

The Burger Court Opinion Writing Database

Gulf Oil Corp. v. Copp Paving Co.

419 U.S. 186 (1974)

Paul J. Wahlbeck, George Washington University
James F. Spriggs, II, Washington University in St. Louis
Forrest Maltzman, George Washington University



Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

March 21, 1974

Re: 73-1012 - Gulf Oil Corp. v. Copp Paving Co.

Dear Byron:

Your proposed order is acceptable to me.

Regards,

WRB

Mr. Justice White

Copies to the Conference

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OFFICE OF THE CLERK OF THE SUPREME COURT

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

March 19, 1974

RE: No. 73-1012 Gulf Oil Corporation v.
Copp Paving Co., Inc.

Dear Byron:

I agree with your suggested order in
the above.

Sincerely,

Bill

Mr. Justice White

cc: The Conference

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE POTTER STEWART

March 20, 1974

No. 73-1012, Gulf Oil v. Copp Paving

Dear Byron,

I agree with your proposed order in
this case.

Sincerely yours,

P.S.
/

Mr. Justice White

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE BYRON R. WHITE

March 19, 1974

MEMORANDUM TO THE CONFERENCE

Re: No. 73-1012, Gulf Oil Corp. v. Copp Paving Co. Inc.

The Court of Appeals in this case held that the District Court had jurisdiction under the Sherman Act but not under the Robinson-Patman Act or under § 3 or § 7 of the Clayton Act. As I understand it, the Conference voted to take the Robinson-Patman Act issue but to leave the Sherman Act question alone. I suggest that the Clayton Act issues also be taken, for they are more like the Robinson-Patman question than the Sherman Act claim.

Question 1(a) of the certiorari petition presents the Robinson-Patman Act claim, 1(b) the claim under § 3 of the Clayton Act and 1(c) under § 7 of the Clayton Act.

Accordingly, I suggest an order in the following form:

"Certiorari granted limited to questions 1(a), 1(b) and 1(c) presented in the petition."

B.R.W.
B.R.W.

BRW
Your suggested
order is agreeable
MY

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE BYRON R. WHITE

March 19, 1974

MEMORANDUM TO THE CONFERENCE

Re: No. 73-1012, Gulf Oil Corp. v. Copp Paving
Co., Inc.

My previous memorandum was in error in referring to the Court of Appeals decision. That court held that there was jurisdiction under the Sherman Act as well as under the Robinson-Patman Act and §§ 3 and 7 of the Clayton Act. The suggested question remains the same.


B.R.W.

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U.S. SUPREME COURT

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

March 19, 1974

Re: No. 73-1012, Gulf Oil Corp. v. Copp Paving Co. Inc.

Dear Byron:

Your suggested order is agreeable.

Sincerely,

T.M.
T.M.

Mr. Justice White

The Conference

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U.S. SUPREME COURT

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

March 20, 1974

Dear Byron:

Re: No. 73-1012 - Gulf Oil Corp. v.
Copp Paving Co., Inc.

Your proposed order certainly meets with my
approval.

Sincerely,



Mr. Justice White

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Supreme Court of the United States
Washington, D. C. 20543

March 19, 1974

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

No. 73-1012 Gulf Oil Corp. v. Copp
Paving Co., Inc.

MEMORANDUM TO THE CONFERENCE

I agree with Byron's suggested order.

L.F.P.
L.F.P., Jr.

SS

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

March 19, 1974

Re: No. 73-1012 - Gulf Oil Corporation v. Copp
Paving Co., Inc.

Dear Byron:

Your proposed order in this case is fine with me.

Sincerely,



Mr. Justice White

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