

DECKER, U. S. DISTRICT JUDGE, ET AL. v.
HARPER & ROW PUBLISHERS,
INC., ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

No. 113. Argued December 16, 1970—Decided January 12, 1971

423 F. 2d 487, affirmed by an equally divided Court.

Lee A. Freeman, Jr., argued the cause for petitioners. With him on the briefs were *Lee A. Freeman*, *William J. Scott*, Attorney General of Illinois, and *John P. Meyer*, Special Assistant Attorney General, *Chauncey H. Brown-ing, Jr.*, Attorney General of West Virginia, and *Gene Hal Williams*, Deputy Attorney General, *Theodore L. Sendak*, Attorney General of Indiana, and *Wendell C. Hamacher*, Assistant Attorney General, *Crawford C. Martin*, Attorney General of Texas, and *Wayne R. Rodgers*, Assistant Attorney General, *Paul W. Brown*, Attorney General of Ohio, and *Donald Weckstein* and *Ted B. Clevenger*, Assistant Attorneys General, *Douglas M. Head*, Attorney General of Minnesota, and *Eric Miller*, Assistant Attorney General, *Robert W. Warren*, Attorney General of Wisconsin, and *George F. Sieker* and *Theodore L. Priebe*, Assistant Attorneys General, *Kent Frizzel*, Attorney General of Kansas, and *J. Eugene Balloun*, Special Assistant Attorney General, *Richard L. Curry*, *David J. Young*, *Charles E. Griffith III*, and *Robert E. Kendrick*.

H. Templeton Brown argued the cause for respondents. With him on the brief were *Robert L. Stern*, *Lee N. Abrams*, *W. Donald McSweeney*, *Earl E. Pollock*, *Peter Gruenberger*, *Conrad W. Oberdorfer*, *Earl A. Jinkinson*, *Edgar E. Barton*, *Leo Rosen*, *Roger Hunting*, and *Samuel Weisbard*.

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Per Curiam

Briefs of *amici curiae* urging affirmance were filed by *David T. Searls, Harry M. Reasoner, Ray D. Henson,* and *John C. Bartlett* for the American Bar Association et al.; by *Andrew P. Miller*, Attorney General, and *Anthony F. Troy* and *T. J. Markow*, Assistant Attorneys General, for the Commonwealth of Virginia; and by *Samuel W. Murphy, Jr.*, and *George S. Leisure, Jr.*, for the Association of the Bar of the City of New York et al. *Edward S. Irons* and *Mary Helen Sears, pro sese*, filed a brief as *amici curiae*.

PER CURIAM.

The judgment is affirmed by an equally divided Court.

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