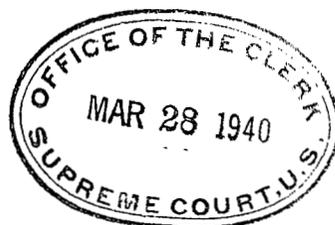




Office of the Solicitor General

Washington, D. C.



March 28, 1940

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Honorable Charles Elmore Cropley
Clerk, Supreme Court of the United States
Washington, D. C.

My dear Mr. Cropley:

On March 7, 1940, we filed a petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit in the case of Securities and Exchange Commission v. United States Realty and Improvement Co., No. 796. The respondent's brief in opposition has been filed today. I understand that, in accordance with the customary practice of the Court, the petition for certiorari and the brief in opposition would be distributed to members of the Court on Saturday, March 30, and that in consequence the earliest date upon which a decision on the petition might be anticipated would be April 8.

Both the General Counsel for the Securities and Exchange Commission and I believe that, if the writ is granted, a final decision in the case this Term would be greatly in the public interest because of the guidance it would provide to the district courts and to the Securities and Exchange Commission in the administration of the federal bankruptcy law. I venture to suggest, therefore, that if it is possible for the petition and brief in opposition to be distributed to the members of the Court immediately, the matter might perhaps be so expedited as to permit of an earlier decision on the petition. In this case it would appear possible, in the event that the writ is granted, that the Court would consider hearing oral argument on the case during the session beginning on April 22.

I should greatly appreciate it if you would bring this matter to the attention of the Chief Justice and ascertain whether the procedure I have suggested is permissible.

Very truly yours,

Solicitor General.