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*Emulex Corp. v. Varjabedian*, No. 18-459

Section 14(e) of the Securities Exchange Act of 1934 generally makes it unlawful for a person to make untrue or misleading statements of material fact in conjunction with a tender offer. The Supreme Court today granted certiorari to resolve a dispute among lower courts as to whether Section 14(e) permits a private cause of action based on negligence, as opposed to scienter.