In *Riegel v. Medtronic, Inc.*, the Supreme Court established a two-part test for determining whether claims involving a Class III medical device that has received pre-market approval from the FDA are preempted. The Sprint Fidelis defibrillator lead multi-district litigation led to the first significant appellate decision addressing efforts by the plaintiffs' bar to plead claims that avoid preemption. In the district court, we secured dismissal of all claims pleaded in the master consolidated complaint. And on appeal, we successfully defended that outcome. Moreover, as national coordinating counsel for Medtronic, we had an overwhelmingly successful track record dismissing similar claims in courts across the country.

The Ohio Supreme Court allowed the State of Ohio to seek penalties under state anti-tampering laws for fleet-wide vehicle emission system updates.

The Ninth Circuit allowed a Utah county and the environmental protection commission of a Florida county to sue Volkswagen for fleet-wide vehicle emission system updates.

Our brief explains that federal law requires equal pay for equal work, and that pay is not equal if a woman has to work harder or perform better just to earn the same amount as a man. Requiring women to win more than 80 percent of their games and two World Cups to earn about the same amount as the men, who won 50 percent of their games and didn't even qualify for World Cup competition, is not equal.

We filed an amicus brief on behalf of the Chamber of Commerce addressing several recurring issues involving application of the Supreme Court's guideposts for assessing the excessiveness of punitive damages.

Our amicus brief argued that the Supreme Court should resolve a circuit split over the allocation of the burden of proof for duty-of-prudence actions under ERISA.

We filed an amicus brief on behalf of maritime industry organizations urging the Supreme Court to hold that punitive damages are unavailable in cases brought under the maritime-law doctrine of unseaworthiness.

We have argued that the Supreme Court should overturn its prior decision in Williamson County and restore federal court oversight of state takings of private property.

We persuaded the Supreme Court to vacate and remand a state court decision applying an improper test for specific personal jurisdiction.

We filed an amicus brief for the US Chamber of Commerce in a Supreme Court case involving the question of whether SEC administrative law judges must be appointed in accordance with the Constitution's Appointments Clause.

We filed an amicus brief for a number of industry groups concerning the proper interpretation of *Rapanos v. United States*, 547 U.S. 715 (2006) under the *Marks* framework.

Our petition for certiorari presents the question whether conviction under a statute prohibiting acts that cause bodily harm is a "crime of violence," subjecting the defendant to longer imprisonment under the U.S. Sentencing Guidelines, even though the statute does not require

physical force as an element of the offense.

This appeal challenges the district court's rulings rejecting claims challenging property-inspection fees under RICO, fraud, and unjust-enrichment theories, and denying plaintiffs' motion for attorneys' fees.

We persuaded the Tenth Circuit to reverse the Department of Labor's Administrative Review Board in an employee whistleblower action under Sarbanes Oxley.

We persuaded the Seventh Circuit to cut the fee award to plaintiffs' attorneys nearly in half.

We are asking the Ninth Circuit to reverse the district court's excessive award of $15 million in attorneys' fees to class counsel for obtaining a settlement that provides class members with $2 to $5 million in benefits.

The US Supreme Court granted our petition and will review the Fifth Circuit's costly and erroneous decision upholding the designation of our client's uninhabitable land as "critical habitat" of the dusky gopher frog.

We prevailed on appeal of a district court decision that had remanded a class action to state court based on purportedly insufficient evidence of the amount in controversy.

In these consolidated cases, the International Refugee Assistance Project and the State of Hawaii are challenging President Trump's second executive order barring nationals of six countries from entering the United States.

Google successfully defended the district court's approval of a class-wide settlement in this Internet privacy case.

This appeal addressed whether plaintiff produced sufficient evidence to defeat summary judgment on plaintiff's respondeat-superior and a direct-fraud claims.

We successfully defended CitiMortgage in an appeal challenging CitiMortgage's denial of plaintiffs' application for a mortgage modification.

Appellant FIMCO asserted claims for breach of the parties' nondisclosure agreement (NDA) and misappropriation of trade secrets arising out of Russell's development of a style index that incorporated volatility, among other attributes.

We drafted an *amicus* brief for the U.S. Chamber of Commerce in a Supreme Court case involving a National Labor Relations Board rule prohibiting agreements to arbitrate employment disputes on an individual basis.

We are appealing a district court's decision that Congress authorized the New York State Thruway Authority to collect excessive tolls that would otherwise violate the Constitution's Commerce Clause.

We filed a petition for certiorari seeking review of a Fourth Circuit decision announcing a novel test for “joint employment” under the FLSA.

This U.S. Supreme Court merits case raises the issue of whether a defendant who demonstrates that his lawyer’s deficient performance resulted in structural error must show actual prejudice to obtain a new trial.

The Court considered the constitutional basis for a Section 1983 claim arising from allegedly improper pretrial detention.

We filed an amicus brief for several groups addressing the proper treatment of prejudgment interest under the Supreme Court’s due process guideposts for reviewing punitive awards.

The U.S. Supreme Court has granted our petition for certiorari. In our opening brief, we argue that the Federal Circuit’s decision is inconsistent with over one hundred and fifty years of Supreme Court jurisprudence regarding patent exhaustion.

The U.S. Supreme Court granted our petition for certiorari to decide whether the Federal Arbitration Act preempts a state-law rule that singles out arbitration for disfavored treatment.

We successfully persuaded a unanimous Supreme Court to reverse the Sixth Circuit and hold that challenges to the WOTUS Rule are properly brought in the district courts.

The question presented in this appeal is whether a class of 1,166 employees may be entitled to an equitable remedy requiring Liberty Mutual to pay them pension benefits because Liberty Mutual failed to anticipate and clear up their misunderstanding of the terms of the plan when they were hired.

The question presented in this certiorari petition is whether the Multistate Tax Compact has the status of a contract that binds its signatory States.

We filed an amicus brief arguing that “jurisdictional determinations” by the Army Corps of Engineers are final agency actions and subject to immediate judicial review.

We filed an amicus brief in a Fourth Amendment case involving searches incident to arrest performed after unlawful *Terry* stops.

We filed a cert petition on behalf of a construction company denied a public contract under a discriminatory government scheme.

This case addresses what standard a district court should apply in deciding whether to enhance damages for patent infringement under the Patent Act.

We filed a petition challenging EPA’s establishment of a federal regulatory scheme governing pollutant loading in the Chesapeake Bay

watershed.

We represent a railroad, challenging the dismissal of an indemnity action. The case presents a choice-of-law question regarding collateral estoppel and a question of contractual interpretation.

We filed an amicus brief arguing that the False Claims Act does not authorize implied-certification liability.

We represent a washing machine manufacturer on appeal, defending a judgment for the manufacturer in a suit alleging that certain of its front-loading washing machines are defective.

We appealed to the Seventh Circuit on behalf of a mother whose minor son was ordered returned to his father in Mexico under the Hague Convention.

We filed an original petition for a writ of mandamus and habeas corpus in the Supreme Court on behalf of a federal prisoner seeking collateral relief from his sentence based on the Court's decision in *Johnson v. United States.*

We filed an amicus brief arguing that the Consumer Financial Protection Bureau's order requiring a defendant to pay $109 million in disgorgement violated due process.

This case concerns whether a place of public accommodation may refuse services for weddings of same-sex couples in states that prohibit discrimination on the basis of sexual orientation.

We secured reversal from the Second Circuit of a district court's ruling that the State of New York was a necessary party to a dormant Commerce Clause suit filed against the New York State Thruway Authority, which is a public corporation under state law.

This case involved a challenge to EPA's Freedom-of-Information-Act release of detailed private information concerning family farmers and ranchers throughout the country.

We successfully defended a summary judgment in favor of CSX Transportation, Inc., persuading the Florida appellate court that when it comes to duties owed to trespassers on land, there is no distinction between the "active" and "passive" negligence of the landowner.

Under Article III of the U.S. Constitution, a plaintiff must allege that he or she has suffered an "injury-in-fact" to establish standing to sue in federal court.

The Federal Arbitration Act allows a party to renew a request for arbitration in order to address evidentiary disputes over the existence or authenticity of an arbitration agreement.

The question presented in this case, over which there is an acknowledged conflict between the Seventh and Eighth Circuits, is whether disability payments are "earnings" within the meaning of Section 303 of the Consumer Credit Protection Act, 15 U.S.C. § 1673(a).

We won a 9-0 victory in the Supreme Court, affirming our client's right to present his constitutional challenge to Maryland's 2011 congressional redistricting map to a special three-judge district court.

On behalf of Americans United for Separation of Church and State, we filed an amicus brief arguing that religiously based objections to the right of same-sex couples to marry are not valid reasons to refuse to recognize the right.

On behalf of the Chamber of Commerce of the United States of America, we filed an amicus brief arguing that state courts should not be able to insulate their decisions from Supreme Court review by disingenuously finding waiver of federal constitutional claims or defenses.

We filed an amicus brief for the Chamber of Commerce identifying several significant errors in the trial court's decision to approve punitive damages of $25.5 million when compensatory damages were $2.7 million.

Our certiorari petition in this case asks the Supreme Court to resolve a split in the circuits on the question whether, under the Federal Arbitration Act, courts have the authority to vacate an arbitral award on the ground that the underlying contract, as interpreted by the arbitrators, is illegal.

In this case involving workplace racial harassment by the plaintiff's co-workers, we obtained a reduction of a $24 million punitive judgment against their employer to $2.5 million.

In this seminal decision, the California Supreme Court embraced several arguments advanced by Mayer Brown in its amicus brief for the Chamber of Commerce.

This is one of the rare cases in which an appellate court has held that although there was sufficient evidence to support the underlying tort claim, there was insufficient evidence to support punitive damages.

The Third Circuit agreed with our argument that a $2 million punitive award that was more than 18 times the compensatory damages was unconstitutionally excessive, reducing it to $750,000.

We represented plaintiffs in this case in their challenge of the Executive Branch's policy of forbidding registered lobbyists from serving on International Trade Advisory Committees.

The issue in this case is what standard of review applies in federal court when a state court fails to adequately consider a prisoner's habeas corpus claims.

The question was whether the Fifth Amendment's "categorical rule" that the government must pay just compensation when it takes private property applies to personal property as well as to land.

We successfully opposed a petition for certiorari that sought to reimpose a previously-vacated death sentence on our client.

We prevailed in our defense of the Bank of New York Mellon's historic $8.5 billion settlement resolving claims related to mortgage-backed securities originated and serviced by Countrywide.

We filed an *amicus* brief explaining that federal tax credits are an essential tool for broadening the risk pool and stabilizing the health insurance market.

Our amicus brief supported several States' dormant Commerce Clause and preemption challenge to a California law requiring costly switches to egg producers' cage systems as a condition of selling eggs in California.

The U.S. Supreme Court agreed with our argument that the punitive damages award in the case was grossly excessive, establishing the legal framework that has been foundational in punitive damages cases ever since.

This case concerns whether a place of public accommodation may refuse services for weddings of same-sex couples in states that prohibit discrimination on the basis of sexual orientation.

In the first significant appellate medical-device preemption decision after the Supreme Court's decision in *Riegel*, we secured a total victory, dismissing all claims in a multi-district litigation.

This case presented the questions whether the patent-exhaustion doctrine applies to method patents and to the first authorized sale of a component that substantially practices the patent.

We vacated the death sentence of a mentally retarded man and eventually convinced the state to accept a plea agreement imposing a life sentence.

In an insurance bad-faith case, we successfully reduced a $15 million punitive award to $3 million and a $4 million compensatory award to $1.2 million on post-trial motions and defended that outcome on appeal.

We obtained a new trial on liability and JMOL on punitive damages following a $17 million verdict based on alleged defects in a seatbelt buckle that resulted in the plaintiff's paralyzation.

Civil rights case concerning constitutional right to privacy.

The plaintiffs in this case allege that they were injured by their physicians' off-label use of a Class III medical device and that the device manufacturer improperly promoted off-label uses.

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We filed a petition presenting the question whether a rule of judicial conduct that prohibits candidates for judicial office from personally soliciting campaign funds violates the First Amendment. The Court granted the petition, and the case has been argued.

In this case, we argued that a police officer who participated in a SWAT-style raid of the plaintiffs' barbershop should be liable for violating the plaintiffs' Fourth Amendment rights based on his integral participation in the raid, although he did not personally handcuff or search them.

In this case, a U.S. citizen, Fauzia Din, married a native and citizen of Afghanistan. After their marriage, Din petitioned for her husband to receive a U.S. visa, and his application was ultimately denied, allegedly because of his relationship to terrorist activity.

The question presented in this case is whether a conspiracy conviction under the Hobbs Act requires proof of an overt act.

The question presented in this en banc rehearing was whether an improper application of the career offender enhancement under the Sentencing Guidelines–an enhancement that typically doubles any give sentence–is "a fundamental defect which inherently results in a complete miscarriage of justice."

Section 7 of the Clayton Act prohibits a merger when its effect "may be substantially to lessen competition, or to tend to create a monopoly."

A citizen group sued the EPA, arguing that the EPA did not have authority to amend state implementation plans under the Clean Air Act. On behalf of Foster Farms as an intervenor, we argued that the citizen group lacked standing to bring the suit, and that the EPA did have authority to take the actions in question

The Immigration and Naturalization Act allows for discretionary asylum for refugees, and it also limits officials' power to deport aliens whose lives or freedom would be threatened upon deportation.

In *Flast v. Cohen*, the U.S. Supreme Court ruled that taxpayers had standing to challenge a law enacted by Congress that appropriated government funds in violation of the Establishment Clause.

Traditionally, in both British and American law, judges could be disqualified from participating in a case only if they had direct financial stakes in the case's outcome.

In Monell v. New York City Department of Social Services, 436 U.S. 658 (1978), the Supreme Court ruled that civil rights claims could only be made against a municipality under 42 U.S.C. 1983 if a violation resulted from the municipality's policy or custom.

In this case, the Ninth Circuit held that every culvert and ditched that channeled rainwater runoff from forest roads was a discharge from a point source, requiring a Clean Water Act permit. We successfully challenged that holding before the Supreme Court.

Plaintiffs sought damages from our client for alleged misstatements made to the FDA in seeking its approval of a medical device.

Under the McCarran-Ferguson Act, insurance companies are generally exempt from federal regulation—including the federal antitrust laws—except “to the extent that such business is not regulated by State Law.”

In an antitrust action alleging that a defendant engaged in illegal “tying” by conditioning the sale of one product on the purchase of a second product, the plaintiff ordinarily must show that the defendant had “market power” in the former product.

This case arose from a series of arbitrations between an employer and a union representing many of its employees pursuant to a collective bargaining agreement.

We filed an amicus brief arguing that representative actions under California’s Private Attorney General Act of 2004 are subject to individual arbitration under the Federal Arbitration Act.

Represented a major medical-device manufacturer, we argue that state-law tort claims alleging injury from the off-label use of a Class III medical device are expressly and impliedly preempted by federal law.

Representing a major medical-device manufacturer, we argue that state-law tort claims alleging injury from the off-label use of a Class III medical device are expressly and impliedly preempted by federal law.

We successfully argued that the district court erred in dismissing our client’s fraud and RICO claims as time-barred, leading to a $1.3 million verdict for our client on remand.

When a criminal defendant knowingly and voluntarily waives the assistance of counsel and seeks to represent himself at trial, the Sixth Amendment requires the court to grant the request. At his state criminal trial, Mr. McGhee asked to discharge his appointed defense counsel, and asked that he be permitted to respond to the state’s case by speaking up for himself.

Claims alleging breach of fiduciary duty under ERISA must be brought within six years. This case concerns whether a fiduciary-breach claim may be brought after six years, based on the fiduciary’s supposed duty to monitor a decision previously made.

We filed an amicus brief successfully arguing that standing to sue under D.C. consumer-protection laws must be limited to plaintiffs who have suffered a personal injury.

We successfully overturned our client’s conviction for honest-services fraud, arguing that our client was legally innocent of that offense and that his criminal conviction cannot be sustained on the basis of less-serious offenses that the government never charged.

We obtained certiorari and successfully persuaded the Supreme Court that a decision that fully resolves the merits of the litigation, but leaves attorney’s fees to be determined, is a “final decision” under 28 U.S.C. § 1291.

On behalf of a coalition of civil rights groups, we filed an amicus brief successfully arguing that a public school's termination of a science teacher for teaching his religious views on evolution does not violate the teacher's First Amendment rights.

Appealing the partial dismissal of our client's civil rights claims, we argue that the district court erred in allowing the defendants to belatedly raise a new affirmative defense and in holding that our client did not exhaust all administrative remedies.

We obtained reversal of a multi-million-dollar verdict against our client, successfully arguing that the evidence at trial was legally and factually insufficient to sustain employer liability and front pay on the plaintiff's hostile-environment claims.

We argue that the district court correctly granted judgment to our client because the plaintiff's theory of causation was too attenuated to support recovery under FELA, among other issues.

On behalf of a coalition of business groups, we filed an amicus brief successfully arguing that the Fair Labor Standards Act does not evince a congressional intent to preclude individual arbitration of wage-and-hour claims.

We filed an amicus brief and presented oral argument before the en banc court, arguing that the Federal Arbitration Act preempts California's state-law rule prohibiting arbitration of public-injunction claims.

We filed an amicus brief and presented oral argument contending that California laws restricting individual arbitration of employment claims are preempted by the Federal Arbitration Act, among other issues.

On behalf of the U.S. Chamber of Commerce, we filed an amicus brief arguing that the Federal Arbitration Act requires individual arbitration of the plaintiffs' federal antitrust claims in accordance with the parties' contractual agreements.

At issue in this immigration law case was whether a parent's years of residence after lawful admission to the United States may be imputed to an unemancipated minor child for purposes of…

We defended a jury verdict against challenges in two consolidated appeals, successfully arguing that our client did not obstruct or create dangerous conditions on a roadway adjacent to our client's railroad tracks.

The Supreme Court has long held that Section 101 contains implicit exceptions to the scope of subject matter that is patentable.

Google retained us to defend it against patent infringement claims relating to e-commerce. buySAFE asserted claims as to third-party performance guarantees in the context of Internet commerce.

After the Supreme Court granted certiorari to consider the extraterritorial reach of Section 10(b) of the Securities Exchange Act, we were retained by a series of European banking associations who appeared as amici.

In a resounding victory for our client, the Second Circuit adopted our argument that the Trust Indenture Act, which extends certain statutory

requirements and protections to trust instruments, doesn't apply to residential mortgage-backed securities.

The America Invents Act creates a post-grant review mechanism at the Patent & Trademark Office for certain Covered Business Method ("CBM") patents.

The patent exhaustion doctrine provides that, following a first, authorized sale of a patented article, the patentee has exhausted its rights to the product.

The International Trade Commission instituted a Section 337 investigation against Sino Legend, pursuant to a complaint that it misappropriated a competitor's trade secret in China.

Following an investigation, the International Trade Commission concluded that certain manufacturers violated Standard Innovation's patent claims relating to certain consumer electronics.

The Indian Major Crimes Act establishes federal criminal jurisdiction over certain violent offenses committed by Indians within Indian Country.

The Anti-Terrorism Act (ATA) creates a private cause of action against entities that engage in acts of terrorism.

Trademark tacking permits a trademark owner to make insubstantial alterations to a mark without losing priority. Tacking is permitted in only the most narrow of circumstances; the two marks must qualify as "legal equivalents."

Section 1983 permits an individual to bring a claim for a constitutional violation, including equal protection claims, against a state government official.

After CSX won a jury verdict on a plaintiff's Federal Employers Liability Act claim, we were retained to defend the victory.

The Supreme Court granted certiorari to consider the question of patent exhaustion in the context of patented soybean seeds.

The Supreme Court granted certiorari to address whether a posthumously conceived child qualifies as a "child" for purposes of Social Security survivorship benefits.

The Supreme Court granted certiorari to consider the proper construction of the "Transmit Clause" of the Copyright Act as it relates to a company that permits users to watch television programs over the Internet.

A number of individuals brought suit against multiple Hungarian banks, arguing that various property expropriations occurred at predecessor institutions during World War II.

A chiropractor and his practice group brought a putative class action against our client, State Farm, for breach of contract and unjust enrichment arising from the insurer's alleged operation a "silent PPO."

Former students at for-profit colleges brought a putative class action against the colleges, claiming that they were misled into enrolling and taking out student loans (which they could not repay) by assurances about their job prospects after completing their studies.

The plaintiffs in this case brought a multistate class action in federal court in Oklahoma on behalf of customers of AT&T, alleging that they were dissatisfied with AT&T's U-Verse service (which provides television, voice, and Internet services).

Section 207 of the Passenger Rail Investment and Improvement Act of 2008 empowers Amtrak and the Federal Railroad Administration to jointly develop metrics and standards for the performance of Amtrak.

In this case, our client, Rock River Communications, issued "Roots, Rock, Remixed," an album of remixes of early Bob Marley recordings that had been produced before the advent of federal copyright protection for phonorecordings.

In this action, plaintiffs alleged that Target had a duty to have an automatic external defibrillator (AED) available in its stores in case a customer underwent sudden cardiac arrest while shopping (as had plaintiffs' daughter/sister).

The named plaintiffs filed this putative nationwide class action claiming that AT&T violated the federal Telephone Consumer Protection Act by sending text-message advertisements to its wireless customers about upgrading their cellular telephones after AT&T acquired their former wireless provider.

We represent the D.C. Council in litigation regarding the right of the District of Columbia to spend its own tax dollars.

The husband of the plaintiff in this case died from cardiac arrest. Plaintiff sued CSXT in the Circuit Court for Duval County, Florida under FELA, alleging that CSXT should have provided automated external defibrillators in the workplace, should have required employees to undergo mandatory training in cardiopulmonary resuscitation, and negligently delayed the arrival of emergency medical technicians.

The plaintiff in this case alleged that he contracted cancer as a result of being exposed to asbestos for a brief period in the 1950s, while employed in Kentucky by one of CSX's predecessors.

The question presented in this case was whether Section 3 of the Defense of Marriage Act, which prohibits the federal recognition of same-sex marriages that are recognized under state law, violated the Equal Protection Clause.

Texas's Tarrant Regional Water District sought to acquire water from Oklahoma by exercising its rights under the Red River Compact, which governs the allocation and use of water from the Red River Basin among Texas, Oklahoma, Louisiana, and Arkansas.

We obtained interlocutory appellate review and reversal of the denial of Siemens Corporation's motion for summary judgment in the "hyper complicated" ERISA case, winning an absolute victory for our client.

According to the Supreme Court's decision in *Heck v. Humphrey*, 512 U.S. 477 (1994), a civil rights plaintiff may not use a Section 1983 suit to establish the invalidity of an outstanding state court conviction.

This appeal arose out of an award of attorneys' fees in a settled class action. The total benefits paid to the class under the settlement totaled approximately $40 million.

Our client, Grant Thornton, was engaged to audit the First National Bank of Keystone, a federally-insured bank that had been the subject of intense regulatory scrutiny for many years.

Clifford George was subjected to a strip search and, subsequently, a body cavity search conducted under forced general anesthesia. We obtained a victory for him in the Ninth Circuit in his Section 1983 civil rights suit.

An "addition" of pollution from a "point source" to "the waters of the United States" must be permitted by EPA under the National Pollution Discharge Elimination System.

Foster Farms terminated Maria Escriba after she failed to return to work for three consecutive days after the conclusion of a vacation.

DHL's parent company, DPWN Holdings, United Airlines alleging that United had participated in a massive, international price-fixing conspiracy to charge inflated freight-forwarding fuel surcharges.

A number of purchasers of fertilizer brought a class action alleging a global conspiracy involving our client, The Mosaic Company, to reduce output and raise the price of potash, a key ingredient in fertilizer.

Our client, Consolidated Rail Corporation, sold property in Jersey City to developers after attempts to sell the property to Jersey City failed.

We filed an amicus brief successfully arguing that the Federal Arbitration Act does not permit courts to refuse to enforce arbitration agreements based on an ad hoc assessment that individual arbitration might not be cost-effective.

We represented Yellow Pages publishers in a First Amendment challenge to a San Francisco ordinance outlawing the distribution of Yellow Pages directories without the recipient's prior or contemporaneous consent.

The Third Circuit held that a federal statute criminalizing the creation, sale, or possession of a depiction of animal cruelty violates the First Amendment.

The case involved the federal Sex Offender Registration and Notification Act, which requires registration of sex offenders who travel in interstate commerce on pain of substantial criminal penalties.

At the time of petitioner Frantz DePierre's conviction and sentence, federal law mandated a minimum 10-year sentence for persons convicted of drug offenses involving 50 grams or more of "a mixture or substance …

The Court Interpreters Act, 28 U.S.C. § 1920(6), allows courts to award a prevailing party the costs of oral interpreters.

Several female employees of Wal-Mart brought a putative class action against their employer, alleging that they were the victims of sex discrimination and seeking back-pay.

The Armed Career Criminals Act requires that offenders who have been previously convicted of three or more serious offenses receive an enhanced sentence.

Certain counties in central New York passed “flow control” ordinances requiring that solid waste collected in those jurisdictions be taken to a particular facility owned by a state-created corporation to be processed.

At trial, our clients (Neuros and APG) prevailed on a defamation claim, but lost on claims under the Lanham Act and Illinois’s Deceptive Trade Practices Act, against a competitor (KTurbo) who accused our clients of cheating and committing crimes in submitting performance information to a prospective customer.

We represented one of the petitioners in its efforts to seek review of the West Virginia Supreme Court of Appeals’ holding that, as a categorical matter, agreements to arbitrate personal injury or wrongful death claims against nursing homes are unenforceable under West Virginia law.

Loral Corporation, predecessor of Lockheed Martin agreed in 1987 to acquire certain assets and liabilities related to Goodyear’s aerospace business in Ohio.

Plaintiff Fatemeh Johnmohammadi brought a putative class action against Bloomingdales under California law, seeking to recover unpaid overtime wages.

Plaintiff Thurston Hensley sued his employer, CSX Transportation (“CSX”), under the Federal Employees Liability Act, alleging that CSX negligently caused his asbestosis and seeking damages for (among other things) a fear of developing cancer in the future.

Following a train collision, plaintiff Jimmy Clements sued CSX Transportation, Inc. under the Federal Employees Liability Act for negligence.

Plaintiffs filed suit against Nestlé under California’s false advertising and unfair competition laws, alleging that the labeling of certain Juicy Juice brand beverages (which are sold by Nestlé) was deceptive.

The Internal Revenue Code provides for special tax treatment of export sales made by an American manufacturer through a qualifying subsidiary.

Connecticut Retirement Plans and Trust Funds filed a securities-fraud complaint against Amgen, alleging Amgen made certain misrepresentations to the FDA during the approval process for a drug later marketed by Amgen.

Dov Shellef was tried and convicted for various tax crimes. The verdict was reversed on appeal and remanded for a new trial.

An AT&T customer sued AT&T on behalf of a putative class, claiming that the company violated consumer protection statutes by failing to adequately disclose certain charges.

Federal Law (18 U.S.C. § 3559) authorizes funding to provide counsel to indigent death row inmates, including state defendants pursuing federal habeas relief.

Bristol-Myers Squibb maintains a patent over atazanavir, a drug used to treat HIV/AIDS.

The United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 required any group that accepted government funds for combating HIV/AIDS abroad to have a policy explicitly opposing prostitution and sex trafficking.

In this case, the Court granted certiorari to decide the requisite mental state for the offense of aiding and abetting the use of a firearm during and in relation to a crime of violence or drug trafficking crime, in violation of 18 U.S.C. § 924(c).

The preemption provision of the Airline Deregulation Act of 1978 provides that a state "may not enact or enforce a law, regulation, or other provision having the force and effect of law related to price, route, or service of an air carrier."

In this case, our client Arkema petitioned for review from a final rule, in which the Environmental Protection Agency (EPA) designated for testing in its Endocrine Disruptor Screening Program certain chemicals based on their physical and chemical properties.

The Supreme Court granted our petition for certiorari and held that under the U.S. Constitution, state courts may not permit juries in individual cases to punish defendants for harms suffered by non-parties even where those harms arose from conduct similar to the conduct that injured the plaintiff.

We represented Lockheed Martin Corporation in this class action lawsuit arising under the Employee Retirement Income Security Act (ERISA).

The question presented in this case was whether suits against corporations, as opposed to natural persons, for alleged violations of international law are cognizable under the Alien Tort Statute ("ATS").

In this case, respondent Kenny Industries appealed an order of the state trial court denying its motion for release from a judgment confirming the arbitrator's final award in favor of plaintiff, Kenney, arguing that the trial court erred in denying the motion because respondent retained the right to a setoff under the original contract in dispute.

At issue in this immigration law case was whether a parent's years of residence after lawful admission to the United States may be imputed to an unemancipated minor child for purposes of satisfying the eligibility requirements for discretionary cancellation of removal or whether such a minor must meet those requirements on his or her own, without counting a parent's years of residence or immigration status.

In this case, we filed an amicus brief on behalf of religious and civil liberties organizations including Americans United for Separation of Church and State, American Civil Liberties Union, and Interfaith Alliance Foundation in support of the petitioner Anthony Farina's petition for habeas corpus to the Eleventh Circuit.

Gregory Holt, a state inmate who is a Muslim, sought an exemption from his prison's no-facial-hair policy to grow a short beard consistent with his religious beliefs.

Perpetrators of a Ponzi scheme used accounts at several financial institutions in Minnesota, including Associated Bank, N.A. After the Ponzi scheme was uncovered, the perpetrators were prosecuted and jailed.

Vehicle purchase and lease agreements often contain arbitration provisions.

Michigan voters approved a ballot initiative that banned the use of affirmative action in state universities and colleges.

Section 285 of the Patent Act permits a prevailing party to recover fees in "exceptional" cases.

Customers of AT&T Mobility agreed that any disputes between the parties would be resolved by arbitration on an individual basis, thus barring class actions.

Section 285 of the Patent Act permits a prevailing party to recover fees in "exceptional" cases. Attorneys' fees in patent infringement cases have grown substantially in recent years, and the threat of large fees fuels abusive claims and abusive defenses.

Jarek Charvat used the defendant banks' automatic teller machines after accepting an on-screen notice that he would be charged a fee before being allowed to complete his transaction.

AT&T Mobility's customer agreements require disputes to be resolved on an individual basis in arbitration.

Plaintiff brought a products liability action against Ford Motor Company, alleging that one of Ford's pick-up trucks was defectively designed because it utilized tempered, rather than laminated, glass in the vehicle side windows.

Plaintiffs' son died following a collision between his vehicle and a CSX Transportation (CSXT) freight train at a railroad crossing.

U.S. and foreign victims of terrorist attacks in the Middle East and their family members alleged that Arab Bank, Jordan's largest financial institution, violated the Anti-Terrorism Act and Alien Tort Statute by providing banking services to charities and individuals allegedly affiliated with terrorist organizations operating in the Middle East.

Military veterans and their relatives sued chemical manufacturers in both state and federal court, alleging that the veterans had been injured

by exposure to Agent Orange during their service in the Vietnam War.

A locomotive engineer brought a personal injury action under the Federal Employers' Liability Act (FELA) against our client, CSX, for knee injuries he allegedly sustained while working in CSX's rail yards.

Section 2 of the Federal Arbitration Act prohibits courts from imposing prerequisites to enforcement of an arbitration agreement that are not applicable to contracts generally, and the Supreme Court has repeatedly made clear that arbitration agreements must stand on equal footing with all other agreements.

Purchasers of front-loading clothes washing machines brought a class action against BSH, alleging that the washers are defective because they have a propensity to develop mold, mildew, and odors.

Subscribers to local phone and internet services brought a class action against several telecommunications companies, alleging a conspiracy to end competition among themselves and to exclude potential competitors.

The Indian Child Welfare Act of 1978 (ICWA), which was enacted in response to the wholesale removal of Indian children from their families, establishes federal rules to govern the adoption of Indian children.

The Supreme Court granted the United States' petition to review the question whether James Castleman's Tennessee conviction for misdemeanor domestic assault by intentionally or knowingly causing bodily injury to the mother of his child qualifies as a conviction for a "misdemeanor crime of domestic violence" within the meaning of 18 U.S.C. § 922(g)(9).

The plaintiff, whose husband had worked for the defendant until 1965, alleged that she contracted lung cancer as a result of being exposed to asbestos fibers purportedly carried home on her husband's work clothes.

The plaintiffs allege that certain washers emit odors and produce false error codes. The Seventh Circuit ruled that these plaintiffs could represent a class of purchasers in several states asserting warranty claims.

Polar Tankers, Inc. challenged a municipal ordinance that imposed a tax on certain boats and vessels. The ordinance contained several exceptions that largely limited its applicability to large oil tankers.

Several car buyers brought a class action against American Honda Motor Company. The complaint asserted claims for unfair competition, false advertising, and unjust enrichment under California law.

This case arose from antitrust claims asserted against several leading underwriters and mutual fund families. The plaintiffs challenged alleged conduct regarding the underwriting of initial public offerings during the "Internet bubble" in the late 1990s.

While trespassing on defendants' railroad tracks, plaintiff Dominic Choate was injured trying to jump onto a moving train in order to impress his girlfriend.

Foreign nationals detained at the U.S. Naval Base at Guantanamo Bay applied for writs of habeas corpus.

In this case, we secured vacatur of a final rule promulgated by the Environmental Protection Agency ("EPA"). The rule provided allowances for the production of ozone-depleting substances under a cap-and-trade system.

A group of Arizona residents and a group of nonprofit organizations filed suit to enjoin Arizona's Proposition 200, which required prospective voters to provide proof of U.S. citizenship in order to register to vote and cast ballots, even if they were using the Federal Form developed by the Election Assistance Commission.

Our client, a former U.S. Congressman, was indicted on public-corruption and other charges stemming from his time in office and his operation of an insurance agency.

In this case, the plaintiff brought a class action challenging the early termination fees charged by one of AT&T Mobility's predecessors.

Our client, the Philippine government, sought dismissal of a suit claiming a right to approximately $35 million in assets that Ferdinand Marcos allegedly stole from the Philippines during his time as the country's president.

This case concerned the scope and validity of a patent that Prometheus Laboratories claimed over the testing of certain metabolites in blood to monitor appropriate medication dosages.

Albert Lockley brought suit against his employer, CSX Transportation, for neck injuries allegedly suffered while working for CSX. We represented CSX in its appeal of the liability judgment and in its appeal of an award of post-judgment interest.

The parties in this case disputed ownership of an overfunded pension plan originally created by The Singer Corporation.

Honeywell and DuPont challenged the EPA's decisions authorizing certain trades of allowances by Arkema Inc. and another company under the EPA's cap-and-trade system for hydrochlorofluorocarbons.

NECA-IBEW Health & Welfare Fund brought a putative class action under Sections 11 and 12(a)(2) of the Securities Act, alleging supposedly common misstatements relating to 17 different mortgage-backed securities underwritten and issued by Goldman Sachs and its affiliates.

In this challenge under the Second Amendment to the District of Columbia's ban on handguns, we filed an amicus brief on behalf of the City of Chicago and the Chicago Public Schools.

Seeking to execute a judgment against the estate of the former Philippine President Ferdinand Marcos, plaintiff sought access to funds Marcos had entrusted to Merrill Lynch in New York.

Respondent sued our client, Weyerhaeuser Co., alleging "predatory buying" in violation of Section 2 of the Sherman Act. A jury returned a

verdict against Weyerhaeuser Co. and the Ninth Circuit affirmed.

Plaintiff sued our client, CSX Transportation, Inc. (CSXT) under the Federal Employer's Liability Act, seeking damages for alleged cumulative stress injuries.

Petitioners sued our client, Scientific-Atlanta, Inc., seeking to hold it liable for the purported Securities Act violations of another corporation with which our client did business.

The owner of a shopping mall located adjacent to a right of way owned by our client, CSX, sued for negligence and trespass, alleging that storm water flowing from the right of way flooded the plaintiff's property.

The Real Estate Settlement Procedures Act of 1974 forbids kickbacks in connection with any real estate settlement service that involves a federally supported or federally sponsored mortgage.

A number of foreign purchasers of vitamins brought a class action alleging a global conspiracy involving our client, F. Hoffmann-La Roche, to raise the price of vitamins.

Plaintiffs sought damages from defendants under the Alien Tort Statute (ATS), alleging that defendants aided and abetted plaintiffs' labor violations in foreign country.

Plaintiff brought a FELA claim for injuries he allegedly suffered while adding and removing railroad cars for his employer, and our client, CSX Transportation.

In series of appeals, we secured reversal of a ruling adverse to our client and defended favorable jury verdict.

Plaintiffs filed a putative class action seeking monetary damages for alleged violations of a California law requirement meal and rest breaks for employees.

A chiropractor and his practice group brought a putative class action against our client, State Farm, for breach of contract and unjust enrichment arising from the insurer's alleged operation a "silent PPO."

Participants in a 401(k) retirement plan brought an ERISA class action for breach of fiduciary duty against their employer.

The United States, along with numerous states, brought antitrust complaints under Sections 1 and 2 of the Sherman Act against Microsoft Corp. relating to its Windows operating system.

The plaintiffs in this case brought several putative nationwide class actions alleging that, after acquiring their wireless carrier, AT&T Mobility degraded their service in order to force them to switch to its network.

The Commonwealth of the Northern Mariana Islands sued CIBC to garnish bank accounts held by a delinquent taxpayer at a CIBC subsidiary.