

OT06 - Decisions by Final Vote

9-0 (or unan.) 28 (38%)	8-1 (or 7-1) 9 (12%)	7-2 (or 6-2) 9 (12%)	6-3 3 (4%)	5-4 24 (33%)
<i>TSSAA</i>	<i>Tellabs</i>	<i>Wilkie</i>	<i>Roper (PC)</i>	<i>PICS/Jeff. County</i>
<i>Brendlin</i>	<i>Rita</i>	<i>Powerex</i>	<i>United Hauler's</i>	<i>Panetti</i>
<i>WEA</i>	<i>Scott</i>	<i>Perm. Mission</i>	<i>Cunningham</i>	<i>Leegin Creative</i>
<i>Coke</i>	<i>MedImmune</i>	<i>Twombly</i>		<i>NAHB</i>
<i>Watson</i>	<i>Resendiz-Ponce</i>	<i>Global Crossing</i>		<i>Hein</i>
<i>Atl. Research</i>	<i>Lopez</i>	<i>Wallace</i>		<i>FEC</i>
<i>Fry</i>	<i>Rettele (PC)</i>	<i>Osborn</i>		<i>Morse**</i>
<i>Beck</i>	<i>Microsoft (7-1)</i>	<i>Erickson (PC)</i>		<i>Bowles</i>
<i>Sole</i>	<i>CSFB (7-1)</i>	<i>Rockwell (6-2)</i>		<i>Uttecht</i>
<i>Safeco</i>				<i>Ledbetter</i>
<i>Winkelman</i>				<i>Schriro</i>
<i>Hinck</i>				<i>Smith</i>
<i>EC Term of Yrs</i>				<i>Brewer</i>
<i>KSR</i>				<i>Abdul-Kabir</i>
<i>Duke Energy</i>				<i>James</i>
<i>Travelers</i>				<i>Carhart</i>
<i>Lance (PC)</i>				<i>Zuni</i>
<i>Sinochem</i>				<i>Mass v. EPA</i>
<i>Whorton</i>				<i>Marrama</i>
<i>Weyerhaeuser</i>				<i>PM v. Williams</i>
<i>Jones</i>				<i>Lawrence</i>
<i>Duenas-Alvarez</i>				<i>Belmontes</i>
<i>Norfolk Southern</i>				<i>Limtiaco</i>
<i>Burton (PC)</i>				<i>Watters†</i>
<i>Musladin</i>				
<i>Purcell (PC)</i>				
<i>Dayton (8-0)</i>				
<i>BP America (7-0)</i>				

DIG

Roper (6-3)
*Toledo-Flores**

Otherwise Dismissed

Burton
Dayton
Claiborne

Cases colored in **red** had majorities formed by Kennedy plus the four more conservative members of the Court (Roberts, Scalia, Thomas, Alito).

Cases colored in **blue** had majorities formed by Kennedy plus the four more liberal members of the Court (Stevens, Souter, Ginsburg, Breyer).

**We have made the judgment that Justice Breyer's opinion concurring in judgment and dissenting in part in *Morse* is best described as a dissent.

†We have decided that *Watters* is best classified with the 5-4s, as it seems quite likely that had all 9 justices participated, it would have come out this way.

Final OT05

45 (52%)	5 (6%)	12 (14%)	13 (15%)	11 (13%)
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-The per curiam dismissals in *Toledo-Flores* and *Claiborne* are not included in the voting breakdown. The summary reversals in *Rettele*, *Lance*, *Purcell*, and *Erickson* are. A look at which justices form the majority and the minority in all of the cases can be found at: http://dailywrit.com/?page_id=55.

-Detailed voting relationships between each pair of justices will be released immediately upon Term's end.

-Finally, it is worth noting that the timing of decisions issued in OT05 may have been affected by three cases that may have been decided earlier in that Term but needed to be reargued. All three of those ended up 5-4.

*Note that this issue was decided in *Lopez v. Gonzales*.