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Featured Event

After the Supreme Court Healthcare Ruling: What's Your Next Move?

The day after the Supreme Court ruled on Healthcare reform, Venable attorneys gathered to discuss the landmark decision. To hear a recording of the webinar, click [here](#).



Latest News and Alerts

Venable attorneys produce periodic alerts and newsletters covering a variety of topics and practice areas. For your convenience, we have assembled below a collection of the latest alerts and newsletters from June 2012. To view the full text of an article, please click on the title of the piece.

[What Do Healthcare Reform and the "Fiscal Cliff" Have In Common? Tax Increases](#)

On June 28th, the U.S. Supreme Court upheld the new healthcare reform law in part by ruling that (1) the individual mandate is a tax and (2) Congress has authority to impose the individual mandate under Congress's taxing power. As a result, all of the new healthcare reforms enacted under the law remain on the books.

Authors: Christopher E. Condeluci, Samuel Olchyk, The Honorable Bart Stupak, Brenda J. Tranchida, Ralph S. Tyler

[Department of Labor Disagrees with First Circuit's "Natural Reading" of SO](#)

The U.S. Department of Labor Administrative Review Board, or ARB, recently held that whistleblower protection under the Sarbanes-Oxley Act ("SOX") extends to employees of contractors providing SOX-compliance services to publicly traded companies.

Author: [Emily H. Jenkins](#)

[FCPA Investigation Follows Allegations of Improper Payments to Customs Officials in Kazakhstan](#)

Several major international oil exploration companies and a logistics provider have allegedly initiated internal investigations in response to allegations of bribery involving a joint venture entity and Kazakh Customs officials, according to a recent *Wall Street Journal* article.

Authors: [Lindsay B. Meyer](#), [William H. Devaney](#), [Ashley W. Craig](#), [Jana del-Cerro](#)

[Real Parts: DoD Continues to Develop Policy on Counterfeit Electronic Parts](#)

Section 818 of the National Defense Authorization Act of 2012, enacted last December, contains new requirements for the Department of Defense to detect and avoid counterfeit electronic parts.

Authors: [Paul A. Debolt](#), [George W. Wyatt](#)

[Seventh Circuit Answers Question of First Impression: Cat's Paw Theory Exposes Co-Workers to Individual Liability for Retaliation Claims under Section 1981](#)

In the employment context, the cat's paw theory has traditionally permitted an employee to sue his or her employer for discrimination or retaliation when the final decision-maker is influenced by a subordinate employee with a discriminatory or retaliatory motive.

Author: [Nicholas M. Reiter](#)

[Sequestration: What Government Contractors Need to Know](#)

With the 2012 presidential election months away, government agencies and contractors continue to speculate about the possible effects of sequestration. This client alert provides a background on sequestration, outlines the possible impacts on government contractors and the procurement process, and identifies key steps government contractors can take to prepare for sequestration.

Authors: [Paul A. Debolt](#), [John F. Cooney](#), [Christina K. Kube](#)

[What You Need to Know About the Temporary Duty Suspension Process Act of 2012](#)

On March 30, 2012, Congress once again began the process of working on passing a miscellaneous tariff bill. The process commenced with the announcement by the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee for Members of Congress to introduce tariff modification legislation to be considered by April 30, 2012.

Authors: [Ashley W. Craig](#), [Brock R. Landry](#), [Lindsay B. Meyer](#), [Megan Malone](#)

Advertising News & Analysis

- [June 7, 2012 Edition](#)

Highlights include a review of the FTC updating the "Dot Com Disclosures," Oreck's \$700K restitution to customers over false advertising claims and NAD's critique of Ocean Spray taste test advertising.

- **June 14, 2012 Edition**

Highlights include changes the FTC made to the franchise rule disclosure, a review of the Ben Stein/Kyocera suit, and a review of generic top level domain names.

- **June 21, 2012 Edition**

Highlights include a review of the CFPB Consumer Complaint Database, an FTC order against the Daniel Chapter One company, a discussion of a *USA Today* detailing consumer recalls, and a review of an adverse decision from the National Advertising Division of the Council of Better Business Bureau.

- **June 28, 2012 Edition**

Highlights include a review of the reverse mortgage process, Facebook's agreement to sign California's Joint Statement of Principles, FDA's approval to study direct-to-consumer prescription drug marketing, and an analysis of the UK's advertising standards authority regarding Twitter advertising disclosures.

IP Buzz - June 2012

Highlights include a discussion revolving around the use of injunction to gain market share, the new procedure for post-grant review of business method patents, and a review of a new type of insurance helping small companies defend IP.

The Download - June 2012

Highlights include Microsoft's 'Do Not Track' browser setting, congressional committee hearings on FTC privacy frameworks, House Judiciary Subcommittee hearing on Geo-location Privacy, various FTC activities, a review of a recent California appellate decision in *Balsam v. Trancos, Inc.*, and a review of the European Council's approval of a directive requiring consent for the use of cookies.

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Upcoming Events

We would also like to highlight upcoming Venable events that you may be interested in attending. Please click on the event title for additional information.

Nonprofit Chapters and Affiliates: Key Legal Issues, Pitfalls and Successful Strategies

July 12, 2012

12:00 p.m. - 2:00 p.m. EDT

Whether your organization is a national trade or professional association, a public charity, or an issue-based advocacy group, it is more the norm than the exception to have relationships with state, local and international chapters and affiliates. While some are organized in a federated model, some are barely affiliated at all, or some have structures everywhere in between, so many nonprofits are interconnected with these components in critical – and often frustrating – ways.

Speakers: Jeffrey S. Tenenbaum, George E. Constantine, Janice M. Ryan

"Healthcare M&A – State of Affairs and Outlook," hosted by Venable and Opus Connect

July 19, 2012

6:00 p.m. - 8:30 p.m. EDT

Come join us as our panel of investors and bankers focused in this space discuss key trends in the industry, forces driving deal activity, which sub-sectors are hot (and which are not), and how the ultimate wildcard (the Accountable Care Act) is expected to shape the fortunes and misfortunes of industry participants and investors.

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Honors and Awards

Michael Gollin and Bill Russell recognized in IAM Patent 1000's inaugural edition

Venable partners [Michael Gollin](#) and [Bill Russell](#) were recognized in the inaugural edition of the *IAM*

Patent 1000: The World's Leading Patent Practitioners. The publication identifies individual and firm expertise in all major areas of patent law and practice.

An *American Lawyer Global 100* law firm, Venable serves corporate, institutional, governmental, nonprofit and individual clients throughout the U.S. and around the world. Headquartered in Washington, DC, with offices in California, Maryland, New York and Virginia, Venable LLP lawyers and legislative advisors serve the needs of our domestic and global clients in all areas of corporate and business law, complex litigation, intellectual property, regulatory, and government affairs. To learn more about Venable's capabilities, please see our complete list of [practice areas](#).



Chambers USA recognized fourteen of Venable's [Corporate Group](#) attorneys in national and regional categories in their 2012 rankings.



Two Venable [Corporate Group](#) partners were ranked in the 2012 edition of *Chambers Global*.



Legal 500 recognized fourteen attorneys from the [Corporate Practice Group](#) in 2012. Two Corporate Group attorneys, [Charles Morton](#) and [William Russell](#) were also singled out as Leading Lawyers. Mr. Morton was recognized for his work in the M&A: Middle-Market (Sub-\$500m) category, and Mr. Russell was recognized in the Technology: Transactions category.



Eleven of Venable's [Corporate Group](#) attorneys were recently selected by their peers for inclusion in *The Best Lawyers in America® 2012*.



[James J. Hanks, Jr.](#), a Partner in Venable's [Corporate Practice Group](#), was named the *Best Lawyers* Baltimore Corporate Governance and Compliance Lawyer of the Year.



[Charles Morton](#), Co-Chair of Venable's [Corporate Practice Group](#), was named the Baltimore Venture Capital Lawyer of the Year.

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