

The Supreme Court - December 15, 2021

by Ian Blodger

Today, the Supreme Court of the United States granted certiorari in three cases:

Viking River Cruises v. Angie Moriana, No. 20-1573: This case, involving the Federal Arbitration Act (“FAA”) and the California Private Attorneys General Act (“PAGA”), presents the following question: Whether the FAA requires enforcement of a bilateral arbitration agreement providing that an employee cannot raise representative claims, including under PAGA.

Bradley LeDure v. Union Pacific Railroad Company, No. 20-807: This case, involving the Locomotive Inspection Act (“LIA”), presents the following question: Whether a locomotive is in use on a railroad’s line and subject to the LIA and its safety regulations when its train makes a temporary stop in a railyard as part of its unitary journey in interstate commerce, or whether such use does not resume until the locomotive has left the yard as part of a fully assembled train, as held by the Seventh Circuit.

Le Roy Torres v. Texas Department of Public Safety, No. 20-603: This case, involving the Uniformed Services Employment and Reemployment Rights Act of 1994, presents the following question: Whether Congress has the power to authorize suits against nonconsenting states pursuant to its War Powers.

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