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## **Most Recent Summaries**

### **Walsh v. Zurich Am. Ins. Co.**

February 22, 2017

Labor & Employment Law, Insurance Law, Contracts

(United States First Circuit) - In an employment suit in which the jury found that defendant breached employment agreements with plaintiff when it substantially reduced his incentive pay for a lucrative deal -- the largest of its type in the company's history -- and did not pay incentive on another deal, the district court's judgment awarding plaintiff double damages and attorney fees is: 1) vacated in part insofar as it incorporates the jury's verdict on the Automobile Protection Corp. (APCO) deal, where the district court erroneously concluded that, if plaintiff had an enforceable incentive plan when the unprecedented deal was struck with APCO, defendant lacked discretion as a matter of law to change plaintiff's incentive formula for that deal; and 2) affirmed in part with respect to the Great American Insurance Company (GAIC) deal.

### **Cortez Cardona v. Yates**

February 21, 2017

Immigration Law, Administrative Law

(United States First Circuit) - In a petition brought by a native and citizen of Guatemala, seeking review of a decision from the Board of Immigration Appeals (BIA) denying her motion to reopen an appeal challenging an immigration judge's (IJ) decision to reject her request for asylum and withholding of removal pursuant to the Immigration and Nationality Act (INA), 8 U.S.C. sections 1158, 1231(b)(3), the petition is denied where, under the deferential standard of review accorded to the BIA's decision to reject a motion to reopen and reconsider its own proceeding, the BIA did not abuse its discretion when it denied petitioner's request to reopen.

### **Holder v. Lynch**

February 17, 2017

Immigration Law, Administrative Law

(United States First Circuit) - In a case in which petitioner was convicted of committed kidnapping for ransom, a felony under California law that rendered him deportable under 8 U.S.C. sections 1101(a)(43)(F), (H) and 1227(a)(2)(A)(iii), and after petitioner committed the crime, Congress enacted the Immigration Act of 1990 (IMMACT), divesting the Attorney General of the discretion to grant a waiver, under 8 U.S.C. section 1182(c), to any person who served five or more years of incarceration for an aggravated felony, the petition for review of the Board of Immigration Appeals (BIA) is denied where the post-enactment date of conviction controlled, rendering section 212(c) relief unavailable to petitioner.

**US v. Arias**

February 17, 2017

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Convictions and sentence for possession of heroin with intent to distribute, in violation of 21 U.S.C. section 841(a)(1), and conspiracy to distribute heroin, in violation of 21 U.S.C. section 846, are affirmed where: 1) there was no pretrial error; 2) the district court did not commit any errors at trial; and 3) defendant's challenge to his sentence fails because the district court's findings more than suffice to justify its determination that defendant was responsible for conspiring to distribute between 400 grams and 700 grams of heroin.