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U.S. 1st Circuit Case Summaries

Sepulveda-Vargas v. Caribbean Restaurants, LLC

April 30, 2018

Civil Rights, Labor & Employment Law

(United States First Circuit) - Although the court regretted doing so it found that a man injured at gunpoint while making a deposit for the Burger King where he worked that subsequently suffered depression and post-traumatic stress disorder was not a qualified individual under the Americans with Disabilities Act and affirmed the court's grant of summary judgment to the former employer.

US v. Pinet-Fuentes

April 30, 2018

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirming the conviction of a man for possession of a machine gun, his sentence to 30 months in prison, supervised release, and the imposition of electronic monitoring, and curfew.

US v. Saad

April 30, 2018

Evidence, Criminal Law & Procedure

(United States First Circuit) - Affirming the conviction of a man for wire fraud, arson, and the use of fire in furtherance of a federal felony in a case where a man set fire to his restaurant, called Snow's Clam Box, because the supposed errors raised by the defendant, individually or collectively, were harmless at most.

Axia Netmedia Corporation v. Massachusetts Technology Park Corporation

April 25, 2018

Communications Law, Dispute Resolution & Arbitration, Contracts, Civil Procedure

(United States First Circuit) - Affirming a district court preliminary injunction ordering a broadband network provider, the guarantor of its subsidiary company, to perform obligations under a contract between the subsidiary and the plaintiff in a suit relating to the delivery of broadband internet that resulted in a contractual dispute the parties intended to resolve in arbitration during the pendency of that action, but remanding to the district court to enter an order making it clear that the company's obligations would terminate upon reaching the contractual cap expressly indicated in the contract.

US Bank v. HLC Escrow, Inc.

April 25, 2018

Civil Procedure, Insurance Law, Property Law & Real Estate

(United States First Circuit) - Affirming a district court judgment dismissing the complaint in a negligence, unilateral mistake, and Maine Unfair Claims Settlement Practices Act suit brought against a title insurer by a bank as the result of a transaction in which the incorrect parcel of land was indicated on documents relating to a sale because Maine's six year statute of limitations for civil actions barred many claims, but vacating the UCSPA claim dismissal because it was timely filed as the claim hadn't accrued until the bank's insurance claim was first denied.

US v. Flores

April 25, 2018

Evidence, Criminal Law & Procedure, Constitutional Law

(United States First Circuit) - Affirming the district court determination that probable cause existed for the arrest of a man following a tip to a Maine state trooper from a DEA task force agent who heard from a reliable informant about a group of New Yorkers peddling cocaine out of a hotel who found that one of the rooms had been paid for in cash where the hotel manager asked, unprompted, whether the police were there to investigate the suspicious room and the refusal to suppress evidence seized during a warrant supported search of the room, which was admissible notwithstanding an earlier unlawful entry into the room.

In Re Montreal, Maine and Atlantic Railway

April 18, 2018

Bankruptcy Law, Civil Procedure

(United States First Circuit) - Affirming the dismissal of the complaint in the case of a suit seeking a determination of whether the proceeds of the multi-million dollar sale of certain railroad lines constituted property of a bankruptcy estate, determining that the disputed funds were not part of the estate following a complicated analysis that differed from that of the lower court but reached the same conclusion.

Hiam v. Homeaway.com

April 12, 2018

Cyberspace Law, Consumer Protection Law, Civil Procedure, Commercial Law

(United States First Circuit) - Affirming summary judgment for the defendant website in a suit claiming it misled users who paid thousands of dollars to reserve a vacation rental property in Belize that apparently didn't exist because they determined that the use of the word guarantee is not a warranty or representation and there was no implication that the website investigated its listings.

US v. Sweeney

April 11, 2018

Constitutional Law, Criminal Law & Procedure, Sentencing, Evidence

(United States First Circuit) - Affirming the conviction and sentence of a man for child pornography offenses, rejecting Fourth, Fifth, and Sixth Amendment rights relating to the admission of evidence and the sufficiency of a search warrant, which did not result in error.

US v. Cohen

April 6, 2018

Criminal Law & Procedure, Sentencing, White Collar Crime

(United States First Circuit) - Affirming the convictions and sentence of a man for conspiracy to convert government funds, conspiracy to commit money laundering, and fourteen counts of conversion of government property in the case of a man who used bank accounts he owned or controlled in order to negotiate fraudulently obtained tax refund checks.

Benenson v. Commissioner of Internal Revenue

April 6, 2018

Administrative Law, Tax Law, Civil Procedure

(United States First Circuit) - Reversing Tax Court rulings that excise tax was owed for contributions made to Roth individual retirement accounts, allegedly in violation of contribution limits, because the transaction violates neither the letter nor purpose of the relevant statutory provisions.