

First Circuit Opinion Summaries by Findlaw

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Most Recent Summaries

Puerto Rico Telephone Co. v. San Juan Cable

October 31, 2017

Public Utilities, Antitrust & Trade Regulation, Government Law

(United States First Circuit) - In an antitrust action, alleging that defendant's petitioning of the Puerto Rico Telecommunications Regulatory Board, government officials and tribunals, and commonwealth and federal courts to prevent plaintiff's application to provide internet protocol television service violated the Sherman Act, the district court's grant of summary judgment to defendant is affirmed where the facts of the case don't subject defendant to the sham exception of the Noerr-Pennington doctrine protecting the right to petition the government.

Keane v. HSBC Bank USA

October 31, 2017

Property Law & Real Estate, Civil Procedure, Ethics & Professional Responsibility

(United States First Circuit) - In a civil procedure action, the district court's dismissal of plaintiff's case after his attorney failed to appear at a scheduled motion hearing is reversed for abuse of discretion where there was no suggestion of intentional failure to appear, no prior neglect by counsel to appear, the district court gave no notice that failure to appear would result in dismissal with prejudice, and plaintiff's claims would be left without a single merits determination.

Saunders v. Town of Hull

October 27, 2017

Civil Rights, Labor & Employment Law

(United States First Circuit) - In a civil rights action brought by plaintiff police officer, alleging retaliation in failing to promote him after he reported \$130,000 of missing police union funds and, as the union president, organized a union-wide vote of no confidence against the police chief, the district court's summary judgment for defendants is affirmed as to the federal 42 U.S.C. section 1983 claims and most state claims.

Aguilar-Escoto v. Sessions

October 27, 2017

Immigration Law

(United States First Circuit) - In an immigration action, the Board of Immigration Appeals' order rejecting petitioner's withholding of removal claim, predicated upon alleged domestic violence by her ex-husband, is reversed and remanded where the BIA failed to consider potentially significant documentary evidence supporting petitioner's claim.

US v. Levin

October 27, 2017

Criminal Law & Procedure

(United States First Circuit) - In a criminal law action, the district court's grant of defendant's motion to suppress evidence retrieved from his computer using a network investigative technique, transmitted to his computer after downloading material from Playpen, a child pornography site taken over and operated by the FBI, is reversed where the a FBI's good faith reliance on the search warrant meets the exception of U.S. v. Leon, 468 U.S. 897 (1984).