

For the International Municipal Lawyer's Association - IMLA's 5 things to know for May 11th

1. From the 7<sup>th</sup> Circuit yesterday a really well written and interesting opinion throwing out a suit by a school board member accused of bullying a student. The member sued over the ensuing investigation and alleged defamatory statements. The opinion begins: "American politics is not for the thin-skinned." It gets better and if you're in need of a case discussing ephemeral rather than substantive claims – this could help.

<http://media.ca7.uscourts.gov/cgi-bin/rssExec.pl?Submit=Display&Path=Y2018/D05-10/C:16-3846:J:Hamilton:aut:T:fnOp:N:2153563:S:0>

2. In New Orleans a battle has begun between an aspiring artist and the city in what the artist contends is a mural that frankly looks like a sign which quotes President Trump's infamous statement made to Access Hollywood replacing select nouns with images. Is it art that is protected under the First Amendment or does it violate the city's code? How would your code handle it?

<https://www.theartnewspaper.com/news/aclu-files-art-censorship-lawsuit-against-the-city-of-new-orleans>

3. In Alexandria, Virginia a truly excellent municipal lawyer George McAndrews has been recognized by the Local Government Lawyers of Virginia and awarded the Outstanding Deputy or Assistant Local Government Attorney Award. Alexandria has been fortunate to have George's services for over 26 years.

<https://patch.com/virginia/westendalexandria/alexandria-assistant-city-attorney-wins-prestigious-award>

4. The 4<sup>th</sup> Circuit earlier this week threw out claims by police officers involved in the infamous Freddie Gray case that they brought against the prosecuting attorney Marilyn Mosby. The court concluded that everything Mosby did in charging the officers and in delivering a press briefing about those charges was protected by immunity. History may not be so kind to Mosby when a case study of the events and prosecution looks more deeply into this series of events.

<http://www.ca4.uscourts.gov/opinions/171166.P.pdf>

5. For our employment lawyers, Indianapolis won in an interesting case in the 7<sup>th</sup> Circuit where a member of the fire department filed a false claims action claiming the department had acted improperly. Concurrently, that claimant's son was seeking employment. When the son was not selected, he claimed retaliation based on the father's false claims act claim. The Court discussed the hiring practices of the city and concluded that even if the son could state a claim for retaliation, he had not met his burden to show he would otherwise have been selected but for the retaliation.

<http://media.ca7.uscourts.gov/cgi-bin/rssExec.pl?Submit=Display&Path=Y2018/D05-09/C:17-2564:J:Kanne:aut:T:fnOp:N:2152771:S:0>

We're already getting ready for our conference in Houston. We expect our conference to have some of the best and most interesting programming ever and we're working on some interesting options. Register now before the rates go up. Get more from IMLA by joining. Not a member? Contact us. Sign up at [www.imla.org](http://www.imla.org). Have a great day and make it an inspirational one.