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Contracts, Labor & Employment Law

Locke v. US Airways, Inc., No. 13-2330

In this contract law claim in which plaintiff-employee asserts that defendant-airline breached their "Last Chance Agreement" to allow him an opportunity at continued employment following his theft of company property, summary judgment entered in favor of defendant is affirmed where there is no triable basis for plaintiff's contention that defendant influenced the airport's decision to deny his badge and prevent him from transferring to another airport.

Contracts, Labor & Employment Law

Dinan v. Alpha Networks, Inc., No. 13-1976

In this sales commission dispute between plaintiff-employee, a resident of Maine, and defendant-employer, a California-based company, the district court's decision to apply California law, instead of choosing to apply the Maine wage payment law, is vacated and remanded where: 1) despite the choice-of-law provision in the written agreement calling for application of California law in certain disputes, determination of the correct choice of law here is not straightforward; and 2) Maine's highest court would most likely deem plaintiff entitled to the fully array of remedies set forth in Maine's wage payment law.

Contracts, Injury & Tort Law, Property Law & Real Estate

Thompson v. Miles, No. 13-1121

In this suit brought by plaintiff-buyer to recover damages for repairs he made to newly purchased property after discovering a number of problems with the property, alleging breach of contract, fraud, and negligent misrepresentation, summary judgment entered in favor of defendants is affirmed, where: 1) Maine's implied warranty of habitability did not apply under the circumstances of this case; and 2) defendants had no duty of disclosure.