

***STATUS OF CASES ARGUED
BEFORE THE UNITED STATES SUPREME COURT
OCTOBER TERM, 2010***

The following charts will summarize the final disposition of all cases that will be argued before the Supreme Court of the United States during October Term 2010. The 2010 Term began on October 4, 2010 and is scheduled to end in late June or early July, 2011.

Court-watchers often find that they can predict who will be the author of the final opinions issued from each session based on the previous authorship distribution, because typically each Justice is assigned at least one majority opinion per session. Because the author of the final opinion in a case is not always the same Justice who initially received the writing assignment, and because the Court sometimes departs from its usual patterns for various reasons (including assigning extra opinions to Justices who are more current on their assignments than other Justices), the exercise of predicting the author of a not-yet-released majority opinion is always one with a high potential for error. Nevertheless, experience has shown that the predictive exercise yields correct results often enough to make it interesting, even if not totally reliable.

The first chart below summarizes the Term, with each session represented by a column. The chart lists the number of cases that were or will be argued during the session, the number resolved to date, and how those cases were resolved—how many majority opinions each Justice drafted, and the number resolved *per curiam* or otherwise without a majority opinion.

The remaining tables present more detailed information on each session of the Term than is included in the summary table. Each session is presented on its own page, and includes a row for each case argued—specifying the case’s name, the date of argument, a brief summary of the issue presented, and, for those cases already decided, the date of decision and the author of the majority opinion. The next table includes similar information for opinions issued during the Term where oral argument was never conducted. A final table includes information about the cases in which the Court has granted certiorari but has not yet set a date for oral argument.

We try to update these charts when the Court schedules additional cases for oral argument or issues an opinion. We hope that you find this document useful, and welcome your feedback on it (which should be directed to dgossett@mayerbrown.com or kranlett@mayerbrown.com).

**SUMMARY TABLE
OCTOBER TERM, 2010**

	<i>Session beginning:</i>							NA	Tot.
	Oct. 4	Nov. 1	Nov. 29	Jan. 10	Feb. 22	Mar. 21	Apr. 18		
TOTAL ARGUMENTS SCHEDULED	12	13	12	11	11	12	8		79
ROBERTS	1	1	1	2	1	1	1		8
SCALIA	1	3	2	1	1	1	1		10
KENNEDY	2	2	1	2	2	1	1		11
THOMAS	1	2	1	1	1	2	1		9
GINSBURG	2	1	1	2	1	1	1		9
BREYER	2	1	1		1	2			7
ALITO	1		2	1	1	1	1		7
SOTOMAYOR	1		2	1	1	1	1		7
KAGAN	1	1	1	1	1	1	1		7
PC					1			5	6
DIG						1			1
D									0
AEDC		2							2
R									0
Disposed of	12	13	12	11	11	12	8	5	84
Pending	0	0	0	0	0	0	0	0	0

KEY

- PC = Per curiam
 DIG = Dismissed as improvidently granted
 D = Dismissed for other reasons
 AEDC = Affirmed by an equally divided Court
 R = Set for reargument

DETAILED CASE DISPOSITION TABLES

1: Session beginning October 4, 2010

Case Name	Docket Number	Issue	Argument Date	Decision Date	Author
<i>Ransom v. MBNA, Am. Bank, N.A.</i>	09-907	Permissibility of ownership-cost deduction for vehicle for which debtor is not making payments when calculating debtor's projected disposable income	10/4	1/11	Kagan
<i>Abbott v. United States Gould v. United States</i>	09-479 09-7073	Whether the sentence for the underlying crime that triggers a mandatory consecutive 5-year sentence if a gun was used unless a "greater minimum sentence" would be imposed "by any other provision of law" can itself constitute the "other provision of law"	10/4	11/15	Ginsburg
<i>NASA v. Nelson</i>	09-530	Asking federal contract employee during background check about treatment for recent illegal drug use and asking references for adverse information as violation of constitutional right to privacy	10/5	1/19	Alito
<i>Michigan v. Bryant</i>	09-150	Confrontation Clause challenge to admission of out-of-court statements by gunshot victim in the aftermath of shooting as to perpetrator and circumstances of shooting	10/5	2/28	Sotomayor
<i>Los Angeles Cty. v. Humphries</i>	09-350	Burden of proving that constitutional violation resulted from local public entity's policy, custom, or practice in making claim for declaratory relief	10/5	11/30	Breyer
<i>Snyder v. Phelps</i>	09-751	First Amendment challenge to lawsuit against church that picketed funeral of soldier who died in Iraq	10/6	3/2	Roberts
<i>Connick v. Thompson</i>	09-571	Scope of liability of district attorney's office for failure to train regarding <i>Brady</i> obligations	10/6	3/29	Thomas
<i>Harrington v. Richter</i>	09-587	Relying merely on cross-examination as ineffective assistance of counsel, and AEDPA deference to state's summary disposition of ineffective-assistance-of-counsel claim	10/12	1/19	Kennedy

*Status of Cases Argued Before The United States
Supreme Court
October Term, 2010*

MAYER • BROWN

<i>Premo v. Moore</i>	09-658	Applicability of harmless-error rule to collateral challenge to admission of coerced confession based on defense counsel's failure to move to suppress prior to entry of guilty plea	10/12	1/19	Kennedy
<i>Bruesewitz v. Wyeth, Inc.</i>	09-152	Scope of express preemption of state-law vaccine design-defect claims by National Childhood Vaccine Injury Act of 1986	10/12	2/22	Scalia
<i>Skinner v. Switzer</i>	09-9000	Right of action under 42 U.S.C. § 1983 by convicted person for access to biological evidence for DNA testing	10/13	3/7	Ginsburg
<i>Kasten v. Saint-Gobain Performance Plastics Corp.</i>	09-834	Oral complaint of Fair Labor Standards Act violation as protected conduct under anti-retaliation provision	10/13	3/22	Breyer

**Status of Cases Argued Before The United States
Supreme Court**

MAYER • BROWN

October Term, 2010

2: Session beginning November 1, 2010

Case Name	Docket Number	Issue	Argument Date	Decision Date	Author
<i>Ortiz v. Jordan</i>	09-737	Permissibility of post-trial appeal of order denying summary judgment	11/1	1/24	Ginsburg
<i>United States v. Tohono O'odham Nation</i>	09-846	Applicability of statutory bar on suit before Court of Federal Claims for damages for breach of fiduciary duty to maximize return on trust assets that duplicates a pending suit against the U.S. for equitable accounting	11/1	4/26	Kennedy
<i>Brown v. Entertainment Merchants' Ass'n</i>	08-1448	First Amendment challenge to state law barring sale or rental of violent video games to minors	11/2	6/27	Scalia
<i>Sossamon v. Texas</i>	08-1438	Whether an individual may sue a state or state official in his official capacity for damages under the Religious Land Use and Institutionalized Persons Act	11/2	4/20	Thomas
<i>Staub v. Proctor Hosp.</i>	09-400	Liability of employer for discriminatory intent of employee who allegedly influenced but did not make employment decision	11/2	3/1	Scalia
<i>Az. Christian Sch. Tuition Org v. Winn Garriott v. Winn</i>	09-987 09-991	Establishment Clause challenge to tax credit that taxpayers use to direct more contributions to religious than nonreligious organizations; and taxpayer standing to challenge credit	11/3	4/4	Kennedy
<i>Williamson v. Mazda Motor of Am., Inc.</i>	08-1314	Preemption of state common law claim for failing to install lap/shoulder belt when federal safety standard allows lap-only belt when federal law provides that compliance with federal standard does not exempt a person from liability at common law	11/3	2/23	Breyer
<i>Costco Wholesale Corp. v. Omega, S.A.</i>	08-1423	Application of "first sale" doctrine to imported goods manufactured abroad	11/8	12/13	AEDC
<i>Mayo Found. v. United States</i>	09-837	Propriety of Treasury Department's exclusion of medical residents from definition of "students" who are exempt from Social Security taxation	11/8	1/11	Roberts

*Status of Cases Argued Before The United States
Supreme Court
October Term, 2010*

MAYER • BROWN

<i>AT&T Mobility LLC v. Concepcion</i>	09-893	Whether the Federal Arbitration Act preempts states from conditioning the enforcement of an arbitration agreement on the availability of class-wide arbitration when that procedure is not necessary to ensure that the parties to the arbitration agreement are able to vindicate their claims	11/9	4/27	Scalia
<i>Cullen v. Pinholster</i>	09-1088	Standard for ineffective assistance of counsel claims, and propriety of determining that state court's rejection of habeas claim was unreasonable in light of facts that could have been but were not presented to the state court	11/9	4/4	Thomas
<i>CSX Transp., Inc. v. Ala. Dep't of Revenue</i>	09-520	Amenability of State's exemptions of rail carrier competitors, but not rail carriers, from generally applicable sales and use taxes on fuel to challenge under the Railroad Revitalization and Regulatory Reform Act as "another tax that discriminates against a rail carrier"	11/10	2/22	Kagan
<i>Flores-Villar v. United States</i>	09-5801	Equal Protection challenge to alien's inability to claim derivative citizenship through his U.S. father because of residency requirements applicable to unwed citizen fathers but not unwed citizen mothers	11/10	6/13	AEDC

*Status of Cases Argued Before The United States
Supreme Court*

MAYER • BROWN

October Term, 2010

3: Session beginning November 29, 2010

Case Name	Docket Number	Issue	Argument Date	Decision Date	Author
<i>Wall v. Kholi</i>	09-868	Motion in state court for sentence reduction on grounds of leniency as tolling one-year deadline to file federal postconviction motion	11/29	3/7	Alito
<i>Walker v. Martin</i>	09-996	Adequacy of California rule deeming postconviction challenges waived by "substantial delay" in asserting them if federal court concludes that the rule is vague and state did not prove that courts exercise discretion to apply the rule consistently	11/29	2/23	Ginsburg
<i>Brown v. Plata</i>	09-1233	Permissibility under the Prison Litigation Reform Act of order to release 46,000 prisoners system-wide to alleviate overcrowding	11/30	5/23	Kennedy
<i>CIGNA Corp. v. Amara</i>	09-804	Applicable standard when summary plan description conflicts with plan terms	11/30	5/16	Breyer
<i>Milner v. Dep't of Navy</i>	09-1163	Applicability of FOIA Exemption 2 to information that if disclosed could allow circumvention of federal statutes or regulations	12/1	3/7	Kagan
<i>Va. Office of Protection & Advocacy v. Stewart</i>	09-529	Eleventh Amendment as bar to suit by independent state agency against state officials for injunction to remedy violation of federal law	12/1	4/19	Scalia
<i>Henderson v. Shinseki</i>	09-1036	Whether deadline for seeking judicial review of denial of veteran's claim for disability benefits is jurisdictional	12/6	3/1	Alito
<i>Pepper v. United States</i>	09-6822	Propriety of downward departure from Guidelines range based on post-sentencing rehabilitation	12/6	3/2	Sotomayor
<i>Janus Capital Group, Inc. v. First Derivative Traders</i>	09-525	Scope of liability for securities fraud for investment advisor who participates in the drafting and dissemination of a misleading mutual fund prospectus	12/7	6/13	Thomas
<i>Thompson v. N. Am. Stainless, LP</i>	09-291	Retaliation against third parties as violation of anti-retaliation provision of Title VII; and third party's standing to bring action	12/7	1/24	Scalia

*Status of Cases Argued Before The United States
Supreme Court
October Term, 2010*

MAYER • BROWN

<i>Chase Bank USA, N.A. v. McCoy</i>	09-329	Pre-set increase in credit card interest rate triggered by cardholder default as requiring “change-in-terms notice” to cardholder under Regulation Z, 12 C.F.R. § 226.9(c)	12/8	1/24	Sotomayor
<i>Chamber of Commerce v. Whiting</i>	09-115	Preemption of state-law worker-eligibility requirements	12/8	5/26	Roberts

*Status of Cases Argued Before The United States
Supreme Court*

MAYER • BROWN

October Term, 2010

4: Session beginning January 10, 2011

Case Name	Docket Number	Issue	Argument Date	Decision Date	Author
<i>Matrixx Initiatives v. Siracusano</i>	09-1156	Drug company's non-disclosure of "adverse event" report not alleged to be statistically significant as basis for securities fraud claim	1/10	3/22	Sotomayor
<i>Montana v. Wyoming</i>	137-Orig.	Increased efficiency of diversion of unchanged amount of water from Yellowstone River as breach of interstate compact on water allocation	1/10	5/2	Thomas
<i>J. McIntyre Mach. Co. v. Nicastro</i>	09-1343	Due process violation from state's exercise of personal jurisdiction over foreign manufacturer on stream-of-commerce theory when manufacturer targets the U.S. market and forum state consumer bought product	1/11	6/27	Kennedy
<i>Goodyear Luxembourg Tires v. Brown</i>	10-76	Whether a foreign corporation is subject to general personal jurisdiction, on causes of action not arising out of or related to any contacts between it and the forum state, merely because other entities distribute in the forum state products placed in the stream of commerce by the defendant	1/11	6/27	Ginsburg
<i>Sykes v. United States</i>	09-11311	Using vehicle to flee from police after being ordered to stop as a "violent felony" justifying a longer sentence under the Armed Career Criminal Act	1/12	6/9	Kennedy
<i>Kentucky v. King</i>	09-1272	When does lawful police action impermissibly "create" exigent circumstances that preclude warrantless entry	1/12	5/16	Alito
<i>Gen. Dynamics Corp. v. United States</i> <i>Boeing Co. v. United States</i>	09-1298 09-1302	Whether due process precludes the government from maintaining its claim against a party when it invokes the state-secrets privilege to completely deny that party a defense to the claim	1/18	5/23	Scalia

*Status of Cases Argued Before The United States
Supreme Court
October Term, 2010*

MAYER • BROWN

<i>Smith v. Bayer Corp.</i>	09-1205	Federal district court's authority under the Anti-Injunction Act to enjoin state court class action brought by other consumers with same legal theory as plaintiff as to whom federal court had denied class certification	1/18	6/16	Kagan
<i>Stern v. Marshall</i>	10-179	Whether bankruptcy courts have core jurisdiction over debtors' compulsory counterclaims to proofs of claims	1/18	6/23	Roberts
<i>FCC v. AT&T, Inc.</i>	09-1279	Whether FOIA's Exemption 7(C), which exempts from disclosure records that were compiled for law enforcement purposes when such disclosure could reasonably be expected to constitute an unwarranted invasion of "personal privacy," protects a corporation's "privacy"	1/19	3/1	Roberts
<i>Astra USA, Inc. v. Santa Clara Cty.</i>	09-1273	Whether federal courts have federal common law authority to confer a private right of action under a statute because the statutory requirement to be enforced is embodied in a contract	1/19	3/29	Ginsburg

*Status of Cases Argued Before The United States
Supreme Court*

MAYER • BROWN

October Term, 2010

5: Session beginning February 22, 2011

Case Name	Docket Number	Issue	Argument Date	Decision Date	Author
<i>Bond v. United States</i>	09-1227	Defendant's standing to challenge conviction on grounds that statute exceeds Congress's enumerated powers	2/22	6/16	Kennedy
<i>Freeman v. United States</i>	09-10245	Scope of district court's authority to reduce a federal criminal sentence because new version of the Sentencing Guidelines has reduced the sentence range	2/22	6/23	Kennedy
<i>United States v. Tinklenberg</i>	09-1498	Whether the time between the filing of a pretrial motion and its disposition is automatically excluded from the deadline for commencing trial under the Speedy Trial Act of 1974, or is instead excluded only if the motion actually causes a postponement, or the expectation of a postponement, of the trial	2/22	5/26	Breyer
<i>Global-Tech Appliances, Inc. v. SEB S.A.</i>	10-6	Applicable standard for mens rea for actively inducing infringement of a patent	2/23	5/31	Alito
<i>Madison Cty. v. Oneida Indian Nation</i>	10-72	Tribal sovereign immunity as bar to foreclosure by taxing authority for unpaid property taxes that were lawfully imposed	2/23	1/10	PC
<i>DePierre v. United States</i>	09-1533	Whether crack cocaine is only type of "cocaine base" as used by 21 U.S.C. § 841(b)(1)(A)	2/28	6/9	Sotomayor
<i>Bd. of Trustees of Leland Stanford, Jr. Univ. v. Roche Molecular Sys., Inc.</i>	09-1159	Agreement assigning individual inventor's rights to third party as waiver of federal contractor university's right under Bayh-Dole Act to inventions arising from federally funded research	2/28	6/6	Roberts
<i>Camreta v. Greene</i> <i>Alford v. Greene</i>	09-1454 09-1478	Warrant, court order, parental consent, or exigent circumstances as prerequisite to temporary seizure and interview at public school of child reasonably suspected of having been sexually abused	3/1	5/26	Kagan

*Status of Cases Argued Before The United States
Supreme Court
October Term, 2010*

MAYER • BROWN

<i>Schindler Elevator Corp. v. United States ex rel. Kirk</i>	10-188	Whether a federal agency's response to a FOIA request is a "report * * * or investigation" within the meaning of the False Claims Act public-disclosure bar	3/1	5/16	Thomas
<i>Ashcroft v. Al-Kidd</i>	10-98	Former attorney general's entitlement to absolute or qualified immunity for allegedly violating Fourth Amendment in detaining material witness	3/2	5/31	Scalia
<i>Bullcoming v. New Mexico</i>	09-10876	Admission of testimony of crime lab supervisor about test that supervisor did not personally conduct or observe as violation of Confrontation Clause	3/2	6/23	Ginsburg

**Status of Cases Argued Before The United States
Supreme Court**
October Term, 2010
6: Session beginning March 21, 2011

MAYER • BROWN

Case Name	Docket Number	Issue	Argument Date	Decision Date	Author
<i>Davis v. United States</i>	09-11328	Applicability of good-faith exception to the exclusionary rule to police search that at the time was legal but since has been ruled unconstitutional	3/21	6/16	Alito
<i>Tolentino v. New York</i>	09-11556	Applicability of exclusionary rule to identifying DMV records obtained as a result of unlawful police stop	3/21	3/29	DIG
<i>Borough of Duryea v. Guarnieri</i>	09-1476	Whether state and local government employees can sue under Petition Clause for retaliation for petitioning government on matter of private concern	3/22	6/20	Kennedy
<i>Fox v. Vice</i>	10-114	District court's discretion to award attorneys' fees under 42 U.S.C. § 1988 to defendant for obtaining dismissal of frivolous claims when the fees were incurred seeking dismissal of intertwined non-frivolous claims	3/22	6/6	Kagan
<i>Turner v. Rogers</i>	10-10	Right to appointed counsel in civil contempt proceeding that results in incarceration, and Supreme Court's jurisdiction to review state supreme court's decision	3/23	6/20	Breyer
<i>J.D.B. v. North Carolina</i>	09-11121	Whether age is a factor in determining whether a juvenile would have felt barred from terminating police interrogation, necessitating <i>Miranda</i> warnings	3/23	6/16	Sotomayor
<i>Az. Free Enter. Club v. Bennett</i> <i>McComish v. Bennett</i>	10-238 10-239	First Amendment challenge to state law subsidizing political candidates who agree to limit acceptance of private donations	3/28	6/27	Roberts
<i>CSX v. McBride</i>	10-235	Proximate causation as an element of a cause of action under the Federal Employers' Liability Act	3/28	6/23	Ginsburg
<i>Wal-Mart Stores, Inc. v. Dukes</i>	10-277	Certifiability of a class seeking back pay under Fed. R. Civ. P. 23(b)(2), and whether certification violated Fed. R. Civ. P. 23(a)	3/29	6/20	Scalia

*Status of Cases Argued Before The United States
Supreme Court
October Term, 2010*

MAYER • BROWN

<i>Fowler v. United States</i>	10-5443	Proof that victim would have communicated information about a possible federal crime to law enforcement as an element of the offense of murder under 18 U.S.C. § 1512(a)(1)(C)	3/29	5/26	Breyer
<i>PLIVA, Inc. v. Mensing</i> <i>Actavis Elizabeth, LLC v. Mensing</i> <i>Actavis, Inc. v. Demahy</i>	09-993 09-1039 09-1501	Preemption by Hatch-Taxman Amendments of state suit alleging that, by using FDA-approved label, generic drugmaker failed to warn of risks	3/30	6/23	Thomas
<i>Talk America, Inc. v. Michigan Bell Tel. Co.</i> <i>Isiogu v. Michigan Bell Tel. Co.</i>	10-313 10-329	Incumbent local exchange carriers' obligation to allow competitors to link to facilities at regulated cost-based rates	3/30	6/9	Thomas

*Status of Cases Argued Before The United States
Supreme Court
October Term, 2010
7: Session beginning April 18, 2011*

MAYER • BROWN

Case Name	Docket Number	Issue	Argument Date	Decision Date	Author
<i>Tapia v. United States</i>	10-5400	Whether federal judge may impose a longer prison sentence to improve the prisoner's chances of rehabilitation	4/18	6/16	Kagan
<i>Microsoft Corp. v. i4i L.P.</i>	10-290	Clear and convincing evidence of invalidity as burden of proof needed to challenge a patent	4/18	6/9	Sotomayor
<i>Am. Elec. Power Co. v. Connecticut</i>	10-174	States' and private parties' standing to seek emissions caps on utilities for alleged contribution to global warming; availability of federal common law cause of action against carbon dioxide emitters	4/19	6/20	Ginsburg
<i>United States v. Jicarilla Apache Nation</i>	10-382	Whether U.S. may withhold communications with U.S. attorneys regarding properties held in trust for Indian tribe from that tribe under the attorney-client privilege	4/20	6/13	Alito
<i>Erica P. John Fund, Inc. v. Halliburton Co.</i>	09-1403	Loss causation as prerequisite for class certification for securities fraud plaintiff invoking fraud-on-the-market presumption of reliance	4/25	6/6	Robert
<i>McNeill v. United States</i>	10-5258	Whether the phrase "is prescribed by law," which the Armed Career Criminal Act uses to define a predicate "serious drug offense," requires sentencing court to look to the maximum penalty under current state law, regardless of whether current sentencing law is retroactive	4/25	6/6	Thomas
<i>Sorrell v. IMS Health Inc.</i>	10-779	First Amendment challenge to Vermont law barring sale and use of prescriber-identifiable data for marketing of drugs without prescriber's consent	4/26	6/23	Kennedy
<i>Nevada Comm'n on Ethics v. Carrigan</i>	10-568	Standard of review of First Amendment challenge to state restrictions on voting by elected officials	4/27	6/13	Scalia

*Status of Cases Argued Before The United States
Supreme Court*

MAYER • BROWN

October Term, 2010

8: Cases not on the argument calendar

Case Name	Docket Number	Issue	Decision Date	Author
<i>Wilson v. Corcoran</i>	10-91	Availability of federal habeas relief from state-imposed death sentence that violates state law	11/8	PC
<i>Swarthout v. Cooke</i>	10-333	Scope of federal habeas review of state parole determinations	11/24	PC
<i>Felkner v. Jackson</i>	10-797	Scope of federal habeas review of state-court adjudication of <i>Batson</i> claim	3/21	PC
<i>Bobby v. Mitts</i>	10-1000	Scope of federal habeas review of state-court adjudication of challenge to penalty-phase jury instructions	5/2	PC
<i>United States v. Juvenile Male</i>	09-940	Mootness of <i>ex post facto</i> challenge to application of sexual offender registration statute	6/27	PC

**Status of Cases Argued Before The United States
Supreme Court**

MAYER • BROWN

October Term, 2010

9: Cases in which certiorari has been granted and that will be argued next Term

Case Name	Docket Number	Issue
<i>Lafler v. Cooper</i>	10-209	Whether ineffective assistance of counsel during plea bargain negotiations violates Sixth Amendment rights of defendant later convicted and sentenced in fair trial and, if so, what remedy is appropriate
<i>Douglas v. Indep. Living Ctr. of S. Cal.</i> <i>Douglas v. Ca. Pharmacists' Ass'n</i> <i>Douglas v. Santa Rosa Mem. Hosp.</i>	09-958 09-1158 10-283	Existence of a cause of action under the Supremacy Clause to challenge a state law asserted to be preempted by a provision of the Medicaid Act that is not otherwise enforceable by private parties under 42 U.S.C. § 1983 or an implied private right of action theory
<i>Missouri v. Frye</i>	10-444	Whether defendant who validly pleads guilty can assert a claim for ineffective assistance of counsel premised on failure to communicate more favorable plea offer, and what remedy (if any) should be afforded
<i>Howes v. Fields</i>	10-680	Whether a prisoner is always "in custody" for <i>Miranda</i> purposes when isolated from general population and questioned about conduct outside the prison
<i>Reynolds v. United States</i>	10-6549	Standing under Sexual Offender Registration and Notification Act to challenge interim rule making the Act retroactive
<i>Pac. Operators Offshore v. Valladolid</i>	10-507	Outer continental shelf worker's eligibility under the Outer Continental Shelf Lands Act for compensation for injury suffered on land
<i>Golan v. Holder</i>	10-545	Challenge under the First Amendment and the Copyright Clause to restoration of copyrights to works in the public domain
<i>Maples v. Thomas</i>	10-63	Whether abandonment by attorneys and state's failure to act when mail to attorneys was returned unopened constitutes cause to excuse missed filing deadline
<i>Rehberg v. Paulk</i>	10-788	Absolute immunity in Section 1983 claim of government official who presented perjured testimony as a complaining witness
<i>Hosanna-Tabor Evangelical Lutheran Church & School v. EEOC</i>	10-553	Ministerial exception to federal antidiscrimination laws as applied to teacher at religious elementary school
<i>Greene v. Fisher</i>	10-637	Whether a Supreme Court decision announced before a state prisoner's conviction is final but after his last state-court decision on the merits constitutes "clearly established Federal law" under AEDPA that may provide the basis for federal habeas relief
<i>Florence v. Bd. of Chosen Freeholders</i>	10-945	Jail's suspicionless strip search of all arrestees, regardless of seriousness of offense, as Fourth Amendment violation
<i>Judulang v. Holder</i>	10-694	Discretionary relief from removal under former Section 212(c) of INA for lawful permanent resident who pleaded guilty to an offense that renders him deportable and excludable under differently phrased statutory subsections, but who did not depart and reenter the United States after conviction and before removal proceedings began

*Status of Cases Argued Before The United States
Supreme Court
October Term, 2010*

MAYER • BROWN

<i>CompuCredit Corp. v. Greenwood</i>	10-948	Arbitrability of claims under federal Credit Repair Organizations Act
<i>M.B.Z. v. Clinton</i>	10-699	Applicability of political question doctrine to federal statute that directs the Secretary of State how to record the birthplace of an American citizen on a Consular Report of Birth Abroad and on a passport, and whether Section 214 of the Foreign Relations Authorization Act, fiscal year 2003, infringes upon President's power to recognize foreign sovereigns
<i>Kawashima v. Holder</i>	10-577	Filing and aiding and abetting the filing of false statements on corporate tax returns as aggravated felonies warranting removal
<i>Perry v. New Hampshire</i>	10-8974	Due process challenge to unreliable pretrial identification when the suggestive identification procedures were not the result of state action
<i>Kurns v. Railroad Friction Prods. Co.</i>	10-879	Preemptive effect of Locomotive Inspection Act on state-law tort claims based on exposure to asbestos during repair of locomotives at railroad maintenance facilities
<i>Martinez v. Ryan</i>	10-1001	Federal constitutional right to effective assistance of state post-conviction counsel in preparing ineffective-assistance-of-trial-counsel claim that state law requires to be raised in a state post-conviction proceeding rather than on direct appeal
<i>Hall v. United States</i>	10-875	Dischargeability of a federal tax debt arising out of a debtor's post-petition sale of a farm asset in a Chapter 12 bankruptcy
<i>Gonzalez v. Taylor</i>	10-895	Existence of jurisdiction to issue a certificate of appealability and standard for determining timeliness of federal habeas petition
<i>Setser v. United States</i>	10-7387	Whether federal sentence may be served consecutively to state sentence that had not yet been imposed
<i>Smith v. Louisiana</i>	10-8145	State courts' failure to make factual findings or provide reasons for rejecting substantial <i>Brady</i> , <i>Napue</i> , and <i>Giglio</i> claims as violation of due process
<i>PPL Montana, LLC v. Montana</i>	10-218	Standard for assessing whether waterway was navigable when state joined the Union and hence owns the waterway, and preemption of state claim to waterway by Federal Power Act and leases of waterway from federal government
<i>First Am. Fin. Corp. v. Edwards</i>	10-708	Whether uninjured person has standing to bring claim for statutory damages under Real Estate Settlement Procedures Act
<i>FAA v. Cooper</i>	10-1024	Mental and emotional injuries as "actual damages" under civil remedies provisions of Privacy Act
<i>Mayo Collaborative Servs. v. Prometheus Labs., Inc.</i>	10-1150	Patentability of correlations between blood test results and patient health
<i>Nat. Meat Ass'n v. Harris</i>	10-224	Preemption by Federal Meat Inspection Act and implementing regulations of state criminal law requiring euthanization of animals that federal regulations require to be quarantined for inspection
<i>Messerschmidt v. Millender</i>	10-704	Qualified immunity of police officers for obtaining facially valid warrant to search for firearms and gang-related items in residence of family member of gang member who shot at his girlfriend

***Status of Cases Argued Before The United States
Supreme Court
October Term, 2010***

MAYER • BROWN

<i>Caraco Pharm. Labs. Ltd. v. Novo Nordisk A/S</i>	10-844	Application of counterclaim provision of the Hatch-Waxman Act when patent does not claim an approved method of using the drug and the brand had to correct patent information submitted to the FDA
<i>Coleman v. Md. Ct. App.</i>	10-1016	Self-care leave provision of Family and Medical Leave Act as abrogation of states' Eleventh Amendment immunity
<i>Knox v. Serv. Employees Int'l Union, Local 1000</i>	10-1121	First Amendment challenge to state's conditioning employment on payment of union assessment for political expenditures without providing notice and right to object
<i>Mims v. Arrow Fin. Servs., LLC</i>	10-1195	Federal question jurisdiction over private actions brought under Telephone Consumer Protection Act
<i>Kappos v. Hyatt</i>	10-1219	Standard for introducing new evidence in lawsuit challenging denial of patent application
<i>United States v. Jones</i>	10-1259	Installing GPS tracking device on car without warrant or consent as Fourth Amendment violation
<i>Credit Suisse Secs. v. Simmonds</i>	10-1261	Existence and duration of tolling of two-year limitations period for claims under Section 16(b) of the Securities Exchange Act
<i>Martel v. Clair</i>	10-1265	Right of federal habeas petitioner to new appointed counsel when dissatisfied with current appointed counsel
<i>FCC v. Fox Television Stations</i>	10-1293	FCC's current indecency-enforcement regime as violation of First or Fifth Amendments
<i>Williams v. Illinois</i>	10-8505	Confrontation Clause challenge to admission of lab report by unavailable witness to explain independent opinions of testifying witness
<i>Sackett v. EPA</i>	10-1062	Statutory and due process right to pre-enforcement judicial review of EPA order under the Clean Water Act to restore wetlands