

12-3-1976

## 12-03-1976 Notes from Oral Argument

Harry A. Blackmun

*Associate Justice of the US Supreme Court*

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The Chief Justice

Exigent relief at T court

Should write a PC of + says as little as possible.

Brennan, J. vacate for new trial

Paul v Davis p 710  
Held mal lib a tortious  
Entitled to a hearing on + 1983 suit  
as to when suit is time  
and relief is appropriate or sealing  
Yes, a publication  
also damage, if untrue  
loss of time or in defam  
+ he is entitled to in + 1983 suit

Stewart, J. vacate

Back to recon Paul v Davis, Rest v Bishop  
this I wrote one a panel others  
Much like Rest + trigger what was in  
Entitled him to a hearing on 1983 suit on 1/4 PD  
No back pay bec v back v neg.  
Damages for loss v Emot  
hearing at + to v discontinue at + latest  
[ we is + proof v falsity ]

White, J.

page in PS of false  
I said - entit on evid of failure  
of proof. If no chance to  
prove, I come out in PS  
or entitled to a hearing on a trial  
of "innocent"

Marshall, J. —

Child is right  
no ally or falsi or defam.

for failure of proof

Powell, J. —

W/D Ct  
No proof v. stigmatization by D  
of false & defam, in stigmatization & in  
Paul's book  
Pol of non-dislosure is OK

Rehnquist, J. —

PC per us proof or falsity.  
Main function pub-  
Don't apply Paul's here.  
Reputation is a lib not for protecting  
Etc.  
Paul's report is a lib not except to  
effort Paul says it is. So  
doctrinal inconsistency to

Stevens, J. —

Reiterate DCT just like 3 concerns  
in proof:  
1) what file contains  
2) to tell Paul's his role  
3) v. falsity v. contacts

Stigma:  
become unobjectionable - says a big in advance  
and in published - must allege falsity  
Cannot take stigma completely out of  
if defam, by release at their pers  
says a big.