



Irish Liquor Lawyer

Irish Liquor Lawyer Writes U.S. Supreme Court Amicus Brief on Wine Shipping Case

August 28, 2020

August 28, 2020 - PRESSADVANTAGE -

Irish Liquor Lawyer, Sean O'Leary authored a U.S. Supreme Court amicus brief supporting a challenge to the Sixth Circuit's *Lebamoff v. Whitmer* decision. More about the case.

The Illinois based attorney authored the amicus brief on behalf of the National Association of Wine Retailers.

The Sixth Circuit overturned a lower court decision that held Michigan's wine retailer shipping law was discriminatory.

Mr. O'Leary indicated that "The Sixth Circuit's decision is problematic and if allowed to stand will create legal chaos. It ignores long held U.S. Supreme Court Commerce Clause precedent and rejects the recent U.S. Supreme Court holding in the *Tennessee Wine* decision and replaces it with a new standard that lowers the bar for discrimination. If the U.S. Supreme Court does not hear this appeal to the Sixth Circuit's ruling, it will leave judges in Federal Courts in a difficult place. Do the judges apply long held U.S. Supreme Court

precedents or do they apply the Sixth Circuit's standard??

This case will be distributed for conference to the nine Justices at the end of September and sometime in October, the Court should provide an answer on whether they will hear this case.

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For more information about Irish Liquor Lawyer, contact the company here: Irish Liquor Lawyer Sean O'Leary (312) 535-8380 sean.o@irishliquorlawyer.com Irish Liquor Lawyer 200 W Madison, Suite 2100 Chicago, IL 60606 (312) 535-8380

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Before beginning the O'Leary Law and Policy Group, LLC, Mr. O'Leary held the position of Senior Public Service Administrator with the Illinois Liquor Control Commission.

Website: <http://irishliquorlawyer.com>

Email: sean.o@irishliquorlawyer.com

Phone: (312) 535-8380



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