

The Supreme Court - June 27, 2017

The Supreme Court of the United States granted certiorari in six cases today:

Cyan, Inc. v. Beaver Cty. Employees, No. 15-1439: Whether state courts lack subject matter jurisdiction over covered class actions that allege only Securities Act of 1933 claims.

Christie v. NCAA, Nos. 16-476 & **NJ Thoroughbred Horsemen v. NCAA**, No. 16-477: Does a federal statute that prohibits modification, adjustment, or repeal of state-law prohibitions on private conduct impermissibly commandeer the regulatory power of States in contravention of *New York v. United States*, 505 U.S. 144 (1992), and *Printz v. United States*, 521 U.S. 898 (1997)?

PEM Entities LLC v. Levin, No. 16-492: Whether bankruptcy courts should apply a federal rule of decision (as five circuits have held) or a state rule of decision (as two circuits have held, expressly acknowledging a split of authority) when deciding to characterize a debt claim in bankruptcy as a capital contribution.

Rubin v. Iran, No. 16-534: Whether 28 U.S.C. §1610(g) provides a freestanding attachment immunity exception that allows terror victim judgment creditors to attach and execute upon assets of foreign state sponsors of terrorism regardless of whether the assets are otherwise subject to execution under §1610.

Marinello v. United States, No. 16-1144: Whether the residual clause in §7212(a) of the Internal Revenue Code requires that there was a pending IRS action or proceeding, such as an investigation or audit, of which the defendant was aware when he engaged in the purportedly obstructive conduct.

Related Capabilities

- Appellate
- Securities & Financial Services Litigation & Enforcement
- Class Action Litigation
- Bankruptcy & Financial Restructuring
- International Arbitration & Litigation
- Tax Controversy & Litigation