

June 20, 1966.

384 U. S.

UNITED STATES ET AL. *v.* ATCHISON, TOPEKA
& SANTA FE RAILWAY CO. ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF CALIFORNIA.

No. 576. Decided June 20, 1966.

238 F. Supp. 528, partially vacated and remanded to District Court
with instructions to dismiss portions of the judgment as moot.

*Solicitor General Marshall, Assistant Attorney General
Turner, Robert B. Hummel, Jerry Z. Pruzansky, Robert
W. Ginnane and Arthur J. Cerra for the United States
et al.*

*Douglas F. Smith, Howard J. Trienens, George L.
Saunders, Jr., John E. McCullough, S. R. Brittingham,
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Farrell, Alan C. Furth, Lawrence W. Hobbs, Thormund
A. Miller, Robert L. Pierce, E. P. Porter, L. E. Torinus,
Jr., and E. L. Van Dellen for appellees, Atchison, Topeka
& Santa Fe Railway Co. et al.*

PER CURIAM.

Upon consideration of the memorandum of certain appellees and an examination of the entire record, so much of the judgment of the District Court as respects the portions of the orders of the Interstate Commerce Commission dated March 21, 1963, and December 31, 1963, as were vacated by orders of the Commission of January 7, 1966, and March 17, 1966, and two orders of April 13, 1966, is vacated and to that extent the cause is remanded to the District Court with instructions to dismiss such portions of the judgment as moot.

[For order noting probable jurisdiction, see 383 U. S. 964.]