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Subject: [GWB Scandal Motive Fight Is Matter Of Timing As Trial Looms](#)

PUBLIC POLICY

Monday, September 19, 2016

TOP NEWS

[GWB Scandal Motive Fight Is Matter Of Timing As Trial Looms](#)

Just days before Monday's long-awaited opening statements of the George Washington Bridge lane-closing trial, prosecutors and one of the defendants went to battle over whether the government may assert that his motives include trying to curry favor with New Jersey Gov. Chris Christie and whether there is even enough time left for this argument to be decided.

[FATCA Endangers Privacy, Financial Security, 6th Circ. Told](#)

Sen. Rand Paul, R-Ky., and others asked the Sixth Circuit on Thursday to revive their challenge to offshore tax compliance measures, arguing that the harms under these measures include not just the loss of constitutionally protected privacy, but also financial and security risks

[DC Judicial Nominee Moves To Full Senate For Consideration](#)

The Senate Judiciary Committee has unanimously agreed to send a longtime Washington, D.C., Superior Court judge through to the full Senate for further consideration on her nomination to a judgeship with the capitol's federal district court.

[Texas High Court Won't Hear Scientology Harassment Suit](#)

The Texas Supreme Court on Friday dismissed two separate but related petitions for review from the Church of Scientology and a group that had been accused alongside the church of harassment by a former member who has become a critic of the church, after the underlying lawsuit was dismissed.

ANALYSIS

[Examining Goodlatte's EB-5 Bill, As Deadline Looms](#)

With the EB-5 visa regional center program slated to expire at the end of the month, House Judiciary Committee Chairman Bob Goodlatte, R-Va., has introduced a reform bill just weeks before the reauthorization deadline. Here, Law360 takes a closer look at its proposals, which could have a serious impact on foreign investors if passed.

[Standoff Over Web Transition Threatens US Leadership](#)

The showdown on Capitol Hill over the planned handover of the internet's domain name system to a private and global multi-stakeholder community is riddled with hyperbole and glosses over facts, risking U.S. credibility on internet freedom issues, experts say.

LAW FIRMS

Alexander Dubose
Baker Donelson
Bancroft PLLC
Bernstein Litowitz
Bressler Amery
Brownstein Hyatt
Chadbourne & Parke
Clemens & Spencer
Constangy Brooks
Covington & Burling
Davis Polk
E. Stewart Jones
Fish & Richardson
Gibson McAskill
Hacker Murphy
Harris Wiltshire
Hogan Lovells
Hughes Hubbard
Ice Miller
Jackson Lewis
Kaufman Dolowich
Kaye Scholer
Kiesel Law
Kirkland & Ellis
Kobre & Kim
Littler Mendelson
McCarter & English
McKool Smith
Milbank Tweed
Miller Mayer
Mintz Levin
Norton Rose Fulbright
Perkins Coie
Polsinelli

BANKING & SECURITIES

House Committee To Investigate Wells Fargo Fraud

The House Financial Services Committee on Friday launched an investigation into Wells Fargo & Co., and the role of federal regulators that should have been watching over the company, after the bank agreed to pay \$185 million over allegations that it fraudulently created some 2 million unauthorized accounts.

SEC Member Invites Comments On Regulation NMS Review

The U.S. Securities and Exchange Commission said Friday that Regulation NMS will be up for review this year under the Regulatory Flexibility Act and an agency commissioner said he wants public comments on whether the rule should be changed or even eliminated entirely.

Industry Group Backs Capital Levels Framework For Insurers

The Financial Services Roundtable expressed its support Friday for the Federal Reserve's proposal for how insurance companies under its supervision should calculate their capital levels, but said it doesn't think the Fed should craft a new formula for two systemically important insurers.

HEALTH & LIFE SCIENCES

GOP Reps. Call For NIH Review After NFL Grant Controversy

A group of Republicans from the U.S. House Energy and Commerce Committee on Thursday called for an investigation into the National Institutes of Health's grant process after the NFL was accused of improperly attempting to influence the funding of a scientific study on the degenerative brain condition known as CTE.

MEDIA & ENTERTAINMENT

Judge Sides With BMI Over DOJ On Music Licensing Deals

A New York federal judge ruled for Broadcast Music Inc. in its fight with the U.S. Department of Justice over whether a 75-year-old decree requires the organization to issue licenses only for works it holds all the rights to, finding Friday that music industry antitrust agreements do not bar fractional licenses for music.

TRANSPORTATION & INFRASTRUCTURE

Tesla's Direct Sales Plan Dooms Mich. Dealership Bid

The Michigan Department of State on Thursday shot down a bid by Tesla Motors Inc. to open a dealership in the state, saying the electric automaker's plan to sell its vehicles directly to consumers instead of through a separate franchisee disqualifies it from holding a new-dealer license.

Taxicab Cos. Blast Miami-Dade's Bid To Ax 'Uber Law' Suit

Taxicab companies on Friday fired back at Miami-Dade County's bid to toss their proposed class action alleging a new draft ordinance legalizing ride-hailing providers such as Uber and Lyft violates their equal protection rights, insisting their claims are well-pled and viable.

EMPLOYMENT

Reinhart Boerner

Robins Kaplan

Simpson Thacher

Squire Patton Boggs

Steptoe & Johnson LLP

Vinson & Elkins

Weil Gotshal

COMPANIES

AT&T Inc.

Aetna Inc.

American Automobile Associati

American Civil Liberties Union

American Immigration Lawyers
Association

American International Group I

American Society Of Composer
Authors & Publishers

Apple Inc.

Bayer AG

BlackRock

Broadcast Music Inc.

Center for Biological Diversity I

Charter Communications Inc.

Consumer Federation of Americ

Financial Services Roundtable

Foundation for the National
Institutes of Health

General Motors

Home Depot, Inc.

Humana Inc.

Internet Corporation for Assign
Names and Numbers

LinkedIn Corp.

Los Angeles Times

Lyft Inc.

Marsh & McLennan Companies
Inc.

Massachusetts Mutual Life
Insurance

MetLife Inc.

Mexican American Legal Defen
and Education Fund

Monsanto Company

Mountain States Employers
Council

Mylan NV

NFL Enterprises LLC

Marijuana Legalization Votes Won't End Drug-Free Workplaces

Eight states will vote in November on whether to legalize marijuana for medical or recreational use, but attorneys say employers in those states will be able to maintain drug-free workplaces regardless of what happens at the polls.

PRODUCT LIABILITY

Bill Seeks To Stop Child Deaths By Heatstroke In Vehicles

A new bipartisan bill that would require safety systems in passenger vehicles to prevent children from dying or being injured by heatstroke when left unattended was referred to the U.S. House Energy and Commerce Committee on Thursday.

GOVERNMENT CONTRACTS

DOL Launches Preassessment For Fair Pay Rule Clearance

Federal contractors can get a head start on checking their labor law compliance with the contentious Fair Pay and Safe Workplaces rule by requesting an assessment outside of a particular project, under a preassessment program now underway at the U.S. Department of Labor.

INTERNATIONAL TRADE

WTO Deals Final Blow To Indian Solar Energy Rules

The World Trade Organization's Appellate Body struck down the local content requirements of India's sweeping solar energy initiative Friday, upholding the original panel's decision and forcing New Delhi to alter its program or face steep retaliation from the U.S. government.

TAX

Rite Aid Urges Justices To Toss NY Real Estate Tax Rule

Rite Aid Corp. has further pushed the U.S. Supreme Court to take up the drugstore chain's case against tax assessments from two New York towns, arguing they should not be able to tax the company based on its lease rather than the underlying property's value.

BANKRUPTCY

Atlantic City Seeks Reprieve From Default On \$73M NJ Loan

Atlantic City has asked New Jersey officials to not hold the municipality in default for violating the terms of a \$73 million loan agreement issued as part of a financial bailout package for the cash-strapped resort town.

IMMIGRATION

GOP Rep. Moves To Cut Off Funds For Obama Refugee Plan

U.S. Rep. Sam Graves, R-Mo., on Thursday introduced legislation that would block funding for the White House's refugee proposal, announced earlier this week, that would increase the number of refugees accepted into the U.S. from 85,000 to 110,000.

Ariz. Settles 'Show Me Your Papers' Suit

National Cable &
Telecommunications Associati
National Immigration Law Cent
Nationwide Mutual Insurance C
Petrobras
Planned Parenthood Federatio
PricewaterhouseCoopers
Prudential Financial Inc.
Quest Diagnostics Incorporated
Qwest Communications
International Inc.
Rite Aid Corporation
Royal Philips NV
Service Employees Internationa
Union
Spotify Technology SA
Syngenta AG
TYCO International Ltd.
Telmate LLC
Tesla Motors Inc.
The Ackert Advisory
Uber Technologies Inc.
Valeant Pharmaceuticals
International
Vereit Inc.
Wells Fargo & Co.

GOVERNMENT AGENCIES

Arizona Attorney General's Offi
California Environmental
Protection Agency
California Natural Resources
Agency
California Public Employees'
Retirement System
Congressional Budget Office
Consumer Financial Protection
Bureau
Council on Environmental Qual
Department of Commerce
Federal Acquisition Regulatory
Council
Federal Bureau of Investigation
Federal Communications
Commission
Federal Deposit Insurance Corp
Federal Emergency Manageme
Agency

Arizona has reached a settlement to end remaining claims in a case where plaintiffs challenged the constitutionality of the state's controversial "show me your papers" law, handing over \$1.4 million in attorneys' fees and blocking certain aspects of the law.

TELECOMMUNICATIONS

Telmate Again Contests FCC Inmate Call Rate Caps At DC Circ.

Inmate calling service company Telmate LLC does not appear satisfied with the Federal Communications Commission's August efforts to increase the limits the agency set in October on per-minute charges for inmate phone calls, filing a new legal challenge Thursday at the D.C. Circuit.

White House Official Backs Wheeler On Set-Top Box Agenda

A senior White House official threw his weight behind Federal Communications Commissioner Tom Wheeler's crusade to free consumers from obligatory set-top-box rental fees in a Friday speech, acknowledging the regulator's efforts amid bipartisan criticism that even a revised plan to "unlock the box" falls short in many respects.

EXPERT ANALYSIS

In Congress: A Continuing Resolution?

The finish line for Congress could come this week as House and Senate leaders negotiate a continuing resolution to keep the government running into December, though major points of contention over possible provisions were still unresolved as of Friday evening, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

How CMS Plans To Steady An Unstable ACA Marketplace

In the wake of market instability the Centers for Medicare and Medicaid Services has proposed benefit and payment parameters for 2018 to improve risk pools and make Affordable Care Act exchanges more attractive. However, if not accompanied by other regulatory measures, these provisions would have unintended consequences for the insurance market, says Cynthia Borrelli of Bressler Amery & Ross PC.

Raising Calif. GHG Targets: A Look At What's Ahead

With the recent passing of California's Senate Bill 32 and its companion legislation, Assembly Bill 197, we find ourselves again in a period of transition as the state moves forward with climate change 2.0. We know where the state is heading, but details about how it will get there are still to be developed, say attorneys at Brownstein Hyatt Farber Schreck.

LEGAL INDUSTRY

The 4 Best Places To Meet A Future Client

Too often, ambitious lawyers pour their time and energy into developing business in all the wrong places, pursuing activities that ultimately yield a low return on investment. Here, rainmakers divulge the venues that present the greatest opportunity for rounding up new clients.

GC Cheat Sheet: The Hottest Corporate News Of The Week

Data breach victims achieve a litigation breakthrough while the U.S. Securities and Exchange Commission praises whistleblower attorneys as a

Federal Financial Institutions Examination Council
Federal Reserve System
Federal Trade Commission
Financial Crimes Enforcement Network
Financial Stability Oversight Council
Fish and Wildlife Service
Food and Drug Administration
Internal Revenue Service
National Institutes of Health
National Park Service
National Telecommunications and Information Administration
New Jersey Department of Banking and Insurance
New York State Department of Financial Services
Office of the Comptroller of the Currency
Port Authority of New York & New Jersey
Securities and Exchange Commission
Tennessee Valley Authority
U.S. Department of Agriculture
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 Treasury
U.S. General Services Administration
U.S. Senate
U.S. Supreme Court
United Nations

crucial component of its enforcement agenda. 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.

[Pro Bono Firm Of 2016: Chadbourne & Parke](#)

By expanding its resolute efforts to help undocumented immigrant children avoid deportation, to secure asylum for endangered migrants and to gain justice for a family torn apart by a Chilean war criminal, Chadbourne & Parke LLP has earned a spot on Law360's Pro Bono Firms of 2016.

[Rainmaker Q&A: McKool Smith's Robin Cohen](#)

Many lawyers focus on networking, attending conferences and joining associations in an effort to develop relationships that can lead to business, but it doesn't make sense to focus on these types of activities unless you have something to sell. Sophisticated clients are not going to hire you unless you have a successful track record, says Robin Cohen, head of McKool Smith's insurance recovery practice.

[Rainmaker Q&A: Bernstein Litowitz's Blair Nicholas](#)

In order to be considered an expert, it is important to develop a track record of results that speaks for itself. Clients are motivated to retain not only someone who is experienced and knowledgeable in the law, but who has also consistently delivered results, says Blair Nicholas, partner at Bernstein Litowitz Berger & Grossmann LLP.

JOBS

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