

Supreme Court of the U.S.

No. 06-14017 - 2006

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OFFICE OF THE CLERK

In The  
**Supreme Court of the United States**

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SAMARJEET SIDHU,

*Petitioner,*

v.

ALBERTO GONZALES,  
United States Attorney General,

*Respondent.*

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**On Petition For Writ Of Certiorari  
To The United States Court Of Appeals  
For The Fifth Circuit**

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**PETITION FOR WRIT OF CERTIORARI**

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**QUESTION PRESENTED FOR REVIEW**

1. Whether the grant of a waiver of inadmissibility to the Petitioner, a lawful permanent resident alien, under former §212(c) of the Immigration and Nationality Act was properly reversed upon the conclusion that, as a matter of law, the Petitioner was not eligible for the relief under this Court's decision in *INS v. St. Cyr*, 533 U.S. 289 (2001) solely because his conviction was not pursuant to a plea agreement.

Supreme Court of U.S.

No. 06- 06-142 (10/21/2006)

OFFICE OF THE CLERK

IN THE

**Supreme Court of the United States**

MAHMOUD CHERIF BASSIOUNI  
a/k/a M. CHERIF BASSIOUNI,

*Petitioner,*

v.

FEDERAL BUREAU OF INVESTIGATION,

*Respondent.*

ON PETITION FOR A WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT

**PETITION FOR A WRIT OF CERTIORARI**

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## QUESTIONS PRESENTED

1. Whether *certiorari* should be granted to resolve the conflict that currently exists in no less than *seven* different circuits, in addition to an internal conflict within the Seventh Circuit itself, regarding the meaning of the “law enforcement activity” exception to subsection (e)(7) of the Privacy Act, 5 U.S.C. § 552a(e)(7) (2000), which prohibits the collection and maintenance of records describing the First Amendment activities of American citizens unless such collection and continued retention is “pertinent to and within the scope of an authorized law enforcement activity” concerning the requester?

2. Whether *certiorari* should be granted to resolve an important question of federal law concerning the Seventh Circuit’s unprecedented violation of Rule 10(a) of the Federal Rules of Appellate Procedure where, in rendering its decision, the court reviewed *ex parte* a classified FBI declaration that was never filed in the district court, considered by the district court judge, or made part of the record on appeal, and that was submitted by the FBI for the first time after oral argument in the court of appeals?

Supreme Court U.S.  
711

No. 06-143 JUL 14 2006

IN THE OFFICE OF THE CLERK

**Supreme Court of the United States**

WEST HOLLYWOOD COMMUNITY  
REDEVELOPMENT COMMISSION,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

**On Petition for a Writ of Certiorari  
to the United States Court of Appeals  
for the Ninth Circuit**

**PETITION FOR A WRIT OF CERTIORARI**

MICHAEL JENKINS\*  
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### QUESTIONS PRESENTED

The Civil Asset Forfeiture Reform Act of 2000, Pub. L. No. 106-185, 114 Stat. 202, (“CAFRA”), codified as amended, 18 U.S.C. § 983, precludes the forfeiture of property belonging to an “innocent owner.” Under that provision, a claimant who owns property that was used for illegal purposes may avoid forfeiture if, “upon learning of the conduct giving rise to the forfeiture, [the claimant] did all that reasonably could be expected under the circumstances to terminate such use of the property.” 18 U.S.C. § 983(d)(2)(A)(ii). CAFRA further states that the “ways” in which a claimant may meet that standard “include” showing that the claimant (a) “gave timely notice to an appropriate law enforcement agency of information that led the person to know” of the illegal use, 18 U.S.C. § 983(d)(2)(B)(i)(I); and (b) “in a timely fashion revoked or made a good faith attempt to revoke permission for those engaging in such conduct to use the property or took reasonable actions in consultation with a law enforcement agency to discourage or prevent the illegal use of the property,” 18 U.S.C. § 983(d)(2)(B)(i)(II). The questions presented are:

1. Whether the Ninth Circuit erred in construing the phrase “an appropriate law enforcement agency” to mean *federal* law enforcement authorities, and as excluding state law enforcement officials with authority to arrest for the violations at issue.
2. Whether the Ninth Circuit erred in construing CAFRA’s statutory safe harbor, 18 U.S.C. §§ 983(d)(2)(A)(ii)(I) and (II), as an exhaustive list of the actions through which claimants may prove that they did “all that reasonably could be expected under the circumstances.”
3. Whether the Ninth Circuit erred in holding that the question of reasonableness “under the circumstances” was for the court rather than for the jury to decide.

06-144 JUL 28 2006

No. OFFICE OF THE CLERK

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**In the Supreme Court of the United States**

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BASF CORPORATION,

*Petitioner,*

v.

RONALD PETERSON, ET AL.

*Respondents.*

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**On Petition for a Writ of Certiorari to  
the Supreme Court of Minnesota**

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**PETITION FOR A WRIT OF CERTIORARI**

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WINTHROP A. ROCKWELL  
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### QUESTIONS PRESENTED

In *BASF Corp. v. Peterson*, 544 U.S. 1012 (2005), this Court granted a prior petition for certiorari in this case, vacated the Minnesota Supreme Court's judgment, and remanded the case for reconsideration in light of *Bates v. Dow Agrosciences LLC*, 544 U.S. 431 (2005). On remand, the Minnesota Supreme Court reinstated its prior judgment. As in the previously filed petition, the questions presented are:

1. Whether the Federal Insecticide, Fungicide, and Rodenticide Act preempts a state law claim that seeks to impose liability for engaging in commercial practices that are required or authorized by FIFRA and its implementing regulations.
2. Whether the First Amendment prohibits a state law claim that a manufacturer committed an unconscionable commercial practice by (a) distributing a truthful magazine article on a subject of public importance and (b) accurately reporting to responsible government officials the unlawful use of the manufacturer's products.



Supreme Court, U.S.  
FILED

06-145 JUL 25 2006

NO OFFICE OF THE CLERK

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In the  
**Supreme Court of the United States**

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ALLEN D. ADAMS, II, et al.,  
*Petitioners,*

v.

PENSION BENEFIT GUARANTY CORPORATION  
and PICHIN CORPORATION,  
*Respondents.*

**On Petition for a Writ of Certiorari to the United  
States Court of Appeals for the D.C. Circuit**

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**PETITION FOR WRIT OF CERTIORARI**

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**QUESTION PRESENTED**

Does the Pension Benefit Guaranty Corporation (hereinafter referred to as "PBGC") have the authority to waive or compromise the liability imposed on the sponsor of a defined benefit pension plan by § 1362 of the Employee Retirement Income Security Act?

Supreme Court of the  
United States

No. 06-147 JUL 27 2006

OFFICE OF THE CLERK

IN THE

**Supreme Court of the United States**

AT HOME CORPORATION,  
*Petitioner,*

v.

COX COMMUNICATIONS, INC., COX@HOME, INC.,  
COMCAST CORPORATION, COMCAST ONLINE  
COMMUNICATION, INC., COMCAST PC INVESTMENT, INC.,  
BRIAN L. ROBERTS AND DAVID M. WOODROW,  
*Respondents.*

**On Petition for a Writ of Certiorari to the  
United States Court of Appeals  
for the Second Circuit**

**PETITION FOR A WRIT OF CERTIORARI**

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July 27, 2006

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### QUESTIONS PRESENTED

1. In a case involving one of the largest insider profits ever realized (over \$600 million), where the complaint properly alleges a matching “sale” and “purchase” of securities within a six-month period, may statutory insiders escape liability under § 16(b) of the Securities Exchange Act of 1934 because of a judicial interpretation that establishes the date of creation of a so-called hybrid derivative instrument as the only “sale” date, thereby opening a large loophole for speculative abuse of the precise type § 16(b) was intended to prevent?

2. Does a “purchase” of securities for purposes of § 16(b) of the Securities Exchange Act of 1934 occur when a statutory insider of an issuer acquires securities of the issuer through its acquisition of another company which, in turn, owns securities of the issuer given the plain language of § 3(a)(13) of the Exchange Act, which expressly defines “purchase” to include “any contract to buy, purchase or *otherwise acquire*” a security, 15 U.S.C. § 78c(a)(13) (emphasis added)?

Supreme Court of the U.S.

No. 06-148 2006

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OFFICE OF THE CLERK  
In The  
Supreme Court of the United States

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FRED SUTER, *ET AL.*,

*Petitioners,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

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ON PETITION FOR WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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PETITION FOR WRIT OF CERTIORARI  
WITH APPENDIX

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**QUESTIONS PRESENTED FOR REVIEW**

I. Whether the court of appeals erred in holding that this action should be dismissed under the discretionary function exception to the Federal Tort Claims Act.

II. Whether the district court erred in holding that this action should be dismissed under the misrepresentation exception to the Federal Tort Claims Act.

III. Whether the district court erred in holding that the United States was not liable under the Federal Tort Claims Act due to the lack of analogous private person liability.

Supreme Court, U.S.  
FILED

06-149 JUL 21 2006

No. 06- OFFICE OF THE CLERK

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IN THE  
**Supreme Court of the United States**

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CLAUDE NELSON STUART,

*Petitioner,*

v.

GRIEVANCE COMMITTEE FOR THE SECOND  
AND ELEVENTH JUDICIAL DISTRICTS,

*Respondent.*

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ON PETITION FOR A WRIT OF CERTIORARI TO THE  
SUPREME COURT OF THE STATE OF NEW YORK,  
APPELLATE DIVISION, SECOND JUDICIAL DEPARTMENT

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**PETITION FOR A WRIT OF CERTIORARI**

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## QUESTIONS PRESENTED

**A. Whether New York's Judiciary Law §90(2, 3, 6, 7, 8, and 9) relating to the discipline of attorneys, as applied, is violative of equal protection and due process when it permits, without a rational basis:**

**(1) one Department of a single court by rule to deny attorneys substantive and procedural rights accorded to other attorneys in another Department of the same court, and further,**

**(2) the enforcement of court rules which deny all attorneys substantive and procedural rights which the State Education Law accords to professionals such as doctors and dentists?**

**B. Whether the failure to afford attorneys the right to appeal from the ruling of the Appellate Division, the court of first instance, offends due process?**

\* \* \*

**There is absolutely no justification why members of the bar who have been in the forefront of forging the protection of rights of others, should themselves find that they are being deprived of equal protection and due process.**