

## business news digest

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Venable attorneys produce periodic alerts and newsletters covering a variety of topics and practice areas. For your convenience, we have assembled below a collection of the latest alerts and newsletters from March 2015.

# The FCC Net Neutrality Order: How Does the Open Internet Order Affect You?

On March 12, 2015, the Federal Communications Commission released the full text of its **Open Internet Order**, which they adopted on February 26, 2015. Absent a "stay" of the Order, write Venable attorneys **Frederick M. Joyce, Jamie Barnett**, and **Jessica Borowick**, these new regulatory requirements will become effective in the coming weeks notwithstanding likely petitions and reconsideration and appellate review.

Click for a summary of the Order and how the FCC is likely to enforce it.

## CFPB Proposal for Short-Term and Longer-Term Lending Rules – Frequently Asked Questions

On March 26, 2015, the Consumer Financial Protection Bureau (the Bureau or CFPB) announced several proposals to regulate short-term and longer-term consumer lending. As explained by Director Richard Cordray in announcing the proposals, the Bureau is concerned that some lending products may extend "credit to people in a way that sets them up to fail." As part of this initiative, write Venable attorneys Allyson **B. Baker, Jonathan L. Pompan, Andrew E. Bigart**, and **Peter S. Frechette**, the Bureau is convening a Small Business Review Panel to gather feedback from small lenders.

While the Bureau is far from a final rule, these preliminary proposals appear to fit within the Bureau's overall approach to lending and may provide insight into its plans for future proposed rules.

## New Rule Establishes "Place of Celebration" Definition of Same-Sex "Spouse" for FMLA Coverage Purposes

The Family and Medical Leave Act (FMLA) governs the terms and circumstances under which employees of certain employers may take unpaid, job-protected leave, write Venable attorneys Juliana Reno, Lillian L. Reynolds, and Brian J. Turoff. Effective March 27, 2015, the U.S. Department of Labor has changed the FMLA's definition of the term "spouse" to more broadly encompass employees in families with same-sex spouses.

Continue reading to learn what these changes could mean for your business.

## What Hilary Clinton's Use of BYOD Means for Protecting

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## Your Trade Secrets

With all the to-do about former Secretary of State Hillary Rodham Clinton's work-related use of her personal email account and server, write Venable attorneys **Douglas B. Mishkin**, **Kiska F. McClain**, and **Ronald W. Taylor**, little has been said about what such use means for private employers. Politics aside, the controversy underscores a challenge that employers face when they allow employees to use personal devices for work purposes because they must allow those employees access to the employer's systems and internal information. Therein lies the challenge.

Find out more about developing a Bring Your Own Device (BYOD) policy.

### Upcoming Events

#### ACG InterGrowth 2015 - Orlando, FL

April 13 – 15, 2015

Eleven Venable attorneys and legislative advisors will be joining nearly 2,000 dealmakers for three days of deal flow opportunities, powerful speakers, informative sessions and commentary from leading M&A experts. With an unparalleled practice at the nexus of the public and private sectors, Venable helps businesses thrive in the midst of increased regulation. Please join the Venable team and other industry leaders at our track of three panel sessions centered on *Helping Businesses Thrive in a Highly Regulated Economy*.

Click here to register.

Structuring Innovative Revenue Models for Nonprofits: For-Profits, Joint Ventures, and Social Enterprises – Washington, DC and Webinar April 14, 2015 | 12:00 – 2:00 p.m. ET

In this challenging fundraising environment and at a time when the work and services of nonprofit organizations are in greater demand, successful, innovative nonprofits are partnering with for-profits and creating for-profit structures to generate revenue to further their missions. Our experienced panelists will discuss innovative for-profit revenue models available to nonprofits pursuing all types of missions. Of key importance to nonprofits when structuring these revenue-generating activities housed in for-profit structures and partnerships is to do so in a manner that will limit the nonprofit's tax liabilities and protect its tax-exempt status.

Click here for more information and to register.

Disaster Recovery and Resilience: Tips, Techniques and Best Practices for Public and Private Organizations – New York, NY April 28, 2015 | 8:30 a.m. – 6:30 p.m. ET

A complimentary, full-day program drawing upon the lessons learned from the World Trade Center, Hurricane Sandy and other occurrences, hosted by Venable LLP's Real Estate, Environmental and Government Contracts practices and The New School, with keynote address by Jo-Ellen Darcy, United States Assistant Secretary of the Army (Civic Works), United States Army Corp of Engineers.

Click here to view the complete agenda and register for the event.

An Advertising Law Symposium Hosted by Venable LLP – New York, NY April 29, 2015 | 7:30 a.m. – 5:30 p.m. ET

Join Venable's advertising lawyers for a full-day symposium focused on the challenges and opportunities advertisers are faced with as they grow their valuable brands. Companies are turning to cutting edge or comparative claims, native advertising, social and digital media, celebrity endorsements, and other creative channels to engage with consumers, build brand awareness, and drive the bottom line. However, these efforts can just as quickly turn into a legal quagmire, with competitor or class action litigation or regulatory

investigations all threatening to undo your hard-earned marketplace success. Click here to view the complete agenda and register for the event.

#### **Additional Articles**

**Belated Sanctions against Security Officials in Venezuela** 

DC Employers Must Now Reasonably Accommodate Pregnant Employees

Director Cordray Reports to Congress on the CFPB's Activities and Highlights Road Ahead for the Bureau

Federal Authorities Re-Assessing Approach to Flood Risk

First Criminal Enforcement of Clean Water Act Violations against a Mining Company in Alaska

**GSA Proposes Radical Shift in Price Reduction Clause** 

"No Harm, No Foul" Is Not Good Enough – Lack of OCI Mitigation Plan Costs Contractor

SBA Proposes Government-Wide Mentor-Protégé Rule

The Significance of the Nexus for Wetlands Jurisdiction: Recent Fourth Circuit Decision Supports the Corps' Determination of Jurisdiction

Supreme Court Rejects *Paralyzed Veterans* Doctrine and Forecasts Additional Questions Regarding Agencies' Interpretive Rules in *Perez v. Mortgage Bankers Ass'n* 

Sustainability Disclosures – In Some Places, It's the Law

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