

Counsel of Record,

Attached is the order noting probable jurisdiction in Nos. 02-1674, et al., setting the briefing schedule, and setting argument for September 8, 2003. The order does not address the page limitations for briefs. Page limits for briefs will presumptively be those provided for in the Court's Rules. Longer briefs may be allowed if combinations of parties agree to submit common briefs on particular issues; and shorter briefs may be prescribed for certain issues.

Counsel are directed to file with the Clerk of the Court a coordinated proposal by noon, Tuesday, June 10, 2003. The proposal shall:

- A. Identify issues upon which two or more parties can present a common position;
- B. Propose a page limit on the portion of briefs addressing each such issue on behalf of parties with a common position; and
- C. Identify issues upon which there is no common position, with the parties' suggestions for brief pages necessary to address them.

Please, be certain to acknowledge receipt of this transmission via e-mail. If you have any questions or desire assistance please contact me at 202-479-3032, or Chris Vasil at 202-479-3027.

Sincerely,

Merits Cases Clerk,
Denise J. McNerney
fax no. 202-479-3204