

Syllabus

UNITED STATES ET AL. *v.* CHESAPEAKE &
POTOMAC TELEPHONE COMPANY OF
VIRGINIA ET AL.CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE FOURTH CIRCUIT

No. 94–1893. Argued December 6, 1995—Decided February 27, 1996*

42 F. 3d 181, vacated and remanded.

Deputy Solicitor General Wallace argued the cause for petitioners in both cases. With him on the briefs for petitioners in No. 94–1893 were *Solicitor General Days*, *Acting Assistant Attorney General Phillips*, *Paul R. Q. Wolfson*, *Douglas N. Letter*, *Mark B. Stern*, *Bruce G. Forrest*, *William E. Kennard*, and *Christopher J. Wright*. *H. Bartow Farr III*, *Richard G. Taranto*, *Daniel L. Brenner*, *Neal M. Goldberg*, and *David L. Nicoll* filed briefs for petitioner in No. 94–1900.

Laurence H. Tribe argued the cause for respondents in both cases. With him on the brief were *Jonathan S. Massey*, *Peter J. Rubin*, *Mark L. Evans*, *Kenneth W. Starr*, *Paul T. Cappuccio*, *James R. Young*, *John Thorne*, and *Michael E. Glover*.†

*Together with No. 94–1900, *National Cable Television Assn., Inc. v. Bell Atlantic Corp. et al.*, also on certiorari to the same court.

†Briefs of *amici curiae* urging reversal were filed for the California Cable Television Association by *Bruce D. Sokler* and *Frank W. Lloyd III*; and for the Consumer Federation of America et al. by *Gigi B. Sohn* and *Andrew Jay Schwartzman*.

Briefs of *amici curiae* urging affirmance were filed for the American Civil Liberties Union et al. by *Burt Neuborne* and *Steven R. Shapiro*; for BellSouth Corp. by *Walter H. Alford*, *John F. Beasley*, *William Barfield*, and *Roger M. Flynt, Jr.*; for East Ascension Telephone Co. by *Richard A. Epstein*; for GTE Corp. by *M. Edward Whelan III*, *John F. Raposa*, and *Richard A. Cordray*; for Mets Fans United/Virginia Consumers for Cable Choice et al. by *Samuel A. Simon*; for the United States Telephone Association et al. by *Michael W. McConnell* and *Kenneth S. Geller*; and for U S

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 TELEPHONE CO. OF VA.
 Per Curiam

PER CURIAM.

The judgment is vacated and the cases are remanded to the United States Court of Appeals for the Fourth Circuit for consideration of the question whether they are moot.

West, Inc., by *Lloyd N. Cutler*, *Louis R. Cohen*, *William T. Lake*, and *Stuart S. Gunckel*.