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U.S. 1st Circuit Case Summaries

Culliane v. Uber Technologies, Inc.

June 25, 2018

Civil Procedure, Cyberspace Law, Dispute Resolution & Arbitration

(United States First Circuit) - Reversed and remanded in a case involving the enforcement of arbitration clauses in online contracts. Plaintiffs filed suit against defendant alleging violations of Massachusetts consumer-protection statute. Defendant operates a ride-sharing service requiring customers to register using the Uber App. In the app is a page that has a button that will take you to Terms and Conditions, which a user is not required to accept and which contains an agreement to arbitrate any dispute. The district court granted defendant's motion to compel arbitration and dismissed the complaint. In reversing and remanding the First Circuit held that the terms of the agreement were not reasonably communicated to plaintiffs.

Gillis v. Chase

June 25, 2018

Civil Procedure, Constitutional Law, Criminal Law & Procedure

(United States First Circuit) - Affirming the dismissal for failure to state a claim where the plaintiff filed a civil suit after he was acquitted of vehicular homicide at trial for fatally striking a bystander while backing up a truck. Plaintiff sought vindication in two subsequent lawsuits against the police chief and district attorney alleging violations of his constitutional rights, which were dismissed for failure to state a claim and prosecutorial immunity, respectively. The present action against the police chief of a different town alleged that there was no probable cause for the vehicular homicide charge, but the First Circuit found that an evidentiary hearing was conducted which determined that probable cause existed.

Lawless v Steward Health Care Sys. LLC

June 25, 2018

Civil Procedure, Constitutional Law, Labor & Employment Law

(United States First Circuit) - Affirming the district court's grant of summary judgment and treble damages under the Massachusetts Wage Act for the plaintiff who alleged that defendant failed to pay all of her wages due at the time of her termination, instead making them at a later date.

US v. Aquino-Florenciani

June 25, 2018

Criminal Law & Procedure

(United States First Circuit) - Affirmed sentencing where a defendant pleaded guilty to both producing and possessing child pornography and was sentenced to 265 months imprisonment followed by 10 years of supervised release. Defendant's appeal claimed error in the sentencing, but the First Circuit held that the appeal failed because he was unable to show clear or obvious error and he did not meet the plain error standard.

Clukey v. Camden

June 25, 2018

Civil Procedure, Labor & Employment Law, Administrative Law

(United States First Circuit) - Affirmed. Plaintiff, a police dispatcher, was laid off when the dispatch operations was moved to the sheriffs department at a nearby town. Plaintiff sued alleging violation of due process because of the recall provision in the collective bargaining agreement. The trial court found that the recall right was subject to a condition precedent that was not fulfilled by plaintiff. The jury found in favor of the defendant. The 1st Circuit affirmed that verdict and that the appeal fails because there was no demonstration of error or prejudice.

US v Tineo-Gonzalez

June 25, 2018

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirmed. Defendant pled guilty at the start of the trial to a charge of importation of controlled substances with intent to distribute. He now appeals his conviction arguing that the district court erred in denying his motion to suppress certain incriminating statements. The 1st Circuit held that by pleading guilty at trial, defendant waived right to challenge motion to suppress.