



June 6, 2014

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## ATTORNEY GENERAL MADIGAN'S OFFICE WINS NATIONAL AWARDS FOR LEGAL EXCELLENCE

**Chicago** — Attorney General Lisa Madigan today announced that the National Association of Attorneys General (NAAG) awarded a team of lawyers from her appellate division with a “NAAG Best Brief Award” for two legal briefs filed with the U.S. Supreme Court.

Former Solicitor General Michael A. Scodro, former Deputy Solicitor General Jane Elinor Notz, and Assistant Attorneys General Brett E. Legner, Nadine Jean Wichern, Eldad Malamuth and Clifford W. Berlow were named as recipients of the awards for writing briefs in two cases, *Mississippi ex rel. Hood v. AU Optronics Corp.*, which was decided in January 2014, and *Harris v. Quinn*, which is expected to be handed down this month.

“These awards are a testament to the extraordinary talent of our appellate lawyers who ensure the interests of the people of Illinois are effectively represented before the U.S. Supreme Court,” Madigan said. “I am proud that they are receiving this national recognition for their work.”

In *Harris v. Quinn*, the case centered on the question whether a State may authorize Medicaid-funded home care providers to elect a union as their exclusive representative and, if the home care providers elect union representation, require them to pay a fair-share fee to fund the union’s collective bargaining activities with the State. The Attorney General’s Office represents Governor Quinn, who is one of the respondents, and filed a brief urging the Supreme Court to uphold two lower court decisions that rejected a challenge to how Illinois administers its home care program for Medicaid recipients. The brief argued that Illinois’ current approach allows for Medicaid recipients to remain in their homes, while receiving quality care from a stable, well-qualified work force.

In *Mississippi ex rel. Hood v. AU Optronics Corp.*, Madigan’s office filed an amicus curiae brief on behalf of Illinois and 45 other States. The case centered on the question when federal law allows removal to federal court of lawsuits filed in state court by state attorneys general on behalf of consumers. Madigan’s attorneys argued that the U.S. Court of Appeals of Fifth Circuit improperly ruled to remove a case to federal court after it was filed in state court by the Mississippi Attorney General against a number of liquid crystal display (LCD) manufacturers. The Mississippi Attorney General’s lawsuit alleged that the manufacturers defrauded Mississippi consumers by engaging in a conspiracy to fix prices for LCD panels.

The U.S. Supreme Court unanimously ruled in the States’ favor, issuing an opinion that declared that although federal law allows defendants in certain class action suits to remove the case to federal court, the Mississippi lawsuit does not qualify for removal because it was filed on behalf of the general public. The Supreme Court reversed the Fifth Circuit’s opinion and remanded the case to state court.

The awards were announced today at the NAAG annual summer meeting. The NAAG’s Best Brief awards are given each year in recognition of excellence in brief writing submitted to the U.S. Supreme Court by state government attorneys. The briefs were judged by a panel of independent Supreme Court experts.

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