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### U.S. 1st Circuit Case Summaries

#### **Hamilton v. Partners Healthcare System, Inc.**

January 12, 2018

Civil Procedure, Labor & Employment Law, ERISA

(United States First Circuit) - Affirming the decision denying a motion for leave to amend a complaint in a suit alleging violations of the Fair Labor Standards Act, the Employee Retirement Income Security Act, and the Racketeer Influenced and Corrupt Organizations Act in one of twenty nine cases filed by plaintiff's counsel across the country because the decision was fair under the specific facts of the case.

#### **US v. Steed**

January 12, 2018

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirming the sentence in the case of a man convicted for possession with intent to distribute cocaine base and heroin who the district court held did not qualify as a career offender following a detailed analysis of the predicate offenses.

#### **In Re: Tempnology, LLC**

January 12, 2018

Bankruptcy Law, Intellectual Property, Trademark, Contracts

(United States First Circuit) - Affirming a bankruptcy court decision that the rejection of an executory contract left the plaintiff with only a pre-petition damages claim in lieu of any obligation by the debtor to further perform under a trademark license agreement.

#### **In Re Ice Cold LLC**

January 12, 2018

Bankruptcy Law, Civil Procedure, Administrative Law

(United States First Circuit) - Affirming the declaration of a company as the winning bidder in the sale of another company in bankruptcy that occurred with the bankruptcy court's approval because they were a good faith purchaser entitled to have their purchase protected.

#### **US v. Stepanets**

January 12, 2018

Drugs & Biotech, Criminal Law & Procedure

(United States First Circuit) - Reversing and Remanding an order dismissing counts in an indictment charging three defendants involving the dispensing of misbranded drugs in violation

of the Federal Food, Drug, and Cosmetic Act because the judge's analysis involved several out-of-place factual assumptions that led to an incorrect finding regarding the sufficiency of an indictment.