

AMERICAN MEDICAL ASSOCIATION ET AL. v.
FEDERAL TRADE COMMISSION

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

No. 80-1690. Argued January 11, 1982—Decided March 23, 1982

638 F. 2d 443, affirmed by an equally divided Court.

Newton N. Minow argued the cause for petitioners. With him on the briefs were *Jack R. Bierig*, *David W. Carpenter*, *William J. Doyle*, and *Linda L. Randell*.

Howard E. Shapiro argued the cause for respondent. With him on the brief were *Solicitor General Lee*, *Assistant Attorney General Baxter*, *Deputy Solicitor General Shapiro*, *Elliott Schulder*, *March Coleman*, and *L. Barry Costilo*.*

PER CURIAM.

The judgment is affirmed by an equally divided Court.

**Peter M. Sfikas* filed a brief for the American Dental Association as *amicus curiae* urging reversal.

A brief for the State of Ohio et al. as *amici curiae* urging affirmance was filed by *William J. Brown*, Attorney General of Ohio, and *Eugene F. McShane*, *Charles D. Weller*, and *Clifton E. Johnson*, Assistant Attorneys General; *Robert K. Corbin*, Attorney General of Arizona; *J. D. MacFarlane*, Attorney General of Colorado, and *Thomas P. McMahon*, Assistant Attorney General; *Carl R. Ajello*, Attorney General of Connecticut, and *Robert M. Langer* and *John R. Lacey*, Assistant Attorneys General; *Thomas J. Miller*, Attorney General of Iowa, and *John R. Perkins*, Assistant Attorney General; *Stephen H. Sachs*, Attorney General of Maryland, and *Charles O. Monk II* and *Naomi F. Samet*, Assistant Attorneys General; *Warren Spannaus*, Attorney General of Minnesota, and *Stephen P. Kilgriff*, Special Assistant Attorney General; *Paul L. Douglas*, Attorney General of Nebraska, and *Dale A. Comer*, Assistant Attorney General; *Jeff Bingaman*, Attorney General of New Mexico, and *James J. Wechsler* and *Richard H. Levin*, Assistant Attorneys General; *Robert Abrams*, Attorney General of New York, and *Lloyd Constantine*, Assistant Attorney

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Per Curiam

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

General; *Rufus L. Edmisten*, Attorney General of North Carolina, *H. A. Cole, Jr.*, Special Deputy Attorney General, and *Fred R. Gamin*, Assistant Attorney General; *Leroy S. Zimmerman*, Attorney General of Pennsylvania, and *Carl S. Hisiro*, Deputy Attorney General; *Dennis J. Roberts II*, Attorney General of Rhode Island, and *Patrick J. Quinlan*, Special Assistant Attorney General; and *Chauncey H. Browning*, Attorney General of West Virginia, and *Charles G. Brown*, Deputy Attorney General.