



Thomas G. Corcoran, Jr.
102 Cases

1. Pleasant Grove v. United States, No. 85-1244, SUPREME COURT OF THE UNITED STATES, 479 U.S. 462; 107 S. Ct. 794; 93 L. Ed. 2d 866; 1987 U.S. LEXIS 415; 55 U.S.L.W. 4133, December 10, 1986, Argued , January 21, 1987, Argued  Caution, As of: Jun 12, 2009

OVERVIEW: Because an all-white city refused the annexation petition of a largely black area to which it already provided some services for free, it was not entitled to preclearance under the Voting Rights Act of 1965 to annex two largely uninhabited parcels.

CORE TERMS: annexation, voting rights, voting, discriminatory, annex, preclearance, annexing, voter, impermissible, racially ...


Thomas G. Corcoran, Jr., argued the ...

2. McKesson v. Islamic Republic of Iran, No. 07-7113, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 539 F.3d 485; 383 U.S. App. D.C. 168; 2008 U.S. App. LEXIS 18163, May 6, 2008, Argued, August 26, 2008, Decided  Analysis, As of: Jun 12, 2009

OVERVIEW: A district court's ruling that the shareholders in a foreign dairy had a cause of action against the Islamic Republic of Iran for the expropriation of their investment was reversed as the Treaty of Amity, Economic Relations, and Consular Rights, U.S.-Iran, Aug. 15, 1955, 8 U.S.T. 899, did not create a private cause of action.

CORE TERMS: treaty, cause of action, rights of action, self-executing, treaty-based, federal law, private rights, reconsider, declaring, passenger's ...


... N. Letter, Attorney.Thomas G. Corcoran, Jr. argued the ...

3. United States v. Sullivan, No. 05-3161 , UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 451 F.3d 884; 371 U.S. App. D.C. 369; 2006 U.S. App. LEXIS 16081, May 5, 2006, Argued , June 27, 2006, Decided  Positive, As of: Jun 12, 2009

OVERVIEW: Defendant's constitutional challenge to 18 U.S.C.S. § 2252A(a)(5)(B) failed because the statute was a valid exercise of Congress' power under the Commerce Clause of the U.S. Constitution. The three conditions of supervised release challenged by defendant were not plainly out of sync with 18 U.S.C.S. § 3553(a)'s statutory goals.

CORE TERMS: child pornography, interstate commerce, supervised, marijuana, plain error, intrastate, sentencing, interstate, substantially affects, pornography ...

... the briefs was Thomas G. Corcoran, Jr. Herbert A. ...

4. Aerolineas Argentinas S.A. v. United States DOT, No. 04-1030 , UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 415 F.3d 1; 367 U.S. App. D.C. 233; 2005 U.S. App. LEXIS 13557, February 8, 2005, Argued , July 8, 2005, Decided  Analysis, As of: Jun 12, 2009

OVERVIEW: Under the non-discrimination provisions of 49 U.S.C.S. § 41310 and the Air Transport Services Agreement Between the Governments of the United States of America and the Republic of

Argentina, the DOT properly required a foreign air carrier to pay the difference between user fees charged to the carrier and U.S. carriers at a foreign airport.

CORE TERMS: carrier's, disapproval, paying, judicial review, discriminatory, airline, air, air carrier, airport, peso ...


... C. Vincent and Thomas G. Corcoran, Jr. Dale C. ...

5. In re Sealed Case, No. 02-3081 , UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 350 F.3d 113; 358 U.S. App. D.C. 398; 2003 U.S. App. LEXIS 24450, September 15, 2003, Argued , December 5, 2003, Decided  Positive, As of: Jun 12, 2009

OVERVIEW: In imposing sentence, the district court did not err by denying defendant a downward departure for accepting responsibility; defendant's decision to contest his guilt at trial was at odds with the clear and full acceptance of responsibility required.

CORE TERMS: sentencing, guideline, trial counsel, sentence, plead guilty, guilt, involvement, conspiracy, package, reduction ...


Thomas G. Corcoran, Jr. argued the ...

6. United States v. Fields, No. 01-3141 & No. 01-3142 , UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 325 F.3d 286; 355 U.S. App. D.C. 386; 2003 U.S. App. LEXIS 6982, March 11, 2003, Argued , April 11, 2003, Decided , Rehearing denied by United States v. Johnson, 2003 U.S. App. LEXIS 11338 (D.C. Cir., June 5, 2003) Rehearing, en banc, denied by United States v. Johnson, 2003 U.S. App. LEXIS 11340 (D.C. Cir., June 5, 2003) Rehearing, en banc, denied by United States v. Fields, 2003 U.S. App. LEXIS 11341 (D.C. Cir., June 5, 2003) Rehearing denied by United States v. Fields, 2003 U.S. App. LEXIS 11344 (D.C. Cir., June 5, 2003) US Supreme Court certiorari denied by Johnson v. United States, 157 L. Ed. 2d 301, 124 S. Ct. 422, 2003 U.S. LEXIS 7645 (U.S., Oct. 14, 2003) US Supreme Court certiorari denied by Fields v. United States, 157 L. Ed. 2d 301, 124 S. Ct. 423, 2003 U.S. LEXIS 7646 (U.S., Oct. 14, 2003)  Analysis, As of: Jun 12, 2009

OVERVIEW: Sentences exceeding 24 years imposed on first and second defendants for armed kidnapping and RICO convictions were permissible, as statutory law allowed maximum life sentences for those offenses, and, thus, those sentences did not violate Apprendi.

CORE TERMS: sentence, quantity, kidnapping, armed, statutory maximum, conspiracy, convicted, narcotics, sentenced, maximum ...


... appellant Thomas Fields. Thomas G. Corcoran, Jr., appointed by ...

7. McKesson HBOC, Inc. v. Islamic Republic of Iran, No. 00-7157, Consolidated with, 00-7263 , UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 271 F.3d 1101; 348 U.S. App. D.C. 160; 2001 U.S. App. LEXIS 24555, October 1, 2001, Argued , November 16, 2001, Decided , Writ of certiorari denied, Motion granted by McKesson HBOC, Inc. v. Iran, 537 U.S. 941, 154 L. Ed. 2d 248, 123 S. Ct. 341, 2002 U.S. LEXIS 7360 (2002) Writ of certiorari denied, Motion granted by Iran v. McKesson HBOC, Inc., 537 U.S. 941, 154 L. Ed. 2d 248, 123 S. Ct. 341, 2002 U.S. LEXIS 7359 (2002) Vacated by, Remanded by McKesson HBOC, Inc. v. Islamic Republic of Iran, 355 U.S. App. D.C. 152, 320 F.3d 280, 2003 U.S. App. LEXIS 4093 (2003)  Warning, As of: Jun 12, 2009

OVERVIEW: Summary judgment in favor of American corporation was partially reversed and remanded on liability issue to determine the corporation's expropriation claims against Iranian dairy where genuine issues remained as to whether Iranian corporate law excused the dairy's withholding of dividends.

CORE TERMS: dairy, dividend, summary judgment, compound interest, treaty's, valuation, tribunals, international law, simple interest, direct effects ...


Thomas G. Corcoran, Jr. argued the ...

8. Sampson v. Fed. Republic of Germany & Claims Conf., No. 97-3555, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, 250 F.3d 1145; 2001 U.S. App. LEXIS 10581, February 13, 2001, Argued , May 23, 2001, Decided , Counsel Amended June 28, 2001.  Positive, As of: Jun 12, 2009

OVERVIEW: Court did not have jurisdiction to hear claims against Germany for imprisonment in Nazi concentration camps, and claims for reparations from funds created for Holocaust survivors were barred by lack of standing.

CORE TERMS: international law, cogens, customary, sovereign immunity, immunity, amicus, foreign state, implied waiver, common law, foreign sovereigns ...


... Grove, IL USA. Thomas G. Corcoran, Jr., Peter Heidenberger, ...

9. United States v. Fields, No. 99-3138, Consolidated with No. 99-3139, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 242 F.3d 393; 345 U.S. App. D.C. 205; 2001 U.S. App. LEXIS 3797, February 2, 2001, Argued , March 13, 2001, Decided , Rehearing Granted June 12, 2001, Reported at: 2001 U.S. App. LEXIS 12412.  Questioned, As of: Jun 12, 2009

OVERVIEW: Defendants' sentences were vacated. District court was to resentence on drug quantity on proof established beyond a reasonable doubt and on kidnapping charge with reference to guideline, not application note.

CORE TERMS: quantity, sentence, conspiracy, kidnaping, sentencing, marijuana, kilograms, leadership, guideline, attempted murder ...


... appellant Thomas Fields. Thomas G. Corcoran, Jr. and Mary- ...

10. United States v. Lyons Capital, Inc., No. 99-4178, No. 99-4179, No. 99-4180, No. 99-4193, UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT, 2000 U.S. App. LEXIS 31308, October 31, 2000, Argued , December 7, 2000, Decided , RULES OF THE FOURTH CIRCUIT COURT OF APPEALS MAY LIMIT CITATION TO UNPUBLISHED OPINIONS. PLEASE REFER TO THE RULES OF THE UNITED STATES COURT OF APPEALS FOR THIS CIRCUIT. , Reported in Table Case Format at: 2000 U.S. App. LEXIS 35644. Certiorari Denied April 2, 2001, Reported at: 2001 U.S. LEXIS 2844. Certiorari Denied October 1, 2001, Reported at: 2001 U.S. LEXIS 6139.  Analysis, As of: Jun 12, 2009

OVERVIEW: Sufficient evidence, including defendants' own stipulations, supported defendants' convictions for conspiracy to commit mail fraud, and mail and wire fraud resulting from an investment banking scheme.

CORE TERMS: conspirators', reputation, restitution, commit, prosecutor, sentencing, scheme to defraud, conspiracy, mistrial, defraud ...


... Appellee.ON BRIEF: Thomas G. Corcoran, Jr., BERLINER, CORCORAN & ...

11. Galvan v. Federal Prison Indus., No. 98-5472, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 199 F.3d 461; 339 U.S. App. D.C. 248; 1999 U.S. App. LEXIS 33135, September 13, 1999, Argued , December 21, 1999, Decided  Caution, As of: Jun 12, 2009

OVERVIEW: A qui tam action against manufacturer that employed prisoners was barred by sovereign immunity; manufacturer was a "wholly owned government corporation," and not an ordinary corporation established under the laws of the District of Columbia.

CORE TERMS: sovereign immunity, immunity, sovereign, organic, federal government's, qui tam, instrumentality, regional, venue, stock ...


Thomas G. Corcoran, Jr. argued the ...

12. MARATHON OIL CO. v. RUHRGAS, No. 96-20361, UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT, 182 F.3d 291; 1999 U.S. App. LEXIS 16786, July 21, 1999, Decided , Rehearing and Rehearing En Banc Denied August 19, 1999, Reported at: 1999 U.S. App. LEXIS 22028. Reported at: 182 F.3d 291 at 293.  Caution, As of: Jun 12, 2009


OVERVIEW: Case dismissed for lack of personal jurisdiction, as there were not sufficient contacts linking actions of gas supplier with state; gas supplier was not subject to general jurisdiction due to a lack of systematic and continuous contacts with state.

CORE TERMS: personal jurisdiction, subject matter jurisdiction, nonresident, forum state, arbitration, en banc, minimum contacts', cause of action, systematic, continuous ...

... Curiae: Peter Heidenberger, Thomas G. Corcoran, Jr., Berliner, Corcoran & ...

13. MARATHON OIL CO. v. RUHRGAS, No. 96-20361, UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT, 182 F.3d 291; 1999 U.S. App. LEXIS 13978, June 25, 1999, Decided  Positive, As of: Jun 12, 2009

... Curiae: Peter Heidenberger, Thomas G Corcoran, Jr, Berliner, Corcoran & ...

14. United States v. Wilson, No. 97-3076, Consolidated with Nos. 97-3077 and 97-3129, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 160 F.3d 732; 333 U.S. App. D.C. 103; 1998 U.S. App. LEXIS 29488; 50 Fed. R. Evid. Serv. (Callaghan) 943, September 9, 1998, Argued , November 20, 1998, Decided , Certiorari Denied October 4, 1999, Reported at: 1999 U.S. LEXIS 5162. Writ of certiorari denied Wilson v. United States, 528 U.S. 828, 120 S. Ct. 81, 145 L. Ed. 2d 69, 1999 U.S. LEXIS 5162 (1999)Post-conviction relief denied at United States v. Wilson, 2005 U.S. Dist. LEXIS 18910 (D.D.C., Aug. 30, 2005)Post-conviction relief denied at United States v. Wilson, 2005 U.S. Dist. LEXIS 20113 (D.D.C., Sept. 12, 2005)  Caution, As of: Jun 12, 2009

OVERVIEW: Evidence was insufficient to support a conspiracy conviction because the government failed to carry its burden and show that the defendant knowingly participated in the conspiracy with the intent to commit murder.

CORE TERMS: tape, conspiracy, murder, motive, admissible, firearm, prosecutor, shooting, penal interest, kill ...


... Federal Public Defender. Thomas G. Corcoran, Jr., appointed by ...

15. Marathon Oil Co. v. Ruhrgas, No. 96-20361, UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT, 145 F.3d 211; 1998 U.S. App. LEXIS 13358, June 22, 1998, Decided , Certiorari Granted December 7, 1998, Reported at: 1998 U.S. LEXIS 7908.  Warning, As of: Jun 12, 2009


OVERVIEW: Where both subject matter jurisdiction and personal jurisdiction were contested in a removed case, the district court should have addressed the subject matter jurisdiction issue before addressing the personal jurisdiction issue.

CORE TERMS: personal jurisdiction, subject-matter, matter jurisdiction, removal, marathon, jurisdictional, discretionary, majority opinion, federalism, diversity ...

... Curiae, Peter Heidenberger, Thomas G Corcoran, Jr, Berliner, Corcoran & ...

16. Marathon Oil Co. v. Ruhrgas, No. 96-20361, UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT, 129 F.3d 746; 1997 U.S. App. LEXIS 33112, November 17, 1997, Decided , November 17, 1997, Filed  Warning, As of: Jun 12, 2009


... Curiae: Peter Heidenberger, Thomas G Corcoran, Jr, Berliner, Corcoran & ...

17. Marathon Oil Co. v. Ruhrgas, A.G., No. 96-20361, UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT, 115 F.3d 315; 1997 U.S. App. LEXIS 13676, June 10, 1997, Decided , Certiorari Denied November 10, 1997, Reported at: 1997 U.S. LEXIS 6731. Rehearing Granted November 17, 1997, Reported at: 1997 U.S. App. LEXIS 33112.  Warning, As of: Jun 12, 2009

OVERVIEW: Order dismissing an action against a German oil company on the grounds of lack of personal jurisdiction was improper because the district court lacked subject matter jurisdiction.

CORE TERMS: license, subject matter jurisdiction, arbitration agreement, personal jurisdiction, arbitration, federal jurisdiction, diversity, federal question, fraudulent joinder, signatory ...

... Curiae: Peter Heidenberger, Thomas G Corcoran, Jr, Berliner, Corcoran & ...


18. In re Sealed Case, No. 96-3036, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 108 F.3d 372; 323 U.S. App. D.C. 318; 1997 U.S. App. LEXIS 4716, February 21, 1997, Argued , March 14, 1997, Decided , As Amended. Subsequent appeal at In re Case, 2003 U.S. App. LEXIS 24450 (D.C. Cir., Dec. 5, 2003)  Analysis, As of: Jun 12, 2009

OVERVIEW: Where defendant was sentenced for a conspiracy to deliver two packages of cocaine, which, combined, exceeded five-kilograms, the sentence was vacated and remanded for resentencing because the district court did not explain its rationale for holding defendant liable regarding one package, which, if excluded, reduced his sentencing level.

CORE TERMS: sentence, shipment, sentencing, conspiracy, package, distribute, kilograms, total amount, co-conspirators, attribution ...

Thomas G. Corcoran, Jr., appointed by ...


19. *Angelos v. Lloyd*, No. 96-7075, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 1996 U.S. App. LEXIS 34432, December 27, 1996, FILED , RULES OF THE DISTRICT OF COLUMBIA CIRCUIT COURT OF APPEALS MAY LIMIT CITATION TO UNPUBLISHED OPINIONS. PLEASE REFER TO THE RULES OF THE UNITED STATES COURT OF APPEALS FOR THIS CIRCUIT. , Reported in Table Case Format at: 106 F.3d 442, 1996 U.S. App.

LEXIS 39474.  Analysis, As of: Jun 12, 2009

OVERVIEW: A law firm, which was sued by a client for malpractice, was not entitled to maintain a claim against the client's successor law firm based on claims that malpractice by the successor caused or aggravated the injury.

CORE TERMS: successor, indemnity, malpractice, exposure, statute of limitations, best interest, course of action, conflict-of-interest, tortfeasor, asbestos ...

... See above). For THOMAS G. CORCORAN, JR. dba Berliner, ...

20. *WOLF v. FEDERAL REPUBLIC OF GERMANY*, No. 95-3247, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, 1996 U.S. App. LEXIS 26097, October 1, 1996, Decided  Analysis, As of: Jun 12, 2009

... Chicago, IL, USA, Thomas G. Corcoran, Peter Heidenberger, BERLINER, ...


21. *WOLF v. FEDERAL REPUBLIC OF GERMANY*, No. 95-3247, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, 95 F.3d 536; 1996 U.S. App. LEXIS 23339, March 27, 1996, Argued , September 5, 1996, Decided , Rehearing Denied October 1, 1996, Reported at: 1996 U.S. App.

LEXIS 26097. Certiorari Denied March 3, 1997, Reported at: 1997 U.S. LEXIS 1540.  Caution, As of: Jun 12, 2009

OVERVIEW: District court had no jurisdiction over claim by holocaust survivor that Germany and Conference on Jewish Material Claims had wrongfully refused to pay him reparations because Germany had immunity and he had no standing against the Conference.

CORE TERMS: foreign state, hardship, commercial activity, immunity, indemnification, sovereign immunity, tortious acts, guidelines, foreign sovereigns, fair dealing ...


... Chicago, IL, USA, Thomas G. Corcoran, Peter Heidenberger, BERLINER, ...

22. *United States v. Askew*, No. 94-3139, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 88 F.3d 1065; 319 U.S. App. D.C. 2; 1996 U.S. App. LEXIS 17067; 45 Fed. R. Evid. Serv. (Callaghan) 167, February 26, 1996, Argued , July 12, 1996, Decided  Positive, As of: Jun 12, 2009

OVERVIEW: Trial court did not abuse its discretion or commit plain error in allowing expert witness to testify that in his opinion the amount of cocaine base possessed by defendant was consistent with intent to distribute.

CORE TERMS: trooper's, cocaine base, distribute, cocaine, personal use, bag, arrest, grams, expert witness, street ...


Thomas G. Corcoran, Jr., appointed by ...

23. United States v. Baucum, No. 94-3040, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 80 F.3d 539; 317 U.S. App. D.C. 63; 1996 U.S. App. LEXIS 6880, April 9, 1996, Filed  Caution, As of: Jun 12, 2009

OVERVIEW: Because defendant failed to raise the issue before the trial court, and the statute did not invoke the government's ability to hale him into court, he waived his ability to challenge any constitutional defect of the statute.

CORE TERMS: waived, double jeopardy, facial, jurisdictional, plain error, subject-matter, constitutional claim, guilty plea, constitutional challenges, indictment ...


Thomas G. Corcoran, Jr., appointed by ...

24. United States v. Baucum, No. 94-3040, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 66 F.3d 362; 314 U.S. App. D.C. 233; 1995 U.S. App. LEXIS 27945, September 12, 1995, Argued , October 6, 1995, Decided , Rehearing Denied April 9, 1996, Reported at: 1996 U.S. App. LEXIS 6880.  Positive, As of: Jun 12, 2009

OVERVIEW: Where a potentially applicable United States Supreme Court case had been decided two months before defendant's trial, and the law on the Commerce Clause relative to the schoolyard statute, 21 U.S.C.S. § 860(a), was unclear, he had not shown that the supervening decision doctrine excused his failure to raise a Commerce Clause claim at trial.

CORE TERMS: feet, time of trial, schoolyard, supervening-decision, supervening, convicted, pointless, cocaine, drug sale, failed to raise ...


Thomas G. Corcoran, Jr., appointed by ...

25. McKesson Corp. v. Islamic Republic of Iran, Nos. 93-7167, 93-7168, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 52 F.3d 346; 311 U.S. App. D.C. 197; 1995 U.S. App. LEXIS 8466, January 27, 1995, Argued , April 14, 1995, Decided  Warning, As of: Jun 12, 2009

OVERVIEW: A motion to dismiss was properly denied because a complaint alleged "direct effect" that deprived Iran of immunity and Iran had a principal-agent relationship with its agencies and instrumentalities with respect to interference of shareholder rights.

CORE TERMS: dairy's, direct effect, discovery order, shareholder, dividends, immunity, foreseeable, entities, interlocutory appeal, earlier decision ...


Thomas G. Corcoran, Jr. argued the ...

26. United States v. Leonzo, No. 94-3050, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 50 F.3d 1086; 311 U.S. App. D.C. 134; 1995 U.S. App. LEXIS 6155, February 10, 1995, Argued , March 28, 1995, Decided , The Name of this Case has been Corrected by the Court March 31, 1995.  Caution, As of: Jun 12, 2009

OVERVIEW: Defendant's sentence for fraudulently obtaining a loan was vacated because there was no evidence given as to the value of the property actually recovered at auction; therefore, the value of the loss inflicted was not shown.

CORE TERMS: sentencing, portfolio, principal balance, calculation, appraisal, recovered, sentence, total losses, expert witness, non-performing ...


Thomas G. Corcoran, appointed by this ...

27. PRINCZ v. FEDERAL REPUBLIC OF GERMANY, Nos. 92-7247, 93-7006, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 26 F.3d 1166; 307 U.S. App. D.C. 102; 1994 U.S. App. LEXIS 16387, November 5, 1993, Argued , July 1, 1994, Decided , Certiorari Denied January 17, 1995, Reported at: 1995 U.S. LEXIS 681.  Caution, As of: Jun 12, 2009

OVERVIEW: In suit for reparations to Holocaust survivor, court held that if Foreign Sovereign Immunities Act of 1976 applied, no exception to sovereign immunity existed, and if defendant was not immune, court still lacked jurisdiction over plaintiff's claims.

CORE TERMS: immunity, cogens, international law, foreign state's, foreign sovereign, sovereign immunity, implied waiver, genocide, enslavement, international community ...


... the briefs were Thomas G. Corcoran, Jr. and Kathleen ...

28. Atlantic Mut. Ins. Co. v. Northwest Airlines, No. 93-2877, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, 24 F.3d 958; 1994 U.S. App. LEXIS 11262; 29 Fed. R. Serv. 3d (Callaghan) 312, April 11, 1994, Argued , May 18, 1994, Decided  Positive, As of: Jun 12, 2009

OVERVIEW: Taiwan's petition to intervene filed after underlying case had been settled, was not timely. It also had no interest in property or transaction at stake; although it was dissatisfied with analysis, it was not aggrieved, or bound, by judgment.

CORE TERMS: intervene, intervenor, settlement, Taiwan Relations Act, final decision, interested persons, negotiations, electronic, consented, databases ...


... Becker, Milwaukee, WI. Thomas G. Corcoran, BERLINER, CORCORAN & ROWE, ...

29. Molineaux v. United States, No. 92-5208, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 12 F.3d 264; 304 U.S. App. D.C. 238; 1994 U.S. App. LEXIS 205, November 19, 1993, Argued , January 7, 1994, Decided  Caution, As of: Jun 12, 2009

OVERVIEW: Secretary of State's involuntary retirement of Foreign Service officers and retention of current senior officers did not violate promotion provisions of Foreign Service Act because the secretary's statutory interpretation was entitled to deference.

CORE TERMS: promotion, projection, predictable, long-term, regular, foreign service officers, senior, career, attrition, deference ...


Thomas G. Corcoran, Jr. argued the ...

30. United States v. Caicedo-Llanos, No. 90-3165, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 960 F.2d 158; 295 U.S. App. D.C. 99; 1992 U.S. App. LEXIS 5462, October 3, 1991, Argued , March 31, 1992, Decided  Analysis, As of: Jun 12, 2009

OVERVIEW: Defendant's Fourth Amendment rights were not violated where missing evidence was material to determining the validity of another person's arrest, not his own, and thus was completely irrelevant to defendant's defense.

CORE TERMS: photograph, codefendant's, arrest, bus, faxed, materiality, immigration, suppression, recovered, expectation of privacy ...


Thomas G. Corcoran, Jr. (appointed by ...

31. Yellow Bus Lines, Inc. v. Drivers, Chauffeurs & Helpers Local Union 639, Nos. 86-5135, 86-5136, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 913 F.2d 948; 286 U.S. App. D.C. 182; 1990 U.S. App. LEXIS 15347; 135 L.R.R.M. 2177; 116 Lab. Cas. (CCH) P10,275, May 9, 1990, Argued , September 4, 1990, Decided  Questioned, As of: Jun 12, 2009

OVERVIEW: Union's strike against bus company did not fall within ambits of RICO because union did not conduct or participate in bus company's affairs, but acted as a party with interests adverse to bus company and conducted its own affairs as an enterprise.

CORE TERMS: Bus, racketeering activity, en banc, indirectly, labor law, participated, bus line, organized crime, racketeering, predicate acts ...


Thomas G. Corcoran, Jr., with whom ...

32. Foremost-McKesson, Inc. v. Islamic Republic of Iran, No. 89-7126, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 905 F.2d 438; 284 U.S. App. D.C. 333; 1990 U.S. App. LEXIS 9604, January 22, 1990, Argued , June 15, 1990, Decided  Warning, As of: Jun 12, 2009

OVERVIEW: The question of whether Iran was immune from suit by an American company under the Foreign Sovereign Immunities Act for actions by co-defendants required remand for fact-finding as to whether Iran's role was one of principal under agency principles.

CORE TERMS: dairy, instrumentality, sovereign immunity, foreign state, immunity, entity, treaty, waived, sovereign, direct effect ...


Thomas G. Corcoran, Jr., with whom ...

33. Liu v. Republic of China, No. 87-2976, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, 892 F.2d 1419; 1989 U.S. App. LEXIS 19512, December 14, 1988, Argued and Submitted , December 29, 1989, Filed  Caution, As of: Jun 12, 2009

OVERVIEW: The act of state doctrine did not automatically bar appellant's suit against appellee foreign country after appellant alleged that appellee ordered the assassination of her husband, an American citizen, within the United States.

CORE TERMS: foreign state, murder, respondeat superior, choice of law, assassination, sovereign', immunity, vicariously liable, scope of employment', vicarious liability ...


... District of Columbia; Thomas G. Corcoran, Jr., Corcoran, Youngman & ...

34. Millen Industries, Inc. v. Coordination Council for North American Affairs, No. 87-7075, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 855 F.2d 879; 272 U.S. App. D.C. 240; 1988 U.S. App. LEXIS 11875, January 25, 1988, Argued , August 30, 1988, Decided  Analysis, As of: Jun 12, 2009

OVERVIEW: In action by American company against Taiwanese instrumentality, it was error to premise jurisdiction on alienage diversity statute because Foreign Sovereign Immunities Act was exclusive means of exercising jurisdiction over foreign sovereigns.

CORE TERMS: commercial activity, sovereign, foreign state, raw materials, foreign sovereigns, immunity, instrumentality, promised, jurisdictional facts, duty-free ...


... brief, for Appellants. Thomas G. Corcoran, Jr., for Appellee. ...

35. Yellow Bus Lines v. Drivers, Chauffeurs & Helpers Local Union 639, Nos. 86-5135, 86-5136, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 839 F.2d 782; 268 U.S. App. D.C. 103; 1988 U.S. App. LEXIS 1791; 127 L.R.R.M. 2607; 108 Lab. Cas. (CCH) P10,311; 10 Fed. R. Serv. 3d (Callaghan) 423, September 15, 1987, Argued , February 12, 1988, Decided  Warning, As of: Jun 12, 2009

OVERVIEW: Dismissal of RICO claims and denial of company's motion to amend in union case was reversed because strike and organizational effort were affairs of company and company met statutory requirements for pattern of racketeering activity.

CORE TERMS: bus, racketeering activity, predicate acts, abuse of process, violence, malicious, corrupt, entity, destruction of property, leave to amend ...


Thomas G. Corcoran, Jr., for Appellant. ...

36. Islamic Republic of Iran Broadcasting v. Sotheby Parke Bernet, Inc., No. 87-7056, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 839 F.2d 780; 268 U.S. App. D.C. 101; 1988 U.S. App. LEXIS 7177, February 5, 1988, Decided , February 5, 1988, Filed  Analysis, As of: Jun 12, 2009


OVERVIEW: Evidence regarding the Iranian foundation's authority to transfer good title was sufficient to support the verdict adverse to the broadcasting company's ownership claim of a violin to be auctioned off by its post-revolution owners.

CORE TERMS: violin, revolution, confiscation, matter of law, persuades, government agencies, catalogue, reversal, auction

Thomas G. Corcoran, Jr., with whom ...

37. Lary v. Republic of China, No. 85-7613, UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT, 800 F.2d 265; 1986 U.S. App. LEXIS 28897, August 22, 1986 , RULES OF THE ELEVENTH CIRCUIT COURT OF APPEALS MAY LIMIT CITATION TO UNPUBLISHED OPINIONS. PLEASE REFER TO THE RULES OF THE UNITED STATES COURT OF APPEALS FOR THIS CIRCUIT.  Analysis, As of: Jun 12, 2009


... Se for Appellant. Thomas G. Corcoran, Jr., CORCORAN, YOUNGMAN & ...

38. District of Columbia ex rel. American Combustion, Inc. v. Transamerica Ins. Co., No. 85-5866, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 797 F.2d 1041; 254 U.S. App. D.C. 374; 1986 U.S. App. LEXIS 27725; 5 Fed. R. Serv. 3d (Callaghan) 887, May 16, 1986, Argued , August 8, 1986  Caution, As of: Jun 12, 2009

OVERVIEW: Federal district court had jurisdiction over diversity action where District of Columbia was named as a party, and the parties qualified under citizenship diversity in appellees' insurance bond action.


CORE TERMS: diversity, diversity jurisdiction, Little Miller Act, real party in interest, removal, diversity of citizenship, jurisdictional, citizenship, Miller Act, principal place of business ...

Thomas G. Corcoran, for Appellant. Robert ...

39. Bouchet v. National Urban League, Inc., Nos. 82-1130, 82-1250, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 730 F.2d 799; 235 U.S. App. D.C. 37; 1984 U.S. App. LEXIS 24254; 34 Fair Empl. Prac. Cas. (BNA) 545; 34 Empl. Prac. Dec. (CCH) P34,302, December 8, 1982, Argued , March 23, 1984, Decided  Questioned, As of: Jun 12, 2009

CORE TERMS: sexual, defamation, extortion, state claims, jury trial, statute of limitations, state-law, tort claims, pendent jurisdiction, jury-trial ...


Thomas G. Corcoran, Jr., for Appellant. ...

40. Irons & Sears v. Dann, No. 78-1200, UNITED STATES COURT OF APPEALS, DISTRICT OF COLUMBIA CIRCUIT, 606 F.2d 1215; 196 U.S. App. D.C. 308; 1979 U.S. App. LEXIS 13055; 202 U.S.P.Q. (BNA) 798, January 19, 1979, Argued , July 19, 1979, Decided , Rehearing Denied August 31, 1979.  Caution, As of: Jun 12, 2009

OVERVIEW: Appellant was not entitled to documents relating to pending and abandoned applications because the documents were exempt from the FOIA; however applications issued as patents were not exempt from the FOIA.

CORE TERMS: patent, filing date, exemption, disclosure, abandoned, exempt, decisions granting, nondisclosure, withheld, confidence ...


... brief for appellant. Thomas G. Corcoran, Asst. U. S. ...

41. Chicago Bridge & Iron Co. v. Hartford Fire Ins. Co., No. 77-1227, UNITED STATES COURT OF APPEALS, DISTRICT OF COLUMBIA CIRCUIT, 590 F.2d 1200; 192 U.S. App. D.C. 84; 1978 U.S. App. LEXIS 6843, February 16, 1978, Argued , December 21, 1978, Decided  Analysis, As of: Jun 12, 2009

OVERVIEW: Summary judgment for sellers was affirmed because purchaser failed to show sellers knew that violent incident would result in settlement not covered by insurance, and sellers' failure to write down information of incident was not breach of warranty.

CORE TERMS: warranty, murder, stock, misleading, purchasers, punitive damages, settlement, materially, manager, stock purchase agreement ...


... brief, for appellee, Thomas G. Corcoran. Also, Frank H. ...

42. United States v. Borum, No. 76-1879, UNITED STATES COURT OF APPEALS, DISTRICT OF COLUMBIA CIRCUIT, 584 F.2d 424; 189 U.S. App. D.C. 266; 1978 U.S. App. LEXIS 10455, April 6, 1977, Argued , June 29, 1978, Decided , As Amended July 5 and October 20, 1978.  Caution, As of: Jun 12, 2009

OVERVIEW: A defendant convicted for selling a gun to undercover police officers was entitled to a new trial as the trial court erred in not instructing the jury on the entrapment defense where there was evidence of inducement and lack of predisposition.

CORE TERMS: gun, entrapment, inducement, predisposition, pistol, fence, reluctance, buy', firearm, commit ...


... brief, for appellant. Thomas G. Corcoran, Jr., Asst. U. ...

43. Relf v. Weinberger, Nos. 74-1797, 74-1798, 74-1802, 76-1053, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 565 F.2d 722; 184 U.S. App. D.C. 147; 1977 U.S. App. LEXIS 11611, November 18, 1976, Argued , September 13, 1977, Decided  Caution, As of: Jun 12, 2009

OVERVIEW: An appeal challenging the district court's decision finding certain Health, Education, and Welfare (HEW) regulations to be unreasonable was dismissed as moot when HEW withdrew the regulations and declared an intention to promulgate new regulations.

CORE TERMS: sterilization, federal standard, modification, federal funding, revised, voluntariness, state laws, interim, federal funds, decree ...


... of Justice and Thomas G. Corcoran, Jr., Assistant United ...

44. United States v. Jackson, Nos. 76-1500, 76-1584, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 562 F.2d 789; 183 U.S. App. D.C. 270; 1977 U.S. App. LEXIS 12056, February 22, 1977, Argued , August 11, 1977, Decided , Rehearing Denied October 26, 1977.  Caution, As of: Jun 12, 2009

OVERVIEW: Defendants' convictions in a district court for a state robbery charge were reversed because the court had severed the robbery charge from other federal charges in the indictment and had thereby divested itself of jurisdiction over the charge.

CORE TERMS: joinder, assault, robbery, indictment, robbery count, severance, joined, rape, gold, properly joined ...

... court) for Appellants. Thomas G. Corcoran, Jr., Assistant United ...

45. Sotiriades v. Mathews, No. 74-2075, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 546 F.2d 1018; 178 U.S. App. D.C. 252; 1976 U.S. App. LEXIS 6190, December 10, 1975, Argued , November 18, 1976, Decided  Caution, As of: Jun 12, 2009

CORE TERMS: birth certificate, date of birth, birth, insurance benefits, fault, passport, retirement, reopened, initial determination, substantial evidence ...

... A. Terry and Thomas G. Corcoran, Asst. U.S. Attys., ...

46. *Pennsylvania ex rel. Shapp v. Kleppe*, No. 74-1960, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 533 F.2d 668; 174 U.S. App. D.C. 441; 1976 U.S. App. LEXIS 12563; 42 A.L.R. Fed. 1, October 30, 1975, Argued , March 4, 1976, Decided , Rehearing Denied May 3, 1976. ⚠ Caution, As of: Jun 12, 2009

OVERVIEW: Commonwealth of Pennsylvania lacked standing to bring an action to enjoin Small Business Administration from stopping relief effort where injuries to its citizens from hurricane were not within zone of interests protected by Small Business Act.

CORE TERMS: *parens patriae*, federal government, disaster, interstate, quasi-sovereign, standing to sue, federalism, small business, administered, classification ...

... A. Terry and Thomas G. Corcoran, Jr., Assistant United ...

47. *Ramer v. Saxbe*, No. 74-1483, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 522 F.2d 695; 173 U.S. App. D.C. 83; 1975 U.S. App. LEXIS 12058, March 11, 1975, Argued , November 6, 1975, Decided ⚠ Caution, As of: Jun 12, 2009

OVERVIEW: Prison bureau's persistent refusal to comply with the publication requirements of federal law necessarily created issues which were readily capable of repetition and may have evaded review, and therefore prisoners' case was not moot.

CORE TERMS: bureau, prison, policy statements', prisoner, inmate, parole, mandatory, moot, notice, issue presented ...

... A. Terry and Thomas G. Corcoran, Jr., Asst. U.S. ...

48. *Grubbs v. Butz*, No. 73-1955, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 514 F.2d 1323; 169 U.S. App. D.C. 82; 1975 U.S. App. LEXIS 14078; 10 Fair Empl. Prac. Cas. (BNA) 1215; 9 Empl. Prac. Dec. (CCH) P10,208, September 16, 1974, Argued , June 23, 1975, Decided ⚠ Caution, As of: Jun 12, 2009

OVERVIEW: A federal employee who filed a discrimination claim in district court pursuant to the Equal Employment Opportunity Act was not required to further exhaust her administrative remedies as her claim had been pending with her agency for over two years.

CORE TERMS: administrative proceedings, reprisal, civil action, federal employees, injunction, administrative action, employment discrimination, civil action, final action, administrative record ...


... A. Terry and Thomas G. Corcoran, Jr., Asst. U.S. ...

49. *Valley Forge Flag Co. v. Kleppe*, No. 73-1801, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 506 F.2d 243; 165 U.S. App. D.C. 182; 1974 U.S. App. LEXIS 6474, October 17, 1974, Decided ⚠ Caution, As of: Jun 12, 2009

OVERVIEW: Where administrator of the Small Business Administration acted within scope of his authority in offering a supply contract to a disadvantaged employer, competitor of the employer was statutorily precluded from seeking injunctive relief against him.

CORE TERMS: small business, administrator, disadvantaged, flag, bid, injunctive relief, preliminary injunction, plaintiff-appellant's, solicitation, declaratory judgment ...


... A. Terry and Thomas G. Corcoran, Assistant United States ...

50. Jackson v. Lynn, No. 73-1510, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 506 F.2d 233; 165 U.S. App. D.C. 172; 1974 U.S. App. LEXIS 6477, October 17, 1974, Decided  Questioned, As of: Jun 12, 2009

OVERVIEW: Mortgagors' claim for damages against the federal housing agency that insured their mortgages without insuring compliance with local building codes was properly dismissed because the National Housing Act did not grant a private right to recover.


CORE TERMS: housing, mortgage, insuring, class action, agency action, dwelling, National Housing Act, Act of Congress, damage claim, mortgagors ...

... John A. Terry, Thomas G. Corcoran, Jr., and Michael ...

51. Rubin v. Islamic Republic of Iran, Case No. 03 C 9370, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION, 251 F.R.D. 561; 2008 U.S. Dist. LEXIS 60945, August 6, 2008, Decided, August 6, 2008, Filed  Analysis, As of: Jun 12, 2009


CORE TERMS: tribunals, confidentiality, documents filed, arbitrating, rules of procedure, correspondence, tribunal-rules, arbitration, producing, mandatory ...

... Laina C. Wilk, Thomas G. Corcoran, Berliner, Corcoran & Rowe, ...

52. Rubin v. Islamic Republic of Iran, Case No. 03 C 9370, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION, 2008 U.S. Dist. LEXIS 4651, January 18, 2008, Decided, January 18, 2008, Filed, Motion denied by, in part Rubin v. Islamic Republic of Iran, 2008 U.S. Dist. LEXIS 60945 (N.D. Ill., Aug. 6, 2008)  Analysis, As of: Jun 12, 2009


CORE TERMS: discovery, immunity, discovery requests, artifact, attachment, collection, notice, foreign state, immune, summary judgment ...

... Laina C. Wilk, Thomas G. Corcoran, Berliner, Corcoran & Rowe, ...

53. Rubin v. Islamic Republic of Iran, No. 03 CV 9370, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION, 2007 U.S. Dist. LEXIS 54983, July 26, 2007, Decided, July 26, 2007, Filed, Motion denied by Rubin v. Islamic Republic of Iran, 2008 U.S. Dist. LEXIS 4651 (N.D. Ill., Jan. 18, 2008)  Analysis, As of: Jun 12, 2009

CORE TERMS: artifacts, discovery, ownership, collection, foreign sovereigns, attachment, deponent, holder, unblocked, lawsuit ...


... Laina C. Wilk, Thomas G. Corcoran, Berliner, Corcoran & Rowe, ...

54. McKesson Corp. v. Islamic Republic of Iran, Civ. Action No. 82-220 (RJL), UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 520 F. Supp. 2d 38; 2007 U.S. Dist. LEXIS 51870, July 17, 2007, Decided, July 18, 2007, Filed, Motion granted by, in part McKesson Corp. v. Islamic Republic of Iran, 2007 U.S. App. LEXIS 29113 (D.C. Cir., Dec. 11, 2007) Reversed by, Remanded by McKesson v. Islamic Republic of Iran, 2008 U.S. App. LEXIS 18163 (D.C. Cir., Aug. 26, 2008)  Warning, As of: Jun 12, 2009

OVERVIEW: Board of director's did not implement requirement that plaintiff appear in person at company to collect dividends; articles of association contained no reference to such requirement, and there was virtual agreement among all witnesses who testified that as long as it controlled board, plaintiff received dividends in dollars via wire transfer.


CORE TERMS: dairy, dividend, minutes, treaty, shareholder, cause of action, credibility, futility, evidence offered, implemented ...

... PC, Washington, DC.; Thomas G. Corcoran, Jr., LEAD ATTORNEY, ...

55. Strategic Techs. PTE, Ltd. v. Republic of China, Civil Action No. 05-2311 (RMC) , UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 2007 U.S. Dist. LEXIS 34258, May 10, 2007, Decided , May 10, 2007, Filed  Cited, As of: Jun 12, 2009

CORE TERMS: commercial activity, sovereign immunity, arbitration, foreign state, nexus, implied-waiver, immunity, commercial-activity, arbitrate, matter jurisdiction ...


... CHINA (TAIWAN), Defendant: Thomas G. Corcoran, Jr., LEAD ATTORNEY, ...

56. Plan Comm. v. Pricewaterhousecoopers, LLP, Civ. No. 02-01487 (TFH) , UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 2007 U.S. Dist. LEXIS 29240, April 20, 2007, Decided , April 20, 2007, Filed  Analysis, As of: Jun 12, 2009

OVERVIEW: Two representatives of plan committee (to oversee bankruptcy proceedings) lacked capacity to sue on behalf of committee due to failure to name committee's third member as plaintiff, Fed. R. Civ. P. 17(b). Trustees of liquidating trust also lacked standing; there was no evidence that plan agent consented, inter alia, to trustees' pursuing suit.


CORE TERMS: capacity to sue, causes of action, derivative, bankruptcy proceedings, unsecured creditors, unincorporated, prosecute, assigned, alteration, consented ...

... PC, Washington, DC; Thomas G. Corcoran, Jr., LEAD ATTORNEY, ...

57. Rubin v. Islamic Republic of Iran, Case No. 03 C 9370, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION, 2007 U.S. Dist. LEXIS 24376, March 19, 2007, Decided , As Amended April 17, 2007. Objection overruled by Rubin v. Islamic Republic of Iran, 2007 U.S. Dist. LEXIS 54983 (N.D. Ill., July 26, 2007)  Positive, As of: Jun 12, 2009


CORE TERMS: collections, discovery, artifacts, commercial activity, protective order, foreign state, blocked, exempt, summary judgment, ownership ...

... Laina C. Wilk, Thomas G. Corcoran, Berliner, Corcoran & Rowe, ...

58. Rubin v. Islamic Republic of Iran, No. 03 CV 9370 , UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION, 2006 U.S. Dist. LEXIS 53284, July 14, 2006, Decided , July 14, 2006, Filed , Motion granted by Rubin v. Islamic Republic of Iran, 2007 U.S. Dist. LEXIS 24376 (N.D. Ill., Mar. 19, 2007)  Analysis, As of: Jun 12, 2009

CORE TERMS: immunity, artifacts, sovereign immunity, summary judgment, partial, writ of execution, discovery, immune, amend, recommendation


... LLP, Chicago, IL; Thomas G. Corcoran, Berliner Corcoran & Rowe, ...

59. United States v. Sullivan, Criminal No. 04-0082 (PLF) , UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 404 F. Supp. 2d 241; 2005 U.S. Dist. LEXIS 31249, December 7, 2005, Decided  Cited, As of: Jun 12, 2009

OVERVIEW: Defendant's motion for release pending appeal was denied because the court did not believe that defendant's constitutional challenge to 18 U.S.C.S. § 2252A, the child pornography statute under which he was indicted, would raise a substantial question of law or fact likely to lead to a reversal of his conviction or a reduction in his sentence.

CORE TERMS: interstate commerce, pending appeal, child pornography, sentence, question of law, term of imprisonment, pornography, reversal, prong, substantially affect ...


... Dubin, Rockville, MD; Thomas G. Corcoran, Jr., BERLINER, CORCORAN & ...

60. Plan Comm. v. PricewaterhouseCoopers, LLP, Civil Action No. 02-1487 (RWR) , UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 335 B.R. 234; 2005 U.S. Dist. LEXIS 18889, August 31, 2005, Decided , August 31, 2005, Filed , Motion granted by, Dismissed by Plan Comm. v. Pricewaterhousecoopers, LLP, 2007 U.S. Dist. LEXIS 29240 (D.D.C., Apr. 20, 2007)  Analysis, As of: Jun 12, 2009

OVERVIEW: Motion to dismiss creditors' committee's claims was denied where although under Fed. R. Civ. P. 17(b) and the Supremacy Clause the committee lacked capacity to bring common law claims in its own name under District of Columbia law, the committee was nonetheless permitted to join individual creditors with proper capacity.

CORE TERMS: audit, capacity to sue, fiduciary, causes of action, financial statements, negligence claim, misstatement, auditing, entity, discovery rule ...


... PC, Washington, DC; Thomas G. Corcoran, Jr., BERLINER, CORCORAN & ...

61. Lumpkins v. United States, Civil Action No.CCB-01-2730, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND, 215 F. Supp. 2d 640; 2002 U.S. Dist. LEXIS 15788, August 8, 2002, Decided , Affirmed by Lumpkins v. United States, 2003 U.S. App. LEXIS 21749 (4th Cir. Md., Oct. 24, 2003)  Positive, As of: Jun 12, 2009

OVERVIEW: Tort claims against the federal government under the FTCA for a worker's injuries on a construction site were barred by the discretionary function exception to the FTCA. The government had contracted away its liability to an independent contractor.

CORE TERMS: walkway, renewed, grating, boiler, discretionary function, grated, independent contractors, renovation, discovery, catwalk ...


... of America, DEFENDANT: Thomas G Corcoran, Jr, Law Office, ...

62. Gerling Global Reinsurance Corp. of Am. v. Low, No. CIV. S-00-0506 WBS JFM Consolidated Cases: No. CIV. S-00-0613 WBS JFM, No. CIV. S-00-0779 WBS JFM, No. CIV. S-00-0875 WBS JFM, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA, 186 F. Supp. 2d 1099; 2001 U.S. Dist. LEXIS 16072, October 1, 2001, Decided , October 2, 2001, Filed  Warning, As of: Jun 12, 2009

OVERVIEW: A state holocaust insurance statute exceeded the state's power by mandating license suspension for non-performance of what were impossible reporting tasks without a meaningful hearing, which deprived them of a protected property interest.

CORE TERMS: insurer, license, insurance policies, summary judgment, preliminary injunction, property interest, affiliate, doing business, suspension, foreign affairs ...


... amicus: Peter Heidenberger, Thomas G Corcoran, Berliner Corcoran and ...

63. Gerling Global Reinsurance Corp. of Am. v. Quackenbush, NO. CIV. S-00-0506 WBS JFM, NO. CIV. S-00-0613 WBS JFM, NO. CIV. S-00-0779 WBS JFM, NO. CIV. S-00-0875 WBS JFM, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA, 2000 U.S. Dist. LEXIS 8815, June 9, 2000, Decided  Warning, As of: Jun 12, 2009

OVERVIEW: Insurance commissioner enjoined from suspending plaintiffs' insurance licenses; plaintiffs demonstrated likelihood of success Holocaust Victim Insurance Relief Act violated Commerce Clause and federal foreign affairs power.

CORE TERMS: foreign affairs, insurance policies, federal government, preliminary injunction, negotiation, insurer, insurance claims, national government, license, McCarran-Ferguson Act ...


... CA. Peter Heidenberger, Thomas G Corcoran, Berliner Corcoran and ...

64. Kwan v. United States, CIVIL ACTION NO. 99-181, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA, 84 F. Supp. 2d 613; 2000 U.S. Dist. LEXIS 4634, February 11, 2000, Decided , February 11, 2000, Filed , As Amended February 28, 2000.  Positive, As of: Jun 12, 2009

OVERVIEW: Korean plaintiffs lacked standing to enforce Brown Commitment for disability benefits for latent injuries suffered by Korean troops in Vietnam due to Agent Orange exposure. Claims raised nonjusticiable political questions.

CORE TERMS: treaty, lawsuit, political question, sovereign, veterans, protest, nonjusticiable, matter jurisdiction, foreign relations, disability benefits ...


... PLAINTIFFS: BRUCE ZAGARIS, THOMAS G. CORCORAN, JR., BERLINER, CORCORAN & ...

65. CORCORAN v. GMC, Civil Action No. 98-2191-LFO, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 81 F. Supp. 2d 55; 2000 U.S. Dist. LEXIS 437, January 4, 2000, Decided , January 5, 2000, Filed  Cited, As of: Jun 12, 2009

OVERVIEW: Defendant car manufacturer was granted summary judgment against a claim of strict liability for a manufacturing defect because there was insufficient evidence upon which a jury could have based a verdict for plaintiff.

CORE TERMS: brake, speed, miles per hour, summary judgment, deposition, remember, accelerated, accelerator, inspected, crash ...


... Casano, Boykin & Casano, Thomas G. Corcoran, Jr., Kathleen S. ...

66. Burger-Fischer v. Degussa AG, Civil Action No. 98-3958 (DRD), Civil Action No. 98-5019 (DRD), Civil Action No. 98-4252 (DRD), Civil Action No. 98-4468 (DRD), UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY, 65 F. Supp. 2d 248; 1999 U.S. Dist. LEXIS 13864, September 13, 1999, Decided , As Amended September 21, 1999.  Caution, As of: Jun 12, 2009

OVERVIEW: Court could not hear plaintiffs', victims of Nazi genocide, case seeking compensation from defendant companies for use of slave labor and manufacture of Zyklon B, as the issue was an impermissible political question.

CORE TERMS: reparation, treaty, transition, international law, laborer, gold, forced labor, slave, ally, declaration ...


... Peter Heidenberger, Esq., Thomas G. Corcoran, Jr., Esq., Berliner, ...

67. Hirsh v. State of Israel, 95 Civ. 9460 (JFK), UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, 962 F. Supp. 377; 1997 U.S. Dist. LEXIS 4406, April 7, 1997, Decided , April 8, 1997, FILED  Positive, As of: Jun 12, 2009

OVERVIEW: A court lacked subject matter jurisdiction over Holocaust survivors' claims against Israel and Germany for reparations under a treaty because no exception to foreign sovereign immunity as provided in the Foreign Sovereign Immunities Act applied.

CORE TERMS: foreign states, commercial activity, immunity, cogens, sovereign immunity, matter jurisdiction, treaty, implied waiver, waived, foreign sovereign ...


... Peter Heidenberger, Esq., Thomas G. Corcoran, Jr., Esq. ...

68. Coordination Council for N. Am. Affairs v. Northwest Airlines, Civil Action No. 94-1766, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 891 F. Supp. 4; 1995 U.S. Dist. LEXIS 9688, July 6, 1995, Decided , July 10, 1995, FILED  Warning, As of: Jun 12, 2009

OVERVIEW: The court dismissed an action that sought to enjoin an airline from applying the Convention of Certain Rules Relating to International Transportation by Air, 49 U.S.C.S. § 1502 note, to damage claims arising from flights to and from Taiwan because there was no pending damage claim stemming from the airline's Taiwan services.


CORE TERMS: declaratory judgment, parens patriae, flight, sovereign, airline, damage claim, claims arising, federal jurisdiction, legal relations, standing to bring ...

Thomas G. Corcoran, Jr., (Berliner, Corcoran & ...

69. Atlantic Mut. Ins. Co. v. Northwest Airlines, Case No. 92-C-481, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WISCONSIN, 829 F. Supp. 1066; 1993 U.S. Dist. LEXIS 12316; 26 Fed. R. Serv. 3d (Callaghan) 1097, July 27, 1993, Decided , July 27, 1993, Filed  Analysis, As of: Jun 12, 2009

CORE TERMS: right to appeal, final order, consented, notice, route


... Corcoran & Rowe, by Thomas G. Corcoran, Jr., Washington, D.C., ...

70. PRINCZ v. FEDERAL REPUBLIC OF GERMANY, Civil Action No. 92-0644 (Stanley Sporkin), UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 813 F. Supp. 22; 1992 U.S. Dist. LEXIS 19728, December 23, 1992, Decided , December 23, 1992, Filed  Warning, As of: Jun 12, 2009

OVERVIEW: Foreign nation's motion to dismiss a holocaust survivor's complaint was denied because the holocaust survivor, as an American citizen, had a constitutional right to proceed in a United States court.

CORE TERMS: pension, survivor, concentration camp, captured, killed, immunity, displaced persons, citizenship, hardship, sister ...


... Chase, MD 20815, Thomas G. Corcoran, Jr., 1101 17th ...

71. McKesson Corp. v. Islamic Republic of Iran, C.A. No. 82-0220 (TAF) (PJA), UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 138 F.R.D. 1; 1991 U.S. Dist. LEXIS 10226, July 5, 1991, Decided , July 5, 1991, Filed  Caution, As of: Jun 12, 2009

OVERVIEW: In action alleging that Iran froze U.S. company from its financial interest in Iranian corporation, the company was entitled to limited discovery for purposes of establishing subject-matter jurisdiction under the Foreign Sovereign Immunity Act.

CORE TERMS: discovery, interrogatory, discovery requests, modify, co-defendant, instrumentality, dairy, foreign governments, jurisdictional, sovereign ...


... for the plaintiffs.Thomas G. Corcoran, Jr., Berliner, Corcoran, & ...

72. Foremost-McKesson, Inc. v. Islamic Republic of Iran, Civil Action No. 82-0220, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 759 F. Supp. 855; 1991 U.S. Dist. LEXIS 2754, March 7, 1991, Filed  Caution, As of: Jun 12, 2009

OVERVIEW: The American's company's motion for leave to amend its complaint was granted because delays in the litigation involving a foreign country were caused by the claims tribunal's process and because the foreign country would not be prejudiced.

CORE TERMS: personal jurisdiction, matter jurisdiction, minimum contacts, discovery, foreign state, direct effect, amend, reply, leave to amend, legislative history ...

... Columbia, for Plaintiffs.Thomas G. Corcoran, Jr., Corcoran, Youngman & ...

73. Liu v. Republic of China, No. C 85-7461 EFL, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, 642 F. Supp. 297; 1986 U.S. Dist. LEXIS 21650, August 11, 1986, Filed , Reversed and Remanded by 1989 U.S. App. LEXIS 19512.  Warning, As of: Jun 12, 2009

OVERVIEW: It was not clear that either the act of state doctrine or the Foreign Sovereign Immunities Act barred a wife from suing the Republic of China (ROC) for the wrongful death of her husband who was killed in the U.S. by ROC intelligence officers.

CORE TERMS: killing, discretionary function, respondeat superior, foreign state, state grounds, sovereign immunity, tribunal, sovereign, murder, summary judgment ...

... Rifkind, et al., Thomas G. Corcoran, Jr., Esq., Corcoran, ...


74. Woodward v. Dipalermo, Civil Action Nos. 82-3154, 83-1232, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 686 F. Supp. 1; 1986 U.S. Dist. LEXIS 30322; 108 Lab. Cas.

(CCH) P10,310, January 16, 1986, Filed  Warning, As of: Jun 12, 2009

OVERVIEW: In an action alleging intentional interference with contractual, a corporation failed to produce any evidence that there was a causal connection between a union's activity and the cancellation of a contract between the corporation and a school.

CORE TERMS: bus, driver, clear proof, judgment notwithstanding, abuse of process, malicious, buses, destruction of property, perversion, route ...


Thomas G. Corcoran, Jr., Washington, District ...

75. Pleasant Grove v. United States, No. 80-2589, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 623 F. Supp. 782; 1985 U.S. Dist. LEXIS 14506, October 25, 1985 

Caution, As of: Jun 12, 2009

CORE TERMS: annexation, voting rights, deposition, discriminatory, voting, annex, inhabited, color, annexed, development fees ...

Thomas G. Corcoran, Jr., Donald J. ...

76. Pleasant Grove v. United States, Civil Action No. 80-2589, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 568 F. Supp. 1455; 1983 U.S. Dist. LEXIS 14919, August 3, 1983 

Caution, As of: Jun 12, 2009

OVERVIEW: A city's proposed annexation of areas inhabited or likely to be inhabited by whites was improper where the city refused to annex contiguous areas inhabited by blacks because the city's failure to annex the black areas was a discriminatory standard.

CORE TERMS: annexation, voting rights, voting, discriminatory, voter, right to vote, summary judgment, annex, building permit, qualification ...

Donald J. Cronin, Thomas G. Corcoran, Jr., Corcoran, Youngman & ...

77. Woodward v. Di Palermo, Civ. A. No. 82-3154, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 98 F.R.D. 621; 1983 U.S. Dist. LEXIS 17157; 36 Fed. R. Serv. 2d (Callaghan)

576, May 5, 1983  Cited, As of: Jun 12, 2009

OVERVIEW: A motion to amend an answer to assert counterclaims was granted where it was filed only months after the answer was originally filed, no trial date had been set, discovery was on-going, and the plaintiff would not have been prejudiced.

CORE TERMS: counterclaim, amend, intervene, pendent, pending action, counterdefendant, inadvertence, occurrence, oversight, pleader ...

... Columbia, for plaintiff. Thomas G. Corcoran, Jr., Washington, District ...

78. Hughes Automotive, Inc. v. Mid-Atlantic Toyota Distributors, Inc., Civ. No. Y-81-2156, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND, 543 F. Supp. 1056; 1982 U.S. Dist. LEXIS 13997; 1982-83 Trade Cas. (CCH) P65,103, July 29, 1982 ⓘ Cited, As of: Jun 12, 2009

CORE TERMS: distributor, dealer, Sherman Act, standing to bring, antitrust, sealant, attempt to monopolize, conspiracy to monopolize, leave to amend, interstate commerce ...

Thomas G. Corcoran, Jr., John J. ...

79. Bouchet v. National Urban League, Inc., No. 78-2138, United States District Court for the District of Columbia, 1982 U.S. Dist. LEXIS 17545; 33 Fair Empl. Prac. Cas. (BNA) 536, March 3, 1982 ⚠ Caution, As of: Jun 12, 2009

CORE TERMS: sex discrimination, sexual advances, sexual harassment, hired, sexual, daughter, attorney's fees, prima facie case, frivolous, hiring ...

Thomas G. Corcoran (Corcoran, Youngman & Rowe), ...

80. Davis v. Califano, Civil Action No. 75-0205., United States District Court for the District of Columbia., 1978 U.S. Dist. LEXIS 19168; 19 Fair Empl. Prac. Cas. (BNA) 1045; 16 Empl. Prac. Dec. (CCH) P8199, March 8, 1978. ⚠ Warning, As of: Jun 12, 2009

CORE TERMS: chemist, laboratory, supervisor, investigator, promotion, male, graduate, grade, staff, time clock ...

... for the Plaintiff. Thomas G. Corcoran, Derek I. Meier, ...

81. United States v. Blair, Crim. No. 77-413, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 444 F. Supp. 1273; 1978 U.S. Dist. LEXIS 19659; 2 Fed. R. Evid. Serv. (Callaghan) 969, February 8, 1978 ⚠ Caution, As of: Jun 12, 2009

CORE TERMS: juror, codefendant, jury's deliberations, deliberations, extrinsic, new trial, reasonable possibility, heroin, prejudicial, particular circumstances ...

Thomas G. Corcoran, Asst. U.S. Atty., ...

82. McMullen v. Warner, Civil Action No. 1363-73, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 416 F. Supp. 1163; 1976 U.S. Dist. LEXIS 13931; 13 Fair Empl. Prac. Cas. (BNA) 175; 12 Empl. Prac. Dec. (CCH) P11,107, July 26, 1976 ⓘ Analysis, As of: Jun 12, 2009


CORE TERMS: abolished, promotion, promoted, attorneys' fees, discriminated, cause-in-fact, supervisor, prejudiced, financial aid, examiner ...

... T. Aikens, Esq., Thomas G. Corcoran, Jr., Assistant United ...

83. United States v. Williams, Civil Action No. 75-1091, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 416 F. Supp. 611; 1976 U.S. Dist. LEXIS 14176, July 12, 1976 ⓘ Cited, As of: Jun 12, 2009

CORE TERMS: prescription, filled, summary judgment, civil penalty, partial, controlled substances, extending, CONCLUSIONS OF LAW, willfulness, prepare ...

Thomas G. Corcoran, Jr., Esq., Assistant ...

84. United States v. Barbacoff, Civil Action No. 75-1069, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 416 F. Supp. 606; 1976 U.S. Dist. LEXIS 14197, July 9, 1976  Positive, As of: Jun 12, 2009

CORE TERMS: prescription, summary judgment, civil penalty, filled, partial, controlled substances, pharmacy, detective, willfulness, inventory ...


Thomas G. Corcoran, Jr., Esq., Assistant ...

85. Williams v. Saxbe, C.A. No. 74-186, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 413 F. Supp. 654; 1976 U.S. Dist. LEXIS 15488; 12 Fair Empl. Prac. Cas. (BNA) 1093; 11 Empl. Prac. Dec. (CCH) P10,840, April 20, 1976  Warning, As of: Jun 12, 2009

OVERVIEW: A female federal employee was entitled to relief under the Equal Opportunity Act of 1972 because retaliatory actions by a male supervisor after she declined his sexual advances constituted sex discrimination.

CORE TERMS: sex discrimination, supervisor's, gender, sex, sexual, stereotype, hearing examiner, Examiner, termination, administrative record ...


... For the Plaintiff. Thomas G. Corcoran, Jr., Esquire, Assistant ...

86. Pharmaceutical Mfrs. Asso. v. Weinberger, Civil Action No. 75-725, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 411 F. Supp. 576; 1976 U.S. Dist. LEXIS 15569, April 14, 1976  Analysis, As of: Jun 12, 2009

OVERVIEW: Court granted defendant summary judgment where FDA's notice of the release of confidential information, judicial review, and pre-submission regulations guaranteed plaintiff due process in the release of data.


CORE TERMS: disclosure, confidentiality, notice, confidential, summary judgment, judicial review, exemption, trade secrets, discretionary, consultation ...

... Columbia, For Plaintiff. Thomas G. Corcoran, Jr., Assistant U.S. ...

87. Pealo v. Farmers Home Admin., C. A. No. 1028-73, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 412 F. Supp. 561; 1976 U.S. Dist. LEXIS 15697, April 6, 1976  Warning, As of: Jun 12, 2009

CORE TERMS: attorneys' fees, financing, housing, overage, interest rate, borrower, loan program, award of attorneys' fees, discovery, appropriation ...


... Esquire, For Plaintiffs. Thomas G. Corcoran, Jr., Esquire Assistant ...

88. Relf v. Mathews, Civ. A. Nos. 1557-73, 74-243, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 403 F. Supp. 1235; 1975 U.S. Dist. LEXIS 15629, October 22, 1975  Warning, As of: Jun 12, 2009

OVERVIEW: On remand, a court declined to adopt proposed modifications to a prior order entered in favor of several individuals, an organizations, and others in an action that challenged regulations governing the sterilization of legally incompetent persons.

CORE TERMS: sterilization, modifications, incompetent, proposed modifications, state law, adjudicated, patient, federal standard, nontherapeutic, safeguards ...


... in 1557-73.Thomas G. Corcoran, Jr. Asst. U.S. ...

89. Pharmaceutical Mfrs. Asso. v. Weinberger, Civ. A. No. 75-0725, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 401 F. Supp. 444; 1975 U.S. Dist. LEXIS 16733, August 1, 1975  Analysis, As of: Jun 12, 2009

OVERVIEW: Injunction pendente lite was not a proper remedy when plaintiff sought to enjoin the speculative future harm of possible release of its trade secrets since harm was not specific and injury, if caused, may not be irreparable.


CORE TERMS: disclosure, exemption, notice, judicial review, nondisclosure, preliminary injunction, confidentiality, confidential, property rights, trade secret ...

... Columbia, for Plaintiff. Thomas G. Corcoran, Asst. U. S. ...

90. Coffin v. Secretary of Health, Education & Welfare, Civ. A. No. 1890-73, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, CIVIL DIVISION, 400 F. Supp. 953; 1975 U.S. Dist. LEXIS 11440, July 15, 1975 , On Motion for Reconsideration August 8, 1975.  Positive, As of: Jun 12, 2009


CORE TERMS: class action, Social Security Act, widower's, payment of benefits, dependency, male's, summary judgment, classification, certification, old-age ...

... Columbia, for plaintiff.Thomas G. Corcoran, Jr., Asst. U. ...

91. Council for Advancement of Psychological Professions & Sciences, Inc. v. Blue Cross Asso., Civil Action No. 1623-73, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 383 F. Supp. 984; 1974 U.S. Dist. LEXIS 5946; 74-2 U.S. Tax Cas. (CCH) P75,333; 1974-2 Trade Cas. (CCH) P75,333, November 5, 1974  Positive, As of: Jun 12, 2009


CORE TERMS: treble damages, psychologist, supervision, requisite, referral, profession, Benefits Act, Clayton Act, future contracts, standing to bring ...

... District of Columbia, Thomas G. Corcoran, Jr., Esquire, Assistant ...

92. Federation of Homemakers v. Schmidt, Civil Action No. 2113-73, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 385 F. Supp. 362; 1974 U.S. Dist. LEXIS 6064, October 29, 1974  Positive, As of: Jun 12, 2009

CORE TERMS: food, imitation, inferior, consumer, label, summary judgment, nutritional, inferiority, nutritionally, resembles ...


... Assistant U.S. Attorney, Thomas G. Corcoran, Jr., Assistant U.S. ...

93. Warren v. Chapman, No. 86-815, District of Columbia Court of Appeals, 535 A.2d 856; 1987 D.C. App. LEXIS 515, June 9, 1987, Argued , December 9, 1987, Decided ** This opinion was released in typed form prior to printing.  Cited, As of: Jun 12, 2009

OVERVIEW: A managing partner's claim for an accounting was not barred because the statute of limitations did not begin to run until a partner refused to proceed in good faith to resolve his debt owed to the partnership after the dissolution.

CORE TERMS: accounting, partnership, partner, dissolution, winding, laches, cause of action, limitations period, owed, settlement ...


... brief, for appellant. Thomas G. Corcoran, Jr., with whom ...

94. Dupont Circle Citizens Asso. v. District of Columbia Bd. of Zoning Adjustment, No. 86-1105, District of Columbia Court of Appeals, 530 A.2d 1163; 1987 D.C. App. LEXIS 435, June 16, 1987, Argued , September 11, 1987, Decided  Positive, As of: Jun 12, 2009

OVERVIEW: Under the laws of the United States, Taiwan, and thus its agent, was to be treated as if derecognition of Taiwan had not occurred; the Taiwan Relations Act mandated for Taiwan to be treated in the same manner that it was treated before derecognition.

CORE TERMS: chancery, foreign mission, zoning, Taiwan Relations Act, diplomatic relations, diplomatic, entity, designated, substantive provisions, immunity ...


... Counsel, for respondent. Thomas G. Corcoran, Jr., James H. ...

95. Pyne v. Jamaica Nutrition Holdings, Nos. 82-1634, 82-1635, District of Columbia Court of Appeals, 497 A.2d 118; 1985 D.C. App. LEXIS 460, September 13, 1984, Argued , August 23, 1985, Decided  Caution, As of: Jun 12, 2009

OVERVIEW: By failing to timely object, a defendant waived any objection to the admission of a settlement agreement whereby he agreed to make restitution, but did not thereby waive any objection to evidence produced pursuant to the agreement.

CORE TERMS: shipping, investigator, secret, evidence produced, inadmissible, fiduciary duty, offer to compromise, objected, shipper's, settlement agreement ...


Thomas G. Corcoran, Jr. for appellant ...

96. Hill v. United States, No. 10578, District of Columbia Court of Appeals, 404 A.2d 525; 1979 D.C. App. LEXIS 454, March 10, 1977, Argued , April 9, 1979, Decided  Caution, As of: Jun 12, 2009

OVERVIEW: Defendant could be impeached with his post-arrest silence where he made a statement to the police following a shooting but he failed to tell the police certain material facts which he testified to at trial.

CORE TERMS: shot, silence, decedent's, detective, gun, fired, right to remain silent, prosecutor, conversation, impeachment ...


... brief, for appellant.Thomas G. Corcoran, Jr., Asst. U.S. ...

97. Campbell v. United States, No. 11160, District of Columbia Court of Appeals, 391 A.2d 283; 1978 D.C. App. LEXIS 566, September 21, 1977, Argued , August 29, 1978, Decided  Caution, As of: Jun 12, 2009

OVERVIEW: Statements admitted under the state of mind exception to the hearsay rule were highly prejudicial to defendant's case because they were essentially accounts of defendant's past conduct rather than the depictions of the decedent's state of mind.

CORE TERMS: decedent, state of mind, speedy trial, arrest, gun, shooting, weapon, boyfriend, hearsay, phone ...


... Maryland, for appellant.Thomas G. Corcoran, Jr., Asst. U.S. ...

98. Monroe v. United States, No. 12451, District of Columbia Court of Appeals, 389 A.2d 811; 1978 D.C. App. LEXIS 488, April 4, 1978, Argued , July 18, 1978, Decided  Questioned, As of: Jun 12, 2009

OVERVIEW: When defendant claimed ineffective assistance of counsel at the pretrial stage due to counsel's lack of preparation, the trial court had a duty to properly inquire in order to assure that there was no violation of defendant's Sixth Amendment rights.

CORE TERMS: assistance of counsel, ineffective, pretrial, preparation, defense counsel, competence, right to counsel, appointed counsel, citation omitted, post-conviction ...


... court, for appellant.Thomas G. Corcoran, Jr., Assistant United ...

99. Arrington v. United States, No. 10683, District of Columbia Court of Appeals, 382 A.2d 14; 1978 D.C. App. LEXIS 406, February 24, 1977, Submitted , January 13, 1978, Decided  Caution, As of: Jun 12, 2009

OVERVIEW: Defendant's motion to suppress certain evidence found in a search of his car after he had been arrested and the car transported to the police station should have been granted as the search was not "incident to arrest."

CORE TERMS: arrest, bag, inventory, scene, parking, seat, probable cause to search, block, suppression, police station ...


... Treanor, Jr., and Thomas G. Corcoran, Jr., Assistant United ...

100. Allen v. United States, No. 11100, District of Columbia Court of Appeals, 377 A.2d 65; 1977 D.C. App. LEXIS 372, January 19, 1977, Argued , August 24, 1977, Decided  Caution, As of: Jun 12, 2009

OVERVIEW: In an action for unauthorized use of a vehicle, the useful operation of an automobile was per se asportation. The precise point from which the vehicle was removed was no more essential than was the precise point to which the vehicle was removed.

CORE TERMS: indictment, unauthorized use, asportation, street, drove, drive, space, stolen property, grand larceny, destruction of property ...


... court, for appellant.Thomas G. Corcoran, Jr., Assistant United ...

101. Williams v. United States, No. 11119, District of Columbia Court of Appeals, 376 A.2d 442; 1977 D.C. App. LEXIS 358, April 27, 1977, Submitted , July 19, 1977, Decided  Positive, As of: Jun 12, 2009

OVERVIEW: No evidence was presented as to the fair market value of the stolen items, and some of items were almost fully depreciated; therefore, evidence was insufficient to prove the value was \$ 100 or more required to support the grand larceny conviction.

CORE TERMS: theft, television, stolen, petit larceny, market value, grand larceny, complaining witness, jury's verdict, judgment of conviction, reversible error ...

... M. Weinberg, and Thomas G. Corcoran, Jr., Assistant United ...

102. Armwood v. United States, No. 10707, District of Columbia Court of Appeals, 373 A.2d 895; 1977 D.C. App. LEXIS 318, January 12, 1977, Submitted , May 17, 1977, Decided  Cited, As of: Jun 12, 2009

OVERVIEW: Where the parties were told that a pass in jury selection constituted a challenge and the government passed in one round of its challenges, the trial court erroneously departed from its procedure when it allowed one more challenge to the government.

CORE TERMS: peremptory challenges, juror, prosecutor's, defense counsel, alternate, seat, imprisonment, punishable, round, offense charged ...

... John A. Terry, Thomas G. Corcoran, Jr., and Iraline ...

103. Erno Kalman Abelesz v. OTP Bank, Nos. 11-2353, 11-2386, 11-2875, 11-3247, and 11-3249, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, 692 F.3d 638; 2012 U.S. App. LEXIS 17734, January 11, 2012, Argued, August 22, 2012, Decided

OVERVIEW: Because it was clear the district court lacked general personal general jurisdiction over Hungarian banks on Holocaust victims' expropriation and genocide claims, for lack of continuous and systematic U.S. contacts, the case was rare enough to exercise appellate jurisdiction for a writ of mandamus directing the district court to dismiss the case.

CORE TERMS: personal jurisdiction, general jurisdiction, pendent, collateral order, appealable, continuous, systematic, sovereign immunity, correspondent, immunity ...

104. McKesson Corp. v. Islamic Republic of Iran, No. 10-7174, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 2012 U.S. App. LEXIS 17415, August 17, 2012, Filed

105. McKesson Corp. v. Islamic Republic of Iran, No. 10-7174, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, 672 F.3d 1066; 400 U.S. App. D.C. 1; 2012 U.S. App. LEXIS 3940, October 14, 2011, Argued, February 28, 2012, Decided, Rehearing denied by McKesson Corp. v. Islamic Republic of Iran, 2012 U.S. App. LEXIS 17415 (D.C. Cir., Aug. 17, 2012)US Supreme Court certiorari denied by Islamic Republic of Iran v. McKesson Corp., 2013 U.S. LEXIS 2291 (U.S., Mar. 18, 2013)Motion granted by, in part, Motion denied by, in part, Costs and fees proceeding at, Motion denied by, As moot, Judgment entered by McKesson Corp. v. Islamic Republic of Iran, 2013 U.S. Dist. LEXIS 43266 (D.D.C., Mar. 27, 2013)

OVERVIEW: In an American company's suit against the Islamic Republic of Iran claiming uncompensated expropriation of its property, act of state doctrine did not apply because the facts alleged a pattern of conduct by Iran's agents that could not fairly be characterized as public or official acts of a sovereign government.

CORE TERMS: treaty, cause of action, international law, dividend, expropriation, customary, tribunal, compound interest, dairy's, private right of action ...

106. Rubin v. Islamic Republic of Iran, No. 08-2805, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, 2011 U.S. App. LEXIS 12040, June 6, 2011, Decided, Later proceeding at Rubin v. Islamic Republic of Iran, 132 S. Ct. 1619, 182 L. Ed. 2d 158, 2012 U.S. LEXIS 1661 (U.S., 2012)

107. Rubin v. Islamic Republic of Iran, No. 08-2805, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, 2011 U.S. App. LEXIS 6758, April 1, 2011, Decided, Rehearing denied by, Rehearing, en banc, denied by Rubin v. Islamic Republic of Iran, 2011 U.S. App. LEXIS 12040 (7th Cir. Ill., June 6, 2011) Later proceeding at Rubin v. Islamic Republic, 2012 U.S. Dist. LEXIS 108059 (N.D. Ill., Aug. 2, 2012)

108. Rubin v. Islamic Republic of Iran, No. 08-2805, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, 637 F.3d 783; 2011 U.S. App. LEXIS 6394, October 26, 2009, Argued, March 29, 2011, Decided, As Corrected Corrected by, Motion granted by Rubin v. Islamic Republic of Iran, 2011 U.S. App. LEXIS 6758 (7th Cir. Ill., Apr. 1, 2011) US Supreme Court certiorari denied by Rubin v. Islamic Republic of Iran, 2012 U.S. LEXIS 4701 (U.S., June 25, 2012)

OVERVIEW: Immunity of Iran was improperly denied in action by victims of terrorist attack since immunity was presumed under FSIA regardless Iran's failure to respond to complaint, and general discovery of Iran's assets was precluded since immunity of Iranian property from execution under 28 U.S.C.S. § 1609 required victims to identify specific property.

CORE TERMS: immunity, foreign state's, attachment, discovery, foreign sovereign, collection, museum, instrumentality, general-asset, immune ...

109. Weinstein v. Islamic Republic of Iran, Docket No. 09-3034-cv, UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT, 609 F.3d 43; 2010 U.S. App. LEXIS 12158, February 17, 2010, Argued, June 15, 2010, Decided, As Amended August 12, 2010. Later proceeding at Bank Melli Iran N.Y. Rep. Office v. Weinstein, 131 S. Ct. 3012, 180 L. Ed. 2d 819, 2011 U.S. LEXIS 4492 (U.S., 2011) US Supreme Court certiorari denied by Bank Melli Iran Ny v. Weinstein, 2012 U.S. LEXIS 4760 (U.S., June 25, 2012)

OVERVIEW: Real property of bank declared an instrumentality of terrorism by executive order was subject to attachment to satisfy a compensatory damage award obtained by default under FSIA, 28 U.S.C.S. § 1608(e), against a foreign sovereign because Terrorism Risk Insurance Act of 2002, 28 U.S.C.S. § 1610 note, provided independent jurisdiction for attachment.

CORE TERMS: terrorist, attachment, instrumentality, blocked, treaty, subject matter jurisdiction, foreign sovereign, terrorism, immunity, foreign state ...

110. In re 650 Fifth Ave. & Related Props., 08 Civ. 10934 (KBF) and all member and related cases, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, 2013 U.S. Dist. LEXIS 79667, June 6, 2013, Decided, June 6, 2013, Filed

CORE TERMS: ofac, instrumentality, blocked, terrorist, blocking, summary judgment, designation, entity, terrorism, judgment creditors ...

111. In re 650 Fifth Ave. & Related Props., 08 Civ. 10934 (KBF) and all member and related cases, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, 2013 U.S. Dist. LEXIS 80248, June 5, 2013, Decided, June 5, 2013, Filed, Partial summary judgment granted by In re 650 Fifth Ave. & Related Props., 2013 U.S. Dist. LEXIS 79667 (S.D.N.Y., June 6, 2013)

CORE TERMS: witness list, discovery, preclusion, deposition, order requiring, failure to comply, impose sanctions, harsh, deadline, focusing ...

112. In re 650 Fifth Ave. & Related Props., 08 Civ. 10934 (KBF) and all member and related cases, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, 2013 U.S. Dist. LEXIS 64150, April 24, 2013, Decided, April 24, 2013, Filed, Sanctions disallowed by In re 650 Fifth Ave. & Related Props., 2013 U.S. Dist. LEXIS 80248 (S.D.N.Y., June 5, 2013)

CORE TERMS: log, attorney-client, furtherance, in camera, probable cause, board members, scheme to defraud, factual basis, perpetration, fraudulent ...

113.11. McKesson Corp. v. Islamic Republic of Iran, Civil Case No. 82-220 (RJL), UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 2013 U.S. Dist. LEXIS 43266, March 27, 2013, Decided, March 27, 2013, Filed

CORE TERMS: attorneys' fees, lodestar, billing rate, billing, matrix, time records, enhancement, prevailing party, dividend, work performed ...

114. Bell Helicopter Textron, Inc. v. Islamic Republic of Iran, Civil Action No. 06-1694 (ABJ), UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 892 F. Supp. 2d 219; 2012 U.S. Dist. LEXIS 136559; 104 U.S.P.Q.2D (BNA) 1729, September 25, 2012, Decided

OVERVIEW: Court could not find that plaintiff helicopter manufacturers met their burden of showing an activity that caused a "direct effect" in the United States, so defendant foreign nation had not waived its sovereign immunity, and the court had no subject-matter jurisdiction over the claim under 28 U.S.C.S. § 1605.

CORE TERMS: helicopter, direct effect, aircraft, default judgment, sovereign immunity, subject-matter, vacate, void, customer, jurisdictional ...

115. In re 650 Fifth Ave. & Related Props., 08 Civ. 10934 (KBF), Case Nos. 09 Civ. 553, 10 Civ. 2464 & 10 Civ. 1627, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, 881 F. Supp. 2d 533; 2012 U.S. Dist. LEXIS 105188, July 26, 2012, Decided, July 27, 2012, Filed, Motion denied by, Without prejudice In re 650 Fifth Ave. & Related Props., 2013 U.S. Dist. LEXIS 64150 (S.D.N.Y., Apr. 24, 2013)

CORE TERMS: entity, foreign state, instrumentality, matter jurisdiction, corporate forms, alter egos, terrorism, terrorist, organ, immunity ...

116. In re 650 Fifth Ave. & Related Props., 1:08-cv-10934-RJH, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, 2012 U.S. Dist. LEXIS 14973, February 2, 2012, Decided, February 6, 2012, Filed, Motion denied by In re 650 Fifth Ave. & Related Props., 2012 U.S. Dist. LEXIS 105188 (S.D.N.Y., July 26, 2012)

CORE TERMS: claimant's, forfeiture action, reconsideration, criminal investigation, certification, forfeiture, question of law, manifest injustice, termination, interlocutory appeal ...

117. In re 650 Fifth Ave. & Related Props., 1:08-cv-10934-RJH, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, 2011 U.S. Dist. LEXIS 91363, August 12, 2011, Decided, August 16, 2011, Filed, Reconsideration denied by In re 650 Fifth Ave. & Related Props., 2012 U.S. Dist. LEXIS 14973 (S.D.N.Y., Feb. 2, 2012)

CORE TERMS: claimant, forfeiture action, indicted, self-incrimination, criminal investigation, criminal proceedings, forfeiture, civil proceedings, forfeiture proceedings, attachment ...

118. In re 650 Fifth Ave. & Related Props., 1:08-cv-10934-RJH, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, 777 F. Supp. 2d 529; 2011 U.S. Dist. LEXIS 34295, March 29, 2011, Decided, March 30, 2011, Filed, Stay denied by In re 650 Fifth Ave. & Related Props., 2011 U.S. Dist. LEXIS 91363 (S.D.N.Y., Aug. 12, 2011)

OVERVIEW: Government stated a claim in a forfeiture action involving real properties and related accounts because the complaint sufficiently alleged that claimants acted as a network by which income from a skyscraper in Manhattan could flow undetected to the Iranian government, in violation of the International Emergency Economic Powers Act.

CORE TERMS: partnership, forfeiture, money laundering, rent, claimant's, unlawful activity, treaty, ownership, forfeitable, entity— ...

119. McKesson Corp. v. Islamic Republic of Iran, Civ. Action No. 82-220 (RJL), UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 752 F. Supp. 2d 12; 2010 U.S. Dist. LEXIS 123918, November 19, 2010, Decided, November 23, 2010, Filed, Affirmed in part and reversed in part by, Remanded by McKesson Corp. v. Islamic Republic of Iran, 2012 U.S. App. LEXIS 3940 (D.C. Cir., Feb. 28, 2012)

OVERVIEW: Judgment was entered in favor of the company because prior findings of the court established that the company's dividends and investment were taken without compensation and that Iran caused the cutoff of dividends and repudiation of the company's shareholder rights, in violation of the Treaty of Amity.

CORE TERMS: treaty, dividend, cause of action, shareholder, Civil Responsibility Act, international law, customary, prejudgment interest, dairy, simple interest ...

120. McKesson Corp. v. Islamic Republic of Iran, Civ. Action No. 82-0220 (RJL), UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, 2009 U.S. Dist. LEXIS 109368, November 20, 2009, Decided, November 23, 2009, Filed, Judgment entered by McKesson Corp. v. Islamic Republic of Iran, 752 F. Supp. 2d 12, 2010 U.S. Dist. LEXIS 123918 (D.D.C., 2010)Reversed by McKesson Corp. v. Islamic Republic of Iran, 2012 U.S. App. LEXIS 3940 (D.C. Cir., Feb. 28, 2012)

CORE TERMS: cause of action, treaty, international law, customary, expropriation, commercial activities, hear, preempt, foreign sovereign, dividends ...