

## LITIGATION



[Read the full brief](#)

### NELF Celebrates Victory as MA Supreme Judicial Court Rules Against Applying Wiretapping Act to Internet Browsing

*Vita v. New England Baptist Hospital*  
*Vita v. Beth Israel Deaconess Medical Center*  
(Massachusetts Supreme Judicial Court)

In the amicus brief for *Vita v. Beth Israel Deaconess Medical Center*, NELF and AIM argued that Massachusetts' wiretap statute (G.L. c. 272, §99) should not cover website data tracking, as it was created in 1968 to protect conversational privacy, not digital interactions. The Massachusetts Supreme Judicial Court recently agreed, affirming that the statute applies to spoken communication only, thus preventing extensive litigation against businesses for routine data tracking.



[Read the full brief](#)

### NELF Supports Massachusetts Cranberry Grower in Land Use Dispute Against Town of Halifax

*Morse Brothers, Inc. v. Town of Halifax*  
(Massachusetts Superior Court for Plymouth County)

In *Morse Brothers, Inc. v. Town of Halifax*, pending in Massachusetts Superior Court, NELF has filed a motion to support Morse Brothers, a commercial cranberry grower, in its challenge against the town's restrictive regulations on sand removal. The town imposed a permit requirement and harsh conditions on Morse Brothers' ability to extract sand from its own land, which is necessary for maintaining its cranberry bogs. NELF argues that this violates the Dover Amendment, which protects agricultural land use, and that the town's actions amount to an unreasonable regulation that undermines the grower's right to farm.



[Read the full brief](#)

### NELF Defends First Amendment Right to Work Against Occupational Overregulation

*Crownholm v. Moore*  
(U.S. Supreme Court)

In *Crownholm v. Moore*, pending before the U.S. Supreme Court, NELF filed an amicus brief supporting Ryan Crownholm's First Amendment right to work without undue occupational regulation. Crownholm's business sells site plans with disclaimers, yet California cited him for unlicensed surveying. The Ninth Circuit dismissed his case as conduct, avoiding First Amendment scrutiny. NELF argues the court overlooked the speech aspects of Crownholm's work and urges the Supreme Court to clarify the limits between free speech and professional licensing.

## PEOPLE

### NELF Welcomes Kenneth Burdon to MA Advisory Council

NELF has appointed **Kenneth Burdon**, Partner in **Simpson Thacher & Bartlett's** Registered Funds Practice, to its Massachusetts Advisory Council.

Welcome, Ken!



## EVENTS

### HIGHLIGHTS FROM THE 10TH ANNUAL CABOT GALA



[View All Photos From the Evening](#)

[Watch the 2024 Cabot Gala Video](#)

## MEMBERSHIP

We're thrilled to welcome Simpson Thacher & Bartlett LLP as the newest member of the New England Legal Foundation!

Simpson  
Thacher

# SIDEBAR

## Sidebar with Judge Dan Winslow | Season 3 Schedule



### FTC & Noncompete Agreements

Date: Wednesday, November 6th 2024

Time: Noon (EST)

Tune in for "FTC & Noncompete Agreements," featuring special guest **Andrew Botti**, partner at APB Law LLC.

In this insightful discussion, Judge Winslow and Andrew dive deep into the FTC's new regulations on noncompete agreements and their impact on businesses and employees across the nation. Don't miss this timely conversation!



### Dispute Resolution World: Mediation

Date: Wednesday, November 13th 2024

Time: Noon (EST)

In this episode, Judge Winslow sits down with **Hon. Karen F. Green (Ret.)** and **Vincent Pisegna**, two highly respected mediators and legal experts with decades of experience in business and commercial litigation.

Together, they explore the timing of mediation, the benefits of early resolution, and how to choose the right mediator. They also compare mediation with litigation, discuss opening statements, and provide tips for working effectively with attorneys to achieve the best outcomes. Tune in for a valuable insider's guide to mediation and the strategies that help resolve conflicts efficiently.



### Accessibility of the American Dream

Date: Wednesday, November 20th 2024

Time: Noon (EST)

In this episode, Judge Winslow sits down with **Melony Armstrong**, a trailblazer in the natural hair braiding industry and founder of Naturally Speaking Salon. With her determination and the help of the Institute for Justice, Melony successfully lobbied for the passage of a landmark 2005 bill that deregulated hair braiding, paving the way for over 6,000 new jobs and hundreds of new entrepreneurs across the state.

Join us to hear how Melony transformed her business dreams into a movement, inspiring policy changes nationwide and opening doors for entrepreneurs everywhere.



### Taking Charge of Your Retirement

Date: Wednesday, November 27th 2024

Time: Noon (EST)

Join us in this insightful episode featuring Attorney **William Hudak**, founder of Hudak Law Offices and an expert in retirement planning. With over 38 years of experience, Bill addresses the startling fact that nearly 80% of individuals are unprepared for retirement. He shares essential strategies to help listeners take control of their financial futures.

Drawing on his background in law and his candidacy for Congress, Bill discusses the importance of understanding Social Security, Medicare, and Medicaid. Tune in to learn how to prepare for a secure retirement!