

For the International Municipal Lawyer's Association - IMLA's 5 things to know for January 9<sup>th</sup>

1. We had a great turnout for yesterday's ediscovery call but we had a problem. One of the participants did not mute their phone and either left the room or stayed in the room but either way engaged in a long running and very disruptive conversation during the presentation. Not only was doing so very rude, but it affected the ability of those interested in gaining the great knowledge that Pete has and presented. Please participate in our calls, but recognize that putting your phone on hold when it plays music or leaving your line open while you type or engage in conversation disrupts everyone. Now to something substantive.
2. On Friday the Wage and Hour Division reissued Bush era opinion letters that had been rescinded by the Obama administration. Some of these opinion letters affect local governments. I'll try to get info out on them to our workgroups interested in these details, so employment law and fire department advisors be on the look out in particular. In an apolitical bit of commentary, the great thing about the "Rule of Law" is its consistency and stability and when it ebbs and flows based on partisan philosophies we are all harmed. So shame on the Democrats and shame on the Republicans for playing partisan politics with the law.  
<https://www.dol.gov/whd/opinion/flsa.htm>
3. On Thursday, the 9<sup>th</sup> Circuit struck down Idaho's effort to criminalize a person's efforts to gain access to property through misrepresentation. The case had many amici and may see more light in a petition to the Supreme Court, where a fundamental question will be asked: whose rights under our Constitution are more protected, those of a property owner based on common law concepts of trespass, or the press under the First Amendment?

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<http://cdn.ca9.uscourts.gov/datastore/opinions/2018/01/04/15-35960.pdf>

4. During our Seminar in DC in April, we will host our first Supreme Court advocacy program. Seating is limited. As our first program in this area, our goal is to try to help attendees understand how the Supreme Court functions, how to frame a petition for certiorari and how to frame a response. We'll have a terrific faculty. This program will require a separate registration fee as it will include lunch.
5. In Oakland, in late December a jury awarded a whopping \$3.77 million to a person who sued a city council member for assault. The two were engaged in a heated dispute at a barbeque over funding of a program when the council member purportedly shoved the Plaintiff. To make matters worse the case moves forward on a claim of punitive damages this week.

<http://www.sfchronicle.com/bayarea/matier-ross/article/Shove-by-Oakland-city-councilwoman-could-cost-12480432.php>

Joining IMLA allows members to get up to date training and information on a wide range of legal issues. Sign up at [www.imla.org](http://www.imla.org). Not a member? Contact us. Have a great day and make it an inspirational one.