

387 U.S.

May 22, 1967.

JULIAN MESSNER, INC., ET AL. v. SPAHN.

APPEAL FROM THE COURT OF APPEALS OF NEW YORK.

No. 1154. Decided May 22, 1967.

18 N. Y. 2d 324, 221 N. E. 2d 543, vacated and remanded.

*Selig J. Levitan* for appellants.*Arthur K. Radin* for appellee.*Irwin Karp* for Authors League of America, Inc., as *amicus curiae*.

PER CURIAM.

The motion of the Authors League of America, Inc., for leave to file a brief, as *amicus curiae*, is granted.

The judgment is vacated and the case is remanded to the Court of Appeals of New York for further consideration in light of *Time, Inc. v. Hill*, 385 U. S. 374.

THE CHIEF JUSTICE and MR. JUSTICE FORTAS would dismiss the appeal for want of a substantial federal question.