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U.S. 1ST CIRCUIT COURT OF APPEALS

Civil Procedure, Class Actions, Corp. Governance, Corporation & Enterprise Law

MAZ Partners LP v. PHC, Inc., No. 13-2273

Summary judgment in favor of defendant in a class action brought by plaintiff-stockholders challenging the fairness of a corporate merger is vacated and remanded, where: 1) the district court erred in granting summary judgment in light of plaintiffs' Affidavit outlining the discovery they needed to respond to the dispositive motion; and 2) plaintiffs should have been afforded the opportunity to conduct additional discovery.

Criminal Law & Procedure, Sentencing, Evidence

US v. Martinez, No. 12-2219

Defendant's conviction and sentence for possessing a firearm as a convicted felon are: 1) affirmed in part as to the conviction, where the district court properly denied defendant's suppression motion; but 2) vacated in part as to the sentence and remanded for resentencing, where the district court erred in concluding that defendant's base offense level was 20.