104 S.Ct. 3315
Supreme Court of the United States

W. Wayne ALLEN, Petitioner,
v.
Inez WRIGHT, etc., et al.
Donald T. REGAN, Secretary of the Treasury, et al., Petitioner,
v.
Inez WRIGHT, etc., et al.

Nos. 81-757, 81-970.
|
Argued Feb. 29, 1984.
|
Decided July 3, 1984.
|
Rehearing Denied Sept. 18, 1984.

**Synopsis**
See 468 U.S. 1250, 105 S.Ct. 51, 52.

Parents of black children attending public schools in districts undergoing desegregation brought nationwide class action alleging that Internal Revenue Service had not adopted sufficient standards and procedures to fulfill its obligation to deny tax-exempt status to racially discriminatory private schools. The United States District Court for the District of Columbia, George L. Hart, Jr., J., dismissed on standing grounds. The Court of Appeals for the District of Columbia, 656 F.2d 820, reversed and remanded. Certiorari was granted. The Supreme Court, Justice O'Connor, held that: (1) parents did not have standing to prevent the government from violating the law in granting tax exemptions; (2) absent allegation of direct injury, standing could not be predicated on claim of stigmatization caused by racial discrimination; and (3) claim of injury to their children's diminished ability to receive an education in a racially integrated school, although a judicially cognizable injury, failed because the alleged injury was not fairly traceable to the government's conduct that was challenged as unlawful.

Judgment of Court of Appeals reversed.

Justice Brennan filed a dissenting opinion.

Justice Stevens filed a dissenting opinion in which Justice Blackmun joined.

West Headnotes (19)

[1] **Federal Courts** Nature of dispute; concreteness

Federal courts are confined to adjudicating actual cases and controversies. U.S.C.A. Const. Art. 3, § 1 et seq.

384 Cases that cite this headnote

[2] **Federal Civil Procedure** In general; injury or interest

Constitutional doctrine requiring a litigant to have "standing" to invoke the power of a federal court is perhaps the most important of the doctrines clustering around the Article III "case or controversy" requirement of federal judicial power. U.S.C.A. Const. Art. 3, § 1 et seq.

842 Cases that cite this headnote

[3] **Federal Civil Procedure** In general; injury or interest

Standing doctrine embraces several judicially self-imposed limits on the exercise of federal jurisdiction, such as the general prohibition on a litigant's raising another person's legal rights, the rule barring adjudication of generalized grievances more appropriately addressed in the representative branches, and the requirement that a plaintiff's complaint fall within the zone of interests protected by the law invoked. U.S.C.A. Const. Art. 3, § 1 et seq.

880 Cases that cite this headnote

[4] **Federal Civil Procedure** In general; injury or interest

Standing requirement has a core component derived directly from the Constitution in that a plaintiff must allege personal injury fairly traceable to defendant's allegedly unlawful conduct and likely to be redressed by the requested relief. U.S.C.A. Const. Art. 3, § 1 et seq.

  

1884 Cases that cite this headnote

[5] **Federal Civil Procedure** In general; injury or interest

Like the prudential component of federal judicial power, the constitutional component of the standing doctrine incorporates concepts not susceptible of precise definition and the injury alleged must be, for example, distinct and palpable and not abstract or conjectural or hypothetical and the injury must be fairly traceable to the challenged action and relief from the injury must be likely to follow from a favorable decision, and those terms cannot be defined so as to make application of the constitutional standing requirement a mechanical exercise. U.S.C.A. Const. Art. 3, § 1 et seq.

1009 Cases that cite this headnote

[6] **Federal Civil Procedure** In general; injury or interest

Absence of precise definitions of standing terminology does not leave courts at sea in applying the law of standing as, like most legal notions, the standing concepts have gained considerable definition from developing case law and in many cases the standing question can be answered chiefly by comparing the allegations of the particular complaint to those made in prior standing cases. U.S.C.A. Const. Art. 3, § 1 et seq.

60 Cases that cite this headnote

[7] **Constitutional Law** Separation of Powers

Article III standing is built on a single basic idea, the idea of separation of powers. U.S.C.A. Const. Art. 3, § 1 et seq.

104 Cases that cite this headnote

[8] **Federal Civil Procedure** Pleading

Typically, the Article III standing inquiry requires careful judicial examination of a complaint's allegations to ascertain whether the particular plaintiff is entitled to an adjudication of the particular claims. U.S.C.A. Const. Art. 3, § 1 et seq.

339 Cases that cite this headnote

[9] **Federal Civil Procedure** In general; injury or interest

Questions relevant to standing inquiry must be answered by reference to the Article III notion that federal courts may exercise power only in the last resort and as a necessity and only when adjudication is consistent with a system of separated powers and the dispute is one traditionally thought to be capable of resolution through the judicial process. U.S.C.A. Const. Art. 3, § 1 et seq.

135 Cases that cite this headnote

[10] **Federal Civil Procedure** Causation; redressability

The "fairly traceable" component of constitutional standing examines the causal connection between the assertedly unlawful conduct and the alleged injury, whereas the "redressability" component examines the causal connection between the alleged injury and the judicial relief requested. U.S.C.A. Const. Art. 3, § 1 et seq.

1090 Cases that cite this headnote

[11] **Constitutional Law** Discrimination in general

Parents of black children attending public schools in districts undergoing desegregation lacked standing, on theory of preventing government from violating the law, to challenge Internal Revenue Service's standards and procedures to fulfill its obligation to deny tax-exempt status to racially discriminatory private schools. 26 U.S.C.A. §§ 170(a)(1), (c)(2), 501(a), (c)(3); U.S.C.A. Const. Art. 3, § 1 et seq.

67 Cases that cite this headnote

  

[12] **Federal Civil Procedure** In general; injury or interest

Asserted right to have the government act in accordance with law is not sufficient of itself to confer jurisdiction on a federal court. U.S.C.A. Const. Art. 3, § 1 et seq.

160 Cases that cite this headnote

[13] **Civil Rights** Injury and Causation

Noneconomic injury in nature of stigmatization caused by racial discrimination is one of the most serious consequences of discriminatory government action and is sufficient in some circumstances to support standing, but such injury accords a basis for standing only to those who are personally denied equal treatment by the challenged discriminatory conduct. U.S.C.A. Const. Art. 3, § 1 et seq.; Amends. 5, 14.

156 Cases that cite this headnote

[14] **Constitutional Law** Taxation

Absent allegation of a stigmatic injury suffered as a direct result of having personally been denied equal treatment, parents of black children attending public schools in districts undergoing desegregation did not have standing, on theory of stigmatizing injury caused by racial discrimination, to challenge procedures of Internal Revenue Service in denying tax exempt status to racially discriminatory private schools. 26 U.S.C.A. §§ 170(a)(1), (c)(2), 501(a), (c)(3); U.S.C.A. Const. Art. 3, § 1 et seq.

217 Cases that cite this headnote

[15] **Constitutional Law** Discrimination in general

Children's diminished ability to receive an education in a racially integrated school is judicially cognizable, but the federal judiciary may not redress it unless the standing requirements are met. U.S.C.A. Const. Art. 3, § 1 et seq.; Amends. 5, 14.

13 Cases that cite this headnote

[16] **Constitutional Law** Equal Protection

To constitute standing, stigmatic injuries from discriminatory treatment on basis of race requires identification of some concrete interest with respect to which plaintiffs are personally subject to discriminatory treatment and that interest must independently satisfy causation requirement of the standing doctrine. U.S.C.A. Const. Art. 3, § 1 et seq.; Amends. 5, 14.

65 Cases that cite this headnote

[17] **Constitutional Law** Discrimination in general

Claim by parents of black children attending public schools in districts undergoing desegregation that their children had diminished ability to receive an education in racially integrated school because of federal tax exemption granted to some racially discriminatory private schools, although a judicially cognizable injury, was insufficient to support standing to challenge tax exemption procedures as the alleged injury was not fairly traceable to the challenged government conduct absent indication that withdrawal of exemptions would make an appreciable difference in public school integration. 26 U.S.C.A. §§ 170(a)(1), (c)(2), 501(a), (c)(3); U.S.C.A. Const. Art. 3, § 1 et seq.; Amends. 5, 14.

163 Cases that cite this headnote

[18] **Federal Civil Procedure** In general; injury or interest

Separation-of-powers concept underlies the standing doctrine. U.S.C.A. Const. Art. 3, § 1 et seq.

29 Cases that cite this headnote

[19] **Federal Civil Procedure** In general; injury or interest

  

When transported into the Article III context, principle of separation of powers counsels against recognizing standing in a case brought not to enforce specific legal obligations whose violation works a direct harm but to seek a restructuring of the apparatus established by the Executive Branch to fulfill its legal duties. U.S.C.A. Const. Art. 3, § 1 et seq.

84 Cases that cite this headnote

*Syllabus* [a1]

The Internal Revenue Service (IRS) denies tax-exempt status under the Internal Revenue Code—and hence eligibility to receive charitable contributions deductible from income taxes under the Code—to racially discriminatory private schools, and has established guidelines and procedures for determining whether a particular school is in fact racially nondiscriminatory. Respondents, parents of black children who were attending public schools in seven States in school districts undergoing desegregation, brought a nationwide class action in Federal District Court against petitioner Government officials (petitioner Allen, the head of a private school identified in the complaint, intervened as a defendant), alleging that the IRS has not adopted sufficient standards and procedures to fulfill its obligation to deny tax-exempt status to racially discriminatory private schools and has thereby harmed respondents directly and interfered with their children's opportunity to receive an education in desegregated public schools. Respondents also alleged that many racially segregated private schools were created or expanded in their communities at the time the public schools were undergoing desegregation, and had received tax exemptions despite the IRS policy and guidelines; and that these unlawful tax exemptions harmed respondents in that they constituted tangible financial aid for racially segregated educational institutions and encouraged the organization and expansion of institutions that provided segregated educational opportunities for white students avoiding attendance in the public schools. Respondents did not allege that their children had ever applied or would ever apply for admission to any private school. They sought declaratory and injunctive relief. The District Court dismissed the complaint on the ground that respondents lacked standing to bring the suit. The Court of Appeals reversed.

Held: Respondents do not have standing to bring this suit. Pp. 3324–3332.

(a) The "case or controversy" requirement of Art. III ***738** of the Constitution defines with respect to the Judicial Branch the idea of separation of powers on which the Federal Government is founded, and the Art. III doctrine of "standing" has a core constitutional component that a plaintiff must allege personal injury fairly traceable to the defendant's allegedly unlawful conduct and likely to be redressed by the requested relief. The concepts of standing doctrine present questions that must be answered by reference to the Art. III notion that federal courts may exercise power only in the last resort and as a necessity, and only when adjudication is consistent with a system of separated powers and the dispute is one traditionally thought to be capable of resolution through the judicial process. Pp. 3324–3325.

(b) Respondents' claim that they are harmed directly by the mere fact of Government financial aid to discriminatory private schools fails because it does not ****3318** constitute judicially cognizable injury. Insofar as the claim may be interpreted as one simply to have the Government avoid the alleged violation of law in granting the tax exemptions, an asserted right to have the Government act in accordance with law is not sufficient, standing alone, to confer jurisdiction on a federal court. Nor do respondents have standing to litigate their claim based on the stigmatizing injury often caused by racial discrimination. Such injury accords a basis for standing only to those persons who are personally denied equal treatment by the challenged discriminatory conduct, and respondents do not allege a stigmatic injury suffered as a direct result of having personally been denied equal treatment. Pp. 3325–3327.

(c) Respondents' claim of injury as to their children's diminished ability to receive an education in a racially integrated school because of the federal tax exemptions granted to some racially discriminatory private schools—though a judicially cognizable injury—fails because the alleged injury is not fairly traceable to the Government conduct that is challenged as unlawful. Respondents have not alleged that there were enough racially discriminatory private schools receiving tax exemptions in respondents' communities for withdrawal of those exemptions to make an appreciable difference in public school integration. Moreover, it is entirely speculative whether withdrawal of a particular school's tax exemption would lead the school to change its policies; whether any given parent of a child attending such

  

a private school would decide to transfer the child to public school as a result of any changes in policy of a private school threatened with loss of tax-exempt status; or whether, in a particular community, a large enough number of school officials and parents would reach decisions that collectively would have a significant impact on the racial composition of the public schools. To recognize respondents' standing to seek a restructuring of the apparatus established by the Executive Branch to fulfill its legal duties would run afoul of the idea of separation of powers that underlies standing doctrine. The ***739** Constitution assigns to the Executive Branch, not to the Judicial Branch, the duty to take care that the laws be faithfully executed. Pp. 3327–3330.

(d) None of the cases relied on by the Court of Appeals and by respondents to establish standing—Gilmore v. City of Montgomery, 417 U.S. 556, 94 S.Ct. 2416, 41 L.Ed.2d 304; Norwood v. Harrison, 413 U.S. 455, 93 S.Ct. 2804, 37 L.Ed.2d 723; and Coit v. Green, 404 U.S. 997, 92 S.Ct. 564, 30 L.Ed.2d 550, summarily aff'g Green v. Connally, 330 F.Supp. 1150—requires a finding of standing here. Pp. 3330–3332.

211 U.S.App.D.C. 231, 656 F.2d 820, reversed.

**Attorneys and Law Firms**

*Solicitor General Lee* argued the cause for petitioners in No. 81-970. With him on the briefs were *Assistant Attorney General Archer, Deputy Solicitor General Wallace, Ernest J. Brown,* and *Robert S. Pomerance. William J. Landers II* argued the cause for petitioner in No. 81-757. With him on the brief was *S. Shepherd Tate.*

*Robert H. Kapp* argued the cause for respondents. With him on the brief were *Joseph M. Hassett, David S. Tatel, William L. Robinson, Norman J. Chachkin,* and *Frank R. Parker.*†

† *Wilfred R. Caron* and *Angelo Aiosa* filed a brief for the United States Catholic Conference as *amicus curiae* urging reversal.

*Thomas I. Atkins* and *Harold Flannery* filed a brief for the National Association for the Advancement of Colored People et al. as *amici curiae* urging affirmance.

**Opinion**

Justice O'CONNOR delivered the opinion of the Court.

Parents of black public school children allege in this nationwide class action that the Internal Revenue Service (IRS) has not adopted sufficient standards and procedures to fulfill its obligation to deny tax-exempt status to racially discriminatory private schools. They assert that the IRS thereby harms them directly and interferes with the ability of their ***740** children to receive an education in desegregated public schools. The issue before us is whether plaintiffs have standing to bring this suit. We hold that they do not.

I

The IRS denies tax-exempt status under §§ 501(a) and (c)(3) of the Internal Revenue Code, 26 U.S.C. §§ 501(a) and (c)(3)—and hence eligibility to receive charitable contributions deductible from income taxes under §§ 170(a)(1) and (c)(2) of the Code, ****3319** 26 U.S.C. §§ 170(a)(1) and (c)(2)—to racially discriminatory private schools. Rev.Rul. 71–447, 1971–2 Cum.Bull. 230.[1] The IRS policy requires that a school applying for tax-exempt status show that it "admits the students of any race to all the rights, privileges, programs, and activities generally accorded or made available to students at that school and that the school does not discriminate on the basis of race in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs." Ibid. To carry out this policy, the IRS has established guidelines and procedures for determining whether a particular school is in fact racially nondiscriminatory. Rev.Proc. 75–50, 1975–2 Cum.Bull. 587.[2] Failure to comply with the guidelines "will ordinarily result in the proposed revocation of" tax-exempt status. Id., § 4.08, p. 589.

***741** The guidelines provide that "[a] school must show affirmatively both that it has adopted a racially nondiscriminatory policy as to students that is made known to the general public and that since the adoption of that policy it has operated in a bona fide manner in accordance therewith." Id., § 2.02.[3] The school must state its nondiscrimination policy in its organizational charter, id., § 4.01, pp. 587–588,

and in all of its brochures, catalogs, and other advertisements to prospective students, id., § 4.02, p. 588. The school must make its nondiscrimination policy known to the entire community served by the school and must publicly disavow any contrary representations made on its behalf once it becomes aware of them. Id., § 4.03.[4] The school must have nondiscriminatory ***742** policies concerning all programs and facilities, id., § 4.04, p. 589, including scholarships and loans, id., § 4.05,[5] and the school must ****3320** annually certify, under penalty of perjury, compliance with these requirements, id., § 4.07.[6]

The IRS rules require a school applying for tax-exempt status to give a breakdown along racial lines of its student body and its faculty and administrative staff, id., § 5.01–1, as well as of scholarships and loans awarded, id., § 5.01–2. They also require the applicant school to state the year of its organization, id., § 5.01–5, and to list "incorporators, founders, board members, and donors of land or buildings," id., § 5.01–3, and state whether any of the organizations among these have an objective of maintaining segregated public or private school education, id., § 5.01–4. The rules further provide that, once given an exemption, a school must keep specified records to document the extent of compliance with the IRS guidelines. Id., § 7, p. 590.[7] Finally, the ***743** rules announce that any information concerning discrimination at a tax-exempt school is officially welcomed. Id., § 6.[8]

In 1976 respondents challenged these guidelines and procedures in a suit filed in Federal District Court against the Secretary of the Treasury and the Commissioner of Internal Revenue.[9] The plaintiffs named in the complaint are parents of black children who, at the time the complaint was filed, were attending public schools in seven States in school districts undergoing desegregation. They brought this nationwide class action "on behalf of themselves and their children, and ... on behalf of all other parents of black children attending public school systems undergoing, or which may in the future undergo, desegregation pursuant to court order [or] HEW regulations and guidelines, under state law, or voluntarily." App. 22–23. They estimated that the class they seek to represent includes several million persons. Id., at 23.

Respondents allege in their complaint that many racially segregated private schools were created or expanded in their ***744** communities at the time the public schools were undergoing desegregation. Id., at 23–24. According to the complaint, many such private schools, including 17 ****3321** schools or school systems identified by name in the complaint (perhaps some 30 schools in all), receive tax exemptions either directly or through the tax-exempt status of "umbrella" organizations that operate or support the schools. Id., at 23–38.[10] Respondents ***745** allege that, despite the IRS policy of denying tax-exempt status to racially discriminatory private schools and despite the IRS guidelines and procedures for implementing that policy, some of the tax-exempt racially segregated private schools created or expanded in desegregating districts in fact have racially discriminatory policies. Id., at 17–18 (IRS permits "schools to receive tax exemptions merely on the basis of adopting and certifying—but not implementing—a policy of nondiscrimination"); id., at 25 (same).[11] Respondents allege that the IRS grant of tax exemptions to such racially discriminatory schools is unlawful.[12]

Respondents allege that the challenged Government conduct harms them in two ways. The challenged conduct
"(a) constitutes tangible federal financial aid and other support for racially segregated educational institutions, and

"(b) fosters and encourages the organization, operation and expansion of institutions providing racially segregated educational opportunities for white children avoiding attendance in desegregating public school districts and thereby interferes with the efforts of federal courts, HEW and local school authorities to desegregate public school districts which have been operating racially dual school systems." Id., at 38–39.

***746** Thus, respondents do not allege that their children have been the victims of discriminatory exclusion from the schools whose tax exemptions they challenge as unlawful. Indeed, they have not alleged at ****3322** any stage of this litigation that their children have ever applied or would ever apply to any private school. See Wright v. Regan, 211 U.S.App.D.C. 231, 238, 656 F.2d 820, 827 (1981) ("Plaintiffs ... maintain they have no interest whatever in enrolling their children in a private school"). Rather, respondents claim a direct injury from the mere fact of the challenged Government conduct and, as indicated by the restriction of the plaintiff class to parents of children in desegregating school districts, injury to their children's opportunity to receive a desegregated education.[13] The latter injury is traceable to the IRS grant of tax exemptions to racially discriminatory schools, respondents allege, chiefly

because contributions to such schools are deductible from income taxes under §§ 170(a)(1) and (c)(2) of the Internal Revenue Code and the "deductions facilitate the raising of funds to organize new schools and expand existing schools in order to accommodate white students avoiding attendance in desegregating public school districts." App. 24. [14]

Respondents request only prospective relief. Id., at 40–41. They ask for a declaratory judgment that the challenged IRS tax-exemption practices are unlawful. They also ***747** ask for an injunction requiring the IRS to deny tax exemptions to a considerably broader class of private schools than the class of racially discriminatory private schools. Under the requested injunction, the IRS would have to deny tax-exempt status to all private schools

"which have insubstantial or nonexistent minority enrollments, which are located in or serve desegregating public school districts, and which either—

"(1) were established or expanded at or about the time the public school districts in which they are located or which they serve were desegregating;

"(2) have been determined in adversary judicial or administrative proceedings to be racially segregated; or

"(3) cannot demonstrate that they do not provide racially segregated educational opportunities for white children avoiding attendance in desegregating public school systems...." Id., at 40.

Finally, respondents ask for an order directing the IRS to replace its 1975 guidelines with standards consistent with the requested injunction.

In May 1977 the District Court permitted intervention as a defendant by petitioner Allen, the head of one of the private school systems identified in the complaint. Id., at 54–55. Thereafter, progress in the lawsuit was stalled for several years. During this period, the IRS reviewed its challenged policies and proposed new Revenue Procedures to tighten requirements for eligibility for tax-exempt status for private schools. See 43 Fed.Reg. 37296 (1978); 44 Fed.Reg. 9451 (1979). [15] In 1979, however, Congress ****3323** blocked any strengthening ***748** of the IRS guidelines at least until October 1980. [16] The District Court thereupon considered and granted the defendants' motion to dismiss the complaint, concluding that respondents lack standing, that the judicial task proposed by respondents is inappropriately intrusive for a federal court, and that awarding the requested relief would be contrary to the will of Congress expressed in the 1979 ban on strengthening IRS guidelines. Wright v. Miller, 480 F.Supp. 790 (DC 1979).

The United States Court of Appeals for the District of Columbia Circuit reversed, concluding that respondents have standing to maintain this lawsuit. The court acknowledged that Simon v. Eastern Kentucky Welfare Rights Org., 426 U.S. 26, 96 S.Ct. 1917, 48 L.Ed.2d 450 (1976), "suggests that litigation concerning tax liability is a matter between taxpayer and IRS, with the door ***749** barely ajar for third party challenges." 211 U.S.App.D.C., at 239, 656 F.2d, at 828. The court concluded, however, that the Simon case is inapposite because respondents claim no injury dependent on taxpayers' actions: "[t]hey claim indifference as to the course private schools would take." Id., at 240, 656 F.2d, at 829. [17] Instead, the court observed, "[t]he sole injury [respondents] claim is the denigration they suffer as black parents and schoolchildren when their government graces with tax-exempt status educational institutions in their communities that treat members of their race as persons of lesser worth." Id., at 238, 656 F.2d, at 827. The court held this denigration injury enough to give respondents standing since it was this injury which supported standing in Coit v. Green, 404 U.S. 997, 92 S.Ct. 564, 30 L.Ed.2d 550 (1971), summarily aff'g Green v. Connally, 330 F.Supp. 1150 (DC); Norwood v. Harrison, 413 U.S. 455, 93 S.Ct. 2804, 37 L.Ed.2d 723 (1973); and Gilmore v. City of Montgomery, 417 U.S. 556, 94 S.Ct. 2416, 41 L.Ed.2d 304 (1974). 211 U.S.App.D.C., at 239–243, 656 F.2d, at 828–832. The Court of Appeals also held that the 1979 congressional actions were not intended to preclude judicial remedies and that the relief requested by respondents could be fashioned "without large scale judicial intervention in the administrative process," id., at 248, 656 F.2d, at 837. [18] The court accordingly remanded the case to the District Court for further proceedings, enjoining the defendants meanwhile from granting tax-exempt status to any racially discriminatory school, App. 81–84.

****3324** ***750** The Government defendants and defendant-intervenor Allen filed separate petitions for a writ of certiorari in this Court. They both sought review of the Court of

  

Appeals' holding that respondents have standing to bring this lawsuit. We granted certiorari, 462 U.S. 1130, 103 S.Ct. 3109, 77 L.Ed.2d 1365 (1983), and now reverse.

II

A

**[1]** Article III of the Constitution confines the federal courts to adjudicating actual "cases" and "controversies." As the Court explained in Valley Forge Christian College v. Americans United for Separation of Church and State, Inc., 454 U.S. 464, 471–476, 102 S.Ct. 752, 757–761, 70 L.Ed.2d 700 (1982), the "case or controversy" requirement defines with respect to the Judicial Branch the idea of separation of powers on which the Federal Government is founded. The several doctrines that have grown up to elaborate that requirement are "founded in concern about the proper—and properly limited—role of the courts in a democratic society." Warth v. Seldin, 422 U.S. 490, 498, 95 S.Ct. 2197, 2205, 45 L.Ed.2d 343 (1975).
"All of the doctrines that cluster about Article III—not only standing but mootness, ripeness, political question, and the like—relate in part, and in different though overlapping ways, to an idea, which is more than an intuition but less than a rigorous and explicit theory, about the constitutional and prudential limits to the powers of an unelected, unrepresentative judiciary in our kind of government." Vander Jagt v. O'Neill, 226 U.S.App.D.C. 14, 26–27, 699 F.2d 1166, 1178–1179 (1983) (Bork, J., concurring).

The case-or-controversy doctrines state fundamental limits on federal judicial power in our system of government.

**[2]** **[3]** **[4]** The Art. III doctrine that requires a litigant to have "standing" to invoke the power of a federal court is perhaps the most important of these doctrines. "In essence the question of standing is whether the litigant is entitled to have the ***751** court decide the merits of the dispute or of particular issues." Warth v. Seldin, supra, 422 U.S., at 498, 95 S.Ct., at 2205. Standing doctrine embraces several judicially self-imposed limits on the exercise of federal jurisdiction, such as the general prohibition on a litigant's raising another person's legal rights, the rule barring adjudication of generalized grievances more appropriately addressed in the representative branches, and the requirement that a plaintiff's complaint fall within the zone of interests protected by the law invoked. See Valley Forge, supra, 454 U.S., at 474–475, 102 S.Ct., at 759–760. The requirement of standing, however, has a core component derived directly from the Constitution. A plaintiff must allege personal injury fairly traceable to the defendant's allegedly unlawful conduct and likely to be redressed by the requested relief. 454 U.S., at 472, 102 S.Ct., at 758.

**[5]** Like the prudential component, the constitutional component of standing doctrine incorporates concepts concededly not susceptible of precise definition. The injury alleged must be, for example, " 'distinct and palpable,' " Gladstone, Realtors v. Village of Bellwood, 441 U.S. 91, 100, 99 S.Ct. 1601, 1608, 60 L.Ed.2d 66 (1979) (quoting Warth v. Seldin, supra, 422 U.S., at 501, 95 S.Ct., at 2206), and not "abstract" or "conjectural" or "hypothetical," Los Angeles v. Lyons, 461 U.S. 95, 101–102, 103 S.Ct. 1660, 1665, 75 L.Ed.2d 675 (1983); O'Shea v. Littleton, 414 U.S. 488, 494, 94 S.Ct. 669, 675, 38 L.Ed.2d 674 (1974). The injury must be "fairly" traceable to the challenged action, and relief from the injury must be "likely" to follow from a favorable decision. See Simon v. Eastern Kentucky Welfare Rights Org., 426 U.S., at 38, 41, 96 S.Ct., at 1924, 1925. These terms cannot be defined so as to make application of the constitutional standing requirement a mechanical exercise.

**[6]** **[7]** The absence of precise definitions, however, as this Court's extensive body of case law on standing illustrates, ****3325** see generally Valley Forge, supra, 454 U.S., at 471–476, 102 S.Ct., at 757–761, hardly leaves courts at sea in applying the law of standing. Like most legal notions, the standing concepts have gained considerable definition from developing case law. In many cases the standing question can be answered chiefly by comparing the allegations of the particular complaint to those made in prior standing ***752** cases. See, e.g., Los Angeles v. Lyons, supra, 461 U.S., at 102–105, 103 S.Ct., at 1665–1667. More important, the law of Art. III standing is built on a single basic idea—the idea of separation of powers. It is this fact which makes possible the gradual clarification of the law through judicial application. Of course, both federal and state courts have long experience in applying and elaborating in numerous contexts the pervasive and fundamental notion of separation of powers.

**[8]** **[9]** Determining standing in a particular case may be facilitated by clarifying principles or even clear rules developed in prior cases. Typically, however, the standing inquiry requires careful judicial examination of a complaint's allegations to ascertain whether the particular plaintiff is entitled to an adjudication of the particular claims asserted. Is the injury too abstract, or otherwise not appropriate, to be considered judicially cognizable? Is the line of causation between the illegal conduct and injury too attenuated? Is the prospect of obtaining relief from the injury as a result of a favorable ruling too speculative? These questions and any others relevant to the standing inquiry must be answered by reference to the Art. III notion that federal courts may exercise power only "in the last resort, and as a necessity," Chicago & Grand Trunk R. Co. v. Wellman, 143 U.S. 339, 345, 12 S.Ct. 400, 402, 36 L.Ed. 176 (1892), and only when adjudication is "consistent with a system of separated powers and [the dispute is one] traditionally thought to be capable of resolution through the judicial process," Flast v. Cohen, 392 U.S. 83, 97, 88 S.Ct. 1942, 1951, 20 L.Ed.2d 947 (1968). See Valley Forge, 454 U.S., at 472–473, 102 S.Ct., at 758–759.

B

Respondents allege two injuries in their complaint to support their standing to bring this lawsuit. First, they say that they are harmed directly by the mere fact of Government financial aid to discriminatory private schools. Second, they say that the federal tax exemptions to racially discriminatory private schools in their communities impair ***753** their ability to have their public schools desegregated. See supra, at 3322.

**[10]** In the Court of Appeals, respondents apparently relied on the first injury. Thus, the court below asserted that "[t]he sole injury [respondents] claim is the denigration they suffer" as a result of the tax exemptions. 211 U.S.App.D.C., at 238, 656 F.2d, at 827. In this Court, respondents have not focused on this claim of injury. Here they stress the effect of the tax exemptions on their "equal educational opportunities," see, e.g., Brief for Respondents 12, 14, renewing reliance on the second injury described in their complaint.

Because respondents have not clearly disclaimed reliance on either of the injuries described in their complaint, we address both allegations of injury. We conclude that neither suffices to support respondents' standing. The first fails under clear precedents of this Court because it does not constitute judicially cognizable injury. The second fails because the alleged injury is not fairly traceable to the assertedly unlawful conduct of the IRS. [19]

****3326** 1

**[11]** Respondents' first claim of injury can be interpreted in two ways. It might be a claim simply to have the Government ***754** avoid the violation of law alleged in respondents' complaint. Alternatively, it might be a claim of stigmatic injury, or denigration, suffered by all members of a racial group when the Government discriminates on the basis of race. [20] Under neither interpretation is this claim of injury judicially cognizable.

**[12]** This Court has repeatedly held that an asserted right to have the Government act in accordance with law is not sufficient, standing alone, to confer jurisdiction on a federal court. In Schlesinger v. Reservists Committee to Stop the War, 418 U.S. 208, 94 S.Ct. 2925, 41 L.Ed.2d 706 (1974), for example, the Court rejected a claim of citizen standing to challenge Armed Forces Reserve commissions held by Members of Congress as violating the Incompatibility Clause of Art. I, § 6, of the Constitution. As citizens, the Court held, plaintiffs alleged nothing but "the abstract injury in nonobservance of the Constitution...." Id., at 223, n. 13, 94 S.Ct., at 2933 n. 13. More recently, in Valley Forge, supra, we rejected a claim of standing to challenge a Government conveyance of property to a religious institution. Insofar as the plaintiffs relied simply on " 'their shared individuated right' " to a Government that made no law respecting an establishment of religion, id., 454 U.S., at 482, 102 S.Ct., at 764 (quoting Americans United v. U.S. Dept. of HEW, 619 F.2d 252, 261 (CA3 1980)), we held that plaintiffs had not alleged a judicially cognizable injury. "[A] ssertion of a right to a particular kind of Government conduct, which the Government has violated by acting differently, cannot alone satisfy the requirements of Art. III without draining those requirements of meaning." 454 U.S., at 483, 102 S.Ct., at 764. See also United States v. Richardson, 418 U.S. 166, 94 S.Ct. 2940, 41 L.Ed.2d 678 (1974); Laird v. Tatum, 408 U.S. 1, 92 S.Ct. 2318, 33 L.Ed.2d 154 (1972); ***755** Ex parte Lévitt, 302 U.S. 633, 58 S.Ct. 1, 82 L.Ed. 493 (1937).

  

Respondents here have no standing to complain simply that their Government is violating the law.

**[13]** Neither do they have standing to litigate their claims based on the stigmatizing injury often caused by racial discrimination. There can be no doubt that this sort of noneconomic injury is one of the most serious consequences of discriminatory government action and is sufficient in some circumstances to support standing. See Heckler v. Mathews, 465 U.S. 728, 739–740, 104 S.Ct. 1387, 1395–1396, 79 L.Ed.2d 646 (1984). Our cases make clear, however, that such injury accords a basis for standing only to "those persons who are personally denied equal treatment" by the challenged discriminatory conduct, ibid.

**[14]** In Moose Lodge No. 107 v. Irvis, 407 U.S. 163, 92 S.Ct. 1965, 32 L.Ed.2d 627 (1972), the Court held that the plaintiff had no standing to challenge a club's racially discriminatory membership policies because he had never applied for membership. Id., at 166–167, 92 S.Ct. at 1968–1969. In O'Shea v. Littleton, 414 U.S. 488, 94 S.Ct. 669, 38 L.Ed.2d 674 (1974), the Court held that the plaintiffs had no standing to challenge racial discrimination in the administration ****3327** of their city's criminal justice system because they had not alleged that they had been or would likely be subject to the challenged practices. The Court denied standing on similar facts in Rizzo v. Goode, 423 U.S. 362, 96 S.Ct. 598, 46 L.Ed.2d 561 (1976). In each of those cases, the plaintiffs alleged official racial discrimination comparable to that alleged by respondents here. Yet standing was denied in each case because the plaintiffs were not personally subject to the challenged discrimination. Insofar as their first claim of injury is concerned, respondents are in exactly the same position: unlike the appellee in Heckler v. Mathews, supra, 465 U.S., at 740–741, n. 9, 104 S.Ct., at 1396, n. 9, they do not allege a stigmatic injury suffered as a direct result of having personally been denied equal treatment.

The consequences of recognizing respondents' standing on the basis of their first claim of injury illustrate why our cases plainly hold that such injury is not judicially cognizable. If the abstract stigmatic injury were cognizable, standing ***756** would extend nationwide to all members of the particular racial groups against which the Government was alleged to be discriminating by its grant of a tax exemption to a racially discriminatory school, regardless of the location of that school. All such persons could claim the same sort of abstract stigmatic injury respondents assert in their first claim of injury. A black person in Hawaii could challenge the grant of a tax exemption to a racially discriminatory school in Maine. Recognition of standing in such circumstances would transform the federal courts into "no more than a vehicle for the vindication of the value interests of concerned bystanders." United States v. SCRAP, 412 U.S. 669, 687, 93 S.Ct. 2405, 2416, 37 L.Ed.2d 254 (1973). Constitutional limits on the role of the federal courts preclude such a transformation. [21]

2

**[15]** **[16]** It is in their complaint's second claim of injury that respondents allege harm to a concrete, personal interest that can support standing in some circumstances. The injury they identify—their children's diminished ability to receive an education in a racially integrated school—is, beyond any doubt, not only judicially cognizable but, as shown by cases from Brown v. Board of Education, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (1954), to Bob Jones University v. United States, 461 U.S. 574, 103 S.Ct. 2017, 76 L.Ed.2d 157 (1983), one of the most serious injuries recognized in our legal system. Despite the constitutional importance of curing the ***757** injury alleged by respondents, however, the federal judiciary may not redress it unless standing requirements are met. In this case, respondents' second claim of injury cannot support standing because the injury alleged is not fairly traceable to the Government conduct respondents challenge as unlawful. [22]

****3328** **[17]** The illegal conduct challenged by respondents is the IRS's grant of tax exemptions to some racially discriminatory schools. The line of causation between that conduct and desegregation of respondents' schools is attenuated at best. From the perspective of the IRS, the injury to respondents is highly indirect and "results from the independent action of some third party not before the court," Simon v. Eastern Kentucky Welfare Rights Org., 426 U.S., at 42, 96 S.Ct., at 1926. As the Court pointed out in Warth v. Seldin, 422 U.S., at 505, 95 S.Ct., at 2208 "the ***758** indirectness of the injury ... may make it substantially more difficult to meet the minimum requirement of Art. III...."

  

The diminished ability of respondents' children to receive a desegregated education would be fairly traceable to unlawful IRS grants of tax exemptions only if there were enough racially discriminatory private schools receiving tax exemptions in respondents' communities for withdrawal of those exemptions to make an appreciable difference in public school integration. Respondents have made no such allegation. It is, first, uncertain how many racially discriminatory private schools are in fact receiving tax exemptions.[23] Moreover, it is entirely speculative, as respondents themselves conceded in the Court of Appeals, see n. 17, supra, whether withdrawal of a tax exemption from any particular school would lead the school to change its policies. See 480 F.Supp., at 796. It is just as speculative whether any given parent of a child attending such a private school would decide to transfer the child to public school as a result of any changes in educational or financial policy made by the private school once it was threatened with loss of tax-exempt status. It is also pure speculation whether, in a particular community, a large enough number of the numerous relevant school officials and parents would reach decisions that collectively would have a significant impact on the racial composition of the public schools.

***759** The links in the chain of causation between the challenged Government conduct and the asserted injury are far too weak for the chain as a whole to sustain respondents' standing. In Simon v. Eastern Kentucky Welfare Rights Org., supra, the Court held that standing to challenge a Government grant of a tax exemption to hospitals could not be founded on the asserted connection between the grant of tax-exempt status and the hospitals' policy concerning the provision of medical services to indigents.[24] The causal connection depended ****3329** on the decisions hospitals would make in response to withdrawal of tax-exempt status, and those decisions were sufficiently uncertain to break the chain of causation between the plaintiffs' injury and the challenged Government action. Id., 426 U.S., at 40–46, 96 S.Ct., at 1925–1928. See also Warth v. Seldin, supra. The chain of causation is even weaker in this case. It involves numerous third parties (officials of racially discriminatory schools receiving tax exemptions and the parents of children attending such schools) who may not even exist in respondents' communities and whose independent decisions may not collectively have a significant effect on the ability of public school students to receive a desegregated education.

**[18]** The idea of separation of powers that underlies standing doctrine explains why our cases preclude the conclusion that respondents' alleged injury "fairly can be traced to the challenged action" of the IRS. Simon v. Eastern Kentucky Welfare Rights Org., supra, at 41, 96 S.Ct., at 1926. That conclusion would pave the way generally for suits challenging, not specifically identifiable Government violations of law, but the particular programs agencies establish to carry out their legal obligations. Such suits, even when premised on allegations of ***760** several instances of violations of law, are rarely if ever appropriate for federal-court adjudication.

"Carried to its logical end, [respondents'] approach would have the federal courts as virtually continuing monitors of the wisdom and soundness of Executive action; such a role is appropriate for the Congress acting through its committees and the 'power of the purse'; it is not the role of the judiciary, absent actual present or immediately threatened injury resulting from unlawful governmental action." Laird v. Tatum, 408 U.S., at 15, 92 S.Ct., at 2326.

See also Gilligan v. Morgan, 413 U.S. 1, 14, 93 S.Ct. 2440, 2447, 37 L.Ed.2d 407 (1973) (BLACKMUN, J., concurring).

**[19]** The same concern for the proper role of the federal courts is reflected in cases like O'Shea v. Littleton, 414 U.S. 488, 94 S.Ct. 669, 38 L.Ed.2d 674 (1974), Rizzo v. Goode, 423 U.S. 362, 96 S.Ct. 598, 46 L.Ed.2d 561 (1976), and Los Angeles v. Lyons, 461 U.S. 95, 103 S.Ct. 1660, 75 L.Ed.2d 675 (1983). In all three cases plaintiffs sought injunctive relief directed at certain systemwide law enforcement practices.[25] The Court held in each case that, absent an allegation of a specific threat of being subject to the challenged practices, plaintiffs had no standing to ask for an injunction. Animating this Court's holdings was the principle that "[a] federal court ... is not the proper forum to press" general complaints about the way in which government goes about its business. Id., at 112, 103 S.Ct., at 1670.

Case-or-controversy considerations, the Court observed in O'Shea v. Littleton, supra, 414 U.S., at 499, 94 S.Ct., at 677, "obviously shade into those determining whether the complaint states a sound basis for equitable relief." The latter set of considerations should therefore inform our judgment about whether respondents ***761** have standing. Most relevant to this case is the principle articulated in

Rizzo v. Goode, supra, 423 U.S., at 378–379, 96 S.Ct., at 607–608:

"When a plaintiff seeks to enjoin the activity of a government agency, even within a unitary court system, his case must contend with 'the well-established rule that the Government has traditionally been granted the widest latitude in the **3330 "dispatch of its own internal affairs," Cafeteria Workers v. McElroy, 367 U.S. 886, 896 [81 S.Ct. 1743, 1749, 6 L.Ed.2d 1230] (1961),' quoted in Sampson v. Murray, 415 U.S. 61, 83 [94 S.Ct. 937, 949, 39 L.Ed.2d 166] (1974)."

When transported into the Art. III context, that principle, grounded as it is in the idea of separation of powers, counsels against recognizing standing in a case brought, not to enforce specific legal obligations whose violation works a direct harm, but to seek a restructuring of the apparatus established by the Executive Branch to fulfill its legal duties. The Constitution, after all, assigns to the Executive Branch, and not to the Judicial Branch, the duty to "take Care that the Laws be faithfully executed." U.S. Const., Art. II, § 3. We could not recognize respondents' standing in this case without running afoul of that structural principle. [26]

C

The Court of Appeals relied for its contrary conclusion on Gilmore v. City of Montgomery, 417 U.S. 556, 94 S.Ct. 2416, 41 L.Ed.2d 304 (1974), on Norwood v. Harrison, 413 U.S. 455, 93 S.Ct. 2804, 37 L.Ed.2d 723 (1973), and on Coit v. Green, 404 U.S. 997, 92 S.Ct. 564, 30 L.Ed.2d 550 (1971), summarily aff'g *762 Green v. Connally, 330 F.Supp. 1150 (DC). Respondents in this Court, though stressing a different injury from the one emphasized by the Court of Appeals, see supra, at 3325–3326, place principal reliance on those cases as well. None of the cases, however, requires that we find standing in this lawsuit.

In Gilmore v. City of Montgomery, supra, the plaintiffs asserted a constitutional right, recognized in an outstanding injunction, to use the city's public parks on a nondiscriminatory basis. They alleged that the city was violating that equal protection right by permitting racially discriminatory private schools and other groups to use the public parks. The Court recognized plaintiffs' standing to challenge this city policy insofar as the policy permitted the exclusive use of the parks by racially discriminatory private schools: the plaintiffs had alleged direct cognizable injury to their right to nondiscriminatory access to the public parks. Id., 417 U.S., at 570–571, n. 10, 94 S.Ct., at 2424–2425, n. 10. [27]

Standing in Gilmore thus rested on an allegation of direct deprivation of a right to equal use of the parks. Like the plaintiff in Heckler v. Mathews—indeed, like the plaintiffs having standing in virtually any equal protection case—the plaintiffs in Gilmore alleged that they were personally being denied equal treatment. 465 U.S., at 740–741, n. 9, 104 S.Ct., at 1396, n. 9. The Gilmore Court did not rest its finding of standing on an abstract denigration injury, and no problem of attenuated causation attended the plaintiffs' claim of injury. [28]

**3331 *763 In Norwood v. Harrison, supra, parents of public school children in Tunica County, Miss., filed a statewide class action challenging the State's provision of textbooks to students attending racially discriminatory private schools in the State. The Court held the State's practice unconstitutional because it breached "the State's acknowledged duty to establish a unitary school system," id., at 460–461, 93 S.Ct., at 2808–2809. See id., at 463–468, 93 S.Ct., at 2809–2812. The Court did not expressly address the basis for the plaintiffs' standing.

In Gilmore, however, the Court identified the basis for standing in Norwood: "The plaintiffs in Norwood were parties to a school desegregation order and the relief they sought was directly related to the concrete injury they suffered." 417 U.S., at 571, n. 10, 94 S.Ct., at 2425, n. 10. Through the school-desegregation decree, the plaintiffs had acquired a right to have the State "steer clear" of any perpetuation of the racially dual school system that it had once sponsored. 413 U.S., at 467, 93 S.Ct., at 2812. The interest acquired was judicially cognizable because it was a personal interest, created by law, in having the State refrain from taking specific actions. Cf. Warth v. Seldin, 422 U.S., at 500, 95 S.Ct., at 2205 (standing may exist by virtue of legal rights created by statute). The plaintiffs' complaint alleged that the State directly injured that interest by aiding racially discriminatory private schools. Respondents in this lawsuit, of course, have no injunctive rights against the IRS that are allegedly being harmed by the challenged IRS action.

Unlike Gilmore and Norwood, Coit v. Green, supra, cannot easily be seen to have based standing on an injury different in kind from any asserted by respondents here. The plaintiffs *764 in Coit, parents of black schoolchildren in Mississippi,

sued to enjoin the IRS grant of tax exemptions to racially discriminatory private schools in the State. Nevertheless, Coit in no way mandates the conclusion that respondents have standing.

First, the decision has little weight as a precedent on the law of standing. This Court's decision in Coit was merely a summary affirmance; for that reason alone it could hardly establish principles contrary to those set out in opinions issued after full briefing and argument. See Fusari v. Steinberg, 419 U.S. 379, 392, 95 S.Ct. 533, 541, 42 L.Ed.2d 521 (1975) (BURGER, C.J., concurring); see also Tully v. Griffin, Inc., 429 U.S. 68, 74, 97 S.Ct. 219, 223, 50 L.Ed.2d 227 (1976). Moreover, when the case reached this Court, the plaintiffs and the IRS were no longer adverse parties; and the ruling that was summarily affirmed, Green v. Connally, 330 F.Supp. 1150 (DC 1971), did not include a ruling on the issue of standing, which had been briefly considered in a prior ruling of the District Court, Green v. Kennedy, 309 F.Supp. 1127, 1132 (DC), appeal dism'd sub nom. Cannon v. Green, 398 U.S. 956, 90 S.Ct. 2169, 26 L.Ed.2d 539 (1970). Thus, "the Court's affirmance in Green lacks the precedential weight of a case involving a truly adversary controversy." Bob Jones University v. Simon, 416 U.S. 725, 740, n. 11, 94 S.Ct. 2038, 2047, n. 11, 40 L.Ed.2d 496 (1974).

In any event, the facts in the Coit case are sufficiently different from those presented in this lawsuit that the absence of standing here is unaffected by the possible propriety of standing there. In particular, the suit in Coit was limited to the public schools of one State. Moreover, the District Court found, based on extensive evidence before it as well as on the findings in Coffey v. State Educational Finance Comm'n, 296 F.Supp. 1389 (SD Miss.1969), that large numbers of segregated private schools had been established in the State for the purpose of avoiding a unitary public school system, 309 F.Supp., at 1133–1134; that the tax exemptions ****3332** were critically important to the ability of such schools to succeed, id., at 1134–1136; and that the connection between ***765** the grant of tax exemptions to discriminatory schools and desegregation of the public schools in the particular State was close enough to warrant the conclusion that irreparable injury to the interest in desegregated education was threatened if the tax exemptions continued, id., at 1138–1139. [29] What made possible those findings was the fact that, when the Mississippi plaintiffs filed their suit, the IRS had a policy of granting tax exemptions to racially discriminatory private schools; thus, the suit was initially brought, not simply to reform Executive Branch enforcement procedures, but to challenge a fundamental IRS policy decision, which affected numerous identifiable schools in the State of Mississippi. See id., at 1130. [30]

The limited setting, the history of school desegregation in Mississippi at the time of the Coit litigation, the nature of the IRS conduct challenged at the outset of the litigation, and the District Court's particular findings, which were never challenged as clearly erroneous, see Motion to Dismiss or Affirm in Coit v. Green, O.T.1971, No. 71–425, p. 13, amply distinguish the Coit case from respondents' lawsuit. Thus, we ***766** need not consider whether standing was properly found to exist in Coit. Whatever the answer to that question, respondents' complaint, which aims at nationwide relief and does not challenge particular identified unlawful IRS actions, alleges no connection between the asserted desegregation injury and the challenged IRS conduct direct enough to overcome the substantial separation of powers barriers to a suit seeking an injunction to reform administrative procedures.

III

"The necessity that the plaintiff who seeks to invoke judicial power stand to profit in some personal interest remains an Art. III requirement." Simon v. Eastern Kentucky Welfare Rights Org., 426 U.S., at 39, 96 S.Ct., at 1925. Respondents have not met this fundamental requirement. The judgment of the Court of Appeals is accordingly reversed, and the injunction issued by that court is vacated.

It is so ordered.

Justice MARSHALL took no part in the decision of these cases.

Justice BRENNAN, dissenting.

Once again, the Court "uses 'standing to slam the courthouse door against plaintiffs who are entitled to full consideration of their claims on the merits.' " Valley Forge Christian College v. Americans United for Separation of Church and State, Inc., 454 U.S. 464, 490, 102 S.Ct. 752, 768, 70 L.Ed.2d 700 (1982) (BRENNAN, J., dissenting) (quoting Barlow

v. Collins, 397 U.S. 159, 178, 90 S.Ct. 832, 844, 25 L.Ed.2d 192 (1970) (BRENNAN, J., concurring in result and dissenting)). And once again, the Court does so by "wax[ing] eloquent" on considerations that provide little justification for the decision at hand. See 454 U.S., at 491, 102 S.Ct., at 768. This time, however, **3333 the Court focuses on "the idea of separation of powers," ante, at 3324, 3325, 3329, 3330, as if the mere incantation of that phrase provides an obvious solution to the difficult questions presented by these cases.

*767 One could hardly dispute the proposition that Art. III of the Constitution, by limiting the judicial power to "Cases" or "Controversies," embodies the notion that each branch of our National Government must confine its actions to those that are consistent with our scheme of separated powers. But simply stating that unremarkable truism provides little, if any, illumination of the standing inquiry that must be undertaken by a federal court faced with a particular action filed by particular plaintiffs. "The question whether a particular person is a proper party to maintain the action does not, by its own force, raise separation of powers problems related to improper judicial interference in areas committed to other branches of the Federal Government." Flast v. Cohen, 392 U.S. 83, 100, 88 S.Ct. 1942, 1953, 20 L.Ed.2d 947 (1968).

The Court's attempt to obscure the standing question must be seen, therefore, as no more than a cover for its failure to recognize the nature of the specific claims raised by the respondents in these cases. By relying on generalities concerning our tripartite system of government, the Court is able to conclude that the respondents lack standing to maintain this action without acknowledging the precise nature of the injuries they have alleged. In so doing, the Court displays a startling insensitivity to the historical role played by the federal courts in eradicating race discrimination from our Nation's schools—a role that has played a prominent part in this Court's decisions from Brown v. Board of Education, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (1954), through Bob Jones University v. United States, 461 U.S. 574, 103 S.Ct. 2017, 76 L.Ed.2d 157 (1983). Because I cannot join in such misguided decisionmaking, I dissent.

I

The respondents, suing individually and on behalf of their minor children, are parents of black children attending public schools in various school districts across the Nation. Each of these school districts, the respondents allege,[1] was once segregated *768 and is now in the process of desegregating pursuant to court order, federal regulations or guidelines, state law, or voluntary agreement. Moreover, each contains one or more private schools that discriminate against black schoolchildren and that operate with the assistance of tax exemptions unlawfully granted to them by the Internal Revenue Service (IRS). See Complaint ¶¶ 24–48, App. 26–38.

To eliminate this federal financial assistance for discriminating schools, the respondents seek a declaratory judgment that current IRS practices are inadequate both in identifying racially discriminatory schools and in denying requested tax exemptions or revoking existing exemptions for any schools so identified. In particular, they allege that existing IRS guidelines permit schools to receive tax exemptions simply by adopting and certifying—but not implementing—a policy of nondiscrimination. Pursuant to these ineffective guidelines,[2] many private schools that discriminate **3334 on the basis of *769 race continue to benefit illegally from their tax-exempt status and the resulting charitable deductions granted to taxpayers who contribute to such schools. The respondents therefore seek a permanent injunction requiring the IRS to deny tax exemptions to any private schools

"which have insubstantial or non-existent minority enrollments, which are located in or serve desegregating school districts, and which either—

"(a) were established or expanded at or about the time the public school districts in which they are located or which they serve were desegregating;

"(b) have been determined in adversary judicial or administrative proceedings to be racially segregated; or

"(c) cannot demonstrate that they do not provide racially segregated educational opportunities for white children avoiding attendance in desegregating public school systems." Complaint ¶ 4, App. 19.

This requested relief is substantially similar to the enforcement guidelines promulgated by the IRS itself in 1978 and 1979, before congressional action temporarily stayed, and the agency withdrew, the amended procedures. See 44

Fed.Reg. 9451 (1979); 43 Fed.Reg. 37296 (1978). Cf. ante, at 3322–3323, and nn. 15–16.

***770** II

Persons seeking judicial relief from an Art. III court must have standing to maintain their cause of action. At a minimum, the standing requirement is not met unless the plaintiff has "such a personal stake in the outcome of the controversy as to assure that concrete adverseness which sharpens the presentation of issues upon which the court so largely depends...." Baker v. Carr, 369 U.S. 186, 204, 82 S.Ct. 691, 703, 7 L.Ed.2d 663 (1962). Under the Court's cases, this "personal stake" requirement is satisfied if the person seeking redress has suffered, or is threatened with, some "distinct and palpable injury," Warth v. Seldin, 422 U.S. 490, 501, 95 S.Ct. 2197, 2206, 45 L.Ed.2d 343 (1975), and if there is some causal connection between the asserted injury and the conduct being challenged, Simon v. Eastern Kentucky Welfare Rights Org., 426 U.S. 26, 41, 96 S.Ct. 1917, 1925, 48 L.Ed.2d 450 (1976). See Heckler v. Mathews, 465 U.S. 728, 738, 104 S.Ct. 1387, 1394, 79 L.Ed.2d 646 (1984); Havens Realty Corp. v. Coleman, 455 U.S. 363, 376, 102 S.Ct. 1114, 1123, 71 L.Ed.2d 214 (1982); Valley Forge, 454 U.S., at 472, 102 S.Ct., at 758.

A

In these cases, the respondents have alleged at least one type of injury that satisfies the constitutional requirement of "distinct and palpable injury."[3] In particular, ****3335** they claim ***771** that the IRS's grant of tax-exempt status to racially discriminatory private schools directly injures their children's opportunity and ability to receive a desegregated education. As the complaint specifically alleges, the IRS action being challenged

"fosters and encourages the organization, operation and expansion of institutions providing racially segregated educational opportunities for white children avoiding attendance in desegregating public school districts and thereby interferes with the efforts of federal courts, HEW and local school authorities to desegregate public school districts which have been operating racially dual school systems." Complaint ¶ 50(b), App. 39.

The Court acknowledges that this alleged injury is sufficient to satisfy constitutional standards. See ante, at 3328. It does so only grudgingly, however, without emphasizing the significance of the harm alleged. Nonetheless, we have consistently recognized throughout the last 30 years that the deprivation of a child's right to receive an education in a desegregated school is a harm of special significance; surely, it satisfies any constitutional requirement of injury in fact. Just last Term in Bob Jones University v. United States, for example, we acknowledged that "[a]n unbroken line of cases following Brown v. Board of Education establishes beyond doubt this Court's view that racial discrimination in education violates a most fundamental national public policy, as well as rights of individuals." 461 U.S., at 593, 103 S.Ct., at 2029, 76 L.Ed.2d 157 (1983) (emphasis added). See Gilmore v. City of Montgomery, 417 U.S. 556, 56894 S.Ct. 2416, 2424,56894 S.Ct. 2416, 2424, 41 L.Ed.2d 304 (1974) ("[T]he constitutional rights of children not to be discriminated against ... can neither be nullified openly and ***772** directly ..., nor nullified indirectly ... through evasive schemes for segregation whether attempted 'ingeniously or ingenuously' ") (quoting Cooper v. Aaron, 358 U.S. 1, 17, 78 S.Ct. 1401, 1409, 3 L.Ed.2d 5 (1958)); Norwood v. Harrison, 413 U.S. 455, 468–469, 93 S.Ct. 2804, 2812–2813, 37 L.Ed.2d 723 (1973). "The right of a student not to be segregated on racial grounds in schools ... is indeed so fundamental and pervasive that it is embraced in the concept of due process of law." Cooper v. Aaron, supra, at 19, 78 S.Ct., at 1410; Brown v. Board of Education, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (1954).

In the analogous context of housing discrimination, the Court has similarly recognized that the denial of an opportunity to live in an integrated community is injury sufficient to satisfy the constitutional requirements of standing. In particular, we have recognized that injury is properly alleged when plaintiffs claim a deprivation "of the social and professional benefits of living in an integrated society." Gladstone, Realtors v. Village of Bellwood, 441 U.S. 91, 111–112, 99 S.Ct. 1601, 1613–1614, 60 L.Ed.2d 66 (1979). See also Havens Realty Corp. v. Coleman, supra, 455 U.S., at 376, and n. 17, 102 S.Ct., at 1123, and n. 17; Trafficante v. Metropolitan Life Ins. Co., 409 U.S. 205, 93 S.Ct. 364, 34 L.Ed.2d 415 (1972). Noting "the importance of the 'benefits [[[obtained] from interracial associations,' " as well as the oft-stated principle

  

"that noneconomic injuries may suffice to **3336 provide standing," we have consistently concluded that such an injury is "sufficient to satisfy the constitutional standing requirement of actual or threatened harm." Gladstone, Realtors, supra, 441 U.S., at 112, 99 S.Ct., at 1614 (quoting Trafficante, supra, 409 U.S., at 210, 93 S.Ct., at 367, and citing Sierra Club v. Morton, 405 U.S. 727, 734–735, 92 S.Ct. 1361, 1365–1366, 31 L.Ed.2d 636 (1972)).

There is, of course, no rational basis on which to treat children who seek to be educated in desegregated school districts any differently for purposes of standing than residents who seek to live in integrated housing communities. Indeed, if anything, discriminatory practices by private schools, which "exer [[[t] a pervasive influence on the entire educational process," Norwood, supra, 413 U.S., at 469, 93 S.Ct., at 2812 (citing Brown v. Board of Education, supra, and quoted in *773 Bob Jones University, supra, 461 U.S., at 595, 103 S.Ct., at 2030), have been more readily recognized to constitute injury redressable in the federal courts. It is therefore beyond peradventure that the denial of the benefits of an integrated education alleged by the respondents in these cases constitutes "distinct and palpable injury."

B

Fully explicating the injury alleged helps to explain why it is fairly traceable to the governmental conduct challenged by the respondents. As the respondents specifically allege in their complaint:

"Defendants have fostered and encouraged the development, operation and expansion of many of these racially segregated private schools by recognizing them as 'charitable' organizations described in Section 501(c)(3) of the Internal Revenue Code, and exempt from federal income taxation under Section 501(a) of the Code. Once the schools are classified as tax-exempt ..., contributions made to them are deductible from gross income on individual and corporate income tax returns.... Moreover, [the] organizations ... are also exempt from federal social security taxes ... and from federal unemployment taxes.... The resulting exemptions and deductions provide tangible financial aid and other benefits which support the operation of racially segregated private schools. In particular, the resulting deductions facilitate the raising of funds to organize new schools and expand existing schools in order to accommodate white students avoiding attendance in desegregating public school districts. Additionally, the existence of a federal tax exemption amounts to a federal stamp of approval which facilitates fund raising on behalf of racially segregated private schools. Finally, by supporting the development, operation and expansion of institutions providing racially segregated educational opportunities *774 for white children avoiding attendance in desegregating public schools, defendants are thereby interfering with the efforts of courts, HEW and local school authorities to desegregate public school districts which have been operating racially dual school systems." Complaint ¶ 21, App. 24. [4]

**3337 Viewed in light of the injuries they claim, the respondents have alleged a direct causal relationship between the Government action they challenge and the injury they suffer: their inability to receive an education in a racially integrated school is directly and adversely affected by the tax-exempt status granted by the IRS to racially discriminatory schools in their respective school districts. Common sense alone would recognize that the elimination of tax-exempt status for racially discriminatory private schools would serve to lessen the impact that those institutions have in defeating efforts to desegregate the public schools.

The Court admits that "[t]he diminished ability of respondents' children to receive a desegregated education would be *775 fairly traceable to unlawful IRS grants of tax exemptions ... if there were enough racially discriminatory private schools receiving tax exemptions in respondents' communities for withdrawal of those exemptions to make an appreciable difference in public school integration," but concludes that "[r]espondents have made no such allegation." Ante, at 3328. With all due respect, the Court has either misread the complaint or is improperly requiring the respondents to prove their case on the merits in order to defeat a motion to dismiss. [5] For example, the respondents specifically refer by name to at least 32 private schools that discriminate on the basis of race and yet continue to benefit illegally from tax-exempt status. Eighteen of those schools—including at least 14 elementary schools, 2 junior high schools, and 1 high school—are located in the city of Memphis, Tenn., which has been the subject of several court orders to desegregate. See Complaint ¶¶ 24–27, 45, App. 26–27, 35–36. Similarly, the respondents cite two private schools in Orangeburg, S.C. that continue to benefit from federal tax exemptions even though they practice race discrimination in school districts that are desegregating pursuant to judicial and

  

administrative orders. See Complaint ¶¶ 29, 46, App. 28, 36. At least with respect to these school districts, as well as the others specifically mentioned in the complaint, there can be little doubt that the respondents have identified communities containing "enough racially discriminatory private schools receiving tax exemptions ... to make an appreciable difference in public school integration," ante, at 3328. [6]

***776** Moreover, the Court has previously recognized the existence, and constitutional significance, of such direct relationships between unlawfully segregated school districts and government support for racially discriminatory private schools in those districts. In Norwood v. Harrison, 413 U.S. 455, 93 S.Ct. 2804, 37 L.Ed.2d 723 (1973), for example, we considered a Mississippi program that provided textbooks to students attending both public and private schools, without regard to whether any participating school had racially discriminatory policies. In declaring that program constitutionally invalid, we noted that " 'a state may not induce, encourage or promote private persons to accomplish what it is constitutionally forbidden to accomplish.' " Id., at 465, 93 S.Ct., at 2810. We then spoke directly to the causal relationship between the financial aid provided by the state textbook program and the constitutional ****3338** rights asserted by the students and their parents:
"The District Court laid great stress on the absence of a showing by appellants that 'any child enrolled in private school, if deprived of free textbooks, would withdraw from private school and subsequently enroll in the public schools.' ... We do not agree with the District Court in its analysis of the legal consequences of this uncertainty, for the Constitution does not permit the State to aid discrimination even when there is no precise causal relationship between state financial aid to a private school and the continued well-being of that school. A State may not grant the type of tangible financial aid here involved if that aid has a significant tendency to facilitate, reinforce, and support private discrimination." Id., at 465–466, 93 S.Ct., at 2811 (citations omitted) (emphasis added).

***777** Thus, Norwood explicitly stands for the proposition that governmental aid to racially discriminatory schools is a direct impediment to school desegregation.

The Court purports to distinguish Norwood from the present litigation because " '[t]he plaintiffs in Norwood were parties to a school desegregation order' " and therefore "had acquired a right to have the State 'steer clear' of any perpetuation of the racially dual school system that it had once sponsored," ante, at 3331 (quoting Gilmore v. City of Montgomery, 417 U.S., at 571, n. 10, 94 S.Ct., at 2425, n. 10, and Norwood, supra, 413 U.S., at 467, 93 S.Ct., at 2811), whereas the "[r]espondents in this lawsuit ... have no injunctive rights against the IRS that are allegedly being harmed," ante, at 3331. There is nothing to suggest, however, that the relevant injunction in Norwood was anything more than an order to desegregate the schools in Tunica County, Miss. [7] Given that many of the school districts identified in the respondents' complaint have also been the subject of court-ordered integration, the standing inquiry in these cases should not differ. And, although the respondents do not specifically allege that they are named parties to ***778** any outstanding desegregation orders, that is undoubtedly due to the passage of time since the orders were issued, and not to any difference in the harm they suffer.

Even accepting the relevance of the Court's distinction, moreover, that distinction goes to the injury suffered by the respective plaintiffs, and not to the causal connection between the harm alleged and the governmental action challenged. Cf. ante, at 3328 (conceding that the respondents have alleged constitutionally sufficient harm in these cases). The causal relationship existing in Norwood between the alleged harm (i.e., interference with the plaintiffs' injunctive rights to a desegregated school system) and the challenged governmental action (i.e., free textbooks provided to racially discriminatory schools) is indistinguishable from the causal relationship existing in the present cases, unless the Court intends to distinguish the lending of textbooks from the granting of tax-exempt status. The Court's express statement on causation in Norwood therefore bears repeating: "the Constitution does not ****3339** permit the State to aid discrimination even when there is no precise causal relationship between state financial aid to a private school and the continued well-being of that school." 413 U.S., at 465–466, 93 S.Ct., at 2811. See Note, The Judicial Role in Attacking Racial Discrimination in Tax–Exempt Private Schools, 93 Harv.L.Rev. 378, 385–386 (1979). [8]

***779** Similarly, although entitled to less weight than a decision after full briefing and oral argument on the merits, see Tully v. Griffin, Inc., 429 U.S. 68, 74, 97 S.Ct. 219. 223, 50 L.Ed.2d 227 (1976), our summary affirmance in Coit v. Green, 404 U.S. 997, 92 S.Ct. 564, 30 L.Ed.2d 550 (1971), summarily aff'g Green v. Connally, 330

  

F.Supp. 1150 (DC), is directly relevant to the standing of the respondents in this litigation. The plaintiffs in Coit v. Green were black parents of minor children attending public schools in desegregating school districts. Like the respondents in these cases, the plaintiffs charged that the IRS had failed to confine tax-exempt status to private schools that were not racially discriminatory. And like the present respondents, they sought new IRS procedures as their exclusive remedy.

The three-judge District Court expressly concluded that the plaintiffs had standing to maintain their action:
"This case is properly maintained as a class action, pursuant to Rule 23 of the Federal Rules of Civil Procedure, by Negro school children in Mississippi and the parents of those children on behalf of themselves and all persons similarly situated. They have standing to attack the constitutionality of statutory provisions which they claim provid[e] an unconstitutional system of benefits and ***780** matching grants that fosters and supports a system of segregated private schools as an alternative available to white students seeking to avoid desegregated public schools. We follow the precedent on this point of the three-judge District Court for the Southern District of Mississippi in Coffey v. State Educational Finance Commission, 296 F.Supp. 1389 (1969)." Green v. Kennedy, 309 F.Supp. 1127, 1132 (DC), appeal dism'd sub nom. Cannon v. Green, 398 U.S. 956, 90 S.Ct. 2169, 26 L.Ed.2d 539 (1970).

When the case was properly appealed to this Court, the standing issue was expressly raised in the jurisdictional statement filed by intervenor Coit, on behalf of a class of parents and children who supported or attended all-white private schools. Juris. Statement, O.T.1971, ****3340** No. 71–425, p. 11. See Simon v. Eastern Kentucky Welfare Rights Org., 426 U.S., at 63, and n. 11, 96 S.Ct., at 1936, and n. 11 (BRENNAN, J., concurring in judgment). Nonetheless, the Court summarily affirmed, Coit v. Green, supra, thereby indicating our agreement with the District Court's conclusion.[9] See also ***781** Griffin v. County School Board of Prince Edward County, 377 U.S. 218, 224, 84 S.Ct. 1226, 1229, 12 L.Ed.2d 256 (1964).

Given these precedents, the Court is forced to place primary reliance on our decision in Simon v. Eastern Kentucky Welfare Rights Org., supra. In that case, the Court denied standing to plaintiffs who challenged an IRS Revenue Ruling that granted charitable status to hospitals even though they failed to operate to the extent of their financial ability when refusing medical services for indigent patients. The Court found that the injury alleged was not one "that fairly can be traced to the challenged action of the defendant." Id., at 41, 96 S.Ct., at 1926. In particular, it was "purely speculative" whether the denial of access to hospital services alleged by the plaintiffs fairly could be traced to the Government's grant of tax-exempt status to the relevant hospitals, primarily because the hospitals were likely making their service decisions without regard to the tax implications. Id., at 42–43, 96 S.Ct., at 1926–1927.

Even accepting the correctness of the causation analysis included in that decision, however, it is plainly distinguishable from the cases at hand. The respondents in these cases do not challenge the denial of any service by a tax-exempt ***782** institution; admittedly, they do not seek access to racially discriminatory private schools. Rather, the injury they allege, and the injury that clearly satisfies constitutional requirements, is the deprivation of their children's opportunity and ability to receive an education in a racially integrated school district. See supra, at 3334–3336. This injury, as the Court admits, ante, at 3327–3328, and as we have previously held in Norwood v. Harrison, 413 U.S., at 465–466, 93 S.Ct., at 2810–2811, is a of a kind that is directly traceable to the governmental action being challenged. The relationship between the ****3341** harm alleged and the governmental action cannot simply be deemed "purely speculative," as was the causal connection at issue in Simon v. Eastern Kentucky Welfare Rights Org., supra, 426 U.S., at 42, 96 S.Ct., at 1926. Indeed, as I have previously explained, supra, at 3336–3339, the Court's conclusion to the contrary is based on a unjustifiably narrow reading of the respondents' complaint and an indefensibly limited interpretation of our holding in Norwood. By interposing its own version of pleading formalities between the respondents and the federal courts, the Court not only has denied access to litigants who properly seek vindication of their constitutional rights, but also has ignored the important historical role that the courts have played in the Nation's efforts to eliminate racial discrimination from our schools.

III

More than one commentator has noted that the causation component of the Court's standing inquiry is no more than a poor disguise for the Court's view of the merits of the

  

underlying claims.[10] The Court today does nothing to avoid that criticism. What is most disturbing about today's decision, therefore, is not the standing analysis applied, but the indifference ***783** evidenced by the Court to the detrimental effects that racially segregated schools, supported by tax-exempt status from the Federal Government, have on the respondents' attempt to obtain an education in a racially integrated school system. I cannot join such indifference, and would give the respondents a chance to prove their case on the merits.

Justice STEVENS, with whom Justice BLACKMUN joins, dissenting.

Three propositions are clear to me: (1) respondents have adequately alleged "injury in fact"; (2) their injury is fairly traceable to the conduct that they claim to be unlawful; and (3) the "separation of powers" principle does not create a jurisdictional obstacle to the consideration of the merits of their claim.

I

Respondents, the parents of black school-children, have alleged that their children are unable to attend fully desegregated schools because large numbers of white children in the areas in which respondents reside attend private schools which do not admit minority children. The Court, Justice BRENNAN, and I all agree that this is an adequate allegation of "injury in fact." The Court is quite correct when it writes:
"The injury they identify—their children's diminished ability to receive an education in a racially integrated school—is, beyond any doubt, not only judicially cognizable but, as shown by cases from Brown v. Board of Education, 347 U.S. 483 [74 S.Ct. 686, 98 L.Ed. 873] (1954), to Bob Jones University v. United States, 461 U.S. 574 [103 S.Ct. 2017, 76 L.Ed.2d 157] (1983), one of the most serious injuries recognized in our legal system." Ante, at 3328.

This kind of injury may be actionable whether it is caused by the exclusion of black children from public schools or by an official policy of encouraging white children to attend nonpublic ***784** schools. A subsidy for the withdrawal of a white child can have the same effect as a penalty for admitting a black child.

II

In final analysis, the wrong respondents allege that the Government has committed is to subsidize the exodus of white children from schools that would otherwise be racially integrated. The critical question in these cases, therefore, is whether respondents ****3342** have alleged that the Government has created that kind of subsidy.

In answering that question, we must of course assume that respondents can prove what they have alleged. Furthermore, at this stage of the litigation we must put to one side all questions about the appropriateness of a nationwide class action.[1] The controlling issue is whether the causal connection between the injury and the wrong has been adequately alleged.

An organization that qualifies for preferential treatment under § 501(c)(3) of the Internal Revenue Code, because it is "operated exclusively for ... charitable ... purposes," ***785** 26 U.S.C. § 501(c)(3), is exempt from paying federal income taxes, and under § 170 of the Code, 26 U.S.C. § 170, persons who contribute to such organizations may deduct the amount of their contributions when calculating their taxable income. Only last Term we explained the effect of this preferential treatment:
"Both tax exemptions and tax deductibility are a form of subsidy that is administered through the tax system. A tax exemption has much the same effect as a cash grant to the organization of the amount of tax it would have to pay on its income. Deductible contributions are similar to cash grants of the amount of a portion of the individual's contributions."
Regan v. Taxation With Representation of Washington, 461 U.S. 540, 544, 103 S.Ct. 1997, 2000, 76 L.Ed.2d 129 (1983) (footnote omitted).

The purpose of this scheme, like the purpose of any subsidy, is to promote the activity subsidized; the statutes "seek to achieve the same basic goal of encouraging the development of certain organizations through the grant of tax benefits."
Bob Jones University v. United States, 461 U.S. 574, 587, n. 10, 103 S.Ct. 2017, 2026, n. 10, 76 L.Ed.2d 157 (1983). If the granting of preferential tax treatment would "encourage" private segregated schools to conduct their "charitable" activities, it must follow that the withdrawal of the treatment would "discourage" them, and hence promote the process of desegregation.[2]

**3343 *786 We have held that when a subsidy makes a given activity more or less expensive, injury can be fairly traced to the subsidy for purposes of standing analysis because of the resulting increase or decrease in the ability to engage in the activity.[3] Indeed, we have employed exactly this causation analysis in the same context at issue here—subsidies given private schools that practice racial discrimination. Thus, in Gilmore v. City of Montgomery, 417 U.S. 556, 94 S.Ct. 2416, 41 L.Ed.2d 304 (1974), we easily recognized the causal connection between official policies that enhanced the attractiveness of segregated schools and the failure to bring about or maintain a desegregated public school system.[4] Similarly, in *787 Norwood v. Harrison, 413 U.S. 455, 93 S.Ct. 2804, 37 L.Ed.2d 723 (1973), we concluded that the provision of textbooks to discriminatory private schools "has a significant tendency to facilitate, reinforce, and support private discrimination." Id., at 466, 93 S.Ct., at 2811.

The Court itself appears to embrace this reading of Gilmore and Norwood. It describes Gilmore as holding that a city's policy of permitting segregated private schools to use public parks "would impede the integration of the public schools. Exclusive availability of the public parks 'significantly enhanced the attractiveness of segregated private schools ... by enabling them to offer complete athletic programs.' " Ante, at 3330, n. 27 (quoting 417 U.S., at 569, 94 S.Ct., at 2424). It characterizes Norwood as having concluded that the provision of textbooks to such schools would impede court-ordered desegregation. Ante, at 3331. Although the form of the subsidy for segregated private schools involved in Gilmore and Norwood was different from the "cash grant" that flows from a tax exemption, the economic effect and causal connection between the subsidy and the impact on the complaining litigants was precisely the same in those cases as it is here.

**3344 *788 This causation analysis is nothing more than a restatement of elementary economics: when something becomes more expensive, less of it will be purchased. Sections 170 and 501(c)(3) are premised on that recognition. If racially discriminatory private schools lose the "cash grants" that flow from the operation of the statutes, the education they provide will become more expensive and hence less of their services will be purchased. Conversely, maintenance of these tax benefits makes an education in segregated private schools relatively more attractive, by decreasing its cost. Accordingly, without tax-exempt status, private schools will either not be competitive in terms of cost, or have to change their admissions policies, hence reducing their competitiveness for parents seeking "a racially segregated alternative" to public schools, which is what respondents have alleged many white parents in desegregating school districts seek.[5] In either event the process of desegregation will be advanced in the same way that it was advanced in Gilmore and Norwood—the withdrawal of the subsidy for segregated schools means the incentive structure facing white parents who seek such schools for their children will be altered. Thus, the laws of economics, not to mention the laws of Congress embodied in §§ 170 and 501(c)(3), compel the conclusion that the injury respondents have alleged—the increased segregation of their children's schools because of the ready availability of private schools that admit whites only—will be redressed if these schools' operations are inhibited through the denial of preferential tax treatment.[6]

*789 III

Considerations of tax policy, economics, and pure logic all confirm the conclusion that respondents' injury in fact is fairly traceable to the Government's allegedly wrongful conduct. The Court therefore is forced to introduce the concept of "separation of powers" into its analysis. The Court writes that the separation of powers "explains why our cases preclude the conclusion" that respondents' injury is fairly traceable to the conduct they challenge. Ante, at 3329.

The Court could mean one of three things by its invocation of the separation of **3345 powers. First, it could simply be expressing the idea that if the plaintiff lacks Art. III standing to bring a lawsuit, then there is no "case or controversy" *790 within the meaning of Art. III and hence the matter is not within the area of responsibility assigned to the Judiciary by the Constitution. As we have written in the past, through the standing requirement "Art. III limit[s] the federal judicial power 'to those disputes which confine federal courts to a role consistent with a system of separated powers and which are traditionally thought to be capable of resolution through the judicial process.' " Valley Forge Christian College v. Americans United for Separation of Church and State, Inc., 454 U.S. 464, 472, 102 S.Ct. 752, 758, 70 L.Ed.2d 700 (1982) (quoting Flast v. Cohen, 392 U.S. 83, 97, 88 S.Ct. 1942, 1951, 20 L.Ed.2d 947 (1968)).[7] While there can be no quarrel with this proposition, in itself it provides no guidance for

determining if the injury respondents have alleged is fairly traceable to the conduct they have challenged.

Second, the Court could be saying that it will require a more direct causal connection when it is troubled by the separation of powers implications of the case before it. That approach confuses the standing doctrine with the justiciability of the issues that respondents seek to raise. The purpose of the standing inquiry is to measure the plaintiff's stake in the outcome, not whether a court has the authority to provide it with the outcome it seeks:
"[T]he standing question is whether the plaintiff has 'alleged such a personal stake in the outcome of the controversy' as to warrant his invocation of federal-court jurisdiction and to justify the exercise of the court's remedial powers on his behalf." Warth v. Seldin, 422 U.S. 490, 498–499, 95 S.Ct. 2197, 2204–2205, 45 L.Ed.2d 343 (1975) (emphasis in original) (quoting Baker v. Carr, 369 U.S. 186, 204, 82 S.Ct. 691, 703, 7 L.Ed.2d 663 (1962)). [8]

***791** Thus, the " 'fundamental aspect of standing' is that it focuses primarily on the party seeking to get his complaint before the federal court rather than 'on the issues he wishes to have adjudicated,' " United States v. Richardson, 418 U.S. 166, 174, 94 S.Ct. 2940, 2945, 41 L.Ed.2d 678 (1974) (emphasis in original) (quoting Flast, 392 U.S., at 99, 88 S.Ct., at 1952). The strength of the plaintiff's interest in the outcome has nothing to do with whether the relief it seeks would intrude upon the prerogatives of other branches of government; the possibility that the relief might be inappropriate does not lessen the plaintiff's stake in obtaining that relief. If a plaintiff presents a nonjusticiable issue, or seeks relief that a court may not award, then its complaint should be dismissed for those reasons, and not because the plaintiff lacks a stake in obtaining that relief and hence has no standing. [9] Imposing an undefined ****3346** but clearly more rigorous standard for redressability for reasons unrelated to the causal nexus between the injury and the challenged conduct ***792** can only encourage undisciplined, ad hoc litigation, a result that would be avoided if the Court straight-forwardly considered the justiciability of the issues respondents seek to raise, rather than using those issues to obfuscate standing analysis. [10]

Third, the Court could be saying that it will not treat as legally cognizable injuries that stem from an administrative decision concerning how enforcement resources will be allocated. This surely is an important point. Respondents do seek to restructure the IRS's mechanisms for enforcing the legal requirement that discriminatory institutions not receive tax-exempt status. Such restructuring would dramatically ***793** affect the way in which the IRS exercises its prosecutorial discretion. The Executive requires latitude to decide how best to enforce the law, and in general the Court may well be correct that the exercise of that discretion, especially in the tax context, is unchallengeable.

However, as the Court also recognizes, this principle does not apply when suit is brought "to enforce specific legal obligations whose violation works a direct harm," ante, at 3330. For example, despite the fact that they were challenging the methods used by the Executive to enforce the law, citizens were accorded standing to challenge a pattern of police misconduct that violated the constitutional constraints on law enforcement activities in Allee v. Medrano, 416 U.S. 802, 94 S.Ct. 2191, 40 L.Ed.2d 566 (1974). [11] Here, respondents contend that the IRS is violating a specific constitutional limitation on its enforcement discretion. There is a solid basis for that contention. In Norwood, we wrote:
****3347** "A State's constitutional obligation requires it to steer clear, not only of operating the old dual system of racially segregated schools, but also of giving significant aid to institutions that practice racial or other invidious discrimination." 413 U.S., at 467, 93 S.Ct., at 2812.
Gilmore echoed this theme:
"[A]ny tangible State assistance, outside the generalized services government might provide to private segregated schools in common with other schools, and with all citizens, is constitutionally prohibited if it has 'a significant tendency to facilitate, reinforce, and support private discrimination.' Norwood v. Harrison, 413 U.S. 455, 466 [93 S.Ct. 2804, 2811, 37 L.Ed.2d 723] (1973). The constitutional obligation of the State 'requires it to steer clear, not only of operating the old dual system of racially segregated schools, but also of giving significant aid to institutions that practice racial ***794** or other invidious discrimination.' Id., at 467 [93 S.Ct., at 2812]." 417 U.S., at 568–569, 94 S.Ct., at 2425.

Respondents contend that these cases limit the enforcement discretion enjoyed by the IRS. They establish, respondents argue, that the IRS cannot provide "cash grants" to discriminatory schools through preferential tax treatment without running afoul of a constitutional duty to refrain

from "giving significant aid" to these institutions. Similarly, respondents claim that the Internal Revenue Code itself, as construed in Bob Jones, constrains enforcement discretion. [12]

It has been clear since Marbury v. Madison, 1 Cranch 137, 2 L.Ed. 60 (1803), that "[i]t is emphatically the province and duty of the judicial department to say what the law is." Id., at 177. Deciding whether the Treasury has violated a specific legal ***795** limitation on its enforcement discretion does not intrude upon the prerogatives of the Executive, for in so deciding we are merely saying "what the law is." Surely the question whether the Constitution or the Code limits enforcement discretion is one within the Judiciary's competence, and I do not believe that the question whether the law, as enunciated in Gilmore, Norwood, and Bob Jones, imposes such an obligation upon the IRS is so insubstantial that respondents' attempt to raise it should be defeated for lack of subject-matter jurisdiction on the ground that it infringes the Executive's prerogatives. [13]

In short, I would deal with the question of the legal limitations on the IRS's enforcement discretion on its merits, rather than by making the untenable assumption ****3348** that the granting of preferential tax treatment to segregated schools does not make those schools more attractive to white students and hence does not inhibit the process of desegregation. I respectfully dissent.

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## Footnotes

a1 The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See United States v. Detroit Lumber Co., 200 U.S. 321, 337, 26 S.Ct. 282, 287, 50 L.Ed. 499.

1 As the Court explained last Term in Bob Jones University v. United States, 461 U.S. 574, 579, 103 S.Ct. 2017, 2022, 76 L.Ed.2d 157 (1983), the IRS announced this policy in 1970 and formally adopted it in 1971. Rev.Rul. 71–447, 1971–2 Cum.Bull. 230. This change in prior policy was prompted by litigation over tax exemptions for racially discriminatory private schools in the State of Mississippi, litigation that resulted in the entry of an injunction against the IRS largely if not entirely coextensive with the position the IRS had voluntarily adopted. Green v. Kennedy, 309 F.Supp. 1127 (DC) (entering preliminary injunction), appeal dism'd sub nom. Cannon v. Green, 398 U.S. 956, 90 S.Ct. 2169, 26 L.Ed.2d 539 (1970); Green v. Connally, 330 F.Supp. 1150 (DC) (entering permanent injunction), summarily aff'd sub nom. Coit v. Green, 404 U.S. 997, 92 S.Ct. 564, 30 L.Ed.2d 550 (1971).

2 The 1975 guidelines replaced guidelines issued for the same purpose in 1972. Rev.Proc. 72–54, 1972–2 Cum.Bull. 834.

3 The definition of "racially nondiscriminatory policy" is qualified in one respect: "A policy of a school that favors racial minority groups with respect to admissions, facilities and programs, and financial assistance will not constitute discrimination on the basis of race when the purpose and effect is to promote the establishment and maintenance of that school's racially non-discriminatory policy as to students." Rev.Proc. 75–50, § 3.02, 1975–2 Cum.Bull. 587.

4 One way a school can satisfy the publication requirement is to disseminate notice of the non-discrimination policy through the print or broadcast media. Id., § 4.03–1, p. 588. Detailed IRS rules govern what print and

  

broadcast media may be selected as well as the content of the notice. Ibid. Although the IRS encourages all schools to follow that route, see id., § 4.03–2, p. 589, there are three alternative ways to satisfy the publication requirement.

First, a parochial or church-related school at least 75% of whose students in the preceding three years were members of the church satisfies the requirement if it gives notice of its nondiscrimination policy in church publications, unless it advertises in newspapers of general circulation. Id., § 4.03–2(a), p. 588. Second, a school that draws its students from areas larger than the local community satisfies the requirement if it enrolls minority students in meaningful numbers or engages in promotional and recruitment activities reasonably designed to reach all racial segments of the areas from which students are drawn. Id., § 4.03–2(b). Third, a school serving only a local community satisfies the publication requirement if it actually enrolls minority students in meaningful numbers. Id., § 4.03–2(c), pp. 588–589. A school choosing any of these three options "must be prepared to demonstrate" on audit that this choice was justified. Id., § 4.03–2, p. 589.

5 Scholarships and loans must generally be available without regard to race, and this fact must be known in the community served by the school. An exception is made, however, consistent with § 3.02 of Rev.Proc. 75–50, 1975–2 Cum.Bull. 587, see n. 3, supra, for financial assistance programs favoring minority students that are designed to promote the school's nondiscriminatory policy. A second exception is made for financial assistance programs "favoring members of one or more racial groups that do not significantly derogate from the school's racially nondiscriminatory policy...." Rev.Proc. 75–50, § 4.05, 1975–2 Cum.Bull. 5891975–2 Cum.Bull. 589.

6 The regulations also declare that discrimination in the employment of faculty and administrative staff (or its absence) is indicative of discrimination with respect to students (or its absence). Id., § 4.07.

7 Records must be kept, and preserved for three years, concerning the racial composition of the student body, the faculty and administrative staff, and the group of students receiving financial assistance. Copies of brochures, catalogs, and advertising must also be kept. Id., § 7.01, p. 590. Although the method of figuring racial composition must be described in the records compiled by the school, the school need not require students, applicants, or staff to furnish information not otherwise required, and the school generally need not release personally identifiable records. Id., § 7.02. Cf. id., § 5.02, pp. 589–590 (information furnished by applicant for tax-exempt status subject to similar qualifications). Reports containing the required information, if filed in accordance with law with a Government agency, may satisfy the record-keeping requirement if the information is current and the school maintains copies of the reports. Id., § 7.03, p. 590. Failure to maintain the required records gives rise to a presumption of noncompliance with the guidelines. Id., § 7.04.

8 The Revenue Procedure expressly notes, id., § 8, that its provisions are superseded by, to the extent they differ from, the injunction concerning Mississippi schools issued in Green v. Connally, 330 F.Supp. 1150 (DC), summarily aff'd sub nom. Coit v. Green, 404 U.S. 997, 92 S.Ct. 564, 30 L.Ed.2d 550 (1971).

9 Shortly before respondents filed this action, the plaintiffs in the Green litigation, concerning the tax-exempt status of private schools in Mississippi, ibid, moved to reopen that suit, making allegations comparable to those in respondents' complaint. See Wright v. Regan, 211 U.S.App.D.C. 231, 236, 656 F.2d 820, 825 (1981). In 1977, the Mississippi litigation was consolidated with this suit. Ibid. The Green litigation was not consolidated with this lawsuit on appeal, however, and it is not before this Court.

10 Hereafter, references to a private school's tax exemption embrace both tax-exempt status of the school and tax-exempt status of an "umbrella" organization. We assume, without deciding, that a grant of tax-

  

exempt status to an "umbrella" organization of the sort respondents have in mind is subject to the same legal constraints as a grant of tax-exempt status directly to a school.

11 The complaint generally uses the phrase "racially segregated school" to mean simply that no or few minority students attend the school, irrespective of the school's maintenance of racially discriminatory policies or practices. Although the complaint, on its face, alleges that granting tax-exempt status to any "racially segregated" school in a desegregating public school district is unlawful, App. 39, it is clear that respondents premise their allegation of illegality on discrimination, not on segregation alone.

The nub of respondents' complaint is that current IRS guidelines and procedures are inadequate to detect false certifications of nondiscrimination policies. See id., at 17–18, 25. This allegation would be superfluous if respondents were claiming that racial segregation even without racial discrimination made the grant of tax-exempt status unlawful. Moreover, respondents have noticeably refrained from asserting that the IRS violates the law when it grants a tax exemption to a nondiscriminatory private school that happens to have few minority students. Indeed, respondents' brief in this Court makes a point of noting that their complaint alleges not only segregation but discrimination, see Brief for Respondents 10, n. 8, and it repeatedly states that the challenged Government conduct is the granting of tax exemptions to racially discriminatory private schools, see, e.g., id., at 9–10 ("Respondents alleged that the federal petitioners are continuing to grant tax-exempt status to racially discriminatory private schools ..."); id., at 13–14.

Since respondents' entire argument is built on the assertion that their rights are violated by IRS grants of tax-exempt status to some number of unidentified racially discriminatory private schools in desegregating districts, we resolve the ambiguity in respondents' complaint by reading it as making that assertion.

Contrary to Justice BRENNAN's statement, post, at 3333, the complaint does not allege that each desegregating district in which they reside contains one or more racially discriminatory private schools unlawfully receiving a tax exemption.

12 The complaint alleges that the challenged IRS conduct violates several laws: § 501(c)(3) of the Internal Revenue Code, 26 U.S.C. § 501(c)(3); Title VI of the Civil Rights Act of 1964, 78 Stat. 252, as amended, 42 U.S.C. § 2000d et seq.; Rev.Stat. § 1977, 42 U.S.C. § 1981; and the Fifth and Fourteenth Amendments to the United States Constitution.

Last Term, in Bob Jones University v. United States, 461 U.S. 574, 103 S.Ct. 2017, 76 L.Ed.2d 157 (1983), the Court concluded that racially discriminatory private schools do not qualify for a tax exemption under § 501(c)(3) of the Internal Revenue Code.

13 Respondents did not allege in their 1976 complaint that their children were currently attending racially segregated schools. In 1979, during argument before the District Court, counsel for respondents stated that his clients' children "do go to desegregated schools...." App. 62.

14 Several additional tax benefits accrue to an organization receiving a tax exemption under § 501(c)(3) of the Code. Such an organization is exempt not only from income taxes but also from federal social security taxes, 26 U.S.C. § 3121(b)(8)(B), and from federal unemployment taxes, 26 U.S.C. § 3306(c)(8). Moreover, contributions to the organization are deductible not only from income taxes, 26 U.S.C. § 170(a)(1) and (c)(2), but also from federal estate taxes, 26 U.S.C. § 2055(a)(2), and from federal gift taxes, 26 U.S.C. § 2522(a)(2).

  

15 The first proposal was made on August 22, 1978. 43 Fed.Reg. 37296. It placed the burden of proving good faith operation on a nondiscriminatory basis, evaluated according to specified factors, on any private school that had an insignificant number of minority students and that had been formed or substantially expanded at a time the public schools in its community were undergoing desegregation. The second proposal was made on February 13, 1979, after public comment and hearings. 44 Fed.Reg. 9451. It afforded private schools "greater flexibility" in proving nondiscriminatory operation, permitting satisfaction of this proof requirement by a showing that the school has "undertaken actions or programs reasonably designed to attract minority students on a continuing basis." Id., at 9452, 9454.

16 Treasury, Postal Service, and General Government Appropriations Act of 1980, §§ 103 and 615, 93 Stat. 562, 577. Section 615 of the Act, known as the Dornan Amendment, specifically forbade the use of funds to carry out the IRS's proposed Revenue Procedures. Section 103 of the Act, known as the Ashbrook Amendment, more generally forbade the use of funds to make the requirements for tax-exempt status of private schools more stringent than those in effect prior to the IRS's proposal of its new Revenue Procedures.

These provisions expired on October 1, 1980, but Congress maintained its interest in IRS policies regarding tax exemptions for racially discriminatory private schools. The Dornan and Ashbrook Amendments were reinstated for the period December 16, 1980, through September 30, 1981. H.J.Res. 644, Pub.L. 96–536, §§ 101(a)(1) and (4), 94 Stat. 3166, as amended by Supplemental Appropriations and Rescission Act of 1981, § 401, 95 Stat. 95. For fiscal year 1982, Congress specifically denied funding for carrying out not only administrative actions but also court orders entered after the date of the IRS's proposal of its first revised Revenue Procedure. H.J.Res. 325, Pub.L. 97–51, § 101(a)(3), 95 Stat. 958. No such spending restrictions are currently in force.

17 Indeed, the Court of Appeals observed that respondents "do not dispute that it is 'speculative,' within the Eastern Kentucky frame, whether any private school would welcome blacks in order to retain tax exemption or would relinquish exemption to retain current practices." 211 U.S.App.D.C., at 240, 656 F.2d, at 829 (footnotes omitted).

18 Judge Tamm dissented from the holding of the Court of Appeals. He concluded that standing in the three cases relied on by the majority was based on injury to rights under a court decree and that respondents in this case asserted nothing more than the abstract interest in securing enforcement of the law against the Government. Id., at 249–259, 656 F.2d, at 838–848.

19 The "fairly traceable" and "redressability" components of the constitutional standing inquiry were initially articulated by this Court as "two facets of a single causation requirement." C. Wright, Law of Federal Courts § 13, p. 68, n. 43 (4th ed. 1983). To the extent there is a difference, it is that the former examines the causal connection between the assertedly unlawful conduct and the alleged injury, whereas the latter examines the causal connection between the alleged injury and the judicial relief requested. Cases such as this, in which the relief requested goes well beyond the violation of law alleged, illustrate why it is important to keep the inquiries separate if the "redressability" component is to focus on the requested relief. Even if the relief respondents request might have a substantial effect on the desegregation of public schools, whatever deficiencies exist in the opportunities for desegregated education for respondents' children might not be traceable to IRS violations of law—grants of tax exemptions to racially discriminatory schools in respondents' communities.

20 We assume, arguendo, that the asserted stigmatic injury may be caused by the Government's grant of tax exemptions to racially discriminatory schools even if the Government is granting those exemptions without

  

knowing or believing that the schools in fact discriminate. That is, we assume, without deciding, that the challenged Government tax exemptions are the equivalent of Government discrimination.

21 Cf. Valley Forge Christian College v. Americans United for Separation of Church and State, Inc., 454 U.S. 464, 489–490, n. 26, 102 S.Ct. 752, 767–768, n. 26, 70 L.Ed.2d 700 (1982) (citations omitted): "Were we to recognize standing premised on an 'injury' consisting solely of an alleged violation of a ' "personal constitutional right" to a government that does not establish religion,' a principled consistency would dictate recognition of respondents' standing to challenge execution of every capital sentence on the basis of a personal right to a government that does not impose cruel and unusual punishment, or standing to challenge every affirmative-action program on the basis of a personal right to a government that does not deny equal protection of the laws, to choose but two among as many possible examples as there are commands in the Constitution."

22 Respondents' stigmatic injury, though not sufficient for standing in the abstract form in which their complaint asserts it, is judicially cognizable to the extent that respondents are personally subject to discriminatory treatment. See Heckler v. Mathews, 465 U.S. 728, 739–740, 104 S.Ct. 1387, 1395–1396, 79 L.Ed.2d 646 (1984). The stigmatic injury thus requires identification of some concrete interest with respect to which respondents are personally subject to discriminatory treatment. That interest must independently satisfy the causation requirement of standing doctrine.

In Heckler v. Mathews, for example, the named plaintiff (appellee) was being denied monetary benefits allegedly on a discriminatory basis. We specifically pointed out that the causation component of standing doctrine was satisfied with respect to the claimed benefits. In distinguishing the case from Simon v. Eastern Kentucky Welfare Rights Org., 426 U.S. 26, 96 S.Ct. 1917, 48 L.Ed.2d 450 (1976), we said: "there can be no doubt about the direct causal relationship between the Government's alleged deprivation of appellee's right to equal protection and the personal injury appellee has suffered—denial of Social Security benefits solely on the basis of his gender." 465 U.S., at 741, n. 9, 104 S.Ct., at 1396, n. 9.

In this litigation, respondents identify only one interest that they allege is being discriminatorily impaired—their interest in desegregated public school education. Respondents' asserted stigmatic injury, therefore, is sufficient to support their standing in this litigation only if their school-desegregation injury independently meets the causation requirement of standing doctrine.

23 Indeed, contrary to the suggestion of Justice BRENNAN's dissent, post, at 3337, and n. 5, of the schools identified in respondents' complaint, none of those alleged to be directly receiving a tax exemption is alleged to be racially discriminatory, and only four schools—Delta Christian Academy and Tallulah Academy in Madison Parish, La.; River Oaks School in Monroe, La.; and Bowman Academy in Orangeburg, S.C.—are alleged to have discriminatory policies that deprive them of direct tax exemptions yet operate under the umbrella of a tax-exempt organization. These allegations constitute an insufficient basis for the only claim made by respondents—a claim for a change in the IRS regulations and practices. Cf. Wright v. Miller, 480 F.Supp. 790, 796 (DC 1979) ("it is purely speculative whether, in the final analysis, any fewer schools would be granted tax exemptions under plaintiffs' system than under the current IRS system").

24 Simon v. Eastern Kentucky Welfare Rights Org., supra, framed its standing discussion in terms of the redressability of the alleged injury. The relief requested by the plaintiffs, however, was simply the cessation of the allegedly illegal conduct. In those circumstances, as the opinion for the Court in Simon itself illustrates, see id., 426 U.S., at 40–46, 96 S.Ct., at 1925–1928, the "redressability" analysis is identical to the "fairly traceable" analysis. See n. 19, supra.

25 In O'Shea v. Littleton and Rizzo v. Goode, the plaintiffs sought wide-ranging reform of local law enforcement systems. In Los Angeles v. Lyons, by contrast, the plaintiff sought cessation of a particular police practice. The Court concluded in Lyons, however, that this difference did not distinguish the cases for standing purposes as long as the plaintiff could show no realistic threat of being subject to the challenged practice.

26 We disagree with Justice STEVENS' suggestions that separation of powers principles merely underlie standing requirements, have no role to play in giving meaning to those requirements, and should be considered only under a distinct justiciability analysis. Post, at 3344–3346. Moreover, our analysis of this case does not rest on the more general proposition that no consequence of the allocation of administrative enforcement resources is judicially cognizable. Post, at 3346. Rather, we rely on separation of powers principles to interpret the "fairly traceable" component of the standing requirement.

27 On the merits, the Court found that permitting such exclusive use by school groups was unlawful, because it violated the city's constitutional obligation, spelled out in an outstanding school-desegregation order, to take no action that would impede the integration of the public schools. Exclusive availability of the public parks "significantly enhanced the attractiveness of segregated private schools ... by enabling them to offer complete athletic programs." 417 U.S., at 569, 94 S.Ct., at 2424.

28 Indeed, the Court stressed the importance of a particularized factual record when it stated that it was "not prepared, at this juncture and on this record, to assume the standing of these plaintiffs to claim relief against certain nonexclusive uses by private school groups." Id., at 570, n. 10, 94 S.Ct., at 2425, n. 10. "Without a properly developed record," said the Court, it was not clear that such nonexclusive use "would result in cognizable injury to these plaintiffs." Id., at 571, n. 10, 94 S.Ct., at 2425, n. 10.

The Court said nothing about the plaintiffs' standing to challenge the use of the parks, exclusive or nonexclusive, by racially discriminatory groups other than schools. It was unnecessary to do so because the Court declined to consider the merits of that challenge on the record before it. Id., at 570–574, 94 S.Ct., at 2424–2427.

29 In Norwood v. Harrison, 413 U.S. 455, 467, n. 9, 93 S.Ct. 2804, 2811–12, n. 9, 37 L.Ed.2d 723 (1973), this Court described the experience of one county in Mississippi: "all white children were withdrawn from public schools and placed in a private academy housed in local church facilities and staffed by the principal and 17 high school teachers of the county system, who resigned in mid-year to accept jobs at the new academy." The Court observed that similar histories in various other localities in Mississippi were recited by the plaintiffs without challenge. Ibid.

30 The relatively simple either-or nature of the challenged decision affects the extent to which the initial complaint implicated separation of powers concerns. When the IRS altered its policy concerning the grant of tax exemptions to racially discriminatory schools, see Green v. Connally, 330 F.Supp., at 1156, the plaintiffs were left with an action more closely resembling this lawsuit. We have no occasion to consider here the effect on a plaintiff's standing of a defendant's partial cessation of challenged conduct when that partial cessation leaves the plaintiff with a complaint presenting substantially greater uncertainty about standing than the initial complaint did.

1 Because the District Court granted a motion to dismiss, see Wright v. Miller, 480 F.Supp. 790, 793 (DC 1979), we must " 'accept as true all material allegations of the complaint, and ... construe the complaint in favor of the complaining party.' " Gladstone, Realtors v. Village of Bellwood, 441 U.S. 91, 109, 99 S.Ct. 1601, 1612, 60 L.Ed.2d 66 (1979) (quoting Warth v. Seldin, 422 U.S. 490, 501, 95 S.Ct. 2197, 2206, 45 L.Ed.2d

343 (1975)). See 441 U.S., at 112, 99 S.Ct., at 1614. Cf. Conley v. Gibson, 355 U.S. 41, 45–46, 78 S.Ct. 99, 101–102, 2 L.Ed.2d 80 (1957).

2 As I have recognized in n. 1, supra, we must accept as true the factual allegations made by the respondents. It nonetheless should be noted that significant evidence exists to support the respondents' claim that the IRS guidelines are ineffective. Indeed, the Commissioner of Internal Revenue admitted as much in testimony before the Congress:

"This litigation prompted the Service once again to review its procedures in this area. It focused our attention on the adequacy of existing policies and procedures as we moved to formulate a litigation position. We concluded that the Service's procedures were ineffective in identifying schools which in actual operation discriminate against minority students, even though the schools may profess an open enrollment policy and comply with the yearly publication requirements of Revenue Procedure 75–50.

"A clear indication that our rules require strengthening is the fact that a number of private schools continue to hold tax exemption even though they have been held by Federal courts to be racially discriminatory. This position is indefensible. Just last year the U.S. Commission on Civil Rights criticized the Service's enforcement in this area as inadequate, emphasizing the continuing tax exemption of such adjudicated schools." Tax–Exempt Status of Private Schools: Hearings before the Subcommittee on Oversight of the House Committee on Ways and Means, 96th Cong., 1st Sess., 5 (1979) (statement of Jerome Kurtz, Commissioner of Internal Revenue) (emphasis added).

See also id., at 236–251 (letter and memorandum from U.S. Commission on Civil Rights criticizing IRS enforcement policies); id., at 1181–1182, 1187–1191 (statement and letter from Civil Rights Division of the Department of Justice criticizing IRS guidelines).

3 Because I conclude that the second injury alleged by the respondents is sufficient to satisfy constitutional requirements, I do not need to reach what the Court labels the "stigmatic injury." See ante, at 3326–3327, and n. 22. I note, however, that the Court has mischaracterized this claim of injury by misreading the complaint filed by the respondents. In particular, the respondents have not simply alleged that, as blacks, they have suffered the denigration injury "suffered by all members of a racial group when the Government discriminates on the basis of race." Ante, at 3326. Rather, the complaint, fairly read, limits the claim of stigmatic injury from illegal governmental action to black children attending public schools in districts that are currently desegregating yet contain discriminatory private schools benefiting from illegal tax exemptions. Cf. Havens Realty Corp. v. Coleman, 455 U.S., at 377, 102 S.Ct., at 1123 (injury from racial steering practices confined to "relatively compact neighborhood[s]"). Thus, the Court's "parade of horribles" concerning black plaintiffs from Hawaii challenging tax exemptions granted to schools in Maine, see ante, at 3327, is completely irrelevant for purposes of Art. III standing in this action. Indeed, even if relevant, that criticism would go to the scope of the class certified or the relief granted in the lawsuit, issues that were not reached by the District Court or the Court of Appeals and are not now before this Court.

4 The substance of these allegations is also summarized in ¶ 2 of the complaint:

"Contrary to law and their public responsibility, defendants have fostered and encouraged the development, operation and expansion of these racially segregated private schools by granting them, or the organizations that operate them, exemptions from federal income taxation.... Defendants have thereby ensured that these private schools will be exempt from federal income taxation, and that contributions to them will be deductible by corporate and individual donors for federal tax purposes. These federal tax benefits are important to the financial well-being of private segregated schools and significantly support their development, operation and expansion. Moreover, by facilitating the development, operation and expansion of racially segregated schools

which provide alternative educational opportunities for white children avoiding attendance in desegregating public school systems, defendants are thereby interfering with the efforts of federal courts, HEW and local school authorities to desegregate public school districts which have operated racially dual school systems." App. 17–18.

5 The Court's confusion is evident from note 23 of its opinion, ante, at 3328. The Court claims that "none of [the schools] alleged to be directly receiving a tax exemption is alleged to be racially discriminatory." This is directly contradicted not only by the plain language of the complaint, see Complaint ¶¶ 2, 22, App. 17–18, 25, but also by the Court's earlier concession that the respondents' complaint alleges "grants of tax-exempt status to ... racially discriminatory private schools in desegregating districts," ante, at 3321, n. 11.

6 Even if the Court were correct in its conclusion that there is an insufficient factual basis alleged in the complaint, the proper disposition would be to remand in order to afford the respondents an opportunity to amend their complaint. See Havens Realty Corp. v. Coleman, 455 U.S. 363, 377–378, 102 S.Ct. 1114, 1123–1124, 71 L.Ed.2d 214 (1982); Simon v. Eastern Kentucky Welfare Rights Org., 426 U.S. 26, 55, n. 6, 96 S.Ct. 1917, 1932, n. 6, 48 L.Ed.2d 450 (1976) (BRENNAN, J., concurring in judgment). Cf. Fed.Rule Civ.Proc. 12(e).

7 In particular, the plaintiffs' in Norwood, suing on behalf of a statewide class of black students, characterized the basis for their standing as follows:

"The named plaintiffs ... are black citizens of the United States residing in Tunica County, Mississippi. They are students in attendance at the public schools of the Tunica County School District. Their right to a racially integrated and otherwise nondiscriminatory public school system, vindicated by order of [the District Court] dated January 23, 1970 [United States and Driver v. Tunica County School District, Civil Action Nos. DC 6718 and 7013], and their right to the elimination of state support for racially segregated schools, has been frustrated and/or abridged by the creation of the racially segregated Tunica County Institute of Learning and the policies and practices of defendants as set forth below." App. 20 and Brief for United States as Amicus Curiae in Norwood v. Harrison, O.T.1972, No. 72–77, p. 5.

For the reasons explained in the text, I find these allegations legally indistinguishable from the allegations in the present litigation.

8 Our subsequent decision in Gilmore v. City of Montgomery, 417 U.S. 556, 94 S.Ct. 2416, 41 L.Ed.2d 304 (1974), heavily relied on our decision in Norwood. In Gilmore, we considered a challenge to a city policy that permitted racially segregated schools and other segregated private groups and clubs to use city parks and recreational facilities. In affirming an injunction against exclusive access to such facilities, we noted:

"Any arrangement, implemented by state officials at any level, which significantly tends to perpetuate a dual school system, in whatever manner, is constitutionally impermissible. '[T]he constitutional rights of children not to be discriminated against ... can neither be nullified openly and directly by state legislators or state executive or judicial officers, nor nullified indirectly by them through evasive schemes for segregation whether attempted "ingeniously or ingenuously." ' This means that any tangible state assistance, outside the generalized services government might provide to private segregated schools in common with other schools, and with all citizens, is constitutionally prohibited if it has 'a significant tendency to facilitate, reinforce, and support private discrimination.' The constitutional obligation of the State 'requires it to steer clear, not only of operating the old dual system of racially segregated schools, but also of giving significant aid to institutions that practice racial or other invidious discrimination.' " 417 U.S., at 568–569, 94 S.Ct., at 2424 (citations omitted).

  

The Court notes that the case in Gilmore was remanded to the District Court for development of a more particularized record to ensure that the nonexclusive use of the city's parks " 'would result in cognizable injury to these plaintiffs.' " Ante, at 3331, n. 27 (quoting Gilmore, supra, at 570–571, n. 10, 94 S.Ct., at 2424–2425, n. 10). At most, however, this simply suggests that a remand for more particularized pleadings is the proper disposition in the present litigation. Cf. n. 6, supra. The Court is therefore no more faithful to the procedures followed in Gilmore than it is to the substance of that decision.

9 The Court's discussion of our summary affirmance in Coit v. Green simply stretches the imagination beyond its breaking point. The Court concludes that "[t]he limited setting, the history of school desegregation in Mississippi at the time of the Coit litigation, the nature of the IRS conduct challenged at the outset of the litigation, and the District Court's particular findings ... amply distinguish the Coit case from respondents' lawsuit." Ante, at 3332. With all due respect, none of these criteria should be relevant to the determination of standing in these cases.

First, although the Coit litigation was limited to the State of Mississippi, that relates solely to the scope of a properly certified class, and not to the standing of class members to maintain their action. Cf. n. 3, supra. Second, although the District Court made extensive findings concerning the importance of tax exemptions to the discriminatory schools involved in the Coit litigation, that only helps to prove the truth of the allegations made by the respondents in these cases. It also demonstrates why the respondents should be given either an opportunity to prove their case on the merits or an opportunity to amend their pleadings with more particularized allegations. Cf. nn. 6, 8, supra. Because the respondents in this litigation have never had their day in court, the Court's use of the specific findings made in the Coit litigation to deny the respondents standing in this litigation makes a mockery of the standing inquiry. Third, although it is correct that, before the Coit litigation, the IRS initially followed a policy of granting tax exemptions to racially discriminatory schools, that should have no bearing on the respondents' standing in these cases; indeed, the respondents have alleged that the current IRS enforcement policy is so ineffective as to be the functional equivalent of the Government's policy prior to the Coit litigation. See supra, at 3333, and n. 2. Finally, if the "history of school desegregation in Mississippi at the time of the Coit litigation" is at all relevant to the standing inquiry, it weighs in favor of allowing the respondents to maintain their present lawsuit. From the perspective of black children attending desegregating public schools, and according to the allegations included in their complaint, current IRS policies toward racially discriminatory private schools represent a substantial continuation of the onerous history of school desegregation in the affected school districts. With all respect, therefore, the Court has simply failed to distinguish these cases from our summary affirmance in Coit v. Green.

10 See, e.g., L. Tribe, American Constitutional Law § 3–21 (1978); Chayes, Foreword: Public Law Litigation and the Burger Court, 96 Harv.L.Rev. 1, 14–22 (1982); Nichol, Causation as a Standing Requirement: The Unprincipled Use of Judicial Restraint, 69 Ky.L.J. 185 (1980–1981); Tushnet, The New Law of Standing: A Plea for Abandonment, 62 Cornell L.Rev. 663 (1977).

1 The question whether respondents have adequately alleged their standing must be separated from the question whether they can prove what has been alleged. It may be that questions concerning the racial policies of given schools, and the impact of their tax treatment on enrollment, vary widely from school to school, making inappropriate the nationwide class described in respondents' complaint. A case in which it was proved that a segregated private school opened just as a nearby public school system began desegregating pursuant to court order, that the IRS knew the school did not admit blacks, and that the school prospered only as a result of favorable tax treatment, might be very different from one in which the plaintiff attempted to prove a nationwide policy and its effect. However, as Justice BRENNAN observes, ante, at 3334–3335, n. 3, 3339–3340, n. 9, that goes to whether respondents can prove the nationwide policy they have alleged, and whether the factual issues they raise are sufficiently national in scope to justify the certification of a nationwide class. I rather doubt that a nationwide class would be appropriate, but at this stage respondents' allegations

  

of injury must be taken as true, see Warth v. Seldin, 422 U.S. 490, 501, 95 S.Ct. 2197, 2206, 45 L.Ed.2d 343 (1975), and hence we must assume that respondents can prove the existence of a nationwide policy and its alleged effects.

2 Respondents' complaint is premised on precisely this theory. The complaint, in ¶¶ 39–48, describes a number of private schools which receive preferential tax treatment and which allegedly discriminate on the basis of race, providing white children with "a racially segregated alternative to attendance" in the public schools which respondents' children attend. The complaint then states:

"There are thousands of other racially segregated private schools which operate or serve desegregating public school districts and which function under the umbrella of organizations which have received, applied for, or will apply for, federal tax exemptions. Moreover, many additional public school districts will in the future begin desegregating pursuant to court order or [government] regulations and guidelines, under state law or voluntarily. Additional racially segregated private schools may be organized or expanded, many of which will be operated by organizations which have received, applied for, or will apply for federal tax exemptions. As in the case of those representative organizations and private schools described in paragraphs 39–48, supra, such organizations and schools provide, or will provide, white children with a racially segregated alternative to desegregating public schools. By recognizing these organizations as exempt from federal taxation, defendants facilitate their development, operation and expansion and the provision of racially segregated educational opportunities for white children avoiding attendance in desegregating public school systems. Defendants thereby also interfere with the efforts of federal courts, [the Federal Government] and local school authorities to eliminate racially dual school systems." App. 38 (emphasis supplied).

Thus, like Justice BRENNAN, ante, at 3336–3337, I do not understand why the Court states that the complaint contains no allegation that the tax benefits received by private segregated schools "make an appreciable difference in public school integration," ante, at 3328, unless the Court requires "intricacies of pleading that would have gladdened the heart of Baron Parke." Chayes, The Role of the Judge in Public Law Litigation, 89 Harv.L.Rev. 1281, 1305 (1976).

3 See Duke Power Co. v. Carolina Environmental Study Group, Inc., 438 U.S. 59, 74–78, 98 S.Ct. 2620, 2630–2633, 57 L.Ed.2d 595 (1978); United States v. SCRAP, 412 U.S. 669, 678, 687–689, 93 S.Ct. 2405, 2411, 2415–2417, 37 L.Ed.2d 254 (1973); see also Barlow v. Collins, 397 U.S. 159, 90 S.Ct. 832, 25 L.Ed.2d 192 (1970).

4 We agreed with the District Court's following reasoning:

"Montgomery officials were under an affirmative duty to bring about and to maintain a desegregated public school system. Providing recreational facilities to de facto or de jure segregated private schools was inconsistent with that duty because such aid enhanced the attractiveness of those schools, generated capital savings that could be used to improve their private educational offerings, and provided means to raise other revenue to support the institutions, all to the detriment of establishing the constitutionally mandated unitary public school system." 417 U.S., at 563, 94 S.Ct., at 2421. We went on to write:

"Any arrangement, implemented by state officials at any level, which significantly tends to perpetuate a dual school system, in whatever manner, is constitutionally impermissible. '[T]he constitutional rights of children not to be discriminated against ... can neither be nullified openly and directly by state legislators or state executive or judicial officers, nor nullified indirectly by them through evasive schemes for segregation whether attempted "ingeniously or ingenuously." ' This means that any tangible state assistance, outside the generalized services government might provide to private segregated schools in common with other schools, and with all citizens, is constitutionally prohibited if it has 'a significant tendency to facilitate, reinforce, and

  

support private discrimination.' " Id., at 568, 94 S.Ct., at 2423 (quoting Cooper v. Aaron, 358 U.S. 1, 17, 78 S.Ct. 1401, 1409, 3 L.Ed.2d 5 (1958), and Norwood v. Harrison, 413 U.S. 455, 466, 93 S.Ct. 2804, 2811, 37 L.Ed.2d 723 (1973)).

5 It is this "racially segregated alternative" to public schools—the availability of schools that "receive tax exemptions merely on the basis of adopting and certifying—but not implementing—a policy of nondiscrimination," App. 17–18, which respondents allege white parents have found attractive, see id., at 23–24, and which would either lose their cost advantage or their character as a segregated alternative if denied tax-exempt status because of their discriminatory admissions policies.

6 This causation analysis explains the holding in the case on which the Court chiefly relies, Simon v. Eastern Kentucky Welfare Rights Organization, 426 U.S. 26, 96 S.Ct. 1917, 48 L.Ed.2d 450 (1976). There, the plaintiffs—indigent persons in need of free medical care—alleged that they were harmed by the Secretary of the Treasury's decision to permit hospitals to retain charitable status while offering a reduced level of free care. However, while here the source of the causal nexus is the price that white parents must pay to obtain a segregated education, which is inextricably intertwined with the school's tax status, in Simon the plaintiffs were seeking free care, which hospitals could decide not to provide for any number of reasons unrelated to their tax status. See id., at 42–43, and n. 23, 96 S.Ct., at 1926–1927 and n. 23. Moreover, in Simon, the hospitals had to spend money in order to obtain charitable status. Therefore, they had an economic incentive to forgo preferential treatment. As the Court observed:

"It is equally speculative whether the desired exercise of the Court's remedial powers in this suit would result in the availability to respondents of such services. So far as the complaint sheds light, it is just as plausible that the hospitals to which respondents may apply for service would elect to forgo favorable tax treatment to avoid the undetermined financial drain of an increase in the level of uncompensated services.... [C]onflicting evidence supports the commonsense proposition that the dependence upon special tax benefits may vary from hospital to hospital." Id., at 43, 96 S.Ct., at 1926–1927.

In contrast, the tax benefits private schools receive here involve no "financial drain" since the schools need not provide "uncompensated services" in order to obtain preferential tax treatment. Thus, the economic effect of the challenged tax treatment in these cases is not "speculative," as the Court concluded it was in Simon. Here the financial incentives run in only one direction.

7 See also Warth v. Seldin, 422 U.S., at 498, 95 S.Ct., at 2204; Schlesinger v. Reservists Committee to Stop the War, 418 U.S. 208, 222, 94 S.Ct. 2925, 2932, 41 L.Ed.2d 706 (1974).

8 See also Los Angeles v. Lyons, 461 U.S. 95, 101–102, 103 S.Ct. 1660, 1664–1665, 75 L.Ed.2d 675 (1983); Duke Power Co. v. Carolina Environmental Study Group, Inc., 438 U.S., at 72, 98 S.Ct., at 2629; Simon v. Eastern Kentucky Welfare Rights Organization, 426 U.S., at 38, 96 S.Ct., at 1924; Schlesinger v. Reservists Committee To Stop the War, 418 U.S., at 220–221, 94 S.Ct., at 2931–2932; United States v. Richardson, 418 U.S. 166, 179, 94 S.Ct. 2940, 2947, 41 L.Ed.2d 678 (1974); O'Shea v. Littleton, 414 U.S. 488, 493–494, 94 S.Ct. 669, 674–675, 38 L.Ed.2d 674 (1974); Roe v. Wade, 410 U.S. 113, 123, 93 S.Ct. 705, 711, 35 L.Ed.2d 147 (1973); Sierra Club v. Morton, 405 U.S. 727, 731–732, 92 S.Ct. 1361,

1364–1365, 31 L.Ed.2d 636 (1972); Flast v. Cohen, 392 U.S. 83, 99, 88 S.Ct. 1942, 1952, 20 L.Ed.2d 947 (1968).

9 The Flast Court made precisely this point:

"When the emphasis in the standing problem is placed on whether the person invoking a federal court's jurisdiction is a proper party to maintain the action, the weakness of the Government's argument in this case becomes apparent. The question whether a particular person is a proper party to maintain the action does not, by its own force, raise separation of powers problems related to improper judicial interference in areas committed to other branches of the Federal Government. Such problems arise, if at all, only from the substantive issues the individual seeks to have adjudicated. Thus, in terms of Article III limitations on federal court jurisdiction, the question of standing is related only to whether the dispute sought to be adjudicated will be presented in an adversary context and in a form historically viewed as capable of judicial resolution. It is for that reason that the emphasis in standing problems is on whether the party invoking federal court jurisdiction has 'a personal stake in the outcome of the controversy,' and whether the dispute touches upon 'the legal relations of parties having adverse legal interests.' " Id., at 100–101, 88 S.Ct., at 1953–1954 (emphasis supplied) (citations omitted) (quoting Baker v. Carr, 369 U.S. 186, 204, 82 S.Ct. 691, 703, 7 L.Ed.2d 663 (1962), and Aetna Life Insurance Co. v. Haworth, 300 U.S. 227, 240–241, 57 S.Ct. 461, 463–464, 81 L.Ed. 617 (1937)).

10 The danger of the Court's approach is illustrated by its failure to provide any standards to guide courts in determining when it is appropriate to require a more rigorous redressability showing because of separation of powers concerns, or how redressability can be demonstrated in a case raising separation of power concerns. The only guidance the Court offers is that the separation of powers counsels against recognizing standing when the plaintiff "seek[s] a restructuring of the apparatus established by the Executive Branch to fulfill its legal duties." Ante, at 3330. That cannot be an appropriate test; the separation of powers tolerates quite a bit of "restructuring" in order to eliminate the effects of racial segregation. For example, in Bolling v. Sharpe, 347 U.S. 497, 74 S.Ct. 693, 98 L.Ed. 884 (1954), we held that the Fifth Amendment prohibits the Executive from maintaining a dual school system. We have subsequently made it clear that the courts have authority to restructure both school attendance patterns and curriculum when necessary to eliminate the effects of a dual school system. See, e.g., Columbus Board of Education v. Penick, 443 U.S. 449, 99 S.Ct. 2941, 61 L.Ed.2d 666 (1979); Milliken v. Bradley, 433 U.S. 267, 97 S.Ct. 2749, 53 L.Ed.2d 745 (1977); Swann v. Charlotte–Mecklenburg Board of Education, 402 U.S. 1, 91 S.Ct. 1267, 28 L.Ed.2d 554 (1971). At the same time, standing doctrine has never stood as a barrier to such "restructuring." In the seminal case of Baker v. Carr, 369 U.S. 186, 82 S.Ct. 691, 7 L.Ed.2d 663 (1962), the Court accorded voters standing to challenge population variations between electoral districts despite the fact that the legislative reapportionment sought would and eventually did have dramatic "restructuring" effects. Only two Terms ago, in Watt v. Energy Action Educational Foundation, 454 U.S. 151, 160–162, 102 S.Ct. 205, 212–213, 70 L.Ed.2d 309 (1981), the Court accorded California standing to challenge the Secretary of the Interior's methods for accepting bids on oil and gas rights, despite the fact that this would affect the manner in which the Executive Branch discharged "[its] duty to 'take Care that the Laws are faithfully executed,' " ante, at 3330.

11 See also INS v. Delgado, 466 U.S. 210, 217, n. 4, 104 S.Ct. 1758, 1763, n. 4, 80 L.Ed.2d 247 (1984).

12 In Bob Jones we clearly indicated that the Internal Revenue Code not only permits but in fact requires the denial of tax-exempt status to racially discriminatory private schools:

  

> "Few social or political issues in our history have been more vigorously debated and more extensively ventilated than the issue of racial discrimination, particularly in education. Given the stress and anguish of the history of efforts to escape from the shackles of the 'separate but equal' doctrine of Plessy v. Ferguson, 163 U.S. 537, 16 S.Ct. 1138, 41 L.Ed. 256 (1896), it cannot be said that educational institutions that, for whatever reasons, practice racial discrimination, are institutions exercising 'beneficial and stabilizing influences in community life,' Walz v. Tax Comm'n, 397 U.S. 664, 673 [90 S.Ct. 1409, 1413, 25 L.Ed.2d 697] (1970), or should be encouraged by having all taxpayers share in their support by way of special tax status.
>
> "There can thus be no question that the interpretation of § 170 and § 501(c)(3) announced by the IRS in 1970 was correct. That it may be seen as belated does not undermine its soundness. It would be wholly incompatible with the concepts underlying tax exemption to grant the benefit of tax-exempt status to racially discriminatory educational entities, which 'exer [ [t] a pervasive influence on the entire educational process.' Norwood v. Harrison, [413 U.S.], at 469 [93 S.Ct., at 2812]. Whatever may be the rationale for such private schools' policies, and however sincere the rationale may be, racial discrimination in education is contrary to public policy. Racially discriminatory educational institutions cannot be viewed as conferring a public benefit within the 'charitable' concept discussed earlier, or within the Congressional intent underlying § 170 and § 501(c)(3)." 461 U.S., at 595–596, 103 S.Ct., at 2030–2031.

13 It has long been the rule that unless a claim is wholly insubstantial, it may not be dismissed for lack of subject-matter jurisdiction. See Bell v. Hood, 327 U.S. 678, 66 S.Ct. 773, 90 L.Ed. 939 (1946).

## Negative Treatment

### Negative Citing References (269)

*The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:*

| Treatment | Title | Date | Type | Depth | Headnote(s) |
|---|---|---|---|---|---|
| Abrogated by | 1. Lexmark Intern., Inc. v. Static Control Components, Inc. MOST NEGATIVE<br><br>134 S.Ct. 1377 , U.S.<br>TRADEMARKS - Advertising. Zone-of-interests test and proximate-cause requirement, not prudential rules, determined who could sue for false advertising under Lanham Act. | Mar. 25, 2014 | Case | | 3<br>S.Ct. |
| Not Followed on State Law Grounds | 2. West v. Seattle Port Commission<br><br>380 P.3d 82 , Wash.App. Div. 1<br>GOVERNMENT — Records. Federal Shipping Act preempted state open records law provision requiring that meetings of agency's governing body be open to public, as to ports. | July 05, 2016 | Case | | — |
| Overruling Recognized by | 3. Dalton v. Herrin<br><br>2015 WL 1275302 , S.D.Ala.<br>After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the Report and Recommendation... | Mar. 19, 2015 | Case | | 3<br>S.Ct. |
| Overruling Recognized by | 4. In re Automotive Parts Antitrust Litigation<br><br>2015 WL 13834708 , E.D.Mich.<br>Before the Court is Defendants' Collective Motion to Dismiss End-Payors' and Auto Dealers' Consolidated Amended Class Action Complaints (Doc. No. 57 in Case No. 13-802, Doc. No. 37... | May 01, 2015 | Case | | 4<br>5<br>10<br>S.Ct. |
| Overruling Recognized by | 5. United States v. Ocwen Loan Servicing, LLC<br><br>2016 WL 278967 , E.D.Tex.<br>Pending before the Court is Defendants' Ocwen Loan Servicing, LLC and Homeward Residential, Inc.'s Motion for Protective Order to Protect the Privacy of Their Borrowers (Dkt.... | Jan. 22, 2016 | Case | | 3<br>S.Ct. |
| Overruling Recognized by | 6. Beverly Hills Unified School District v. Federal Transit Administration<br><br>2016 WL 4650428 , C.D.Cal.<br>Because of the length of the attached proposed Tentative Ruling (and concomitant complexity of the issues and size of the administrative record), the Court provides a copy of the... | Feb. 01, 2016 | Case | | 11<br>14<br>17<br>S.Ct. |
| Overruling Recognized by | 7. White v. Cochran<br><br>2016 WL 6832704 , S.D.Ala.<br>Plaintiff, a Mobile County Metro Jail inmate proceeding pro se and in forma pauperis, filed a Complaint under 42 U.S.C. § 1983. This action has been referred to the undersigned for... | Oct. 18, 2016 | Case | | 3<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
|---|---|---|---|---|---|
| Overruling Recognized by | 8. In re Automotive Parts Antitrust Litigation<br><br>2017 WL 3128100 , E.D.Mich.<br>Before the Court is Defendant Green Tokai Co., Ltd's ("GTC") Motion to Dismiss End-Payors Plaintiffs' and Auto Dealer Plaintiffs' Class Action Complaints (Doc. No. 27 in 16-3402;... | May 19, 2017 | Case | | 4<br>5<br>S.Ct. |
| Overruling Recognized by | 9. Suarez v. Beard<br><br>2017 WL 2652199 , N.D.Cal.<br>Plaintiff, a California prisoner currently incarcerated at California State Prison—Solano ("CSP–Solano"), filed this pro se civil rights action under 42 U.S.C. § 1983, alleging... | June 20, 2017 | Case | | — |
| Overruling Recognized by | 10. Californians for Renewable Energy v. United States Environmental Protection Agency<br><br>2018 WL 1586211 , N.D.Cal.<br>Plaintiffs CAlifornians for Renewable Energy ("CARE"), Ashurst/Bar Smith Community Organization ("ABSCO"), Citizens for Alternatives to Radioactive Dumping ("CARD"), Saint Francis... | Mar. 30, 2018 | Case | | 12<br>S.Ct. |
| Overruling Recognized by | 11. Bango v. Pierce County, Washington<br><br>2018 WL 2108250 , W.D.Wash.<br>The District Court referred this action, filed pursuant to 42 U.S.C. § 1983, to United States Magistrate Judge David W. Christel. Presently pending before the Court is "Pierce... | Apr. 17, 2018 | Case | | 2<br>S.Ct. |
| Overruling Recognized by | 12. Commonwealth Cabinet for Health and Family Services, Department for Medicaid Services v. Sexton by and through Appalachian Regional Healthcare, Inc.<br><br>566 S.W.3d 185 , Ky.<br>LITIGATION — Parties. The existence of a plaintiff's standing is a constitutional requirement to prosecute any action. | Sep. 27, 2018 | Case | | 4<br>5<br>S.Ct. |
| Overruling Recognized by | 13. In re Automotive Parts Antitrust Litigation<br><br>2019 WL 11005450 , E.D.Mich.<br>This matter is before the Court on Defendants Sanoh Industrial Co., Ltd. ("Sanoh") and Sanoh America Inc.'s ("SanAm") (collectively "Sanoh Defendants") Motion to Dismiss Dealership... | Mar. 07, 2019 | Case | | — |
| Overruling Recognized by | 14. Commonwealth v. Bredhold<br><br>599 S.W.3d 409 , Ky.<br>CRIMINAL JUSTICE — Death Penalty. Indicted defendants lacked standing for pretrial challenge to constitutionality of death penalty as applied to offenders under age of 21. | Mar. 26, 2020 | Case | | 4<br>5<br>S.Ct. |
| Overruling Recognized by | 15. Weltner v. Raffensperger<br><br>2020 WL 8116173 , N.D.Ga.<br>This action is before the Court on Plaintiffs' Motion for Preliminary Injunction [Doc. 7] and Plaintiffs' Request for Hearing on Motion for Preliminary Injunction (hereinafter... | May 18, 2020 | Case | | 5<br>S.Ct. |

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| Overruling Recognized by | 16. Baker v. City of San Diego<br><br>463 F.Supp.3d 1091 , S.D.Cal.<br>CIVIL RIGHTS — Equal Protection. Residents failed to sufficiently allege robust causal connection between disparity regarding race of individuals in communities and city policy. | June 01, 2020 | Case | | 4<br>5<br>10<br>S.Ct. |
| Overruling Recognized by | 17. Swain v. Connecticut Leglislative Law Revision Commission<br><br>2020 WL 5556655 , D.Conn.<br>Plaintiff, Scott Swain, brings this action against the Connecticut Legislative Law Revision Commission [sic] (hereinafter “Commission”), members of the State House of... | Sep. 16, 2020 | Case | | 4<br>S.Ct. |
| Overruling Recognized by | 18. Thompson v. Connecticut Leglislative Law Revision Commission<br><br>2020 WL 5578141 , D.Conn.<br>Plaintiff, Earl Thompson, brings this action against the Connecticut Legislative Law Revision Commission [sic] (hereinafter “Commission”), members of the State House of... | Sep. 16, 2020 | Case | | 4<br>S.Ct. |
| Overruling Recognized by | 19. Beshear v. Acree<br><br>615 S.W.3d 780 , Ky.<br>GOVERNMENT — Emergency. Governor properly declared a state of emergency based on COVID-19 pandemic without seeking certification from all counties. | Nov. 12, 2020 | Case | | 4<br>5<br>S.Ct. |
| Overruling Recognized by | 20. Rivera v. Jeld-Wen, Inc.<br><br>2022 WL 3219411 , S.D.Cal.<br>Presently pending before the Court is Defendant Jeld-Wen, Inc.’s (“Defendant”) partial motion to dismiss and/or strike Plaintiffs’ Patrick Rivera Jr., Christopher Gonzalez, Aris... | Aug. 09, 2022 | Case | | 4<br>10<br>S.Ct. |
| Overruling Recognized by | 21. Greer v. Commonwealth<br><br>2022 WL 16842287 , Ky.App.<br>Zane Greer (Greer) appeals from an order of the Grayson Circuit Court granting Rick Hardin's (Hardin) motion to dismiss. Having reviewed the record and the relevant law in this... | Nov. 10, 2022 | Case | | 4<br>S.Ct. |
| Abrogation Recognized by | 22. Zachary v. City of Newburgh<br><br>2014 WL 1508705 , S.D.N.Y.<br>Plaintiff Chaz Zachary, proceeding pro se, brings this Section 1983 action against defendants the City of Newburgh, Roman Scuadroni, Carlos Mendez, Andres Arrestin, Daniel Volpe,... | Apr. 01, 2014 | Case | | 4<br>S.Ct. |
| Abrogation Recognized by | 23. Marks v. Tennessee<br><br>562 Fed.Appx. 341 , 6th Cir.(Tenn.)<br>CIVIL RIGHTS - Disabilities. Trial judge in prior litigation substantially accommodated plaintiff's disability, precluding his ADA claim. | Apr. 04, 2014 | Case | | — |
| Abrogation Recognized by | 24. American Atheists, Inc. v. Shulman<br><br>21 F.Supp.3d 856 , E.D.Ky. | May 19, 2014 | Case | | 4<br>5 |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | TAXATION - Income. Atheist organizations lacked standing to challenging tax-exempt status provisions of the Internal Revenue Code. | | | | S.Ct. |
| Abrogation Recognized by | 25. Kaufman v. JPMorgan Chase Bank, N.A.<br><br>2014 WL 2094284 , C.D.Cal.<br>In her Complaint, Plaintiff Angela Kaufman alleges violations of the Americans with Disabilities Act ("ADA") and California's Unruh Civil Rights Act against Defendants JPMorgan... | May 20, 2014 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 26. Comite de Apoyo a los Trabajadores Agricolas v. Perez<br><br>2014 WL 4100708 , E.D.Pa.<br>Plaintiffs sue for judicial review of certain actions, decisions, and regulations in regard to the agency's administration of wage benefits for foreign and United States workers... | July 23, 2014 | Case | | — |
| Abrogation Recognized by | 27. Comite de Apoyo A Los Trabajadores Agricolas v. Perez<br><br>46 F.Supp.3d 550 , E.D.Pa.<br>LITIGATION - Dismissal. Plaintiffs lacked standing to challenge decision invalidating supplemental prevailing wage determinations. | July 23, 2014 | Case | | — |
| Abrogation Recognized by | 28. BOSTIC v. SCHAEFER<br><br>760 F.3d 352 , 4th Cir.(Va.)<br>GLBT - Marriage. Virginia's ban on same-sex marriage violated Due Process and Equal Protection Clauses. | July 28, 2014 | Case | | 4<br>13<br>16<br>S.Ct. |
| Abrogation Recognized by | 29. Wallace v. New York<br><br>40 F.Supp.3d 278 , E.D.N.Y.<br>CRIMINAL JUSTICE - Sex Offenders. State sex offender residency restrictions, which imposed lifetime restrictions on some offenders, did not violate Ex Post Facto Clause. | Aug. 28, 2014 | Case | | 4<br>5<br>S.Ct. |
| Abrogation Recognized by | 30. Ford v. Strange<br><br>580 Fed.Appx. 701 , 11th Cir.(Ala.)<br>GOVERNMENT - Elections. Voting Rights Act did not protect voter's interest in post-enactment enforcement of laws that he supported. | Sep. 03, 2014 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 31. Pappacoda v. Palmetto Health<br><br>2014 WL 4417559 , D.S.C.<br>In this employment discrimination case, George Pappacoda ("Plaintiff") sues his former employer Palmetto Health ("Defendant"). Plaintiff alleges discrimination, failure to... | Sep. 08, 2014 | Case | | 3<br>10<br>S.Ct. |
| Abrogation Recognized by | 32. Freedom from Religion Foundation, Inc. v. Lew<br><br>773 F.3d 815 , 7th Cir.(Wis.)<br>TAXATION - Income. Atheists did not suffer any injury from federal "ministers of the gospel" income tax exemptions. | Nov. 13, 2014 | Case | | 13<br>14<br>17<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| Abrogation Recognized by | 33. Komondy v. Gioco<br><br>59 F.Supp.3d 469 , D.Conn.<br>REAL PROPERTY - Eminent Domain. Property owner's federal takings claim was unripe for judicial review. | Nov. 18, 2014 | Case | | 1 S.Ct. |
| Abrogation Recognized by | 34. Capellupo v. Webster Central School Dist.<br><br>2014 WL 6974631 , W.D.N.Y.<br>Plaintiff Michelle Capellupo ("Plaintiff") commenced the instant action on September 6, 2013, purportedly on behalf of her son, S.C. (Dkt.1). The complaint alleges that S.C. is... | Dec. 09, 2014 | Case | | 3 S.Ct. |
| Abrogation Recognized by | 35. Penwell v. Jutilla<br><br>2014 WL 6982472 , W.D.Wash.<br>This matter comes before the court on the Report and Recommendation of United States Magistrate Judge James P. Donohue (R & R (Dkt.# 62)), and Plaintiff Tony Dale Penwell's... | Dec. 09, 2014 | Case | | 3 S.Ct. |
| Abrogation Recognized by | 36. In re Target Corp. Data Sec. Breach Litigation<br><br>66 F.Supp.3d 1154 , D.Minn.<br>COMMERCIAL LAW - Class Actions. Consumers plausibly alleged standing at motion-to-dismiss stage for state law claims in jurisdictions without a named plaintiff. | Dec. 18, 2014 | Case | | 4 S.Ct. |
| Abrogation Recognized by | 37. Eames v. U.S.<br><br>2015 WL 867151 , D.Utah<br>This matter was referred to Magistrate Judge Paul M. Warner by Chief District Judge David Nuffer pursuant to 28 U.S.C. § 636(b)(1)(B). Before the court are the following three... | Feb. 27, 2015 | Case | | 3 S.Ct. |
| Abrogation Recognized by | 38. Betancourt v. Bleau Fontaine Condominium Association Number Two, Inc.<br><br>2015 WL 13775592 , S.D.Fla.<br>THIS MATTER is before the Court on Bleau Fontaine Condominium Association Number Three, Inc. and Carmen Rivas' Motion to Dismiss Counts I and II of Plaintiff's Complaint... | Mar. 02, 2015 | Case | | 3 S.Ct. |
| Abrogation Recognized by | 39. Ex parte State ex rel. Alabama Policy Institute<br><br>200 So.3d 495 , Ala.<br>GLBT - Marriage. Statutes prohibiting issuance of marriage licenses to same-sex couples did not violate equal protection or due process. | Mar. 03, 2015 | Case | | 5 S.Ct. |
| Abrogation Recognized by | 40. Eames v. Executive Office of the President<br><br>2015 WL 1442581 , D.Utah<br>Before the Court is the Report and Recommendation issued by United States Magistrate Judge Paul M. Warner on March 12, 2015, recommending that Defendants' Motion to Dismiss be... | Mar. 27, 2015 | Case | | 3 S.Ct. |
| Abrogation Recognized by | 41. Abbott v. G.G.E | Apr. 30, 2015 | Case | | 4 S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | 463 S.W.3d 633 , Tex.App.-Austin<br>HEALTH — Mental Health. Involuntary committees had standing to challenge constitutionality of indefinite commitment without periodic review, under Persons with Mental Retardation... | | | | |
| Abrogation Recognized by | 42. Hildebrandt v. Vilsack<br><br>102 F.Supp.3d 318 , D.D.C.<br>AGRICULTURE — Subsidies. African-American farm owners were not required to show that they would have been qualified to receive loan in order to state race discrimination claim. | May 05, 2015 | Case | | — |
| Abrogation Recognized by | 43. Texas v. U.S.<br><br>787 F.3d 733 , 5th Cir.(Tex.)<br>IMMIGRATION - Deportation or Removal. Preliminary injunction against deferred action for illegal aliens would not be stayed pending appeal. | May 26, 2015 | Case | | 17<br>S.Ct. |
| Abrogation Recognized by | 44. Ross v. AXA Equitable Life Ins. Co.<br><br>115 F.Supp.3d 424 , S.D.N.Y.<br>INSURANCE - Parties. Insureds did not have standing to bring suit arising from life insurer's alleged failure to disclose shadow reinsurance transactions. | July 21, 2015 | Case | | 5<br>6<br>10<br>S.Ct. |
| Abrogation Recognized by | 45. Novak v. U.S.<br><br>795 F.3d 1012 , 9th Cir.(Hawai'i)<br>TRANSPORTATION - Shipping. Jones Act's cabotage provisions, prohibiting foreign competition in domestic shipping market, did not violate Commerce Clause. | July 30, 2015 | Case | | 12<br>S.Ct. |
| Abrogation Recognized by | 46. Zayed v. Associated Bank, N.A.<br><br>2015 WL 4635789 , D.Minn.<br>This matter is before the court upon the motion to dismiss by defendant Associated Bank, N.A. (Associated Bank). Based on a review of the file, record, and proceedings herein, and... | Aug. 04, 2015 | Case | | — |
| Abrogation Recognized by | 47. Curley v. Lifestream Behavioral Center, Inc.<br><br>2015 WL 4664452 , M.D.Fla.<br>THIS CAUSE comes before the Court upon Defendant's Motion to Dismiss Plaintiff's Amended Complaint (Doc. 13) and Plaintiff's response in opposition thereto (Doc. 16). The Court,... | Aug. 06, 2015 | Case | | — |
| Abrogation Recognized by | 48. Chase v. Town of Ocean City, Md.<br><br>2015 WL 4993583 , D.Md.<br>On June 17, 2015, the Town of Ocean City, Maryland ("Ocean City" or the "Town") filed a "Motion To Modify Preliminary Injunction And Consent Decree" ("Motion," ECF 26), pursuant to... | Aug. 19, 2015 | Case | | 1<br>2<br>S.Ct. |
| Abrogation Recognized by | 49. King v. National General Insurance Company<br><br>129 F.Supp.3d 925 , N.D.Cal. | Sep. 15, 2015 | Case | | 2<br>6<br>8<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | INSURANCE — Automobile. insureds did not state plausible claim against automobile insurers under California's Unfair Competition Law. | | | | |
| Abrogation Recognized by | 50. Enslin v. The Coca-Cola Company<br><br>136 F.Supp.3d 654 , E.D.Pa.<br>LABOR AND EMPLOYMENT — Employee Privacy. Employer did not make knowing disclosure of employee's driving information, and thus did not violate Driver's Privacy Protection Act. | Sep. 30, 2015 | Case | | 4<br>5<br>S.Ct. |
| Abrogation Recognized by | 51. Pennsylvania General Energy Co., LLC v. Grant Tp.<br><br>2015 WL 6001550 , W.D.Pa.<br>Plaintiff Pennsylvania General Energy Company, LLC, ("PGE") filed this action challenging the constitutionality, validity and enforceability of an ordinance adopted by Grant... | Oct. 14, 2015 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 52. Pedersen v. Geschwind<br><br>141 F.Supp.3d 405 , D.Md.<br>PATENTS — Parties. Inventor, in action seeking to be removed as named inventor of cancer-treatment patents, did not suffer cognizable injury sufficient for standing. | Oct. 27, 2015 | Case | | 2<br>3<br>5<br>S.Ct. |
| Abrogation Recognized by | 53. Texas v. U.S.<br><br>809 F.3d 134 , 5th Cir.(Tex.)<br>IMMIGRATION - Deportation or Removal. Texas was likely to succeed on APA challenge to deferred action program for illegal aliens. | Nov. 09, 2015 | Case | | 17<br>S.Ct. |
| Abrogation Recognized by | 54. S.K. v. North Allegheny School District<br><br>146 F.Supp.3d 700 , W.D.Pa.<br>EDUCATION — Transportation. Mother of disabled child pled Rehabilitation Act and ADA associational claims about school district's refusal to transport child to daycare facility. | Nov. 19, 2015 | Case | | 13<br>16<br>S.Ct. |
| Abrogation Recognized by | 55. Committee on Oversight and Government Reform, United States House of Representatives v. Lynch<br><br>156 F.Supp.3d 101 , D.D.C.<br>GOVERNMENT — Records. Congressional Committee's need for Attorney General's documents, in investigation into ATF's failure, outweighed deliberative process privilege. | Jan. 19, 2016 | Case | | 9<br>S.Ct. |
| Abrogation Recognized by | 56. American Humanist Association, Inc. v. Douglas County School District Re-1<br><br>158 F.Supp.3d 1123 , D.Colo.<br>EDUCATION — Religion. High school student and his parents lacked standing to assert claim that school district violated Equal Access Act. | Jan. 20, 2016 | Case | | 4<br>10<br>S.Ct. |
| Abrogation Recognized by | 57. Langton v. Town of Chester | Mar. 02, 2016 | Case | | 4<br>10<br>17 |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | 168 F.Supp.3d 597 , S.D.N.Y.<br>GOVERNMENT — Public Officials. Former trustee of town library board stated claim that her removal violated her procedural due process rights. | | | | S.Ct. |
| Abrogation Recognized by | 58. Brittany O v. Bentonville School District<br><br>2016 WL 1064637 , W.D.Ark.<br>Plaintiff Brittany O brings this action as Parent and Next Friend ("Parent") of L ("Student"), her son. Student is a child who is disabled as defined in 20 U.S.C. § 1 401(3). His... | Mar. 15, 2016 | Case | | — |
| Abrogation Recognized by | 59. McNiece v. Connecticut<br><br>2016 WL 1118249 , D.Conn.<br>Adam P. McNiece, proceeding pro se, sued the State of Connecticut, the State of Connecticut Judicial Branch ("Judicial Branch"), Claims Commissioner J. Paul Vance, Jr., Attorney... | Mar. 22, 2016 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 60. Firearm Owners Against Crime v. City of Harrisburg<br><br>2016 WL 1162283 , M.D.Pa.<br>Before the Court are four motions: Defendants' motion to dismiss for failure to state a claim (Doc. No. 4), Plaintiffs' motion to remand to state court (Doc. No. 5), Plaintiffs'... | Mar. 24, 2016 | Case | | 5<br>17<br>S.Ct. |
| Abrogation Recognized by | 61. Bray v. Fenves<br><br>2016 WL 3083539 , Tex.App.-Texarkana<br>EDUCATION — Parties. Association, its member, and relative of donor of statues depicting Confederate officers lacked standing to challenge their removal by university. | Mar. 24, 2016 | Case | | 4<br>5<br>S.Ct. |
| Abrogation Recognized by | 62. Williams v. Lew<br><br>819 F.3d 466 , D.C.Cir.<br>GOVERNMENT - Parties. Holder of public debt instruments failed to establish standing to challenge constitutionality of Debt Limit Statute. | Apr. 22, 2016 | Case | | 2<br>12<br>S.Ct. |
| Abrogation Recognized by | 63. Stevens v. Malloy<br><br>2016 WL 3198203 , D.Conn.<br>This is an action filed by plaintiff Eric Stevens ("Mr. Stevens") against Connecticut Governor Dannel Malloy ("Governor Malloy"), Connecticut Supreme Court Justice Chase T. Rogers... | June 07, 2016 | Case | | 11<br>17<br>S.Ct. |
| Abrogation Recognized by | 64. Tall v. Maryland Developmental Disabilities Administration<br><br>2016 WL 3459854 , D.Md.<br>Hesman Tall, the self-represented plaintiff, filed a skeletal two-page Complaint against the Maryland Developmental Disabilities Administration ("DDA") and the Maryland Department... | June 24, 2016 | Case | | — |
| Abrogation Recognized by | 65. Burke v. Federal National Mortgage Association<br><br>2016 WL 4249496 , E.D.Va. | Aug. 09, 2016 | Case | | — |

 

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | THIS MATTER is before the Court on Defendant's Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(1) (ECF No. 30), filed on June 27, 2016. Plaintiff has filed her... | | | | |
| Abrogation Recognized by | 66. Owner-Operator Independent Drivers Association, Inc. v. United States Department of Transportation<br><br>211 F.Supp.3d 252 , D.D.C.<br>LABOR AND EMPLOYMENT — Transportation Workers. Commercial truck drivers did not suffer concrete injury-in-fact and thus lacked standing to bring action against Department of... | Sep. 30, 2016 | Case | | 12<br>S.Ct. |
| Abrogation Recognized by | 67. Challenge v. Moniz<br><br>218 F.Supp.3d 1171 , E.D.Wash.<br>ENVIRONMENTAL LAW — Hazardous Waste. State has parens patriae standing under Article III to bring action against United States under Resource Conservation and Recovery Act (RCRA). | Nov. 03, 2016 | Case | | 2<br>3<br>5<br>S.Ct. |
| Abrogation Recognized by | 68. Jones v. Chapman<br><br>2016 WL 6600511 , D.Md.<br>This Memorandum resolves the “Joint Motion for Fed. R. Civ. P. 59(e) Relief & Motion To Unseal The Court's Three (3) ‘Telephone Status Conferences’ With Request For A Hearing &... | Nov. 08, 2016 | Case | | 1<br>2<br>S.Ct. |
| Abrogation Recognized by | 69. Whitford v. Gill<br><br>218 F.Supp.3d 837 , W.D.Wis.<br>GOVERNMENT — Elections. Wisconsin's redistricting plan constituted partisan gerrymander in violation of equal protection and First Amendment. | Nov. 21, 2016 | Case | | 6<br>S.Ct. |
| Abrogation Recognized by | 70. Turner v. Shumlin<br><br>163 A.3d 1173 , Vt.<br>JUDICIAL ADMINISTRATION — Judges. Governor lacked power to fill prospective vacancy in office of associate justice of Supreme Court. | Jan. 04, 2017 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 71. Gambles v. Sterling Infosystems, Inc.<br><br>234 F.Supp.3d 510 , S.D.N.Y.<br>COMMERCIAL LAW — Consumer Credit. Applicant, whose background report contained outdated and misleading information about him, suffered concrete and particularized injury-in-fact. | Feb. 13, 2017 | Case | | 2<br>3<br>12<br>S.Ct. |
| Abrogation Recognized by | 72. Granite Outlet, Inc. v. Baker<br><br>2017 WL 590257 , E.D.Cal.<br>This is a lawsuit brought under 42 U.S.C. § 1983 challenging the constitutionality of California Labor Code § 98.2 and associated practices of the Labor Commissioner. The matter is... | Feb. 14, 2017 | Case | | 4<br>17<br>S.Ct. |
| Abrogation Recognized by | 73. Grisham v. County of Riverside<br><br>2017 WL 11632462 , C.D.Cal. | Mar. 13, 2017 | Case | | 1<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | This matter is before the Court on Defendant Jow-Shone Lee, M.D.'s ("Dr. Lee" or "Defendant") Motion to Dismiss and Motion to Strike ("Motion"), filed on January 20, 2017.... | | | | |
| Abrogation Recognized by | 74. Gerhart v. United States Department of Health & Human Services<br><br>242 F.Supp.3d 806 , S.D.Iowa<br>INSURANCE — Health. Court of Federal Claims could provide adequate remedy with regard to claim that HHS improperly placed administrative hold on ACA payments. | Mar. 16, 2017 | Case | | 6<br>8<br>S.Ct. |
| Abrogation Recognized by | 75. Torres v. Wendy's International, LLC<br><br>2017 WL 8780453 , M.D.Fla.<br>In this class action suit, Plaintiffs sue Wendy's International, LLC ("Wendy's"), on behalf of themselves and all others similarly situated, for failing to adequately secure and... | Mar. 21, 2017 | Case | | 4<br>S.Ct. |
| Abrogation Recognized by | 76. Moore v. Bryant<br><br>853 F.3d 245 , 5th Cir.(Miss.)<br>EDUCATION — Civil Rights. Mississippi statute requiring students to learn about state flag, which contains Confederate battle emblem, does not violate First Amendment. | Mar. 31, 2017 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by | 77. Stewart v. Heineman<br><br>892 N.W.2d 542 , Neb.<br>GLBT — Discrimination. Claims of same-sex couples, who sought to enjoin enforcement of memorandum preventing gay and lesbian individuals from being foster or adoptive parents, were... | Apr. 07, 2017 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by | 78. Robinson v. Sessions<br><br>260 F.Supp.3d 264 , W.D.N.Y.<br>CIVIL RIGHTS — Right to Bear Arms. Potential firearms purchasers lacked standing to bring action alleging that background checks violated their constitutional rights. | Apr. 10, 2017 | Case | | 8<br>13<br>S.Ct. |
| Abrogation Recognized by | 79. Coleman v. Charlottesville Bureau of Credits, Inc.<br><br>2017 WL 1381666 , E.D.Va.<br>THIS MATTER is before the Court on its own initiative. Plaintiff Sumiko Coleman ("Plaintiff") brings this action against Charlottesville Bureau of Credits, Inc. ("Defendant"),... | Apr. 17, 2017 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 80. Oatis v. City of Gadsden<br><br>2017 WL 1649973 , N.D.Ala.<br>Plaintiffs initiated this § 1983 lawsuit on August 3, 2016, asserting "a continuous and systematic violation of their 1st Amendment rights under the United States Constitution to... | May 02, 2017 | Case | | 2<br>5<br>S.Ct. |
| Abrogation Recognized by | 81. Reitz v. City of Abilene<br><br>2017 WL 3046881 , N.D.Tex. | May 25, 2017 | Case | | 4<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | The Court has under consideration Defendant City of Abilene's First Amended Rule 12(b)(1) and 12(b)(6) Motion to Dismiss (doc. 26) (hereinafter "City's Mot."), Defendant John R.... | | | | |
| Abrogation Recognized by | 82. MGM Resorts International Global Gaming Development, LLC v. Malloy<br><br>861 F.3d 40 , 2nd Cir.(Conn.)<br>CIVIL RIGHTS — Parties. Casino developer failed to allege concrete injury as result of law allowing tribes to contract for development of casinos on nonreservation land. | June 21, 2017 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by | 83. Oregon Prescription Drug Monitoring Program v. U.S. Drug Enforcement Administration<br><br>860 F.3d 1228 , 9th Cir.(Or.)<br>HEALTH — Drugs. Oregon statute requiring court order to disclose prescription monitoring information was preempted by Controlled Substances Act. | June 26, 2017 | Case | | 8<br>9<br>S.Ct. |
| Abrogation Recognized by | 84. Gegenheimer v. Stevenson<br><br>2017 WL 2880867 , W.D.Tex.<br>Before the Court is the parties' briefing on the issue of mootness, filed in response to the Court's Order to Show Cause. (Dkt. 42). Having considered the parties' submissions and... | July 05, 2017 | Case | | 13<br>14<br>S.Ct. |
| Abrogation Recognized by | 85. Taylor v. Medical Data Systems, Inc.<br><br>2017 WL 2989184 , E.D.Va.<br>THIS MATTER is before the Court on its own initiative. Plaintiff Nicole Taylor ("Plaintiff") brings this action alleging violations of the Fair Debt Collections Practices Act... | July 13, 2017 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 86. Brown v. R & B Corporation of Virginia<br><br>267 F.Supp.3d 691 , E.D.Va.<br>COMMERCIAL LAW — Debt Collection. Consumer alleged injury-in-fact and, thus, had standing to bring action against debt collector for violations of Fair Debt Collection Practices... | July 28, 2017 | Case | | 2<br>3<br>5<br>S.Ct. |
| Abrogation Recognized by | 87. Menoken v. Miles<br><br>270 F.Supp.3d 200 , D.D.C.<br>GOVERNMENT — Parties. Federal employee did not establish Article III standing to pursue claim against Office of Special Counsel (OSC) for failure to investigate disclosure. | Sep. 14, 2017 | Case | | 2<br>12<br>S.Ct. |
| Abrogation Recognized by | 88. Piper v. Meade & Associates, Inc.<br><br>282 F.Supp.3d 905 , D.Md.<br>COMMERCIAL LAW — Debt Collection. Consumer failed to allege injury in fact and, thus, did not have standing to bring action for violation of Fair Debt Collection Practices Act. | Oct. 10, 2017 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 89. Cottrell v. Alcon Laboratories<br><br>874 F.3d 154 , 3rd Cir.(N.J.) | Oct. 18, 2017 | Case | | 12<br>S.Ct. |

 

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | COMMERCIAL LAW — Consumer Protection. Consumers of prescription eye drops sufficiently alleged a legally protected interest in claiming that drops were packed in a way that caused... | | | | |
| Abrogation Recognized by | 90. Hossfeld v. Compass Bank<br><br>2017 WL 5068752 , N.D.Ala.<br>Plaintiff Robert Hossfeld (“Mr. Hossfeld”) initiated this purported class action arising under the Telephone Consumer Protection Act of 1991 (“TCPA”), 47 U.S.C. § 227, against... | Nov. 03, 2017 | Case | | 2<br>17<br>S.Ct. |
| Abrogation Recognized by | 91. Aku v. Chicago Board of Education<br><br>290 F.Supp.3d 852 , N.D.Ill.<br>CIVIL RIGHTS — Municipal Liability. Teacher failed to allege he was discriminated against because of policy or practice, as required to state Monell claim against city's board of... | Nov. 14, 2017 | Case | | 4<br>5<br>10<br>S.Ct. |
| Abrogation Recognized by | 92. June Medical Services LLC v. Gee<br><br>280 F.Supp.3d 849 , M.D.La.<br>FAMILY LAW — Abortion. Favorable decision would not redress alleged injury caused by abortion regulation since state criminalized all abortions performed after 20 weeks. | Nov. 16, 2017 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by | 93. United States v. Hall<br><br>877 F.3d 676 , 6th Cir.(Tenn.)<br>CRIMINAL JUSTICE — Forfeitures. County had Article III standing to file petition asserting its interest in real property. | Dec. 13, 2017 | Case | | 4<br>5<br>S.Ct. |
| Abrogation Recognized by | 94. Lopez-Aguilar v. Marion County Sheriff's Department<br><br>2018 WL 306722 , S.D.Ind.<br>Now before the Court is the State of Indiana’s Motion to Intervene for the Limited Purpose of Appeal. Dkt. 53. On November 7, 2017, we entered final judgment in this lawsuit, Dkt.... | Jan. 05, 2018 | Case | | 18<br>S.Ct. |
| Abrogation Recognized by | 95. Rohr v. Crime Victims Compensation Commission<br><br>2018 WL 10195928 , D.Hawai'i<br>On September 29, 2017, this Court issued the Order Granting Defendant's Motion for Summary Judgment and Denying Plaintiff's Cross Motion for Summary Judgment (“9/29/17 Order”). ... | Jan. 16, 2018 | Case | | 3<br>S.Ct. |
| Abrogation Recognized by | 96. Robinson v. Sessions<br><br>721 Fed.Appx. 20 , 2nd Cir.(N.Y.)<br>GOVERNMENT — Weapons. Second Amendment advocates lacked standing to bring action against government officials for claims arising from background checks. | Jan. 18, 2018 | Case | | 13<br>14<br>S.Ct. |
| Abrogation Recognized by | 97. L.M.P. on behalf of E.P. v. School Board of Broward County, Florida<br><br>879 F.3d 1274 , 11th Cir.(Fla.) | Jan. 19, 2018 | Case | | 2<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | EDUCATION — Disabled Students. Parents lacked standing to challenge school board's alleged policy denying applied behavioral analysis services in IEPs. | | | | |
| Abrogation Recognized by | 98. Fitzgerald v. Alcorn<br><br>285 F.Supp.3d 922 , W.D.Va.<br>GOVERNMENT — Elections. Virginia's Incumbent Protection Act, which empowered incumbent officeholders to select party's nomination method, violated freedom of association. | Jan. 19, 2018 | Case | | 2<br>5<br>S.Ct. |
| Abrogation Recognized by | 99. Taylor v. Fred's, Inc.<br><br>285 F.Supp.3d 1247 , N.D.Ala.<br>COMMERCIAL LAW — Parties. Consumer failed to establish injury-in-fact and, thus, did not have standing to bring action under Fair and Accurate Credit Transactions Act (FACTA). | Feb. 02, 2018 | Case | | 2<br>5<br>8<br>S.Ct. |
| Abrogation Recognized by | 100. International Refugee Assistance Project v. Trump<br><br>883 F.3d 233 , 4th Cir.(Md.)<br>IMMIGRATION — Injunction. Preliminary injunction against enforcement of Proclamation barring entry by nationals from six predominantly Muslim countries was warranted. | Feb. 15, 2018 | Case | | 8<br>13<br>14<br>S.Ct. |
| Abrogation Recognized by | 101. Johnson v. Prince George's County Board of Elections<br><br>2018 WL 1069434 , D.Md.<br>Presently pending and ready for resolution in this civil rights case are a motion to dismiss or, in the alternative, for a more definite statement filed by Defendant Maryland State... | Feb. 27, 2018 | Case | | 1<br>2<br>S.Ct. |
| Abrogation Recognized by | 102. United States v. RaPower-3, LLC<br><br>2018 WL 2387365 , D.Utah<br>Defendants' filed a Motion to Dismiss, arguing that the United States' claims in this case are too speculative to be presented to this Court for adjudication, and therefore should... | Feb. 27, 2018 | Case | | 4<br>S.Ct. |
| Abrogation Recognized by | 103. Hulse v. Indiana State Fair Board<br><br>94 N.E.3d 726 , Ind.App.<br>CIVIL RIGHTS — Free Speech. Fair's arts competition participant did not suffer injury in fact by signing competition's general terms and conditions to follow grievance procedure. | Feb. 28, 2018 | Case | | 3<br>S.Ct. |
| Abrogation Recognized by | 104. Kyle-LaBell v. Selective Service System<br><br>2018 WL 1535230 , D.N.J.<br>Plaintiff Elizabeth Kyle–LaBell is a 20–year-old female who wants to register for the military draft. She believes it is her right and duty as a United States citizen to do so. But... | Mar. 29, 2018 | Case | | 12<br>13<br>14<br>S.Ct. |
| Abrogation Recognized by | 105. J.R. v. Oxnard School District<br><br>2018 WL 6133412 , C.D.Cal. | June 06, 2018 | Case | | 8<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | Plaintiff J.R., through a guardian ad litem, brought this action advancing individual claims for alleged violations of certain disability rights against the following defendants:... | | | | |
| Abrogation Recognized by | 106. Meyers v. JDC/Firethorne, Ltd.<br><br>548 S.W.3d 477 , Tex.<br>REAL PROPERTY — Injunction. Land developer's alleged injury of county commissioner directing delay of plat applications was not redressable in a permanent injunction. | June 08, 2018 | Case | | 4<br>S.Ct. |
| Abrogation Recognized by | 107. Frazier v. Wilson<br><br>2018 WL 3040011 , E.D.Va.<br>Kevin E. Frazier, a federal inmate proceeding pro se, filed this petition for habeas corpus under 28 U.S.C. § 2241 (hereinafter "§ 2241 Petition," ECF No. 1.) Frazier contends that... | June 19, 2018 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 108. Career Counseling, Inc. v. Amsterdam Printing & Litho, Inc.<br><br>2018 WL 3241178 , D.S.C.<br>Plaintiff brings an action on behalf of itself and all others similarly situated, as a result of Defendants Amsterdam Printing & Litho, Inc. ("Amsterdam") and Taylor Corporation... | July 03, 2018 | Case | | 3<br>5<br>S.Ct. |
| Abrogation Recognized by | 109. Collins v. Mnuchin<br><br>896 F.3d 640 , 5th Cir.(Tex.)<br>ADMINISTRATIVE PRACTICE — Agencies. FHFA was insulated to the point where Executive Branch could not control it or hold it accountable and thus violated Separation of Powers. | July 16, 2018 | Case | | 4<br>5<br>10<br>S.Ct. |
| Abrogation Recognized by | 110. Tawam v. APCI Federal Credit Union<br><br>2018 WL 3723367 , E.D.Pa.<br>Plaintiff Muneer Mustafa Tawam alleges that Defendant APCI Federal Credit Union ("APCI") operates a website that is inaccessible to the visually-impaired. See First Am. Compl. ¶ 4,... | Aug. 06, 2018 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 111. Clark v. City of Seattle<br><br>899 F.3d 802 , 9th Cir.(Wash.)<br>LABOR AND EMPLOYMENT — Labor Relations Boards. Disclosure of for-hire drivers' personal information to employee union, pursuant to ordinance, was neither a concrete nor a... | Aug. 09, 2018 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 112. Manwarren v. Cameron<br><br>2018 WL 6977421 , N.D.N.Y.<br>Pro se plaintiff Mark Manwarren, who is currently an inmate being held in a local jail facility, has commenced this civil rights action pursuant to 42 U.S.C. § 1983 against a... | Aug. 22, 2018 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 113. Siddhantam v. Sessions<br><br>2018 WL 4053366 , N.D.Tex. | Aug. 24, 2018 | Case | | 2<br>S.Ct. |

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| | Before the Court is Defendants' Motion to Dismiss Complaint for Lack of Jurisdiction [ECF No. 18]. For the following reasons, the Court grants the Motion. Pursuant to Special Order... | | | | |
| Abrogation Recognized by | 114. Indiana Coalition for Public Education - Monroe County v. McCormick<br><br>338 F.Supp.3d 926 , S.D.Ind.<br>EDUCATION — Charter Schools. Association failed to show standing for Establishment Clause challenge to Indiana statute permitting religious college to authorize charter schools. | Sep. 06, 2018 | Case | | 10<br>17<br>S.Ct. |
| Abrogation Recognized by | 115. Dumont v. Lyon<br><br>341 F.Supp.3d 706 , E.D.Mich.<br>CIVIL RIGHTS — Religion. Same-sex couples sufficiently alleged that DHHS contract with adoption agencies that used religious criteria violated Establishment Clause. | Sep. 14, 2018 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by | 116. United States ex rel. Hendrickson v. Bank of America, N.A.<br><br>343 F.Supp.3d 610 , N.D.Tex.<br>GOVERNMENT — False Claims. Treasury regulations did not preempt relator's FCA claim that banks failed to return payments of federal benefits made to deceased recipients. | Oct. 26, 2018 | Case | | 2<br>5<br>S.Ct. |
| Abrogation Recognized by | 117. Griffin v. Department of Labor Federal Credit Union<br><br>912 F.3d 649 , 4th Cir.(Va.)<br>CIVIL RIGHTS — Disabilities. Blind person failed to allege injury in fact arising from federal credit union's alleged failure to its website compatible with screen reader plaintiff... | Jan. 03, 2019 | Case | | 5<br>13<br>14<br>S.Ct. |
| Abrogation Recognized by | 118. Aaron Private Clinic Management LLC v. Berry<br><br>912 F.3d 1330 , 11th Cir.(Ga.)<br>CIVIL RIGHTS — Disabilities. Prospective methadone clinic did not have standing to challenge statutes that put moratorium on narcotic treatment center licenses under ADA. | Jan. 04, 2019 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by | 119. South Carolina v. United States<br><br>912 F.3d 720 , 4th Cir.(S.C.)<br>ENERGY AND UTILITIES — Nuclear Power. State did not have standing to bring action alleging that DOE improperly terminated construction of mixed oxide fuel fabrication project... | Jan. 08, 2019 | Case | | 7<br>18<br>19<br>S.Ct. |
| Abrogation Recognized by | 120. Cruz v. New York City Department of Education<br><br>2019 WL 147500 , S.D.N.Y.<br>The Complaint in this action was filed on December 21, 2018, and seeks injunctive relief under the Individuals with Disabilities Education Act, known as IDEA, 20 U.S.C. § 1400 et... | Jan. 09, 2019 | Case | | 4<br>S.Ct. |

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| Abrogation Recognized by | 121. Maryland v. United States<br><br>360 F.Supp.3d 288 , D.Md.<br>HEALTH — Parties. State failed to demonstrate injury-in-fact necessary for Article III standing in action regarding constitutionality and enforceability of ACA. | Feb. 01, 2019 | Case | | 1<br>2<br>9<br>S.Ct. |
| Abrogation Recognized by | 122. J.R. v. Oxnard School District<br><br>2019 WL 3006550 , C.D.Cal.<br>Plaintiff J.R., who is a minor, brought this action through a guardian ad litem, advancing individual claims for alleged violations of certain disability rights. Complaint, Dkt. 1... | Feb. 15, 2019 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 123. Clean Air Council v. United States<br><br>362 F.Supp.3d 237 , E.D.Pa.<br>ENVIRONMENTAL LAW — Clean Air. Minors failed to demonstrate injury-in-fact required for standing to bring action challenging federal government's environmental-regulation rollback. | Feb. 19, 2019 | Case | | 7<br>S.Ct. |
| Abrogation Recognized by | 124. Global Imaging Acquisitions Group LLC v. Amerisound Medical<br><br>2019 WL 1228065 , D.Colo.<br>This matter is before the Court upon the December 20, 2018 Recommendation by United States Magistrate Judge Kristen Mix, in which she recommends that this Court grant Defendants... | Mar. 15, 2019 | Case | | 3<br>S.Ct. |
| Abrogation Recognized by | 125. Stern v. City of New York<br><br>2019 WL 1368997 , E.D.N.Y.<br>This is a 42 U.S.C. § 1983 case brought by Plaintiffs Jacob Stern and Bracha Stern as a putative class action against the City of New York (the “City”) and Commissioner Polly... | Mar. 26, 2019 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 126. White v. County of Stanislaus<br><br>2019 WL 1493191 , E.D.Cal.<br>Anthony White and minors A.L.W. and A.W., by and through their guardians ad litem, (collectively “Plaintiffs”) brought this civil rights action pursuant to 42 U.S.C. § 1983.... | Apr. 04, 2019 | Case | | 2<br>5<br>6<br>S.Ct. |
| Abrogation Recognized by | 127. A&M Gerber Chiropractic LLC v. GEICO General Insurance Company<br><br>921 F.3d 1273 , 11th Cir.<br>INSURANCE - Parties. Where insurance company had paid all benefits in full pre-suit, there was no case or controversy and healthcare services provider lacked standing. | Apr. 19, 2019 | Case | | 1<br>2<br>S.Ct. |
| Abrogation Recognized by | 128. City of Seattle v. Monsanto Company<br><br>387 F.Supp.3d 1141 , W.D.Wash.<br>ENVIRONMENTAL LAW — Clean Water. Manufacturer lacked standing to assert counterclaim against city for violations of Clean Water Act (CWA). | May 03, 2019 | Case | | 10<br>S.Ct. |

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| Abrogation Recognized by | 129. A&M Gerber Chiropractic LLC v. GEICO General Insurance Company<br><br>925 F.3d 1205 , 11th Cir.(Fla.)<br>INSURANCE — Parties. Where insurance company had paid all benefits in full pre-suit, there was no case or controversy and healthcare services provider lacked standing. | May 30, 2019 | Case | | 1<br>2<br>S.Ct. |
| Abrogation Recognized by | 130. Surfside Non-Surgical Orthopedics P.A. v. Allscripts Healthcare Solutions, Inc.<br><br>2019 WL 2357030 , N.D.Ill.<br>In January 2018, malware infected servers belonging to Allscripts Health Care Solutions, LLC (“LLC”), a healthcare information technology (“IT”) company. The attack temporarily... | June 04, 2019 | Case | | 10<br>S.Ct. |
| Abrogation Recognized by | 131. In re A.B. Won Pat International Airport Authority, Guam<br><br>2019 WL 3072570 , Guam Terr.<br>[1] Before the court are two separately-filed appeals that involve the same parties but arise from different underlying cases in the Superior Court. In the first appeal, Supreme... | June 12, 2019 | Case | | 3<br>S.Ct. |
| Abrogation Recognized by | 132. Welch v. EZ Loan Auto Sales<br><br>2019 WL 2515182 , W.D.N.Y.<br>Plaintiff Elbert Welch (“Plaintiff”), proceeding pro se, commenced this action in New York State Supreme Court, Niagara County, by filing a Summons and Complaint, both dated... | June 18, 2019 | Case | | 1<br>S.Ct. |
| Abrogation Recognized by | 133. Judson v. Board of Supervisors of Mathews County, Virginia<br><br>2019 WL 2558243 , E.D.Va.<br>This matter is before the Court on a Motion to Dismiss filed by defendant Board of Supervisors of Mathews County, Virginia (“Board” or “Defendant”), pursuant to Federal Rule of... | June 20, 2019 | Case | | 3<br>S.Ct. |
| Abrogation Recognized by | 134. Worthy v. City of Phenix City , Alabama<br><br>930 F.3d 1206 , 11th Cir.(Ala.)<br>CIVIL RIGHTS — Due Process. Ordinance establishing enforcement scheme for red-light camera system and civil penalties for red-light violations did not violate procedural due... | July 18, 2019 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 135. J.R. v. Oxnard School District<br><br>2019 WL 4438243 , C.D.Cal.<br>Plaintiff J.R., who is a minor, brought this action through a guardian ad litem, advancing individual claims for alleged violations of certain disability rights. Dkt. 1. The... | July 30, 2019 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 136. Leifert v. Strach<br><br>404 F.Supp.3d 973 , M.D.N.C.<br>GOVERNMENT — Elections. Plaintiffs lacked Article III standing to challenge various provisions of North | Aug. 06, 2019 | Case | | 4<br>5<br>10<br>S.Ct. |

 

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| | Carolina election laws governing unaffiliated or write-in candidates. | | | | |
| Abrogation Recognized by | 137. Kappa Alpha Theta Fraternity, Inc. v. Harvard University<br><br>397 F.Supp.3d 97 , D.Mass.<br>EDUCATION — Extracurricular Activities. Fraternities had associational standing to bring action against private university for violations of Title IX and Massachusetts Civil Rights... | Aug. 09, 2019 | Case | | 14<br>S.Ct. |
| Abrogation Recognized by | 138. Schiavone v. Bank of America<br><br>2019 WL 3802473 , D.Del.<br>Plaintiff Michael Schiavone ("Plaintiff") appears pro se. He commenced this action on August 20, 2018 alleging violations of several federal statutes. The Court has jurisdiction... | Aug. 13, 2019 | Case | | 4<br>5<br>S.Ct. |
| Abrogation Recognized by | 139. Cabrera v. Dynamic Recovery Solutions, LLC<br><br>2019 WL 4411875 , M.D.Fla.<br>THIS CAUSE comes before the Court for consideration of Defendants Dynamic Recovery Solutions, LLC and Jefferson Capital Systems, LLC's Motion to Dismiss Plaintiff's Complaint,... | Aug. 14, 2019 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 140. Port Consolidated, Inc. v. International Insurance Company of Hannover, PLC<br><br>2019 WL 13027342 , S.D.Fla.<br>THIS MATTER is before the Court upon the Parties' Stipulation (DE 68) and upon the Parties' Briefing (DE Nos. 147 & 148) required by the Court's Order (DE 144). By prior Order (DE... | Aug. 16, 2019 | Case | | 1<br>S.Ct. |
| Abrogation Recognized by | 141. NC RSOL v. Boone<br><br>402 F.Supp.3d 240 , M.D.N.C.<br>CRIMINAL JUSTICE — Sex Offenders. Statute barring registered sex offender from being at enumerated places "where minors frequently congregate" was plausibly unconstitutionally... | Aug. 26, 2019 | Case | | 4<br>5<br>10<br>S.Ct. |
| Abrogation Recognized by | 142. Gardner v. Kanawha County, West Virginia<br><br>2019 WL 4072712 , S.D.W.Va.<br>Pending are two motions to dismiss, one by defendant William C. Forbes filed on December 22, 2017; and one by defendants Kanawha County, West Virginia, Kanawha County Commission... | Aug. 28, 2019 | Case | | 12<br>S.Ct. |
| Abrogation Recognized by | 143. Poe v. Fuller<br><br>2019 WL 4194292 , W.D.La.<br>Before the Court is a motion for summary judgment on the medical malpractice claim urged by Plaintiff Archie Poe ("Poe") against Drs. Bruce Fuller ("Fuller") and Pamela Hearn... | Sep. 03, 2019 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 144. Island Creek Coal Company v. Bryan<br><br>937 F.3d 738 , 6th Cir.<br>LABOR AND EMPLOYMENT — Workers' Compensation. Coal miner and mine operator were | Sep. 11, 2019 | Case | | — |

 

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| | required to exhaust claims that appointment of ALJs who adjudicated black lung claims violated... | | | | |
| Abrogation Recognized by | 145. Ashby v. United States Department of State<br><br>2019 WL 4451256 , M.D.N.C.<br>Now before this court are pro se Plaintiffs' motion for default judgment, (Doc. 7), and Federal Defendants' motion to dismiss for failure to state a claim. (Doc. 10.) Plaintiffs... | Sep. 17, 2019 | Case | | 4<br>5<br>10<br>S.Ct. |
| Abrogation Recognized by | 146. Gabriel v. Moyer<br><br>2019 WL 4467015 , D.Md.<br>Plaintiff Steven Gabriel, an inmate confined to Baltimore Central Booking and Intake Center (BCBIC), filed the above-captioned civil rights complaint along with a motion to proceed... | Sep. 17, 2019 | Case | | 4<br>S.Ct. |
| Abrogation Recognized by | 147. Brawley v. Bath & Body Works, LLC<br><br>2019 WL 7945655 , N.D.Tex.<br>This Order addresses Defendants Bath & Body Works, LLC and L Brands, Inc.'s ("Defendants") Motion to Dismiss (the "Motion") [ECF No. 30], For the reasons set forth below, the Court... | Sep. 25, 2019 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 148. Charleston v. Nevada<br><br>423 F.Supp.3d 1020 , D.Nev.<br>LITIGATION — Parties. Sex trafficking victims failed to establish causal chain between statutes legalizing prostitution and victims being sex trafficked. | Oct. 29, 2019 | Case | | — |
| Abrogation Recognized by | 149. Debernardis v. IQ Formulations, LLC<br><br>942 F.3d 1076 , 11th Cir.(Fla.)<br>COMMERCIAL LAW — Parties. Consumers plausibly alleged that they suffered injury in fact sufficient to support standing based on allegations that dietary supplements were banned... | Nov. 14, 2019 | Case | | 4<br>10<br>S.Ct. |
| Abrogation Recognized by | 150. Cordoba v. DIRECTV, LLC<br><br>942 F.3d 1259 , 11th Cir.(Ga.)<br>COMMERCIAL LAW — Consumer Protection. Consumers who did not request to be placed on internal do-not-call list lacked standing to maintain TCPA claim for failure to properly... | Nov. 15, 2019 | Case | | 15<br>17<br>S.Ct. |
| Abrogation Recognized by | 151. Fairholme Funds, Inc. v. United States<br><br>146 Fed.Cl. 17 , Fed.Cl.<br>GOVERNMENT CONTRACTS - Performance and Breach. Shareholders plausibly alleged derivative breach of implied contract claims against federal government. | Dec. 06, 2019 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 152. Fairholme Funds, Inc. v. United States<br><br>147 Fed.Cl. 1 , Fed.Cl.<br>GOVERNMENT CONTRACTS — Performance and Breach. Shareholders plausibly alleged derivative breach of implied contract claims against federal government. | Dec. 06, 2019 | Case | | 8<br>S.Ct. |

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| Abrogation Recognized by | 153. Houston Independent School District v. Texas Education Agency<br><br>2019 WL 6894474 , W.D.Tex.<br>Before the court is the above-styled action that was removed from the 459th Judicial District Court of Travis County, Texas, on July 3, 2019 (Dkt. No. 1). Plaintiff Houston... | Dec. 18, 2019 | Case | | 3<br>4<br>S.Ct. |
| Abrogation Recognized by | 154. Inclusive Communities Project, Incorporated v. Department of Treasury<br><br>946 F.3d 649 , 5th Cir.(Tex.)<br>CIVIL RIGHTS — Parties. Nonprofit organization did not establish causation, as required for Article III standing for claims alleging violation of the Fair Housing Act. | Dec. 30, 2019 | Case | | 11<br>14<br>17<br>S.Ct. |
| Abrogation Recognized by | 155. Strojnik v. Orangewood LLC<br><br>2020 WL 11192872 , C.D.Cal.<br>Defendant Orangewood LLC, d/b/a DoubleTree Suites by Hilton Anaheim Resort Convention Center (Defendant), moves to dismiss Plaintiff Peter Strojnik's Second Amended Complaint (SAC)... | Jan. 22, 2020 | Case | | — |
| Abrogation Recognized by | 156. Colucci v. National Board of Chiropractic Examiners<br><br>2020 WL 364563 , D.Colo.<br>This matter is before the Court upon Defendants' National Board of Chiropractic Examiners, Salvatore D. Larusso, Steven R. Conway, John C. Nab, Paul N. Morin, Leroy F. Otto, John... | Jan. 22, 2020 | Case | | 3<br>S.Ct. |
| Abrogation Recognized by | 157. Garcia v. City of Los Angeles<br><br>2020 WL 2128667 , C.D.Cal.<br>LITIGATION — Parties. Advocacy organization had organizational standing to challenge validity of ordinance governing storage of personal property in public areas. | Feb. 15, 2020 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 158. Rush v. Reynolds<br><br>946 N.W.2d 543 , Iowa App.<br>Plaintiffs Bob Rush, Brian Meyer, Rick Olson, Mary Mascher, Art Staed, Liz Bennett, Mark Smith, Jo Oldson, Mary Wolfe, Marti Anderson, Leon Spies, and Martin Diaz appeal the... | Feb. 19, 2020 | Case | | 7<br>S.Ct. |
| Abrogation Recognized by | 159. Bradley v. T-Mobile US, Inc.<br><br>2020 WL 1233924 , N.D.Cal.<br>This is a case about employment discrimination in "the Cyber Age," S. Dakota v. Wayfair, Inc., 138 S. Ct. 2080, 2097 (2018). It has often been said that the Internet has wrought... | Mar. 13, 2020 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by | 160. Garmong v. Tahoe Regional Planning Agency<br><br>806 Fed.Appx. 568 , 9th Cir.(Nev.)<br>ENVIRONMENTAL LAW — Parties. Opponent of cell tower alleged sufficient facts to establish Article III standing to bring action challenging issuance of permit for the tower. | Mar. 30, 2020 | Case | | 8<br>S.Ct. |

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| Abrogation Recognized by | 161. Federal Trade Commission v. Nudge, LLC<br><br>2020 WL 1955224 , D.Utah<br>Before the court is third-party movant Just Us Realtors, LLC's (Movant) Motion for Relief from Injunction. In February 2018, Movant filed a putative class action complaint... | Apr. 23, 2020 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 162. Skyline Wesleyan Church v. California Department of Managed Health Care<br><br>959 F.3d 341 , 9th Cir.(Cal.)<br>INSURANCE — Health. Religious employer suffered injury in fact as result of state's abortion coverage requirement for group health insurance plans. | May 13, 2020 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 163. Skyline Wesleyan Church v. California Department of Managed Health Care<br><br>968 F.3d 738 , 9th Cir.(Cal.)<br>INSURANCE — Health. Religious employer suffered injury in fact as result of state's abortion coverage requirement for group health insurance plans. | May 13, 2020 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 164. Arrowood Indemnity Company v. United States<br><br>148 Fed.Cl. 299 , Fed.Cl.<br>GOVERNMENT CONTRACTS — Modification. Amendment of agreement between government-sponsored enterprises and government was part of Federal Housing Finance Agency's authority and... | May 15, 2020 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 165. Tamboura v. Singer<br><br>2020 WL 2793371 , N.D.Cal.<br>This lawsuit stems from the revelation that William “Rick” Singer conspired with the parents of college applicants to bribe various universities’ head athletic coaches and... | May 29, 2020 | Case | | 11<br>S.Ct. |
| Abrogation Recognized by | 166. Owl Creek Asia I, L.P. v. United States<br><br>148 Fed.Cl. 614 , Fed.Cl.<br>GOVERNMENT — United States. Shareholders of Fannie Mae and Freddie Mac lacked standing to challenge conservator's amendment of agreement to allow net worth sweep of profits. | June 08, 2020 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 167. Akanthos Opportunity Master Fund, L.P. v. United States<br><br>148 Fed.Cl. 647 , Fed.Cl.<br>GOVERNMENT — United States. Shareholders of Fannie Mae and Freddie Mac lacked standing to challenge conservator's amendment of agreement to allow net worth sweep of profits. | June 08, 2020 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 168. Appaloosa Investment Limited Partnership I v. United States<br><br>148 Fed.Cl. 679 , Fed.Cl. | June 08, 2020 | Case | | 8<br>S.Ct. |

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| | GOVERNMENT — United States. Shareholders of Fannie Mae and Freddie Mac lacked standing to challenge conservator's amendment of agreement to allow net worth sweep of profits. | | | | |
| Abrogation Recognized by | 169. Mason Capital L.P. v. United States<br><br>148 Fed.Cl. 712 , Fed.Cl.<br>GOVERNMENT — United States. Shareholders of Fannie Mae and Freddie Mac lacked standing to challenge conservator's amendment of agreement to allow net worth sweep of profits. | June 08, 2020 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 170. CSS, LLC v. United States<br><br>149 Fed.Cl. 363 , Fed.Cl.<br>GOVERNMENT — United States. Shareholders of Fannie Mae and Freddie Mac lacked standing to challenge conservator's amendment of agreement to allow net worth sweep of profits. | June 08, 2020 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 171. Cacciapalle v. United States<br><br>148 Fed.Cl. 745 , Fed.Cl.<br>GOVERNMENT — United States. Shareholders of Fannie Mae and Freddie Mac lacked standing to challenge conservator's amendment of agreement to allow net worth sweep of profits. | June 26, 2020 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 172. Washington Federal v. United States<br><br>149 Fed.Cl. 281 , Fed.Cl.<br>GOVERNMENT — United States. Shareholders of Fannie Mae and Freddie Mac lacked standing to assert class action takings and illegal exaction claims. | July 09, 2020 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 173. Equal Means Equal v. Ferriero<br><br>478 F.Supp.3d 105 , D.Mass.<br>GOVERNMENT — Records. Plaintiffs failed to identify injury suffered by group protected by proposed Equal Rights Amendment (ERA), as necessary for standing. | Aug. 06, 2020 | Case | | 14<br>17<br>S.Ct. |
| Abrogation Recognized by | 174. In re Extended Stay, Inc.<br><br>2020 WL 10762310 , Bkrtcy.S.D.N.Y.<br>In 2007, Extended Stay, Inc. (“ESI”) and its affiliated entities (collectively, the “Debtors”) owned and managed the leading mid-priced extended stay hotel business in the United... | Aug. 08, 2020 | Case | | 2<br>3<br>S.Ct. |
| Abrogation Recognized by | 175. Haim v. Monroe County<br><br>--- F.Supp.3d ---- , S.D.Fla.<br>CIVIL RIGHTS — Jurisdiction. Voluntary cessation doctrine did not apply to permit review of claims challenging county emergency directives issued in response to COVID-19 pandemic. | Aug. 17, 2020 | Case | | 1<br>2<br>S.Ct. |
| Abrogation Recognized by | 176. Mize v. Pompeo<br><br>482 F.Supp.3d 1317 , N.D.Ga.<br>GLBT — Immigration. INA provision governing birthright citizenship for children of married US citizens born | Aug. 27, 2020 | Case | | 13<br>14<br>16<br>S.Ct. |

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| | abroad provided citizenship to child of male same-sex spouses. | | | | |
| Abrogation Recognized by | 177. Boudreaux v. School Board of St Mary Parish<br><br>2020 WL 5367088 , W.D.La.<br>On September 18, 2019, the Court issued a Ruling in this longstanding school desegregation suit denying a Motion to Dismiss filed by Defendant the St. Mary Parish School Board... | Sep. 08, 2020 | Case | | 15<br>17<br>S.Ct. |
| Abrogation Recognized by | 178. Martel v. Condos<br><br>487 F.Supp.3d 247 , D.Vt.<br>GOVERNMENT — Elections. Registered voters lacked injury in fact necessary for standing to challenge directive that election ballots be mailed to every active voter. | Sep. 16, 2020 | Case | | 2<br>5<br>12<br>S.Ct. |
| Abrogation Recognized by | 179. Golson v. Provident Life and Accident Insurance Company<br><br>2020 WL 5793420 , M.D.Ala.<br>This class action lawsuit concerns Defendant Provident Life and Accident Insurance Company's (“Provident”) practice of allegedly underpaying cost-of-living adjustments (“COLA”) on... | Sep. 28, 2020 | Case | | 1<br>S.Ct. |
| Abrogation Recognized by | 180. Bognet v. Secretary Commonwealth of Pennsylvania<br><br>980 F.3d 336 , 3rd Cir.(Pa.)<br>GOVERNMENT — Elections. Voters lacked standing to claim equal protection violation attributable to Pennsylvania Supreme Court's extension of ballot-receipt deadline. | Nov. 13, 2020 | Case | | 12<br>S.Ct. |
| Abrogation Recognized by | 181. Laufer v. Galtesvar OM, LLC<br><br>2020 WL 7416940 , W.D.Tex.<br>TO THE HONORABLE ROBERT PITMANUNITED STATES DISTRICT JUDGE: Before the court are Defendant's Rule 12(b)(1) Motion to Dismiss (Dkt. #6), Defendant's Amended Motion for... | Nov. 23, 2020 | Case | | 13<br>14<br>S.Ct. |
| Abrogation Recognized by | 182. Lawrence v. Polis<br><br>505 F.Supp.3d 1136 , D.Colo.<br>HEALTH — Communicable Disease. Restaurant employee lacked standing to challenge orders imposing restrictions on restaurant in effort to curb spread of COVID-19. | Dec. 04, 2020 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 183. American Atheists, Inc. v. Rapert<br><br>507 F.Supp.3d 1057 , E.D.Ark.<br>CIVIL RIGHTS — Limitations. Senator's blocking of users from his social media accounts based on their religious views was continuing constitutional violation not barred by... | Dec. 15, 2020 | Case | | — |
| Abrogation Recognized by | 184. Bergeron v. Rochester Institute of Technology<br><br>2020 WL 7486682 , W.D.N.Y. | Dec. 18, 2020 | Case | | 3<br>S.Ct. |

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| | Plaintiffs Nicholas Bergeron, Barbara Mycek, and Nick Quattrociocchi filed this putative class action against Defendant Rochester Institute of Technology ("RIT"). Plaintiffs allege... | | | | |
| Abrogation Recognized by | 185. Bank of America, N.A. v. County of Maui<br><br>2020 WL 7700098 , D.Hawai'i<br>On July 10, 2020, the Maui County Council (the "Council") passed a resolution authorizing employment of special counsel to represent it in potential future litigation against the... | Dec. 28, 2020 | Case | | 1<br>S.Ct. |
| Abrogation Recognized by | 186. Gohmert v. Pence<br><br>510 F.Supp.3d 435 , E.D.Tex.<br>GOVERNMENT — Elections. United States Representative lacked standing to challenge constitutionality of statutory dispute resolution procedures for presidential election. | 2021 | Case | | 7<br>S.Ct. |
| Abrogation Recognized by | 187. Baines v. City of Atlanta, Georgia<br><br>2021 WL 2471041 , N.D.Ga.<br>This action is before the Court upon Defendant City of Atlanta's partial Motion to Dismiss [151]. Arguing that the Court lacks jurisdiction to entertain it, the City seeks the... | Jan. 04, 2021 | Case | | 10<br>S.Ct. |
| Abrogation Recognized by | 188. Point Conversions, LLC v. Lopane<br><br>2021 WL 328533 , S.D.Fla.<br>THIS CAUSE is before me upon Defendant's Motion to Dismiss ("Motion to Dismiss"). (DE 8). The Honorable Rodolfo A. Ruiz, II, United States District Judge, referred this case to me... | Jan. 08, 2021 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 189. Laufer v. Looper<br><br>2021 WL 330566 , D.Colo.<br>This matter comes before the court on the following two motions filed by Defendants Randall Looper and Cynthia Looper's (collectively, "Defendants") on October 21, 2020: (1) Motion... | Jan. 11, 2021 | Case | | 14<br>S.Ct. |
| Abrogation Recognized by | 190. Iowa Voter Alliance v. Black Hawk County<br><br>515 F.Supp.3d 980 , N.D.Iowa<br>LITIGATION — Parties. Voter organization and voters failed to show they suffered particularized injury to their right to vote when counties accepted private grants to help fund... | Jan. 27, 2021 | Case | | 2<br>12<br>S.Ct. |
| Abrogation Recognized by | 191. O'Reilly Automotive, Inc. v. University of South Alabama by and through USA Health<br><br>2021 WL 1624273 , S.D.Ala.<br>The motions to amend the complaint (Doc. 14) filed by O'Reilly Automotive, Inc. ("O'Reilly") and to dismiss the complaint (Doc. 6) filed by University of South Alabama, by and... | Feb. 23, 2021 | Case | | 1<br>2<br>S.Ct. |
| Abrogation Recognized by | 192. Tory v. Davis<br><br>2021 WL 1186147 , W.D.Va. | Mar. 30, 2021 | Case | | 5<br>S.Ct. |

 

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| | Plaintiff Michael E. Tory, Sr., a Virginia inmate proceeding pro se, filed this civil action under 42 U.S.C. § 1983, against seven administrators and correctional officers ... | | | | |
| Abrogation Recognized by | 193. Dulleh v. Warden<br><br>2021 WL 1966718 , D.Md.<br>On March 10, 2021, this Court issued an Order requiring Plaintiff to file an Amended Complaint as well as a Motion to Proceed in Forma Pauperis. ECF No. 3. Plaintiff filed his... | May 17, 2021 | Case | | 4<br>S.Ct. |
| Abrogation Recognized by | 194. Whitewater Draw Natural Resource Conservation District v. Mayorkas<br><br>5 F.4th 997 , 9th Cir.(Cal.)<br>ENVIRONMENTAL LAW — Impact Statements.<br>Instruction manual describing how DHS would implement NEPA was not “final agency action” because it was not consummation of decisionmaking... | July 19, 2021 | Case | | 5<br>18<br>S.Ct. |
| Abrogation Recognized by | 195. Blackburn v. Champion Petfoods USA, Inc.<br><br>2021 WL 9682169 , S.D.Iowa<br>This matter is before the Court on a Motion to Dismiss, ECF No. 29, filed by Defendants Champion Petfoods USA, Inc., and Champion Petfoods LP (collectively, Champion). Plaintiffs... | Aug. 12, 2021 | Case | | 1<br>S.Ct. |
| Abrogation Recognized by | 196. Riffel v. Regents of University of California<br><br>2021 WL 3633840 , N.D.Cal.<br>Plaintiff Valentina Riffel (“Riffel”) sues the Regents of the University of California (“Defendant”) for causes of action arising from the “Varsity Blues” college admissions... | Aug. 17, 2021 | Case | | — |
| Abrogation Recognized by | 197. Garza v. Corizon<br><br>2021 WL 4138395 , D.Idaho<br>Pending before the Court is Plaintiff Erineo Garza's Motion for Reconsideration (Dkt. 44) of the Court's Order denying Garza's Motion for Summary Judgment, and granting Motions for... | Sep. 10, 2021 | Case | | 4<br>5<br>S.Ct. |
| Abrogation Recognized by | 198. Cave v. Stone<br><br>2021 WL 4427451 , S.D.Fla.<br>Annette Cave—a defendant in several Florida state-court cases—wants us to hold the judges in those cases liable for (what she characterizes as) blatant constitutional violations.... | Sep. 27, 2021 | Case | | 5<br>10<br>S.Ct. |
| Abrogation Recognized by | 199. Bannister v. United States Treasury Department<br><br>2021 WL 4443020 , S.D.N.Y.<br>This Matter comes before the Court on the motion of the Defendant United States Treasury Department, Defendant Janet Yellen, in her official capacity as the Secretary of the... | Sep. 28, 2021 | Case | | 17<br>S.Ct. |
| Abrogation Recognized by | 200. Wolfe v. City of Portland<br><br>566 F.Supp.3d 1069 , D.Or. | Oct. 08, 2021 | Case | | 7<br>19<br>S.Ct. |

 

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| | CIVIL RIGHTS — Injunction. Plaintiffs had only speculative fear of future injury and not certainly impending injury required to support claims for future injunctive relief. | | | | |
| Abrogation Recognized by | 201. Brooke v. Sai Ashish Inc.<br><br>2021 WL 4804220 , E.D.Cal.<br>Plaintiff Theresa Brooke, who is represented by counsel, brings this civil action pursuant to the Americans with Disabilities Act ("ADA") and California's Unruh Civil Rights Act... | Oct. 14, 2021 | Case | | — |
| Abrogation Recognized by | 202. R.V. v. Mnuchin<br><br>570 F.Supp.3d 322 , D.Md.<br>TAXATION — Income. Rational basis standard of review applied to Fifth Amendment challenge by citizen-children of noncitizen parents to CARES Act provision limiting "qualifying... | Nov. 04, 2021 | Case | | 8<br>9<br>S.Ct. |
| Abrogation Recognized by | 203. Owens v. Maryland<br><br>2021 WL 5742298 , D.Md.<br>The self-represented plaintiff, Lewis Eric Owens, filed a motion for emergency injunctive relief on June 20, 2021. ECF 1. I have also construed the submission as a Complaint. The... | Nov. 30, 2021 | Case | | 4<br>S.Ct. |
| Abrogation Recognized by | 204. Children's Health Def. v. Food & Drug Admin.<br><br>573 F.Supp.3d 1234 , E.D.Tenn.<br>GOVERNMENT — Parties. Harms identified by organization's member were not tied to actions of FDA, and thus there was no causal connection, as required for standing. | Nov. 30, 2021 | Case | | 11<br>14<br>17<br>S.Ct. |
| Abrogation Recognized by | 205. State v. Nelson<br><br>576 F.Supp.3d 1017 , M.D.Fla.<br>HEALTH — Vaccines. Vaccination mandate for federal contractors likely lacked nexus to legislative purpose of Federal Procurement and Administrative Services Act (FPASA). | Dec. 22, 2021 | Case | | 4<br>5<br>6<br>S.Ct. |
| Abrogation Recognized by | 206. Center for a Sustainable Coast v. United States Army Corps of Engineers<br><br>2022 WL 202893 , S.D.Ga.<br>This case involves a dispute over the construction of a private dock on Cumberland Island. Plaintiffs, an environmental group and one of its members, ask the Court to set aside a... | Jan. 21, 2022 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 207. Association of American Physicians & Surgeons, Inc. v. Schiff<br><br>23 F.4th 1028 , D.C.Cir.<br>CIVIL RIGHTS — Free Speech. Medical association lacked standing to sue Congressman for interfering with their dissemination of vaccine-related information on online platforms. | Jan. 25, 2022 | Case | | 5<br>S.Ct. |
| Abrogation Recognized by | 208. Viernes v. DNF Associates, LLC<br><br>582 F.Supp.3d 738 , D.Hawai'i | Jan. 27, 2022 | Case | | 5<br>10<br>17 |

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| | COMMERCIAL LAW — Parties. Being subjected to unlawful lawsuit by debt collector was closely related to tort of wrongful use of civil proceedings, which satisfied injury-in-fact... | | | | S.Ct. |
| Abrogation Recognized by | 209. Munoz v. PHH Mortgage Corporation<br><br>2022 WL 286619 , E.D.Cal.<br>Defendants move to decertify the class, ECF 462, and Plaintiffs oppose, ECF 467. As part of their response, Plaintiffs filed—without seeking leave—the expert report of Professor... | Jan. 31, 2022 | Case | | 8<br>S.Ct. |
| Abrogation Recognized by | 210. Producers of Renewables United for Integrity Truth and Transparency v. Environmental Protection Agency<br><br>2022 WL 538185 , 10th Cir.<br>Petitioner Producers of Renewables United for Integrity Truth and Transparency ("Producers of Renewables") seeks to challenge Environmental Protection Agency ("EPA") actions... | Feb. 23, 2022 | Case | | 4<br>5<br>17<br>S.Ct. |
| Abrogation Recognized by | 211. Railroad 1900, LLC v. City of Sacramento<br><br>2022 WL 1693359 , E.D.Cal.<br>CIVIL RIGHTS — Due Process. Property owner lacked federal standing to bring due process claim against city for alleged failure to enforce laws against homeless individuals. | May 26, 2022 | Case | | 2<br>11<br>12<br>S.Ct. |
| Abrogation Recognized by | 212. Wolfe v. City of Portland<br><br>2022 WL 2105979 , D.Or.<br>Plaintiffs Philip Wolfe and Katalina (Katie) Durden are individuals with disabilities, and Plaintiff Jackson (Jack) Tudela is an individual associated with Plaintiff Durden, their... | June 10, 2022 | Case | | 19<br>S.Ct. |
| Abrogation Recognized by | 213. United Cook Inlet Drift Association v. National Marine Fisheries Service<br><br>2022 WL 2222879 , D.Alaska<br>This matter comes before the Court on two consolidated cases challenging the National Marine Fisheries Service's ("NMFS") promulgation of a Final Rule amending a Federal Management... | June 21, 2022 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 214. Dixon v. Epiq Corporate Restructuring, LLC<br><br>2022 WL 2290523 , S.D.Fla.<br>Blanche and Roy Dixon—litigants in several Florida state-court cases —have sued the Clerk of the Palm Beach Courts (the "Clerk") and Ericka Chase (the buyer of their foreclosed... | June 24, 2022 | Case | | 10<br>S.Ct. |
| Abrogation Recognized by | 215. Chosen Consulting, LLC v. Town Council of Highland, Indiana<br><br>2022 WL 3042228 , N.D.Ind.<br>This action is a property dispute between a proposed sub-acute healthcare facility and the Town of Highland. Dating back to the 1970s, a property located in Highland was the site... | Aug. 01, 2022 | Case | | 2<br>S.Ct. |
| Abrogation Recognized by | 216. Justice 360 v. Stirling | Aug. 03, 2022 | Case | | 2<br>6 |

 

| Treatment | Title | Date | Type | Depth | Headnote(s) |
|---|---|---|---|---|---|
| | 42 F.4th 450 , 4th Cir.(S.C.)<br>CIVIL RIGHTS — Free Speech. Death-row inmates' attorneys lacked standing to bring action challenging state's failure to provide information related to its execution protocols. | | | | S.Ct. |
| Abrogation Recognized by | 217. Town of Indian River Shores v. City of Vero Beach<br><br>2022 WL 3593152 , S.D.Fla.<br>ANTITRUST — Horizontal Restraints. City's service territory agreement with county for essential water services was a “horizontal market allocation” in violation of the Sherman Act. | Aug. 23, 2022 | Case | | 1<br>S.Ct. |
| Abrogation Recognized by | 218. Laufer v. Acheson Hotels, LLC<br><br>50 F.4th 259 , 1st Cir.(Me.)<br>CIVIL RIGHTS — Disabilities. Public accommodations tester had standing to bring action against hotel operator for violation of Americans with Disabilities Act (ADA) regulation. | Oct. 05, 2022 | Case | | 13<br>S.Ct. |
| Abrogation Recognized by | 219. Baron v. Syniverse Corporation<br><br>2022 WL 6162696 , M.D.Fla.<br>Before the Court is Defendant's Rule 12(b)(1) and Rule 12(b)(6) Motion to Dismiss Plaintiffs’ Amended Consolidated Complaint. (Doc. 50). Plaintiffs have filed a response in... | Oct. 07, 2022 | Case | | 10<br>S.Ct. |
| Abrogation Recognized by | 220. Shaver v. Republicans in Congress<br><br>2022 WL 16362462 , D.N.J.<br>This matter comes before the Court on the Court's sua sponte inquiry into its subject matter jurisdiction, which I find to be lacking. Ms. Shaver is obviously sincere and her... | Oct. 28, 2022 | Case | | 12<br>S.Ct. |
| Abrogation Recognized by | 221. Morales v. Specialized Loan Servicing, LLC<br><br>2022 WL 16549151 , W.D.Tex.<br>On this date, the Court considered Plaintiffs' motion to remand (ECF No. 21), Defendant's response (ECF No. 22), and Plaintiffs' reply (ECF No. 24). After careful consideration,... | Oct. 31, 2022 | Case | | 1<br>S.Ct. |
| Abrogation Recognized by | 222. R. K. by and through J. K. v. Lee<br><br>2022 WL 17076105 , 6th Cir.(Tenn.)<br>EDUCATION — Disabled Students. Students lacked standing to challenge Tennessee statute prohibiting school districts, except in certain circumstances, from requiring face masks... | Nov. 18, 2022 | Case | | 4<br>5<br>12<br>S.Ct. |
| Called into Doubt by | 223. United States v. Under Seal<br><br>853 F.3d 706 , 4th Cir.(Va.)<br>FAMILY LAW — Juvenile Justice. Court did not abuse its discretion in authorizing disclosure of protected juvenile records to ensure that adult defendants could present defense. | Apr. 05, 2017 | Case | | 3<br>S.Ct. |
| Called into Doubt by | 224. Douglas v. Daviess Co. Fiscal Court<br><br>2018 WL 1863656 , W.D.Ky. | Apr. 18, 2018 | Case | | 1<br>13<br>14<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | This matter is before the Court on initial review of Plaintiff David B. Douglas's pro se, in forma pauperis complaint pursuant to 28 U.S.C. § 1915(e)(2). For the reasons that... | | | | |
| Declined to Extend by | 225. Pettibone v. Ho-Chunk Nation Legislature<br><br>4 Am. Tribal Law 330 , Ho-Chunk Trial Ct.<br>GOVERNMENT - Public Officials. Member of tribal legislature retained position of vice president when term as president pro tempore ended. | May 15, 2002 | Case | | 4<br>5<br>S.Ct. |
| Declined to Extend by | 226. League of Women Voters of Indiana, Inc. v. Rokita<br><br>915 N.E.2d 151 , Ind.App.<br>GOVERNMENT - Elections. Requiring in-person voters to show ID, while not requiring an affidavit as to identity from mail-in voters, was unconstitutional. | Sep. 17, 2009 | Case | | — |
| Declined to Extend by | 227. Massengale v. City of East Ridge<br><br>399 S.W.3d 118 , Tenn.Ct.App.<br>REAL PROPERTY - Parties. Residents and businesses did not have standing to challenge statute authorizing sale of fireworks within city limits. | Oct. 30, 2012 | Case | | 8<br>S.Ct. |
| Declined to Extend by | 228. People v. Inzunza<br><br>2021 WL 2349363 , Cal.App. 2 Dist.<br>A jury convicted defendants and appellants Rosa Manuela Barrientos and Maria Michelle Inzunza of first degree murder (Count 1) and second degree attempted robbery (Count 2). As to... | June 09, 2021 | Case | | — |
| Declined to Extend by | 229. Laufer v. Arpan LLC<br><br>29 F.4th 1268 , 11th Cir.(Fla.)<br>CIVIL RIGHTS — Disabilities. Alleged injury of consumer with disability was sufficient concrete intangible injury that could support Article III standing for ADA action. | Mar. 29, 2022 | Case | | 13<br>14<br>16<br>S.Ct. |
| Distinguished by | 230. General Motors Corp. v. California State Bd. of Equalization<br><br>600 F.Supp. 76 , C.D.Cal.<br>Employee benefit plan fiduciaries brought action against California State Board of Equalization and others for declaratory, injunctive, and remedial relief in connection with... | Dec. 06, 1984 | Case | | 14<br>S.Ct. |
| Distinguished by | 231. Board of School Directors of City of Milwaukee v. State of Wis.<br><br>649 F.Supp. 82 , E.D.Wis.<br>City school board and others sued suburban boards of education seeking equitable relief of interdistrict desegregation order for remedy of alleged equal protection violations and... | Apr. 29, 1985 | Case | | 14<br>15<br>17<br>S.Ct. |
| Distinguished by | 232. California Ass'n of Physically Handicapped, Inc. v. F.C.C.<br><br>778 F.2d 823 , D.C.Cir. | Dec. 10, 1985 | Case | | 4<br>10<br>17<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | The Federal Communications Commission granted the “short form” applications of the owner of television stations to transfer over 50% of its stock from public shareholders to the... | | | | |
| Distinguished by | 233. Action Alliance of Senior Citizens of Greater Philadelphia v. Heckler<br><br>789 F.2d 931 , D.C.Cir.<br>Organizations endeavoring to improve the lives of elderly citizens brought action challenging Secretary of Health and Human Services' implementation of Age Discrimination Act. ... | May 02, 1986 | Case | | 4<br>10<br>S.Ct. |
| Distinguished by | 234. Fulani v. League of Women Voters Educ. Fund<br><br>882 F.2d 621 , 2nd Cir.(N.Y.)<br>Minority party candidate for United States President sued women voters' association and Internal Revenue Service, seeking revocation of association's designation as tax-exempt... | Aug. 02, 1989 | Case | | 4<br>10<br>17<br>S.Ct. |
| Distinguished by | 235. Heldman on Behalf of T.H. v. Sobol<br><br>962 F.2d 148 , 2nd Cir.(N.Y.)<br>Father of child with disabling condition brought action under Individuals with Disabilities Education Act (IDEA), challenging New York statute and regulation permitting boards of... | Apr. 16, 1992 | Case | | 4<br>5<br>10<br>S.Ct. |
| Distinguished by | 236. Kessler Institute for Rehabilitation, Inc. v. Mayor and Council of Borough of Essex Fells<br><br>876 F.Supp. 641 , D.N.J.<br>Owner and operator of health care facility for disabled persons, disabled adult, and association for handicapped persons filed action against borough alleging that enactment of... | Jan. 31, 1995 | Case | | 4<br>10<br>13<br>S.Ct. |
| Distinguished by | 237. Florida Audubon Soc. v. Bentsen<br><br>54 F.3d 873 , D.C.Cir.<br>Impact Statements. Activist had standing to challenge lack of impact statement for tax credit for fuel additive. | June 02, 1995 | Case | | 9<br>14<br>17<br>S.Ct. |
| Distinguished by | 238. City of New York v. Clinton<br><br>985 F.Supp. 168 , D.D.C.<br>Health care providers and farmers' cooperative commenced action challenging constitutionality of Line Item Veto Act after President exercised his authority under Act to cancel... | Feb. 12, 1998 | Case | | 11<br>14<br>17<br>S.Ct. |
| Distinguished by | 239. Clinton v. City of New York<br><br>118 S.Ct. 2091 , U.S.Dist.Col.<br>GOVERNMENT - United States. Line Item Veto Act violated Presentment Clause by departing from “finely wrought” constitutional procedure for enactment of law. | June 25, 1998 | Case | | 11<br>14<br>17<br>S.Ct. |
| Distinguished by | 240. Harris v. Itzhaki<br><br>183 F.3d 1043 , 9th Cir.(Cal.) | July 12, 1999 | Case | | 14<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | Tenant brought race discrimination action against landlords under Fair Housing Act (FHA). The United States District Court for the Central District of California, Stephen V.... | | | | |
| Distinguished by | 241. Alabama-Tombigbee Rivers Coalition v. Norton<br><br>338 F.3d 1244 , 11th Cir.(Ala.)<br>ENVIRONMENTAL LAW - Endangered Species. Coalition of businesses had standing to challenge listing of Alabama sturgeon. | July 23, 2003 | Case | | 14<br>17<br>S.Ct. |
| Distinguished by | 242. R.J. Reynolds Tobacco Co. v. Bonta<br><br>272 F.Supp.2d 1085 , E.D.Cal.<br>GOVERNMENT - Tobacco. Anti-tobacco ads were protected government speech. | July 24, 2003 | Case | | 11<br>14<br>17<br>S.Ct. |
| Distinguished by | 243. DaimlerChrysler Corp. v. Inman<br><br>121 S.W.3d 862 , Tex.App.-Corpus Christi<br>LITIGATION - Parties. Common law standing requires causation and redressability. | Nov. 20, 2003 | Case | | 4<br>5<br>10<br>S.Ct. |
| Distinguished by | 244. Harris v. Board of Supervisors, Los Angeles County<br><br>366 F.3d 754 , 9th Cir.(Cal.)<br>HEALTH - Hospitals. Chronically ill indigent patients were entitled to preliminary relief enjoining hospital cutbacks. | Apr. 27, 2004 | Case | | 11<br>14<br>17<br>S.Ct. |
| Distinguished by | 245. Mercado Azteca, L.L.C. v. City of Dallas, Tex.<br><br>2004 WL 2058791 , N.D.Tex.<br>Before the Court is The City of Dallas's (the "City") Motion to Dismiss for Lack of Jurisdiction and for Failure to State a Claim, filed March 3, 2004. For the reasons set forth... | Sep. 14, 2004 | Case | | — |
| Distinguished by | 246. Pactiv Corp. v. Chester<br><br>419 F.Supp.2d 956 , E.D.Mich.<br>LITIGATION - Jurisdiction. Pre-enforcement suit against state was ripe as to plaintiff's challenge to some, but not all, environmental statutes. | Jan. 30, 2006 | Case | | 17<br>S.Ct. |
| Distinguished by | 247. Frazier v. Alexandre<br><br>434 F.Supp.2d 1350 , S.D.Fla.<br>EDUCATION - Civil Rights. Florida statute mandating student's recital of Pledge of Allegiance was held unconstitutional. | May 31, 2006 | Case | | — |
| Distinguished by | 248. Serena v. Mock<br><br>2006 WL 2237735 , E.D.Cal.<br>This matter before the court is whether 1) the court may properly assert jurisdiction over plaintiffs' claims against defendants for allegedly violating their due process and equal... | Aug. 04, 2006 | Case | | 13<br>14<br>17<br>S.Ct. |
| Distinguished by | 249. Kahle v. Litton Loan Servicing, LP | May 16, 2007 | Case | | 4 |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| | 486 F.Supp.2d 705 , S.D.Ohio<br>FINANCE AND BANKING - Privacy. Customer did not suffer cognizable injury as result of theft of her personal information. | | | | S.Ct. |
| Distinguished by | 250. Rahman v. Chertoff<br><br>244 F.R.D. 443 , N.D.Ill.<br>CIVIL RIGHTS - Class Actions. Certification of injunctive class action was appropriate in suit challenging border detentions. | July 26, 2007 | Case | | 14<br>19<br>S.Ct. |
| Distinguished by | 251. Coastal Habitat Alliance v. Patterson<br><br>601 F.Supp.2d 868 , W.D.Tex.<br>ENVIRONMENTAL LAW - Coastal Areas. Costal Zone Management Act did not create a private right of action in favor of environmental alliance. | Sep. 30, 2008 | Case | | 7<br>S.Ct. |
| Distinguished by | 252. Comer v. Murphy Oil USA<br><br>585 F.3d 855 , 5th Cir.(Miss.)<br>TORTS - Parties. Landowners had Article III standing to bring nuisance, trespass and negligence claims related to greenhouse gasses. | Oct. 16, 2009 | Case | | 3<br>S.Ct. |
| Distinguished by | 253. AT&T Mobility, LLC v. Digital Antenna, Inc.<br><br>2010 WL 11506068 , S.D.Fla.<br>THIS MATTER is before the Court on Plaintiffs' Motion for Preliminary Injunction [DE 2] and Defendant's Motion to Dismiss [DE 21, 24]. AT&T Mobility (“ATT”) brought this suit to... | Feb. 09, 2010 | Case | | 17<br>S.Ct. |
| Distinguished by | 254. Doe ex rel. Doe v. Lower Merion School Dist.<br><br>665 F.3d 524 , 3rd Cir.(Pa.)<br>EDUCATION - School Districts. School district's redistricting plan was rationally related to legitimate government interests. | Dec. 14, 2011 | Case | | 13<br>14<br>16<br>S.Ct. |
| Distinguished by | 255. Davis v. Astrue<br><br>874 F.Supp.2d 856 , N.D.Cal.<br>SOCIAL SECURITY - Disability Benefits. District Court had subject matter jurisdiction over action alleging SSA violated Rehabilitation Act. | Feb. 13, 2012 | Case | | 5<br>7<br>18<br>S.Ct. |
| Distinguished by | 256. Humane Society of United States v. Vilsack<br><br>19 F.Supp.3d 24 , D.D.C.<br>GOVERNMENT — Parties. Individual pork producer did not establish causation prong of Article III standing to challenge USDA's approval of purchase of pork promotion slogan. | Sep. 25, 2013 | Case | | — |
| Distinguished by | 257. Monroe Energy, LLC v. E.P.A.<br><br>750 F.3d 909 , D.C.Cir.<br>ENVIRONMENTAL LAW - Clean Air. EPA's failure to meet deadline for issuing renewable fuel standards did not deprive it of authority to promulgate standards. | May 06, 2014 | Case | | — |

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| Distinguished by | 258. NiGen Biotech, L.L.C. v. Paxton<br><br>804 F.3d 389 , 5th Cir.(Tex.)<br>CIVIL RIGHTS - Jurisdiction. District court had federal question jurisdiction over manufacturer's § 1983 claims brought by manufacturer against Texas Attorney General. | Sep. 30, 2015 | Case | | — |
| Distinguished by | 259. Juliana v. United States<br><br>217 F.Supp.3d 1224 , D.Or.<br>ENVIRONMENTAL LAW — Clean Air. Substantive due process protects a fundamental right to a climate system that sustains human life. | Nov. 10, 2016 | Case | | — |
| Distinguished by | 260. International Refugee Assistance Project v. Trump<br><br>857 F.3d 554 , 4th Cir.(Md.)<br>IMMIGRATION — Visas. President's temporary suspension of entry by aliens would not be reviewed deferentially. | May 25, 2017 | Case | | 3<br>8<br>S.Ct. |
| Distinguished by | 261. Karnoski v. Trump<br><br>2017 WL 6311305 , W.D.Wash.<br>THIS MATTER comes before the Court on Plaintiffs Ryan Karnoski, et al.'s Motion for Preliminary Injunction (Dkt. No. 32) and Defendants Donald J. Trump, et al.'s Motion to Dismiss... | Dec. 11, 2017 | Case | | 13<br>14<br>16<br>S.Ct. |
| Distinguished by | 262. Doe 2 v. Trump<br><br>315 F.Supp.3d 474 , D.D.C.<br>GLBT — Military Service. Secretary of Defense's plan to implement Presidential directives generally prohibiting military service by transgender individuals did not warrant... | Aug. 06, 2018 | Case | | 13<br>14<br>16<br>S.Ct. |
| Distinguished by | 263. Braeburn Inc. v. United States Food and Drug Administration<br><br>389 F.Supp.3d 1 , D.D.C.<br>HEALTH — Drugs. FDA's determination denying final approval of pharmaceutical company's monthly buprenorphine drug product was arbitrary and capricious. | July 22, 2019 | Case | | 15<br>17<br>S.Ct. |
| Distinguished by | 264. Namisnak v. Uber Technologies, Inc.<br><br>971 F.3d 1088 , 9th Cir.(Cal.)<br>CIVIL RIGHTS — Parties. Under deterrent effect doctrine, wheelchair users satisfied injury-in-fact requirement for standing to bring ADA action against ride-sharing company. | Aug. 24, 2020 | Case | | 17<br>S.Ct. |
| Distinguished by | 265. Carson as next friend of O.C. v. Makin<br><br>979 F.3d 21 , 1st Cir.(Me.)<br>EDUCATION — Finance. Maine law requiring that parent-selected private schools be nonsectarian in order to receive public funds did not violate Free Exercise Clause. | Oct. 29, 2020 | Case | | 5<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| Distinguished by | 266. Texas v. Biden<br><br>20 F.4th 928 , 5th Cir.(Tex.)<br>IMMIGRATION — Appeals. District court did not abuse its discretion when it vacated decision by DHS to terminate Migrant Protection Protocols. | Dec. 13, 2021 | Case | | 17<br>S.Ct. |
| Distinguished by | 267. Utah Physicians for a Healthy Environment v. Diesel Power Gear, LLC<br><br>21 F.4th 1229 , 10th Cir.(Utah)<br>ENVIRONMENTAL LAW — Clean Air. District court abused its discretion in assessing civil penalties for violations of Utah's approved plan implementing federal motor vehicle emission... | Dec. 28, 2021 | Case | | 17<br>S.Ct. |
| Distinguished by | 268. Hardwick v. 3M Company<br><br>589 F.Supp.3d 832 , S.D.Ohio<br>TORTS — Class Actions. Alleged illness risk was sufficiently traceable to conduct of producers of perfluoroalkyl and polyfluoroalkyl substances (PFAS) to support standing. | Mar. 07, 2022 | Case | | 7<br>18<br>19<br>S.Ct. |
| Distinguished by | 269. Finch v. Treto<br><br>2022 WL 2073572 , N.D.Ill.<br>COMMERCIAL LAW — Injunction. Balance of equities supported denial of preliminary injunction preventing issuance of licenses for operation of recreational cannabis dispensaries. | June 09, 2022 | Case | | 11<br>14<br>S.Ct. |

**History (7)**

**Direct History (5)**

1. Wright v. Regan
656 F.2d 820 , D.C.Cir. , June 18, 1981

*Certiorari Granted by*

2. Allen v. Wright
462 U.S. 1130 , U.S.Dist.Col. , June 20, 1983

*AND Judgment Reversed by*

3. Allen v. Wright
468 U.S. 737 , U.S.Dist.Col. , July 03, 1984

*Rehearing Denied by*

4. Allen v. Wright
468 U.S. 1250 , U.S.Dist.Col. , Sep. 18, 1984

*AND Rehearing Denied by*

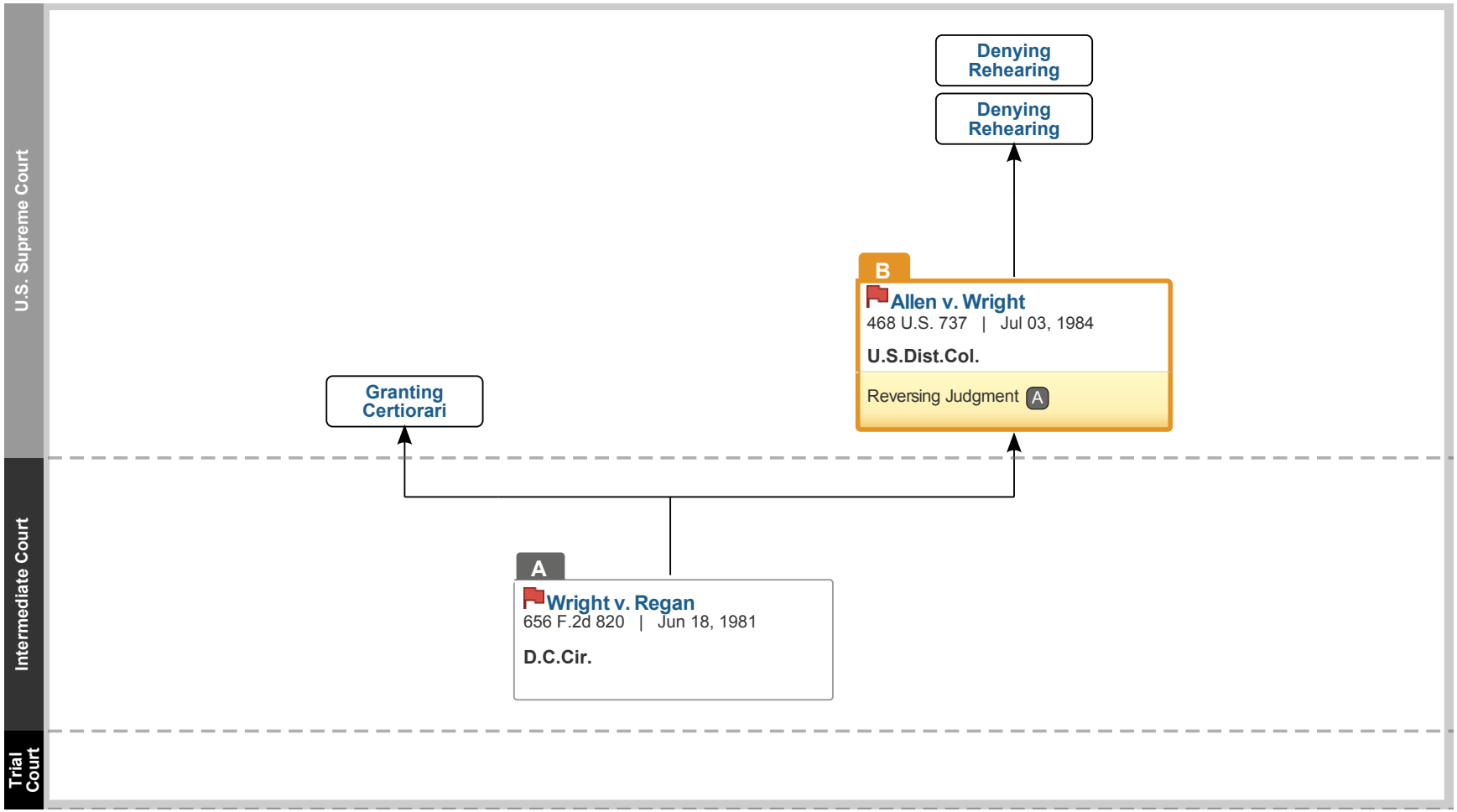
5. Regan v. Wright
468 U.S. 1250 , U.S.Dist.Col. , Sep. 18, 1984

**Related References (2)**

6. Wright v. Regan
1982 WL 521102 , D.C.Cir. , Feb. 18, 1982

*Extended by*

7. Wright v Regan
1982 WL 213062 , D.C.Cir. , Mar. 24, 1982



## Citing References (500)

| Treatment | Title | Date | Type | Depth | Headnote(s) |
|---|---|---|---|---|---|
| Overruling Recognized by NEGATIVE | **1. Beverly Hills Unified School District v. Federal Transit Administration**<br>2016 WL 4650428, *105+ , C.D.Cal.<br>Because of the length of the attached proposed Tentative Ruling (and concomitant complexity of the issues and size of the administrative record), the Court provides a copy of the... | Feb. 01, 2016 | Case | | 11<br>14<br>17<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **2. Railroad 1900, LLC v. City of Sacramento**<br>2022 WL 1693359, *1+ , E.D.Cal.<br>CIVIL RIGHTS — Due Process. Property owner lacked federal standing to bring due process claim against city for alleged failure to enforce laws against homeless individuals. | May 26, 2022 | Case | | 2<br>11<br>12<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **3. Mize v. Pompeo**<br>482 F.Supp.3d 1317, 1329+ , N.D.Ga.<br>GLBT — Immigration. INA provision governing birthright citizenship for children of married US citizens born abroad provided citizenship to child of male same-sex spouses. | Aug. 27, 2020 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **4. Griffin v. Department of Labor Federal Credit Union**<br>912 F.3d 649, 653+ , 4th Cir.(Va.)<br>CIVIL RIGHTS — Disabilities. Blind person failed to allege injury in fact arising from federal credit union's alleged failure to its website compatible with screen reader plaintiff... | Jan. 03, 2019 | Case | | 5<br>13<br>14<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **5. International Refugee Assistance Project v. Trump**<br>883 F.3d 233, 259+ , 4th Cir.(Md.)<br>IMMIGRATION — Injunction. Preliminary injunction against enforcement of Proclamation barring entry by nationals from six predominantly Muslim countries was warranted. | Feb. 15, 2018 | Case | | 8<br>13<br>14<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **6. Hossfeld v. Compass Bank**<br>2017 WL 5068752, *2+ , N.D.Ala.<br>Plaintiff Robert Hossfeld (“Mr. Hossfeld”) initiated this purported class action arising under the Telephone Consumer Protection Act of 1991 (“TCPA”), 47 U.S.C. § 227, against... | Nov. 03, 2017 | Case | | 2<br>17<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **7. Moore v. Bryant**<br>853 F.3d 245, 249+ , 5th Cir.(Miss.)<br>EDUCATION — Civil Rights. Mississippi statute requiring students to learn about state flag, which contains Confederate battle emblem, does not violate First Amendment. | Mar. 31, 2017 | Case | | 13<br>14<br>16<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
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| Abrogation Recognized by NEGATIVE | **8. Stevens v. Malloy**<br>2016 WL 3198203, *7+ , D.Conn.<br>This is an action filed by plaintiff Eric Stevens ("Mr. Stevens") against Connecticut Governor Dannel Malloy ("Governor Malloy"), Connecticut Supreme Court Justice Chase T. Rogers... | June 07, 2016 | Case | | 11<br>17<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **9. Freedom from Religion Foundation, Inc. v. Lew**<br>773 F.3d 815, 821+ , 7th Cir.(Wis.)<br>TAXATION - Income. Atheists did not suffer any injury from federal "ministers of the gospel" income tax exemptions. | Nov. 13, 2014 | Case | | 13<br>14<br>17<br>S.Ct. |
| Declined to Extend by NEGATIVE | **10. Laufer v. Arpan LLC**<br>29 F.4th 1268, 1270+ , 11th Cir.(Fla.)<br>CIVIL RIGHTS — Disabilities. Alleged injury of consumer with disability was sufficient concrete intangible injury that could support Article III standing for ADA action. | Mar. 29, 2022 | Case | | 13<br>14<br>16<br>S.Ct. |
| Distinguished by NEGATIVE | **11. Doe 2 v. Trump**<br>315 F.Supp.3d 474, 484+ , D.D.C.<br>GLBT — Military Service. Secretary of Defense's plan to implement Presidential directives generally prohibiting military service by transgender individuals did not warrant... | Aug. 06, 2018 | Case | | 13<br>14<br>16<br>S.Ct. |
| Distinguished by NEGATIVE | **12. Alabama-Tombigbee Rivers Coalition v. Norton**<br>338 F.3d 1244, 1252+ , 11th Cir.(Ala.)<br>ENVIRONMENTAL LAW - Endangered Species. Coalition of businesses had standing to challenge listing of Alabama sturgeon. | July 23, 2003 | Case | | 14<br>17<br>S.Ct. |
| Distinguished by NEGATIVE | **13. Clinton v. City of New York**<br>118 S.Ct. 2091, 2099+ , U.S.Dist.Col.<br>GOVERNMENT - United States. Line Item Veto Act violated Presentment Clause by departing from "finely wrought" constitutional procedure for enactment of law. | June 25, 1998 | Case | | 11<br>14<br>17<br>S.Ct. |
| Distinguished by NEGATIVE | **14. Florida Audubon Soc. v. Bentsen**<br>54 F.3d 873, 882+ , D.C.Cir.<br>Impact Statements. Activist had standing to challenge lack of impact statement for tax credit for fuel additive. | June 02, 1995 | Case | | 9<br>14<br>17<br>S.Ct. |
| Distinguished by NEGATIVE | **15. Kessler Institute for Rehabilitation, Inc. v. Mayor and Council of Borough of Essex Fells**<br>876 F.Supp. 641, 651+ , D.N.J.<br>Owner and operator of health care facility for disabled persons, disabled adult, and association for handicapped persons filed action against borough alleging that enactment of... | Jan. 31, 1995 | Case | | 4<br>10<br>13<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
|---|---|---|---|---|---|
| Distinguished by NEGATIVE | **16. Heldman on Behalf of T.H. v. Sobol** 962 F.2d 148, 154+ , 2nd Cir.(N.Y.)<br>Father of child with disabling condition brought action under Individuals with Disabilities Education Act (IDEA), challenging New York statute and regulation permitting boards of... | Apr. 16, 1992 | Case | | 4 5 10 S.Ct. |
| Distinguished by NEGATIVE | **17. Fulani v. League of Women Voters Educ. Fund** 882 F.2d 621, 624+ , 2nd Cir.(N.Y.)<br>Minority party candidate for United States President sued women voters' association and Internal Revenue Service, seeking revocation of association's designation as tax-exempt... | Aug. 02, 1989 | Case | | 4 10 17 S.Ct. |
| Distinguished by NEGATIVE | **18. California Ass'n of Physically Handicapped, Inc. v. F.C.C.** 778 F.2d 823, 825+ , D.C.Cir.<br>The Federal Communications Commission granted the “short form” applications of the owner of television stations to transfer over 50% of its stock from public shareholders to the... | Dec. 10, 1985 | Case | | 4 10 17 S.Ct. |
| Distinguished by NEGATIVE | **19. Board of School Directors of City of Milwaukee v. State of Wis.** 649 F.Supp. 82, 90+ , E.D.Wis.<br>City school board and others sued suburban boards of education seeking equitable relief of interdistrict desegregation order for remedy of alleged equal protection violations and... | Apr. 29, 1985 | Case | | 14 15 17 S.Ct. |
| Examined by | **20. California v. Texas** 141 S.Ct. 2104, 2108+ , U.S.<br>INSURANCE — Health. Individuals and States lacked Article III standing to challenge constitutionality of Affordable Care Act's individual mandate. | June 17, 2021 | Case | | 4 10 17 S.Ct. |
| Examined by | **21. Hein v. Freedom From Religion Foundation, Inc.** 127 S.Ct. 2553, 2556+ , U.S.<br>LITIGATION - Jurisdiction. Taxpayers lacked standing to challenge federal agency use of federal money to promote executive “faith-based initiatives.” | June 25, 2007 | Case | | 4 5 10 S.Ct. |
| Examined by | **22. DaimlerChrysler Corp. v. Cuno** 126 S.Ct. 1854, 1856+ , U.S.<br>TAXATION - Jurisdiction. Ohio taxpayers did not have Article III standing to challenge award of state franchise tax credit to automobile manufacturer. | May 15, 2006 | Case | | 4 8 10 S.Ct. |
| Examined by | **23. In re U.S. Catholic Conference (USCC)** 885 F.2d 1020, 1023+ , 2nd Cir.(N.Y.)<br>Prochoice supporters brought a challenge to the tax-exempt status of the Catholic Church. The United States District Court for the Southern District of New York, Robert L.... | Sep. 06, 1989 | Case | | 13 14 17 S.Ct. |

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| Examined by | 24. Frank Krasner Enterprises, Ltd. v. Montgomery County, MD<br>401 F.3d 230, 234+ , 4th Cir.(Md.)<br>CIVIL RIGHTS - Parties. Gun show promoter lacked standing to challenge regulation restricting payments to facilities permitting gun displays. | Mar. 11, 2005 | Case | | 4<br>S.Ct. |
| Examined by | 25. Smith v. City of Cleveland Heights<br>760 F.2d 720, 721+ , 6th Cir.(Ohio)<br>Black resident of city brought action challenging constitutional and statutory validity of city's housing programs which utilized racial steering in attempt to maintain city's... | May 03, 1985 | Case | | 13<br>14<br>17<br>S.Ct. |
| Examined by | 26. Shakman v. Dunne<br>829 F.2d 1387, 1394+ , 7th Cir.(Ill.)<br>Independent candidates and voters brought action against various government entities and officials for declaratory and injunctive relief against alleged use of state and local... | Aug. 05, 1987 | Case | | 10<br>14<br>17<br>S.Ct. |
| Examined by | 27. Minnesota Federation of Teachers v. Randall<br>891 F.2d 1354, 1365+ , 8th Cir.(Minn.)<br>Teachers' union and its president brought suit challenging constitutionality of Minnesota statute allowing public high school students in their junior and senior years to take... | Dec. 13, 1989 | Case | | 4<br>10<br>17<br>S.Ct. |
| Examined by | 28. Defenders of Wildlife, Friends of Animals and Their Environment v. Hodel<br>851 F.2d 1035, 1038+ , 8th Cir.(Minn.)<br>Environmental organizations brought action challenging Department of Interior final regulation providing that United States agencies funding projects in foreign countries had no... | July 08, 1988 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | 29. Idaho Conservation League v. Mumma<br>956 F.2d 1508, 1513+ , 9th Cir.(Mont.)<br>Conservationists and environmental organizations challenged decision of Forest Service to recommend against wilderness designation in roadless areas. The United States District... | Feb. 26, 1992 | Case | | 4<br>10<br>17<br>S.Ct. |
| Examined by | 30. Fernandez v. Brock<br>840 F.2d 622, 625+ , 9th Cir.(Cal.)<br>Migrant farmworkers brought action seeking mandamus, declaratory, and injunctive relief requiring Secretary of Treasury to promulgate regulations governing participation, accrual... | Feb. 24, 1988 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | 31. Fernandez v. Brock<br>822 F.2d 865, 867+ , 9th Cir.(Cal.)<br>Four migrant farm workers brought action seeking to require the Secretary of the Treasury to promulgate rules under ERISA which would govern pension plans for seasonal workers. ... | July 20, 1987 | Case | | 11<br>14<br>17<br>S.Ct. |

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| Examined by | **32.** Harris v. Evans<br>920 F.2d 864, 866+ , 11th Cir.(Ga.)<br>Inmate in state prison brought civil rights action against prison officials alleging that policy of state Department of Corrections that prohibited correctional employees from... | Jan. 10, 1991 | Case | | 3<br>4<br>19<br>S.Ct. |
| Examined by | **33.** McKinney v. U.S. Dept. of Treasury<br>799 F.2d 1544, 1549+ , Fed.Cir.<br>Certain members of congress, labor union, and other organizations brought action seeking declaratory and injunctive relief as result of denial of their petition seeking Customs... | Aug. 08, 1986 | Case | | 4<br>5<br>10<br>S.Ct. |
| Examined by | **34.** National Wrestling Coaches Ass'n v. Dept. of Educ.<br>366 F.3d 930, 933+ , D.C.Cir.<br>EDUCATION - Athletics. Associations representing wrestling coaches, athletes, and alumni lacked standing to challenge Title IX policy. | May 14, 2004 | Case | | 10<br>14<br>17<br>S.Ct. |
| Examined by | **35.** Florida Audubon Soc. v. Bentsen<br>94 F.3d 658, 663+ , D.C.Cir.<br>Environmental organizations and activist filed action under National Environmental Policy Act (NEPA) to challenge failure of Secretary of Treasury and Commissioner of Internal... | Aug. 20, 1996 | Case | | 4<br>10<br>19<br>S.Ct. |
| Examined by | **36.** International Labor Rights Educ. and Research Fund v. Bush<br>954 F.2d 745, 750+ , D.C.Cir.<br>This case was heard on an appeal from the United States District Court for the District of Columbia. IT IS ORDERED that the judgment of the district court dismissing this action be... | Jan. 31, 1992 | Case | | 4<br>10<br>17<br>S.Ct. |
| Examined by | **37.** Fulani v. Brady<br>935 F.2d 1324, 1326+ , D.C.Cir.<br>Presidential candidate sought to invalidate as tax-exempt status of sponsor of presidential debates. The United States District Court for the District of Columbia, George H.... | June 14, 1991 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | **38.** Women's Equity Action League v. Cavazos<br>879 F.2d 880, 884+ , D.C.Cir.<br>Federal government officers appealed from a decision of the United States District Court for the District of Columbia, John H. Pratt, J., enjoining and refusing to vacate a consent... | July 07, 1989 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | **39.** Center for Auto Safety v. Thomas<br>847 F.2d 843, 847+ , D.C.Cir.<br>The en banc court, convened to decide the question of whether petitioners have standing to challenge a rule of the Environmental Protection Agency (EPA) adopting new formulae for... | May 17, 1988 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Examined by | 40. Kurtz v. Baker<br>829 F.2d 1133, 1137+ , D.C.Cir.<br>Nontheist philosophy professor brought action challenging refusal of House of Representatives and Senate chaplains to invite nontheists to deliver secular remarks during period... | Sep. 18, 1987 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | 41. Haitian Refugee Center v. Gracey<br>809 F.2d 794, 800+ , D.C.Cir.<br>Nonprofit membership corporation organized to assist Haitian refugees and two members brought action challenging program to interdict undocumented aliens on high seas. The United... | Jan. 09, 1987 | Case | | 9<br>14<br>17<br>S.Ct. |
| Examined by | 42. Women's Equity Action League v. Bell<br>743 F.2d 42, 43+ , D.C.Cir.<br>Appeal was taken by officers of the United States Government seeking to overturn an injunction entered by the United States District Court for the District of Columbia, John H.... | Sep. 14, 1984 | Case | | 4<br>8<br>19<br>S.Ct. |
| Examined by | 43. Barnes v. Kline<br>759 F.2d 21, 26+ , D.C.Cir.<br>Thirty-three individual members of the House of Representatives, joined by the United States Senate and the Speaker and Bipartisan leadership of the House of Representatives sued... | Aug. 29, 1984 | Case | | 9<br>17<br>19<br>S.Ct. |
| Examined by | 44. Made in the USA Foundation v. U.S.<br>56 F.Supp.2d 1226, 1230+ , N.D.Ala.<br>Voters and union plaintiffs brought action challenging the constitutionality of North American Free Trade Agreement (NAFTA) and NAFTA Implementation Act. Upon defendant's motion to... | July 23, 1999 | Case | | 4<br>S.Ct. |
| Examined by | 45. National Ass'n for Advancement of Colored People v. Horne<br>2013 WL 5519514, *3+ , D.Ariz.<br>Plaintiffs sue the Arizona Attorney General, the Arizona Medical Board, and the Executive Director of the Board, challenging the constitutionality of a statute that prohibits... | Oct. 03, 2013 | Case | | 8<br>13<br>14<br>S.Ct. |
| Examined by | 46. Arizona Civil Liberties Union v. Dunham<br>88 F.Supp.2d 1066, 1079+ , D.Ariz.<br>CIVIL RIGHTS - Parties. Residents lacked standing to challenge town's proclamation of bible week. | Sep. 30, 1999 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | 47. Conway School Dist. v. Wilhoit<br>854 F.Supp. 1430, 1432+ , E.D.Ark.<br>School district brought suit challenging statute regulating election of school board members. State moved to dismiss. The District Court, Wilson, J., held that: (1) district... | June 13, 1994 | Case | | 3<br>4<br>10<br>S.Ct. |

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| Examined by | **48.** International Union of Bricklayers and Allied Craftsmen v. Meese<br>616 F.Supp. 1387, 1393+ , N.D.Cal.<br>Bricklayers' union and a local affiliate brought action challenging Immigration and Naturalization Service internal agency guideline which permitted issuance of visas to foreign... | Aug. 28, 1985 | Case | | 3<br>4<br>10<br>S.Ct. |
| Examined by | **49.** Cogswell v. United States Senate<br>2009 WL 529243, *5+ , D.Colo.<br>GOVERNMENT - Jurisdiction. A citizen's suit against the United States Senate was dismissed as he failed to assert proper subject matter jurisdiction. | Mar. 02, 2009 | Case | | 3<br>8<br>19<br>S.Ct. |
| Examined by | **50.** Penkoski v. Bowser<br>486 F.Supp.3d 219, 227+ , D.D.C.<br>CIVIL RIGHTS — Jurisdiction. Non-Black Christians did not have standing to bring suit, challenging mural proclaiming “Black Lives Matter.” | Aug. 21, 2020 | Case | | 11<br>13<br>14<br>S.Ct. |
| Examined by | **51.** Abulhawa v. United States Department of the Treasury<br>239 F.Supp.3d 24, 33+ , D.D.C.<br>BUSINESS ORGANIZATIONS — Non-profit Entities. Individuals concerned with Israeli settlements in West Bank lacked standing to bring declaratory judgment action against Department of... | Mar. 04, 2017 | Case | | 6<br>11<br>17<br>S.Ct. |
| Examined by | **52.** Coker v. Bowen<br>715 F.Supp. 383, 386+ , D.D.C.<br>Homeless families and organizations advocating rights of homeless brought actions to require Department of Health and Human Services to monitor and enforce states' compliance with... | Apr. 11, 1989 | Case | | 14<br>17<br>19<br>S.Ct. |
| Examined by | **53.** Adams v. Bennett<br>675 F.Supp. 668, 670+ , D.D.C.<br>Federal government officers appealed decision of the District Court, John H. Pratt, J., that entered injunction and refused to vacate consent decree containing time frames to... | Dec. 11, 1987 | Case | | 4<br>14<br>17<br>S.Ct. |
| Examined by | **54.** Melcher v. Federal Open Market Committee<br>644 F.Supp. 510, 512+ , D.D.C.<br>United States Senator brought action challenging process by which certain members of Federal Reserve Board's federal open market committee were selected. The District Court,... | June 05, 1986 | Case | | 4<br>14<br>17<br>S.Ct. |
| Examined by | **55.** Horack v. Minott<br>1995 WL 330730, *4+ , D.Del.<br>Before the court is defendant Robert B. Reich's motion to stay (D.I. 16), a motion in which defendant Darrell J. Minott joins (D.I. 18) and which, by leave of court, has been... | May 26, 1995 | Case | | 10<br>14<br>17<br>S.Ct. |

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| Examined by | **56.** U.S. v. Southwestern Elec. Coop., Inc.<br>663 F.Supp. 538, 541+ , S.D.Ill.<br>United States on behalf of Rural Electrification Administration, the National Rural Utilities Cooperative Finance Corporation, and regional generation and transmission cooperative,... | June 12, 1987 | Case | | 5<br>8<br>9<br>S.Ct. |
| Examined by | **57.** Jorman v. Veterans Admin.<br>654 F.Supp. 748, 761+ , N.D.Ill.<br>Action was brought by homeowners claiming that administration of Veterans Administration's home mortgage guarantee program had caused or contributed to actual and threatened... | Sep. 11, 1986 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | **58.** Stone v. Trump<br>400 F.Supp.3d 317, 344+ , D.Md.<br>GLBT — Military Service. Heightened scrutiny applied to equal protection challenge to restrictions on transgender service in military. | Aug. 20, 2019 | Case | | 13<br>14<br>16<br>S.Ct. |
| Examined by | **59.** International Union, United Auto., Aerospace and Agr. Implement Workers of America v. Facet Enterprises<br>601 F.Supp. 292, 295+ , E.D.Mich.<br>Labor union brought action against employer seeking declaratory and injunctive relief and damages. The District Court, Philip Pratt, J., held that labor union's allegations that... | Sep. 27, 1984 | Case | | 4<br>5<br>10<br>S.Ct. |
| Examined by | **60.** Cole v. F.B.I.<br>719 F.Supp.2d 1229, 1233+ , D.Mont.<br>NATIVE AMERICANS - Crimes. Personal representatives of estates of two deceased Native Americans had standing to bring discrimination action. | June 17, 2010 | Case | | 4<br>9<br>10<br>S.Ct. |
| Examined by | **61.** Nitke v. Gonzales<br>413 F.Supp.2d 262, 266+ , S.D.N.Y.<br>CIVIL RIGHTS - Free Speech. Obscenity provision of Communications Decency Act was not overbroad, in violation of the First Amendment. | July 25, 2005 | Case | | 4<br>5<br>10<br>S.Ct. |
| Examined by | **62.** Jana-Rock Const., Inc. v. New York State Dept. of Economic Development<br>2004 WL 5550699, *7+ , N.D.N.Y.<br>On July 14, 2004, plaintiffs, Rocco Luiere, Jr. and Jana–Rock Construction, Inc., sought a temporary restraining order enjoining the defendants from revoking Jana–Rock's... | Oct. 28, 2004 | Case | | 19<br>S.Ct. |
| Examined by | **63.** Mehdi v. U.S. Postal Service<br>988 F.Supp. 721, 730+ , S.D.N.Y.<br>American Muslims filed civil rights action challenging the refusal of the Postal Service to display the Muslim Crescent and Star in conjunction with Christmas and Chanukah symbols... | Dec. 23, 1997 | Case | | 13<br>14<br>17<br>S.Ct. |

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| Examined by | **64.** Fulani v. Brady<br>809 F.Supp. 1112, 1117+ , S.D.N.Y.<br>Presidential candidate who was excluded from Democratic party presidential primary debate cosponsored by nonpartisan voter education group sued group and federal officials, seeking... | Jan. 05, 1993 | Case | | 4<br>10<br>17<br>S.Ct. |
| Examined by | **65.** Abortion Rights Mobilization, Inc. v. Regan<br>603 F.Supp. 970, 971+ , S.D.N.Y.<br>Action was brought challenging the grant of tax exempt status to the Roman Catholic Church in the United States on the basis of allegations that the church's involvement in the... | Feb. 27, 1985 | Case | | 4<br>14<br>17<br>S.Ct. |
| Examined by | **66.** Plavin v. Bristol Borough<br>1988 WL 100814, *2+ , E.D.Pa.<br>Presently before the court is defendants' motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b), the absolute immunity of the defendants, and/or the failure of the... | Sep. 27, 1988 | Case | | 3<br>4<br>8<br>S.Ct. |
| Examined by | **67.** Inclusive Communities Project, Inc. v. United States Department of Treasury<br>2019 WL 459643, *5+ , N.D.Tex.<br>Plaintiff The Inclusive Communities Project, Inc. ("ICP") brings this action against defendants U.S. Department of the Treasury ("Treasury") and Office of the Comptroller of the... | Feb. 06, 2019 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | **68.** Equal Access for El Paso, Inc. v. Hawkins<br>428 F.Supp.2d 585, 596+ , W.D.Tex.<br>HEALTH - Medical Assistance. Medicaid recipients stated cognizable claim under equal access provision of Medicaid Act. | Mar. 30, 2006 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | **69.** U.S. v. Lane<br>60 M.J. 781, 786+ , A.F.Ct.Crim.App.<br>MILITARY LAW - Judges. Appellate judge was not constitutionally or ethically disqualified. | Dec. 17, 2004 | Case | | 3<br>4<br>9<br>S.Ct. |
| Examined by | **70.** Neeley v. Texas State Teachers Ass'n<br>2007 WL 2325930, *6+ , Tex.App.-Corpus Christi<br>Appellees are the Texas State Teachers Association, a professional association of Texas public school teachers, and Maria Guadalupe Ramos, one of its members (collectively... | Aug. 16, 2007 | Case | | 11<br>14<br>17<br>S.Ct. |
| Examined by | **71.** Litigation Guideline Memorandum<br>1991 WL 1167968, *1+ , IRS LGM<br>The doctrine of sovereign immunity descended from the tenet of medieval English law that the King can do no wrong. It is based on the idea that the sovereign reigns supreme and... | June 28, 1991 | Administrative Decision | | 11<br>14<br>17<br>S.Ct. |

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| Abrogation Recognized by NEGATIVE | 72. Laufer v. Acheson Hotels, LLC<br>50 F.4th 259, 266+ , 1st Cir.(Me.)<br>CIVIL RIGHTS — Disabilities. Public accommodations tester had standing to bring action against hotel operator for violation of Americans with Disabilities Act (ADA) regulation. | Oct. 05, 2022 | Case | | 13<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | 73. Children's Health Def. v. Food & Drug Admin.<br>573 F.Supp.3d 1234, 1243+ , E.D.Tenn.<br>GOVERNMENT — Parties. Harms identified by organization's member were not tied to actions of FDA, and thus there was no causal connection, as required for standing. | Nov. 30, 2021 | Case | | 11<br>14<br>17<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | 74. Equal Means Equal v. Ferriero<br>478 F.Supp.3d 105, 115+ , D.Mass.<br>GOVERNMENT — Records. Plaintiffs failed to identify injury suffered by group protected by proposed Equal Rights Amendment (ERA), as necessary for standing. | Aug. 06, 2020 | Case | | 14<br>17<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | 75. Tamboura v. Singer<br>2020 WL 2793371, *3+ , N.D.Cal.<br>This lawsuit stems from the revelation that William “Rick” Singer conspired with the parents of college applicants to bribe various universities’ head athletic coaches and... | May 29, 2020 | Case | | 11<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | 76. Inclusive Communities Project, Incorporated v. Department of Treasury<br>946 F.3d 649, 658+ , 5th Cir.(Tex.)<br>CIVIL RIGHTS — Parties. Nonprofit organization did not establish causation, as required for Article III standing for claims alleging violation of the Fair Housing Act. | Dec. 30, 2019 | Case | | 11<br>14<br>17<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | 77. White v. County of Stanislaus<br>2019 WL 1493191, *7+ , E.D.Cal.<br>Anthony White and minors A.L.W. and A.W., by and through their guardians ad litem, (collectively “Plaintiffs”) brought this civil rights action pursuant to 42 U.S.C. § 1983.... | Apr. 04, 2019 | Case | | 2<br>5<br>6<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | 78. Clean Air Council v. United States<br>362 F.Supp.3d 237, 250+ , E.D.Pa.<br>ENVIRONMENTAL LAW — Clean Air. Minors failed to demonstrate injury-in-fact required for standing to bring action challenging federal government's environmental-regulation rollback. | Feb. 19, 2019 | Case | | 7<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | 79. Dumont v. Lyon<br>341 F.Supp.3d 706, 720+ , E.D.Mich.<br>CIVIL RIGHTS — Religion. Same-sex couples sufficiently alleged that DHHS contract with adoption agencies that used religious criteria violated Establishment Clause. | Sep. 14, 2018 | Case | | 13<br>14<br>16<br>S.Ct. |

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| Abrogation Recognized by NEGATIVE | **80.** **Indiana Coalition for Public Education - Monroe County v. McCormick**<br>338 F.Supp.3d 926, 936+ , S.D.Ind.<br>EDUCATION — Charter Schools. Association failed to show standing for Establishment Clause challenge to Indiana statute permitting religious college to authorize charter schools. | Sep. 06, 2018 | Case | | 10<br>17<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **81.** **Kyle-LaBell v. Selective Service System**<br>2018 WL 1535230, *7+ , D.N.J.<br>Plaintiff Elizabeth Kyle–LaBell is a 20–year-old female who wants to register for the military draft. She believes it is her right and duty as a United States citizen to do so. But... | Mar. 29, 2018 | Case | | 12<br>13<br>14<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **82.** **June Medical Services LLC v. Gee**<br>280 F.Supp.3d 849, 859+ , M.D.La.<br>FAMILY LAW — Abortion. Favorable decision would not redress alleged injury caused by abortion regulation since state criminalized all abortions performed after 20 weeks. | Nov. 16, 2017 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **83.** **Menoken v. Miles**<br>270 F.Supp.3d 200, 209+ , D.D.C.<br>GOVERNMENT — Parties. Federal employee did not establish Article III standing to pursue claim against Office of Special Counsel (OSC) for failure to investigate disclosure. | Sep. 14, 2017 | Case | | 2<br>12<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **84.** **Gegenheimer v. Stevenson**<br>2017 WL 2880867, *3+ , W.D.Tex.<br>Before the Court is the parties' briefing on the issue of mootness, filed in response to the Court's Order to Show Cause. (Dkt. 42). Having considered the parties' submissions and... | July 05, 2017 | Case | | 13<br>14<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **85.** **MGM Resorts International Global Gaming Development, LLC v. Malloy**<br>861 F.3d 40, 50+ , 2nd Cir.(Conn.)<br>CIVIL RIGHTS — Parties. Casino developer failed to allege concrete injury as result of law allowing tribes to contract for development of casinos on nonreservation land. | June 21, 2017 | Case | | 13<br>14<br>16<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **86.** **Robinson v. Sessions**<br>260 F.Supp.3d 264, 273+ , W.D.N.Y.<br>CIVIL RIGHTS — Right to Bear Arms. Potential firearms purchasers lacked standing to bring action alleging that background checks violated their constitutional rights. | Apr. 10, 2017 | Case | | 8<br>13<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **87.** **Gambles v. Sterling Infosystems, Inc.**<br>234 F.Supp.3d 510, 516+ , S.D.N.Y.<br>COMMERCIAL LAW — Consumer Credit. Applicant, whose background report contained outdated and misleading information about him, suffered concrete and particularized injury-in-fact. | Feb. 13, 2017 | Case | | 2<br>3<br>12<br>S.Ct. |

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| Abrogation Recognized by NEGATIVE | **88.** Langton v. Town of Chester<br>168 F.Supp.3d 597, 603+ , S.D.N.Y.<br>GOVERNMENT — Public Officials. Former trustee of town library board stated claim that her removal violated her procedural due process rights. | Mar. 02, 2016 | Case | | 4<br>10<br>17<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **89.** American Humanist Association, Inc. v. Douglas County School District Re-1<br>158 F.Supp.3d 1123, 1129+ , D.Colo.<br>EDUCATION — Religion. High school student and his parents lacked standing to assert claim that school district violated Equal Access Act. | Jan. 20, 2016 | Case | | 4<br>10<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **90.** Enslin v. The Coca-Cola Company<br>136 F.Supp.3d 654, 661+ , E.D.Pa.<br>LABOR AND EMPLOYMENT — Employee Privacy. Employer did not make knowing disclosure of employee's driving information, and thus did not violate Driver's Privacy Protection Act. | Sep. 30, 2015 | Case | | 4<br>5<br>S.Ct. |
| Abrogation Recognized by NEGATIVE | **91.** Pappacoda v. Palmetto Health<br>2014 WL 4417559, *2+ , D.S.C.<br>In this employment discrimination case, George Pappacoda (“Plaintiff”) sues his former employer Palmetto Health (“Defendant”). Plaintiff alleges discrimination, failure to... | Sep. 08, 2014 | Case | | 3<br>10<br>S.Ct. |
| Called into Doubt by NEGATIVE | **92.** Douglas v. Daviess Co. Fiscal Court<br>2018 WL 1863656, *3+ , W.D.Ky.<br>This matter is before the Court on initial review of Plaintiff David B. Douglas's pro se, in forma pauperis complaint pursuant to 28 U.S.C. § 1915(e)(2). For the reasons that... | Apr. 18, 2018 | Case | | 1<br>13<br>14<br>S.Ct. |
| Called into Doubt by NEGATIVE | **93.** United States v. Under Seal<br>853 F.3d 706, 722+ , 4th Cir.(Va.)<br>FAMILY LAW — Juvenile Justice. Court did not abuse its discretion in authorizing disclosure of protected juvenile records to ensure that adult defendants could present defense. | Apr. 05, 2017 | Case | | 3<br>S.Ct. |
| Declined to Extend by NEGATIVE | **94.** Massengale v. City of East Ridge<br>399 S.W.3d 118, 125+ , Tenn.Ct.App.<br>REAL PROPERTY - Parties. Residents and businesses did not have standing to challenge statute authorizing sale of fireworks within city limits. | Oct. 30, 2012 | Case | | 8<br>S.Ct. |
| Distinguished by NEGATIVE | **95.** Hardwick v. 3M Company<br>589 F.Supp.3d 832, 848+ , S.D.Ohio<br>TORTS — Class Actions. Alleged illness risk was sufficiently traceable to conduct of producers of perfluoroalkyl and polyfluoroalkyl substances (PFAS) to support standing. | Mar. 07, 2022 | Case | | 7<br>18<br>19<br>S.Ct. |

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| Distinguished by NEGATIVE | **96. Carson as next friend of O.C. v. Makin**<br>979 F.3d 21, 29+ , 1st Cir.(Me.)<br>EDUCATION — Finance. Maine law requiring that parent-selected private schools be nonsectarian in order to receive public funds did not violate Free Exercise Clause. | Oct. 29, 2020 | Case | | 5<br>S.Ct. |
| Distinguished by NEGATIVE | **97. Braeburn Inc. v. United States Food and Drug Administration**<br>389 F.Supp.3d 1, 18+ , D.D.C.<br>HEALTH — Drugs. FDA's determination denying final approval of pharmaceutical company's monthly buprenorphine drug product was arbitrary and capricious. | July 22, 2019 | Case | | 15<br>17<br>S.Ct. |
| Distinguished by NEGATIVE | **98. Karnoski v. Trump**<br>2017 WL 6311305, *5+ , W.D.Wash.<br>THIS MATTER comes before the Court on Plaintiffs Ryan Karnoski, et al.'s Motion for Preliminary Injunction (Dkt. No. 32) and Defendants Donald J. Trump, et al.'s Motion to Dismiss... | Dec. 11, 2017 | Case | | 13<br>14<br>16<br>S.Ct. |
| Distinguished by NEGATIVE | **99. Davis v. Astrue**<br>874 F.Supp.2d 856, 865+ , N.D.Cal.<br>SOCIAL SECURITY - Disability Benefits. District Court had subject matter jurisdiction over action alleging SSA violated Rehabilitation Act. | Feb. 13, 2012 | Case | | 5<br>7<br>18<br>S.Ct. |
| Distinguished by NEGATIVE | **100. Doe ex rel. Doe v. Lower Merion School Dist.**<br>665 F.3d 524, 542+ , 3rd Cir.(Pa.)<br>EDUCATION - School Districts. School district's redistricting plan was rationally related to legitimate government interests. | Dec. 14, 2011 | Case | | 13<br>14<br>16<br>S.Ct. |
| Distinguished by NEGATIVE | **101. Comer v. Murphy Oil USA**<br>585 F.3d 855, 861+ , 5th Cir.(Miss.)<br>TORTS - Parties. Landowners had Article III standing to bring nuisance, trespass and negligence claims related to greenhouse gasses. | Oct. 16, 2009 | Case | | 3<br>S.Ct. |
| Distinguished by NEGATIVE | **102. Rahman v. Chertoff**<br>244 F.R.D. 443, 452+ , N.D.Ill.<br>CIVIL RIGHTS - Class Actions. Certification of injunctive class action was appropriate in suit challenging border detentions. | July 26, 2007 | Case | | 14<br>19<br>S.Ct. |
| Distinguished by NEGATIVE | **103. Harris v. Board of Supervisors, Los Angeles County**<br>366 F.3d 754, 762+ , 9th Cir.(Cal.)<br>HEALTH - Hospitals. Chronically ill indigent patients were entitled to preliminary relief enjoining hospital cutbacks. | Apr. 27, 2004 | Case | | 11<br>14<br>17<br>S.Ct. |
| Distinguished by NEGATIVE | **104. DaimlerChrysler Corp. v. Inman**<br>121 S.W.3d 862, 875+ , Tex.App.-Corpus Christi<br>LITIGATION - Parties. Common law standing requires causation and redressability. | Nov. 20, 2003 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Distinguished by NEGATIVE | **105.** City of New York v. Clinton<br>985 F.Supp. 168, 176+ , D.D.C.<br>Health care providers and farmers' cooperative commenced action challenging constitutionality of Line Item Veto Act after President exercised his authority under Act to cancel... | Feb. 12, 1998 | Case | | 11<br>14<br>17<br>S.Ct. |
| Distinguished by NEGATIVE | **106.** Action Alliance of Senior Citizens of Greater Philadelphia v. Heckler<br>789 F.2d 931, 938+ , D.C.Cir.<br>Organizations endeavoring to improve the lives of elderly citizens brought action challenging Secretary of Health and Human Services' implementation of Age Discrimination Act. ... | May 02, 1986 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **107.** TransUnion LLC v. Ramirez<br>141 S.Ct. 2190, 2205+ , U.S.<br>COMMERCIAL LAW — Consumer Credit. Consumers whose misleading credit reports were not disseminated to third parties lacked Article III standing to sue. | June 25, 2021 | Case | | 3<br>7<br>18<br>S.Ct. |
| Discussed by | **108.** American Legion v. American Humanist Association<br>139 S.Ct. 2067, 2099+ , U.S.<br>CIVIL RIGHTS — Religion. Latin cross on public land, which was erected as memorial to area soldiers who died serving in World War I, did not violate Establishment Clause. | June 20, 2019 | Case | | 11<br>13<br>14<br>S.Ct. |
| Discussed by | **109.** Campbell-Ewald Co. v. Gomez<br>136 S.Ct. 663, 678+ , U.S.<br>LITIGATION - Settlements. Complaint was not mooted by unaccepted offer of judgment on individual claims in class suit under Telephone Consumer Protection Act. | Jan. 20, 2016 | Case | | 4<br>9<br>S.Ct. |
| Discussed by | **110.** Massachusetts v. E.P.A.<br>127 S.Ct. 1438, 1464+ , U.S.<br>ENVIRONMENTAL LAW - Clean Air. Clean Air Act authorizes EPA to regulate greenhouse gas emissions from new motor vehicles. | Apr. 02, 2007 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **111.** Elk Grove Unified School Dist. v. Newdow<br>124 S.Ct. 2301, 2304+ , U.S.<br>CIVIL RIGHTS - Parties. Father of student lacked prudential standing to challenge recitation of Pledge of Allegiance. | June 14, 2004 | Case | | 2<br>3<br>5<br>S.Ct. |
| Discussed by | **112.** Olmstead v. L.C. ex rel. Zimring<br>119 S.Ct. 2176, 2179+ , U.S.Ga.<br>CIVIL RIGHTS - Disabilities. Mentally disabled patients were qualified for community-based treatment. | June 22, 1999 | Case | | 13<br>S.Ct. |

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| Discussed by | **113.** Miller v. Albright<br>118 S.Ct. 1428, 1445+ , U.S.Dist.Col.<br>IMMIGRATION - Citizenship. Additional proof-of-paternity requirement imposed for citizenship by birth when citizen parent was father did not violate equal protection. | Apr. 22, 1998 | Case | | 13<br>14<br>17<br>S.Ct. |
| Discussed by | **114.** Raines v. Byrd<br>117 S.Ct. 2312, 2313+ , U.S.Dist.Col.<br>CIVIL PROCEDURE - Standing. Individual members of Congress did not establish Article III standing to maintain suit challenging constitutionality of Line Item Veto Act. | June 26, 1997 | Case | | 4<br>5<br>9<br>S.Ct. |
| Discussed by | **115.** Bennett v. Spear<br>117 S.Ct. 1154, 1157+ , U.S.Or.<br>ENERGY AND UTILITIES - Endangered Species. Ranchers and irrigation districts had standing to seek judicial review of biological opinion proposing use of reservoir water to protect... | Mar. 19, 1997 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **116.** U.S. v. Hays<br>115 S.Ct. 2431, 2432+ , U.S.La.<br>Standing. Citizens who did not live in district that was primary focus of racial gerrymandering claim lacked standing. | June 29, 1995 | Case | | 13<br>14<br>S.Ct. |
| Discussed by | **117.** Lujan v. Defenders of Wildlife<br>112 S.Ct. 2130, 2136+ , U.S.Minn.<br>Environmental groups brought action challenging regulation of the Secretary of the Interior which required other agencies to confer with him under the Endangered Species Act only... | June 12, 1992 | Case | | 4<br>8<br>10<br>S.Ct. |
| Discussed by | **118.** Renne v. Geary<br>111 S.Ct. 2331, 2337+ , U.S.Cal.<br>Voters, party central committees and committee members brought suit challenging California constitutional provision prohibiting political parties from endorsing candidates for... | June 17, 1991 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **119.** Metropolitan Washington Airports Authority v. Citizens for Abatement of Aircraft Noise, Inc.<br>111 S.Ct. 2298, 2300+ , U.S.Dist.Col.<br>Organization and individuals concerned with operation of District of Columbia area airports challenged constitutionality of review board created by legislation transferring control... | June 17, 1991 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **120.** Thomas v. Union Carbide Agr. Products Co.<br>105 S.Ct. 3325, 3333+ , U.S.N.Y.<br>Pesticide chemical manufacturers brought action challenging constitutionality of binding arbitration provision of 1978 amendments to the Federal Insecticide, Fungicide, and... | July 01, 1985 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **121.** Osediacz v. City of Cranston<br>414 F.3d 136, 139+ , 1st Cir.(R.I.)<br>CIVIL RIGHTS - Parties. Citizen lacked Article III standing to assert free speech challenge to city policy allowing holiday displays on public land. | July 06, 2005 | Case | | 3<br>S.Ct. |
| Discussed by | **122.** Cotter v. City of Boston<br>323 F.3d 160, 166+ , 1st Cir.(Mass.)<br>LABOR AND EMPLOYMENT - Discrimination. Promotion of African-American police officers was narrowly tailored to compelling interest. | Mar. 25, 2003 | Case | | 8<br>9<br>S.Ct. |
| Discussed by | **123.** Becker v. Federal Election Com'n<br>230 F.3d 381, 384+ , 1st Cir.(Mass.)<br>GOVERNMENT - Elections. Corporate funding of presidential debates is upheld. | Nov. 01, 2000 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **124.** American Postal Workers Union v. Frank<br>968 F.2d 1373, 1374+ , 1st Cir.(Mass.)<br>Postal Workers' Union sought declaratory and injunctive relief requiring United States Postal Services to stop mandatory preemployment drug testing of employment applicants. The... | July 06, 1992 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **125.** U.S. v. AVX Corp.<br>962 F.2d 108, 113+ , 1st Cir.(Mass.)<br>Environmental organization which intervened in cleanup action brought under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) appealed from entry... | Apr. 21, 1992 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **126.** Conservation Law Foundation of New England, Inc. v. Reilly<br>950 F.2d 38, 40+ , 1st Cir.(Mass.)<br>Two New England-based environmental organizations brought citizen suit under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) seeking injunctive... | Nov. 25, 1991 | Case | | 4<br>5<br>S.Ct. |
| Discussed by | **127.** Alliance For Environmental Renewal, Inc. v. Pyramid Crossgates Co.<br>436 F.3d 82, 84+ , 2nd Cir.(N.Y.)<br>ENVIRONMENTAL LAW - Clean Water. Court was required to rule on Clean Water Act plaintiffs' Article III standing before ruling on their statutory standing. | Jan. 24, 2006 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **128.** Baur v. Veneman<br>352 F.3d 625, 636+ , 2nd Cir.(N.Y.)<br>AGRICULTURE - Animals. Citizen alleged facts establishing standing to seek ban on use of downed livestock as food for human consumption. | Dec. 16, 2003 | Case | | 3<br>S.Ct. |
| Discussed by | **129.** Lerner v. Fleet Bank, N.A.<br>318 F.3d 113, 126+ , 2nd Cir.(N.Y.)<br>LITIGATION - Jurisdiction. Court had original jurisdiction to support exercise of supplemental jurisdiction over state law claims. | Jan. 22, 2003 | Case | | 3<br>S.Ct. |

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| Discussed by | **130.** Jackson-Bey v. Hanslmaier<br>115 F.3d 1091, 1095+ , 2nd Cir.(N.Y.)<br>Prison inmate who belonged to Moorish Science Temple (MST) of Islamic religion brought § 1983 action against prison officials, alleging that they violated Free Exercise Clause of... | May 30, 1997 | Case | | 14<br>S.Ct. |
| Discussed by | **131.** Hirsch v. Arthur Andersen & Co.<br>72 F.3d 1085, 1091+ , 2nd Cir.(Conn.)<br>Chapter 11 trustee sued debtors' accountants and law firms alleging breach of contract and fiduciary duty, negligence, negligent misrepresentation, fraud, and violations of... | Dec. 28, 1995 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **132.** Fulani v. Bentsen<br>35 F.3d 49, 51+ , 2nd Cir.(N.Y.)<br>Presidential candidate sought declaratory and injunctive relief directing Treasury Department officials to revoke tax-exempt status of nonpartisan voter education group sponsoring... | Sep. 06, 1994 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **133.** Garelick v. Sullivan<br>987 F.2d 913, 919+ , 2nd Cir.(N.Y.)<br>Hospital-based anesthesiologists and patients enrolled in Medicare Part B brought action for declaratory judgment and injunctive relief from statute setting limits on amounts... | Mar. 05, 1993 | Case | | 11<br>14<br>17<br>S.Ct. |
| Discussed by | **134.** Sullivan v. Syracuse Housing Authority<br>962 F.2d 1101, 1106+ , 2nd Cir.(N.Y.)<br>Non-Christian tenant of public housing development brought suit alleging that housing authority had violated establishment clause in its operation of community center. The United... | Apr. 29, 1992 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **135.** In re U.S. Catholic Conference<br>824 F.2d 156, 159+ , 2nd Cir.(N.Y.)<br>Pro-choice supporters brought motion to hold nonparty witnesses in civil contempt for failure to comply with discovery orders. The United States District Court for the Southern... | June 04, 1987 | Case | | 14<br>17<br>S.Ct. |
| Discussed by | **136.** Matter of Appointment of Independent Counsel<br>766 F.2d 70, 73+ , 2nd Cir.(N.Y.)<br>Application was brought for appointment of independent counsel to investigate whether government informant had given false evidence before a grand jury with respect to applicants.... | June 24, 1985 | Case | | 2<br>3<br>S.Ct. |
| Discussed by | **137.** Fischer v. Governor of New Jersey<br>842 Fed.Appx. 741, 754+ , 3rd Cir.(N.J.)<br>EDUCATION — Labor and Employment. Waiting period for effectiveness of teachers' union dues revocation under New Jersey's Workplace Democracy Enhancement Act did not injure... | Jan. 15, 2021 | Case | | 5<br>10<br>S.Ct. |

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| Discussed by | **138.** Edmonson v. Lincoln Nat. Life Ins. Co.<br>725 F.3d 406, 415+ , 3rd Cir.(Pa.)<br>LABOR AND EMPLOYMENT - Benefit Plans. Insurer did not breach its fiduciary duties under ERISA by selecting a retained asset account as a method of payment. | Aug. 07, 2013 | Case | | 2<br>S.Ct. |
| Discussed by | **139.** Toll Bros., Inc. v. Township of Readington<br>555 F.3d 131, 137+ , 3rd Cir.(N.J.)<br>REAL PROPERTY - Parties. Real estate developer with option to purchase parcel had article III standing to challenge township's zoning restrictions. | Feb. 04, 2009 | Case | | 2<br>5<br>S.Ct. |
| Discussed by | **140.** Public Interest Research Group of New Jersey, Inc. v. Magnesium Elektron, Inc.<br>123 F.3d 111, 117+ , 3rd Cir.(N.J.)<br>Public interest groups sued zirconium carbonate manufacturer under citizen suit provision of Clean Water Act, alleging that manufacturer violated terms of its National Pollution... | Aug. 05, 1997 | Case | | 13<br>14<br>17<br>S.Ct. |
| Discussed by | **141.** Federal Kemper Ins. Co. v. Rauscher<br>807 F.2d 345, 350+ , 3rd Cir.(Pa.)<br>Insurer brought declaratory judgment action against its insured and injured parties to determine the extent of its obligations under automobile policy. The United States District... | Dec. 11, 1986 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **142.** Americans United for Separation of Church & State v. Reagan<br>786 F.2d 194, 200+ , 3rd Cir.(Pa.)<br>Plaintiffs, who were group of 20 religious organizations and 12 of the officials of those organizations and some 71 individual members of clergy of various denominations, brought... | Mar. 21, 1986 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **143.** Doe v. Virginia Dept. of State Police<br>713 F.3d 745, 753+ , 4th Cir.(Va.)<br>CRIMINAL JUSTICE - Sex Offenders. Precedent barred plaintiff's § 1983 claim for violation of procedural due process in relation to sex offender registry. | Apr. 12, 2013 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **144.** Doe v. Obama<br>631 F.3d 157, 160+ , 4th Cir.(Md.)<br>FAMILY LAW - Stem Cell Research. Frozen human embryos lacked standing to challenge Executive Order removing limitations on human embryo stem cell research. | Jan. 21, 2011 | Case | | 1<br>5<br>17<br>S.Ct. |
| Discussed by | **145.** Bishop v. Bartlett<br>575 F.3d 419, 423+ , 4th Cir.(N.C.)<br>GOVERNMENT - Elections. Voters lacked injury in fact and causation required for standing to challenge validity of state constitutional amendment. | July 29, 2009 | Case | | 3<br>10<br>S.Ct. |

 

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| Discussed by | **146.** Friends for Ferrell Parkway, LLC v. Stasko<br>282 F.3d 315, 319+ , 4th Cir.(Va.)<br>ENVIRONMENTAL LAW - Parties. Local residents lacked standing to challenge Fish and Wildlife Service's acquisition of land. | Feb. 28, 2002 | Case | | 3<br>4<br>17<br>S.Ct. |
| Discussed by | **147.** Friends of the Earth, Inc. v. Gaston Copper Recycling Corp.<br>204 F.3d 149, 153+ , 4th Cir.(S.C.)<br>ENVIRONMENTAL LAW - Clean Water. Lake owner had standing to bring citizen suit under Clean Water Act. | Feb. 23, 2000 | Case | | 4<br>9<br>10<br>S.Ct. |
| Discussed by | **148.** Duarte ex rel. Duarte v. City of Lewisville, Tex.<br>759 F.3d 514, 520+ , 5th Cir.(Tex.)<br>CIVIL RIGHTS - Standing. Registered sex offender had actual injury to challenge city ordinance. | July 22, 2014 | Case | | 11<br>15<br>17<br>S.Ct. |
| Discussed by | **149.** Donelon v. Louisiana Div. of Admin. Law ex rel. Wise<br>522 F.3d 564, 566+ , 5th Cir.(La.)<br>INSURANCE - Parties. State insurance commissioner lacked standing to bring federal constitutional challenge against authority of state's ALJs. | Mar. 28, 2008 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **150.** Roark & Hardee LP v. City of Austin<br>522 F.3d 533, 542+ , 5th Cir.(Tex.)<br>GOVERNMENT - Tobacco. City ordinance prohibiting smoking in enclosed public places was not unconstitutionally vague under the due process clause. | Mar. 27, 2008 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **151.** Henderson v. Stalder<br>287 F.3d 374, 378+ , 5th Cir.(La.)<br>LITIGATION - Parties. State taxpayers and organization lacked standing to challenge “Pro Life” license law. | Mar. 29, 2002 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **152.** Walker v. City of Mesquite<br>169 F.3d 973, 979+ , 5th Cir.(Tex.)<br>Action was brought to determine Department of Housing and Urban Development's (HUD) obligation to fund demolition of public housing units. The United States District Court for the... | Mar. 16, 1999 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **153.** Ruiz v. Estelle<br>161 F.3d 814, 829+ , 5th Cir.(Tex.)<br>Texas state legislators moved to intervene in prison litigation and to terminate Final Judgment in that action. The United States District Court for the Southern District of... | Nov. 20, 1998 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **154.** Johnson v. Transportation Communications Workers Union<br>56 F.3d 1385, 1385+ , 5th Cir.(Miss.)<br>Norman Johnson began working for the Illinois Central Railroad Company ("ICR") in 1962 as a clerk in East St. Louis, Illinois. In March 1990, Johnson accepted a position with the... | May 18, 1995 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **155.** Penix v. U.S. Parole Com'n<br>979 F.2d 386, 388+ , 5th Cir.(Tex.)<br>Parolee brought suit to enjoin United States Parole Commission from enforcing parole violator warrant on grounds that Commission failed to hold hearing within five years following... | Dec. 21, 1992 | Case | | — |
| Discussed by | **156.** Cramer v. Skinner<br>931 F.2d 1020, 1024+ , 5th Cir.(Tex.)<br>Airline passenger brought action against government officials and agencies charged with enforcing Love Field amendment challenging constitutionality of amendment. The United... | May 09, 1991 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **157.** Hernandez v. Cremer<br>913 F.2d 230, 233+ , 5th Cir.(Tex.)<br>United States citizen denied entry at Mexican border brought suit against Immigration and Naturalization Service (INS) and its employees. The United States District Court for the... | Oct. 02, 1990 | Case | | 2<br>4<br>S.Ct. |
| Discussed by | **158.** Perales v. Casillas<br>903 F.2d 1043, 1047+ , 5th Cir.(Tex.)<br>Immigrant visa applicants brought class action requesting declaratory, injunctive, and mandamus relief requiring Immigration and Naturalization Service (INS) to change its method... | June 25, 1990 | Case | | 3<br>19<br>S.Ct. |
| Discussed by | **159.** Hanson v. Veterans Admin.<br>800 F.2d 1381, 1384+ , 5th Cir.(Tex.)<br>Parties to real estate transactions in which Veterans Administration guaranteed home loan was sought brought action against VA alleging racial discrimination in its appraisal... | Sep. 29, 1986 | Case | | 3<br>4<br>10<br>S.Ct. |
| Discussed by | **160.** Hammoud v. Equifax Information Services, LLC<br>52 F.4th 669, 677+ , 6th Cir.(Mich.)<br>COMMERCIAL LAW — Consumer Credit. Credit-reporting agency's reliance on third-party data collector for information on bankruptcies was reasonable. | Nov. 04, 2022 | Case | | 4<br>S.Ct. |
| Discussed by | **161.** Brintley v. Aeroquip Credit Union<br>936 F.3d 489, 493+ , 6th Cir.(Mich.)<br>CIVIL RIGHTS — Disabilities. Blind Internet user suffered no injury in fact when she was unable to fully access credit union website. | Aug. 27, 2019 | Case | | 13<br>S.Ct. |

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| Discussed by | **162.** In re Capital Contracting Company<br>924 F.3d 890, 894+ , 6th Cir.(Mich.)<br>BANKRUPTCY — Appeals. Law firm that withdrew its claim did not have standing to appeal order approving trustee's final report. | May 21, 2019 | Case | | 2<br>3<br>12<br>S.Ct. |
| Discussed by | **163.** New Doe Child #1 v. Congress of United States<br>891 F.3d 578, 594+ , 6th Cir.(Ohio)<br>CIVIL RIGHTS — Religion. Atheists and Humanists had adequate alternatives to using cash, and thus, inscription of motto, “In God We Trust,” on national currency did not... | May 29, 2018 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **164.** Crawford v. United States Department of Treasury<br>868 F.3d 438, 452+ , 6th Cir.(Ohio)<br>FINANCE AND BANKING — Parties. Senator lacked Article III standing to challenge constitutionality of intergovernmental agreements facilitating disclosure of foreign financial... | Aug. 18, 2017 | Case | | 4<br>5<br>17<br>S.Ct. |
| Discussed by | **165.** Davis v. Lifetime Capital, Inc.<br>560 Fed.Appx. 477, 487+ , 6th Cir.(Ohio)<br>LITIGATION - Parties. Lower court abused its discretion in denying motion to intervene as of right. | Mar. 18, 2014 | Case | | 2<br>4<br>6<br>S.Ct. |
| Discussed by | **166.** Rasins Landscape & Associates, Inc. v. Michigan Dept. of Transp.<br>528 Fed.Appx. 441, 444+ , 6th Cir.(Mich.)<br>GOVERNMENT CONTRACTS - Jurisdiction. Subcontractor on road construction projects lacked standing to sue Michigan Department of Transportation for prime contractors' nonpayment. | May 30, 2013 | Case | | 15<br>17<br>S.Ct. |
| Discussed by | **167.** American Civil Liberties Union v. National Sec. Agency<br>493 F.3d 644, 652+ , 6th Cir.(Mich.)<br>CRIMINAL JUSTICE - Electronic Surveillance. Attorneys and other professionals lacked standing to challenge National Security Agency's Terrorist Surveillance Program. | July 06, 2007 | Case | | 3<br>5<br>8<br>S.Ct. |
| Discussed by | **168.** Fieger v. Ferry<br>471 F.3d 637, 647+ , 6th Cir.(Mich.)<br>LITIGATION - Jurisdiction. Rooker-Feldman doctrine did not bar attorney's claims challenging constitutionality of state recusal rules. | Dec. 26, 2006 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **169.** Club Italia Soccer & Sports Organization, Inc. v. Charter Tp. of Shelby, Mich.<br>470 F.3d 286, 291+ , 6th Cir.(Mich.)<br>GOVERNMENT CONTRACTS - Construction and Operation. Township's grant of contract to one developer did not deprive unsuccessful developer of due process liberty interest. | Nov. 30, 2006 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **170.** Thaddeus-X v. Blatter<br>175 F.3d 378, 394+ , 6th Cir.(Mich.)<br>State inmates brought § 1983 action against prison officers, asserting claims for, inter alia, denial of access to the courts, retaliation as result of inmates' efforts to litigate... | Mar. 08, 1999 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **171.** National Rifle Ass'n of America v. Magaw<br>132 F.3d 272, 279+ , 6th Cir.(Mich.)<br>Firearm manufacturers and dealers, nonprofit gun rights organizations, and individuals who wished to possess products prohibited by Title XI of Violent Crime Control and Law... | Nov. 21, 1997 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **172.** Kardules v. City of Columbus<br>95 F.3d 1335, 1348+ , 6th Cir.(Ohio)<br>Citizens and others brought action against city and city officials, claiming that citizens' right to vote on ballot issue concerning proposed merger of village and unincorporated... | Sep. 20, 1996 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **173.** Associated Builders & Contractors v. Perry<br>16 F.3d 688, 690+ , 6th Cir.(Mich.)<br>Suit was brought challenging Michigan statutes imposing ratios of apprentices to licensed electricians on job sites and stating standards for training programs. Trade association... | Feb. 14, 1994 | Case | | 3<br>4<br>5<br>S.Ct. |
| Discussed by | **174.** City Communications, Inc. v. City of Detroit<br>888 F.2d 1081, 1086+ , 6th Cir.(Mich.)<br>Unsuccessful bidder for franchise to install cable television system in city brought action against city and successful bidder asserting First Amendment and antitrust claims. The... | Nov. 01, 1989 | Case | | 4<br>8<br>10<br>S.Ct. |
| Discussed by | **175.** Taub v. Com. of Ky.<br>842 F.2d 912, 916+ , 6th Cir.(Ky.)<br>State taxpayer brought action against Kentucky, its governor, and other executive officers to enjoin them from spending state tax revenues in connection with construction of... | Mar. 29, 1988 | Case | | 11<br>14<br>17<br>S.Ct. |
| Discussed by | **176.** Allstate Ins. Co. v. Wayne County<br>760 F.2d 689, 692+ , 6th Cir.(Mich.)<br>Individual shot by deputy sheriff brought action against deputy sheriff and county alleging that deputy, acting in his capacity as deputy sheriff, had shot individual... | Apr. 25, 1985 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **177.** Carello v. Aurora Policemen Credit Union<br>930 F.3d 830, 834+ , 7th Cir.(Ill.)<br>CIVIL RIGHTS — Disabilities. Blind person who was ineligible for membership in credit union lacked standing to bring ADA claim for injunctive relief against it. | July 15, 2019 | Case | | 13<br>14<br>S.Ct. |

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| Discussed by | **178.** Association of American Physicians and Surgeons, Inc. v. Koskinen<br>768 F.3d 640, 642+ , 7th Cir.(Wis.)<br>LITIGATION - Standing. Association and member physician lacked constitutional standing to challenge enforcement of Affordable Care Act. | Sep. 19, 2014 | Case | | — |
| Discussed by | **179.** MainStreet Organization of Realtors v. Calumet City, Ill.<br>505 F.3d 742, 744+ , 7th Cir.(Ill.)<br>REAL PROPERTY - Parties. Brokers did not have prudential standing to bring action challenging constitutionality of city's point-of-sale ordinance. | Oct. 17, 2007 | Case | | 3<br>S.Ct. |
| Discussed by | **180.** Freedom from Religion Foundation, Inc. v. Chao<br>433 F.3d 989, 993+ , 7th Cir.(Wis.)<br>CIVIL RIGHTS - Religion. Taxpayers had standing to challenge federal agency's conferences to promote “faith-based initiatives.” | Jan. 13, 2006 | Case | | 14<br>17<br>S.Ct. |
| Discussed by | **181.** Stevens v. Northwest Indiana Dist. Council, United Broth. of Carpenters<br>20 F.3d 720, 724+ , 7th Cir.(Ind.)<br>Local union members brought action against district council and international alleging various violations of Labor Management Relations Act (LMRA) and Labor Management Reporting... | Mar. 30, 1994 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **182.** Arbing v. Parker<br>947 F.2d 948, 948+ , 7th Cir.(Ill.)<br>S.D.Ill. AFFIRMED. | Oct. 24, 1991 | Case | | 19<br>S.Ct. |
| Discussed by | **183.** Frank Rosenberg, Inc. v. Tazewell County<br>882 F.2d 1165, 1168+ , 7th Cir.(Ill.)<br>Prospective vendor of land brought § 1983 action against county, and present and former members of county board, for board's denial of purchaser's application for siting permit for... | Aug. 11, 1989 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **184.** FMC Corp. v. Boesky<br>852 F.2d 981, 987+ , 7th Cir.(Ill.)<br>Corporation brought suit against alleged inside traders for wrongful misappropriation and misuse of confidential business information, charging violations of federal securities... | July 21, 1988 | Case | | 4<br>6<br>S.Ct. |
| Discussed by | **185.** Jorman v. Veterans Admin.<br>830 F.2d 1420, 1422+ , 7th Cir.(Ill.)<br>Persons complaining of resegregation of neighborhood brought action against the Veterans Administration. The United States District Court for the Northern District of Illinois,... | Sep. 21, 1987 | Case | | 3<br>19<br>S.Ct. |

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| Discussed by | **186.** Vickers v. Henry County Sav. & Loan Ass'n<br>827 F.2d 228, 230+ , 7th Cir.(Ind.)<br>Owners of apartment building brought action against savings and loan association seeking declaration that they were not personally liable under assumption agreement entered into... | Aug. 21, 1987 | Case | | 2<br>3<br>4<br>S.Ct. |
| Discussed by | **187.** Foster v. Center Tp. of LaPorte County<br>798 F.2d 237, 242+ , 7th Cir.(Ind.)<br>Suit was brought challenging poor-relief eligibility guidelines adopted by township. The United States District Court for the Northern District of Indiana, Allen Sharp, Chief... | Aug. 13, 1986 | Case | | 4<br>5<br>S.Ct. |
| Discussed by | **188.** Red River Freethinkers v. City of Fargo<br>679 F.3d 1015, 1022+ , 8th Cir.(N.D.)<br>CIVIL RIGHTS - Religion. Association had standing to bring action against city challenging display of Ten Commandments monument on city property. | May 25, 2012 | Case | | 4<br>5<br>8<br>S.Ct. |
| Discussed by | **189.** Mausolf v. Babbitt<br>85 F.3d 1295, 1300+ , 8th Cir.(Minn.)<br>Conservation groups moved to intervene in action brought by snowmobilers to enjoin enforcement of restrictions on snowmobiling in national park. The United States District Court... | June 03, 1996 | Case | | 2<br>9<br>S.Ct. |
| Discussed by | **190.** United Food and Commercial Workers Intern. Union, Local 751 v. Brown Group, Inc.<br>50 F.3d 1426, 1429+ , 8th Cir.(Mo.)<br>Union brought action under Worker Adjustment and Retraining Notification Act (WARN Act) against employer seeking money damages alleging that plant closure notice was inadequate and... | Apr. 03, 1995 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **191.** State of Iowa ex rel. Miller v. Block<br>771 F.2d 347, 352+ , 8th Cir.(Iowa)<br>State of Iowa and several individual farmers sought preliminary injunction compelling Secretary of Department of Agriculture to implement three federal agricultural disaster relief... | Aug. 15, 1985 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **192.** National Ass'n for Advancement of Colored People v. Horne<br>626 Fed.Appx. 200, 201+ , 9th Cir.(Ariz.)<br>Plaintiffs National Association for the Advancement of Colored People, Maricopa County Branch, and National Asian Pacific American Women's Forum appeal the district court's... | Dec. 15, 2015 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **193.** El Dorado Estates v. City of Fillmore<br>765 F.3d 1118, 1121+ , 9th Cir.(Cal.)<br>REAL PROPERTY - Discrimination. Mobile home park owner adequately alleged injury in fact as result of city's violation of FHA prohibition against familial discrimination. | Sep. 02, 2014 | Case | | 2<br>4<br>S.Ct. |

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| Discussed by | **194.** Barnes-Wallace v. City of San Diego<br>530 F.3d 776, 785+ , 9th Cir.(Cal.)<br>CIVIL RIGHTS - Religion. Lesbian and agnostic parents had standing to challenge city's lease of public parkland to Boy Scouts. | June 11, 2008 | Case | | 14<br>S.Ct. |
| Discussed by | **195.** Animal Legal Defense Fund v. Veneman<br>469 F.3d 826, 835+ , 9th Cir.(Cal.)<br>AGRICULTURE - Animals. USDA's abandonment of proposed interpretive rule was not rendered unreviewable by fact that USDA did not have to act. | Nov. 22, 2006 | Case | | 14<br>17<br>S.Ct. |
| Discussed by | **196.** Carroll v. Nakatani<br>342 F.3d 934, 940+ , 9th Cir.(Hawai'i)<br>CIVIL RIGHTS - Parties. Non-native Hawai"ian lacked standing to challenge state programs giving benefits to native Hawai"ians. | Sep. 02, 2003 | Case | | 13<br>14<br>17<br>S.Ct. |
| Discussed by | **197.** Schmier v. U.S. Court of Appeals for Ninth Circuit<br>279 F.3d 817, 821+ , 9th Cir.(Cal.)<br>LITIGATION - Parties. Attorney lacked standing to challenge rules prohibiting citation to unpublished opinions. | Feb. 01, 2002 | Case | | 4<br>5<br>S.Ct. |
| Discussed by | **198.** Hickman v. Block<br>81 F.3d 98, 101+ , 9th Cir.(Cal.)<br>Plaintiff sued cities, county, and officials following denial of his applications for concealed firearms permit. The United States District Court for the Central District of... | Apr. 05, 1996 | Case | | 1<br>2<br>3<br>S.Ct. |
| Discussed by | **199.** Cato v. U.S.<br>70 F.3d 1103, 1109+ , 9th Cir.(Cal.)<br>African American filed pro se in forma pauperis complaint against United States for damages due to enslavement of African Americans and subsequent discrimination against them, for... | Dec. 04, 1995 | Case | | 4<br>13<br>14<br>S.Ct. |
| Discussed by | **200.** Bras v. California Public Utilities Com'n<br>59 F.3d 869, 879+ , 9th Cir.(Cal.)<br>Male architect brought civil rights action against telephone local exchange carrier (LEC) and California Public Utilities Commission (PUC), arising from architect's elimination... | July 05, 1995 | Case | | 17<br>S.Ct. |
| Discussed by | **201.** I.C.C. v. Transcon Lines<br>968 F.2d 798, 808+ , 9th Cir.(Cal.)<br>Interstate Commerce Commission (ICC) sued debtor carrier and its bankruptcy trustee seeking injunction against collection of freight charges in violation of ICC credit regulations... | June 17, 1992 | Case | | 3<br>4<br>10<br>S.Ct. |

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| Discussed by | **202.** I.C.C. v. Transcon Lines<br>981 F.2d 402, 412+ , 9th Cir.(Cal.)<br>Interstate Commerce Commission (ICC) sued debtor carrier and its bankruptcy trustee seeking injunction against collection of freight undercharges in violation of ICC credit... | June 17, 1992 | Case | | 3<br>4<br>10<br>S.Ct. |
| Discussed by | **203.** I.C.C. v. Transcon Lines<br>990 F.2d 1503, 1516+ , 9th Cir.(Cal.)<br>Interstate Commerce Commission (ICC) sued debtor-carrier and its bankruptcy trustee seeking injunction against collection of freight undercharges in violation of ICC credit... | June 17, 1992 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **204.** State of Nev. v. Burford<br>918 F.2d 854, 856+ , 9th Cir.(Nev.)<br>State of Nevada brought action challenging Bureau of Land Management's grant of right-of-way to Department of Energy to conduct site characterization study of proposed nuclear... | Nov. 14, 1990 | Case | | 4<br>10<br>12<br>S.Ct. |
| Discussed by | **205.** Western District Council of Lumber Production and Indus. Workers v. Louisiana Pacific Corp.<br>892 F.2d 1412, 1415+ , 9th Cir.(Or.)<br>Shareholder brought action against corporation, seeking injunction to prohibit corporation from voting proxies until allegedly misleading proxy materials were corrected. The... | Dec. 28, 1989 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **206.** Hoohuli v. Ariyoshi<br>741 F.2d 1169, 1182+ , 9th Cir.(Hawai'i)<br>Action was brought challenging system established by the state of Hawaii to disburse benefits to residents who had descended from aboriginal inhabitants of the islands. The... | Aug. 30, 1984 | Case | | 3<br>4<br>S.Ct. |
| Discussed by | **207.** Fors v. Lehman<br>741 F.2d 1130, 1132+ , 9th Cir.(Wash.)<br>Mother of Marine Corps officer filed suit challenging the reclassification of her son from missing in action to killed in action. The United States District Court for the Western... | Aug. 28, 1984 | Case | | 3<br>4<br>5<br>S.Ct. |
| Discussed by | **208.** Schaffer v. Clinton<br>240 F.3d 878, 882+ , 10th Cir.(Colo.)<br>GOVERNMENT - Congress. Congressman lacked standing to challenge COLA under Twenty-Seventh Amendment. | Feb. 13, 2001 | Case | | 2<br>S.Ct. |
| Discussed by | **209.** State of Utah v. Babbitt<br>137 F.3d 1193, 1201+ , 10th Cir.(Utah)<br>State of Utah, Utah trust lands administration, and county association brought action against the Department of the Interior and its Secretary and the Bureau of Land Management... | Mar. 03, 1998 | Case | | 3<br>12<br>S.Ct. |

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| Discussed by | **210.** Phelps v. Hamilton<br>122 F.3d 1309, 1316+ , 10th Cir.(Kan.)<br>Anti-homosexual protesters brought § 1983 action to have pending state criminal prosecutions declared unconstitutional, to enjoin any future prosecution for any conduct which was... | Aug. 12, 1997 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **211.** Wilson v. Glenwood Intermountain Properties, Inc.<br>98 F.3d 590, 594+ , 10th Cir.(Utah)<br>Nonstudents brought action against landlords, alleging discrimination in violation of Fair Housing Act for advertising and rental of gender-segregated student apartments. The... | Oct. 21, 1996 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **212.** Clajon Production Corp. v. Petera<br>70 F.3d 1566, 1572+ , 10th Cir.(Wyo.)<br>Ranchers filed § 1983 action challenging Wyoming's hunting licensing scheme, and environmental groups intervened. The United States District Court for the District of Wyoming,... | Nov. 20, 1995 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **213.** Murphy v. Derwinski<br>990 F.2d 540, 543+ , 10th Cir.(Colo.)<br>Applicant for chaplaincy position with Veterans Administration hospital sued Veterans Administration (VA) after her application was rejected on ground that VA's guidelines required... | Apr. 01, 1993 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **214.** Foremaster v. City of St. George<br>882 F.2d 1485, 1487+ , 10th Cir.(Utah)<br>Citizen and ministers challenged constitutionality of city logo depicting local, Mormon Temple and of free electricity provided for temple by city utility. The United States... | Aug. 03, 1989 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **215.** Sierra v. City of Hallandale Beach, Florida<br>996 F.3d 1110, 1113+ , 11th Cir.(Fla.)<br>CIVIL RIGHTS — Disabilities. Deaf individual had standing to bring action alleging that city's failure to provide closed captions on videos it posted on its website violated ADA. | May 06, 2021 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **216.** City of Miami v. Bank of America Corp.<br>800 F.3d 1262, 1272+ , 11th Cir.(Fla.)<br>REAL PROPERTY - Discrimination. Proper standard for proximate causation for a Fair Housing Act claim is based on foreseeability. | Sep. 01, 2015 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **217.** Kawa Orthodontics, LLP v. Secretary, U.S. Dept. of the Treasury<br>773 F.3d 243, 249+ , 11th Cir.(Fla.)<br>HEALTH - Medical Assistance. Employer lacked standing to challenge decision to postpone enforcement of ACA's employer mandate. | Dec. 02, 2014 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **218. I.L. v. Alabama**<br>739 F.3d 1273, 1279+ , 11th Cir.(Ala.)<br>EDUCATION - Finance. Finding Alabama's property classification system was not enacted with discriminatory intent was not clearly erroneous. | Jan. 10, 2014 | Case | | 10<br>12<br>15<br>S.Ct. |
| Discussed by | **219. Tanner Advertising Group, L.L.C. v. Fayette County, GA**<br>451 F.3d 777, 793+ , 11th Cir.(Ga.)<br>COMMERCIAL LAW - Advertising. Challenges to sign ordinance were moot. | June 09, 2006 | Case | | 9<br>S.Ct. |
| Discussed by | **220. Wooden v. Board of Regents of University System of Georgia**<br>247 F.3d 1262, 1273+ , 11th Cir.(Ga.)<br>EDUCATION - Admission. Applicant had standing to challenge state university's admissions policy as racially discriminatory. | Apr. 19, 2001 | Case | | 9<br>10<br>S.Ct. |
| Discussed by | **221. Georgia State Conference of NAACP Branches v. Cox**<br>183 F.3d 1259, 1262+ , 11th Cir.(Ga.)<br>Individual citizens eligible to vote in Georgia elections, former and future candidates for State office, and organizations whose members were citizens eligible to vote in Georgia... | Aug. 11, 1999 | Case | | 2<br>9<br>S.Ct. |
| Discussed by | **222. Region 8 Forest Service Timber Purchasers Council v. Alcock**<br>993 F.2d 800, 804+ , 11th Cir.(Ga.)<br>Timber companies and their trade association brought action against United States Forest Service, challenging policy for preservation of red cockaded woodpeckers, an endangered... | June 21, 1993 | Case | | 2<br>19<br>S.Ct. |
| Discussed by | **223. Kaimowitz v. Board of Governors of Federal Reserve System**<br>940 F.2d 610, 612+ , 11th Cir.<br>Attorney, who claimed to have represented a number of minority business people in area, petitioned for review of the Federal Reserve Board's conditional approval of bank holding... | Aug. 27, 1991 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **224. Jones v. Cavazos**<br>889 F.2d 1043, 1045+ , 11th Cir.(Ala.)<br>Former student brought action against Secretary of Education and former director of debt collection to challenge constitutionality of notice that defaulted student loan would be... | Dec. 06, 1989 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **225. Wehunt v. Ledbetter**<br>875 F.2d 1558, 1566+ , 11th Cir.(Ga.)<br>AFDC recipients brought suit seeking to require the State of Georgia and the Department of Health and Human Services to administer and enforce the child support provisions of the... | June 27, 1989 | Case | | 4<br>17<br>S.Ct. |

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| Discussed by | **226.** Federal Deposit Ins. Corp. v. Morley<br>867 F.2d 1381, 1387+ , 11th Cir.(Fla.)<br>Federal Deposit Insurance Corporation, having acquired bank's loan to borrowers as part of financial assistance program to bank, brought action to collect outstanding amount and to... | Mar. 16, 1989 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **227.** Sims v. State of Fla., Dept. of Highway Safety and Motor Vehicles<br>832 F.2d 1558, 1564+ , 11th Cir.(Fla.)<br>Owner of gray market vehicle and trade association brought action against Florida and its Department of Highway Safety and Motor Vehicles challenging constitutionality of Florida... | Dec. 02, 1987 | Case | | 5<br>14<br>17<br>S.Ct. |
| Discussed by | **228.** Animal Legal Defense Fund v. Quigg<br>932 F.2d 920, 932+ , Fed.Cir.(Cal.)<br>Individual farmers, animal husbandry groups, and animal protection organizations filed suit challenging a rule promulgated by the Patent and Trademark Office stating that... | Apr. 30, 1991 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **229.** Committee on Judiciary of United States House of Representatives v. McGahn<br>968 F.3d 755, 763+ , D.C.Cir.<br>GOVERNMENT — United States. Recognition of House Judiciary Committee's Article III standing to enforce subpoena would not disrupt historical practice of accommodation. | Aug. 07, 2020 | Case | | 7<br>9<br>18<br>S.Ct. |
| Discussed by | **230.** Committee on Judiciary v. McGahn<br>951 F.3d 510, 516+ , D.C.Cir.<br>GOVERNMENT — United States. Dispute concerning House Committee's subpoena for former White House Counsel was not within federal jurisdiction. | Feb. 28, 2020 | Case | | 9<br>18<br>S.Ct. |
| Discussed by | **231.** Doe 2 v. Shanahan<br>917 F.3d 694, 738+ , D.C.Cir.<br>“[T]he passage of time frequently brings about changed circumstances — changes in the nature of the underlying problem, changes in governing law or its interpretation by the... | Mar. 08, 2019 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **232.** Grocery Mfrs. Ass'n v. E.P.A.<br>693 F.3d 169, 174+ , D.C.Cir.<br>ENVIRONMENTAL LAW - Clean Air. Members of trade associations lacked standing to challenge Clean Air Act waivers approving use of E15 ethanol blend fuel. | Aug. 17, 2012 | Case | | 4<br>7<br>18<br>S.Ct. |
| Discussed by | **233.** Center for Biological Diversity v. U.S. Dept. of Interior<br>563 F.3d 466, 475+ , D.C.Cir.<br>ENVIRONMENTAL LAW - Oil and Gas.<br>Sole reliance on shoreline study to measure environmental sensitivity of offshore oil leasing areas was inadequate. | Apr. 17, 2009 | Case | | 4<br>10<br>S.Ct. |

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| Discussed by | **234.** In re Navy Chaplaincy<br>534 F.3d 756, 760+ , D.C.Cir.<br>LITIGATION - Parties. Navy chaplains lacked taxpayer standing to sue Navy. | Aug. 01, 2008 | Case | | 7<br>13<br>S.Ct. |
| Discussed by | **235.** Public Citizen, Inc. v. National Highway Traffic Safety Admin.<br>489 F.3d 1279, 1289+ , D.C.Cir.<br>TRANSPORTATION - Motor Vehicles. Tiremakers and trade association lacked standing to challenge federal safety standard for tire pressure monitoring systems. | June 15, 2007 | Case | | 5<br>19<br>S.Ct. |
| Discussed by | **236.** Gettman v. Drug Enforcement Admin.<br>290 F.3d 430, 434+ , D.C.Cir.<br>LITIGATION - Parties. Magazine lacked associational standing. | May 24, 2002 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **237.** Animal Legal Defense Fund, Inc. v. Glickman<br>154 F.3d 426, 432+ , D.C.Cir.<br>Animal welfare group and individual plaintiffs brought action against, inter alia, United States Department of Agriculture (USDA), challenging its regulations concerning treatment... | Sep. 01, 1998 | Case | | 2<br>5<br>9<br>S.Ct. |
| Discussed by | **238.** Alamo v. Clay<br>137 F.3d 1366, 1369+ , D.C.Cir.<br>Church brought action challenging Parole Commission's decision to deny parole to its pastor. The United States District Court for the District of Columbia, Stanley Sporkin, J.,... | Mar. 17, 1998 | Case | | 13<br>14<br>S.Ct. |
| Discussed by | **239.** Akins v. Federal Election Com'n<br>101 F.3d 731, 748+ , D.C.Cir.<br>Plaintiffs sought review of Federal Election Commission (FEC) decision dismissing their administrative complaint which alleged that particular organization was “political... | Dec. 06, 1996 | Case | | 10<br>17<br>S.Ct. |
| Discussed by | **240.** Louisiana Environmental Action Network v. Browner<br>87 F.3d 1379, 1382+ , D.C.Cir.<br>Environmental organizations, electric utilities, and trade associations sought review of Environmental Protection Agency (EPA) delegation rules establishing standards which EPA... | July 09, 1996 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **241.** Animal Legal Defense Fund, Inc. v. Espy<br>23 F.3d 496, 498+ , D.C.Cir.<br>Animal welfare groups and two individuals brought suit challenging regulation promulgated by Department of Agriculture that failed to include birds, rats, and mice as “animals”... | May 20, 1994 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **242.** Freedom Republicans, Inc. v. Federal Election Com'n<br>13 F.3d 412, 415+ , D.C.Cir.<br>Group representing minority members of political party brought Title VI action challenging as discriminatory delegate-allocation scheme used by party, on ground that it gave rise... | Jan. 18, 1994 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **243.** Branton v. F.C.C.<br>993 F.2d 906, 908+ , D.C.Cir.<br>Listener petitioned for review of a letter ruling of the Federal Communications Commission (FCC) refusing to take action against radio network for broadcasting indecent language. ... | June 01, 1993 | Case | | 10<br>14<br>17<br>S.Ct. |
| Discussed by | **244.** Albuquerque Indian Rights v. Lujan<br>930 F.2d 49, 54+ , D.C.Cir.<br>Organization of American Indians employed at Office of Facilities Management brought suit alleging that Department of Interior violated Indian Reorganization Act by failing to... | Apr. 12, 1991 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **245.** Ukrainian-American Bar Ass'n, Inc. v. Baker<br>893 F.2d 1374, 1384+ , D.C.Cir.<br>Ukrainian-American Bar Association sought order requiring Immigration and Naturalization Service to furnish Soviet and East Bloc aliens seeking asylum with written information of... | Jan. 26, 1990 | Case | | 9<br>14<br>17<br>S.Ct. |
| Discussed by | **246.** Dellums v. U.S. Nuclear Regulatory Com'n<br>863 F.2d 968, 972+ , D.C.Cir.<br>Members of Congress, antiapartheid groups, antinuclear proliferation organization, exiled black South African, and unemployed American uranium worker brought suit challenging... | Dec. 16, 1988 | Case | | 4<br>6<br>10<br>S.Ct. |
| Discussed by | **247.** Hotel and Restaurant Employees Union, Local 25 v. Smith<br>846 F.2d 1499, 1504+ , D.C.Cir.<br>A long time ago, the plaintiffs Hotel and Restaurant Employees Union, Local 25, and one of its members, Mauro Hernandez, sued the defendants, the Attorney General and the Secretary... | May 20, 1988 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **248.** Humane Soc. of the U.S. v. Hodel<br>840 F.2d 45, 51+ , D.C.Cir.<br>Animal protection organization and member brought action against Fish and Wildlife Service challenging decision to expanding hunting in wildlife refuges. The United States... | Feb. 16, 1988 | Case | | 7<br>9<br>S.Ct. |

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| Discussed by | **249.** Hotel & Restaurant Employees Union, Local 25 v. Attorney General<br>804 F.2d 1256, 1262+ , D.C.Cir.<br>Action was brought challenging decision of Attorney General not to grant El Salvadoran nationals extended voluntary departure status and challenging procedures utilized by... | Oct. 31, 1986 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **250.** Northwest Airlines, Inc. v. F.A.A.<br>795 F.2d 195, 203+ , D.C.Cir.<br>Airline sought review of series of decisions by Federal Aviation Administration authorizing one of airline's former pilots to fly commercial passenger airplanes, after temporary... | July 18, 1986 | Case | | 11<br>S.Ct. |
| Discussed by | **251.** Highland Petroleum, Inc. v. U.S. Dept. of Energy<br>798 F.2d 474, 477+ , Temp.Em.App.<br>Customers of petroleum company, that entered into consent order with Department of Energy to settle Department's allegations that company overcharged its customers for petroleum... | June 26, 1986 | Case | | 4<br>8<br>10<br>S.Ct. |
| Discussed by | **252.** Center for Auto Safety v. National Highway Traffic Safety Admin.<br>793 F.2d 1322, 1331+ , D.C.Cir.<br>Nonprofit consumer organizations filed a petition for review challenging the validity of a National Highway Traffic Safety Administration rule amending its previously published... | June 20, 1986 | Case | | 11<br>14<br>17<br>S.Ct. |
| Discussed by | **253.** Mideast Systems and China Civil Const. Saipan Joint Venture, Inc. v. Hodel<br>792 F.2d 1172, 1176+ , D.C.Cir.<br>Unsuccessful bidder on contract for construction of hospital on the Commonwealth of Northern Marianna Islands sued grantor of construction funds, the Secretary of the Department of... | June 13, 1986 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **254.** Dimond v. District of Columbia<br>792 F.2d 179, 190+ , D.C.Cir.<br>Automobile accident victim brought action challenging provisions of District of Columbia no-fault law. The United States District Court for the District of Columbia, Oliver... | May 30, 1986 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **255.** International Union of Bricklayers and Allied Craftsmen v. Meese<br>761 F.2d 798, 802+ , D.C.Cir.<br>International and local unions and three members of the local brought suit seeking a declaration that certain internal guidelines promulgated by the Immigration and Naturalization... | May 17, 1985 | Case | | 5<br>6<br>S.Ct. |

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| Discussed by | **256.** Maryland People's Counsel v. F.E.R.C.<br>760 F.2d 318, 321+ , D.C.Cir.<br>On petitions for review of order of the Federal Energy Regulatory Commission authorizing natural gas special marketing programs, the Court of Appeals, Scalia, Circuit Judge, held... | Apr. 19, 1985 | Case | | 4<br>7<br>S.Ct. |
| Discussed by | **257.** Lewis v. Bentley<br>2017 WL 432464, *5+ , N.D.Ala.<br>This matter is before the court on (1) Defendant Mayor William A. Bell, Sr.'s Motion to Dismiss (Doc. # 28), and (2) the Motion To Dismiss filed by the State Of Alabama and... | Feb. 01, 2017 | Case | | 11<br>17<br>S.Ct. |
| Discussed by | **258.** C.M. ex rel. Marshall v. Bentley<br>13 F.Supp.3d 1188, 1199+ , M.D.Ala.<br>EDUCATION - Civil Rights. Alabama Accountability Act (AAA) was rationally related to state interests of educational flexibility and resource management. | Apr. 08, 2014 | Case | | 4<br>8<br>13<br>S.Ct. |
| Discussed by | **259.** C.T. ex rel. Beason v. Bentley<br>969 F.Supp.2d 1349, 1357+ , M.D.Ala.<br>LITIGATION - Parties. Alleged injury of inadequate assistance by guardian ad litem was not fairly traceable to state officials' conduct. | Sep. 16, 2013 | Case | | 4<br>S.Ct. |
| Discussed by | **260.** Eternal Word Television Network, Inc. v. Sebelius<br>935 F.Supp.2d 1196, 1212+ , N.D.Ala.<br>HEALTH - Health Care Reform. Religious employer's challenge to contraception coverage mandate was not ripe. | Mar. 25, 2013 | Case | | 2<br>4<br>5<br>S.Ct. |
| Discussed by | **261.** Ray v. King<br>2007 WL 3492525, *3+ , M.D.Ala.<br>Pursuant to 42 U.S.C. § 1983, plaintiff, a state inmate, filed this lawsuit challenging his convictions and claiming violation of the rights of all Alabama citizens. This lawsuit... | Nov. 14, 2007 | Case | | 3<br>S.Ct. |
| Discussed by | **262.** Porch v. Campbell<br>2007 WL 1381621, *2+ , S.D.Ala.<br>After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Recommendation of the Magistrate... | May 09, 2007 | Case | | 3<br>4<br>5<br>S.Ct. |
| Discussed by | **263.** Green v. CLP Corporation<br>2006 WL 8436822, *6+ , N.D.Ala.<br>This Court has before it the February 24, 2004, motion of Defendant CLP Corporation's ("Defendant") for summary judgment as to Plaintiffs Cathy Green and Access Now, Inc.'s. claims... | Mar. 28, 2006 | Case | | 3<br>4<br>5<br>S.Ct. |

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| Discussed by | **264.** Bethel v. City of Loxley<br>2005 WL 1026695, *3+ , S.D.Ala.<br>This matter is before the Court on a motion to dismiss filed by defendants Town of Loxley, Town of Loxley Police Department, Chief of Police Cliff Yetter, Assistant Chief of... | Apr. 21, 2005 | Case | | 3<br>4<br>10<br>S.Ct. |
| Discussed by | **265.** Advantage Advertising, L.L.C. v. City of Pelham, Alabama<br>2004 WL 3362497, *4+ , N.D.Ala.<br>The court has before it Defendant's Motion for Summary Judgment (Doc. # 24) and Plaintiff's Motion for Partial Summary Judgment (Doc. # 31). The motions are fully briefed and were... | Sep. 10, 2004 | Case | | 3<br>6<br>S.Ct. |
| Discussed by | **266.** Advantage Advertising, L.L.C. v. City of Hoover, Ala.<br>2004 WL 5643230, *3+ , N.D.Ala.<br>CIVIL RIGHTS - Parties. | Sep. 10, 2004 | Case | | 3<br>6<br>S.Ct. |
| Discussed by | **267.** Simon v. World Omni Leasing, Inc.<br>1992 WL 12659375, *3+ , S.D.Ala.<br>This matter is before the Court on the "Defendant's Motion for Partial Judgment on the Pleadings" [Doc. # 29], filed April 27, 1992. Each side has thoroughly briefed the issues. ... | July 13, 1992 | Case | | 2<br>3<br>7<br>S.Ct. |
| Discussed by | **268.** Council for Periodical Distributors Ass'n v. Evans<br>642 F.Supp. 552, 559+ , M.D.Ala.<br>Three national publishers of adult magazines, two trade associations representing periodical wholesalers and distributors nationwide, and local reader of adult magazines brought... | July 14, 1986 | Case | | 3<br>5<br>10<br>S.Ct. |
| Discussed by | **269.** Mi Familia Vota v. Hobbs<br>2022 WL 2290559, *25+ , D.Ariz.<br>GOVERNMENT — Elections. Plaintiffs plausibly pled that Arizona's early voting list removal provision violated Fourteenth and Fifteenth Amendments and Voting Rights Act (VRA). | June 24, 2022 | Case | | 13<br>14<br>S.Ct. |
| Discussed by | **270.** Friendly House v. Whiting<br>2012 WL 12867970, *2+ , D.Ariz.<br>This matter comes before the Court on Intervenor Defendants Governor Janice K. Brewer and the State of Arizona's (collectively, “Arizona”) Motion to Dismiss the Individual... | May 29, 2012 | Case | | 8<br>13<br>14<br>S.Ct. |
| Discussed by | **271.** Arizona Civil Liberties Union v. Dunham<br>112 F.Supp.2d 927, 928+ , D.Ariz.<br>CIVIL RIGHTS - Religion. Town residents had standing to challenge constitutionality of town's bible week proclamation. | Aug. 28, 2000 | Case | | 13<br>14<br>16<br>S.Ct. |

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| Discussed by | 272. Parkhurst v. Tabor<br>2007 WL 3227305, *3+ , W.D.Ark.<br>This case requires the Court to determine whether a crime victim can invoke federal jurisdiction to challenge as violative of her right to equal protection a state decision not to... | Oct. 30, 2007 | Case | | 2<br>3<br>S.Ct. |
| Discussed by | 273. Berry v. City of Little Rock<br>904 F.Supp. 940, 945+ , E.D.Ark.<br>Landlords and tenants sought injunction against city ordinance which provided for systematic inspection of residential properties to find housing code violations. The District... | Oct. 12, 1995 | Case | | 5<br>8<br>S.Ct. |
| Discussed by | 274. Little Rock Family Planning Services, P.A. v. Dalton<br>860 F.Supp. 609, 613+ , E.D.Ark.<br>Clinics and doctors brought injunctive and declaratory action on behalf of themselves and of Arkansas Medicaid eligible women on ground that amendment to Arkansas Constitution... | July 25, 1994 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | 275. Wilcox v. Merlak<br>2020 WL 996630, *2+ , E.D.Cal.<br>Petitioner is a federal prisoner proceeding pro se and in forma pauperis with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. On October 7, 2019, Petitioner... | Mar. 02, 2020 | Case | | 4<br>5<br>S.Ct. |
| Discussed by | 276. Duran v. Lollis<br>2019 WL 691203, *3+ , E.D.Cal.<br>John Duran (“Plaintiff”), proceeding pro se, filed this civil rights action against John Lollis and the City of Porterville (“Defendants”) alleging he has been deprived of his... | Feb. 19, 2019 | Case | | 5<br>6<br>S.Ct. |
| Discussed by | 277. Center for Biological Diversity v. U.S. Bureau of Land Management<br>2018 WL 3004594, *5+ , C.D.Cal.<br>Attached hereto is the Court’s Final Ruling on Defendants’ Motion to Dismiss. The Court would deny the Motion. Center for Biological Diversity v. U.S. Bureau of Land Management,... | June 08, 2018 | Case | | — |
| Discussed by | 278. Center for Environmental Science Accuracy and Reliability v. National Park Service<br>2016 WL 4524758, *11+ , E.D.Cal.<br>This case concerns management of the Hetch Hetchy Water and Power Project (“Hetch Hetchy Project” or the “Project”), a system of dams, diversion structures, and hydropower... | Aug. 29, 2016 | Case | | 8<br>12<br>S.Ct. |
| Discussed by | 279. City of Los Angeles v. JPMorgan Chase & Co.<br>2014 WL 6453808, *3+ , C.D.Cal.<br>Before the Court is Defendants JPMorgan Chase & Co.; JPMorgan Chase Bank, N.A; and Chase Manhattan Bank USA, N.A's (collectively, “Chase”) Motion to Dismiss Plaintiff's First... | Nov. 14, 2014 | Case | | 3<br>S.Ct. |

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| Discussed by | **280.** Kinney v. State Bar of California<br>2013 WL 6774079, *2+ , N.D.Cal.<br>Before the Court is defendant City of Los Angeles' ("the City") Motion, filed November 7, 2013, "to Dismiss and Strike the Amended Complaint." Plaintiff Charles Kinney has filed... | Dec. 23, 2013 | Case | | 16<br>S.Ct. |
| Discussed by | **281.** Siebert v. Gene Security Network, Inc<br>2013 WL 5645309, *3+ , N.D.Cal.<br>Before the Court are Plaintiff-relator's Motions to Dismiss Defendant's Counterclaims. ECF Nos. 54, 55. The Court will grant in part and deny in part the motion to dismiss for... | Oct. 16, 2013 | Case | | 11<br>14<br>S.Ct. |
| Discussed by | **282.** Himmelberger v. Vasques<br>2009 WL 3073078, *2+ , N.D.Cal.<br>Plaintiff, a state prisoner proceeding pro se, filed the instant civil rights action pursuant to 42 U.S.C. § 1983. Defendant Ramirez moves for summary judgment, arguing that he is... | Sep. 22, 2009 | Case | | 2<br>3<br>S.Ct. |
| Discussed by | **283.** McCollum v. California<br>2009 WL 393774, *2+ , N.D.Cal.<br>CIVIL RIGHTS - Religion. A chaplain did not have taxpayer standing to bring his Establishment Clause claim because the success of his suit would not provide redress for his alleged... | Feb. 13, 2009 | Case | | 3<br>8<br>S.Ct. |
| Discussed by | **284.** Barnum Timber Co. v. U.S. E.P.A.<br>2008 WL 5115088, *4+ , N.D.Cal.<br>ENVIRONMENTAL LAW - Clean Water. Logging company lacked standing to challenge the Environmental Protection Agency's classification of a creek deemed environmentally impaired. | Dec. 04, 2008 | Case | | 14<br>17<br>S.Ct. |
| Discussed by | **285.** Aguilar v. Woodring<br>2008 WL 4375757, *2+ , C.D.Cal.<br>Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus, all the records and files herein, and the Final Report and Recommendation of the United... | Aug. 25, 2008 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **286.** Boyd v. City of Hermosa Beach<br>2007 WL 9717630, *4+ , C.D.Cal.<br>Among the numerous summary adjudication motions filed concurrently in this matter, this motion concerns Plaintiffs' claims of First Amendment violations. Before the Court is the... | Sep. 11, 2007 | Case | | 2<br>4<br>S.Ct. |
| Discussed by | **287.** Friery v. Los Angeles Unified School District<br>2000 WL 36736544, *4+ , C.D.Cal.<br>On June 19, 2000, plaintiff James M. Friery ("Plaintiff") initiated the instant action against defendants Los Angeles Unified School District ("LAUSD"), United Teachers of Los... | Nov. 22, 2000 | Case | | 4<br>10<br>17<br>S.Ct. |

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| Discussed by | **288.** Bella Lewitzky Dance Foundation v. Frohnmayer<br>754 F.Supp. 774, 778+ , C.D.Cal.<br>Nonprofit corporation which applied for National Endowment for the Arts (NEA) grants brought action challenging constitutionality of requirement that grant recipients certify that... | Jan. 09, 1991 | Case | | 14<br>S.Ct. |
| Discussed by | **289.** Federal Deposit Ins. Corp. v. Main Hurdman<br>655 F.Supp. 259, 269+ , E.D.Cal.<br>The Federal Deposit Insurance Corporation sued an accounting firm for fraud, negligent misrepresentation, and accountant malpractice. The FDIC filed a motion to strike the firm's... | Mar. 03, 1987 | Case | | 5<br>12<br>S.Ct. |
| Discussed by | **290.** Bullfrog Films, Inc. v. Wick<br>646 F.Supp. 492, 499+ , C.D.Cal.<br>Film makers brought action challenging USIA regulations implementing the Beirut Agreement governing certification of films as educational for duty free import into foreign... | Oct. 24, 1986 | Case | | 11<br>14<br>17<br>S.Ct. |
| Discussed by | **291.** Sierra Club v. Watt<br>608 F.Supp. 305, 314+ , E.D.Cal.<br>National environmental organizations and the state of California brought action challenging the validity of an order of the Secretary of the Interior which, inter alia, ordered... | Apr. 18, 1985 | Case | | 5<br>6<br>8<br>S.Ct. |
| Discussed by | **292.** Energy and Environment Legal Institute v. Epel<br>2014 WL 1715209, *3+ , D.Colo.<br>This action challenges the constitutionality of Colorado's Renewable Energy Standard statute, Colo.Rev.Stat. § 40–2–124. Specifically, Plaintiffs seek a declaration that... | May 01, 2014 | Case | | 2<br>3<br>4<br>S.Ct. |
| Discussed by | **293.** Kerr v. Hickenlooper<br>880 F.Supp.2d 1112, 1125+ , D.Colo.<br>CIVIL RIGHTS - Parties. Legislators had standing to bring suit asserting that initiative requiring voter approval for tax increases was unconstitutional. | July 30, 2012 | Case | | 2<br>3<br>4<br>S.Ct. |
| Discussed by | **294.** American Tradition Institute v. Colorado<br>876 F.Supp.2d 1222, 1230+ , D.Colo.<br>GOVERNMENT - Immunity. Colorado Governor had Eleventh Amendment immunity from injunctive relief claim regarding renewable energy statute. | July 17, 2012 | Case | | 2<br>3<br>4<br>S.Ct. |
| Discussed by | **295.** Stevens v. Malloy<br>2016 WL 6440112, *7+ , D.Conn.<br>This action was first filed in June 2015 by plaintiff Eric Stevens (“Mr. Stevens”) against the following defendants (collectively, “the defendants”): Connecticut Governor Dannel P.... | Oct. 28, 2016 | Case | | 4<br>5<br>17<br>S.Ct. |

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| Discussed by | **296.** Harris v. U.S.<br>447 F.Supp.2d 208, 211+ , D.Conn.<br>CIVIL RIGHTS - Parties. Plaintiffs lacked standing to bring action challenging selection of federal holidays as violative of equal protection. | Sep. 19, 2005 | Case | | 4<br>13<br>S.Ct. |
| Discussed by | **297.** Messier v. Southbury Training School<br>1999 WL 20910, *21+ , D.Conn.<br>This ruling addresses four cross-motions for summary judgment pursuant to Federal Rule of Civil Procedure 56 filed by plaintiffs, defendant Department of Mental Retardation... | Jan. 05, 1999 | Case | | 3<br>19<br>S.Ct. |
| Discussed by | **298.** Minor v. Mahoney<br>682 F.Supp. 162, 164+ , D.Conn.<br>Plaintiff brought action against defendant, who initiated referendum campaign in city and placed opinion poll-type question about abortion issue on ballot. Plaintiff and... | Oct. 15, 1986 | Case | | 4<br>10<br>17<br>S.Ct. |
| Discussed by | **299.** Siegel v. United States Department of Treasury<br>304 F.Supp.3d 45, 53+ , D.D.C.<br>LITIGATION — Parties. Taxpayers did not have standing to bring action seeking injunction to prevent government from providing financial and military assistance to Israel. | Mar. 28, 2018 | Case | | 5<br>10<br>S.Ct. |
| Discussed by | **300.** United States House of Representatives v. Burwell<br>130 F.Supp.3d 53, 66+ , D.D.C.<br>LITIGATION — Parties. House of Representatives had standing to bring lawsuit challenging actions of two Executive Branch Departments. | Sep. 09, 2015 | Case | | 7<br>18<br>S.Ct. |
| Discussed by | **301.** Delta Air Lines, Inc. v. Export-Import Bank of United States<br>85 F.Supp.3d 250, 259+ , D.D.C.<br>GOVERNMENT — United States. Domestic airlines lacked standing to challenge Export–Import Bank's prospective internal procedures for evaluating domestic economic effects. | Mar. 30, 2015 | Case | | 2<br>4<br>5<br>S.Ct. |
| Discussed by | **302.** Metropolitan Washington Chapter v. District of Columbia<br>57 F.Supp.3d 1, 14+ , D.D.C.<br>CIVIL RIGHTS — Privileges and Immunities. Privileges and Immunities Clause challenge to residential preference for construction jobs would not be dismissed. | July 14, 2014 | Case | | 1<br>2<br>9<br>S.Ct. |
| Discussed by | **303.** Peterson v. Board of Governors of Federal Reserve System<br>51 F.Supp.3d 72, 73+ , D.D.C.<br>LITIGATION - Parties. Pro se plaintiff who lost home did not suffer injury fairly traceable to Board of Governors of the Federal Reserve System.# | June 20, 2014 | Case | | 2<br>4<br>S.Ct. |

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| Discussed by | **304.** Citizens for Responsibility and Ethics in Washington v. U.S. Department of the Treasury, Internal Revenue Service<br>21 F.Supp.3d 25, 31+ , D.D.C.<br>TAXATION — Parties. Watchdog group failed to allege injury-in-fact required to establish informational standing in suit challenging IRS's refusal to conduct rulemaking. | Feb. 27, 2014 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **305.** Carik v. United States Department of Health and Human Services<br>4 F.Supp.3d 41, 50+ , D.D.C.<br>HEALTH — Drugs. Patients who suffered from rare disease lacked standing to sue government agencies in connection with prescription drug shortage. | Nov. 27, 2013 | Case | | 2<br>12<br>S.Ct. |
| Discussed by | **306.** Kalugin v. Lew<br>2013 WL 12084544, *3+ , D.D.C.<br>Pro se plaintiffs Eric Kalugin, Chris Dicicco, and Domithilla Epuechi are New Jersey residents who bring this action against United States Treasury Secretary, certain... | July 16, 2013 | Case | | 2<br>3<br>S.Ct. |
| Discussed by | **307.** Bloomberg L.P. v. Commodity Futures Trading Com'n<br>949 F.Supp.2d 91, 115+ , D.D.C.<br>SECURITIES REGULATION - Commodity Futures. Operator of swap trading platform did not show Article III standing to challenge CFTC regulation. | June 07, 2013 | Case | | 2<br>5<br>S.Ct. |
| Discussed by | **308.** New Hampshire v. Holder<br>293 F.R.D. 1, 5+ , D.D.C.<br>GOVERNMENT - Elections. Citizen failed to establish procedural standing required to intervene as of right as aggrieved party under Voting Rights Act. | Mar. 01, 2013 | Case | | 1<br>2<br>S.Ct. |
| Discussed by | **309.** Mendoza v. Solis<br>924 F.Supp.2d 307, 316+ , D.D.C.<br>LABOR AND EMPLOYMENT - Aliens. Former open-range herders did not have standing to challenge guidance letters concerning temporary visas for nonimmigrant workers. | Feb. 21, 2013 | Case | | 2<br>4<br>5<br>S.Ct. |
| Discussed by | **310.** Common Cause v. Biden<br>909 F.Supp.2d 9, 17+ , D.D.C.<br>GOVERNMENT - Separation of Powers. Complaint seeking declaratory judgment that Senate “Cloture Rule” was invalid presented nonjusticiable political question. | Dec. 21, 2012 | Case | | 1<br>7<br>S.Ct. |
| Discussed by | **311.** Black v. LaHood<br>882 F.Supp.2d 98, 103+ , D.D.C.<br>GOVERNMENT - District of Columbia. District of Columbia residents did not have standing to bring suit challenging road closure and trail project. | Aug. 09, 2012 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **312.** **Californians for Renewable Energy v. U.S. Dept. of Energy**<br>860 F.Supp.2d 44, 48+ , D.D.C.<br>ENERGY AND UTILITIES - Industry Regulation. Non-profit renewable energy group did not have standing to challenge agency's alleged procedural violations. | May 17, 2012 | Case | | — |
| Discussed by | **313.** **Laroque v. Holder**<br>755 F.Supp.2d 156, 167+ , D.D.C.<br>GOVERNMENT - Elections. Voters failed to allege injury in fact stemming from their status as proponents of referendum. | Dec. 20, 2010 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **314.** **Wultz v. Islamic Republic of Iran**<br>755 F.Supp.2d 1, 20+ , D.D.C.<br>TORTS - Terrorism. Lawsuit against Chinese bank stated claim for violation of Antiterrorism Act. | Oct. 20, 2010 | Case | | 4<br>16<br>S.Ct. |
| Discussed by | **315.** **Appalachian Voices v. Bodman**<br>587 F.Supp.2d 79, 87+ , D.D.C.<br>ENVIRONMENTAL LAW - Clean Air. Environmental groups lacked standing to challenge tax credit program for clean coal technology project. | Nov. 10, 2008 | Case | | 17<br>S.Ct. |
| Discussed by | **316.** **Lemon v. Harvey**<br>448 F.Supp.2d 97, 101+ , D.D.C.<br>MILITARY LAW - Bases. Residents did not have standing to challenge transfer of closed military base to developer. | Aug. 25, 2006 | Case | | 3<br>S.Ct. |
| Discussed by | **317.** **Major v. Plumbers Local Union No. 5 of United Ass'n of Journeymen and Apprentices of Plumbing and Pipe-Fitting Industry of U.S. and Canada, AFL-CIO**<br>370 F.Supp.2d 118, 135+ , D.D.C.<br>LABOR AND EMPLOYMENT - Discrimination. Plumbers' Title VII claims were dismissed for lack of exhaustion, untimeliness, insufficient allegations, or lack of standing. | Mar. 29, 2005 | Case | | — |
| Discussed by | **318.** **Kean for Congress Committee v. Federal Election Com'n**<br>398 F.Supp.2d 26, 32+ , D.D.C.<br>GOVERNMENT - Elections. Congressional candidate's campaign committee had standing to challenge FEC's dismissal of complaint. | Jan. 25, 2005 | Case | | 2<br>9<br>S.Ct. |
| Discussed by | **319.** **Kucinich v. Bush**<br>236 F.Supp.2d 1, 3+ , D.D.C.<br>INTERNATIONAL LAW - Treaties and Conventions. Congressmen lacked standing to challenge President's unilateral withdrawal from treaty. | Dec. 30, 2002 | Case | | 4<br>9<br>10<br>S.Ct. |
| Discussed by | **320.** **Walker v. Cheney**<br>230 F.Supp.2d 51, 63+ , D.D.C.<br>GOVERNMENT - Separation of Powers. Comptroller General could not compel disclosure of national energy task force documents. | Dec. 09, 2002 | Case | | 9<br>19<br>S.Ct. |

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| Discussed by | **321.** New York v. Microsoft Corp.<br>209 F.Supp.2d 132, 142+ , D.D.C.<br>ANTITRUST - Parties. Computer software corporation could not raise issue of antitrust standing in state's action. | June 12, 2002 | Case | | 2<br>3<br>5<br>S.Ct. |
| Discussed by | **322.** Hoffman v. Jeffords<br>175 F.Supp.2d 49, 54+ , D.D.C.<br>GOVERNMENT - United States. Voters lacked standing to challenge Senator's decision to leave Republican party. | Dec. 13, 2001 | Case | | 4<br>5<br>S.Ct. |
| Discussed by | **323.** Natural Law Party of U.S. v. Federal Elec. Com'n<br>111 F.Supp.2d 33, 48+ , D.D.C.<br>GOVERNMENT - Elections. Natural Law Party had standing to challenge exclusion from 1996 presidential debates. | Aug. 28, 2000 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **324.** Mittleman v. King<br>1997 WL 911801, *5+ , D.D.C.<br>Before the Court are defendants' motion to dismiss or for summary judgment, plaintiff's opposition thereto, defendants' reply, defendants' supplemental memorandum, plaintiff's... | Nov. 04, 1997 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **325.** Keen v. U.S.<br>981 F.Supp. 679, 684+ , D.D.C.<br>Justices of Indian nation's judicial appeals tribunal brought action challenging Bureau of Indian Affairs' (BIA) decision to reassume law enforcement program. Addressing... | Aug. 07, 1997 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **326.** National Treasury Employees Union v. U.S.<br>929 F.Supp. 484, 487+ , D.D.C.<br>Labor organization representing federal employees in various departments within the executive branch brought action challenging the Line Item Veto Act. The United States moved to... | July 03, 1996 | Case | | 2<br>9<br>S.Ct. |
| Discussed by | **327.** Blocker v. Small Business Admin.<br>916 F.Supp. 37, 39+ , D.D.C.<br>Owner of for-profit day care center that provided sectarian curriculum brought action against Small Business Administration (SBA) and its administrator, alleging that denial of SBA... | Mar. 01, 1996 | Case | | 9<br>S.Ct. |
| Discussed by | **328.** Foundation on Economic Trends v. Watkins<br>794 F.Supp. 395, 397+ , D.D.C.<br>Plaintiffs brought suit alleging that failure of the Secretaries of Energy, Agriculture and the Interior to consider the effects on global warming of specific federal actions and... | Apr. 29, 1992 | Case | | 4<br>5<br>S.Ct. |

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| Discussed by | **329.** **INSLAW, Inc. v. Thornburgh**<br>753 F.Supp. 1, 3+ , D.D.C.<br>Chapter 11 debtor brought action against Government for violation of automatic stay. Following issuance of injunctive relief, 83 B.R. 89, and reduction of damages awarded by the... | Sep. 27, 1990 | Case | | 4<br>5<br>S.Ct. |
| Discussed by | **330.** **Committee In Solidarity with People of El Salvador (CISPES) v. Sessions**<br>738 F.Supp. 544, 546+ , D.D.C.<br>Individuals and organizations investigated by FBI for alleged terrorist activity pursuant to tip by paid informant who was later determined to be untrustworthy brought action... | May 09, 1990 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **331.** **State v. Bowsher**<br>734 F.Supp. 525, 535+ , D.D.C.<br>Twenty-three states brought action against Comptroller General and Secretary of the Treasury claiming right pursuant to their unclaimed property laws to custody of monies belonging... | Mar. 30, 1990 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **332.** **National Committee to Preserve Social Sec. v. Bowen**<br>735 F.Supp. 1069, 1081+ , D.D.C.<br>Nonprofit organization whose aim was to protect Social Security and Medicare programs brought action for declaratory and injunctive relief regarding Social Security... | Mar. 09, 1990 | Case | | 14<br>17<br>S.Ct. |
| Discussed by | **333.** **Fulani v. Brady**<br>729 F.Supp. 158, 160+ , D.D.C.<br>Presidential candidate sought invalidation of Commission on Presidential Debates' status as tax-exempt organization. On Commission's motion to dismiss, the District Court,... | Feb. 02, 1990 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **334.** **Associated Vessels Services, Inc. v. Verity**<br>688 F.Supp. 13, 27+ , D.D.C.<br>Corporations providing vessel support services for Spanish vessels fishing for Atlantic Loligo squid brought actions against Secretary of Commerce and administrator of National... | May 11, 1988 | Case | | 4<br>9<br>10<br>S.Ct. |
| Discussed by | **335.** **Federal Defenders of San Diego, Inc. v. U.S. Sentencing Com'n**<br>680 F.Supp. 26, 28+ , D.D.C.<br>Organizations of federal public defenders brought suit challenging constitutionality of sentencing guidelines issued by the United States Sentencing Commission. On motion to... | Feb. 22, 1988 | Case | | 4<br>5<br>S.Ct. |
| Discussed by | **336.** **Foundation on Economic Trends v. Lyng**<br>680 F.Supp. 10, 13+ , D.D.C.<br>Environmental activists brought an action seeking to suspend and revoke a license permitting the marketing of a pseudorabies vaccine containing a genetically altered virus. The... | Jan. 11, 1988 | Case | | 4<br>10<br>S.Ct. |

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|---|---|---|---|---|---|
| Discussed by | **337.** National Wildlife Federation v. Clark<br>1987 WL 19220, *1+ , D.D.C.<br>We have previously considered this matter in our Memorandum Opinion and will not recite again the background of the present action therein set forth. Memorandum Opinion of 13 June... | Oct. 19, 1987 | Case | | 4<br>5<br>7<br>S.Ct. |
| Discussed by | **338.** McWherter v. Bush<br>1987 WL 11999, *4+ , D.D.C.<br>Plaintiff, the Governor of the State of Tennessee, brought this action on April 30, 1987 requesting expedited review of his request for a declaratory judgment to determine whether... | May 26, 1987 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **339.** National Maritime Union v. Dole<br>1987 WL 10495, *2+ , D.D.C.<br>I. INTRODUCTION Plaintiff National Maritime Union ("NMU" or "the Association"), an association of seamen, brings suit against defendants Elizabeth Dole, Secretary of... | Apr. 27, 1987 | Case | | 2<br>S.Ct. |
| Discussed by | **340.** Foundation on Economic Trends v. Thomas<br>661 F.Supp. 713, 716+ , D.D.C.<br>Private nonprofit organization, which advocated limits on genetic engineering, and its president sought order requiring the Environmental Protection Agency to modify procedures... | Dec. 22, 1986 | Case | | 3<br>4<br>10<br>S.Ct. |
| Discussed by | **341.** Wilderness Soc. v. Carruthers<br>1986 WL 15757, *2+ , D.D.C.<br>Plaintiffs, two environmental organizations with memberships which are nationwide, have brought suit against the Secretary and Assistant Secretary of the Department of Interior... | Jan. 30, 1986 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **342.** Khalaf v. Regan<br>1985 WL 392, *1+ , D.D.C.<br>Sixteen individual plaintiffs seek declaratory and injunctive relief to compel the Internal Revenue Service ('IRS') to revoke the tax-exempt status of six Jewish organizations,... | Jan. 08, 1985 | Case | | 4<br>14<br>17<br>S.Ct. |
| Discussed by | **343.** Dimond v. District of Columbia<br>618 F.Supp. 519, 522+ , D.D.C.<br>Insureds brought action challenging constitutionality of District of Columbia Compulsory/No-Fault Motor Vehicle Act. The District Court, Gasch, J., held that: (1) plaintiffs did... | Dec. 07, 1984 | Case | | 12<br>13<br>S.Ct. |
| Discussed by | **344.** Ad Hoc Committee for Integrity in Dept. of Energy v. Hodel<br>594 F.Supp. 569, 571+ , D.D.C.<br>Consumer groups, Department of Energy employee, and public employees' union brought action seeking injunction to prevent Department from effectuating a reduction in force, and... | Sep. 28, 1984 | Case | | 3<br>4<br>S.Ct. |
| Discussed by | **345.** In re ANC Rental Corp.<br>280 B.R. 808, 815+ , D.Del.<br>BANKRUPTCY - Appeals. Debtor's competitors had no standing to appeal assumption order. | July 19, 2002 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **346.** Black & Decker Corp. v. American Standard Inc.<br>679 F.Supp. 1183, 1189+ , D.Del.<br>Interested shareholder sought declaration that Delaware business combination statute was unconstitutional and sought preliminary injunction against utilizing or enforcing statute.... | Feb. 23, 1988 | Case | | 2<br>3<br>5<br>S.Ct. |
| Discussed by | **347.** Diamond v. Reynolds<br>1986 WL 15374, *2+ , D.Del.<br>Plaintiff Patrick Diamond has commenced this civil action alleging federal statutory violations and pendent state-law claims against defendants David P. Reynolds ("Reynolds"),... | Jan. 13, 1986 | Case | | 4<br>10<br>16<br>S.Ct. |
| Discussed by | **348.** BankUnited, N.A. v. Milliman, Inc.<br>2015 WL 13333187, *3+ , M.D.Fla.<br>This cause comes before the Court pursuant to Defendant Milliman, Inc.'s Motion to Dismiss (Doc. # 7), filed on June 10, 2015. Plaintiff BankUnited, N.A. filed a response in... | July 24, 2015 | Case | | 4<br>S.Ct. |
| Discussed by | **349.** Peacock v. Cabreo-Muniz<br>2014 WL 2573224, *10+ , M.D.Fla.<br>This case is before the Court on the following: Plaintiff James C. Peacock's ("Plaintiff's") Motion for Summary Judgment (Doc. 66, filed December 11, 2013); Defendant Nicolas O.... | June 09, 2014 | Case | | 19<br>S.Ct. |
| Discussed by | **350.** Reardon v. Most Reverend Thomas Wenski<br>2012 WL 13133870, *2+ , S.D.Fla.<br>This matter is before the Court upon Plaintiff Timothy Patrick Reardon's Third Motion to Proceed in Forma Pauperis [D.E. 9], upon referral by the Honorable William J. Zloch. See... | Mar. 06, 2012 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **351.** Carvel v. Newman<br>2010 WL 11504368, *15+ , S.D.Fla.<br>This matter comes before the Court on Defendants Lawrence Newman and Betty Godley's Motion to Dismiss the Complaint [D.E. 14], upon referral by the Honorable William J. Zloch. See... | Nov. 09, 2010 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **352.** Set Enterprises, Inc. v. City of Hallandale Beach<br>2010 WL 11549687, *10+ , S.D.Fla.<br>This matter comes before the Court on Defendant City of Hallandale Beach's Motion to Dismiss the Complaint with Prejudice [D.E. 18], upon referral by the Honorable William J.... | June 22, 2010 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **353.** Baker v. City of Hollywood<br>2008 WL 2474665, *10+ , S.D.Fla.<br>THIS CAUSE is before the Court upon the following Motions: 1) Broward County's Motion to Dismiss Plaintiff's Verified Complaint, filed March 28, 2008 (D.E.# 8); 2) The City of... | June 17, 2008 | Case | | 2<br>3<br>4<br>S.Ct. |

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| Discussed by | **354.** Arenal v. City of Punta Gorda, Fla.<br>932 F.Supp. 1406, 1410+ , M.D.Fla.<br>City police officer who was suspended with pay brought action against city and its police chief, asserting § 1983 claims for First Amendment retaliation and deprivation of due... | July 16, 1996 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **355.** In re Olympia Holding Corp.<br>160 B.R. 185, 189+ , M.D.Fla.<br>CARRIERS. Chapter 7 trustee lacked standing to commence action in district court against shipper, which was former customer of debtor-carrier, to recover alleged undercharges based... | Sep. 13, 1993 | Case | | 3<br>S.Ct. |
| Discussed by | **356.** Haitian Refugee Center, Inc. v. Baker<br>789 F.Supp. 1552, 1560+ , S.D.Fla.<br>Refugee center brought action to enjoin United States from interdicting Haitian refugees on the high seas and from returning Haitian refugees without following proper procedures... | Dec. 03, 1991 | Case | | 3<br>10<br>S.Ct. |
| Discussed by | **357.** Federation for American Immigration Reform (FAIR) v. Meese<br>643 F.Supp. 983, 985+ , S.D.Fla.<br>Proceeding was instituted on motion of Attorney General for summary judgment in action wherein nonprofit membership organization sought declaratory and injunctive relief in respect... | Sep. 12, 1986 | Case | | 3<br>4<br>10<br>S.Ct. |
| Discussed by | **358.** Dekalb County v. HSBC North America Holdings, Inc.<br>2013 WL 7874104, *2+ , N.D.Ga.<br>This matter appears before the Court on the Defendants' Motion to Dismiss Plaintiffs' Complaint. Doc. No. 16. Plaintiffs DeKalb County, Fulton County, and Cobb County, Georgia,... | Sep. 25, 2013 | Case | | 6<br>8<br>10<br>S.Ct. |
| Discussed by | **359.** DeJulio v. Georgia<br>127 F.Supp.2d 1274, 1285+ , N.D.Ga.<br>GOVERNMENT - Elections. “One person, one vote” requirement did not apply to Georgia's local legislative delegations. | Jan. 26, 2001 | Case | | 4<br>S.Ct. |
| Discussed by | **360.** Infodek, Inc. v. Meredith-Webb Printing Co., Inc.<br>830 F.Supp. 614, 619+ , N.D.Ga.<br>Assignee of holder of copyright for instructions for printing and assembling card decks brought action against alleged infringer. On motion for summary judgment, the District... | Aug. 06, 1993 | Case | | 4<br>S.Ct. |
| Discussed by | **361.** Ridgeway v. Sullivan<br>804 F.Supp. 1536, 1539+ , N.D.Ga.<br>Secretary of Health and Human Services determined that claimant was not entitled to have medical services paid for by Medicare because her medical costs had been covered by primary... | Sep. 30, 1992 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **362.** Hirano v. Zhang<br>2019 WL 6057877, *2+ , D.Hawai'i<br>Before the Court is Plaintiff Douglas A. Hirano's ("Petitioner") Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 ("Petition"). ECF No. 1. Pursuant to Rule 7.1(c) of the... | Oct. 25, 2019 | Case | | 5<br>S.Ct. |
| Discussed by | **363.** Young v. Hawaii<br>548 F.Supp.2d 1151, 1166+ , D.Hawai'i<br>GOVERNMENT - Weapons. Second Amendment conferred on individual right to bear arms on license applicant. | Mar. 11, 2008 | Case | | 2<br>3<br>19<br>S.Ct. |
| Discussed by | **364.** U.S. v. Schnepper<br>302 F.Supp.2d 1170, 1187+ , D.Hawai'i<br>CRIMINAL JUSTICE - Sentencing. Statutory amendments altering federal sentencing scheme did not violate separation of powers doctrine. | Jan. 13, 2004 | Case | | 1<br>S.Ct. |
| Discussed by | **365.** Arakaki v. Lingle<br>299 F.Supp.2d 1114, 1120+ , D.Hawai'i<br>NATIVE AMERICANS - Hawaii Natives. State taxpayer did not have standing to challenge Hawaiian Home Lands lease program. | Nov. 21, 2003 | Case | | 3<br>S.Ct. |
| Discussed by | **366.** Arakaki v. Cayetano<br>299 F.Supp.2d 1090, 1104+ , D.Hawai'i<br>NATIVE AMERICANS - Hawaii Natives. State residents did not have standing to challenge state's administration of public land trust. | May 08, 2002 | Case | | 13<br>14<br>S.Ct. |
| Discussed by | **367.** Parr v. L & L Drive-Inn Restaurant<br>96 F.Supp.2d 1065, 1077+ , D.Hawai'i<br>CIVIL RIGHTS - Disabilities. Wheelchair user had standing to seek removal of architectural barriers at restaurant. | May 16, 2000 | Case | | 3<br>4<br>5<br>S.Ct. |
| Discussed by | **368.** Parr v. Kapahulu Investments, Inc.<br>2000 WL 687646, *11+ , D.Hawai'i<br>On April 23, 1998, Plaintiff Eric Parr ("Plaintiff"), a disabled individual who requires a wheelchair to gain mobility, filed an action against Defendant Kapahulu Investment Inc.,... | May 16, 2000 | Case | | 3<br>4<br>5<br>S.Ct. |
| Discussed by | **369.** Parr v. Waianae L & L, Inc.<br>2000 WL 687655, *11+ , D.Hawai'i<br>On September 5, 1997, Plaintiff Eric Parr ("Plaintiff"), a disabled individual who requires a wheelchair to gain mobility, filed an action against Defendant Waianae L & L, Inc.,... | May 16, 2000 | Case | | 3<br>4<br>5<br>S.Ct. |
| Discussed by | **370.** Emerick v. Kahala L & L, Inc.<br>2000 WL 687662, *11+ , D.Hawai'i<br>On September 5, 1997, Plaintiff Hank Emerick ("Plaintiff"), a disabled individual who requires a wheelchair to gain mobility, filed an action against Defendant Kahala L & L, Inc.,... | May 16, 2000 | Case | | 3<br>4<br>5<br>S.Ct. |

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| Discussed by | **371.** Vang v. State Farm Mutual Automobile Insurance Co.<br>2021 WL 5761002, *4+ , C.D.Ill.<br>This matter is now before the Court on Defendant State Farm Mutual Automobile Insurance Company's Motion (Doc. 17) to Dismiss Amended Complaint for Lack of Standing and for... | Dec. 03, 2021 | Case | | 13<br>14<br>S.Ct. |
| Discussed by | **372.** Anthony v. American Airlines, Inc.<br>2006 WL 2794777, *13+ , N.D.Ill.<br>Plaintiff Margaret Anthony has sued American Airlines, Inc. ("American") and the Association of Professional Flight Attendants ("APFA") for discriminating against her and... | Sep. 27, 2006 | Case | | 10<br>S.Ct. |
| Discussed by | **373.** In re African-American Slave Descendants Litigation<br>375 F.Supp.2d 721, 743+ , N.D.Ill.<br>LITIGATION - Jurisdiction. Political question doctrine barred adjudication of suit seeking reparations from corporations which profited from slavery. | July 06, 2005 | Case | | 3<br>4<br>5<br>S.Ct. |
| Discussed by | **374.** In re African-American Slave Descendants Litigation<br>304 F.Supp.2d 1027, 1044+ , N.D.Ill.<br>TORTS - Slavery Reparations. Issue of reparations for slavery was committed to representative branches of government. | Jan. 26, 2004 | Case | | 4<br>5<br>8<br>S.Ct. |
| Discussed by | **375.** Chavez v. Illinois State Police<br>1999 WL 592187, *6+ , N.D.Ill.<br>The plaintiffs' objections to Magistrate Judge Bobrick's report and recommendation ("R & R") recommending denial of their motions for reinstatement of their claim for prospective... | Aug. 02, 1999 | Case | | 11<br>14<br>17<br>S.Ct. |
| Discussed by | **376.** Snitchler v. Allsteel, Inc.<br>1996 WL 199740, *2+ , N.D.Ill.<br>Plaintiff Horace Snitchler (Snitchler) brought this action against defendant Allsteel, Inc. (Allsteel) alleging a breach of fiduciary duty under the Employee Retirement Income... | Apr. 23, 1996 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **377.** Triad Associates, Inc. v. Chicago Housing Authority<br>1992 WL 349655, *7+ , N.D.Ill.<br>Defendants bring motions to dismiss the plaintiffs' second amended complaint for failure to state a claim on which relief can be granted pursuant to Fed.R.Civ.P. 12(b)(6). For... | Nov. 13, 1992 | Case | | 4<br>8<br>10<br>S.Ct. |
| Discussed by | **378.** Martin v. Lane<br>766 F.Supp. 641, 645+ , N.D.Ill.<br>Prison inmate brought civil rights action challenging procedures of Department of Corrections and conditions of his confinement. On defendants' motion for summary judgment, the... | June 12, 1991 | Case | | 4<br>13<br>14<br>S.Ct. |

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| Discussed by | **379.** Christian v. Village of Maywood<br>656 F.Supp. 367, 369+ , N.D.Ill.<br>Owners of real estate in village brought class action under § 1983 against village, its director of building code enforcement, and its prosecutor challenging village's building and... | Mar. 04, 1987 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **380.** Garrison v. U.S. Department of Education<br>2022 WL 16509532, *2+ , S.D.Ind.<br>Plaintiffs Frank Garrison and Noel Johnson allege they will be injured by how the Indiana Revenue Code treats certain types of debt forgiveness. To remedy the problem of an... | Oct. 21, 2022 | Case | | 6<br>7<br>9<br>S.Ct. |
| Discussed by | **381.** Bauer v. Shepard<br>634 F.Supp.2d 912, 933+ , N.D.Ind.<br>JUDICIAL ADMINISTRATION - Judges. Pledges, promises, and commitments prohibition against judges under Indiana law was not unconstitutional. | July 07, 2009 | Case | | 3<br>4<br>S.Ct. |
| Discussed by | **382.** Bauer v. Shepard<br>2008 WL 1994868, *7+ , N.D.Ind.<br>This case is the resurrection of a 2004 lawsuit, filed in this district, in which one of the Plaintiffs, Indiana Right to Life (IRL), asked the court to enjoin the Commission on... | May 06, 2008 | Case | | 3<br>8<br>S.Ct. |
| Discussed by | **383.** Gonzales v. North Tp. of Lake County<br>800 F.Supp. 676, 682+ , N.D.Ind.<br>Action was brought challenging presence of monument in form of crucifix in a township park. On motions for summary judgment and to strike, the District Court, Lozano, J., held... | July 28, 1992 | Case | | 2<br>3<br>S.Ct. |
| Discussed by | **384.** Government Suppliers Consolidating Services, Inc. v. Bayh<br>753 F.Supp. 739, 758+ , S.D.Ind.<br>Trash brokers brought action challenging three provisions in Indiana statute regulating importation and disposal of trash. The District Court, Tinder, J., held that tipping fee,... | Dec. 27, 1990 | Case | | 13<br>14<br>S.Ct. |
| Discussed by | **385.** Nur v. Blake Development Corp.<br>655 F.Supp. 158, 161+ , N.D.Ind.<br>Individuals who were employed as “testers” by Human Rights Commission, to pose as renters or purchasers of property for purpose of collecting evidence of unlawful steering... | Feb. 06, 1987 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **386.** McCullough v. Aegon USA, Inc.<br>521 F.Supp.2d 879, 890+ , N.D.Iowa<br>LABOR AND EMPLOYMENT - Benefit Plans. Plan beneficiary alleging payment of excessive investment management fees lacked standing to sue under ERISA. | Oct. 30, 2007 | Case | | 6<br>S.Ct. |

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| Discussed by | **387.** Hat v. Landry<br>2021 WL 1823089, *5+ , W.D.La.<br>The present matters before the Court are the Re-Urged Motion to Dismiss and Motion to Dismiss for Mootness [ECF No. 62] filed by St. Martin Parish Sheriff Ronald Theriot, and the... | May 05, 2021 | Case | | 4<br>S.Ct. |
| Discussed by | **388.** Scott v. Schedler<br>2013 WL 264603, *2+ , E.D.La.<br>This matter was tried before the Court, sitting without a jury, from October 15, 2012 through October 17, 2012. The issues remaining before the Court are (1) whether the Plaintiffs... | Jan. 23, 2013 | Case | | 1<br>2<br>4<br>S.Ct. |
| Discussed by | **389.** Tillery v. National Flood Ins. Program<br>2011 WL 4572342, *2+ , E.D.La.<br>IT IS HEREBY ORDERED that Defendant Fidelity National Property and Casualty Insurance Company's Rule 59(e) motion for Reconsideration (Doc. # 40) is GRANTED, and plaintiff's... | Sep. 30, 2011 | Case | | 2<br>3<br>5<br>S.Ct. |
| Discussed by | **390.** Galjour v. Rodrigue<br>2011 WL 1750677, *2+ , E.D.La.<br>Before the Court is Defendant Jerome J. Barbera, III's, ("Judge Barbera") Motion for Summary Judgment (Rec.Doc.29), Defendant Vernon H. Rodrigue's ("Clerk of Court") Motion for... | May 06, 2011 | Case | | 2<br>3<br>5<br>S.Ct. |
| Discussed by | **391.** Sampson v. Corrections Corp. of America<br>2009 WL 837640, *10+ , W.D.La.<br>CIVIL RIGHTS - Excessive Force. Prison officials did not regularly expose prisoner to cruel and unusual punishment. | Mar. 26, 2009 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **392.** Becker v. Federal Election Com'n<br>112 F.Supp.2d 172, 177+ , D.Mass.<br>GOVERNMENT - Elections. Regulations permitting corporate underwriting of presidential debates were valid. | Sep. 01, 2000 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **393.** Citizens to End Animal Suffering and Exploitation, Inc. v. New England Aquarium<br>836 F.Supp. 45, 50+ , D.Mass.<br>Dolphin, and organizations devoted to animal welfare, brought suit under the Marine Mammal Protection Act (MMPA) to protest transfer of dolphin from aquarium to the Department of... | Oct. 25, 1993 | Case | | — |
| Discussed by | **394.** McGrath v. Department of Housing and Urban Development<br>722 F.Supp. 902, 905+ , D.Mass.<br>Applicants for city public housing filed complaint challenging voluntary compliance agreement entered into by the Department of Housing and Urban Development and city housing... | Oct. 11, 1989 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **395.** Research Consulting Associates v. Electric Power Research Institute, Inc.<br>626 F.Supp. 1310, 1313+ , D.Mass.<br>Company formed for purpose of researching and promoting products to be used by electric utility companies brought action seeking, inter alia, to enjoin Secretary of the Treasury... | Jan. 31, 1986 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **396.** Laufer v. Bre/Esa P Portfolio, LLC<br>2020 WL 6801924, *2+ , D.Md.<br>Deborah Laufer ("Plaintiff") filed a Complaint on July 3, 2020 against Bre/Esa P Portfolio, LLC ("Defendant"), alleging a violation of the Americans With Disabilities Act ("ADA").... | Nov. 19, 2020 | Case | | 17<br>S.Ct. |
| Discussed by | **397.** Grant v. Prince George's County Dept.<br>2017 WL 3023341, *3+ , D.Md.<br>Presently pending and ready for resolution in this civil rights case is the motion to dismiss filed by Defendants Jonathan Hill ("Detective Hill") and Prince George's County ("the... | July 17, 2017 | Case | | 1<br>2<br>S.Ct. |
| Discussed by | **398.** Stahlman v. U.S.<br>995 F.Supp.2d 446, 452+ , D.Md.<br>ADMINISTRATIVE PRACTICE - Standing. Servicemember's wife lacked standing for APA action regarding manner-of-death determination. | Jan. 22, 2014 | Case | | 3<br>4<br>9<br>S.Ct. |
| Discussed by | **399.** Zaycer v. Sturm Foods, Inc.<br>896 F.Supp.2d 399, 403+ , D.Md.<br>LITIGATION - Class Actions. Court would resolve the standing challenge before the class certification issue. | Sep. 12, 2012 | Case | | 3<br>4<br>5<br>S.Ct. |
| Discussed by | **400.** Knussman v. State of Md.<br>935 F.Supp. 659, 665+ , D.Md.<br>State police officer and his wife brought, on behalf of themselves and their daughter, action against state, state police and state police officials, claiming state police officer... | Aug. 02, 1996 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **401.** Levinson-Roth v. Parries<br>872 F.Supp. 1439, 1445+ , D.Md.<br>Child support obligor brought § 1983 action against various state and county defendants, alleging violation of constitutional rights in conjunction with pat downs and strip search... | Jan. 05, 1995 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **402.** Bachur v. Democratic Nat. Party<br>666 F.Supp. 763, 770+ , D.Md.<br>Democratic registered voter who voted in primary brought action alleging that democratic national party rule applied by state democratic party to require voter to vote for no more... | July 29, 1987 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Discussed by | **403.** Lightfootlane v. Maine Dept. of Health and Human Services<br>2008 WL 1943981, *2+ , D.Me.<br>The United States Magistrate Judge filed with the Court on April 15, 2008 her Recommended Decision. The Plaintiff filed her objections to the Recommended Decision on April 22, 2008... | Apr. 28, 2008 | Case | | 2<br>12<br>S.Ct. |
| Discussed by | **404.** Lightfootlane v. Maine Department of Human Services<br>522 F.Supp.2d 296, 298+ , D.Me.<br>LITIGATION - Parties. Operator of statewide homeless crisis hotline lacked standing to sue state for making her work more difficult. | Nov. 26, 2007 | Case | | 1<br>12<br>S.Ct. |
| Discussed by | **405.** Lightfootlane v. Maine Dept. of Health and Human Services<br>2006 WL 2925243, *4+ , D.Me.<br>Jan Lightfootlane, proceeding as a pro se plaintiff, operates a statewide homeless crisis hotline. Her complaint with the Maine Department of Health and Human Services is that its... | Oct. 11, 2006 | Case | | 5<br>12<br>S.Ct. |
| Discussed by | **406.** Risinger v. Concannon<br>117 F.Supp.2d 61, 67+ , D.Me.<br>SOCIAL SECURITY - Medicaid. Nonmembership organization had standing to file claims on behalf of children, challenging administration of state Medicaid program. | Oct. 12, 2000 | Case | | 2<br>3<br>5<br>S.Ct. |
| Discussed by | **407.** Black v. Hertel<br>2021 WL 5054005, *2+ , W.D.Mich.<br>Yvonne Black, proceeding without the benefit of counsel, alleges that Defendants violated her civil rights through the various executive and emergency orders issued for the purpose... | Sep. 01, 2021 | Case | | 5<br>S.Ct. |
| Discussed by | **408.** In re Rosenfeld<br>558 B.R. 825, 828+ , E.D.Mich.<br>BANKRUPTCY — Jurisdiction. Former husband's discharge-denial proceeding against debtor was moot. | Sep. 13, 2016 | Case | | 2<br>3<br>4<br>S.Ct. |
| Discussed by | **409.** Fair Housing Center of Southwest Michigan v. Hunt<br>2012 WL 11789772, *7+ , W.D.Mich.<br>This lawsuit arises from alleged housing discrimination at an apartment complex in Kalamazoo, Michigan. Ken Miller, Teresa Miller, and the Fair Housing Center of Southwest Michigan... | Mar. 29, 2012 | Case | | 2<br>4<br>5<br>S.Ct. |
| Discussed by | **410.** Michigan Bldg. and Const. Trades Council, AFL-CIO v. Snyder<br>846 F.Supp.2d 766, 775+ , E.D.Mich.<br>GOVERNMENT CONTRACTS - Construction and Operation. Michigan Act banning use of project labor agreements (PLA) was subject to preemption by National Labor Relations Act (NLRA). | Feb. 29, 2012 | Case | | 4<br>5<br>12<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
|---|---|---|---|---|---|
| Discussed by | **411.** **Communities for Equity v. Michigan High School Athletic Ass'n**<br>26 F.Supp.2d 1001, 1006+ , W.D.Mich.<br>In action by civil rights organization, parents of female high school student-athletes, and student-athletes themselves, against state high school athletic association, on its own... | Nov. 16, 1998 | Case | | 4<br>10<br>14<br>S.Ct. |
| Discussed by | **412.** **Barcume v. City of Flint**<br>1986 WL 10707, *5+ , E.D.Mich.<br>Before the Court are several undecided motions: Defendant City of Flint (Flint) objects to this motion on the grounds that the brief was filed 5 days after the January 17, 1986 due... | Apr. 10, 1986 | Case | | 5<br>7<br>S.Ct. |
| Discussed by | **413.** **Cobb v. U.S. Dept. of Educ. Office for Civil Rights**<br>2006 WL 1662965, *5+ , D.Minn.<br>This matter is before the Court on Defendants' Motion to Dismiss. [Docket No. 4] The Court heard oral argument on March 22, 2006. Plaintiffs Arthur Cobb and George Saly are... | June 15, 2006 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **414.** **Renollett ex rel. Renollett v. Minnesota**<br>2004 WL 1576716, *4+ , D.Minn.<br>Defendant State of Minnesota, Department of Education's ("MDE") Motion to Dismiss [Docket No. 5] was argued before the undersigned United States District Judge on May 14, 2004. By... | July 13, 2004 | Case | | 4<br>8<br>10<br>S.Ct. |
| Discussed by | **415.** **Booth v. Hvass**<br>2001 WL 1640141, *2+ , D.Minn.<br>This motion is before the Court on cross motions for summary judgment. In the underlying action, Plaintiffs sued officials of the State of Minnesota, seeking a declaratory judgment... | Aug. 13, 2001 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **416.** **McNeal v. Tate County School District**<br>2016 WL 3264111, *3+ , N.D.Miss.<br>This desegregation case is before the Court on: (1) the motion of Tate County School District to expedite review of its motion to modify attendance zone lines, Doc. #17; (2) the... | June 14, 2016 | Case | | 4<br>17<br>S.Ct. |
| Discussed by | **417.** **Clark v. Deutsche Bank Nat. Trust Co.**<br>2013 WL 3821568, *2+ , S.D.Miss.<br>This matter is before the Court on the Motion to Dismiss [17] of the Defendants Deutsche Bank National Trust Company, etc. ("Deutsche Bank") and Mortgage Electronic Registration... | July 23, 2013 | Case | | 1<br>3<br>S.Ct. |
| Discussed by | **418.** **Cowan ex rel. Johnson v. Bolivar County Bd. of Educ.**<br>914 F.Supp.2d 801, 811+ , N.D.Miss.<br>EDUCATION - Desegregation. School district was required to submit proposed plan to achieve faculty racial balance as mandated by desegregation orders. | Mar. 28, 2012 | Case | | 4<br>17<br>S.Ct. |

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|---|---|---|---|---|---|
| Discussed by | **419.** River Region Medical Corporation v. American Lifecare, Inc.<br>2008 WL 11509956, *2+ , S.D.Miss.<br>This matter comes before the Court on its own motion. Having considered the issues in this case in light of all applicable law and being otherwise fully advised in the premises,... | Aug. 05, 2008 | Case | | 1<br>2<br>5<br>S.Ct. |
| Discussed by | **420.** Mississippians for Quality Life v. Mabus<br>793 F.Supp. 699, 700+ , N.D.Miss.<br>Mississippi residents brought action claiming that the law approving legalized gambling gave greater voting rights to the supporters of legalized gambling than to its opponents. ... | June 30, 1992 | Case | | 5<br>10<br>S.Ct. |
| Discussed by | **421.** U.S. v. Lawrence County School Dist.<br>606 F.Supp. 820, 821+ , S.D.Miss.<br>Plaintiffs sought to enjoin construction and renovation of county schools as tending to reestablish a segregated school system. The District Court, Tom S. Lee, J., held that: ... | Nov. 27, 1984 | Case | | 11<br>14<br>17<br>S.Ct. |
| Discussed by | **422.** Hagerty Ins. Co. v. Cummings<br>2009 WL 1140034, *1+ , E.D.Mo.<br>Plaintiff has filed this declaratory judgment action seeking a court order declaring that the available insurance policy limits in regard to a motor vehicle accident (resulting in... | Apr. 28, 2009 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **423.** Haas v. Missouri Department of Transportation<br>2007 WL 9809140, *3+ , E.D.Mo.<br>Plaintiff has filed this action seeking a temporary restraining order and a permanent injunction to enjoin defendant on January 2, 2008, from closing Interstate 64 (I-64 a/k/a... | Dec. 27, 2007 | Case | | 3<br>4<br>S.Ct. |
| Discussed by | **424.** Women's Health Center of West County, Inc. v. Webster<br>670 F.Supp. 845, 849+ , E.D.Mo.<br>Physician, pregnant patient and others brought action seeking declaratory and injunctive relief, challenging constitutionality of Missouri statute regulating abortions. Physician... | Sep. 24, 1987 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **425.** Swan View Coalition, Inc. v. Turner<br>824 F.Supp. 923, 929+ , D.Mont.<br>Environmental organizations brought action against Director and officials of Fish and Wildlife Service, Chief and officials of Forest Service, and forest industry association to... | Dec. 07, 1992 | Case | | 5<br>12<br>S.Ct. |
| Discussed by | **426.** Jackson v. Leake<br>2006 WL 2264027, *4+ , M.D.N.C.<br>This case concerns a challenge by Plaintiffs Barbara Jackson, W. Russell Duke, North Carolina Right to Life Committee Fund for Independent Expenditures ("IEPAC"), and North... | Aug. 07, 2006 | Case | | 4<br>5<br>10<br>S.Ct. |

| Treatment | Title | Date | Type | Depth | Headnote(s) |
|---|---|---|---|---|---|
| Discussed by | **427.** **Cane Creek Conservation Authority v. Orange Water and Sewer Authority**<br>590 F.Supp. 1123, 1126+ , M.D.N.C.<br>Actions were brought seeking declaratory judgment and injunction prohibiting water and sewer authority from proceeding under allegedly expired or invalid section 404 permit to... | Aug. 10, 1984 | Case | | 6<br>S.Ct. |
| Discussed by | **428.** **Smith v. Central Platte Natural Resources District**<br>2017 WL 6813133, *4+ , D.Neb.<br>This matter is before the Court on the defendants' motion to dismiss the plaintiffs' various alleged constitutional and statutory violations. Filing 77. For the reasons that... | Oct. 26, 2017 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **429.** **Washington v. Brumbaugh & Quandahl, P.C., LLO.**<br>2017 WL 4174754, *4+ , D.Neb.<br>This dispute is straightforward: the plaintiff, Tamerra Washington, was sued in state court on an unpaid debt. As part of that proceeding, Washington was served with discovery... | Sep. 19, 2017 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **430.** **Harrington v. Seward County, Nebraska**<br>2017 WL 1080931, *3+ , D.Neb.<br>The plaintiffs, Shane Harrington, Meltech, Inc., and Midwest Girls Club (collectively, “Harrington”) , have sued the defendant, Seward County, for alleged constitutional and state... | Mar. 22, 2017 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **431.** **Harrington v. Hall County Board of Supervisors**<br>2016 WL 1274534, *13+ , D.Neb.<br>The plaintiff, Shane Harrington, is a Nebraska resident who operates an adult entertainment company. He has sued numerous individuals and entities who, he alleges, have violated... | Mar. 31, 2016 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **432.** **TD Ameritrade, Inc. v. Nevada Agency and Trust Co.**<br>2010 WL 3636199, *5+ , D.Nev.<br>SECURITIES REGULATION - Brokers and Dealers. Stock transfer agent did not breach its duty to broker to timely register a stock transfer. | Sep. 09, 2010 | Case | | 8<br>S.Ct. |
| Discussed by | **433.** **Williams v. Locher**<br>2010 WL 2872734, *2+ , D.Nev.<br>SECURITIES REGULATION - Parties. Companies created by investors for the purpose of investing had standing to bring suit even though the companies did not exist at the time of the... | July 19, 2010 | Case | | 8<br>S.Ct. |
| Discussed by | **434.** **Scott v. Clark County Social Services**<br>2009 WL 1940097, *1+ , D.Nev.<br>CIVIL RIGHTS - Disabilities. Disabled individual failed to state a claim against county social services under the Americans with Disabilities Act. | July 07, 2009 | Case | | 8<br>9<br>S.Ct. |

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|---|---|---|---|---|---|
| Discussed by | **435.** Nav N Go Kft. v. Mio Technology USA, Ltd.<br>2009 WL 10693414, *4+ , D.Nev.<br>Presently before the court is Defendant Mio Technology's Motion to Dismiss, or Alternatively, Motion to Stay (#8 ). Plaintiff Nav N Go Kft. has filed an opposition (#26) to which... | June 11, 2009 | Case | | 1<br>8<br>S.Ct. |
| Discussed by | **436.** Wright v. Incline Village General Imp. Dist.<br>597 F.Supp.2d 1191, 1199+ , D.Nev.<br>LITIGATION - Parties. Resident had standing to bring action against municipal improvement district challenging restrictive covenant and ordinance. | Feb. 09, 2009 | Case | | 3<br>8<br>9<br>S.Ct. |
| Discussed by | **437.** South Fork Band v. U.S. Dept. of Interior<br>643 F.Supp.2d 1192, 1200+ , D.Nev.<br>NATIVE AMERICANS - Lands. Tribes were not entitled to enjoin mining project on federal lands. | Feb. 03, 2009 | Case | | 3<br>8<br>9<br>S.Ct. |
| Discussed by | **438.** State of Nev. v. Burford<br>708 F.Supp. 289, 294+ , D.Nev.<br>Nevada sought to overturn Bureau of Land Management's issuance of right-of-way reservation authorizing Department of Energy to study characteristics of public lands located in... | Jan. 27, 1989 | Case | | 5<br>10<br>12<br>S.Ct. |
| Discussed by | **439.** Rockwell v. Roman Catholic Archdoicese of Boston, Massachusetts<br>2002 WL 1790579, *4+ , D.N.H.<br>Before the court is the complaint of pro se plaintiff Susan Rockwell. Rockwell has filed suit against the Roman Catholic Archdiocese of Boston, Massachusetts, the Roman Catholic... | Aug. 05, 2002 | Case | | 4<br>10<br>16<br>S.Ct. |
| Discussed by | **440.** Prime Hookah, Inc. v. Discount Smoking Products, Inc.<br>2019 WL 1650100, *2+ , D.N.J.<br>This matter comes before the Court upon the motion filed by Defendants Discount Smoking Products, Inc., Beamer Company, and Randy Salem (collectively, “Defendants”) to dismiss the... | Apr. 17, 2019 | Case | | 3<br>4<br>S.Ct. |
| Discussed by | **441.** Bridges Financial Group, Inc. v. Beech Hill Co., Inc.<br>2010 WL 3946529, *2+ , D.N.J.<br>This matter comes before the Court upon the motion (Doc. Nos.50, 51) to dismiss filed by Defendant Thomas J. Ernst. Defendant seeks dismissal of Plaintiff The Bridges Financial... | Oct. 05, 2010 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **442.** Jackson v. Hayman<br>2010 WL 1816241, *3+ , D.N.J.<br>Plaintiff, Kevin Jackson, an inmate confined at New Jersey State Prison (“NJSP”), seeks to bring this action in forma pauperis. See 28 U.S.C. § 1915(a). Based on his affidavit of... | May 03, 2010 | Case | | 3<br>S.Ct. |

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|---|---|---|---|---|---|
| Discussed by | **443.** Cottrell v. Zagami, LLC<br>2009 WL 1416044, *2+ , D.N.J.<br>CIVIL RIGHTS - Dismissal. The parents of a disabled child did not present sufficient facts to present a case or controversy in their claim for retaliation against a bar under the... | May 20, 2009 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **444.** Access 4 All, Inc. v. Absecon Hospitality Corp.<br>2006 WL 3109966, *5+ , D.N.J.<br>Plaintiffs commenced this action on December, 6, 2004, alleging that while visiting Hampton Inn, Defendant's property located in Absecon, New Jersey (the “Hampton Inn”), Plaintiff... | Oct. 30, 2006 | Case | | 3<br>5<br>S.Ct. |
| Discussed by | **445.** N.A.M.I. (National Alliance of Mentally Ill of Essex) v. Essex County Bd. of Freeholders<br>91 F.Supp.2d 781, 784+ , D.N.J.<br>HEALTH - Mental Health. Action challenging county's proposal to relocate long term care facility was not ripe. | Apr. 11, 2000 | Case | | 3<br>8<br>S.Ct. |
| Discussed by | **446.** Lynch v. Rifkin<br>1997 WL 441252, *2+ , D.N.J.<br>Pursuant to 42 U.S.C. § 1983, pro se plaintiff Richard Lynch brings this action against defendants Joan Rifkin, a court administrator, and the Township of Cherry Hill, claiming... | July 28, 1997 | Case | | 3<br>9<br>19<br>S.Ct. |
| Discussed by | **447.** Hochman v. Rafferty<br>1989 WL 200955, *3+ , D.N.J.<br>This civil rights action requires the Court to enter the sensitive and difficult arena of prison-conditions litigation. A number of inmates housed at the East Jersey State Prison,... | Oct. 19, 1989 | Case | | 5<br>9<br>S.Ct. |
| Discussed by | **448.** Access Now, Inc. v. LifePoint Hospitals, Inc.<br>2011 WL 13282963, *2+ , D.N.M.<br>This matter is before the Court sua sponte. Plaintiffs are disabled individuals who are members of Plaintiff Access Now, Inc. (“Access Now”), a non-profit organization that... | Nov. 21, 2011 | Case | | 3<br>S.Ct. |
| Discussed by | **449.** Roberts v. Bassett<br>2022 WL 785167, *5+ , E.D.N.Y.<br>Plaintiffs Jonathan Roberts and Charles Vavruska request that this court issue a preliminary injunction to enjoin Mary T. Bassett, the Commissioner of the New York State Department... | Mar. 15, 2022 | Case | | 13<br>17<br>S.Ct. |
| Discussed by | **450.** Zanotti v. Invention Submission Corporation<br>2020 WL 2857304, *6+ , S.D.N.Y.<br>Plaintiffs Julie Zanotti and Ronese Brooks (“Plaintiffs”) bring this action against Defendants alleging violations of the American Inventors Protection Act of 1999 (“AIPA”), the... | June 02, 2020 | Case | | 2<br>4<br>S.Ct. |

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| Discussed by | **451.** Gilmore v. Ally Financial Inc.<br>2017 WL 1476596, *4+ , E.D.N.Y.<br>Plaintiff Cydney Gilmore (hereinafter “Plaintiff” or “Gilmore”) filed a putative class action against Defendants Ally Financial Inc., and Ally Bank (collectively “Ally” or... | Apr. 24, 2017 | Case | | 2, 4, 5<br>S.Ct. |
| Discussed by | **452.** Garmon v. County of Rockland<br>2013 WL 541380, *2+ , S.D.N.Y.<br>Plaintiff George Garmon (“Plaintiff”) filed a Complaint against Defendants County of Rockland, Town of Haverstraw, Haverstraw Town Police Department, James Hansen, Ian Kaye, M.... | Feb. 11, 2013 | Case | | 3<br>S.Ct. |
| Discussed by | **453.** Mazzocchi v. Windsor Owners Corp.<br>2012 WL 3288240, *3+ , S.D.N.Y.<br>In this action, pro se Plaintiff Frank Mazzocchi ("Mazzocchi") brings claims against Defendants Windsor Owners Corporation ("Windsor"), Tudor Realty Services ("Tudor"),... | Aug. 06, 2012 | Case | | 3<br>S.Ct. |
| Discussed by | **454.** McChesney v. Hogan<br>2010 WL 3602660, *7+ , N.D.N.Y.<br>Plaintiff David McChesney, a convicted sex offender who has been civilly committed to the Central New York Psychiatric Center (“CNYPC” or “Center”) for in-patient sex offender... | Aug. 17, 2010 | Case | | 3<br>S.Ct. |
| Discussed by | **455.** Association For Molecular Pathology v. U.S. Patent and Trademark Office<br>669 F.Supp.2d 365, 384+ , S.D.N.Y.<br>PATENTS - Parties. Alleged infringers had Article III standing to bring action against United States Patent and Trademark Office. | Nov. 02, 2009 | Case | | 2, 4, 10<br>S.Ct. |
| Discussed by | **456.** Famous Music Corp. v. 716 Elmwood, Inc.<br>2007 WL 5041415, *4+ , W.D.N.Y.<br>This copyright infringement action was referred to me by Hon. Richard J. Arcara to conduct "all pre-trial matters", including "hearing and disposition of all non-dispositive... | Dec. 28, 2007 | Case | | 3, 8<br>S.Ct. |
| Discussed by | **457.** EDP Medical Computer Systems, Inc. v. U.S.<br>2005 WL 3117433, *3+ , E.D.N.Y.<br>Plaintiff, EDP Medical Computer Systems, Inc. ("EDP"), brought this action pursuant to 28 U.S.C. § 1346(a)(1), seeking a refund from the United States for a tax liability... | Nov. 22, 2005 | Case | | 2, 3<br>S.Ct. |
| Discussed by | **458.** Presbyterian Church of Sudan v. Talisman Energy, Inc.<br>244 F.Supp.2d 289, 331+ , S.D.N.Y.<br>INTERNATIONAL LAW - Tort Claims. Canadian oil company could be sued in New York for aiding and abetting Sudanese genocide. | Mar. 19, 2003 | Case | | 4, 5, 10<br>S.Ct. |

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|---|---|---|---|---|---|
| Discussed by | **459.** Vazquez v. Salomon Smith Barney Inc.<br>2002 WL 10493, *3+ , S.D.N.Y.<br>Marti Vazquez ("Plaintiff") brings this action against Salomon Smith Barney ("Smith Barney") and Alan Parsowith ("Parsowith") (collectively "Defendants") following Smith... | Jan. 04, 2002 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **460.** Marisol A. v. Giuliani<br>1998 WL 274472, *3+ , S.D.N.Y.<br>City defendants move for an order, pursuant to Federal Rules of Civil Procedure 12(b)(1), 60(b)(4), or in the alternative, 56(b), dismissing plaintiffs' claims regarding the... | May 27, 1998 | Case | | 4<br>8<br>10<br>S.Ct. |
| Discussed by | **461.** Bey v. Hanslmaier<br>1996 WL 173156, *1+ , S.D.N.Y.<br>Plaintiff in the above-captioned matter commenced this action pro se under 42 U.S.C. § 1983, alleging that the defendants violated his constitutionally guaranteed civil rights by... | Apr. 11, 1996 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **462.** German v. Federal Home Loan Mortg. Corp.<br>885 F.Supp. 537, 548+ , S.D.N.Y.<br>Apartment residents brought action against landlords alleging failure to remove lead paint. The District Court, Sweet, J., held that: (1) class would be certified; (2) court... | May 08, 1995 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **463.** Albanese v. Federal Election Com'n<br>884 F.Supp. 685, 688+ , E.D.N.Y.<br>Potential candidate for congressional office who decided not to run because he did not think that he could raise enough money, and his would-be supporters, brought action... | Apr. 17, 1995 | Case | | — |
| Discussed by | **464.** Fulani v. Bentsen<br>862 F.Supp. 1140, 1144+ , S.D.N.Y.<br>Independent candidate for President of the United States in 1992 election, her running mate and campaign committee brought action to revoke tax exempt status of Commission on... | Sep. 13, 1994 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **465.** Grimes By and Through Grimes v. Cavazos<br>786 F.Supp. 1184, 1186+ , S.D.N.Y.<br>Public school students brought action against federal, state and city education officials, alleging that culturally biased curriculum violated their civil rights. On defendants'... | Mar. 12, 1992 | Case | | 4<br>10<br>17<br>S.Ct. |
| Discussed by | **466.** Paganucci v. City of New York<br>785 F.Supp. 467, 474+ , S.D.N.Y.<br>Present and former city police officers brought action alleging violation of their equal protection rights in connection with race-based promotions to position of sergeant pursuant... | Mar. 10, 1992 | Case | | 3<br>S.Ct. |

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|---|---|---|---|---|---|
| Discussed by | **467.** Pietsch v. Bush<br>755 F.Supp. 62, 65+ , E.D.N.Y.<br>Citizen sued President and principal military officers, seeking to block military activities in Persian Gulf. The District Court, Spatt, J., held that: (1) citizen did not... | Jan. 16, 1991 | Case | | 3<br>4<br>S.Ct. |
| Discussed by | **468.** Lamont v. Schultz<br>748 F.Supp. 1043, 1045+ , S.D.N.Y.<br>Federal taxpayers brought suit challenging as a violation of the establishment clause the appropriation and expenditure of public funds by the government for the construction,... | Oct. 02, 1990 | Case | | 4<br>S.Ct. |
| Discussed by | **469.** La Plaza Defense League v. Kemp<br>742 F.Supp. 792, 796+ , S.D.N.Y.<br>Neighborhood residents filed action challenging a decision by the Department of Housing and Urban Development (HUD) to fund clearance of a site and construction of a low-income... | July 10, 1990 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **470.** McNeill v. New York City Housing Authority<br>719 F.Supp. 233, 244+ , S.D.N.Y.<br>Low income tenants brought action challenging policies and procedures employed by city housing authority when federal housing subsidies are suspended or terminated because of... | Aug. 14, 1989 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **471.** Dalton Farms Associates v. Baker<br>704 F.Supp. 460, 461+ , S.D.N.Y.<br>Real estate developer brought declaratory judgment action challenging Government's grant of tax-exempt status to citizen's group that opposed developer's plans for large... | Jan. 15, 1989 | Case | | 3<br>4<br>10<br>S.Ct. |
| Discussed by | **472.** Weissman v. Fruchtman<br>700 F.Supp. 746, 751+ , S.D.N.Y.<br>Landowners brought suit claiming unconstitutional deprivation of property and civil rights violations arising out of revocation of their alteration permits for building for their... | Nov. 29, 1988 | Case | | 2<br>S.Ct. |
| Discussed by | **473.** 106 Mile Transport Associates v. Koch<br>656 F.Supp. 1474, 1480+ , S.D.N.Y.<br>Shippers brought action against city for violation of Jones Act and violation of state law. The District Court, Walker, J., held that: (1) shipper which did not bid for contract... | Mar. 27, 1987 | Case | | 9<br>S.Ct. |
| Discussed by | **474.** Savastano v. Abrams<br>658 F.Supp. 414, 417+ , S.D.N.Y.<br>Action was instituted for declaratory judgment as to constitutionality of a New York statute. On motion to dismiss, the District Court, Haight, J., held that claim by individual... | Feb. 10, 1987 | Case | | 11<br>14<br>S.Ct. |

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|---|---|---|---|---|---|
| Discussed by | **475.** Abortion Rights Mobilization, Inc. v. Baker<br>110 F.R.D. 337, 338+ , S.D.N.Y.<br>Plaintiffs renewed motion for order adjudging religious organizations in civil contempt for failure to comply with discovery. The District Court, Robert L. Carter, J., held that... | May 08, 1986 | Case | | — |
| Discussed by | **476.** U.S. v. City of Yonkers<br>592 F.Supp. 570, 579+ , S.D.N.Y.<br>Attorney General brought action against city and state and their officials alleging pattern and practice of employment discrimination in city police department. Defendants moved... | Aug. 22, 1984 | Case | | 12<br>S.Ct. |
| Discussed by | **477.** Inhalation Plastics, Inc. v. Medex Cardio-Pulmonary, Inc.<br>2011 WL 2293228, *8+ , S.D.Ohio<br>This matter is before the Court on Plaintiff/Counter–Defendant Inhalation Plastics, Inc.'s ("Inhalation Plastics" or "IPI") Motion to Dismiss Counts II and III of... | June 08, 2011 | Case | | 10<br>S.Ct. |
| Discussed by | **478.** Federal Sav. and Loan Ins. Corp. v. Quinn<br>711 F.Supp. 366, 374+ , N.D.Ohio<br>Federal Savings and Loan Insurance Corporation and savings and loan association brought suit seeking declaratory judgment, preliminary and permanent injunctive relief and damages... | Apr. 14, 1989 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **479.** Fine v. Chloeta Fire, LLC<br>2014 WL 12700982, *2+ , N.D.Okla.<br>Defendants' Partial Motion to Dismiss, [Dkt. 7], has been referred to the undersigned United States Magistrate Judge for report and recommendation. The matter has been fully... | Aug. 26, 2014 | Case | | 3<br>S.Ct. |
| Discussed by | **480.** Bishop v. U.S. ex rel. Holder<br>962 F.Supp.2d 1252, 1265+ , N.D.Okla.<br>GLBT - Marriage. State's interest in promoting morality did not justify law limiting "marriage" to union of one man and one woman. | Jan. 14, 2014 | Case | | 13<br>14<br>16<br>S.Ct. |
| Discussed by | **481.** National Coalition of Latino Clergy, Inc. v. Henry<br>2007 WL 4390650, *7+ , N.D.Okla.<br>Before the Court are Defendants' Motion to Dismiss First Amended Complaint [Docket No. 35]; Plaintiffs' Response in Opposition to the Motion [Docket No. 36]; and Defendants' Reply... | Dec. 12, 2007 | Case | | 3<br>S.Ct. |
| Discussed by | **482.** Williams v. Thomas<br>2010 WL 1005278, *2+ , D.Or.<br>Petitioner, a federal inmate in the custody of the BOP, filed a petition under 28 U.S.C. § 2241 seeking to challenge his participation in the BOP's Inmate Financial Responsibility... | Mar. 11, 2010 | Case | | 4<br>10<br>S.Ct. |

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|---|---|---|---|---|---|
| Discussed by | **483.** Sass v. Thomas<br>2009 WL 2230759, *4+ , D.Or.<br>Petitioner, an inmate at FCI Sheridan, brings this habeas corpus proceeding pursuant to 28 U.S.C. §§ 2241, 1331, and 1334(4), challenging the Bureau of Prisons' (BOP) refusal to... | July 23, 2009 | Case | | 4<br>10<br>S.Ct. |
| Discussed by | **484.** Calloway v. Thomas<br>2009 WL 1925225, *3+ , D.Or.<br>Petitioner, an inmate at FCI Sheridan, brings this habeas corpus proceeding pursuant to 28 U.S.C. § 2241, challenging the Bureau of Prisons' (BOP) refusal to consider him for... | July 01, 2009 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **485.** Pierce v. Thomas<br>2009 WL 1925469, *3+ , D.Or.<br>Petitioner brings this habeas corpus proceeding pursuant to 28 U.S.C. §§ 2241, 1331, and 1343(4), challenging the Bureau of Prisons' (BOP's) refusal to grant him 12 months... | July 01, 2009 | Case | | 4<br>5<br>10<br>S.Ct. |
| Discussed by | **486.** Marbet v. City of Portland<br>2003 WL 23540258, *11+ , D.Or.<br>Before the court are plaintiffs' Motions to Compel (Docs.# 37, 88); defendants' Motion to Limit Discovery and for Protective Order (Doc. # 57); defendants' Rule 12 Motions (Docs.#... | Sep. 08, 2003 | Case | | 4<br>S.Ct. |
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| Discussed by | **488.** Harper v. Farm Credit Admin.<br>628 F.Supp. 1030, 1032+ , D.Or.<br>Individual farm owners brought action against Farm Credit Administration and federal intermediate credit bank seeking injunction prohibiting defendants from liquidating production... | June 04, 1985 | Case | | 4<br>14<br>17<br>S.Ct. |
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| Discussed by | **491.** Zhaojin Ke v. Superior Court of Pennsylvania, Western District<br>2019 WL 4345723, *4+ , W.D.Pa.<br>On May 1, 2018, Plaintiff Zhaojin David Ke, initiated this civil rights action by filing a pro se complaint pursuant to 42 U.S.C. § 1983 [ECF No. 3], against Defendants Superior... | Sep. 12, 2019 | Case | | 4<br>5<br>S.Ct. |
| Discussed by | **492.** PennEnvironment v. PPG Industries, Inc.<br>23 F.Supp.3d 553, 578+ , W.D.Pa.<br>ENVIRONMENTAL LAW - Clean Water. Environmental groups sufficiently alleged injury in fact required for standing to bring citizens' suit. | May 28, 2014 | Case | | 2<br>3<br>S.Ct. |
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| Discussed by | **498.** Simpson v. Heckler<br>630 F.Supp. 736, 738+ , E.D.Pa.<br>Medicaid recipients brought action challenging state reimbursement rate for physicians who provided medical care under program. On government's motion to dismiss, the District... | Feb. 24, 1986 | Case | | 4<br>5<br>10<br>S.Ct. |

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| Mentioned | **1.** **Aetna Life Ins. Co. of Hartford, Conn. v. Haworth**<br>57 S.Ct. 461, U.S.Mo., 1937<br>On Writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Suit by the AEtna Life Insurance Company of Hartford, Connecticut, against Edwin P.... | Case | | | 3346 |
| Cited | **2.** **Allee v. Medrano**<br>94 S.Ct. 2191, U.S.Tex., 1974<br>Suit by union of farmworkers and certain individuals against certain Texas Rangers, state officers and county officials for judgment declaring certain statutes unconstitutional and... | Case | | | 3346 |
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| Cited | **6.** **Barlow v. Collins**<br>90 S.Ct. 832, U.S.Ala., 1970<br>Tenant farmers receiving benefits under Food and Agriculture Act brought action challenging amendment to regulations issued by Secretary of Agriculture defining permissible... | Case | | | 3332+ |
| Cited | **7.** **Bell v. Hood**<br>66 S.Ct. 773, U.S.Cal., 1946<br>Action by Arthur L. Bell, individually, and as an associate of and division superintendent of Mankind United, a voluntary association, and others, against R. B. Hood and others for... | Case | | | 3347 |

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| Cited | **8. Bob Jones University v. Simon**<br>94 S.Ct. 2038, U.S.S.C., 1974<br>University which concededly refused to admit Negroes as students brought action to enjoin revocation of ruling letter which had declared that such university qualified for... | Case | | | 3331+ |
| Examined | **9. Bob Jones University v. U.S.**<br>103 S.Ct. 2017, U.S.S.C., 1983<br>University, denied tax-exempt status because of its racially discriminatory admissions policy, sought refund of federal unemployment tax payments, and Government counterclaimed for... | Case | | | 3319+ |
| Cited | **10. Bolling v. Sharpe**<br>74 S.Ct. 693, U.S.Dist.Col., 1954<br>Class action by which minor Negro plaintiffs sought to obtain admission to public schools on a nonsegregated basis. The United States District Court for the District of Columbia... | Case | | | 3346 |
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| Cited | **12. Cafeteria and Restaurant Workers Union, Local 473, AFL-CIO v. McElroy**<br>81 S.Ct. 1743, U.S.Dist.Col., 1961<br>Action by union and employee against Secretary of Defense and others seeking, among other things, to compel return to employee of her identification badge so that she might be... | Case | | | 3330 |
| Discussed | **13. Cannon v. Green**<br>90 S.Ct. 2169, U.S.Dist.Col., 1970<br>Appeal from the United States District Court for the District of Columbia. Facts and opinion, Green v. Kennedy, D.C., 309 F.Supp. 1127. | Case | | | 3319+ |
| Cited | **14. Chicago & G.T. Ry. Co. v. Wellman**<br>12 S.Ct. 400, U.S.Mich., 1892<br>Action by Thomas Wellman against the Chicago & Grand Trunk Railway Company to recover damages for a refusal to carry him as a passenger. Verdict and judgment for plaintiff, which... | Case | | | 3325 |

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| Discussed | **15. City of Los Angeles v. Lyons**<br>103 S.Ct. 1660, U.S.Cal., 1983<br>Plaintiff brought civil rights action against city, seeking damages, injunctive relief and declaratory relief. On remand after an appeal, 615 F.2d 1243, the United States... | Case | | ” | 3324+ |
| Cited | **16. Coffey v. State Educational Finance Commission**<br>296 F.Supp. 1389, S.D.Miss., 1969<br>Class action challenging constitutionality of state tuition grant statute. The three-judge District Court held that Mississippi statute providing for state tuition grants to... | Case | | | 3331+ |
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| Cited | **18. Columbus Bd. of Ed. v. Penick**<br>99 S.Ct. 2941, U.S.Ohio, 1979<br>In Columbus, Ohio, school desegregation suit, following trial on the issue of liability, the United States District Court for the Southern District of Ohio, Eastern Division, 429... | Case | | | 3346 |
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| Cited | **20. Cooper v. Aaron**<br>78 S.Ct. 1401, U.S.Ark., 1958<br>Proceedings on application for permission to suspend for specified period a judicially-approved school integration plan. The United States District Court for the Eastern District... | Case | | ” | 3335+ |
| Cited | **21. Duke Power Co. v. Carolina Environmental Study Group, Inc.**<br>98 S.Ct. 2620, U.S.N.C., 1978<br>Direct appeal was taken from a decision of the United States District Court for the Western District of North Carolina, 431 F.Supp. 203, declaring that the Price-Anderson Act,... | Case | | | 3343+ |

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| Cited | **24. Fusari v. Steinberg**<br>95 S.Ct. 533, U.S.Conn., 1975<br>Suit challenging Connecticut procedures whereby unemployment compensation benefits could be terminated for causes other than exhaustion of eligibility without a prior hearing other... | Case | | | 3331 |
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| Discussed | **27. Gladstone Realtors v. Village of Bellwood**<br>99 S.Ct. 1601, U.S.Ill., 1979<br>Actions by area residents and a village charged real estate brokers and sales personnel with “steering” prospective home buyers to different residential areas according to race,... | Case | | ” | 3324+ |
| Discussed | **28. Green v. Connally**<br>330 F.Supp. 1150, D.D.C., 1971<br>Class action by Negro parents of school children attending public schools in Mississippi, to enjoin United States Treasury officials from according tax-exempt status and... | Case | | | 3318+ |

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| Cited | **30. Griffin v. County School Bd. of Prince Edward County**<br>84 S.Ct. 1226, U.S.Va., 1964<br>Negro school children brought suit against the County School Board of Prince Edward County and others to enjoin them from refusing to operate an efficient system of public free... | Case | | | 3340 |
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| Discussed | **32. Heckler v. Mathews**<br>104 S.Ct. 1387, U.S.Ala., 1984<br>Retiree brought class action alleging that application of pension offset provision to him and other nondependent men but not to similarly situated nondependent women violated due... | Case | | ” | 3326+ |
| Cited | **33. I.N.S. v. Delgado**<br>104 S.Ct. 1758, U.S.Cal., 1984<br>Factory workers brought action to enjoin INS from conducting “factory surveys.” The United States District Court for the Central District of California denied relief and factory... | Case | | | 3346 |
| Cited | **34. Laird v. Tatum**<br>92 S.Ct. 2318, U.S.Dist.Col., 1972<br>Action was brought for declaratory judgment that Army's surveillance of ‘lawful and peaceful civilian political activity’ was unconstitutional and for injunction forbidding such... | Case | | | 3326+ |
| Cited | **35. Marbury v. Madison**<br>1803 WL 893, U.S.Dist.Col., 1803<br>The supreme court of the U. States has not power to issue a mandamus to a secretary of state of the U. States, it being an exercise of original jurisdiction not warranted by the... | Case | | ” | 3347+ |

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| Mentioned | **36. Milliken v. Bradley**<br>97 S.Ct. 2749, U.S.Mich., 1977<br>In school desegregation case, the United States District Court for the Eastern District of Michigan, 402 F.Supp. 1096 and 411 F.Supp. 943, ordered implementation of student... | Case | | | 3346 |
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| Discussed | **39. O'Shea v. Littleton**<br>94 S.Ct. 669, U.S.Ill., 1974<br>Seventeen black and two white residents of Cairo, Illinois, brought a civil rights class action charging county magistrate and associate judge of county circuit court with... | Case | | ” | 3324+ |
| Cited | **40. Plessy v. Ferguson**<br>16 S.Ct. 1138, U.S.La., 1896<br>In Error to the Supreme Court of the State of Louisiana. | Case | | | 3347 |
| Cited | **41. Regan v. Taxation With Representation of Washington**<br>103 S.Ct. 1997, U.S.Dist.Col., 1983<br>Suit was brought by nonprofit organization seeking a declaratory judgment that it qualified for tax exempt status after its application was denied by Internal Revenue Service... | Case | | ” | 3342 |
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| Cited | **43. Revenue Procedure**<br>1972 WL 29194, IRS RPR, 1972<br>This Revenue Procedure sets forth guidelines for determining whether certain private schools that have rulings of recognition of exemption or are applying for recognition of... | Administrative Decision & Guidance | | | 3319+ |

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| Mentioned | 49. Sierra Club v. Morton<br>92 S.Ct. 1361, U.S.Cal., 1972<br>Action by membership corporation for declaratory judgment that construction of proposed ski resort and recreation area in national game refuge and forest would contravene federal... | Case | | | 3336+ |
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| Mentioned | **51. Swann v. Charlotte-Mecklenburg Bd. of Ed.**<br>91 S.Ct. 1267, U.S.N.C., 1971<br>School desegregation cases. The United States District Court for the Western District of North Carolina, 311 F.Supp. 265, rendered judgment from which parties on both sides... | Case | | | 3346 |
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| Cited | **54. U. S. v. Detroit Timber & Lumber Co.**<br>26 S.Ct. 282, U.S.Ark., 1906<br>CROSS APPEALS from the United States Circuit Court of Appeals for the Eighth Circuit to review a decree of that court which, on appeal from a decree of the Circuit Court for the... | Case | | | 3315 |
| Cited | **55. U. S. v. Richardson**<br>94 S.Ct. 2940, U.S.Pa., 1974<br>A taxpayer brought action in mandamus to compel the Secretary of the Treasury to publish an accounting of the receipts and expenditures of the Central Intelligence Agency and to... | Case | | ” | 3326+ |
| Cited | **56. U.S. v. Students Challenging Regulatory Agency Procedures (SCRAP)**<br>93 S.Ct. 2405, U.S.Dist.Col., 1973<br>Environmental group sought to enjoin enforcement of Interstate Commerce Commission orders allowing railroads to collect surcharge on freight rates pending adopting of selective... | Case | | ” | 3327+ |
| Examined | **57. Valley Forge Christian College v. Americans United for Separation of Church and State, Inc.**<br>102 S.Ct. 752, U.S.Pa., 1982<br>Action was instituted for declaratory and injunctive relief against transfer of government property to religious organization without financial payment therefore. The United... | Case | | ” | 3324+ |

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| Cited | **61. Watt v. Energy Action Educational Foundation**<br>102 S.Ct. 205, U.S.Dist.Col., 1981<br>State of California and others brought action seeking declaratory and injunctive relief prohibiting further lease sales for oil and gas exploration on Outer Continental Shelf until... | Case | | | 3346 |
| Discussed | **62. Wright v. Miller**<br>480 F.Supp. 790, D.D.C., 1979<br>Black public school children's parents brought suit to challenge IRS regulations which allegedly afforded unlawful support to discrimination by granting tax exemptions to... | Case | | | 3323+ |
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**Filings**

There are no Filings for this citation.