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Subject: Time Warner Takeover Pushes Need For Uniform Privacy Regs

PUBLIC POLICY

Thursday, October 27, 2016

TOP NEWS

Analysis

[Time Warner Takeover Pushes Need For Uniform Privacy Regs](#)

AT&T roused privacy advocates in unveiling an \$85.4 billion cash-and-stock takeover of Time Warner over the weekend, a move that steps up pressure to replace the traditional sectorial approach to privacy regulation with more stringent and uniform rules to counter the increasingly blurry lines between the telecom and tech industries.

[ABA Cautions CFPB On Proposed Disclosure Rule Changes](#)

The American Bar Association has urged the Consumer Financial Protection Bureau to tweak certain parts of its proposed amendments to the agency's information and disclosure rules, saying that the proposals could compromise attorney-client privilege by allowing for greater sharing of protected information.

[GWB Defendant Breaks With Witnesses Over Lane Closures](#)

A prosecutor on Wednesday confronted a former public official on trial over the George Washington Bridge lane closures about how her testimony conflicts with witness accounts that she took part in a revenge scheme against a mayor and later indicated that she did not know anything about the closures.

[Romney Derides Lack Of Political Courage For Reforms](#)

Former Republican presidential nominee Mitt Romney decried a lack of political courage on both sides of the aisle in the federal government in a speech Wednesday, saying neither side has demonstrated the ability to work toward known solutions on issues like entitlements, regulation and litigation reform.

Analysis

[Daily Fantasy False Ad Settlements Tough Pill To Swallow](#)

DraftKings and FanDuel have escaped the lawsuits by the New York attorney general that could have spelled doom for the daily fantasy sports industry but not without being subjected to state regulation and having to pay \$12 million to settle false advertising allegations, a settlement that experts said is a bitter pill to swallow as they look to get the industry back on track.

Analysis

[3 Things To Watch For In ISP Privacy Rule](#)

The Federal Communications Commission is slated to adopt a fiercely

LAW FIRMS

Armstrong Teasdale
Arnold & Porter
Baker Donelson
BakerHostetler
Ballard Spahr
Bass Berry
Becker & Poliakoff
Bernstein Shur
Boyd Collar
Bracewell
Briggs and Morgan
Carter Ledyard
Cleary Gottlieb
Curtis Mallet-Prevost
DLA Piper
Davis & Gilbert
Davis Polk
Debevoise & Plimpton
Faegre Baker
Foley Hoag
Fox Rothschild
Fragomen Del Rey
Garvey Schubert
Gibson Dunn
Godwin Bowman
Gordon & Rees
Goulston & Storrs
Gray Reed
Haight Brown
Hall Booth
Herrick Feinstein
Hinshaw & Culbertson
Hogan Lovells
Holland & Knight

debated proposal setting new privacy rules for broadband providers at its Thursday meeting, but where the agency ultimately draws the line on issues such as consumer consent requirements and contract limits remains unknown. Here, Law360 highlights three areas to keep an eye on amid the FCC's vote.

Analysis

Hitch In EU-Canada Trade Pact Puts Provincial Power On Trial

With a signing summit for a European Union-Canada trade deal scheduled for Thursday, some are questioning why Belgium's Wallonia region — which rejected the deal earlier this month and has yet to reconsider — has the power to derail the whole accord.

BANKING & SECURITIES

Split SEC Eases Proxy Voting Rules On Corporate Elections

A divided U.S. Securities and Exchange Commission approved rule changes on Wednesday to make it easier for shareholders to vote for corporate board candidates nominated by activist investors, while unanimously agreeing to relax intrastate crowdfunding rules.

OCC To Open Innovation Office To Boost Fintech At Banks

The Office of the Comptroller of the Currency on Wednesday announced the creation of a new office aimed at helping banks and other companies develop financial technology products and services that comply with federal law while meeting safety and consumer protection standards.

ENERGY & ENVIRONMENTAL

Mich. House Dems Want DOJ Probe Of Flint Lawsuit Block

Michigan's Democratic members of the U.S. House of Representatives on Tuesday asked the U.S. Department of Justice to review how the state has allegedly blocked the city of Flint from suing the state in connection with the city's lead-tainted drinking water crisis.

Conservation Groups Threaten Suit Over Ohio Wind Turbine

Bird advocates on Tuesday threatened to sue the Ohio Air National Guard for allegedly violating avian protection laws with plans to build a large wind turbine at a facility near the shore of Lake Erie that lies within a major bird migration corridor.

HEALTH & LIFE SCIENCES

2nd Fla. Appeals Court Rejects Medical Malpractice Cap

Florida's Second District Court of Appeal on Wednesday joined the state's Fourth District in finding that a state law capping noneconomic damages in medical malpractice personal injury suits is unconstitutional, adopting an opinion currently under review by the state's highest court.

IP & TECHNOLOGY

Many Drone Waivers, Applications Rejected, FAA Says

The Federal Aviation Administration announced Tuesday that in the months since it began issuing waivers and airspace authorizations to drone operators, many applications have been rejected due to incorrect or

Kasowitz Benson
Kelley Drye
Kelley Kronenberg
Kramer Levin
Kramon & Graham
Labaton Sucharow
Latham & Watkins
Levenfeld Pearlstein
Littler Mendelson
Loeb & Loeb
Manatt Phelps
Maynard Cooper
Mazanec Raskin
McAfee & Taft
McCarter & English
McDermott Will
McKool Smith
Michael Best
Morrison Mahoney
Much Shelist
Nexsen Pruet
Nixon Peabody
Orrick Herrington
Perkins Coie
Reed Smith
Robins Kaplan
Rosenberg & Estis
Russ August
Rutan & Tucker
Schnader Harrison
Sherman & Howard
Skiermont Derby
Stephan Zouras
Steptoe & Johnson LLP
Stinson Leonard
SulmeyerKupetz
Sutherland Asbill
Tressler LLP
Trucker Huss
Vorys Sater
Waller Lansden
Weinberg Wheeler
Williams & Connolly
Winstead PC

COMPANIES

incomplete information.

MEDIA & ENTERTAINMENT

Justin Timberlake Won't Face Punishment For Voting Selfie

Justin Timberlake will not face legal repercussions for uploading a voting-booth selfie to his Instagram account, despite earlier reports that his actions were under review by a Tennessee county district attorney.

TRANSPORTATION & INFRASTRUCTURE

Analysis

GWB Defense May Have Opening In Conspirator's Shady Past

Prosecutors have a trove of emails and text messages to pull from in delivering their closing statement Thursday in the George Washington Bridge lane-closing trial, but defense counsel may cast a shadow over that material by focusing on the history of political mischief and falsehoods of the government's star witness, attorneys say.

TSA Must Boost Airport Access Badge Oversight, OIG Says

The Transportation Security Administration is still falling short in its oversight of security badges for employees working in sensitive areas at U.S. airports and must bolster procedures to ensure that badges are properly accounted for, according to a U.S. Department of Homeland Security Office of Inspector General report made public on Wednesday.

GOVERNMENT CONTRACTS

Low-Income Housing Loan Lock-In Sparks New Suit

Companies holding U.S. Department of Agriculture loans for low- and moderate-income housing sued the government in the U.S. Court of Federal Claims on Tuesday, alleging legislation rescinding their ability to prepay the loans, and to escape the affordable housing obligations, breached their contracts.

DOD Halts Clawbacks Of Nat. Guard Bonuses After Backlash

The U.S. Department of Defense will halt its process to claw back incentive bonuses and tuition assistance erroneously given to thousands of California National Guard troops, Defense Secretary Ash Carter said on Wednesday, following outcry from lawmakers against the Pentagon's efforts to seek repayment.

TAX

DC Official Gets 1-Year House Arrest For Fudging Taxes

A former senior Washington, D.C., official who pled guilty to a federal tax charge was ordered Tuesday by a federal judge to repay \$220,987 to the U.S. Treasury and sentenced to one year of probation and home confinement, according to an attorney for the former city official.

IMMIGRATION

USCIS Releases Guidance On Special Immigrant Juveniles

U.S. Citizenship and Immigration Services released new guidance on the "special immigrant juvenile" category Wednesday, including beefing up

AT&T Inc.

American Bankers Association

American Bar Association

American Enterprise Institute

American International Group Inc.

Campbell Soup Company

Chevron Corporation

Comcast Corporation

Credit Suisse Group AG

DraftKings Inc.

Duff & Phelps Corporation

Facebook

FanDuel Inc.

Florida Justice Association

Friedman LLP

Google Inc.

Home Box Office Inc.

Los Angeles Times

Major League Baseball Inc.

New York City Bar Association

New York Times Co.

Public Knowledge

Recording Industry Association
America

Scripps Networks Interactive, Inc.
Staples, Inc.

TBS International Limited

Time Warner Inc.

Turner Broadcasting System Inc.

U.S. Chamber of Commerce

Verizon Communications

Warner Bros.

Washington Post Co.

Wells Fargo & Co.

WithumSmith

Yahoo! Inc.

GOVERNMENT AGENCIES

Bureau of Citizenship and
Immigration Services

Bureau of Industry and Security
Consumer Financial Protection
Bureau

Defense Finance and Accounting
Service

Department of Commerce

Equal Employment Opportunity

information on eligibility requirements for the designation.

TELECOMMUNICATIONS

FCC Asked To Nix NY's 'Brazen' \$170M Broadband Fund Bid

A group representing wireless internet providers has pressured the Federal Communications Commission to deny the state of New York's "brazen" bid for \$170.4 million in federal broadband development funding, arguing that to bypass a competitive bidding process for the money would be unfair to consumers in other states and would violate FCC rules.

Comcast Sues Nashville Over 'Climb Once' Utility Rule

Comcast became the second major telecommunications giant on Tuesday to sue the city in federal court over its "climb-once" law that it says makes it easier for third-party companies to interfere with its equipment on utility poles.

PEOPLE

Ex-Copyright Office Director Resigns Over Reassignment

The former head of the U.S. Copyright Office has refused to serve in her reassigned role as senior adviser for digital strategy for the Library of Congress, opting to resign instead, library officials said.

EXPERT ANALYSIS

When Your Client Is The President

I was given immediate responsibility for responding to the Iran-Contra crisis. My problem as a lawyer was what to do about all the requests for files, documents and other information that were coming in from investigators. Ultimately, it came down to this: What do I believe about my client? says Peter Wallison, who served as White House counsel for President Ronald Reagan.

Changes To IRS Appeals May Create Problems For Taxpayers

New changes to the Internal Revenue Service's approach for handling tax appeals may alter the dynamics of the process in potentially problematic ways for taxpayers. But the IRS appears to be considering a further change that could have even worse impacts on the appeals process, say attorneys from Steptoe & Johnson LLP.

Self-Disclosing Criminal Export Violations: The New Guidance

Recent guidance from the U.S. Department of Justice applies the Yates memo to DOJ investigations of export control and sanctions violations. When confronted with a potential violation, companies will have to make the strategic decision whether to seek the benefits of the voluntary self-disclosure program or risk significantly higher penalties and fines, say attorneys with Arnold & Porter LLP.

Dial Or Push-Button: Oral Arguments In Appeal Of FCC Order

Last week, the D.C. Circuit heard oral arguments in *ACA International v. Federal Communications Commission*. Attorneys from Sutherland Asbill & Brennan LLP summarize the primary issues, which may provide much-needed clarity on the Telephone Consumer Protection Act's scope once the D.C. Circuit makes a decision.

Commission

European Commission

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications
Commission

Federal Trade Commission

Fish and Wildlife Service

Food and Drug Administration

Government Accountability Office

Internal Revenue Service

Library of Congress

National Credit Union
Administration

National Highway Traffic Safety
Administration

National Security Council

Office of Foreign Assets Control

Office of the Comptroller of the
Currency

Port Authority of New York & New
Jersey

Securities and Exchange
Commission

Transportation Security
Administration

U.S. Attorney's Office

U.S. Copyright Office

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 State

U.S. Department of Transportation

U.S. Department of the Treasury

U.S. House of Representatives

U.S. Supreme Court

The Road Ahead: Transportation Innovation Funding In 2017

The federal government has recently released numerous initiatives and announcements aimed at facilitating transportation innovation. Industry stakeholders need to understand that their participation across seemingly disparate agencies and programs can be enormously beneficial, if not critical, to the successful deployment of these initiatives, say Nathaniel T. Kron and Taite R. McDonald of Holland & Knight LLP.

LEGAL INDUSTRY

Law360 Names Attys Who Moved Up The Firm Ranks In Q3

A promotion to partner or election to practice group chair means lots of well-deserved recognition within a firm and in the larger legal community. Law360 reveals the list of attorneys whose commitment to excellence earned them highly coveted spots in the law firm leadership ranks. Find out if your old legal friends — or rivals — moved up in the third quarter of the year, and let the office chatter begin.

GC Egos Can Get In The Way Of Lawsuit Risk Assessment

In-house lawyers too often let pride soften their take on the risk of new lawsuits and need more truth-telling from their firm lawyers, a panel of general counsels said Wednesday at a symposium in Manhattan.

Justice Thomas Denounces Politicization Of High Court

U.S. Supreme Court Justice Clarence Thomas lamented both the state of political partisanship gripping the nation's capital and the spillover effects it has had on the integrity of the high court, broadly proclaiming to a D.C. audience Wednesday evening that "we're destroying our institutions."

Sotomayor Expresses Nostalgia For Previous 2nd Circ. Gig

Supreme Court Justice Sonia Sotomayor on Wednesday expressed a deep measure of nostalgia for her previous job as a Second Circuit judge, describing a freewheeling and collegial environment in which the views of junior jurists were as welcome as those of long-timers.

Commodities Firm's Ex-GC Alleges 'Good Ol' Boys' Workplace

The former general counsel of a commodity trading company accused it in a Connecticut federal court suit on Tuesday of age and sex discrimination, contending she was underpaid and that the company's all-male board fired her because she was an older woman in a "male-dominated industry."

Rainmaker Q&A: Orrick's Christina Guerola Sarchio

For one of my clients it took me 10 years to get my first matter from them. You have to remember that there are lots of lawyers out there, and lots of relationships already in place. Persistence and resilience are key, says Christina Guerola Sarchio, chairwoman of the class action strike team at Orrick Herrington & Sutcliffe LLP.

Rainmaker Q&A: Rutan & Tucker's Shigenobu Itoh

It's opportunities where perhaps you don't actually land an engagement that can turn out to be great substantive learning experiences for young lawyers in developing their nonlegal skills. They can serve as a catalyst to conduct some personal introspection, says Shigenobu Itoh, partner at Rutan & Tucker LLP.

JOBS

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