

January 9, 1967.

385 U.S.

FEDERATED DEPARTMENT STORES, INC. v.
GEROSA, COMPTROLLER OF THE
CITY OF NEW YORK.

APPEAL FROM THE COURT OF APPEALS OF NEW YORK.

No. 171. Decided January 9, 1967.

16 N. Y. 2d 320, 213 N. E. 2d 677; 17 N. Y. 2d 579, 215 N. E. 2d 516, appeal dismissed.

Wilbur H. Friedman and *George G. Gallantz* for appellant.

J. Lee Rankin for appellee.

PER CURIAM.

The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

MR. JUSTICE FORTAS took no part in the consideration or decision of this case.