

For the International Municipal Lawyer's Association - IMLA's 5 things to know for January 4<sup>th</sup>

1. According to reports, Attorney General Sessions will release the U.S. Attorneys for each state to do as they see fit in enforcing federal laws prohibiting sale and use of marijuana regardless of a state's efforts to legalize its use.

<https://www.msn.com/en-us/news/us/attorney-general-jeff-sessions-takes-aim-at-legalized-marijuana/ar-BBHRo7X>

2. In Indiana, a lead worker has sued under the ADA based on the worker's efforts to accommodate a person with extreme body odor. The lead worker bought and used air fresheners in the office and when other employees followed suit, the worker whose body odor triggered the reaction complained that the lead worker had created a hostile work environment leading to the worker's discharge from employment. I admit to having a hard time following the logic of this case – the disabled worker complains about a hostile work environment created by someone who then sues under the ADA claiming association with the disability? Smells strange to me.

<https://www.indystar.com/story/news/2018/01/02/lawsuit-against-indianapolis-stems-workers-chronic-body-odor/987393001/>

3. For those locked in the bitter grip of winter turn back the clock and pick up some great books about lawyers – *Courtroom* by Quentin Reynolds chronicles the life of Sam Leibowitz one of the great trial lawyers of the mid 20<sup>th</sup> Century. While the book was a #1 bestseller, Reynolds' suit against Westbrook Pegler for defamation resulted in a significant verdict in Reynolds' favor and famed attorney Louis Nizer discussed his representation of Reynolds in another great book "My Life in Court".
4. In New York, Governor Cuomo outlined a number of justice reforms he is proposing including the elimination of bail for non-violent crimes. Apparently, the concept will face stiff opposition from the legislature.

<http://www.nydailynews.com/news/politics/cuomo-eliminate-monetary-bail-non-violent-criminals-article-1.3735147>

5. While we were away, the 10<sup>th</sup> Circuit decided a case with some facts that tend to make you cringe, but with an interesting result. When officers stopped a woman driving a van with her five children things went smoothly enough at first, but one thing led to another and she drove off. Ultimately, an officer fired at the van several times and missed. He claimed to be shooting at the tires. She sued asserting excessive force violations under the 4<sup>th</sup> Amendment, but the 10<sup>th</sup> Circuit concluded that neither she, nor any member of the family was seized – therefore, no constitutional violation.

<http://www.ca10.uscourts.gov/opinions/16/16-2216.pdf>

We've upgraded our website, we've developed some terrific programming and we're working on amicus briefs in a host of cases. IMLA's Distance Learning program offers timely discussion on current topics not just for lawyers. The issues discussed inform policies and discussions across the spectrum of local government officials' need to know. 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, make it an inspirational one and make 2018 exceptional.