

# The Burger Court Opinion Writing Database

## *United Housing Foundation, Inc. v. Forman*

421 U.S. 837 (1975)

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June 16, 1975

74- 157

Case Held for No. 74-647, New York v. Forman

MEMORANDUM TO THE CONFERENCE:

No. 74-1190 MacKethan v. Virginia

I will vote to deny this petition. The basic issue is whether a state can be held liable under the federal Securities Acts for activities that it undertakes while regulating a savings and loan institution. USDC and CA4 found the action barred by the Eleventh Amendment. Although a vaguely similar issue was presented in the state's petition in Forman, our disposition there made it unnecessary to consider the immunity question.

L.F.P., Jr.