

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

April 29, 1978

Re: 75-1914 - Monell v. Department
of Social Services
of City of New York

I now have had an opportunity to read your revised draft, circulated April 21.

Thank you for the revisions directed to the points raised in my letter of April 11. The new part III on stare decisis is quite persuasive, and includes much of what I would have said in my opinion.

Dear Bill,
As I have told you, Part II is in general quite all right with me, and I think correct. My explanation of why I do not now think I would include it whether there are five for it or not. The amendments to footnotes 55 and 60 suggested in your letter to Potter of April 25 are definitely an improvement. I would also prefer what you orally suggested to me today, namely, that you drop footnote 57.

Sincerely yours,



Mr. Justice Brennan

Copies to the Conference