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DuPont Did Not Spoliate By Deleting Emails: Judge

A Virginia federal judge ruled Wednesday that DuPont Co. shouldn't be sanctioned for deleting emails Kolon Industries Inc. alleged were relevant to its defense against claims it used trade secrets stolen by a DuPont employee related to body armor component Kevlar.

Attys Cast Doubt On Abercrombie's Preppy Look Defense

While some employers have won the right to enforce strict dress codes despite employees' religious beliefs, Abercrombie & Fitch Stores Inc.'s argument that its preppy image would suffer if it let a sales worker wear a Muslim head scarf likely won't defeat a federal agency's discrimination suit, attorneys say.

AGs Lambast NLRB's Claims Against Boeing

The attorneys general of nine states banded together Thursday to fight the National Labor Relations Board's recent complaint against Boeing Co.'s new nonunion production facility, saying the action will impede economic recovery and business development.

KBR Truckers Win Class Cert. In Arbitration Over OT

An arbitrator in California granted class certification Thursday to a group of truckers who said KBR Inc. breached an employment agreement by pressuring them to underreport hours worked under a military contract in Iraq.

Lockout Lifted, NFL Players Back To Business For Now

The NFL said Thursday that players would be allowed to use team facilities and meet with coaches Friday morning, after a Minnesota federal judge denied the league's bid to stay an injunction on a player lockout in an antitrust class action.

9th Circ. OKs Breakup Of UPS Wage-And-Hour Class

The Ninth Circuit affirmed a ruling Thursday that decertified a class of UPS Inc. supervisors who alleged the shipper failed to pay them for overtime and breaks, but refused to overturn a \$1.4 million judgment for the individual plaintiff.

9th Circ. Revives CFAA Counts In Search Firm Case

The Ninth Circuit reinstated five Computer Fraud and Abuse Act counts Thursday in a criminal case against a former managing director at an executive search firm who allegedly conspired to steal trade secrets to help launch his own search firm.

April 29, 2011

Law Firms Mentioned

Altshuler Berzon
Arnstein & Lehr
Boies Schiller
Bracewell & Giuliani
Butzel Long
Cadwalader Wickersham
Cohen Weiss
Constangy Brooks
Covington & Burling
Crowell & Moring
Day Pitney
Dechert
Dewey & LeBoeuf
Dickstein Shapiro
Doerner Saunders
Finnegan
Hausfeld
Heins Mills
Howrey LLP
Ice Miller
Jackson Lewis
Keller Rohrback
King & Spalding
Kirkland & Ellis
Lerner David
Lewis Feinberg
Locke Lord
McGuireWoods
Milbank Tweed
Munger Tolles
Nixon Peabody
Orrick Herrington
Paul Hastings
Porter Wright
Pryor Cashman
SNR Denton
Seyfarth Shaw
Sidley Austin
Silver Freedman
Vorys Sater
Weil Gotshal
Windels Marx
Zelle Hofmann

2nd Circ. Favors Deloitte In Pension Plan Action

The Second Circuit on Thursday ruled that a former Deloitte LLP attorney had not exhausted his administrative remedies before he brought a putative class action accusing the accounting firm of shortchanging pension recipients and tossed the suit.

6th Circ. Flunks DOL Suit Over Student Labor

The Sixth Circuit has thrown out a U.S. Department of Labor lawsuit against a Tennessee religious school's student work experience program, in a decision that clarifies what kind of student work is legal.

Northrop Background Checks Violate Rights: Suit

Northrop Grumman Systems Corp. was hit with a class action in Virginia on Thursday for allegedly refusing to hire a woman based on results of a consumer background check without disclosing the details of the report, violating the Fair Credit Reporting Act.

\$1.5M Huntington ERISA Deal Wins Judge's Initial OK

An Ohio federal judge on Thursday preliminarily approved a \$1.45 million settlement between Huntington Bancshares Inc. and a class of employees who claimed the company kept their retirement plan heavily invested in Huntington stock despite its exposure to subprime mortgage-related losses.

Dechert Denies 'Macho' Claims In Ex-Associate's Suit

Dechert LLP said Tuesday it does not force male attorneys to act "macho" or expect women to shoulder family responsibilities, denying a former Boston associate's claim that he was fired for flouting gender stereotypes by caring for his mentally ill wife.

Morgan & Finnegan Trustee Wants Former Attys' Docs

Morgan & Finnegan LLP's Chapter 7 trustee sought Wednesday in New York bankruptcy court to compel 13 ex-M&F attorneys to produce documents related to clients and unfinished business he believes they might have brought with them from the failing IP boutique.

Couple Eyed In GM Secrets Theft Renews Subpoena Bid

A former General Motors Co. employee and her husband accused of stealing \$40 million worth of hybrid technology trade secrets renewed their request before a Michigan federal judge Wednesday to force the automaker to share information related to the investigation.

Ex-Juniper GC Fights SEC Witnesses In Backdating Case

An ex-Juniper Networks Inc. general counsel asked a California federal judge Thursday to bar the U.S. Securities and Exchange Commission from using testimony from certain Juniper investors in its case alleging she took part in a \$900 million stock options backdating scheme.

Plaintiffs Drub Class Expert In Kraft ERISA Action

Plaintiffs accusing Kraft Foods Global Inc. of mismanaging pension funds fired back Wednesday at the company's effort to decertify their Illinois class action, blasting a Kraft expert witness who argued that no Employee Retirement Income Security Act suit is class-certifiable.

Turkey Co. Ordered To Pay Workers \$1.7M In FLSA Suit

An Iowa federal judge has ruled that Hill Country Farms Inc. illegally underpaid its intellectually disabled workers and ordered the company to pay them \$1.76 million in back wages and damages, the U.S. Department of Labor announced Wednesday.

Accused Sandhogs Union Embezzler Can't Shake Charges

A New York federal judge on Tuesday refused to throw out the government's 17-count case against Melissa King, owner of King Care LLC, who is charged with embezzling \$42 million from a sandhogs union's

Companies Mentioned

AT&T Inc.
Abercrombie & Fitch
American Express Company
Angiotech Pharmaceuticals, Inc.
Costco Wholesale Corporation
Dell Inc.
Halliburton Company
Huntington Bancshares Incorporated
Juniper Networks
KBR, Inc.
KLA-Tencor Corporation
Kraft Foods Inc.
New York Times Co.
Northrop Grumman Corporation
TELUS Corporation
The Boeing Company
The Great Atlantic & Pacific Tea Company, Inc.
Vitran Corporation, Inc.

District Court Cases Mentioned

Ayanna v. Dechert LLP
Bourdelaïs v. Northrop Grumman System...
Brady et al v. National Football Leag...
E. I. du Pont de Nemours and Company ...
George et al v. Kraft Foods Global, I...
MagistrateÂ judgeÂ caseÂ number:Â
Pryor et al v. Overseas Administrativ...
Riccio v. Huntington Bancshares Incor...
Securities And Exchange Commission v....
Solis v. Hill Country Farms, Inc. et al
United States of America v. Qin et al

benefit plan and splurging on luxuries.

Bankrupt A&P's \$4M Incentive Plan Gets OK

A New York bankruptcy judge approved a \$3.7 million incentive plan for top executives of supermarket chain The Great Atlantic & Pacific Tea Co. Inc. over objections that it was a too-generous retention plan masquerading as an incentive plan.

Expert Analysis

Who Has Jurisdiction Over CBA Disputes?

It has been long held that the Supreme Court favors the use of arbitration for resolving employment contract disputes, yet the National Labor Relations Board's argument that it has concurrent jurisdiction over all matters relating to collective bargaining agreements would surely cause industrial chaos, says Bruce Mills of B.F. Mills & Associates.

AT&T Mobility V. Concepcion: A Win For Class Waivers

The U.S. Supreme Court decision in AT&T Mobility LLC v. Concepcion upholds the ability of companies to limit consumer class actions through arbitration agreements and provides guidance on how best to do so. It also strikes a major blow against positions strongly held by the plaintiffs' class action bar, say Benjamin Dwyer and Christopher Mason of Nixon Peabody LLP.

Using Injunctions In 'Bet-The-Company' Litigation

The tool of injunctive relief can be very effective in preventing fatal harm to businesses, but companies and their counsel need to be prepared for the possibility of having to seek urgent relief in the courts, say Stephen Crain and Jessica Hart of Bracewell & Giuliani LLP.

Legal Industry

Firms Fear Potential Pitfalls Of Alternative Fees

Most corporate clients now expect firms to offer alternative fees, and while many do, some remain resistant to bailing on the billable hour in favor of potentially riskier cost arrangements, according to a new survey of firm leaders and in-house attorneys.

Arnstein & Lehr Snags Ill. Lawmaker For Gov't Group

Arnstein & Lehr LLP announced Wednesday that it had hired Illinois state Rep. Jim Durkin, R-Western Springs, as a partner to boost the Chicago-based firm's governmental and municipal affairs practice.

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