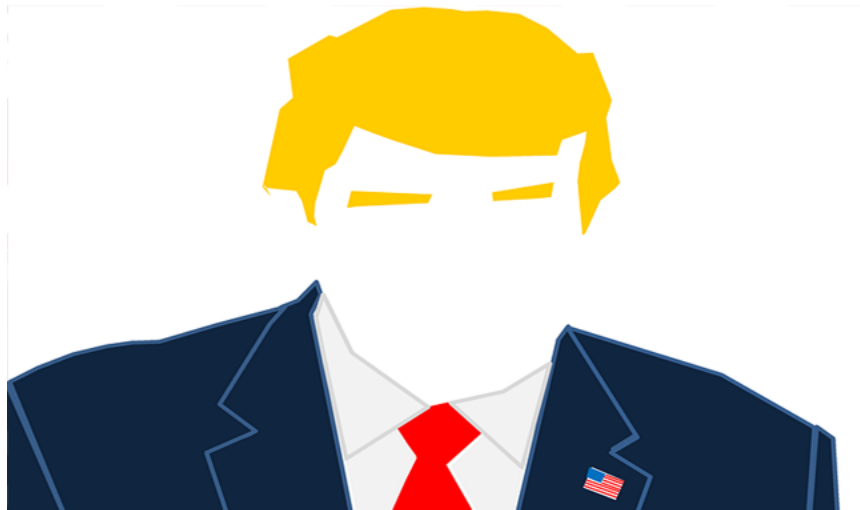




TRUMP'S TOP 50 ANTI-CIVIL JUSTICE SCORECARD



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Tracking what the current Administration has said or done to diminish your rights (and legal accountability for corporate misconduct)

The 50 examples in this reverse chronological list are among the many ways the Trump Administration has harmed the public's health, safety and economic security over the last four years. It focuses specifically on civil justice rights and legal corporate accountability.

Listed are the Administration's most direct attacks on the civil justice system as reflected by laws, policies, reports, statements and notable court briefs. While it does not include every action undertaken to harm people's access to justice,¹ this compilation represents a comprehensive overview of the current Administration's views about the legal rights of Americans.¹

While the Administration has continuously pushed for limits on injured victims' legal rights, it is notable that the President has always relied heavily on the civil courts when he believes that he or his companies have been wronged in some way. They have sued over 4,000 times.² Following the scorecard are some top examples that show this hypocrisy.

The President's record is an excellent illustration of individuals and corporations who say one thing but do another when it comes to the civil justice system. It should give pause to every member of Congress who right now is being pressured to restrict the legal rights of everyday Americans.

¹ This list was compiled by Emily Gottlieb, Deputy Director for Law and Policy, and Joanne Doroshow, Executive Director, Center for Justice & Democracy, with research assistance provided by James Mann.

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2020

50. COVID-19 and Corrupt/Dangerous Law Enforcement (July 19)

During an interview with Chris Wallace on *Fox News Sunday*, Trump said he supported immunity for negligent businesses that endanger workers and customers even while admitting “if they get caught ... nobody’s ever going to be able to prove it one way or the other.” He also supported immunity “for the police” who violate rights.³

49. Defrauded Retirees (June 29)

The U.S. Department of Labor proposed a new rule “to govern investment advice in retirement accounts to replace a rule that was vacated more than two years ago,” failing to include the former rule’s protection of defrauded retirees’ rights to sue in court.⁴

48. Corrupt/Dangerous Law Enforcement (June 19)

The U.S. Justice Department’s Solicitor General filed a second U.S. Supreme Court brief arguing that a Michigan man who was beaten and wrongfully arrested by federal agents should not be able to seek redress through the civil courts.⁵

47. LGBTQ Patient Discrimination (June 12)

The U.S. Department of Health and Human Services issued a final rule eliminating the ability of patients to sue in court despite being subjected to discrimination in medical care based on sex stereotyping or gender identity.⁶

46. Corrupt/Dangerous Law Enforcement (June 8)

White House press secretary Kayleigh McEnany said that calls for removing the doctrine of qualified immunity for police officers who violate rights was a “non-starter” in any police reform legislation, referencing a statement by Attorney General Barr who maintained that such a move was “not advisable.”⁷

45. Corrupt/Dangerous Law Enforcement (May 8)

The U.S. Justice Department's Solicitor General filed a U.S. Supreme Court brief⁸ arguing that a Texas man should be barred from suing in court "two FBI agents for lying, thus fabricating evidence that resulted in his prosecution on drug charges, from which he was eventually found not guilty, but caused him to spend more than two years in jail."⁹

44. COVID-19 (May 7)

Trump told reporters that he supported Senate Majority Leader Mitch McConnell's proposal to include immunity from liability for companies that reopen in the midst of the COVID-19 pandemic in future coronavirus response legislation.¹⁰

43. COVID-19 (April 28)

Trump issued an Executive Order directing disease-ridden meat processing plants to stay open,¹¹ which he said was designed to immunize companies when workers become infected at work and would, in Trump's view, "solve any liability problems."¹² This followed statements to reporters earlier that day, that he wanted to shield disease-ridden meatpacking companies from liability for infecting their workers and would be issuing an Executive Order "to help Tyson Foods with a 'liability' problem."¹³

42. COVID-19 (April 20)

At a White House briefing, Trump told reporters that the Administration was exploring the idea "to take liability away" from companies when employees return to work and become sick from the coronavirus due to on-the-job exposure.¹⁴

41. Harmed Consumers (March 6)

The U.S. Justice Department's Solicitor General filed a U.S. Supreme Court brief¹⁵ arguing that injured victims should not be allowed to bring "product defect and negligence suits against Ford Motor Co. in the states where their accidents happened."¹⁶

40. Harmed Workers (February 26)

The National Labor Relations Board severely weakened the "joint-employer" standard under the National Labor Relations Act, narrowing workers' abilities to sue companies for labor violations committed by those companies' franchisees or contractors.¹⁷

39. Discriminated-Against Workers (January 23)

The U.S. Justice Department's Solicitor General filed a third U.S. Supreme Court brief arguing that the justices should make it more difficult for federal workers to be able to pursue age bias claims in civil court.¹⁸

38. Cheated Workers (January 16)

The U.S. Department of Labor issued a final rule undermining the "joint-employer standard" under the Fair Labor Standards Act, making it more difficult for workers to hold affiliated businesses legally responsible for wage violations.¹⁹

2019

37. Plane Crash Victims (December 9)

The U.S. Justice Department's Solicitor General filed a U.S. Supreme Court brief arguing that federal law should bar the widow of a plane crash victim from pursuing state law design defect claims against the airplane manufacturer.²⁰

36. Race Discrimination (September 27)

The U.S. Justice Department's Solicitor General filed a U.S. Supreme Court brief arguing that lawsuits alleging racial discrimination in contracts should be blocked unless the victim can show that race was the determining reason why a contract wasn't entered into, an especially high bar to meet.²¹

35. Defrauded Students (September 23)

The U.S. Department of Education instituted a new rule that makes it more difficult for defrauded students seeking to cancel loans to sue in court or join with other defrauded students in class action lawsuits.²²

34. Defrauded Retirees (September 18)

The U.S. Justice Department's Solicitor General filed a U.S. Supreme Court brief arguing that the Court should make it more difficult for retirees to hold employers legally accountable for pension mismanagement.²³

33. Injured, Harmed, Defrauded, Discriminated-Against (September 17)

The White House issued a "Statement of Administration Policy"²⁴ opposing a bill that "would prevent companies from forcing aggrieved workers, consumers, servicemembers, nursing home residents, and small businesses into secretive, company-controlled, rigged, private arbitration systems. It would also stop corporations from banning consumer and worker class actions."²⁵

32. LGBTQ Worker Discrimination (August 23)

The U.S. Justice Department's Solicitor General filed a U.S. Supreme Court brief arguing that the justices should slam the courthouse door to employees fired by companies solely because of their sexual orientation.²⁶

31. Housing Discrimination (August 19)

The U.S. Department of Housing and Urban Development issued a proposed rule that "would make it harder to bring discrimination claims against lenders, developers, municipalities and others under the Fair Housing Act" and "increase protections for insurance companies from disparate impact claims."²⁷

30. LGBTQ Worker Discrimination (August 16)

The U.S. Justice Department's Solicitor General filed a second U.S. Supreme Court brief arguing that employees fired by companies solely for being transgender should be denied the ability to bring sex discrimination claims in civil court.²⁸

29. Harmed Nursing Home Residents (July 18)

The Centers for Medicare and Medicaid Services stripped legal rights from abused and neglected nursing home patients, forcing them into secret, rigged arbitration systems controlled by the negligent nursing home.²⁹

28. Injured Patients (March 11)

Trump's Fiscal Year 2020 budget recommended that the federal government strip injured patients of their legal rights, radically preempt state laws and restrict the power and authority of local courts to compensate victims in medical malpractice cases.³⁰

27. Defrauded Shareholders (March 5)

U.S. Securities and Exchange Commission member Hester Peirce, joining Commissioner Michael Piwowar in an earlier policy reversal, supported forced shareholder arbitration for cases brought by cheated investors.³¹

26. Injured Servicemembers' Families (February 27)

The U.S. Justice Department's Solicitor General filed a U.S. Supreme Court brief arguing that the courthouse doors should be shut to a Navy lieutenant's widower, who sought to pursue medical malpractice claims against the government after his wife died from post-childbirth hemorrhaging at a military hospital.³²

2018

25. Injured Boaters (December 13)

The U.S. Justice Department's Solicitor General filed a U.S. Supreme Court brief arguing that a fisherman who suffered severe injuries from a downed power line in the water could not seek accountability in civil court against the Tennessee Valley Authority, the quasi-government utility undertaking repairs at the time of the accident.³³

24. Injured, Harmed, Defrauded, Discriminated-Against (July 16)

The U.S. Justice Department's Solicitor General filed a U.S. Supreme Court brief opposing cy pres awards, a critical enforcement mechanism used when it's either impossible or not economically feasible to deliver funds to victims covered by a class action settlement.³⁴

23. Injured, Harmed, Defrauded and Discriminated-Against (February 15)

The Associate Attorney General – who was former Chief Counsel for Regulatory Litigation at the U.S. Chamber of Commerce (a major class action opponent) – announced that the U.S. Justice Department was “looking to get involved” in or undermine private class action settlements.³⁵

22. Injured Patients (February 12)

Trump's Fiscal Year 2019 budget recommended that the federal government strip injured patients of their legal rights, radically preempt state laws and restrict the power and authority of local courts to compensate victims in medical malpractice cases.³⁶

21. Injured, Harmed, Defrauded and Discriminated-Against (January 25)

The U.S. Justice Department issued a new policy limiting use of agency "guidance," which helps insulate reckless corporations from government lawsuits over violations of health, safety, civil rights or environmental laws.³⁷

2017

20. Harmed Workers (December 14)

After Trump appointed anti-worker members to the National Labor Relations Board, the Board severely narrowed workers' abilities to sue companies for labor violations committed by those companies' franchisees or contractors.³⁸ Less than three months later, the ruling was vacated when it was discovered that one of Trump's new members improperly participated in the case.³⁹

19. Defrauded Consumers (November 1)

Trump signed into law a repeal of the Consumer Financial Protection Bureau rule that had allowed defrauded consumers to join with others to bring class action lawsuits against banks over financial products and services.⁴⁰

18. Defrauded Consumers (October 23)

The U.S. Treasury Department issued a report attacking the legal rights of consumers cheated by financial institutions to sue in court or join with other consumers in class action lawsuits against banks and financial companies.⁴¹

17. Defrauded Farmers (October 19)

The U.S. Department of Agriculture made it more difficult for independent farmers, such as poultry growers, to file lawsuits against big agricultural companies over unfair, deceptive and retaliatory practices.⁴²

16. Environment (October 16)

The U.S. Environmental Protection Agency Administrator prohibited staff “from reaching agreement with public interest plaintiffs on the payment of attorneys’ fees and aim[ed] to deter people, communities, and organizations from taking the agency to court when it is not complying with the law.” This followed an earlier 2017 U.S. Department of Justice memo instructing attorneys not to agree to settlements benefiting third parties, such as “requiring an oil company to fund community-based clean-up efforts.”⁴³

15. Defrauded Investors (October 7)

The U.S. Treasury Department recommended that the U.S. Securities and Exchange Commission consider preventing cheated investors who have been misled or deceived from going to court, forcing investors into private, rigged arbitration systems and barring them from joining with others in class action lawsuits.⁴⁴

14. Defrauded Retirees (August 30)

The U.S. Department of Labor allowed negligent financial services advisors and companies to force retirement investors into secret, rigged arbitration systems to resolve disputes while preventing them from joining other ripped-off investors in class action lawsuits.⁴⁵

13. Defrauded Consumers (July 24)

The White House issued a “Statement of Administration Policy” supporting a bill to overturn a Consumer Financial Protection Bureau rule that allowed defrauded consumers to join with others in class action lawsuits against banks over financial products and services.⁴⁶

12. Defrauded Consumers (July 17)

Acting Comptroller of the Currency and Trump appointee Keith Noreika sent a letter pressuring the Consumer Financial Protection Bureau to delay a rule allowing consumers

cheated by financial institutions to join with other consumers in class action lawsuits against banks and financial companies.⁴⁷

11. Defrauded Investors (July 17)

U.S. Securities and Exchange Commission member Michael Piwowar, in a major policy reversal, encouraged companies to approach the federal agency about allowing them to place forced arbitration clauses into company charters, which would prevent cheated investors from suing in court.⁴⁸

10. Defrauded Students (June 16)

The U.S. Department of Education moved to prevent students defrauded by for-profit colleges, like Trump University, from suing in court or joining with other defrauded students in class action lawsuits.⁴⁹

9. Harmed Workers (June 16)

In a major policy change, the U.S. Justice Department's Office of the Solicitor General switched sides before the U.S. Supreme Court. The Solicitor General filed a new brief arguing that employees, as a condition of employment, could be required to sign contracts waiving their legal rights to go to court or to join with other harmed workers in class action lawsuits. (The prior Administration had sided with workers in the same case.)⁵⁰

8. Harmed Patients (June 14)

The White House issued a "Statement of Administration Policy" supporting a bill to strip injured patients of their legal rights, radically preempt state laws and restrict the power and authority of local courts to compensate victims in medical malpractice, nursing home and drug injury cases.⁵¹

7. Cheated Workers (June 7)

The U.S. Department of Labor withdrew an Obama-era guidance document that had allowed workers to hold big companies as well as their franchisees or subcontractors liable for wage and hour infractions.⁵²

6. Cheated Workers (June 7)

The U.S. Department of Labor withdrew an Obama-era guidance document that had “made it easier for employees or federal and state governments to sue companies for misclassifying workers as contractors rather than employees.”⁵³

5. Harmed Nursing Home Residents (June 5)

The Centers for Medicare and Medicaid Services moved to strip legal rights from abused and neglected nursing home patients, forcing them into secret, rigged arbitration systems controlled by the negligent nursing home.⁵⁴

4. Sexual Abuse Survivors (March 27)

Trump moved to take away the legal rights of many sexual harassment, sexual assault and discrimination survivors, preventing them from suing federal contractors in court and forcing survivors into secretive, rigged arbitration systems to get justice.⁵⁵

3. Injured Consumers (March 8)

The U.S. Justice Department’s Solicitor General filed a U.S. Supreme Court brief arguing that the justices should slam the courthouse door on many victims of product injuries by dramatically changing the law of personal jurisdiction (which the Court agreed to do).⁵⁶

2. Injured Workers (March 6)

The U.S. Justice Department’s Solicitor General filed a U.S. Supreme Court brief arguing against a Montana Supreme Court decision that had allowed railroad workers to sue out-of-state railroads for on-the-job injuries.⁵⁷

1. Harmed Patients (February 28)

In his first State of the Union address, Trump called for laws that strip injured patients of their legal rights and restrict the power and authority of local courts to compensate victims in medical malpractice cases.⁵⁸

TRUMP'S OWN LAWSUIT RECORD

The Trump Administration has repeatedly tried to block the courthouse doors to the American public. Yet he has always run straight to court when he believes that he or his companies have been wronged in some way. He has done so more than 4,000 times.⁵⁹

In addition, the President has long used forced arbitration clauses to prevent anyone from bringing legal cases in open court against him. And as the *Associated Press* reported four years ago, "In his businesses and presidential campaign, Trump requires nearly everyone to sign legally binding nondisclosure agreements prohibiting them from releasing any confidential or disparaging information about the real estate mogul, his family or his companies," with disputes subject to arbitration at the "sole discretion of Trump and others protected by the agreement."⁶⁰ Moreover, the "agreement is binding during employment and 'at all times thereafter.'"⁶¹ As President, he has been "frustrated that, as president, he can't make federal employees sign nondisclosure agreements and can't block them from suing...."⁶²

Among the thousands of lawsuits he and his companies have filed:

- The Trump Organization recently sued a dead man's estate for unpaid Trump Tower maintenance fees. The man had died in an apartment fire in 2018.⁶³
- In 2009, Trump filed a defamation lawsuit seeking \$2.5 billion in compensation and \$2.5 billion in punitive damages after an author claimed Trump was a millionaire not a billionaire.⁶⁴ The case was rejected by a New Jersey court and on appeal.⁶⁵
- "Trump sued for \$4.5 million over unpaid royalties after a company that had been paying him to call its liquor Trump Vodka fell on hard times during the economic downturn, hurting sales of pricier spirits. The company stopped making its licensing payments, and Trump terminated the deal and sued to recoup money. He won a judgment for the amount, though it's unclear whether he ever collected from the troubled company."⁶⁶
- A Trump entity building a golf course "sued a contractor for more than \$25 million, saying it overcharged for excavation work at the site and then walked off the job when it didn't get paid."⁶⁷
- Trump entity 40 Wall Street LLC pursued a contempt order against a company that failed to comply with a subpoena-ordered deposition related to \$600K in back rent.⁶⁸

- “Miss Universe LP, partly owned by Trump, sued to confirm a \$5 million arbitration award against Sheena Monnin, a former Miss Pennsylvania USA and Miss USA Pageant contestant. Miss Universe claimed Monnin falsely stated on her Facebook page and on the ‘Today’ show that the contest was fixed and called the organization ‘fraudulent, lacking in morals, inconsistent and in many ways trashy.’” Trump won.⁶⁹
- As summarized in the *Washington Post*,⁷⁰ Trump has sued: “Palm Beach County, Fla., because of the ‘malicious’ jet noise above Mar-a-Lago”; Bill Maher “after the comedian challenged Trump to prove he was not the spawn of an orangutan”; the *Chicago Tribune* “for \$500 million because its architecture critic said Trump’s idea for the world’s tallest tower was silly”; “neighbors of the Trump National Doral Miami for vandalizing palm trees”; and “two business executives for using the name ‘Trump,’ even though their surname was also Trump.”

While president, Trump’s company has sued towns all over the nation for tax breaks. As an April 2018 *ProPublica* investigation⁷¹ revealed,

President Donald Trump is famous for bragging about his net worth. Publicly, he claims he’s worth more than \$10 billion. ...Yet quietly in another setting, the Trump Organization says the president’s holdings are worth far less than he has proclaimed. Across the country, the Trump Organization is suing local governments, claiming it owes much less in property taxes than government assessors say because its properties are worth much less than they’ve been valued at. In just one example, the company has asserted that its gleaming waterfront skyscraper in Chicago is worth less than its assessed value, in part because its retail space is failing and worth less than nothing.

Since becoming president, Trump’s companies have filed at least nine new lawsuits against municipalities in Florida, New York and Illinois, arguing for lower tax bills, *ProPublica* has found. Some of those lawsuits have been previously reported. At stake is millions of dollars that communities use to fund roads, schools and police departments.

And when a New York State Supreme Court Justice ruled that a 46-story New York City condominium building could remove bronze lettering spelling out Trump’s name, Trump’s lawyer responded by threatening “legal proceedings to not only prevent such unauthorized action, but to also recover the significant amount of damages, costs and attorney’s fees.”⁷²

Notes

¹ This compilation does not include many other actions the Administration has undertaken to harm people's access to justice, such as closing the U.S. Justice Department's Office for Access to Justice. (Katie Benner, "Justice Dept. Office to Make Legal Aid More Accessible Is Quietly Closed," *New York Times*, February 1, 2018, <https://www.nytimes.com/2018/02/01/us/politics/office-of-access-to-justice-department-closed.html>); "gutting of anti-discrimination measures across the financial services, including mortgages, car loans, payday loans, and more" (Hannah Levintova, "Trump and Congress Are Making It Easier for Banks and Companies to Rip Off Black People," *Mother Jones*, February 25, 2018, <https://www.motherjones.com/politics/2018/02/trump-and-congress-are-making-it-easier-for-banks-and-companies-to-rip-off-black-people/>); or remaking the federal courts in ways that will harm everyday Americans (Kate Harloe, "How Donald Trump Is Remaking the Federal Courts in His Own Image," *Mother Jones*, November 9, 2017, <https://www.motherjones.com/politics/2017/11/how-donald-trump-is-remaking-the-federal-courts-in-his-own-image/>)

² On a lawsuit-related note, his campaign has filed multiple defamation suits or tried to leverage the threat of legal action. Joshua A. Geltzer and Neal K. Katyal, "The True Danger of the Trump Campaign's Defamation Lawsuits," *Atlantic*, March 11, 2020, <https://www.theatlantic.com/ideas/archive/2020/03/true-danger-trump-campaigns-libel-lawsuits/607753/>; Jan Wolfe, "Trump threatens to sue CNN, seeks 'substantial' payment over damages," *Reuters*, October 18, 2019, <https://www.reuters.com/article/us-usa-trump-cnn/trump-threatens-to-sue-cnn-seeks-substantial-payment-over-damages-letter-idUSKBN1WX2B1>

³ "Transcript: 'Fox News Sunday' interview with President Trump," *Fox News*, July 19, 2020, <https://www.foxnews.com/politics/transcript-fox-news-sunday-interview-with-president-trump>

⁴ Mark Schoeff Jr., "DOL proposes new standard to replace vacated fiduciary rule," *Investment News*, June 29, 2020, <https://www.investmentnews.com/labor-department-standard-replace-fiduciary-rule-194596>

⁵ See *Brownback v. King*, <https://www.scotusblog.com/case-files/cases/brownback-v-king/>; brief of Petitioners (June 2020), <https://www.justice.gov/sites/default/files/briefs/2020/06/24/19-546tsunitedstates.pdf>; reply brief of Petitioners (February 2020), https://www.justice.gov/sites/default/files/briefs/2020/02/05/19-546_brownback_v_king_reply_pet.pdf. See also, Amy Howe, "Justices grant one new petition," *SCOTUSblog*, March 30, 2020, <https://www.scotusblog.com/2020/03/justices-grant-one-new-petition/>

⁶ Centers for Medicare and Medicaid Services, "Nondiscrimination in Health and Health Education Programs or Activities, Delegation of Authority," 85 FR 37160, June 19, 2020, <https://www.govinfo.gov/content/pkg/FR-2020-06-19/pdf/2020-11758.pdf>; Office for Civil Rights, "Fact Sheet: HHS Finalizes ACA Section 1557 Rule," June 12, 2020, <https://www.hhs.gov/sites/default/files/1557-final-rule-factsheet.pdf>; U.S. Health and Human Services, "HHS Finalizes Rule on Section 1557 Protecting Civil Rights in Healthcare, Restoring the Rule of Law, and Relieving Americans of Billions in Excessive Costs," June 12, 2020, <https://www.hhs.gov/about/news/2020/06/12/hhs-finalizes-rule-section-1557-protecting-civil-rights-healthcare.html>. See also, Katie Keith, "HHS Strips Gender Identity, Sex Stereotyping, Language Access Protections From ACA Anti-Discrimination Rule," *Health Affairs*, June 13, 2020, <https://www.healthaffairs.org/doi/10.1377/hblog20200613.671888/full/>

⁷ Kathryn Watson, "White House says reducing immunity for police is a non-starter," *CBS News*, June 8, 2020, <https://www.cbsnews.com/news/white-house-reducing-immunity-cops-non-starter/>

⁸ See *Cantú v. Moody*, <https://www.scotusblog.com/case-files/cases/cantu-v-moody/>; brief of Federal Respondents in opposition (May 2020), https://www.justice.gov/sites/default/files/briefs/2020/05/11/19-1033_cantu.pdf

⁹ Elliot Minberg, "Trump Judge Affirms Dismissal of Claims That FBI Agents Lied and Fabricated Evidence: Confirmed Judges, Confirmed Fears," *People for the American Way Blog*, September 18, 2019, <https://www.pfaw.org/blog-posts/trump-judge-affirms-dismissal-of-claims-that-fbi-agents-lied-and-fabricated-evidence-confirmed-judges-confirmed-fears/>. See also, Analise Ortiz, "'Made man' in the Texas Mexican Mafia files lawsuit against FBI, local law enforcement," *KGBT*, December 17, 2015, <https://www.valleycentral.com/news/local-news/made-man-in-the-texas-mexican-mafia-files-lawsuit-against-fbi-local-law-enforcement/>

¹⁰ John Culhane, "Trump and McConnell's COVID-19 Liability Protections Are Completely Unnecessary," *Slate*, May 8, 2020, <https://slate.com/news-and-politics/2020/05/trump-mcconnell-covid-19-liability-immunity-plan.html>

¹¹ Congressional Research Service, "Executive Order on the Food Supply Chain and the Defense Production Act: FAQs," May 1, 2020, <https://crsreports.congress.gov/product/pdf/LSB/LSB10456>. See Liz Crampton and Gabby Orr, "Trump orders meat plants to stay open, but won't mandate safety protections," *Politico*, April 29, 2020, <https://www.politico.com/news/2020/04/28/trump-to-order-meat-plants-to-stay-open-215555>

¹² Jeff Mason and Tom Polansek, "Trump orders U.S. meat-processing plants to stay open despite coronavirus fears," *New York Times*, April 28, 2020, <https://www.reuters.com/article/us-health-coronavirus-trump-liability/trump-orders-u-s-meat-processing-plants-to-stay-open-despite-coronavirus-fears-idUSKCN22A2OB>

¹³ Jake Lahut, "Trump plans on forcing meat plants to stay open with new executive order under the Defence Production Act, despite severe coronavirus outbreaks," *Business Insider*, April 29, 2020, <https://www.businessinsider.com.au/trump-executive-order-for-meat-plants-to-stay-open-coronavirus-2020-4>

¹⁴ White House, "Remarks by President Trump, Vice President Pence, and Members of the Coronavirus Task Force in Press Briefing," April 20, 2020, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-vice-president-pence-members-coronavirus-task-force-press-briefing-29/>. See also, Jeff Stein and Josh Dawsey, "White House faces internal debate over 'liability shield' for firms seeking protection from coronavirus lawsuits," *Washington Post*, April 24, 2020, <https://www.washingtonpost.com/business/2020/04/24/liability-shield-white-house-coronavirus/>; Jake Johnson, "Trump Wants to Shield Companies Against COVID-19 Lawsuits From Sick Workers," *Common Dreams*, April 21, 2020, <https://truthout.org/articles/trump-wants-to-shield-companies-against-covid-19-lawsuits-from-sick-workers/>

¹⁵ See *Ford Motor Company v. Montana Eighth Judicial District Court*, <https://www.scotusblog.com/case-files/cases/ford-motor-company-v-montana-eighth-judicial-district-court/>; Amicus brief supporting Petitioner (March 2020), <https://www.justice.gov/sites/default/files/briefs/2020/03/09/19-368tsacunitedstates.pdf>

¹⁶ Linda Chiem, "Ford Can't Duck State Defect Suits, Law Profs Tell Justices," *Law360*, April 2, 2020, <https://www.law360.com/articles/1259832/ford-can-t-duck-state-defect-suits-law-profs-tell-justices>

¹⁷ National Labor Relations Board, "Joint Employer Status Under the National Labor Relations Act," 85 FR 11184, February 26, 2020, <https://www.govinfo.gov/content/pkg/FR-2020-02-26/pdf/2020-03373.pdf>. See also, Ryan Goldin, "NLRB finalizes joint employer rule," *HR Dive*, February 25, 2020, <https://www.hrdive.com/news/breaking-nlr-b-finalizes-joint-employer-rule/572918/>

¹⁸ Supplemental letter brief of Respondent Robert Wilkie, Secretary of Veterans Affairs, dated January 23, 2020, http://www.supremecourt.gov/DocketPDF/18/18-882/129698/20200123125354646_18-882%20supp%20brief%20letter.pdf; brief of Respondent Robert Wilkie, Secretary of Veterans Affairs (November 2019), http://www.supremecourt.gov/DocketPDF/18/18-882/123486/20191122182041121_18-882bsUnitedStates.pdf; brief of Respondent Robert Wilkie, Secretary of Veterans Affairs (May 2019), http://www.supremecourt.gov/DocketPDF/18/18-882/100429/20190520173922779_18-882%20Babb.pdf. See also, Sarah Jarvis, "Solicitor General Weighs In On Age Bias High Court Case," *Law360*, January 23, 2020, <https://www.law360.com/articles/1237118/solicitor-general-weighs-in-on-age-bias-high-court-case>; Charlotte Garden, "Argument analysis: May a federal employer say 'OK, boomer' to a job applicant?" *SCOTUSblog*, January 16, 2020, <https://www.scotusblog.com/2020/01/argument-analysis-may-a-federal-employer-say-ok-boomer-to-a-job-applicant/>

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