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U.S. 1st Circuit Case Summaries

Dimanche v. MBTA

June 18, 2018

Civil Rights, Labor & Employment Law, Remedies

(United States First Circuit) - In this wrongful employment termination case, the appellate court affirmed the judgment of the trial court awarding 1.3 million in damages on the discrimination claim and 1.3 million in punitive damages. Defendant appealed arguing insufficient evidence to support punitive damages; and reversible error for sanctions for removing entry of default and allowing hostile work environment theory not explicitly pled to go to the jury. The appellate court stated that defendant largely lost the appeal for failure to make appropriate objections and offers of proof before the trial court. Further, the appellate court stated that there was sufficient evidence to support the damages award both compensatory and punitive. The court agreed that the trial court erred by imposing a default sanction order, but there was no showing that defendant was prejudiced by it or by the hostile work environment claim.

Doherty v. Merck

June 18, 2018

Product Liability, Injury & Tort Law, Constitutional Law

(United States First Circuit) - Plaintiffs filed suit under the Federal Tort Claims Act and for product liability when the Merck manufacture implantable contraceptive device failed to prevent her pregnancy. Defendants moved to dismiss the action based on the Maine Wrongful Birth statute that would prevent her recovery of damages. Plaintiff amended her complaint to allege the Maine statute was unconstitutional. The district court dismissed the complaint. The appellate court determined that the Maine statute was not unconstitutional under the open courts clause of the Maine constitution or the US Constitution.

US v. Lee

June 18, 2018

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirmed. In this criminal sentencing-action the appellate court affirmed the judgment of the district court. Defendant appealed his conviction for conspiracy to distribute and possession with intent to distribute heroin in violation of 21 USC section 841 and 846, but only challenged his sentence as procedurally unreasonable. The district court imposed a 218-month sentence based on witness statements as to the quantity of heroin defendant was selling. Defendant maintained the quantity was greatly exaggerated and he should have received

a more lenient sentence. The appellate court found no error in the district court relying on witness statements.