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Most Recent Summaries

Lex Claims, LLC v. Padilla

April 4, 2017

Bankruptcy Law

(United States First Circuit) - In a second set of bankruptcy appeals involving the automatic stay provision of the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA), 48 U.S.C. sections 2101-2241, which employs language very similar to that of the bankruptcy stay statute, the district court's decision that four claims included in the plaintiffs' Second Amended Complaint are not within the scope of PROMESA's temporary stay is reversed where it erred in this determination.

NLRB v. Lily Transportation Corp.

March 31, 2017

Labor & Employment Law

(United States First Circuit) - In an application filed by the National Labor Relations Board for enforcement of its bargaining order against defendant, arising out of a union's unfair labor practice charge with the NLRB, claiming that defendant's refusal to bargain violated Sections 8(a)(1) and 8(a)(5) of the National Labor Relations Act, the application is granted where: 1) there was no error in the Board's adherence to UGL's successor bar doctrine; and thus 2) the Court does not reach defendant's arguments that it would prevail if that doctrine were rejected in favor of a rebuttable presumption of majority support for the union.