

The Chief Justice

Tutth + Rembaur  
can't be reconciled  
with 8th circuit  
wouldn't

White, J.

Clear that Sawdler  
had no authority to  
set rules of the game  
of how City liable  
that's no precedent  
superior

Marshall, J.

Revers - Rem-  
baur controls

Blackmun, J.

Reverse

Powell, J.

Stevens, J.

The out of step with  
Court on making  
policy as we go along  
8th Cir opinion not  
satisfactory. Did  
motion for directed  
verdict have been granted?  
There was some evidence  
I think to support the  
verdict. City can't com-  
plain of instructions  
since it drafted them

O'Connor, J.

would reverse  
can't see single retali-  
atory constructive  
discharge was a  
policy. Not enough  
under Pembaur

Scalia, J.

Respondent superior  
is water over dam