

The Burger Court Opinion Writing Database

Bazemore v. Friday

478 U.S. 385 (1986)

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



3

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

CHAMBERS OF
THE CHIEF JUSTICE

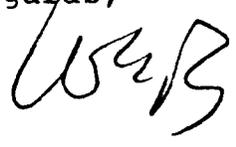
June 18, 1986

RE: 85-93 - Bazemore v. Friday
85-428 - U.S. v. Friday

Dear Byron:

I join your June 17 draft.

Regards,



Justice White

Copies to the Conference

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

To: The Chief Justice
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: Justice Brennan

Circulated: JUN 7 1986

Recirculated: _____

W B
Revised from W.C.
7/1

1st DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONER
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONER
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[June —, 1986]

JUSTICE BRENNAN delivered the opinion of the Court.

These cases present several issues arising out of petitioners' action against respondents for alleged racial discrimination in employment and provision of services by the North Carolina Agricultural Extension Service (Extension Service). The District Court declined to certify various proposed classes and, after a lengthy trial, entered judgment for respondents in all respects, finding that petitioners had not carried their burden of demonstrating that respondents had engaged in a pattern or practice of racial discrimination. The District Court also ruled against each of the individual plaintiffs' discrimination claims. The Court of Appeals affirmed. 751 F. 2d 662. Here, we consider whether the Court of Appeals erred in concluding (1) that respondents were not under an obligation to eliminate salary disparities between similarly situated blacks and whites that had their origin prior to the date respondents became subject to Title VII of the Civil Rights Act of 1964; (2) whether the Court of Appeals properly evaluated the statistical evidence presented by petitioners in this case; (3) whether the Court of

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

To: The Chief Justice
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: **Justice Brennan**

Circulated: **JUN 27 1986**

Recirculated: _____

1st DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[June —, 1986]

PER CURIAM.

These cases present several issues arising out of petitioners' action against respondents for alleged racial discrimination in employment and provision of services by the North Carolina Agricultural Extension Service (Extension Service). The District Court declined to certify various proposed classes and, after a lengthy trial, entered judgment for respondents in all respects, finding that petitioners had not carried their burden of demonstrating that respondents had engaged in a pattern or practice of racial discrimination. The District Court also ruled against each of the individual plaintiff's discrimination claims. The Court of Appeals affirmed. 751 F. 2d 662 (CA4 1984). We hold, for the reasons stated in the opinion of JUSTICE BRENNAN, that the Court of Appeals erred in holding that under Title VII of the Civil Rights Act of 1964, as amended, the Extension Service had no duty to eradicate salary disparities between white and black workers that had their origin prior to the date prior to the date Title VII was made applicable to public employers. Title VII was

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

On The Court
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

STYLISTIC CHANGES THROUGHOUT.
SEE PAGES: 1, 2, 5-8, 10-13

From: **Justice Brennan**

Circulated: _____

Recirculated: JUN 27 1986

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[June —, 1986]

JUSTICE BRENNAN, with whom JUSTICE MARSHALL, JUSTICE BLACKMUN, and JUSTICE STEVENS join, dissenting in part.

I

The Court rejects private petitioners' claim that the Extension Service had a duty under the Fourteenth Amendment and the regulations promulgated under Title VI of the Civil Rights Act of 1964 to desegregate the 4-H and Extension Homemaker Clubs in North Carolina. The Court concludes that the "Constitution require[s no] more than what the District Court and the Court of Appeals found the service has done in this case to disestablish segregation in its clubs," *ante*, at —, although the Court does not identify precisely what it is that has been done. The Court of Appeals determined that the respondents' constitutional duty has been satisfied if a plaintiff cannot point to a minority individual who has been discriminated against with respect to membership in a 4-H or Extension Homemaker Club. In upholding the Court of Appeals in this respect, the Court joins the Extension Service in winking at the Constitution's requirement

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

STYLISTIC CHANGES THROUGHOUT.

SEE PAGES: 1, 6, 11, 17, 18
+ OLD FN 15 omitted

To: The Chief Justice
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: Justice Brennan

Circulated: _____

Recirculated: JUN 27 1986

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

[June —, 1986]

JUSTICE BRENNAN for a unanimous Court, concurring in part.

I
A

The purpose of North Carolina's agricultural extension program, administered through the Extension Service, is to aid in the dissemination of "useful and practical information on subjects relating to agriculture and home economics." App. to Pet. for Cert. in No. 85-93, p. 7a (hereinafter Pet. App.). The Extension Service is a division of the School of Agriculture and Life Sciences at North Carolina State University (NCU). It is headed by a Director who exercises authority over District Extension Chairmen responsible for administering all Extension Service programs within the State's six Extension Service districts. The District Extension Chairmen, in turn, supervise the 100 County Extension Chairmen who are responsible for developing and coordinating all Extension Service activities within their respective counties. The County Extension Chairmen also report to

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

STYLISTIC CHANGES THROUGHOUT.
SEE PAGES: 1, 2

To: The Chief Justice
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: Justice Brennan

Circulated: _____

Recirculated: JUN 2 1986

NOTICE: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D. C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[July 1, 1986]

PER CURIAM.

These cases present several issues arising out of petitioners' action against respondents for alleged racial discrimination in employment and provision of services by the North Carolina Agricultural Extension Service (Extension Service). The District Court declined to certify various proposed classes and, after a lengthy trial, entered judgment for respondents in all respects, finding that petitioners had not carried their burden of demonstrating that respondents had engaged in a pattern or practice of racial discrimination. The District Court also ruled against each of the individual plaintiff's discrimination claims. The Court of Appeals affirmed. 751 F. 2d 662 (CA4 1984). We hold, for the reasons stated in the opinion of JUSTICE BRENNAN, that the Court of Appeals erred in holding that under Title VII of the Civil Rights Act of 1964, as amended, the Extension Service had no duty to eradicate salary disparities between white and black workers that had their origin prior to the date Title VII was made

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

To: The Chief Justice
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

LISTIC CHANGES THROUGHOUT.
SEE PAGES: (7)

From: Justice Brennan

Circulated: _____

Recirculated: JUN 30 1986

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[July 1, 1986]

JUSTICE BRENNAN for a unanimous Court, concurring in
part.

I

A

The purpose of North Carolina's agricultural extension program, administered through the North Carolina Agricultural Extension Service (Extension Service), is to aid in the dissemination of "useful and practical information on subjects relating to agriculture and home economics." App. to Pet. for Cert. in No. 85-93, p. 7a (hereinafter Pet. App.). The Extension Service is a division of the School of Agriculture and Life Sciences at North Carolina State University (NCSU). It is headed by a Director who exercises authority over District Extension Chairmen responsible for administering all Extension Service programs within the State's six Extension Service districts. The District Extension Chairmen, in turn, supervise the 100 County Extension Chairmen who are responsible for developing and coordinating all Extension Service activities within their respective counties.

To: The Chief Justice
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: Justice Brennan

Circulated: _____

JUN 30 1986

Recirculated: _____

STYLISTIC CHANGES THROUGHOUT.
SEE PAGES: 11, 12

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

[July 1, 1986]

JUSTICE BRENNAN, with whom JUSTICE MARSHALL, JUSTICE BLACKMUN, and JUSTICE STEVENS join, dissenting in part.

I

The Court rejects private petitioners' claim that the Extension Service had a duty under the Fourteenth Amendment and the regulations promulgated under Title VI of the Civil Rights Act of 1964 to desegregate the 4-H and Extension Homemaker Clubs in North Carolina. The Court concludes that the "Constitution require[s no] more than what the District Court and the Court of Appeals found the service has done in this case to disestablish segregation in its clubs," *ante*, at —, although the Court does not identify precisely what it is that has been done. The Court of Appeals determined that the respondents' constitutional duty has been satisfied if a plaintiff cannot point to a minority individual who has been discriminated against with respect to membership in a 4-H or Extension Homemaker Club. In upholding the Court of Appeals in this respect, the Court joins the Extension Service in winking at the Constitution's requirement

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

June 13, 1986

85-93 - Bazemore v. Friday
85-428 - United States v. Friday

Dear Bill,

I shall be dissenting in part in this
case.

Sincerely yours,



Justice Brennan

Copies to the Conference

Lewis,
this is an initial to yet of 3
Bazemore dissent
W

BA24

Jell

B R W
asked my
comments.
see my
letter to
him.
6/13/86

Bazemore, 85-93

Justice White, concurring in part and dissenting in part.

I concur in Parts I, II and IV of the Court's opinion but cannot agree with Part III. It is true that prior to 1965, the Extension Service maintained segregated 4-H and Homemaker Clubs, and it is true that when this suit was started and when judgment was entered there were a great many all white or all black clubs. However, in response to the Civil Rights Act of 1964, it is undisputed that the Service discontinued its segregated club policy and opened any club, then existing or newly organized, to any otherwise eligible person regardless of race. The District Court could find no evidence of any discrimination since that time in either services or membership and concluded as a matter of fact that any racial imbalance existing in any of the clubs was the result of wholly voluntary and unfettered choice of private individuals. It was found that "the Extension Service has had a policy that all voluntary clubs be organized without regard to race and that each club certify that its membership is open to all persons regardless of race; that it instructs its agents to encourage the formation of new clubs without regard to race; that it publishes its policies in the media; that all of its club work and functions above the local community level are being conducted on a fully integrated basis; that its 4-H camps

To: The Chief Justice
Justice Brennan
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: **Justice White**

Circulated: JUN 13 198

Recirculated: _____

1st DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[June —, 1986]

JUSTICE WHITE, concurring in part and dissenting in part.

I concur in Parts I, II and IV of the Court's opinion but cannot agree with Part III. It is true that prior to 1965, the Extension Service maintained segregated 4-H and Home-maker Clubs, and it is true that when this suit was started and when judgment was entered there were a great many all-white and all-black clubs. However, it is undisputed that in response to the Civil Rights Act of 1964 the Service discontinued its segregated club policy and opened any club, then existing or newly organized, to any otherwise eligible person regardless of race. The District Court could find no evidence of any discrimination since that time in either services or membership and concluded as a matter of fact that any racial imbalance existing in any of the clubs was the result of wholly voluntary and unfettered choice of private individuals. App. to Pet. for Cert. 172a. The court found that "the Extension Service has had a policy that all voluntary clubs be organized without regard to race and that each club certify that its membership is open to all persons regardless of race; that it instructs its agents to encourage the formation of new

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

To: The Chief Justice
Justice Brennan
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: **Justice White**

STYLISTIC CHANGES THROUGHOUT.

SEE PAGES: 1, 2

Circulated: _____

Recirculated: JUN 16 1986

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.

WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.

WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[June —, 1986]

JUSTICE WHITE, concurring in part and dissenting in part.

I concur in Parts I, II and IV of the Court's opinion but cannot agree with Part III. It is true that prior to 1965, the Extension Service maintained segregated 4-H and Home-maker Clubs, and it is true that when this suit was started and when judgment was entered there were a great many all-white and all-black clubs. However, it is undisputed that in response to the Civil Rights Act of 1964 the Service discontinued its segregated club policy and opened any club, then existing or newly organized, to any otherwise eligible person regardless of race. The District Court could find no evidence of any discrimination since that time in either services or membership and concluded as a matter of fact that any racial imbalance existing in any of the clubs was the result of wholly voluntary and unfettered choice of private individuals. App. to Pet. for Cert. 172a. The court found that "the Extension Service has had a policy that all voluntary clubs be organized without regard to race and that each club certify that its membership is open to all persons regardless of race; that it instructs its agents to encourage the formation of new

with whom
JUSTICE POWELL
joins,

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

To: The Chief Justice
Justice Brennan
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: **Justice White**

Circulated: _____

Recirculated: JUN 17 1985

3rd DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.

WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.

WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[June —, 1986]

JUSTICE WHITE, with whom JUSTICE POWELL, JUSTICE REHNQUIST, and JUSTICE O'CONNOR join, concurring in part and dissenting in part.

I concur in Parts I, II and IV of the Court's opinion but cannot agree with Part III. It is true that prior to 1965, the Extension Service maintained segregated 4-H and Home-maker Clubs, and it is true that when this suit was started and when judgment was entered there were a great many all-white and all-black clubs. However, it is undisputed that in response to the Civil Rights Act of 1964 the Service discontinued its segregated club policy and opened any club, then existing or newly organized, to any otherwise eligible person regardless of race. The District Court could find no evidence of any discrimination since that time in either services or membership and concluded as a matter of fact that any racial imbalance existing in any of the clubs was the result of wholly voluntary and unfettered choice of private individuals. App. to Pet. for Cert. 172a. The court found that "the Extension Service has had a policy that all voluntary clubs be organized without regard to race and that each club certify

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Justice Brennan
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

pp. 1-3

From: **Justice White**

Circulated: _____

Recirculated: 6/25/86

4th DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

[June —, 1986]

JUSTICE WHITE, with whom THE CHIEF JUSTICE, JUSTICE POWELL, JUSTICE REHNQUIST, and JUSTICE O'CONNOR join, concurring.

We agree with JUSTICE BRENNAN's concurring opinion explaining the Court's reasoning insofar as the Court vacates the decision of the Court of Appeals. We write separately to set forth the Court's rationale in affirming the Court of Appeals with respect to the allegations of discrimination in the operation of 4-H and Homemaker Clubs. Prior to 1965, the Extension Service maintained segregated 4-H and Homemaker Clubs, and it is true that when this suit was started and when judgment was entered there were a great many all-white and all-black clubs. However, it is undisputed that in response to the Civil Rights Act of 1964 the Service discontinued its segregated club policy and opened any club, then existing or newly organized, to any otherwise eligible person regardless of race. The District Court could find no evidence of any discrimination since that time in either services or membership and concluded as a matter of fact that any racial imbalance existing in any of the clubs was the result of

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

June 27, 1986

85-93 - Bazemore v. Friday

85-428 - United States v. Friday

Dear Bill,

I join your per curiam opinion in
this case. I am making a change or two in my
concurrence.

Sincerely yours,



Justice Brennan

Copies to the Conference

To: The Chief Justice
Justice Brennan
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: Justice White

Circulated: _____

Recirculated: JUN 28 1986

STYLISTIC CHANGES THROUGHOUT.
SEE PAGES: 1-3

5th DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS
v.
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

[July —, 1986]

JUSTICE WHITE, with whom THE CHIEF JUSTICE, JUSTICE POWELL, JUSTICE REHNQUIST, and JUSTICE O'CONNOR join, concurring.

We agree with JUSTICE BRENNAN's concurring opinion explaining the Court's reasoning insofar as the Court vacates the decision of the Court of Appeals. We write separately to affirm the Court of Appeals in refecting the allegations of discrimination in the operation of 4-H and Homemaker Clubs. Prior to 1965, the Extension Service maintained segregated 4-H and Homemaker Clubs, and it is true that when this suit was started and when judgment was entered there were a great many all-white and all-black clubs. However, it is undisputed that in response to the Civil Rights Act of 1964 the Service discontinued its segregated club policy and opened any club, then existing or newly organized, to any otherwise eligible person regardless of race. The District Court could find no evidence of any discrimination since that time in either services or membership and concluded as a matter of fact that any racial imbalance existing in any of the clubs was the result of wholly voluntary and unfettered choice of pri-

a rejecting

REMOVED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

June 11, 1986

Re: Nos. 85-93 and 428 - Bazemore and United States v.
William C. Friday

Dear Bill:

Please join me.

Sincerely,

J.M.

T.M.

Justice Brennan

cc: The Conference

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

H

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

June 19, 1986

Re: No. 85-93) Bazemore v. Friday
No. 85-428) United States v. Friday

Dear Bill:

Please join me.

Sincerely,



Justice Brennan

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

June 30, 1986

Re: No. 95-93) Bazemore v. Friday
No. 85-428) United States v. Friday

Dear Bill:

I, of course, join your per curiam.

Sincerely,



Justice Brennan

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

June 13, 1986

85-93 Bazemore v. Friday

Dear Bill:

I will await the dissent.

Sincerely,



Justice Brennan

lfp/ss

cc: The Conference

June 13, 1986

85-93 Bazemore v. Friday

Dear Byron:

As requested, I have read your opinion with the view to possible changes. I think no substantial changes are necessary.

I suggest for your consideration language changes that may be made on page 2.

I like your opinion.

Sincerely,

Justice White

lfp/ss

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

June 13, 1986

85-93 Bazemore v. Friday

Dear Byron:

Please join me in your opinion concurring in part
and dissenting in part.

Sincerely,

Lewis

Justice White

lfp/ss

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

June 27, 1986

85-93 Bazemore v. Friday

Dear Bill:

I agree with your per curiam opinion in this case.

Sincerely,



Justice Brennan

lfp/ss

cc: The Conference

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

June 16, 1986

Re: No. 85-93) Bazemore v. Friday
85-428) United States v. Friday

Dear Byron,

Please join me in your opinion concurring in part and dissenting in part.

Sincerely,



Justice White

cc: The Conference



CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

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

June 9, 1986

Re: 85-93 - Bazemore v. Friday
85-428 - United States v. Friday

Dear Bill:

Please join me.

Respectfully,

Justice Brennan

Copies to the Conference

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

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

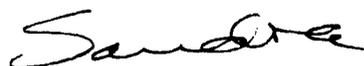
June 16, 1986

Re: 85-93) Bazemore, et al. v. Friday, et al.
85-428) U.S., et al. v. Friday, et al.

Dear Byron,

Please join me in your opinion concurring in part and dissenting in part.

Sincerely,



Justice White

Copies to the Conference