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Docket Reports and Decision Alerts provide information and comments on legal issues and developments of interest to our clients and friends. We ordinarily distribute a Docket Report when the US Supreme Court grants certiorari in a case of interest to the business community and a Decision Alert when the Court decides such a case.

## **Supreme Court Holds That ERISA Fiduciaries' Duty to Monitor All Investment Options is Not Excused Because Some Investment Options are Adequate**

## **Supreme Court Stays OSHA's Vax-Or-Test COVID-19 Rule**

## **Supreme Court Holds That Private Companies Have A Right Under Federal Law To Seize State-Held Land To Build Natural Gas Pipelines**

## **Supreme Court Reaffirms Spokeo's Limitations On Article III Standing, Concludes Vast Majority Of Class Members Failed To Demonstrate Concrete Harm**

## **Supreme Court Sides With Small Refineries On Renewable Fuel Program Waivers**

## **Supreme Court Invalidates California Regulation Requiring Agricultural Employers to Allow Union Organizers Onto Their Property**

**Supreme Court Narrows Alien Tort Statute Liability**

**Supreme Court Narrows Reach of Federal Computer-Fraud Law**

**Supreme Court Says Guam Can Proceed With \$160M Landfill Suit Against The United States**

**Baltimore's Global Warming Suit May Be Able To Stay In Federal Court**

**Supreme Court Holds Federal Trade Commission Cannot Seek Monetary Relief, Such As Restitution Or Disgorgement, To Redress Unfair Or Deceptive Conduct**

**Unanimous Supreme Court Holds Random or Sequential Number Generation Required for Equipment to Constitute an Autodialer Under the Telephone Consumer Protection Act**

**Supreme Court Holds Causal Connection To Forum State Not Required To Establish Specific Personal Jurisdiction**

**Supreme Court Holds That FOIA Does Not Require Federal Agencies To Disclose Draft Biological Opinions**

**"Domestic takings" Rule Bars Suit Against Foreign Nations in U.S. Court**

**Supreme Court Holds That Retaining Impounded Vehicles Does Not Violate Automatic Stay**

**Supreme Court Invalidates Debt-Related Provision Of The Telephone Consumer Protection Act Under The First Amendment**

**Supreme Court Rules that “Booking.com” Is Eligible for Trademark Protection**

**Supreme Court Rules that CFPB’s Structure Is Unconstitutional, But CFPB May Continue to Operate**

**Supreme Court Allows SEC to Seek Disgorgement of Profits for Victims of Securities Fraud in Civil Actions**

**Supreme Court Thwarts Trump Administration’s Attempt to Dismantle DACA**

**Supreme Court Rules That Title VII Prohibits Employers from Discriminating Against Employees on the Basis of Sexual Orientation or Transgender Status**

**The Forest Service Retains Jurisdiction Over National Forest Lands Underlying the Appalachian Trail**

**Supreme Court Limits Article III Standing in ERISA Class Actions**

**Supreme Court Rules Unanimously That New York Convention Allows Application**

**of Domestic Equitable Estoppel Doctrines Authorizing Nonsignatories to Enforce Arbitration Agreements**

**Supreme Court holds that Georgia cannot copyright the annotations to its laws**

**Supreme Court Adopts Multifactor, Functional-Equivalent Standard to Determine When the Clean Water Act Requires a Permit for Discharges from a Point Source**

***Romag Fasteners, Inc. v. Fossil Group, Inc.*, No. 18-1233**

**Supreme Court Client Alert - *Thryv, Inc. v. Click-to-Call Techs.*, No. 18-916**

**Supreme Court Holds That Landowners Seeking Restoration Damages in State Court Under State-Law Causes of Action Are “Potentially Responsible Parties” Under CERCLA Required to Seek EPA Approval for Remedial Action**

**Supreme Court Holds That a Plaintiff Claiming Discrimination in Contracting Under 42 U.S.C. § 1981 Must Plead and Prove “But-For” Causation**

**Supreme Court Holds That a Retirement Plan’s Disclosure of Information to Participants Is Insufficient to Trigger ERISA’s Three-Year Statute of Limitations**

**Supreme Court Punts on Standard for ERISA Stock-Drop Litigation**

**Supreme Court Holds That Partisan Gerrymanders are Unreviewable Under the**

## **Political Question Doctrine**

**Supreme Court Upholds, Narrows Deference To Agency Interpretations Of Regulations**

**Supreme Court Rules That Lanham Act's Prohibition On "Immoral Or Scandalous" Trademarks Is Unconstitutional**

**Supreme Court Rules That Punitive Damages Are Unavailable In Connection With Unseaworthiness Claims**

**Supreme Court Rejects "Substantial Competitive Harm" Requirement For Exemption 4 Of FOIA**

**Supreme Court Rules That Takings Plaintiffs Do Not Need To Litigate Their Claims In State Court In Order To Ripen The Takings Claim For A Federal Court Section 1983 Action**

**Supreme Court Rules That States May Not Tax Undistributed Trust Income Based Solely On In-State Residence Of Trust Beneficiaries**

**Supreme Court Declines To Answer Whether District Court Is Bound To Follow Federal Communications Commission's Interpretation Of The Telephone Consumer Protection Act**

**Supreme Court Holds that Private Entity Operating Public-Access Television**

**Channel Is Not A Government Actor Subject to the First Amendment**

**State Wage-and-Hour Law Stops at the Outer Continental Shelf**

**Supreme Court Holds That the U.S. Government May Not Seek Review Of Patents By Patent Trial And Appeal Board**

**Supreme Court Holds That A Creditor Cannot Be Held In Contempt For Violating A Bankruptcy Discharge Order If There Is A “Fair Ground Of Doubt” As To The Lawfulness Of The Creditor’s Conduct**

**Supreme Court Holds That Third-Party Counterclaim Defendants May Not Remove State-Court Cases To Federal Court Under The Class Action Fairness Act**

**Supreme Court Holds That Whether The FDA Would Have Rejected A Proposed Labeling Change Is A Question Of Law, Not Fact**

**Supreme Court Rules That A Debtor’s Rejection Of A Trademark Licensing Contract Under Section 365 Of The Bankruptcy Code Does Not Rescind The Contract**

**Supreme Court Holds That Relator Who Brings False Claims Act Suit May Benefit From Longer Limitations Period Even When Government Declines To Intervene**

**Supreme Court Holds That App Purchasers May Sue Apple For Allegedly Monopolizing The Market For iPhone Apps**

**Supreme Court Holds That The Federal Arbitration Act Requires More Than Ambiguity To Authorize Class Arbitration**

**Supreme Court Dismisses Securities Case Without Decision As Improvidently Granted**

**Supreme Court Holds That Those Who Disseminate False Statements Can Violate Federal Securities Laws Even If They Did Not “Make” The Statements**

**Supreme Court Holds That Businesses Carrying Out Nonjudicial Foreclosures Are Not “Debt Collectors”**

**Supreme Court Returns Class Settlement To Lower Courts To Address Article III Standing**

**Supreme Court Holds That Only Certain Costs May Be Recovered In Copyright Lawsuits**

**Supreme Court Holds That Deadline For Seeking Interlocutory Review Of Class-Certification Rulings May Not Be Equitably Tolled**

**Clean Water Act – Liability**

**Supreme Court Rules for Independent Contractor in Arbitration Dispute**

**Title VII—Administrative Exhaustion**

**Outer Continental Shelf Lands Act—Applicability of State Law**

**Freedom of Information Act—Exemption for Confidential Private-Sector Information**

**Federal Arbitration Act—Delegation to Arbitrators**

**Bankruptcy Code—Good-Faith Defense to Civil Contempt**

**Securities Exchange Act of 1934—Inferred Private Rights of Action**

**Lanham Act—Immoral or Scandalous Marks**

**Administrative Law—Deference**

**Maritime Law—Punitive Damages**

**Administrative Law—Hobbs Act**



**Bankruptcy Law—Intellectual Property License Agreements**

**Patent Law—Authority of Government to Institute Patent Review Proceedings**

**Copyright Act—“Full Costs” to Prevailing Parties**

**Class Action Fairness Act—Class Actions Asserted As Counterclaims**

**Preemption—Failure-to-Warn Claims in Pharmaceutical Cases**

**Fair Debt Collection Practices Act—Non-Judicial Foreclosure Proceedings**

**Copyright Law—Prerequisites to Filing Infringement Suit**

**Antitrust Law—Two-Sided Markets**

**Federal Arbitration Act—“Wholly Groundless” Exception to Arbitrability**

**Patent Law—Prior Art**

**Class Actions—Time to Appeal Class Certification**

**Appointments Clause—Administrative Law Judges**

**Commerce Clause—Taxation of Out-of-State Business**

**Securities Law—Scheme Liability**

**Antitrust Law—Damages for Indirect Purchasers**

**Federal Arbitration Act – Enforceability Of Class-Action Waivers In Employment Arbitration Agreements**

**Admiralty Law—Product Liability**

**Railroad Retirement Tax Act—Time Lost from Work**

**Class Action Settlements—Cy Pres Awards**

**Federal Arbitration Act—Class Arbitration**

**Patent Law—Inter Partes Review**

**Alien Tort Statute—Application to Corporations**

**Bankruptcy Code—Section 546(e) Safe Harbor**

**Federal Arbitration Act—Exemption for Contracts of Employment**

**Endangered Species Act—Definition of “Critical Habitat”**

**Bankruptcy Law—Fraud Exception to Discharge**

**Dormant Commerce Clause—Taxation of Internet Sales**

**Appointments Clause—Classification of Administrative Law Judges**

**Patent Law—Damages For Profits Lost Abroad**

**First Amendment—Partisan Gerrymandering**

**Class Actions—Tolling of Statute of Limitations**

**Sherman Act—Rule of Reason**

**Stored Communications Act—Extraterritorial Application**

**Labor Law—Mandatory Union Fees for Public-Sector Employees**

**Fair Labor Standards Act—Car Dealer Service Advisors**

**Appellate Jurisdiction—Cases Consolidated in District Court**

**Foreign Sovereign Immunity—Attachment of Assets Owned by State Sponsors of Terrorism**

**Tenth Amendment—Federal Commandeering of State Regulatory Power**

**Bankruptcy Code—Recharacterizing Claims as Capital Contributions**

**Securities Law—State Court Jurisdiction Over “Covered Class Actions”**

**Statutes of Repose—Availability of American Pipe Tolling**

**Dodd-Frank Act—Reach of “Whistleblower” Provision**

**First Amendment—Applicability to Public Accommodations Laws**

**Immigration Law—Validity of Executive Orders Limiting Entry of Foreign Nationals**

**Trademarks—First Amendment**

**Due Process—Specific Personal Jurisdiction**

**Fair Debt Collection Practices Act—Debt Collectors**

**Biologics Price Competition and Innovation Act—Notice Requirement**

**Class Actions—Appellate Jurisdiction**

**America Invents Act—Inter Partes Review**

**Federal Civil Procedure—Intervention—Article III Standing**

**Securities Law—Statute of Limitations**

**ERISA—Church Plans**

**Federal Employer’s Liability Act—Personal Jurisdiction**

**Intellectual Property—Patent Exhaustion**

**Patents—Inter Partes Review**

**Hague Service Convention—International Service of Process**

**Patent Act—Venue**

**Fair Debt Collection Practices Act—Time-Barred Debts**

**Federal Arbitration Act—Preemption of State Law**

**Bankruptcy Code—Safe-Harbor Transfers to Financial Institutions**

**Separation of Powers—Authority of Congress to Target Specific Lawsuits**

**Fair Housing Act—Aggrieved Persons**

**Foreign Sovereign Immunities Act—Pleading Standards**

**Federal Employees Health Benefits Act—Preemption of State Law**

**Due Process—Civil Sanctions**

**Alien Tort Statute—Application to Corporations**

**Securities Exchange Act of 1934—Duty to Disclose**

**Bankruptcy Code—Insider Status**

**Copyright Act—Useful Articles**

**Bankruptcy Code—Structured Dismissals**

**Patent Act—Laches Defense**

**Patent Act—Infringement by Exportation of Components**

**Personal Jurisdiction—Constitutional Limits of General Jurisdiction**

**Statutes of Repose—Availability of American Pipe Tolling**

**Fair Debt Collection Practices Act—Debt Collectors**

**National Labor Relations Act—Enforceability of Arbitration Clauses**

**Biologics Price Competition and Innovation Act—Notice Requirement**

**National Association of Manufacturers v. Department of Defense, No. 16-299**

**Patent Act—Venue**

**Bank Fraud—Fraud Against Bank By An Employee**

**Patent Act—Design Patent Damages**

**False Claims Act—Seal Requirement**

**Securities Law—Insider Trading**

**Hague Service Convention—International Service of Process**

**ERISA—Church Plans**

**Patent Act—Exhaustion**



**Federal Employees Health Benefits Act—Preemption of State Law**

**Federal Arbitration Act—Preemption of State Law**

**Fair Debt Collection Practices Act—Time-Barred Debts**

**Sovereign Immunity—Employees of an Indian Tribe**

**Due Process—Civil Sanctions**

**First Amendment—Commercial Speech**

**Lanham Act—Disparaging Trademarks**

**Administrative Enforcement Actions—Judicial Review of Subpoenas**

**Fair Housing Act—Standing**

**Sherman Act—Conspiracy by Members of a Business Association**

**Bankruptcy Code—Structured Dismissals**

**Federal Jurisdiction—Fannie Mae**

**Patent Act—Infringement by Exportation of Components**

**Patent Act—Inter Partes Review**

**Administrative Law—Chevron Deference**

**False Claims Act—Implied Certification**

**Patent Act—Standard for Enhanced (Willfulness) Damages**

**Clean Water Act—Reviewability of Army Corps of Engineers’ “Jurisdictional Determinations”**

**False Claims Act—Remedy for Release of Sealed Complaint**

**Title VII—Limitations Period for Constructive Discharge Claims**

**Title VII—Attorneys’ Fees for Prevailing Defendants**

**Securities Exchange Act—Scope of Exclusive Federal Jurisdiction**

**Bankruptcy Code—Fraudulent Conveyances Qualify As “Actual Fraud”**

**Article III Standing—Pleading Injury-in-Fact**

**Patent Act—Availability of Laches Defense**

**Copyright Act—Useful Articles**

**First Amendment and Collective Bargaining—Validity of Agency-Shop Arrangements**

**Class and Collective Actions—Standard for Certification**

**Patent Act—Remedy for Infringement**

**Federal Diversity Jurisdiction—Citizenship of Unincorporated Entities**

**ERISA—Preemption of State Health-Care Reporting Requirements**

**Federal Power Act—Federal Regulation of Demand Response in the Wholesale Energy Market**

**Employee Retirement Income Security Act—Stock-Drop Actions**

**Statutes of Limitations—Equitable Tolling**

**Employee Retirement Income Security Act—Enforcement of Plan Subrogation Clauses**

**Class Actions And Federal Jurisdiction—Effect of Unaccepted Offers of Judgment on Mootness**

**Fair Labor Standards Act—Overtime Pay for “Service Advisors” at Car Dealerships**

**Copyright Act—Availability of Attorney’s Fees to a Prevailing Party**

**Class Actions—Appellate Jurisdiction to Review Denial of Class Certification After Stipulated Dismissal**

**Patent Act—Inter Partes Review of Patent Validity**

**Federal Arbitration Act—Preemption of State Law**

**Administrative Procedure Act – Finality of Approved Jurisdictional Determinations Over Wetlands and Bodies of Water**

**False Claims Act—Implied Certification**

**Chapter 9 Bankruptcy—Preemption of Puerto Rico Recovery Act**

**Title VII—Award of Attorney’s Fees to Prevailing Defendant**

**Federal Tort Claims Act—Preclusive Effect of a Prior Judgment**

**Bankruptcy—The “Actual Fraud” Bar**

**Religious Freedom Restoration Act—Challenge to Contraception Rule**

**Federal Power Act—Preemption**

**Patents—Enhanced Damages for Willful Patent Infringement**

**Administrative Law—Alaska National Interest Lands Conservation Act**

**Racketeer Influenced and Corrupt Organizations Act—Extraterritorial Applicability**

**Separation of Powers—Single-Case Exceptions to Generally Applicable Laws**

**Federal Jurisdiction—State of Citizenship for a Trust**

**Arbitration—Preemption Under Federal Arbitration Act**

**First Amendment and Collective Bargaining—Validity of Agency-Shop Arrangements**

**Statutes of Limitations—Equitable Tolling**

**Securities Exchange Act of 1934—Scope of Federal Jurisdiction**

**ERISA—Preemption of State Health-Care Reporting Requirements**

**Clean Air Act—EPA’s Consideration of Costs in Decision to Regulate the Emission of Hazardous Air Pollutants by Power Plants**

**Due Process and Equal Protection—Right of Same-Sex Couples To Marry**

**Fair Housing Act—Disparate-Impact Claims**

**Affordable Care Act—Availability of Tax Credits**

**Patent Act—Availability of Royalties after Expiration of the Patent**

**Takings Clause—Price-Stabilization Reserve Requirements**

**Bankruptcy Code—Professional Fees**

**Indian Tribes—Jurisdiction of Tribal Courts over Nonmembers**

**Class Actions And Collective Actions—Class-Certification Standards**

**Bankruptcy—Voidability Of Underwater Mortgage Liens**

**Employment Discrimination—Reasonable Accommodation of Religious Observance or Practice**

**Bankruptcy—Powers Of Bankruptcy Courts**

**False Claims Act—Wartime Suspension Of Limitations And “First To File” Rule**

**Patent Act—Induced Infringement—Defense of Good-Faith Belief of Invalidity**

**Justiciability—Mootness—Effect of Offer of Judgment Prior To Class Certification**

**Bankruptcy Code—Disposition of Funds Held By Chapter 13 Trustee After Conversion to Chapter 7**

**ERISA—Statute of Limitations and the Duty to Monitor**

**Bankruptcy Code—Appealability of Order Denying Confirmation of Plan**

**Federal Power Act—Federal Regulation of Demand Response in the Wholesale Energy Market**

**Title VII—Affirmative Defenses—EEOC Conciliation Requirement**

**Employment Discrimination—Filing Period for a Constructive-Discharge Claim**

**Class Actions—Article III Standing To Sue For Statutory Violations**

**Natural Gas Act—Federal Preemption Of State-Law Antitrust Claims**

**Medicaid—Private Right of Action—Supremacy Clause**

**Employee Retirement Income Security Act—Equitable Relief for Benefit Overpayments**



**Pregnancy Discrimination Act—Employers’ Obligations to Provide Work Accommodations**

**Lanham Act—Preclusive Effect of Trademark Trial and Appeal Board Determinations**

**Securities Act of 1933—Misstatements in SEC Registration Statements**

**Federal Arbitration Act—Preemption of State Law**

**Nondelegation Doctrine—Passenger Rail Investment and Improvement Act**

**Administrative Procedure Act—Notice-And-Comment Requirements for Revisions to Agency Interpretations of Federal Regulations**

**Railroad Revitalization and Regulatory Reform Act—Discriminatory State Taxation**

**Tax Injunction Act—Application to Suits Challenging State Notice And Reporting Requirements**

**Equal Credit Opportunity Act—Eligibility of Guarantors for Statutory Protections**

**Federal Trade Commission Act—Exemption From Antitrust Laws Under “State Action” Doctrine**

**Collective-Bargaining Agreements—Vesting of Retiree Health-Care Benefits**

**Foreign Sovereign Immunities Act—Scope of Conduct “Based Upon” Activities Within the United States**

**Federal Appellate Jurisdiction—Finality Of Order Dismissing One Among Many Consolidated Cases**

**Trademark Tacking—Question of Fact for Jury**

**Patent Act—Claim Construction—Standard of Appellate Review**

**Cases of Interest to the Business Community**

**Fourteenth Amendment—Right to Recognition of Marriages of Same-Sex Couples Under State Law**

**Takings Clause—Price-Stabilization Reserve Requirements**

**Telecommunications Act—Local Government Permitting for Wireless Service Facilities—Requirement that Denial be “In Writing And Supported By Substantial Evidence”**

**Truth in Lending Act—Home Loans—Manner of Exercising Right of Rescission**

**Federal Jurisdiction—Class Action Fairness Act—Sufficiency of Jurisdictional Allegations in Removal Notice**

**Case of Interest to the Business Community**

**Bankruptcy Code—Appealability of Order Denying Confirmation of Plan**

**Bankruptcy Code—Disposition of Funds Held By Chapter 13 Trustee After Conversion to Chapter 7**

**Patent Law—Enforceability of a Royalty Agreement Beyond the Patent Term**

**Fair Labor Standards Act—Security Screenings**

**Patent Act—Induced Infringement—Defense of Good-Faith Belief of Invalidity**

**Clean Air Act—EPA’s Consideration of Costs in Decision to Regulate the Emission of Hazardous Air Pollutants by Power Plants**

**Bankruptcy—Voidability Of Underwater Mortgage Liens**

## **Cases of Interest to the Business Community**

**Civil Procedure—Service of Process**

**Affordable Care Act—Availability of Tax Credits**

**General Interest Case**

**Employment Discrimination—Reasonable Accommodation of Religious Observance or Practice**

**Bankruptcy Code—Professional Fees**

**Medicaid—Private Right of Action—Supremacy Clause**

**ERISA—Statute of Limitations**