

(ORDER LIST: 549 U. S.)

FRIDAY, JANUARY 5, 2007

ORDERS IN PENDING CASES

05-1508 ZUNI PUB. SCH. DIST. NO. 89 V. DEPT. OF EDUCATION, ET AL.

The motion of Public School Districts for leave to file a brief as *amici curiae* is granted.

05-9222 BURTON, LONNIE L. V. STEWART, SUPT., STAFFORD CREEK

The motion of petitioner for leave to file a supplemental brief after argument is granted. The motion of respondent for leave to file a supplemental brief after argument is granted.

05-11304 SMITH, LaROYCE L. V. TEXAS

The motion of California, et al. for leave to participate in oral argument as *amici curiae* and for divided argument is granted.

06-84) SAFECO INS. CO., ET AL. V. BURR, CHARLES, ET AL.

06-100) GEICO GEN. INS. CO., ET AL. V. EDO, AJENE

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

06-5618 CLAIBORNE, MARIO V. UNITED STATES

The motion of petitioner for leave to file Volume II of the joint appendix under seal is granted.

06-5754 RITA, VICTOR A. V. UNITED STATES

The motion of petitioner for leave to file Volume II of the joint appendix under seal is granted.

CERTIORARI GRANTED

- 06-340) NAT. ASSN. OF HOME BUILDERS V. DEFENDERS OF WILDLIFE, ET AL.
- 06-549) EPA V. DEFENDERS OF WILDLIFE, ET AL.

The petitions for writs of certiorari are granted. The cases are consolidated and a total of one hour is allotted for oral argument. In addition to the questions presented by the petitions, the parties are requested to brief and argue the following question: "Whether the court of appeals correctly held that the Environmental Protection Agency's decision to transfer pollution permitting authority to Arizona under the Clean Water Act, see 33 U.S.C. §1342(b), was arbitrary and capricious because it was based on inconsistent interpretations of Section 7(a)(2) of the Endangered Species Act of 1973, 16 U.S.C. §1536(a)(2); and, if so, whether the court of appeals should have remanded to the Environmental Protection Agency for further proceedings without ruling on the interpretation of Section 7(a)(2)."

- 06-341 BCI COCA-COLA BOTTLING CO. V. EEOC
- 06-427 TN SECD'Y SCH. ATHL. ASSN. V. BRENTWOOD ACADEMY

The petitions for writs of certiorari are granted.

- 06-484 TELLABS, INC., ET AL. V. MAKOR ISSUES & RIGHTS, ET AL.

The petition for a writ of certiorari is granted. The brief of petitioners is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, February 9, 2007. The brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, March 9, 2007. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Tuesday, March 20, 2007.

- 06-593 LONG ISLAND CARE AT HOME, ET AL. V. COKE, EVELYN

The petition for a writ of certiorari is granted.

- 06-606 ALTADIS USA, INC. V. SEA STAR LINE, LLC, ET AL.

The petition for a writ of certiorari is granted. The brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, February 9, 2007. The brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, March 9, 2007. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Tuesday, March 20, 2007.

06-6407

PANETTI, SCOTT L. V. QUATERMAN, DIR., TX DCJ

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.