

# ***First Circuit Opinion Summaries by Findlaw***

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## **Most Recent Summaries**

### **Medina & Medina, Inc. v. Hormel Foods Corp.**

October 21, 2016

Civil Procedure, Commercial Law, Contracts

(United States First Circuit) - In a case involving a dispute over an unwritten and allegedly exclusive distributorship agreement between plaintiff and Hormel Foods Corp. under Puerto Rico's Dealer's Contracts Act (Law 75), P.R. Laws Ann. tit. 10 sections 278-278e, the district court's judgment is: 1) affirmed in part where plaintiff's exclusivity claim as presented is time-barred; and 2) reversed in part where the statute of limitations bar to recovery extends to plaintiff's Costco-related claim as well.

### **Giraldo-Pabon v. Lynch**

October 21, 2016

Immigration Law, Administrative Law

(United States First Circuit) - In a petition, brought by a native and citizen of Colombia, to review a Board of Immigration Appeals (BIA) order denying her motion to reopen, the petition is denied where: 1) petitioner failed to establish an exception to the time limitations on motions to reopen; and 2) she has failed to carry the burden of persuasion for her asylum claim, and her counterpart claim for withholding also necessarily fails.

### **Flock v. US Dep't of Transp.**

October 21, 2016

Transportation, Administrative Law, Government Law

(United States First Circuit) - In a suit brought a group of drivers who allege that disseminating certain information contained in the Federal Motor Carrier Safety Administration (FMCSA) database of inspection history and safety records pertaining to commercial motor vehicle operators, exceeds the agency's statutory mandate under 49 U.S.C. section 31150, which governs the agency's disclosure obligations, the district court's grant of the FMCSA's motion to dismiss is affirmed where: 1) section 31150 was ambiguous as to the agency's authority to include non-serious driver related safety violations in the database; and 2) the agency's interpretation of the statute was entitled to deference and ultimately permissible under *Chevron, U.S.A., Inc. v. Nat. Res. Def. Council, Inc.*, 467 U.S. 837 (1984).