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Chronicling the high cost of our legal system

# June 10 roundup

by [Walter Olson](#) on [June 10, 2011](#)

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- Defense side, including dozens of sued bloggers, begins to respond in "Rakofsky v. Internet" case [[Turkewitz](#), [Popehat](#), [earlier](#)]
- Point/counterpoint on class action arbitration clauses [[Karlsgodt](#)]
- Group plans to Twitter-fy the novel Ulysses via crowdsourcing in time for Bloomsday, but let's hope nobody tells litigation-prone Joyce heir [[Ulysses Meets Twitter 2011](#) via [BoingBoing](#)]
- Battle over reform of joint and several liability continues in Pennsylvania legislature [[Wajert](#)]
- From Miami, latest dramatic tale of cops vs. citizen video-taking [[David Rittgers, Cato at Liberty](#)] New Jersey bill would criminalize taking photos of kids in many circumstances [[Nicole Ciandella, CEI](#), [see also](#)]
- Australia: "Man Gets Workers' Comp for Injury Sustained When Punching Customer" [[Lowering the Bar](#)]

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- ["Litigation-Finance Contract Reveals How Investors Back Lawsuits"](#)

Daniel Fisher has details at Forbes. The Chamber of Commerce takes a hard line with these arrangements, but I don't see anything particularly problematic as a public-policy matter with this particular contract, which is really structured as a very high-interest... [...]

*Ted Frank*

- [Objection in Babies "R" Us class action settlement](#)

The Babies "R" Us settlement in McDonough v. Toys "R" Us, Inc., No. 06-cv-242 (E.D. Pa.) has the attorneys requesting a \$14 million share of a \$34.24 million settlement fund—over 40% of that denominator. But the remainder of the \$20... [...]

*Ted Frank*

- [Scalia dissent in Sykes v. United States](#)

The Court holds that felony flight under Indiana law is a violent felony for purposes of the federal Armed Career Criminal Act. In a typically biting dissent, Justice Scalia bemoans overcriminalization: "We face a Congress that puts forth an ever-increasing volume... [...]"

*Ted Frank*

- [Further thoughts on the Wal-Mart market bet](#)

I'm getting two major types of skepticism about my market bet on Wal-Mart v. Dukes, which I paraphrase as follows: "Your bet makes no sense because everyone already knows that the Supreme Court is going to reverse Dukes." "Your bet is... [...]"

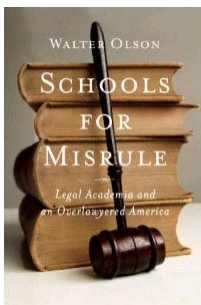
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- [Alien Tort Claims Act: Kiobel cert petition](#)

Last year, a divided Second Circuit decided Kiobel v. Royal Dutch Petroleum, which ended three decades of abusive application of the Alien Tort Statute—an eighteenth-century federal law—against innocent-bystander corporate defendants through application of amorphous concepts of international law. The losing... [...]

*Ted Frank*

- **Schools for Misrule**



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Individual liberty, free markets, and peace: the world's [premier libertarian think tank](#). Publishes [Cato at Liberty](#), where I blog on contemporary policy issues.

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