

CASES DISPOSED OF WITHOUT CONSIDERATION
BY THE COURT, FROM OCTOBER 2, 1933, TO
AND INCLUDING JANUARY 8, 1934.

No. 157. *BAER v. ASKENASE ET AL.* Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit. October 2, 1933. Dismissed on motion of *Mr. Arthur G. Brode* for petitioner. Reported below: 65 F. (2d) 1010.

No. 70. *COBB ET AL v. DEPARTMENT OF PUBLIC UTILITIES ET AL.* Appeal from the District Court of the United States for the Western District of Washington. October 9, 1933. *Per Curiam*: The appeal herein is dismissed for failure of the appellants to comply with Rule 12, paragraph 1, and with Rule 13, paragraph 9, of the rules of this Court. *Mr. R. C. Cobb* for appellants. No appearance for appellees. Reported below: 60 F. (2d) 631.

No. 69. *MERRIAM, EXECUTOR, v. U.S. DISTRICT COURT IN AND FOR THE DISTRICT OF ARIZONA.* Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit. October 9, 1933. Dismissed per stipulation of counsel. *Mr. Charles C. Montgomery* for petitioner. *Solicitor General Biggs* for respondent. Reported below: 61 F. (2d) 110.

No. 268. *PLAZA AMUSEMENT CO. ET AL. v. ROTHENBERG ET AL.* Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. October 9, 1933. Dismissed per stipulation of counsel. *Messrs. Marcellus Green, Charles Rosen, Garner W. Green, Stamps Farrar, and J. W. Curry* for petitioners. *Messrs. R. E. Wilbourne and A. S. Bozeman* for respondents. Reported below: 65 F. (2d) 254.

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No. 455. CELOTEX CO. ET AL. *v.* MASONITE CORP. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit. October 16, 1933. Dismissed per stipulation of counsel. *Messrs. Henry M. Huxley, Caleb S. Layton, and George L. Wilkinson* for petitioners. *Messrs. Drury W. Cooper, Hugh M. Morris, and Herbert H. Dyke* for respondent. Reported below: 66 F. (2d) 451.

No. 257. E. H. FERREE CO. ET AL. *v.* UNITED SHOE MACHINERY CORP. On writ of certiorari to the Circuit Court of Appeals for the Second Circuit. November 20, 1933. Dismissed per stipulation of counsel. *Messrs. George P. Dike and Donald Campbell* for petitioners. *Mr. Charles Neave* for respondent. Reported below: 64 F. (2d) 101.

No. 3, original. NEVADA *v.* CROWN WILLAMETTE PAPER Co. December 4, 1933. Pursuant to a stipulation filed in this Court by the parties to the above-entitled cause on November 22, 1933, it is ordered that the bill of complaint herein be, and it is hereby, dismissed. This order is made subject to the agreement of the parties as set forth in the stipulation aforesaid, which, it is agreed, shall not operate as a retraxit; and this order is without prejudice to the right of the complainant, The State of Nevada, to renew this litigation in such form as it shall deem proper if it shall determine that the provisions of the said stipulation, or of any prior stipulation recited and confirmed therein, has been or are being violated by the defendant. *Mr. Gray Mashburn*, Attorney General of Nevada, for plaintiff. *Messrs. Oscar Sutro and W. H. Orrick* for defendant.

No. 417. GEORGE L. SQUIER MFG. CO. *v.* DOMENECH. Petition for writ of certiorari to the Circuit Court of Ap-

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peals for the First Circuit. December 4, 1933. Dismissed on motion of *Messrs. John Lord O'Brian* and *Noel S. Symons* for petitioner. Reported below: 66 F. (2d) 31.

No. 524. *MALAVAZOS ET AL. v. IRVING TRUST Co., TRUSTEE IN BANKRUPTCY*. Certiorari to the Circuit Court of Appeals for the Second Circuit. December 4, 1933. Dismissed on motion of *Mr. Albert D. Cash* for petitioners. *Mr. Moses Cohen* for respondent. Reported below: 66 F. (2d) 482.

No. 576. *UNITED STATES EX REL. BORIC v. MARSHALL, DISTRICT DIRECTOR OF IMMIGRATION*. Certiorari to the Circuit Court of Appeals for the Third Circuit. January 8, 1934. Dismissed on motion of *Mr. Arthur I. Zeiger* for petitioner. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for respondent. Reported below: 67 F. (2d) 1020.

