

# Publications

## Search Criteria:

Office: [Los Angeles](#)

May 25, 2010	Briefing	<p><b>Supreme Court Rules for Plaintiffs in Two Employment-Related Cases</b>            On May 24, 2010, the Supreme Court issued decisions for plaintiffs in two separate cases, one under Title VII and the other under ERISA. These rulings will impact both employers and administrators of benefit plans.</p>
May 25, 2010	Briefing	<p><b>Two Recent Rulings Address Eligibility for Chapter 9 Bankruptcy Protection</b>            Two recent rulings have provided significant guidance on the determination of whether an entity is eligible to be a debtor under Chapter 9 of the Bankruptcy Code.</p>
May 2010	Article	<p><b>Don't Shred that Demand Letter!</b>  <i>Firm Authors: Steven D. Atlee</i></p>
March 8, 2010	Article	<p><b>What <i>Hertz v. Friend</i> Means to Employers</b>  <i>Firm Authors: Maria C. Rodriguez</i></p>
March 8, 2010	Article	<p><b>'Nerve Center' Test Key to Federal Courts</b>  <i>Firm Authors: Ashlea Raymond Pflug, Stephen R. Smerek</i></p>
March 8, 2010	Article	<p><b>Beware Your Expired Patents</b>  <i>Firm Authors: Peter E. Perkowski, Gail J. Standish</i></p>
February 2, 2010	Newsletter	<p><b>Federal Circuit Patent Decision Summaries, Volume 3, Issue 5</b>  <i>Federal Circuit Patent Decision Summaries</i> are designed to provide timely updates on recent Federal Circuit patent decisions by including a short description of, and a link(s) to, precedential patent cases recently decided by the Federal Circuit.</p>
January 27, 2010	Briefing	<p><b>Department of Justice Issues New Guidance for Discovery</b>            U.S. Deputy Attorney General David Ogden has issued new guidelines that federal prosecutors must follow in complying with their discovery obligations in criminal cases.</p>
December 21, 2009	Briefing	<p><b>Misclassification of Employees as Independent Contractors Draws Heightened Government Enforcement</b>            Highlighting a broad national trend toward stricter enforcement of employee misclassification, the Illinois Department of Labor on December 10 announced that it had imposed a \$328,500 civil penalty against a Chicago-area contractor, finding that the contractor has misclassified 18 of its employees as independent contractors.</p>
December 18, 2009	Newsletter	<p><b>Privacy and Technology Bulletin</b>            Winston &amp; Strawn's quarterly <i>Privacy and Technology Bulletin</i> provides summaries and tips on recent legal developments in the areas of Web site, workplace, health care and financial privacy, data security, software and technology, and privacy issues that arise in interactive company-to-consumer communications.</p>
November 20, 2009	Briefing	<p><b>George Clinton's Use of "Dog" and Panting in Song is Copyrightable Subject Matter</b>            Bridgeport Music, Inc., owner of the publishing rights to George Clinton's best-known work, "Atomic Dog," sued UMG Recordings Inc. for copyright infringement.</p>
November 20, 2009	Briefing	<p><b>Court Finds No Copyright Infringement Where Works Lack Similarity in Total Concept and Feel</b>            A children's book was found not to infringe on another work for children. The court found that the total concept and feel of the two works were not substantially similar, and only the non-copyrightable elements of the works were shared.</p>
November 5, 2009	Briefing	<p><b>October 2009 FMLA Amendments Regarding Military Leave</b>            On October 28, 2009 President Obama signed the National Defense Authorization Act for Fiscal Year 2010, which expands Family and Medical Leave Act coverage for family members of military servicepersons.</p>

November 3, 2009	Newsletter	<b>LABOR NEWS</b> Select events from the world of organized labor for October 2009
November 3, 2009	Briefing	<b>National Mediation Board Proposes Changes to Representation Election Rules</b> The National Mediation Board has proposed significant changes to representation election rules under the Railway Labor Act, which governs labor relations in the airline and railway industries.
November 2009	Article	<b>The Pile-up at the Intersection of Electronic Information, Foreign Privacy Laws, and U.S. Litigation: The Modern Plight of the Multinational Corporation</b> <i>Firm Authors: Mark L. Smith</i>
October 2009	Newsletter	<b>Advertising/Promotions Law News</b> Winston & Strawn's <i>Advertising/Promotions Law News</i> covers topics of interest to the firm's advertising and consumer product company clients in the areas of advertising challenges and litigation, sweepstakes and promotions, privacy and security, and other relevant legal issues.
October 2009	Article	<b>Consumer Privacy Protection Law Needs Clarification</b> <i>Firm Authors: Nicolas A. Jampol, Stephen R. Smerek</i>
August 2009	Article	<b>Federal Diversity Jurisdiction: Do You Know Where Your 'Principal Place of Business' Is?</b> <i>Firm Authors: Stephen R. Smerek</i> <i>Non-Firm Authors: Cathy R. Kim</i>
August 2009	Article	<b>ESI: California</b> <i>Firm Authors: Mark L. Smith</i>
August 2009	Article	<b>A Sense of Place</b> <i>Firm Authors: Ashlea Raymond Pflug, Stephen R. Smerek</i>
August 2009	Article	<b>Must Athlete Endorsers Answer to SAG?</b> <i>Firm Authors: Veronica L. Harris, Denise A. Smith</i>
July 2009	Article	<b>Identifying, Avoiding and Remediating Employee Theft</b> <i>Firm Authors: Evan R. Moses</i>
July 2009	Article	<b>California Layoff Basics—Two Perspectives</b> <i>Firm Authors: Anna Segobia Masters</i>
July 2009	Article	<b>Up in Smoke</b> <i>Firm Authors: Christian Dodd, Neal R. Marder</i>
June 2009	Article	<b>Standing Straight</b> <i>Firm Authors: Christian Dodd, Neal R. Marder</i>
April 17, 2009	Briefing	<b>Second Circuit Rules Debtors Must Pay Substantial Pension Termination Fees</b> In a recent reversal of a Bankruptcy Court decision, the U.S. Court of Appeals for the Second Circuit upheld a law which could further burden financially distressed companies attempting to reorganize and exit bankruptcy.
December 2008	Article	<b>The Role of Creditors' Committees in Chapter 11 Bankruptcies (Inside the Minds)</b> <i>Firm Authors: Eric E. Sagerman, Rolf S. Woolner</i>
June 22, 2007	Speech	<b>Domestic Partners — A Review of the Tax Issue Concerning Domestic Partnerships</b> <i>Firm Authors: Bradley R. Marsh</i>