



Tuesday round-up

By Amy Howe

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Yesterday, before beginning a recess that will last until the end of February, the Court issued three opinions in argued cases. The first opinion came in [Air Wisconsin Airlines Corp. v. Hoeper](#), a case involving immunity under the Aviation and Transportation Security Act for airlines that report suspicious behavior. Coverage of Justice Sotomayor's opinion for the Court, ruling in the airline's favor, comes from Jess Bravin of [The Wall Street Journal](#) and Adam Morris of [Jurist](#). Justice Scalia had the second and third opinions of the day, beginning with [Sandifer v. U.S. Steel Corp.](#), in which the Court was considering what constitutes "changing clothes" for purposes of the Fair Labor Standards Act. Coverage of the Court's decision, in which the Court held that the employees are not entitled to compensation for donning and doffing the protective gear at issue in this case, comes from Jess Bravin of [The Wall Street Journal](#) and Daniel Mullen of [Jurist](#), with commentary and analysis coming from Hera Arsen at the [Ogletree Deakins](#) blog and Walter Olson at [Cato at Liberty](#). And in the third decision of the day, [Burrage v. United States](#), the Court limited the availability of enhanced sentences for drug dealers whose customers die or suffer serious injuries. Lyle Denniston reported on the decision in *Burrage* for [this blog](#), with other coverage coming from Cynthia Miley of [Jurist](#).

Briefly:

- Writing for [MSNBC](#), Dominic Perella discusses the possibility that a recent decision by the Ninth Circuit could "trigger Supreme Court review of the single most important legal issue for the gay-rights movement: Are laws that classify people based on sexual orientation subject to 'heightened scrutiny'?"
- At his [Election Law Blog](#), Rick Hasen live-tweeted Justice Sonia Sotomayor's appearance at the University of California-Irvine School of Law.
- Jeremy P. Jacobs of [Greenwire](#) reports on a new petition filed by Los Angeles County in the "long-running dispute with environmentalists over stormwater discharges that run through the county's drainage system and into Southern California rivers."
- At his [eponymous blog](#), Ed Mannino discusses the Court's decision, issued earlier this month, in the Class Action Fairness Act case [Mississippi v. AU Optronics](#).

[Disclosure: Goldstein & Russell, P.C., whose attorneys contribute to this blog in various capacities, represented the respondent in *Air Wisconsin*. However, I am no longer affiliated with the firm.]

