

# [***Forbes Daily: Supreme Court Axes Affirmative Action***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:68KK-FX51-DXVP-54GC-00000-00&context=1516831)

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**Length:** 1832 words

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**Highlight:** Wildfire smoke returns; More AI investment; DeSantis faces ethical questions; Federal marijuana legalization likely years away; Medical tech firm takes on Apple; and more

**Body**

**This is a published version of the Forbes Daily newsletter, you can sign-up to get Forbes Daily in your inbox .**

Good morning,

With a single ruling, the Supreme Court threw out what colleges and universities say is one of their main tools to boost diversity on campus.

Thecourt ruled 6-3 Thursdaythat Harvard University and the University of North Carolina s admissions policies that take race into account are unconstitutional,**striking down the decades-long practice of affirmative action**.

The ruling was met withpraise from conservativeslike former President Donald Trump who called for admissions to be merit-based, butsharp rebuke from Democratswho said it undermined progress toward racial justice.

The impacts reach beyond diversity in the classroom in four states, a 2013 study found that after affirmative action ended, Asian women, Black women and Hispanic men saw sharp declines in the workplace. Some are worried about a chilling effect on diversity effortsin the business world.

Keep an eye on the Supreme Court again today, when it isexpected to ruleon President Joe Biden s student loan forgiveness plan.

**BREAKING NEWS**

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Smoke from Canadian wildfires has covered Chicago.

Scott Olson/Getty Images

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More than 120 million Americans wereunder air quality warnings as of Thursdayas smoke from Canadian wildfires continues to choke much of the country heading into the July 4 weekend. Areas in the**midwest had the worst air quality in the world**.

A Floridajury found the former school resource officerat Marjory Stoneman Douglas High School in Parkland, Florida not guilty of negligence and other criminal counts. Prosecutors had argued he failed to confront a 19-year-old shooter who killed 17 students and teachers in**one of the biggest school shootings in the U.S.**

**BUSINESS + FINANCE**

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Chickens on sale in a UK supermarket.

Matthew Horwood/Getty Images

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The Department of Agriculture this month approved the sale of lab-grown chicken for the first time in the U.S., meaning it is grown using living animal cells, instead of using meat from slaughtered animals. But the buzzynew product cannot be produced as quicklyor as cheaply as traditional**broiler chickens, America s number one meat**for which demand is increasing amid inflation.

**TECH + INNOVATION**

Representatives for billionaire Bill Gates' private investment officeasked sexually charged questions to prospective female employeessuch as if they ever had STDs, stripped, watched pornography or kept naked pictures of themselves on their phones, the**Wall Street Journal**reported. It s the**latest scandalous allegation against the Microsoft cofounder**or his associates.

News broke of new fundraising for two AI companies Thursday:Typeface, a platform that helps companies use their own proprietary data and generative AI systems to create promotional content, raised $100 million, andInflection AI, the year-old startup behind chatbot Pi, raised $1.3 billion. The investment in Inflection AI, which claims to have the world s best AI hardware setup, was led by Microsoft, Nvidia and**three of tech s most influential billionaires**, including Bill Gates.

MORE: AI incidents, like deepfakes being used to influence ***politics*** and bad health information from chatbots, are on the rise with the**technology s widespread adoption**. Tesla, Facebook and OpenAI account for24.5% of such AI incidents.

**MONEY + *POLITICS***

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Republican presidential candidate Florida Gov. Ron DeSantis speaks during a press conference on the banks of the Rio Grande.

Photo by Brandon Bell/Getty Images

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Florida Gov. Ron DeSantis administration used $92 million in leftover federal Covid-19 relief money tohelp fund a highway project that aids DeSantis donorand real estate developer Mori Hosseini, the**Washington Post**reported. The revelation that Hosseini would benefit from the project**adds to ethical questions** following a**Post**report that Hosseini donated a golf simulator valued at more than $25,000 to the governor s mansion and allowed the DeSantises to use his private planes.

MORE: DeSantis suggested if elected president, he would shut down the Internal Revenue Service and the federal departments of education, commerce and energy in aninterview with Fox News.

Republican Presidential candidate**Mike Pence earned over $4.8 million**from speaking, writing and consulting since the start of 2022according to a financial disclosure report, including from his memoir So Help Me God. Democratic candidate Marianne Williamson, who has published 15 books since 1992,earned more than $1.3 millionover the past 18 months.

**SPORTS + ENTERTAINMENT**

TheNFL suspended four playersfor allegedly violating the league's gambling policy by either betting on NFL games or non-NFL games while at league facilities. It s the latest major crackdown of the**league s zero-tolerance gambling rule**following similar suspensions for another six players earlier this year.

Review bombing, or the concept of**leaving a slew of negative reviews**, is sofrequent in the entertainment industrythat Rotten Tomatoes introduced a verification system to prove you d actually bought a ticket to see a particular film. But it rarely affects whether films, TV shows or video games succeed.

**TRENDS + EXPLAINERS**

In a decision that received less attention Thursday, the Supreme Courtthrew out a ruling against a former postal workerwho wanted to take off Sundays for religious reasons and clarified when workplaces can refuse to accommodate workers religion.**Employers must reasonably accommodate workers religions**unless the accommodation would result in substantial increased costs in relation to the conduct of its particular business, the court ruled.

Recreational marijuana is legal in 23 states and hugely popular with voters, but itcould be more than a decadeuntil it s legal federally. The**marijuana economy is broken**, with federal prohibition meaning businesses cannot sell or distribute product over state lines and a punitive federal tax rate created for drug traffickers.

**DAILY COVER STORY**

**The MedTech Billionaire Waging A Patent War With Apple**

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Masimo CEO Joe Kiani

ETHAN PINES FOR FORBES

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**TOPLINE** When Apple was in the process of**developing the Apple Watch**and exploring ways to incorporate different health sensors, it met with 28 firms, including medical technology company Masimo. Internally, Apple executives were weighing acquiring Masimo, but ultimately decided against it because Masimo s hospital-focused products were outside of Apple s core consumer focus.

A decade later, Apple and the company it rejected are**embroiled in a multi-front legal battle**over the Apple Watch. Joe Kiani, Masimo s founder and CEO, has alleged that Apple poached his employees, stole trade secrets and infringed on Masimo s patents related to pulse oximetry and noninvasive measurements. Apple has denied the charges and the trade secrets case ended in a mistrial in May, though Kiani has vowed a retrial.

These legal fights come as Kiani, who**Forbes**estimates is worth $1.2 billion, is starting to enter the consumer space with a $499 health watch released last August and a $999 smartwatch expected to come out this fall, as well as a range of other wearables.

Apple commands over 56% of the global smartwatch market, which is expected to hit $33 billion in 2023, according to research firm IDC.

A decision expected in mid-July from The International Trade Commission could be a turning point: the commission is reviewing an earlier decision from a judge that found Apple infringed on two of Masimo s patent claims. If the agency sides with Masimo, it could**potentially result in an import ban of certain Apple Watches**.

After three decades selling to hospitals, Kiani is taking a huge gamble on the future of Masimo s business, and**Wall Street is skeptical**. Activist investor Politan Capital Management, led by Quentin Koffey, took a 9% stake in Masimo worth around $800 million. Politan won two board seats this week following a heated proxy battle, where the firm criticized Masimo s unfocused strategy.

Masimo s devices accurately measure vital signs for hospital patients and Kiani wants people with chronic disease to get similarly precise measurements from a smartwatch. The end goal of the consumer tech push, he says, is to close the circle from hospital to home to hospital.

**WHY IT MATTERS**  The patent fight highlights a bigger trend of Big Tech companies getting into healthcare, says**Forbes**reporter Katie Jennings. IDC estimates the global wearables market will hit $63 billion in 2023. While the Apple Watch currently leads the market, other efforts, like Amazon s Halo band have sputtered and shutdown.

Rather than target the general population, Kiani is hoping that where Masimo can make a dent is consumers who want accurate and continuous monitoring of their health, including people with chronic conditions or athletes. He likens it to how certain people choose Garmin s smartwatch because it s known to have the best GPS capabilities. We're trying to create a serious product for serious people, Kiani says.

**MORE**Meet The Iranian Immigrant Who Became A Covid MedTech Billionaire

**FACTS AND COMMENTS**

A study to measure howsusceptible people are to believing fake headlinesfound that**younger people were more likely to fall for fake headlines**than older people. Researchers pulled 10 real headlines from outlets ranked as relatively unbiased by an online database and used ChatGPT to write 10 fake versions:

**65%:** Percentage of the time Americans could identify a headline as either real or fake

**11%:** The share of the time that participants aged 18-29 achieved a high score (defined as 16 or more headlines identified correctly)

**36%:** The share of the time that those 65 and older received a high score

**STRATEGY AND SUCCESS**

When choosing where to retire,overlooking homeowner s insurance can cost you. Insurers, concerned about higher claims from worsening floods, wildfires and more, have said they won t write new policies in some states, like California and Florida. It s one of many details to investigate before a move.

**VIDEO**

https://www.forbes.com/video/6330258115112/

**QUIZ**

Gas prices are falling ahead of the July 4 weekend,**one of the busiest travel weekends**of the year. The average price per gallon is just above $3.50 nationwide, though in six states it s above $4.00. Which of the following is**not**one of those six states?

A. Washington

B. New York

C. Nevada

D. Hawaii

Check your answer.

**ACROSS THE NEWSROOM**

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