

SLLC Amicus Briefs 2018-2019

| Case Name | Case Description | Signatories | Brief Author(s) | Firm(s) | Result | Comments |
|---|--|--|--|---|--------------|----------|
| <i>Mt. Lemmon Fire District v. Guido</i> | ADEA applies to state and local government employers with less than 20 employees | NCSL, CSG, NACo, NLC, USCM, ICMA, IMLA, NPELRA, IMPA-HR | Collin O'Connor Udell | Jackson Lewis | 8-0 opposed | |
| <i>Weyerhaeuser Company v. U.S. Fish and Wildlife Service</i> | "Critical habitat" under the Endangered Species Act (ESA) must also be habitat | NCSL, CSG, NACo, NLC, USCM, ICMA, IMLA | Bryan K. Weir, Thomas R. McCarthy, and J. Michael Connolly | Consovoy McCarthy Park & the Antonin Scalia Law School Supreme Court Clinic | 8-0 in favor | |
| <i>Timbs v. Indiana</i> | Eighth Amendment's Excessive Fines Clause is "incorporated" against states and local governments | NACo, NLC, USCM, ICMA, IMLA | Lawrence Rosenthal | Chapman University, Fowler School of Law | 8-0 opposed | |
| <i>Nieves v. Bartlett</i> | Probable cause generally defeats a First Amendment retaliatory arrest case | NACo, NLC, USCM, ICMA, IMLA | Sean R. Gallagher, Bennett L. Cohen, Britton St. Onge | Polsinelli PC | 6-3 in favor | |
| <i>Fort Bend County, Texas v. Davis</i> | Title VII's charge-filing requirement isn't jurisdictional | NCSL, NACo, NLC, USCM, ICMA, IMLA, NPELRA, IMPA-HR, NSBA | Collin O'Connor Udell and Mara E. Finkelstein | Jackson Lewis | 9-0 opposed | |
| <i>Knick v. Township of Scott</i> | Takings claim may be brought in federal court | B7+IMLA | Matt Zinn, Andrew Schwartz, and Laura Beaton, | Shute, Mihaly & Weinberger | 5-4 opposed | |
| <i>Virginia Uranium v. Warren</i> | Federal law doesn't preempt state statute prohibiting uranium mining | NCSL, NLC, ICMA | John J. Korzen | Wake Forest University School of Law | 7-2 in favor | |

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| | | | | Appellate Advocacy Clinic | | |
| <i>Gamble v. United States</i> | States and the federal government may prosecute the same offenses | NACo, NLC, USCM, ICMA, IMLA, NDAA, NSA | Gordon D. Todd, Josh Fougere, Spencer Driscoll, Audry M. Klossner | Sidley Austin | 7-2 in favor | |
| <i>Tennessee Wine & Spirits Retailers Association v. Byrd</i> | State durational residency law for alcohol sellers is unconstitutional | NCSL, NACo, NLC, USCM, ICMA, IMLA | Richard A. Simpson, Tara L. Ward, and Emily S. Hart | Wiley Rein | 7-2 opposed | |
| <i>American Legion v. American Humanist Society</i> | Bladensburg Peace Cross located on public land doesn't violate the Establishment Clause | NACo, NLC, ICMA, IMLA, GFOA | Paul J. Zidlicky, Michael B. Buschbacher, and Christopher S. Ross | Sidley Austin | 7-2 in favor | |
| <i>PDR Network, LLC v. Carlton & Harris Chiropractic Inc.</i> | Does the Hobbs Act require a district court to accept the FCC's legal interpretation of the Telephone Consumer Protection Act | NACo, NLC, USCM, IMLA | Ashley E. Johnson, Bradley G. Hubbard, and Elizabeth A. Kiernan | Gibson, Dunn & Crutcher | | Majority of the Court didn't answer the question presented |
| <i>Kisor v. Wilke</i> | Precedent requiring deference to agencies' interpretations of their regulations is upheld | NCSL, CSG, NACo, USCM, ICMA, IMLA, GFOA, NSBA | Allyson N. Ho, Kathryn Cherry, and Elizabeth A. Kiernan | Gibson, Dunn & Crutcher | 9-0 opposed | |
| <i>Mitchell v. Wisconsin</i> | Warrantless blood draws of unconscious persons are generally permissible | NCSL, ICMA, IMLA, NDAA | Lauren S. Kuley and Keith Bradley | Squire Patton Boggs | 5-4 in favor | SLLC argued for exigency exception plurality adopted |
| <i>McDonough v. Smith</i> | Statute of limitations for a fabrication of evidence claim begins running upon acquittal | NLC, USCM, IMLA | Geoffrey Eaton | Winston & Strawn | 6-3 opposed | |