

Conflict Minerals Litigation Continues

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Just before the deadline on Friday, both the SEC and Amnesty International filed petitions for a review of the most recent court decision on the SEC's conflict minerals rule. The petitions ask the U.S. Court of Appeals for the District of Columbia to reconsider the decision in August, when a three-judge panel upheld, in a 2-1 ruling, the District Court's finding that the requirement to report that products have "not been found to be DRC conflict free" violates the First Amendment.

We previously described the August court decision and its impact on companies in a memorandum [here](#). An April 2014 staff guidance excused companies from obtaining an independent private sector audit unless they voluntarily elected to describe products as "DRC conflict free." Public statements from SEC staff indicate that this guidance remains in effect.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

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