

## HARMON SIEFF

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August 2017

### 1. Baseball.

Minor leagues utilize a "Uniform Player Contract" with scheduled first-year salaries. The players sued for antitrust violations, but lost, because the Supreme Court long ago (1922) granted an antitrust exemption to "the business of baseball" and the 1998 statute allowing free agency applied only to the major leagues.

### 2. Marijuana.

A traffic accident defendant was not allowed to present evidence that the plaintiff had cannabis in his urine because the test was not sufficiently reliable and the victim showed no signs of intoxication at the scene.

### 3. Railroads.

The mere laying of track in a state does not convey jurisdiction to that state's courts for injuries suffered elsewhere. "A corporation operating in many places cannot be deemed at home in all of them".

### 4. Interns.

An undocumented tourist took a job in California and became an hourly worker when he obtained a work visa. He was later demoted, sued for unpaid overtime, and won despite being hired without legal authorization. The company also claimed he was an exempt intern, but he was not. Interns work for training solely for their own benefit, not to benefit an employer.

### 5. Defamation.

Anonymous workers posted adverse criticism of their company on a popular website. The company sued "John Doe" defendants for libel and subpoenaed the website to learn the workers' names, but the website refused. Since there was "prima facie" evidence of potentially damaging false statements, the court ordered the website to comply.

6. Senior Abuse.

After a corporation was successfully sued for an unpaid debt, one of its elderly shareholders sued the lenders for "financial elder abuse" because he was not provided enough time to settle. The shareholder lost because he was "damaged" only as one of several shareholders and not as a senior citizen.

7. Horse Racing.

A rider injured by another horse could not sue because she had assumed the risk of injury by participating in an inherently dangerous sport.

8. Sexual Orientation.

A worker fired for insubordination and excessive absence was entitled to a trial on whether a factor in his termination was that a manager considered him "too gay" for the corporate culture.

This office serves as a "lawyer of first resort" advocating for small businesses and individuals with disputes and transactions, including accident victims by referral only. We specialize in personalized client service. If we can be of any assistance with your legal issues, consider contacting us as soon as a question is identified. Your recent referrals have been greatly appreciated.

Remember: Preventative lawyering is the most effective kind.

Sincerely,

HARMON SIEFF

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Sieff-Newsletter-Aug2017

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