

Katyal, Neal (SMO)

From: Kneedler, Edwin S
Sent: Wednesday, May 12, 2010 6:31 PM
To: Katyal, Neal
Subject: RE: Elena's name on briefs, opps, appeal recs

CVSGs:

Holy See -- Elena chaired meetings with counsel for both sides.

Commonwealth of Virginia, Providence Hospital, and the consolidated Amara and Cigna cases -- Elena has had no substantive involvement in, as far as I know.

Golden Gate -- I discussed with Elena several times [REDACTED] (b) (5) [REDACTED] Especially now that health care has passed, she may not want to be involved in that brief.

Merits briefs:

NASA v. Nelson -- our merits brief is now due May 20. Elena's name is on the petition, so she obviously has been heavily involved in that case.

Montana v. Wyoming -- the recommendation OSG has received from ENRD [REDACTED] (b) (5) [REDACTED] That recommendation has not been submitted to Elena. Such a brief would not be due until late June or early July. She has been substantively involved in the case.

Bruesewitz -- an amicus brief supporting respondents would be due July 30. We filed a CVSG last fall in a related case taking the position that supports the respondent's position in Bruesewitz, and we told the Court to grant in Bruesewitz. Elena's name was on that brief.

U.S. v. Tohono O'Odham Nation. Our brief is due in late June. Elena's name is on the petition in that case.

Kasten -- an amicus brief supporting petitioner would be due June 24. Elena has not been involved in that case.

Flores-Villar -- the government's brief as respondent is due in Late August. Elena has not been involved in that.

Recommendations:

OPEC -- (CA5 invited the U.S. to file on act of state and political question in this antitrust case against corporations owned or controlled by OPEC members) Civil is seeking a 30-day extension. I think I discussed the case with Elena last summer when the defendants were urging the U.S. to file uninvited.

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I really need your list shortly. This is important.