

# The Burger Court Opinion Writing Database

*Herman & MacLean v. Huddleston*

459 U.S. 375 (1983)

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

January 17, 1983

Re: 81-680, Herman & MacLean v. Huddleston  
81-1076, Huddleston v. Herman & MacLean

Dear Thurgood:

I join.

Regards,



Justice Marshall

Copies to the Conference

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

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR.

January 3, 1983

RE: Nos. 81-680 & 1076 Herman & McLean v. Ralph E.  
Huddleston, et al.

Dear Thurgood:

I agree.

Sincerely,

*Bail*

Justice Marshall

Copies to the Conference

RECEIVED  
SUPREME COURT, U.S.  
JUSTICE MARSHALL

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

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CHAMBERS OF  
JUSTICE BYRON WHITE

82 DEC 35 P1:35

January 4, 1983

Re: 81-680 and 81-1076 -

Herman & MacLean v. Huddleston  
Huddleston v. Herman & MacLean

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Dear Thurgood,

Please join me.

Sincerely yours,

*Byron*

Justice Marshall

Copies to the Conference

cpm

*Thurgood,  
A flysheet: I could do without the word "problematic" in  
the first line of fn. 23. We question the maxim's use only  
in this case.  
but*





✓

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

CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

January 3, 1983

Re: No. 81-680 - Herman & MacLean v. Huddleston  
No. 81-1076 - Huddleston v. Herman & MacLean

Dear Thurgood:

Please join me.

Sincerely,



Justice Marshall

cc: The Conference

November 11, 1982

81-680 Herman & MacLean v. Huddleston  
81-1076 Huddleston v. Herman & MacLean

Dear Chief:

I have decided tentatively to remain out of this case for the following reason:

Our oldest daughter lives in Houston, where her husband is an officer (or partner?) of Rotan-Mosle Co., a leading Texas investment banking firm that has been prominent in underwriting issues related to the oil industry. My understanding is that one or more of these issues "went sour" with the general collapse of oil-related securities.

Our daughter has told me that her husband, together with Rotan-Mosle and I suppose other officials, are being sued for alleged Securities Act violations. I have not discussed the matter with our son-in-law, but it is safe to assume that the customary claims - similar to those in the above case - are being made.

I suppose it is possible that pending litigation involving our son-in-law could be settled before our case is brought down. In that event, I could join in the decision of the case. Otherwise, I think it best for me to remain out.

Sincerely,

The Chief Justice

lfp/ss

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

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

December 30, 1982

81-680 Herman & MacLean v. Huddleston  
81-1076 Huddleston v. Herman & MacLean

Dear Thurgood:

Please add that I took no part in the decision of  
this case.

Sincerely,

*Lewis*

Justice Marshall

lfp/ss

cc: The Conference

*Thurgood - We so much  
enjoyed having you and Cissy  
with us last evening. You  
and she both were in great  
form.*

*L.*

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

CHAMBERS OF  
JUSTICE WILLIAM H. REHNQUIST

January 19, 1983

Re: No. 81-680 ) Herman & MacLean v. Huddleston  
No. 81-1076) Huddleston v. Herman & MacLean

Dear Thurgood:

You said at Conference last week that it would be a close question whether the Chief or I were the last to join your opinion. I see I now have that honor, and want to commend you for the outstanding piece of work you have done in this case.

Sincerely,



Justice Marshall

cc: The Conference

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

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

December 30, 1982

Re: 81-680 - Herman & MacLean v. Huddleston;  
and 81-1076 - Huddleston v. Herman & MacLean

Dear Thurgood:

Please join me.

Respectfully,



Justice Marshall

Copies to the Conference

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

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CHAMBERS OF  
JUSTICE SANDRA DAY O'CONNOR

January 10, 1983

No. 81-680 Herman & MacLean v. Huddleston  
No. 81-1076 Huddleston v. Herman & MacLean

Dear Thurgood,

Please join me.

Sincerely,



Justice Marshall

Copies to the Conference