

SLLC *Amicus* Briefs 2014-2015

Case Name	Case Description	Organizations Involved	Brief Author(s)	Firm	Result	Comments
<i>Integrity Staffing Solutions, Inc. v. Busk</i>	Fair Labor Standards Act—time spent in security screenings is compensable “work”	NLC, NACo, ICMA, USCM, GFOA, IMLA, Nat’l Public Employer Labor Relations Association, Int’l Public Management Assoc. for Human Resources	James Ho, Ashley Johnson, Andrew Legrand	Gibson, Dunn, & Crutcher LLP	9-0, in favor	
<i>T-Mobile South, LLC v. City of Roswell</i>	Telecommunications Act—local governments must provide reasons contemporaneously to denying a cell phone tower construction application	NLC, NACo, USCM, IMLA, ICMA, American Planning Assoc.	Tillman Lay, Katharine Mapes, Jessica Bell	Spiegel & McDiarmid LLP	6-3, opposed	
<i>North Carolina State Board of Dental Examiners v. FTC</i>	State action doctrine—when a controlling number of state board members are market participants, the board must be “actively supervised” to be exempt from federal antitrust law	NGA, NCSL, CSG	Seth Waxman, Thomas Sprankling, Alan Schoenfeld	WilmerHale LLP	6-3, opposed	
<i>Direct Marketing Association v. Brohl</i>	Tax Injunction Act—does not bar a federal court from deciding whether a state law that attempts to increase use tax collection on purchases from remote vendors is unconstitutional	NGA, NCSL, CSG, NLC, USCM, NACo, ICMA, GFOA	Ronald Parsons, Jr.	Johnson, Abdallah, Bollweg & Parsons LLP	9-0, opposed	Justice Kennedy’s concurrence suggesting <i>Quill</i> should be overruled appears to be based on the SLLC <i>amicus</i> brief
<i>Alabama Dep’t of Revenue v. CSX Transportation</i>	4-R Act—railroads can be compared to their competitors when determining whether a tax is discriminatory in violation of the 4-R Act; different taxes paid by railroads and their competitors must be compared with determining whether a tax railroads pay is discriminatory	NGA, NCSL, CSG, NLC, USCM, NACo, ICMA, IMLA, GFOA	Sarah Shalf	Emory Law School Supreme Court Advocacy Project	7-2, in favor	
<i>Perez v. Mortgage Bankers Association</i>	Administrative Procedures Act—federal agency do not have to	NLC, USCM, NACo, ICMA, IMLA, GFOA,	James Ho, Ashley Johnson, Kirsten	Gibson, Dunn, & Crutcher	9-0 opposed	

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	engage in notice-and-comment rulemaking before changing an interpretive rule	NSBA, Nat'l Public Employer Labor Relations Assoc., Int'l Public Management Assoc. for Human Resources	Galler, Lauren Blas	LLP		
<i>Comptroller of Treasury of Maryland v. Wynne</i>	Dormant commerce clause—Maryland's failure to offer residents a full credit against income taxes paid to other states is unconstitutional	IMLA, NCSL, NLC, USCM, NACo, ICMA, GFOA, Maryland Association of Counties	Paul Clement, Zachary Tripp, John Neiman, Jr.	Bancroft PLLC, Maynard Cooper & Gale PC	5-4 opposed	
<i>City and County of San Francisco v. Sheehan</i>	Qualified immunity—police granted qualified immunity for reentering the room of armed, violent, mentally ill person	NLC, USCM, NACo, ICMA, League of CA Cities, CA State Assoc. of Counties, Wash. State Assoc. of Municipal Attys, Assoc. of Wash. Cities	Orry Korb, Danny Chou, Greta Hansen, Melissa Kinyalocets, Daniel Lloyd	County of Santa Clara, Vancouver City Attorney's Office	6-2, in favor	
<i>EEOC v. Abercrombie and Fitch Stores, Inc.</i>	Title VII—to bring a religious accommodation claim an applicant/employee need only show that the need for a religious accommodation was a motivating factor in an employment decision	NCSL, NLC, USCM, NACo, ICMA, IMLA, IPMA-HR, NPELRA, NSBA	Charles Thompson, Amanda Keller	International Municipal Lawyers Association	8-1, opposed	
<i>Reed v. Town of Gilbert, AZ</i>	Treating temporary directional, political, and ideological signs differently is a content-based regulation subject to strict scrutiny	NLC, USCM, NACo, ICMA, IMLA, American Planning Assoc., Scenic America Inc.	William Brinton	Rogers Towers	9-0, opposed	Other side referred the Justices to a specific page in the SLLC <i>amicus</i> brief during oral argument
<i>City of Los Angeles v. Patel</i>	Hotel registry ordinances that allow police inspections without precompliance judicial review violate the Fourth Amendment; Fourth Amendment facial challenges are possible	NLC, USCM, NACo, ICMA, IMLA	Thomas McCarthy, William Consovoy, J. Michael Connolly	Consovoy McCarthy, George Mason SCOTUS Clinic	5-4, opposed	Justice Scalia cited to the SLLC <i>amicus</i> brief in his dissenting opinion
<i>Kingsley v. Hendrickson</i>	The objectively unreasonable standard applies to pretrial detainee excessive force claims	NLC, USCM, NACo, ICMA, IMLA	Aaron Streett, Joshua Davis, J. Mark Little, Shane Pennington	Baker Botts LLP	5-4 opposed	