

## Heard and by the numbers

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By Daily Record Staff

“When a company tries to force an individual into arbitration and a judge finds that inappropriate, this allows the person to go forward in court.”

*F. Paul Bland*

*Attorney for Washington, D.C.-based Public Justice, on the implications for the state of a decision to grant an elderly stroke victim a trial in spite of an arbitration clause in her nursing home contract. The Court of Appeals held that Lochearn Nursing Home LLC did not have the right to appeal a denial of a motion to compel arbitration until after a final judgment had been made on the case.*

“Some of the actual cases in which this sentence has been imposed in Florida involve factual situations that are so horrible I couldn’t have imagined them if I hadn’t actually seen them.”

*Justice Samuel Alito*

*Questioning the logic that every juvenile offender should be spared a life without parole sentence. The Supreme Court heard arguments last week on whether such sentences for two Florida two men convicted as juveniles was “cruel and unusual punishment” under the U.S. Constitution.*

“We are creating a policy here, and that is to abide by the laws of the land.”

*Clifford Kendall*

*Chairman of the University System of Maryland’s Board of Regents, on the board’s recommendation that it not create any explicit policy regulating pornography for the 11 schools under its jurisdiction. The state asked the university system to create a policy earlier this year, in response to the planned showing of a pornographic film at University of Maryland, College Park’s student union, but the regents and others are worried about the First Amendment implications.*

### By the #s

#### 1.33

Percent decrease in foreclosure filings in Maryland between September and October, according to statistics released by RealtyTrac Inc. last week. Foreclosures are still up 124 percent from October 2008, the report said.

#### 5

Number of months it took the full Senate to confirm Judge André M. Davis to a long-vacant seat on the 4th U.S. Circuit Court of Appeals. The Senate Judiciary Committee recommended Davis in early June. Davis was nominated to the same post by President Bill Clinton in 2000, a few months after the death of Judge Francis D. Murnaghan Jr., but the nomination never came to a vote.

#### 55

Number of ExxonMobil dealers who were denied an injunction last week against any sale of their facilities to gasoline distributors. Judge Alexander Williams Jr. said Tuesday that, since there’s no evidence of pending sales, the dealers’ concerns were too speculative to warrant injunctive relief at this time.