

Per Curiam

434 U. S.

## RICHMOND UNIFIED SCHOOL DISTRICT v. BERG

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

No. 75-1069. Argued October 5, 1977—Decided December 6, 1977

528 F. 2d 1208, vacated and remanded.

*Arthur W. Walenta, Jr.*, argued the cause for petitioners. With him on the briefs was *John B. Clausen*.

*Mary C. Dunlap* argued the cause and filed a brief for respondent.\*

## PER CURIAM.

The judgment of the Court of Appeals, 528 F. 2d 1208, is vacated and the cause remanded for further consideration in light of *General Electric Co. v. Gilbert*, 429 U. S. 125 (1976), and *Nashville Gas Co. v. Satty*, ante, p. 136, and for consideration of possible mootness.

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\**Jerry D. Anker*, *Robert E. Nagle*, and *David Rubin* filed a brief for the National Education Assn. as *amicus curiae* urging affirmance.