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Argument preview: Avoiding removal by limiting damages? – *Debra Lyn Bassett*

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Cormac Early *Round-up*
Posted Thu, January 3rd, 2013 10:54 am

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Thursday round-up

Briefly:

- In the [ABA Journal](#), Erwin Chemerinsky predicts that 2013 “again will be a year of blockbuster rulings, maybe even more so than 2012.” (h/t Howard Bashman)
- Writing for the [Economic](#) blog of The New York Times, Simon Johnson argues that in considering possible scenarios for another fiscal cliff – this time involving the debt ceiling – “you need to assess what the Supreme Court might do if it were to take center stage on the debt ceiling.”
- Richard Epstein, for the [Hoover Institution](#), previews this month’s oral argument in the property-rights case [Koontz v. St. John’s River Water Management District](#) and urges the Court to “reject[] the environmental mitigation doctrine once and for all.”
- In his [Verdict](#) column for Justia, Michael Dorf argues that the permissibility of future gun regulations will depend on what flavor of originalism the Court applies.
- Writing for the [Cato](#) Institute’s [Cato at Liberty](#) blog, Ilya Shapiro argues that because Section 5 of the Voting Rights Act was justified “only under exceptional conditions” and “the Voting Rights Act’s success in eradicating those conditions has happily obviated Section 5’s constitutional legitimacy,” the Court should therefore strike down Section 5 when it decides [Shelby County v. Holder](#).
- Derek Muller of [PrawfsBlawg](#) weighs in on whether for-profit corporations enjoy Free Exercise rights under the First Amendment, concluding that “there are hints (and this is my modest prediction) that the Court’s refusal to inquire into the purpose or form of the corporation in the election law context may very well apply to the religious liberties context.”
- In an op-ed for the [Washington Examiner](#), Steven J. Duffield predicts that Senate Majority Leader Harry Reid’s plan for filibuster reform “will have its most dramatic impact on presidential nominations, especially for the Supreme Court.”
- Eugene Volokh, at the eponymous [Conspiracy](#), discusses the petition for certiorari that he filed in [Butt v. Utah](#), asking the Court to consider whether jury determinations that material is obscene, or obscene as to minors, must be subject to independent appellate review.
- Amanda Frost has a [new post](#) in this blog’s [Academic highlight](#) series, discussing the divergent perspectives on the health care cases in the Supreme Court issue of the Harvard Law Review.



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