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Subject: Pentagon Lifts Ban On Transgender Service Members

PUBLIC POLICY

Friday, July 1, 2016

TOP NEWS

Pentagon Lifts Ban On Transgender Service Members

Defense Secretary Ashton Carter announced Thursday that the U.S. Department of Defense would end its ban on the open service of transgender people, saying it would strengthen the force and was in keeping with the DOD's overarching principles.

Obama Signs FOIA Law To Increase Gov't Transparency

President Barack Obama on Thursday signed into law a measure that the White House said would modernize the Freedom of Information Act request process and increase transparency at the federal level.

ACLU Hits US With Suit Over Anti-Hacking Law

The American Civil Liberties Union, representing a group of professors and journalists, hit the United States with a suit in D.C. federal court on Wednesday, saying that an anti-hacking law violates free speech by chilling research and investigations looking at whether websites use discriminatory algorithms.

Indiana Abortion Law Blocked By Judge

An Indiana federal judge on Thursday granted Planned Parenthood of Indiana and Kentucky a preliminary injunction against a state law banning abortions based on a fetus's race, sex or disability and which requires fetal tissue to be disposed like human remains, finding the organization is likely to win on its claims.

DOJ, Veterans Groups Back Soldier Employment Rights Bill

The U.S. Department of Justice and veterans groups spoke out Wednesday in favor of congressional legislation seeking to protect service member employment rights by voiding worker arbitration agreements that prevent legal challenges of firings and discrimination.

ANALYSIS

Trump Gains Few Allies With Trade Platform Rollout

Presumptive Republican presidential nominee Donald Trump finally put his persistent anti-trade rhetoric down on paper Tuesday, unveiling a protectionism-laden policy platform that experts say reflects a blatant disregard for the machinations of the global trading system.

Compliance Pros Still Face Risk In NY Money Laundering Rule

LAW FIRMS

Advisors LLP
Arnold & Porter
Baker & McKenzie
Baker Botts
BakerHostetler
Ballard Spahr
Bancroft PLLC
Bassford Remele
Berger & Montague
Bodman PLC
Brown & James
Bryan Cave
BuckleySandler
Chapman and Cutler
Clarick Gueron
Constantine Cannon
Cravath Swaine
Crowell & Moring
DLA Piper
Davis Polk
Dentons
Earthjustice
Edelson PC
Faegre Baker
Foley & Lardner
Foley Hoag
Freedman Boyd
Gelber Schachter
Gibson Dunn
Goldman Scarlato
Goldstein & Russell
Goodwin Procter
Gray Reed
Greenberg Traurig

Bank compliance officers are breathing a little easier now that New York state will not require them to certify their firms' anti-money laundering protocols under a final rule released Thursday, but attorneys think the state's past aggressive enforcement actions should keep those executives on guard.

Minor League Teams Take Swing At Blocking Wage Claims

As peak season for the all-American sport approaches, Minor League Baseball teams are looking to block ballplayers from bringing legal claims demanding to be paid minimum wage and overtime in what experts say is a desperate bid to end a long-running class action fight.

BANKING & SECURITIES

FDIC Cybersecurity Problems Mounting, GAO Report Says

The Government Accountability Office said Wednesday it has found two new shortcomings in the information security protocols at the Federal Deposit Insurance Corp. and noted in a report that less than half of its previous recommendations had been fully implemented.

FCA Rules Out Market Abuse 'Reasonableness' Defense

The U.K.'s Financial Conduct Authority will leave the "reasonableness" defense out of new market abuse rules that start in July despite protests from industry participants, the regulatory body said in new guidelines published Thursday.

China Invites Foreign PE Funds To Boost Its Capital Markets

Chinese securities regulators will permit foreign-owned private equity funds to open domestic offices, hoping to broaden the appeal of the country's capital markets to international investors, according to a statement Thursday on a government website.

ENERGY & ENVIRONMENTAL

EPA Needn't Mandate Pesticide Disclosure, Calif. Judge Says

A California federal judge held Wednesday that the U.S. Environmental Protection Agency didn't act arbitrarily by effectively denying a petition to force certain inert ingredients to be listed on pesticides, concluding that the agency is allowed to impose such a requirement but isn't obligated to do so.

Schumer Urges Emergency DOT Rule On Crude Oil Trains

U.S. Sen. Chuck Schumer, D-N.Y., on Wednesday urged the U.S. Department of Transportation to issue an emergency order requiring highly flammable crude oil to be made less volatile before being shipped through New York, a safety precaution in light of a recent train derailment in Oregon.

Puerto Rico Utility To Avoid Default With \$415M Payment

Puerto Rico's heavily indebted electric utility PREPA said Thursday that it intends to make a \$415 million payment to satisfy principal and interest that comes due on Friday under its power revenue bonds as part of an agreement with a majority of its creditors.

NJ Lawmaker Wants Tighter Leash On FERC's Pipeline Process

U.S. Rep. Bonnie Watson Coleman, D-N.J., on Wednesday said she'd be introducing a bill to toughen the criteria the Federal Energy Regulatory Commission must use when reviewing proposed pipeline applications and

Harris Moure
Haynes and Boone
Hogan Lovells
Holland & Knight
Holwell Shuster
Horvitz & Levy
Jones Day
Jones Walker
K&L Gates
Kasowitz Benson
Katten Muchin
Kaye Scholer
Latham & Watkins
Loeb & Loeb
Lowenstein Sandler
Lynn Pinker
Mayer Brown
McDonald Hopkins
Morris Nichols
Morrison & Foerster
Norton Rose Fulbright
O'Melveny & Myers
Outten & Golden
Paul Weiss
Pearson Simon
Proskauer Rose
Quinn Emanuel
Reed Smith
Robbins Geller
Robins Kaplan
Schoenberg Finkel
Sidley Austin
Silverman Thompson
Skadden
Squire Patton Boggs
Steptoe & Johnson LLP
Thompson & Knight
Thompson Hine
Venable LLP
Vinson & Elkins
Vorys Sater
Wachtell Lipton
Weil Gotshal
Willkie Farr
Wilson Sonsini
Winston & Strawn

certifying that the pipeline is both convenient for and needed by the public.

Minn. Owes Fees In State Energy Battle, 8th Circ. Told

Minnesota should pay the \$300,000 legal tab North Dakota racked up fighting Minnesota's restrictions on out-of-state coal-fired power plants that deliver electricity to the state, North Dakota told the Eighth Circuit on Wednesday.

HEALTH & LIFE SCIENCES

Health Cos. Paid More To Charity, Nuclear Med Docs In 2015

Payments from health industry manufacturers to nuclear medicine doctors skyrocketed during 2015, along with charitable donations, even though the total value of all payments to various types of physicians and teaching hospitals stayed level at roughly \$7.5 billion, the Centers for Medicare and Medicaid Services reported on Thursday.

MEDIA & ENTERTAINMENT

Sponsor Defends Fla. Voter Gaming Control Referendum

The group backing a proposed amendment to Florida's constitution that says it would give the state's voters more control of gambling expansion defended the proposal in a Florida Supreme Court filing Wednesday against opponents' claims that the ballot question is overly broad, misleading and unclear.

REAL ESTATE

Del. Unclaimed Property Law Can't Apply Retroactively: Judge

A Delaware federal judge ruled Tuesday that an application of the state's unclaimed property laws resulting in a \$1.4 million fine against a packing products company violated the company's due process rights, saying it unfairly applied estimates about unclaimed property liabilities retroactively.

Pa. House Rejects Bill For Development Of State Park Land

The Pennsylvania House has nixed a bill that would have created a pilot program allowing for the development of office buildings, amusement parks, golf courses, water parks, hotels, restaurants and bars on state park land.

COMPETITION

Sen. Warren Calls On Gov't To Step Up Antitrust Action

Sen. Elizabeth Warren called on the federal government Wednesday to step up its efforts to encourage competition in the American economy, saying the growing concentration of market power among fewer companies will stifle innovation and hurt consumers and small businesses.

PRIVACY & CONSUMER PROTECTION

Planned Parenthood To Target Remaining Abortion Laws

Following an abortion-rights victory Monday at the U.S Supreme Court, Planned Parenthood said Thursday it would be launching a national campaign to target state laws restricting abortion.

Gov't Aims To Protect Both Consumer Privacy, Criminal Probes

The federal government is struggling to strike a balance between consumers' demand for privacy protection and the methods law enforcement agencies

Winthrop & Weinstine

Young Conaway

Zelle LLP

Zimmerman Reed

COMPANIES

AT&T Inc.

Activision Blizzard, Inc

America Fujikura Ltd.

American Bankers Association

American Bar Association

American Civil Liberties Union

American Federation of Labor and
Congress of Industrial

Organizations

American Medical Association Inc

Apple Inc.

Assured Guaranty Ltd.

Baxalta Inc.

Baxter International Inc.

Cardtronics, Inc.

Comcast Corporation

Competitive Carriers Association

Con-Way Inc.

Crown Media Holdings Inc.

E2open Inc.

Energy Transfer Equity, L.P.

Facebook

FedEx Corporation

Ferro Corporation

FirstEnergy Corp

Friedman LLP

Genentech Inc.

Google Inc.

HP Inc.

Hallmark Cards Inc.

Home Depot, Inc.

ICU Medical Inc.

International Swaps and
Derivatives Association

International Union Of Operating
Engineers

Jackson Rancheria Casino Resc

Lions Gate Entertainment Corp.

MSCI, Inc.

Major League Baseball Inc.

Major League Baseball Players

use to seek out information about terrorists and other threats, according to a report on data encryption released by a congressional committee Wednesday.

PRODUCT LIABILITY

Sen. Chides NHL Commish For 'Dismissive' CTE Comments

U.S. Sen. Richard Blumenthal is pressing National Hockey League Commissioner Gary Bettman for answers about the league's stance on concussions, amping up public and political pressure on the sport as it faces sweeping multidistrict litigation over head injuries.

GOVERNMENT CONTRACTS

Ill. Adopts Stopgap Budget, One Year Into Impasse

Illinois lawmakers and Gov. Bruce Rauner agreed to a compromise bill on Thursday that will fund essential services like health care and education across the state until at least November, passing the measure exactly one year after partisan wrangling pushed the budget process into deadlock.

Iraq Gets \$2.7B Loan For Tank, Jet Parts For ISIS Fight

The U.S. Embassy in Baghdad announced Wednesday the granting of a \$2.7 billion credit facility loan to the Iraqi government to spend on maintenance and ammunition for tanks and fighter jets to fight the Islamic State, as the Middle Eastern country grapples with economic woes.

INTERNATIONAL TRADE

House Oversight Panel Continues Probe Of USCC Member

The U.S. House Committee on Oversight and Government Reform continued its push Wednesday for documents in its investigation of potential conflict of interest issues arising from a U.S.-China Economic and Security Review Commission member's relationship to an international trade union.

TAX

OECD Guidance On Global Tax Rules Permits Voluntary Filing

Multinational companies that are required to file financial information for each country they operate in even though some of those jurisdictions may not have formally implemented mechanisms for accepting the data can now file voluntary reports, according to guidance released Wednesday by the Organisation for Economic Co-operation and Development.

IMMIGRATION

USCIS Ombudsman Says Agency Delays Must Be Addressed

The nation's immigration system "has evolved in impressive ways," but U.S. Citizenship and Immigration Services must still resolve age-old systemic problems that undermine efficiency, quality of adjudications and customer service, Ombudsman Maria M. Odom said Wednesday in a message accompanying the agency's annual report to Congress.

NATIVE AMERICAN

Calif. Signs New Gaming Deals With 3 Tribes, Amends 4th

The state of California has inked new gaming compacts with three tribes and

Association

McKinsey & Company

Microsoft Corporation

Minor League Baseball

Motorola Mobility LLC

NFL Enterprises LLC

National Cable &

Telecommunications Association

National Hockey League

Nationwide Mutual Insurance Co

Nektar Therapeutics

Novartis AG

Oracle Corporation

Owens Corning

Pacific Continental Corp.

Pfizer Inc.

Physicians for Social
Responsibility

Planned Parenthood Federation

Praxair, Inc.

Public Knowledge

Republic Services, Inc.

Star Scientific, Inc.

Starz LLC

State Bar of California

Stifel Financial Corporation

T-Mobile USA Inc.

TNT Express

Temple-Inland Inc.

The Cato Corporation

The DIRECTV Group, Inc.

Treliant Risk Advisors LLC

U.S. Chamber of Commerce

Varian Medical Systems, Inc.

Verizon Communications

Wal-Mart Stores Inc.

Yahoo! Inc.

GOVERNMENT AGENCIES

Barona Band of Mission Indians
Buena Vista Rancheria of Me-W
Indians

Bureau of Citizenship and
Immigration Services

California Department of Finance
Consumer Financial Protection
Bureau

amended an existing one with a fourth tribe, Gov. Jerry Brown announced Wednesday.

Contractor Pleads Not Guilty In Mont. Tribe Corruption Scandal

A contractor and his construction company have denied federal charges that they bribed an ex-Montana state legislator and a Chippewa Cree Tribe of the Rocky Boy's Indian Reservation official to get \$2.5 million in federally funded contracts.

TELECOMMUNICATIONS

5G Rollout May Flatten Small Carriers, FCC Warned

The Competitive Carriers Association told the Federal Communications Commission on Wednesday that while the group is "generally pleased" with the agency's proposed fifth-generation wireless rollout plan, small and rural carrier licensees could be harmed.

Set-Top Plan Alternative Is Only Way Forward, FCC Told

The National Cable and Telecommunications Association told the Federal Communications Commission on Thursday that the agency's plan to unlock set-top boxes is not workable or lawful, despite "sloganeering" from the proposal's defenders, and that an industry-backed apps-based alternative is the only real option.

EXPERT ANALYSIS

How McDonnell Changes Public Corruption Prosecution

The U.S. Supreme Court's decision in McDonnell represents a continuation of the pullback from unfettered prosecutorial power begun in Skilling relating to "honest services" mail and wire fraud, say Henry Hockeimer and Thomas Burke of Ballard Spahr LLP.

Brexit: UK Trades Bargaining Power For Autonomy

Once the United Kingdom leaves the European Union it will regain exclusive competence in negotiation and implementation of international trade rules, but may lose much of its bargaining power when negotiating those agreements and enforcing those rules, say attorneys at Crowell & Moring LLP.

Puerto Rico And The Importance Of Legislative History

The U.S. Supreme Court's enunciation of the clear limits of Puerto Rico's power and its ability to restructure municipal debt made the bipartisan negotiation and passage of the Puerto Rico Oversight, Management and Economic Stability Act crucial. It also highlighted that the process and manner in which the legislation was passed will be an essential component of PROMESA for posterity, say attorneys with Steptoe & Johnson LLP, including former Puerto Rico Gov. Luis Fortuno.

California's Anti-SLAPP Law Is Not Systematically Abused

The real problem with California's anti-SLAPP law is not systematic abuse by litigants. It is contradictory appeals court opinions construing critical portions of the statute, say attorneys at Horvitz & Levy LLP.

NY Should Unify Standards For Atty Fees Against State Agency

Two bills introduced in the recently ended New York legislative session, if adopted into law, will provide government entities and Freedom of Information

Department of Commerce
Equal Employment Opportunity Commission
Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp
Federal Emergency Management Agency
Federal Energy Regulatory Commission
Federal Trade Commission
Food and Drug Administration
Government Accountability Office
Internal Revenue Service
International Monetary Fund
Municipal Securities Rulemaking Board
NAFTA
Office of Foreign Assets Control
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Justice
U.S. Department of State
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Supreme Court
U.S.-China Economic and Security Review Commission
United Nations
Viejas Band of Kumeyaay Indians

Law practitioners with the mooring of predictable and consistent outcomes in FOIL proceedings by changing the standard for determining attorneys' fee awards, say Matthew McLaughlin and Benjamin Argyle of Venable LLP.

LEGAL INDUSTRY

How To Score Business In A Summer Slowdown

Warm weather and vacations can leave law firms facing the summertime blues when it comes to generating business and maintaining productivity. Here, attorneys share a few ways to make the most of the summer slowdown and prevent it from ever happening.

1 More Firm To Follow Cravath, Raise Associates' Pay

Just a day before more than 100 law firms are set to hike associates' starting pay to \$180,000 per year, one more firm on Thursday announced that it plans to do the same.

The Top In-House Hires Of June

A former Google patent pro took the general counsel spot at a Chinese tech company that just set up shop in Silicon Valley, and a railroad stalwart picks up a new chief legal officer. They top the most recent in-house hires you should know about.

Law360's Weekly Verdict: Legal Lions & Lambs

It was another big week for the lions of the U.S. Supreme Court, where BigLaw teams took down a Texas abortion law and the corruption conviction of a former Virginia governor. Our legal lambs are led by a pair of DLA Piper attorneys who broke a federal court order in a drug benefits case, then lied under oath about it.

Scalia's Death To Loom Over High Court's Next Term

The death of Justice Antonin Scalia reverberated this year in deadlocked decisions and refusals to review important cases, a partial paralysis that is likely to endure for much or all of the U.S. Supreme Court's upcoming term, attorneys say.

Texas Firm, Undeterred By Brexit, Merges With UK Boutique

Texas BigLaw firm Haynes and Boone LLP said Thursday that it plans to enter the U.K. — just days after the country voted to exit the European Union — through a merger with London-based shipping boutique Curtis Davis Garrard LLP.

DLA Piper Strikes Merger Deal With Swedish Firm Gronberg

DLA Piper LLP is set to merge with Swedish corporate law outfit Gronberg Advokatbyrå, the firms announced Thursday, in a move that will further expand the global firm's Scandinavian footprint following its tie-up with Finnish firm Peltonen LMR earlier this year.

UK Law Firms Believe Talent Pool Has Shrunk, Report Says

More than half of United Kingdom law firms polled in a new report believe that the talent pool of skilled legal professionals has decreased over the past year, a British legal recruiter said.

Calif. Bar Unveils 1st Major Conduct Rules Revamp Since 1987

The State Bar of California on Thursday unveiled a proposal for the first major

revision to its attorney conduct rules in 30 years, including new guidelines for advertising, conflicts of interest and sexual relations with clients and a new numbering system that matches what's in the regulations used by the rest of the nation.

Global 20: Baker & McKenzie

Anchored by an immense global footprint, Baker & McKenzie LLP soared to new heights over the past year, guiding deals that spanned more than 100 countries, deepening its penetration abroad through new recruits and pioneering initiatives, to land among Law360's annual Global 20.

Law360 Closed For Independence Day

The offices of Law360 will be closed Monday for the Independence Day holiday. Newsletter service will resume Tuesday, July 5.

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