

MEMORANDUM

TO: Miss Penny Clark
FROM: Lewis F. Powell, Jr.

DATE: March 25, 1975

Defining the limits of 1983

Referring to our discussion on yesterday, I was interested last night to read Judge Adams' dissenting opinion in the consolidated cases argued here today from New Jersey - 74-80 Kugler v. Helfant and 74-277 Helfant v. Kugler.

The issue in the case is whether Younger applies, and a majority of CA3 carved out a rather unique exception. Judge Adams dissented vigorously, and wrote rather eloquently about the principles of federalism.

I thought possibly this would be of interest to you.

L.F.P., Jr.

ss