

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

To: The Chief Justice  
Justice Brennan  
Justice White  
Justice Marshall  
Justice Blackmun  
Justice Stevens  
Justice Scalia  
Justice

From: Justice O'Connor

November 2, 1987

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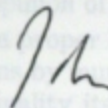
IN DRAFT

Re: 86-772 - St. Louis v. Praprotnik

Dear Sandra:

Although I share some of your concerns about the Court of Appeals' opinion in this case, I am still inclined to believe that its judgment was correct. I shall therefore be writing separately.

Respectfully,



Justice O'Connor

Copies to the Conference

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Respondent James is an architect who began working for petitioner's Community Development Agency (CDA) in 1965. For several years, respondent received favorable evaluations of his job performance, uncommonly quick promotions, and significant increases in salary. By 1984, he was serving in a management position at petitioner's CDA. Donald Speed, had instituted a requirement that agency's professional employees, including architects, obtain advance approval before taking on private clients. Respondent and other CDA employees objected to the requirement. In April 1986, respondent was suspended for 15 days by CDA's Director of Urban Design, Charles Kindleburger, for having accepted outside employment without prior approval. Respondent appealed to the City's Civil Service Commission, a body charged with reviewing employee grievances. Finding the penalty too harsh, the Commission reversed the suspension, awarded re-