

June 7, 1978

PERSONAL

Monell

Dear Sam,

You are entitled to feel considerable satisfaction from the bringing down on yesterday of Monell.

Although the "casebooks" will not reflect it, your contributions both to the result and the content of the opinion were not insignificant. Although you were advising me rather than Justice Brennan, your ideas - in large part - transmitted by my memoranda to the Conference and consultations with Justices, were constructive and effective.

I suspect that this new invitation to litigation will be abused, as has been the recent history of §1983. But some just causes also will be vindicated. In any event, the decision reflects the will of Congress and it will be an historic one.

I appreciate your contribution.

Sincerely,

Samuel Estreicher, Esquire