

CASES ADJUDGED
IN THE
SUPREME COURT OF THE UNITED STATES
AT
OCTOBER TERM, 2015

FRIEDRICHS ET AL. *v.* CALIFORNIA TEACHERS
ASSOCIATION ET AL.

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

No. 14–915. Argued January 11, 2016—Decided March 29, 2016
Affirmed by an equally divided court.

Michael A. Carvin argued the cause for petitioners. With him on the briefs were *Hashim M. Mooppan*, *James M. Burnham*, *William D. Coglianese*, and *Michael E. Rosman*.

Edward C. DuMont, Solicitor General of California, argued the cause for respondent Kamala D. Harris, Attorney General. With him on the brief were *Ms. Harris*, *pro se*, *Douglas J. Woods*, Senior Assistant Attorney General, *Tamar Pachter*, Supervising Deputy Attorney General, *Alexandra Robert Gordon*, Deputy Attorney General, *Aimee Feinberg* and *Joshua A. Klein*, Deputy Solicitors General, and *Kathleen Vermazen Radez* and *Samuel P. Siegel*, Associate Deputy Solicitors General.

David C. Frederick argued the cause for the Union respondents. With him on the brief were *Derek T. Ho*, *Jeremiah A. Collins*, *Alice O'Brien*, *Jason Walta*, *Lisa Powell*,

Counsel

Eric A. Harrington, Laura P. Juran, Jacob F. Rukeyser, and Jeffrey B. Demain.

Solicitor General Verrilli argued the cause for the United States as *amicus curiae* urging affirmance. With him on the brief were *Deputy Solicitor General Kneeder, John F. Bash, M. Patricia Smith, and Edward D. Sieger*.*

*Briefs of *amici curiae* urging reversal were filed for the State of Michigan et al. by *Bill Schuette*, Attorney General of Michigan, *Aaron D. Lindstrom*, Solicitor General, and *Kathryn M. Dalzell*, Assistant Solicitor General, and by the Attorneys General for their respective States as follows: *Luther Strange* of Alabama, *Mark Brnovich* of Arizona, *Leslie Rutledge* of Arkansas, *Cynthia Coffman* of Colorado, *Pamela Jo Bondi* of Florida, *Samuel S. Olens* of Georgia, *Lawrence G. Wasden* of Idaho, *Gregory F. Zoeller* of Indiana, *Derek Schmidt* of Kansas, *Douglas J. Peterson* of Nebraska, *Adam Paul Laxalt* of Nevada, *E. Scott Pruitt* of Oklahoma, *Alan Wilson* of South Carolina, *Ken Paxton* of Texas, *Sean D. Reyes* of Utah, *Patrick Morrissey* of West Virginia, and *Brad Schimel* of Wisconsin; for the Atlantic Legal Foundation by *Martin S. Kaufman*; for the Becket Fund for Religious Liberty by *Eric C. Rassbach* and *Adèle Auxier Keim*; for the Buckeye Institute for Public Policy Solutions by *John J. Park, Jr.*; for the Cato Institute by *David B. Rivkin, Jr.*, *Andrew M. Grossman*, and *Ilya Shapiro*; for the Center on National Labor Policy, Inc., et al. by *Michael E. Avakian*; for Constitutional Law Professors et al. by *Bradley A. Benbrook*, *Stephen M. Duvernay*, *Carrie Severino*, and *John C. Eastman*; for Former California Governor Pete Wilson et al. by *Theodore B. Olson* and *Amir C. Tayrani*; for Former California State Senate Majority Leader Gloria Romero et al. by *Michael J. Edney*, *Shannen W. Coffin*, and *Jill C. Maguire*; for the Freedom Foundation et al. by *James G. Abernathy*; for the Friedman Foundation for Educational Choice, Inc., by *David A. Schwarz*; for the Goldwater Institute by *Clint Bolick* and *James M. Manley*; for Illinois State Workers by *Joseph J. Torres*; for Mackinac Center for Public Policy by *Patrick J. Wright*; for the Mountain States Legal Foundation by *Steven J. Lechner*; for Public School Teachers Who Favor School Choice by *Dana Berliner* and *Robert Everett Johnson*; for the National Federation of Independent Business Small Business Legal Center by *Ronald A. Cass* and *Karen R. Harned*; for the National Right To Work Legal Defense Foundation, Inc., by *William L. Messenger* and *Milton L. Chappell*; for the Pacific Legal Foundation et al. by *Deborah J. La Fetra* and *Timothy Sandefur*; for The Rutherford Institute by *D. Alicia Hickok*, *Chanda A. Miller*, and *John W. Whitehead*; for State Public Policy Research Organizations by *Jeffrey M. Harris*; for Daniel DiSalvo by *Thomas R. McCarthy*

Per Curiam

PER CURIAM.

The judgment is affirmed by an equally divided Court.

and *William S. Consovoy*; for Susana Martinez, Governor of New Mexico, by *Jerry A. Walz*; for Bruce Rauner, Governor of Illinois, et al. by *David L. Applegate*, *Jason Barclay*, and *Dennis Murashko*; and for Glenn J. Schworak et al. by *Jill Gibson* and *James Huffman*.

Briefs of *amici curiae* urging affirmance were filed for the State of New York et al. by *Eric T. Schneiderman*, Attorney General of New York, *Barbara D. Underwood*, Solicitor General, *Anisha Dasgupta*, Deputy Solicitor General, and *Valerie Figueredo*, Assistant Solicitor General, by *Bruce R. Beemer*, First Deputy Attorney General of Pennsylvania, and by the Attorneys General for their respective jurisdictions as follows: *Craig W. Richards* of Alaska, *George Jepsen* of Connecticut, *Matthew P. Denn* of Delaware, *Karl A. Racine* of the District of Columbia, *Douglas S. Chin* of Hawaii, *Lisa Madigan* of Illinois, *Tom Miller* of Iowa, *Jack Conway* of Kentucky, *Janet T. Mills* of Maine, *Brian E. Frosh* of Maryland, *Maura Healey* of Massachusetts, *Lori Swanson* of Minnesota, *Chris Koster* of Missouri, *Joseph A. Foster* of New Hampshire, *Hector H. Balderas* of New Mexico, *Ellen F. Rosenblum* of Oregon, *Peter F. Kilmartin* of Rhode Island, *William H. Sorrell* of Vermont, *Mark R. Herring* of Virginia, and *Robert W. Ferguson* of Washington; for Alameda Unified School District et al. by *Seth P. Waxman*, *Bruce M. Berman*, *Jonathan G. Cedarbaum*, *Alan Schoenfeld*, and *Joshua Civin*; for the American Federation of Labor and Congress of Industrial Organizations et al. by *Lynn K. Rhinehart*, *Harold C. Becker*, *James B. Coppess*, *William Lurye*, and *Laurence Gold*; for the American Federation of Teachers et al. by *Kevin K. Russell*, *Rhonda Weingarten*, *David J. Strom*, *Mark Richard*, *Risa L. Lieberwitz*, and *Aaron Nisenson*; for the California School Employees Association by *Michael R. Clancy* and *Christina C. Bleuler*; for Cities, Counties, and Elected Officials by *Samuel R. Bagenstos*, *Dennis J. Herrera*, *Christine Van Aken*, *Michael N. Feuer*, *James P. Clark*, *Benna Ruth Solomon*, *Marc P. Hansen*, *Joseph Martuccio*, *Robert Triozzi*, *Adam W. Louka*, *Martin S. Hume*, *Rebecca M. Gerson*, and *Michael P. May*; for the City of New York by *Zachary W. Carter* and *Richard Dearing*; for Constitutional Law Scholars by *Andrew J. Pincus*, *Charles A. Rothfeld*, *Michael B. Kimberly*, *Paul W. Hughes*, and *Eugene R. Fidell*; for Corporate Law Professors by *Anna-Rose Mathieson*; for the International Association of Fire Fighters by *Thomas A. Woodley*; for Labor Law and Labor Relations Professors by *Charlotte Garden*; for Los Angeles County's Department of Health Services et al. by *Claire Prestel*, *Judith A. Scott*, *Nicole G. Berner*, and *Walter Kamiat*; for the National Council on Teacher Retirement et al. by

Per Curiam

Adam C. Toosley, John T. Shapiro, and Terrence J. Sheahan; for the National Fraternal Order of Police by *Christina L. Corl and Larry H. James*; for the National Women's Law Center et al. by *Matthew S. Hellman, Marcia D. Greenberger, Emily J. Martin, Andrea Johnson, Wade J. Henderson, and Lisa M. Bornstein*; for the New York City Municipal Labor Committee by *Alan M. Klinger and Harry Greenberg*; for the Peace Officers Research Association of California et al. by *Pamela S. Karlan, Jeffrey L. Fisher, Brian Wolfman, Gary M. Messing, and Gregg M. Adam*; for Republican Current and Former Members of State Legislatures and Congress by *Elizabeth B. Wydra, Brianne J. Gorod, and David H. Gans*; for Social Scientists by *Joel Rogers*; for Brittany Alexander, Public School Teachers, et al. by *Bruce H. Lederman*; for Steve Bullock, Governor of Montana, by *Deepak Gupta and Matthew W. H. Wessler*; for Cynthia L. Estlund et al. by *Samuel Estreicher, pro se*; and for 21 Past Presidents of the D. C. Bar by *John W. Nields, Jr.*