Seminole Tribe of Florida can continue to offer card games such as blackjack for the remainder of a gambling deal it inked with the state.

Tribe Seeks Clarity On Order In Wash., County Tax Row

The Tulalip Tribes on Thursday asked a Washington federal judge to clarify her order that largely ruled against the state of Washington and Snohomish County in a dispute over taxes on reservation lands, seeking confirmation that the order did not weigh the balance of federal, tribal and state interests.

TELECOMMUNICATIONS

FCC's Wheeler Signs Off With 'Competition' Mantra

Departing Federal Communications Commission Chairman Tom Wheeler cast a final spotlight on the "competition, competition, competition" mantra that has been his theme in departing office Friday, stepping down from the agency to make way for Ajit Pai to be elevated to chairman.

FCC Pushed To Nix Cable Public File Requirement

NCTA-The Internet & Television Association has lobbied aides to Federal Communications Commission Republicans Ajit Pai and Michael O'Rielly in support of tossing a cable operator public file requirement, saying the move would support the transition to online files.

U.S. House of Representatives

U.S. Office of Government Ethics

U.S. Senate

U.S. Supreme Court

FCC Report Promotes Digital Infrastructure Expansion

Extending broadband internet access to all Americans would require roughly \$80 billion, with roughly half the cost going toward reaching just 2 percent of U.S. consumers, according to a white paper from the Federal Communications Commission's Office of Strategic Planning and Policy Analysis.

PEOPLE

Former Obama Counsel Tapped As Top Chicago Lawyer

The city of Chicago has named White House veteran and Chicago native Edward Siskel as its new top lawyer, Mayor Rahm Emanuel announced Thursday.

EXPERT ANALYSIS

In Congress: Organizing

Following the inauguration of Donald Trump as the 45th president of the United States, the Senate this week will continue to consider the president's cabinet picks while congressional committees on both sides of the Capitol begin formal organization proceedings for the 115th Congress, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

Considering 'Crime Of Violence' Vagueness At The High Court

In *Lynch v. Dimaya*, the U.S. Supreme Court will need to decide whether the "void for vagueness" standard in the immigration context is the same as the standard used in criminal cases. Adherence to precedent set by the court's previous decision in *Jordan v. de George* would lead the court to apply the vagueness standard in this case in the same manner as in criminal cases, says Michael Carlin of the Law Office of Michael Carlin PLLC.

Competition In Music Licensing — DOJ Has More To Do

The U.S. Department of Justice's position on music licensing will — and is intended to — reinforce the current system of collective licensing of performance rights. Permitting partial withdrawal while also requiring full-work licensing would be a more pro-competitive policy, say Thomas Lenard of the Technology Policy Institute and Lawrence White of the NYU Stern School of Business.

Decoding New FDA Nutrition And Supplement Facts Guidance

In issuing new draft guidance concerning its nutrition and supplement facts labeling regulations, the U.S. Food and Drug Administration continues to fulfill its promise to provide food and dietary supplement companies with additional compliance guidance. The new document addresses questions on compliance dates, added sugars, and vitamin and mineral declarations, says Carolina Wirth of Kilpatrick Townsend & Stockton LLP.

How Litigation Funding Is Bringing Champerty Back To Life

While some courts have declined to apply the common-law doctrine of champerty to invalidate third-party litigation funding agreements, two recent rulings by appellate courts in New York and Pennsylvania have brought renewed attention to champerty principles, casting doubts on the legality of certain forms of third-party litigation funding, say John Beisner and Jordan Schwartz of Skadden Arps Slate Meagher & Flom LLP.

LEGAL INDUSTRY

BigLaw Firms Embrace New Model For Serving Clients

As BigLaw firms strive to adapt to an increasingly competitive market for legal services, the very makeup of their teams of lawyers has begun to shift. Here, leaders at Sheppard Mullin Richter & Hampton LLP, Paul Hastings LLP and McDermott Will & Emery LLP talk about a novel way they're shaking up how they serve clients.

Foley & Lardner Partner Found Dead In Chicago Fire

A Foley & Lardner LLP real estate attorney and one-time DLA Piper partner was found dead in a Chicago parking garage fire of unknown causes last week, according to the local media and the medical examiner's office.

Cozen's Golfer Deal Tests Waters For Firm Sports Sponsorship

In an uncharacteristic move for a major law firm, Cozen O'Connor signed a PGA Tour golfer to a firm sponsorship deal, paving the way for what could be a new avenue for advertising as law firms look to differentiate themselves from the pack.

Goodwin Procter Latest To Announce Cravath-Scale Bonuses

Goodwin Procter LLP on Thursday announced to its patient associates that they will be receiving bonuses for their work in 2016 along the same lines as those announced about two months ago by Cravath Swaine & Moore LLP, although on a more individualized basis.

GC Cheat Sheet: The Hottest Corporate News Of The Week

The IRS takes final aim at corporate inversions, Dentons apologizes for a client mishap and the U.S. Department of Labor defends its fiduciary rule's right to disincentivize class waivers. Those stories top the corporate legal news you may have missed last week.

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.

Call For Participants: Law360's 2017 Editorial Advisory Boards

Law360 is looking for avid readers of its publications to serve as members on its 2017 editorial advisory boards.

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