

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

June 10, 1981

April 7, 1981

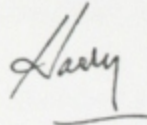
Re: No. 80-396 - City of Newport v. Fact Concerts, Inc.

Dear Potter:

Thank you for your letter of June 8. I understand your concern. I am eliminating, on page 27, the phrase "except possibly in a most extreme situation, see n. 28, supra," and, on page 22, the second sentence of footnote 28. I would like to keep the rest of the footnote which recognizes that an "extreme situation" might exist but does not incorporate it into the rule pronounced by the opinion.

I hope that these changes will allay your concern.

Sincerely,



Mr. Justice Marshall

Mr. Justice Stevens

Mr. Justice Stewart

cc: The Conference