



## Dakotah M. Burns

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Dakotah Burns is an Associate in the Firm's Litigation department. From 2018 to 2019, Mr. Burns served as a Law Clerk to the Hon. Jane B. Stranch of the United States Court of Appeals for the Sixth Circuit. From 2015 to 2016, he served as a Law Clerk to the Hon. Gregory Van Tatenhove of the United States District Court for the Eastern District of Kentucky.

### Education

- Harvard Law School (J.D., *cum laude*, 2015)
  - Senior Editor and Submissions Board Member, *Harvard Environmental Law Review*
- University of Louisville (B.A., *magna cum laude*, 2010)

### Admissions

- New York

## Publications

September 29, 2020

**Department of Labor Announces Proposed Regulations Regarding Worker Classification Under the FLSA**

July 16, 2020

**COVID-19 Business Interruption Coverage – Chief Roadblocks And Potential Paths To Coverage For Commercial Losses In New York**

*Mealey's Emerging Insurance Disputes*

July 6, 2020

**INSIGHT: Business Interruption Recovery in New York—Two Cases Might Help**

*Bloomberg Law*

May 4, 2020

**CARES Act: Unemployment Relief**

April 20, 2020

**COVID-19 Update: Additional Guidance and Developments for Employers**

April 7, 2020

## **CARES Act: Paycheck Protection Program (PPP) FAQs**

April 6, 2020

## **New York Court of Appeals Delivers News to Employers in *Postmates* Case: Couriers are Employees, Not Independent Contractors**

April 3, 2020

## **CARES Act Benefits Explained: Key Provisions for Businesses and Nonprofit Organizations**

April 3, 2020

## **Documentation Requirements for COVID-19-Related Leave**

## Misbranded Blog

*Misbranded* is Patterson Belknap's blog covering false advertising litigation—both consumer class actions and competitor suits—with a particular focus on FDA-regulated products (foods/beverages, pharmaceuticals, cosmetics, and dietary supplements). Writing from the industry perspective, we provide timely updates on important cases, surveys of litigation trends, and in-depth analyses of “hot” legal issues. Our firm pioneered the modern practice of false advertising law more than 40 years ago, bringing the first competitor suits under the Lanham Act. In the decades since, we have continued to practice at the cutting edge, handling many of the field's most groundbreaking cases on behalf of the nation's best-known businesses. Today, led by [Steven A. Zalesin](#), our team advocates creatively, strategically, and efficiently on behalf of our clients at all phases of litigation, from pre-complaint demands to Supreme Court appeals.

### **Federal Court Wipes Away Challenge to Nivea Lotion on Preemption Grounds**

July 6, 2020

Photo credit: LuisCarlosrubino (Copyright information)What distinguishes a “cosmetic” from a “drug” under the Federal Food, Drug, and Cosmetic Act (FDCA)? The FDA has struggled to offer clear guidance on the distinction, but the classification as one or the other (or...

### **Latest Scoop on the “Happy Cows” Lawsuit: Court Dismisses False Advertising Claims Against Ben & Jerry's**

June 1, 2020

Patrons of Ben & Jerry's ice cream should be familiar with Woody, the bovine mascot touted by the company as “the most interesting cow in the world.” Ben & Jerry's packaging has long featured cartoon illustrations of Woody grazing...

### **Paradise Lost: Court Dismisses Class Action Alleging Gin “Adulteration”**

February 19, 2020

Photo credit: Lemmikipuu. (Copyright information)Grains of paradise (afromomum melegueta), pictured above, are a peppery, citrusy spice indigenous to West Africa, related to ginger and cardamom. The name purportedly derives from medieval merchants' claims that the plant grew only in the...