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Court of Appeals

Sumitomo Shoji America, Inc. v. Avagliano, 457  
US 176 - Supreme Court 1982

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5-22-1980

## Transcript Information

Lewis M. Steel '63

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UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

TRANSCRIPT INFORMATION  
CIVIL APPEAL

To be completed by counsel for appellant in civil appeal from district court within ten days after filing notice of appeal.

DISPOSITION OF COPIES: (1) to Clerk of the Court of Appeals; (2) and (3) to Court Reporter; (4) Counsel for Appellee (5) retained by Counsel for Appellant.

THIS SECTION TO BE COMPLETED BY COUNSEL FOR APPELLANT

CASE TITLE  LISA M. AVIGLIANO, et al.,  Plaintiffs, -against- SUMITOMO SHOJI AMERICA, INC.,  Defendants.	DISTRICT  S.D.N.Y.	DOCKET NUMBER  77 Civ. 5641 (CHT)
	JUDGE  TENNEY	APPELLANT  SUMITOMO SHOJI AMERICA, INC.
	COURT REPORTER  none	COUNSEL FOR APPELLANT  WENDER, MURASE & WHITE

TRANSCRIPT ORDER  
Must be completed

DESCRIPTION OF PROCEEDINGS FOR WHICH TRANSCRIPT IS REQUIRED (INCLUDE DATES)

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COUNSEL'S SIGNATURE

*Wender Murase & White by J. Portis Hicks cca:1*

DATE

May 22, 1980

COURT REPORTER ACKNOWLEDGEMENT

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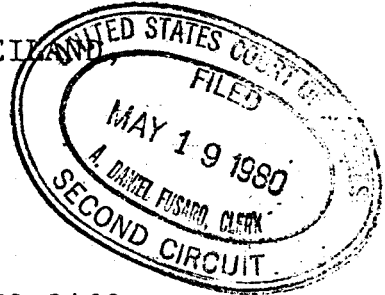
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DATE

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse in the City of New York, on the nineteenth day of May one thousand nine hundred and eighty.

Present: HONORABLE JAMES L. OAKES,  
HONORABLE ELLSWORTH A. VAN GRAAFEILLAND,  
HONORABLE JON O. NEWMAN,  
Circuit Judges.



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SUMITOMO SHOJI AMERICA, INC.,  
Petitioner,

v.

79-8460

LISA M. AVIGLIANO, ET AL.,  
Respondents.  
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79-8460

O R D E R

It is hereby ordered that the motion made herein by counsel for the petitioner by notice of motion dated February 20, 1980 and amended notice of motion dated February 21, 1980 for rehearing of this Court's order of January 24, 1980, be and it hereby is granted, and

It is further ordered that this Court's order of January 24, 1980 denying petitioner's motion for leave to appeal pursuant to 28 U.S.C. § 1292(b) is vacated, and it is further ordered that petitioner's motion for leave to appeal pursuant to 28 U.S.C. § 1292(b) the order of the District Court dated August 9, 1979, as amended on November 29, 1979, which denied petitioner's motion to dismiss the complaint for failure to state a claim, be and it hereby is granted.

James L. Oakes  
Jon O. Newman  
Ellsworth A. Van Graafeiland  
Circuit Judges.