

381 U. S.

Per Curiam.

SUSSER ET AL. v. CARVEL CORP. ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE SECOND CIRCUIT.

No. 355. Argued April 29, 1965.—Decided May 3, 1965.

Certiorari dismissed as improvidently granted.

Reported below: 332 F. 2d 505.

Arnold Fleischmann argued the cause for petitioners. With him on the briefs were *Sidney W. Rothstein* and *Robert G. Levy*.

Herman L. Weisman and *John A. Wilson* argued the cause for respondents. With *Mr. Weisman* on the briefs for Carvel Corp. et al. were *Herbert F. Roth* and *Lester G. Renard*. With *Mr. Wilson* on the brief for H. P. Hood & Sons, Inc., was *Willard M. L. Robinson*. *Albert L. Wigor* filed a brief for Eagle Cone Corp. *William G. Mulligan* and *Doris Carroll* filed a brief for Rakestraw's Dairy Products, Inc.

Jerrold G. Van Cise filed a brief for the International Franchise Association, Inc., as *amicus curiae*.

PER CURIAM.

The writ of certiorari is dismissed as improvidently granted.

MR. JUSTICE GOLDBERG took no part in the decision of this case.