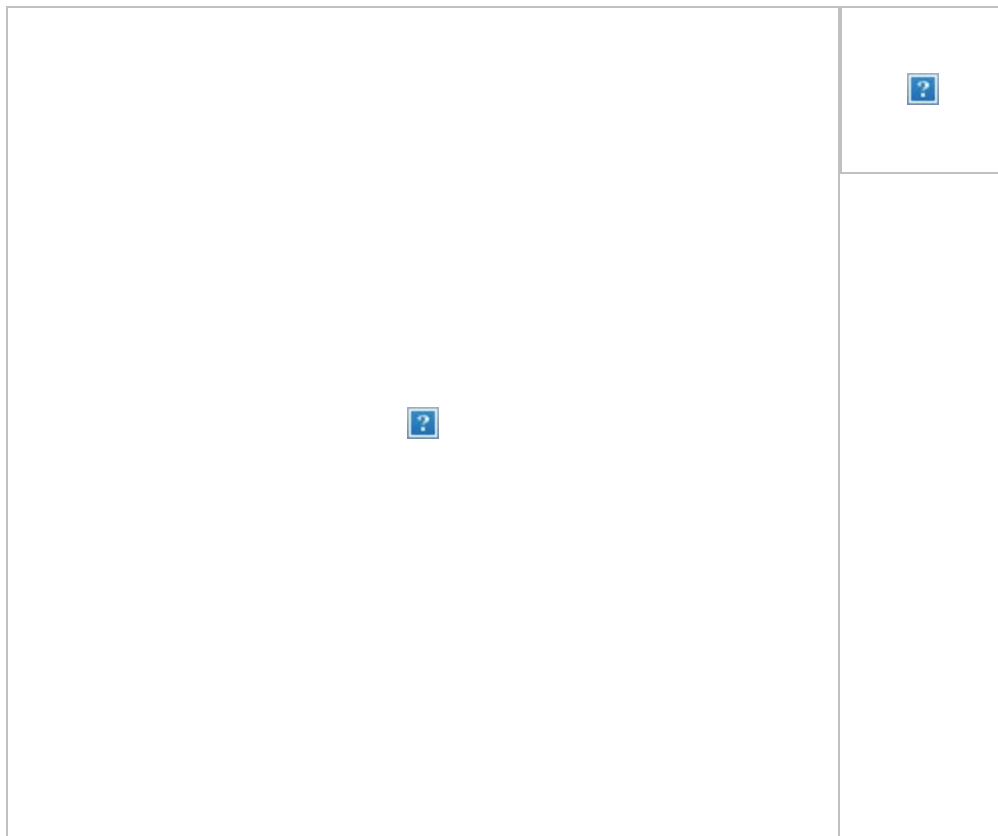

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The Daily Docket

A newsletter by Reuters and Westlaw

By Caitlin Tremblay





This morning, we have a look at what's next in the tariffs court case, which is almost certainly headed to the **U.S. Supreme Court**. Plus, a group of former lawyers from the **DOJ** and major law firms [launched a nonprofit](#); the **ABA** is considering [ending diversity requirements](#) for board seats; and a federal judge said he [won't explain an error-ridden ruling](#) in Mississippi civil rights cases. Scientists have [cracked the mystery of the potato](#) (a tomato was involved). Let's get going.

What happens next in the court battle over Trump's tariffs?



As **President Trump** presses ahead with plans to reorder the global economy with the [highest tariff rates since the early 1930s](#), let's [take a look at the tariff case](#) before the **Federal Circuit**, which is almost certainly headed for the **U.S. Supreme Court**.

- The case before the Federal Circuit challenges the tariffs Trump imposed in April and February (read the complaints [here](#) and [here](#)). However, a ruling against the administration would also undermine the latest round of sweeping tariffs on dozens of countries that [he unveiled last week](#).
 - The case centers around Trump's use of the **International Emergency Economic Powers Act** and the Federal Circuit [heard arguments](#) last week. The panel of 11 judges sharply questioned the government about Trump's use of IEEPA, but did not rule from the bench.
 - If the Federal Circuit rules in the coming weeks, there is still time for the **U.S. Supreme Court** to add the case to its regular docket for the 2025-2026 term, which begins on October 6.
 - There's no consensus among court-watchers about what the Supreme Court will do. Critics of Trump's tariffs are optimistic their side will win. They point to the Supreme Court's [decision from 2023](#) that blocked **President Biden** from forgiving student loan debt. In that ruling, the justices limited the authority of the executive branch to take action on issues of "vast economic and political significance" except where Congress has explicitly authorized the action. But the justices in other cases have endorsed a broad view of presidential power, especially when it comes to foreign affairs.
 - A loss at the Supreme Court would hamstring Trump in future tariff negotiations, but the White House has other ways of imposing tariffs, like a 1962 law that allows the president to investigate imports that threaten national security. Trump has already used that law to put tariffs on steel and aluminum imports, and those levies are not at issue in the case before the Federal Circuit.
 - [Read more about what's next in the case.](#)
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Coming up today

- Lawyers for the deceased sex offender **Jeffrey Epstein**, his associate [Ghislaine Maxwell](#), and the alleged victims in their sex trafficking cases face a deadline today to tell a U.S. judge their position on the **DOJ's** bid to unseal the grand jury records in her case.
- **U.S. District Judge Richard Leon** in D.C. will hold a preliminary injunction hearing in a class action lawsuit challenging the termination of the **Inflation Reduction Act's Environmental and Climate Justice Block Grant** program. [Read the complaint.](#)
- The **FBI** is expected to release its annual report on crime in the United States.

Court calendars are subject to last-minute docket changes.

More top news

- [U.S. government restricts sports visas for transgender women](#)
 - [DOJ to open grand jury to investigate Obama officials, source says](#)
 - [CFTC to allow listed spot crypto trading on registered exchanges](#)
 - [U.S. judge says he won't explain error-ridden ruling in Mississippi civil rights case](#)
 - [U.S. could require up to \\$15,000 bonds for some tourist visas under new pilot program](#)
 - [Chemours, DuPont, Corteva settle New Jersey PFAS claims for \\$875 million](#)
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Industry insight

- Former lawyers from the **DOJ** and major law firms have formed a new nonprofit to take on cases for free opposing actions by the Trump administration. [Read more here](#).
- **Duane Morris** [must face a proposed class action](#) accusing it of misclassifying some of its employees as partners in a bid to force them to pay part of the firm's taxes and expenses while denying them a share of its profits, **U.S. District Judge Cathy Ann Bencivengo** in San Diego ruled. [Read the order](#).
- Moves: Private equity partner **Bharath Mohan** left **Paul Weiss** to [join McGuireWoods](#) ... **Usman Arain** also left **Paul Weiss** and [joined Willkie](#) as a private equity partner ... **Willkie** [also added international arbitration partner](#) **Kristen Young** from **Boies Schiller** ... Former **FDA** investigator and compliance officer **Seth Malihot** [joined Barnes & Thornburg's](#) healthcare practice ... **Hugues Martin-Sisteron** moved to **Orrick's** [energy and infrastructure practice](#) from **Clifford Chance** ... **Stradley Ronon** added **Matthew Sadofsky** to its [capital markets practice](#) from **Ropes & Gray** ... **Lowenstein Sandler** hired **Jeremy King** to its [insurance recovery practice](#) from **Olshan Frome Wolosky** ... **Womble** added [15 partners](#) in Nashville ... **Thompson Coburn** [added real estate partner](#) **Steven Smith** from **Dorsey & Whitney** ... **Holland & Knight** [hired healthcare regulatory partner](#) **Juliet McBride** from **King & Spalding** ... **Frost Brown Todd** [hired business litigation partner](#) **Kevin Havelda** from **Wick & Trautwein** ... **Ari Zak** left **Dechert** to [join Simpson Thacher's](#) tax practice ... **Burr & Forman** [recruited construction and project development partners](#) **Ben Goldammer** and **Danica Suedekum** from **Kay Griffin** ... **Smith, Gambrell & Russell** [added dispute resolution partner](#) **Simon Kilgour** from **CMS Cameron McKenna**.

overseeing the management of the **American Bar Association**, down from the current 43 members. The lawyer organization is also proposing ending its practice of reserving five seats on its governing board for women, racially and ethnically diverse, LGBTQ+, and disabled lawyers, replacing it with three positions open to all members committed to advancing DEI values. **The House of Delegates** will consider those changes when it meets on August 11 and 12. [Read more.](#)

In the courts

- **Sean "Diddy" Combs** [lost his bid to be released from jail](#) ahead of his October 3 sentencing, after the hip-hop mogul was found not guilty at his sex crimes trial of the most serious charges he faced.
- **U.S. District Judge Leonie Brinkema** in Virginia ordered the **USPTO** to [award Apple federal trademarks](#) covering its augmented reality software-development tools "Reality Composer" and "Reality Converter." [Read the ruling.](#)
- **U.S. District Judge Kevin Castel** in Manhattan dismissed a defamation lawsuit by **Devin Nunes**, the former California congressman and now chief executive of **Trump Media and Technology Group** against **NBCUniversal** over a comment by **Rachel Maddow** about his dealings with a suspected Russian agent. [Read more here.](#)
- **Novo Nordisk**, the maker of the weight-loss drug **Wegovy** was sued in U.S. court by investors [claiming it misled them with optimistic growth](#) forecasts and minimized competition risks in the obesity market. [Read the proposed class action.](#)
- A group of nonprofits responsible for procuring organs for transplant [is suing to block](#) the **HHS** from using a new method to evaluate their work, saying it undermines the federal law on organ transplants and will likely cause many of the groups to lose their certification.

Attorney Analysis

Hooper, Lundy & Bookman's Erin Sclar, Sheryl Xavier and Stephanie Gross examine how the **U.S. Supreme Court's** Medina decision limits options for Medicaid enforcement actions. [Read today's Attorney Analysis.](#)

Additional writing by **Shruthi Krishnamurthy**.



Contact

Caitlin Tremblay

caitlin.tremblay@thomsonreuters.com

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