

## The Second Circuit Previews Issues for the Supreme Court Decision in Omnicare

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Reading Time: 1 min

The *Kaess* court's decision highlights the circuit split on the question of whether Section 11 claims, which do not require a showing of scienter, still require a showing of subjective falsity for statements of opinion. The Supreme Court is set to answer that question in *Omnicare* in the upcoming term.

## **Categories**

Capital Markets | Corporate Governance | Compliance | SCOTUS

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