

Hunter Biden, Donald Glover and Ed Sheeran walk into a newsletter...



# COURTHOUSE NEWS SERVICE

## Closing Arguments

*The week in Courthouse News*

April 19, 2024

Jurors have all been seated for Donald Trump's hush-money criminal trial in New York, but the rocky road to [empanelling a jury](#) prompted a lecture from the judge about jurors' privacy as the [historic trial](#) heads into opening arguments next week.

After one juror was sworn in, she called the court to express concerns about her identity being made public and was excused, [Erik Uebelacker](#) reports.

"We just lost what probably would have been a very good juror in this case," Justice Juan Merchan said, ordering journalists covering the trial not to publish physical descriptions of the jury.

Privacy rights emerged in a vastly different legal scheme on the West Coast as a federal judge in San Jose [approved Google's \\$62 million settlement](#) over customers' claims that the company tracked their location history even after the users had disabled the feature.

The award, however, won't end up in consumers' pockets. Instead it will stock a fund to be used by up to 21 nonprofits, like the ACLU, for support and defense of the class members' privacy rights. Reporter [Natalie Hanson](#) has that story.

Finally, Pennsylvanians' privacy took center stage at the Third Circuit, where a panel of judges [grilled Papa Johns and Mattress Firm](#) over software that tracks users' movements on the chains' websites.

As [Alexandra Jones](#) reports, the suit's appellate success hinges on whether having accessed the sites from the Keystone State gives them standing to sue.

Scroll on for a heap of Courthouse News.

— [Nina Pullano](#)

### Sidebar — a podcast from Courthouse News



When you exercise your First Amendment right to paint a picture or write the next great American novel, your speech belongs to you. No one can take it and pass it off as their own. But when all the power is vested solely in one person, the rights of others slowly begin to dwindle.

In its latest episode, the Sidebar team dissects the intricate balance that copyright law maintains between protecting creators and ensuring the public's unfettered access to cultural treasures. From [Kirk McDaniel](#) and [Kelsey Reichmann](#), it's "[Copyright Conundrum](#)."

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**Here's what else happened in court this week:**



Hunter Biden [asked the Third Circuit to dismiss](#) his felony firearms-related charges after a lower court judge resoundingly affirmed the Justice Department's right to try him. [[Jackson Healy](#)]

» Trial began in a civil case [brought by three former inmates](#) at Abu Ghraib who say a government contractor that supplied interrogators for the notorious prison [contributed to the torture](#) they suffered. [[Nolan Stout](#)]

» ExxonMobil [laid out its argument](#) before a Texas judge on the first day of trial over its tax lawsuit seeking \$200 million in federal tax refunds. [[David Lee](#)]

» The day after a Brussels mayor shut down a high-profile far-right conference, the event was back on — after [Belgium's top administrative court said](#) Mayor Emir Kir's order violated the right to assemble peacefully. [[Cain Burdeau](#)]

» The EU's second-highest court [denied an appeal](#) from Roberto Escobar, the brother of the late Medellín Cartel leader, who sought to overturn a rejection from the EU's trademark office to protect the name "Pablo Escobar." [[Molly Quell](#)]

## Spotlight: Second Circuit Court of Appeals



Soundcloud rapper Kidd Wes [asked the Second Circuit](#) to revive claims that Donald Glover ripped off his flow when he created the chart-topping 2018 song "This is America."

In the same New York City appellate court, an investment banker who owns a share of the rights to Marvin Gaye's "Let's Get It On" [aimed to send](#) his copyright infringement case against pop star Ed Sheeran back to a lower court for a jury trial with expert testimony about the song's bass line.

And, seeking another chance to [try decades-old claims](#) that a clothing brand copied its famed three-stripe logo, Adidas told the circuit that Thom Browne was unfairly favored at a trial over its activewear featuring *four* stripes. [[Nika Schoonover](#), [Josh Russell](#)]

### Top 8: This week's most-read stories

1. [Supreme Court sides with California property owner in Fifth Amendment fight over permit fees](#)

2. [\[January 2018\] KFC Franchisee Loses Fight to Market Chicken as Muslim-Friendly](#)
3. [Special counsel tells Supreme Court that Donald Trump is not above the rule of law](#)
4. [\[Op-Ed\] Tsunami warning](#)
5. [Supreme Court rules companies cannot be sued for withholding bad news](#)
6. [Alabama harvested the organs of inmates without consent, families say](#)
7. [In defamation case, North Carolina Supreme Court zeroes in on absolute privilege in voter-fraud reporting process](#)
8. [Woman leading court fight for embryos left toddler in car, ex-husband testifies](#)



Europe's top rights court [upheld Lithuania's decision](#) to ban a Russian musician from entering the country, finding the singer was a "tool of soft power" for Moscow. [[Molly Quell](#)]

**[ICYMI: New cases and rulings on our radar](#)**

» **Funneling Russian money:** WASHINGTON — The D.C. Circuit [upheld the felony convictions](#) of Jesse Benton, former Ron Paul campaign lead who contributed \$25,000 to the Trump campaign on behalf of a Russian businessman who had actually paid him \$100,000 to attend a fundraiser.

» **School shooter resentenced:** SPOKANE, Wash. — An appeals court in Washington [vacated the sentence](#) of a high school shooter who killed one student and seriously injured three others at Freeman High School. Down from 40 years to life, he should be sentenced to 25 to life, because he was 15 years old at the time of the crime.

» **Baby formula prices:** CHICAGO — A federal court in Illinois [dismissed a nationwide class action](#) brought by consumers against Abbott Labs, whose baby formula prices spiked during a 2022 recall of tainted formula. The court says that the formula maker was not “obligated to maintain particular levels of formula production or supply or otherwise ensure stable formula prices,” and that precedent shows drug manufacturers are not statutorily required to continue supplying their medicine.

» **Butter cake advertising:** BALTIMORE — A federal court in Maryland [partially dismissed consumers’ fraud class action](#) against Bimbo Bakeries, whose Entenmann’s-branded “All Butter” cake allegedly misleads buyers because it is made with artificial and not real butter. The court says reasonable consumers would need more info than the label to determine whether the phrase referred to the ingredients or the flavor of the cake. Their remaining state law claims are preempted by federal law.

— [Daniel Conrad](#)

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