

SLLC *Amicus* Briefs 2015-2016

Case Name	Case Description	Organizations Involved	Brief Author(s)	Firm	Result	Comments
<i>Gobeille v. Liberty Mutual Insurance Company</i>	ERISA preempt a Vermont statute requiring health insurance companies to report claims data to the state	NGA, NCSL, CSG, National Association of Insurance Commissioners & Association of State and Territorial Health Officials	Gail Sciacchetano, Jennifer McAdams	National Association of Insurance Commissioners	6-2, opposed	Justice Ginsburg cited the SLLC's brief three times in her dissenting opinion
<i>Luis v. United States</i>	The Sixth Amendment right to counsel includes allowing a criminal defendant to use <i>untainted</i> substitute assets to hire an attorney	NCSL, CSG, NLC, USCM, NACo, ICMA & IMLA	Mary Massaron	Plunkett Cooney	5-3, opposed	
<i>Hughes v. Talen Energy Marketing</i>	Maryland's program which guarantees a power plant generator a contractual rate rather than the "clearing price" wholesale rate set at a federally-approved capacity auction is preempted by the Federal Power Act	NGA, NCSL, CSG	William R. Stein, Scott M. Christensen, Eric S. Parnes & Elizabeth Solander	Hughes Hubbard & Reed	8-0, opposed	
<i>Franchise Tax Board of California v. Hyatt</i>	A state court apply a damages cap, which applies to the state, to foreign states and local governments sued in its court	CSG, NLC, USCM, NACo, ICMA & IMLA	Quin Sorenson & Spencer Driscoll	Sidley Austin	6-2, in favor	
<i>Heffernan v. City of Paterson, New Jersey</i>	A public employer violates the First Amendment when it acts on a <i>mistaken</i> belief that an employee engaged in First Amendment protected political activity	NCSL, NLC, USCM, NACo, ICMA, IMLA, Nat'l Public Employer Labor Relations Assoc. & Int'l Public Management Assoc. for Human Resources	Collin O'Connor Udell	Jackson Lewis	6-2, opposed	
<i>United States Army Corp. of Engineers v. Hawkes</i>	A court may review an Army Corp of Engineers approved jurisdictional determination that property contains "waters of the United States"	CSG, NLC, USCM, NACo, ICMA & IMLA	Joe Jacquot, Linda Benfield, Richard G. Stoll, Michael Leffel & Sarah Slack	Foley & Lardner	8-0 in favor	
<i>Birchfield v. North Dakota</i>	States may criminalize an arrestee's refusal to take a warrantless <i>breath</i> test	CSG, NLC, USCM, NACo, ICMA & IMLA	Greg Garre, Jonathan Ellis & Benjamin Snyder	Latham Watkins	7-1 in favor	

SLLC *Amicus* Briefs 2015-2016

<i>United Student Aid Funds v. Bible</i>	Should the Supreme Court overturn <i>Auer</i> deference to federal agencies?	NGA, NCSL, NLC, USCM, NACo, ICMA, IMLA, GFOA, National School Boards Association	Ashely E. Johnson, James. C. Ho, Benjamin D. Wilson, Bradley G. Hubbard	Gibson, Dun & Crutcher		<i>Certiorari</i> petition, cert denied (perhaps because of Justice Scalia's death)
--	--	--	---	------------------------	--	---