

## Overview of October Term 2010

Unless otherwise noted, the following charts cover October Term 2010, which began on October 4, 2010 and will continue until late-June, 2011. As the term continues, we will update the Stat Pack with more robust information on the current term and a greater number of cross-term charts.

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## Summary of the Term

<b>Total Merit Opinions Released</b>	<b>33</b>
.....Signed opinions after oral argument	29
.....Summary reversals	3
.....Affirmed 4-4	1

<b>Total Merit Opinions Expected</b>	<b>80</b>
.....Scheduled for oral argument	79
.....Summary reversals	3
.....(Dismissed)	(2)

<b>Total Cases Granted for OT 11</b>	<b>13</b>
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\* You can find out more about our statistics features here: <http://www.scotusblog.com/2010/11/scotusblog-4-0-and-statistics/>.

You can find past Stat Packs here: <http://www.scotusblog.com/reference/stat-pack/>.

## Opinions by Sitting

<b>Roberts</b>	1	1	-	1	-	-	-	<b>JGR</b>	3
<b>Scalia</b>	1	1	1	-	-	-	-	<b>AS</b>	3
<b>Kennedy</b>	2	1	-	-	-	-	-	<b>AMK</b>	3
<b>Thomas</b>	1	1	-	-	-	-	-	<b>CT</b>	2
<b>Ginsburg</b>	2	1	1	1	-	-	-	<b>RBG</b>	5
<b>Breyer</b>	2	1	-	-	-	-	-	<b>SGB</b>	3
<b>Alito</b>	1	-	2	-	-	-	-	<b>SAA</b>	3
<b>Sotomayor</b>	1	-	2	1	-	-	-	<b>SMS</b>	4
<b>Kagan</b>	1	1	1	-	-	-	-	<b>EK</b>	3
<b>Justice</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>Total</b>	<b>29</b>
	<b>Total: 12   Remain: 0</b>	<b>Total: 13   Remain: 5</b>	<b>Total: 12   Remain: 5</b>	<b>Total: 11   Remain: 8</b>	<b>Total: 10   Remain: 10</b>	<b>Total: 12   Remain: 11</b>	<b>Total: 8   Remain: 8</b>	<b>Exp.</b>	<b>76</b>
<i>Abbott</i>	<i>RBG</i>	<i>Tohono</i>	<i>Wall</i>	<i>Matrixx</i>	<i>Freeman</i>	<i>Davis</i>	<i>Microsoft</i>		
<i>Ransom</i>	<i>EK</i>	<i>Ortiz</i>	<i>Walker</i>	<i>Montana</i>	<i>Tinklenberg</i>	<i>Tolentino</i>	<i>PC</i>	<i>Tapia</i>	
<i>LA County</i>	<i>SGB</i>	<i>Staub</i>	<i>Plata</i>	<i>Goodyear</i>	<i>Bond</i>	<i>Duryea</i>		<i>Am. Electrical</i>	
<i>Michigan</i>	<i>SMS</i>	<i>Ent. Merch. Ass'n</i>	<i>CIGNA</i>	<i>McIntyre</i>	<i>Global Tech</i>	<i>Fox</i>		<i>Apache Nation</i>	
<i>NASA</i>	<i>SAA</i>	<i>Sossamon</i>	<i>VOPA</i>	<i>King</i>	<i>DePierre</i>	<i>J.D.B.</i>		<i>John Fund</i>	
<i>Snyder</i>	<i>JGR</i>	<i>AZ Christian</i>	<i>Milner</i>	<i>Sykes</i>	<i>Stanford</i>	<i>Turner</i>		<i>McNeill</i>	
<i>Connick</i>	<i>CT</i>	<i>Williamson</i>	<i>Henderson</i>	<i>Gen. Dynamics</i>	<i>Schindler</i>	<i>McBride</i>		<i>Sorrell</i>	
<i>Harrington</i>	<i>AMK</i>	<i>CostCo</i>	<i>Pepper</i>	<i>Bayer</i>	<i>Camreta</i>	<i>AZ Free Ent.</i>		<i>Nevada</i>	
<i>Bruesewitz</i>	<i>AS</i>	<i>Mayo</i>	<i>Janus</i>	<i>Stern</i>	<i>Bullcoming</i>	<i>Fowler</i>			
<i>Premo</i>	<i>AMK</i>	<i>Vincent</i>	<i>Thompson</i>	<i>Astra</i>	<i>Al-Kidd</i>	<i>Wal-Mart</i>			
<i>Kasten</i>	<i>SGB</i>	<i>Cullen</i>	<i>Chase</i>	<i>AT&amp;T</i>		<i>PLIVA</i>			
<i>Skinner</i>	<i>RBG</i>	<i>Flores-Villar</i>	<i>Whiting</i>			<i>Talk America</i>			
		<i>CSX Trans.</i>	<i>EK</i>						

\**CostCo v. Omega* was aff'd 4-4. *Tolentino v. New York* was dismissed as improvidently granted. *Madison v. Oneida* was dismissed prior to oral arguments and is therefore not represented on this chart. The Court scheduled 79 cases for oral argument and after two dismissals and one *per curiam* opinions (*CostCo*), the Court is expected to release 76 signed opinions for the current term.

## Cases by Vote Split

The following chart shows the merit opinions that have been released by the Court divided by the strength of the majority opinion, sorted by release date. Cases in which fewer than nine members voted are marked with the actual vote total and *per curiam* decisions are indicated as such.

9-0 20 (63%)	8-1 4 (13%)	7-2 5 (16%)	6-3 1 (3%)	5-4 2 (6%)
Wilson v. Corcoran (PC)	Ransom v. MBNA	Bruesewitz v. Wyeth (6-2)	Skinner v. Switzer	Connick v. Thompson
Abbott v. U.S. (8-0)	Snyder v. Phelps	CSX Transport. v. Alabama		AZ Christian v. Winn
LA County v. Humphries (8-0)	Pepper v. U.S. (7-1)	Michigan v. Bryant (6-2)		
Mayo v. U.S. (8-0)	Milner v. Navy	Kasten v. Saint-Gobain (6-2)		
Harrington v. Richter (8-0)		Cullen v. Pinholster		
Premo v. Moore (8-0)				
NASA v. Nelson (8-0)				
Thompson v. N.A. Stainless (8-0)				
Ortiz v. Jordan				
Chase v. McCoy				
Swarthout v. Cooke (PC)				
Walker v. Martin				
Williamson v. Mazda (8-0)				
FCC v. AT&T (8-0)				
Staub v. Proctor (8-0)				
Henderson v. Shinseki (8-0)				
Wall v. Kholi				
Felkner v. Jackson (PC)				
Matrixx v. Siracusano				
Astra v. Santa Clara (8-0)				

Cases Not Included Above	
<i>Madison v. Oneida</i>	Vacated and remanded prior to oral arguments
<i>CostCo v. Omega</i>	Affirmed by an equally divided court (4-4)
<i>Tolentino v. New York</i>	Dismissed as improvidently granted

Past Terms					
	9-0	8-1	7-2	6-3	5-4
<b>OT09</b>	46%	10%	15%	11%	18%
<b>OT08</b>	33%	5%	16%	16%	29%
<b>OT07</b>	30%	9%	29%	14%	17%
<b>OT06</b>	39%	13%	11%	4%	33%
<b>OT05</b>	56%	5%	11%	16%	12%
<b>Avg.</b>	41%	8%	17%	12%	22%

## Circuit Scorecard

### October Term 2010

	Number	Percent	Aff'd	Rev'd	Aff'd %	Rev'd %	Aff'd (4-4)
CA1	2	3%	1	0	100%	0%	
CA2	4	5%					
CA3	5	6%	2	1	67%	33%	
CA4	4	5%	1	0	100%	0%	
CA5	5	6%	0	2	0%	100%	
CA6	5	6%	0	2	0%	100%	
CA7	5	6%	0	3	0%	100%	
CA8	4	5%	1	1	50%	50%	
CA9	25	31%	2	12	14%	86%	1
CA10	-	-					
CA11	3	4%	0	1	0%	100%	
CA DC	-	-					
CA Fed	7	9%	0	1	0%	100%	
State	9	11%	0	2	0%	100%	
Dist. Court.	1	1%					
Original	1	1%					
	80		7	25	22%	78%	1

### October Term 2011

	Number	Percent
CA1		
CA2		
CA3	2	15%
CA4	1	8%
CA5		
CA6	3	23%
CA7		
CA8		
CA9	2	15%
CA10	1	8%
CA11	3	23%
CA DC		
CA Fed		
State	1	8%
Dist. Court.		
Original		
	13	

\* The number of cases granted from a given circuit does not include cases that were later dismissed.

## Opinion Authorship

The following chart shows the number of opinions authored by each Justice.

	Total # Opinions	Majority Opinions	Concurring Opinions	Dissenting Opinions
Roberts	3	3	-	-
Scalia	10	3	4	3
Kennedy	3	3	-	-
Thomas	9	2	4	3
Ginsburg	11	5	4	2
Breyer	6	3	2	1
Alito	8	3	3	2
Sotomayor	7	4	1	2
Kagan	4	3	-	1

## Majority Opinion Authorship and Vote Split

The following charts show the strength of the majority opinions authored by each Justice.

Total number of opinions authored						
	Total	9-0	8-1	7-2	6-3	5-4
Roberts	3	2	1	-	-	-
Scalia	3	2	-	1	-	-
Kennedy	3	2	-	-	-	1
Thomas	2	-	-	1	-	1
Ginsburg	5	4	-	-	1	-
Breyer	3	2	-	1	-	-
Alito	3	3	-	-	-	-
Sotomayor	4	2	1	1	-	-
Kagan	3	-	2	1	-	-
	29	17	4	5	1	2

Authorship as a percentage of similar opinions					
	9-0	8-1	7-2	6-3	5-4
Roberts	12%	25%	-	-	-
Scalia	12%	-	20%	-	-
Kennedy	12%	-	-	-	50%
Thomas	-	-	20%	-	50%
Ginsburg	24%	-	-	100%	-
Breyer	12%	-	20%	-	-
Alito	18%	-	-	-	-
Sotomayor	12%	25%	20%	-	-
Kagan	-	50%	20%	-	-
	100% (17)	100% (4)	100% (5)	100% (1)	100% (2)

## Frequency in the Majority

The following charts measure how frequently each Justice has voted with the majority during OT 2010. The charts include summary reversals but do not include cases that were dismissed.

### All Cases

Justice	Votes	Frequency in Majority	OT09	OT08	OT07
Roberts	32	100%	91%	81%	90%
Kennedy	32	97%	91%	92%	86%
Scalia	32	91%	87%	84%	81%
Breyer	32	91%	78%	75%	79%
Alito	32	91%	87%	81%	82%
Thomas	32	88%	83%	81%	75%
Sotomayor	32	88%	84%	-	-
Kagan	16	88%	-	-	-
Ginsburg	32	84%	80%	70%	75%

### Divided Cases

Justice	Votes	Frequency in Majority	OT09	OT08	OT07
Roberts	12	100%	83%	72%	73%
Kennedy	12	92%	83%	89%	79%
Scalia	12	75%	76%	76%	65%
Breyer	12	75%	58%	62%	68%
Alito	12	75%	76%	72%	75%
Kagan	8	75%	-	-	-
Thomas	12	67%	67%	72%	85%
Sotomayor	12	67%	69%	-	-
Ginsburg	12	58%	63%	55%	65%

## Days Between Grant And Oral Argument

The following charts address the number of days between when the Court grants certiorari (or otherwise decides that a case should be argued), and when it hears oral argument in a given case. The typical briefing schedule outlined in the Court’s rules allows for 112 days between argument and opinion. The Court typically seeks to avoid compressing the briefing schedule and, as the charts below show, it was fairly successful during OT 2010.

Argued	Avg. Days
<b>October</b>	207d
<b>November</b>	179d
<b>December</b>	165d
<b>January</b>	117d
<b>February</b>	140d
<b>March</b>	130d
<b>April</b>	118d
<b>Overall</b>	<b>153d</b>

<b>Average</b>	<b>153d</b>
<b>Median</b>	<b>149d</b>
<b>St. Dev</b>	<b>38d</b>

<b>Longest</b>	<i>Abbott</i>	252d
<b>Shortest</b>	<i>Montana</i>	90d

<b>OT03</b>	172d
<b>OT04</b>	167d
<b>OT05</b>	165d
<b>OT06</b>	131d
<b>OT07</b>	134d
<b>OT08</b>	167d
<b>OT09</b>	168d
<b>OT10</b>	<b>153d</b>

	Rank		Days	Month Argued	Granted	Argued
<b>Longest</b>	1	<i>Abbott</i>	252d	October	Jan 25	Oct 4
	2	<i>Flores-Villar</i>	233d	November	Mar 22	Nov 10
	3	<i>Harrington</i>	232d	October	Feb 22	Oct 12
	4	<i>LA County</i>	225d	October	Feb 22	Oct 5
	5*	<i>Michigan</i>	218d	October	Mar 1	Oct 5
	5*	<i>Bruesewitz</i>	218d	October	Mar 8	Oct 12
	7	<i>Snyder</i>	212d	October	Mar 8	Oct 6
	8	<i>NASA</i>	211d	October	Mar 8	Oct 5
	9	<i>Matrixx</i>	210d	January	Jun 14	Jan 10
	10	<i>Kasten</i>	205d	October	Mar 22	Oct 13

<b>Shortest</b>	1	<i>Montana</i>	90d	January	Oct 12	Jan 10
	2*	<i>McIntyre</i>	105d	January	Sep 28	Jan 11
	2*	<i>Goodyear</i>	105d	January	Sep 28	Jan 11
	4*	<i>Sykes</i>	106d	January	Sep 28	Jan 12
	4*	<i>King</i>	106d	January	Sep 28	Jan 12
	6	<i>McNeill</i>	108d	April	Jan 7	Apr 25
	7*	<i>Talk America</i>	110d	March	Dec 10	Mar 30
	7*	<i>PLIVA</i>	110d	March	Dec 10	Mar 30
	9*	<i>Stern</i>	112d	January	Sep 28	Jan 18
	9*	<i>Bayer</i>	112d	January	Sep 28	Jan 18

\* You can read about a less successful past Term here <<http://www.scotusblog.com/2008/01/on-the-docket-and-briefing-schedules/>>.

\* In a handful of cases, the Court will not be presented with a petition for writ of certiorari, but will instead receive a Statement of Jurisdiction. These charts treat those cases identically to cert. petitions and the “Grant Date” indicates when the Court noted probable jurisdiction or postponed the determination of jurisdiction.

## Days Between Oral Argument and Opinion

The following charts address the time it takes for the Court to release opinions following oral argument. The Court has released 29 signed opinions after argument during the current term.

Argued	Avg.	Total	Remain
<b>October</b>	117d	12	-
<b>November</b>	112d	13	5
<b>December</b>	78d	12	5
<b>January</b>	60d	11	8
<b>February</b>	-	10	10
<b>March</b>	-	12	11
<b>April</b>	-	8	8
<b>Overall</b>	<b>100d</b>	78	47

<b>Average</b>	<b>99d</b>
<b>Median</b>	<b>100d</b>
<b>St. Dev.</b>	<b>38d</b>

<b>Longest</b>	<i>Connick</i>	174d
<b>Shortest</b>	<i>AT&amp;T</i>	41d

<b>OT03</b>	82d
<b>OT04</b>	91d
<b>OT05</b>	79d
<b>OT06</b>	96d
<b>OT07</b>	94d
<b>OT08</b>	94d
<b>OT09</b>	109d
<b>OT10</b>	<b>100d</b>

	Rank			Author	Vote	Argued	Opinion
<b>Longest</b>	1	<i>Connick</i>	174d	Thomas	5-4	Oct 6	Mar 29
	2	<i>Kasten</i>	160d	Breyer	6-2	Oct 13	Mar 22
	3	<i>AZ Christian</i>	152d	Kennedy	5-4	Nov 3	Apr 4
	4	<i>Snyder</i>	147d	Roberts	8-1	Oct 6	Mar 2
	5*	<i>Michigan</i>	146d	Sotomayor	6-2	Oct 5	Feb 28
	5*	<i>Cullen</i>	146d	Thomas	7-2	Nov 9	Apr 4
	7	<i>Skinner</i>	145d	Ginsburg	6-3	Oct 13	Mar 7
	8	<i>Bruesewitz</i>	133d	Scalia	6-2	Oct 12	Feb 22
	9	<i>Staub</i>	119d	Scalia	8-0	Nov 2	Mar 1
	10	<i>Williamson</i>	112d	Breyer	8-0	Nov 3	Feb 23

<b>Shortest</b>	1	<i>AT&amp;T</i>	41d	Roberts	8-0	Jan 19	Mar 1
	2	<i>Abbott</i>	42d	Ginsburg	8-0	Oct 4	Nov 15
	3	<i>Chase</i>	47d	Sotomayor	9-0	Dec 8	Jan 24
	4	<i>Thompson</i>	48d	Scalia	8-0	Dec 7	Jan 24
	5	<i>LA County</i>	56d	Breyer	8-0	Oct 5	Nov 30
	6	<i>Mayo</i>	64d	Roberts	8-0	Nov 8	Jan 11
	7	<i>Astra</i>	69d	Ginsburg	8-0	Jan 19	Mar 29
	8	<i>Matrixx</i>	71d	Sotomayor	9-0	Jan 10	Mar 22
	9	<i>Ortiz</i>	84d	Ginsburg	9-0	Nov 1	Jan 24
	10	<i>Henderson</i>	85d	Alito	8-0	Dec 6	Mar 1

	9-0 (20)	8-1 (4)	7-2 (5)	6-3 (1)	5-4 (2)
<b>Average # Days</b>	78d	107d	138d	145d	163d

\* These charts consider only signed opinions released following oral arguments.



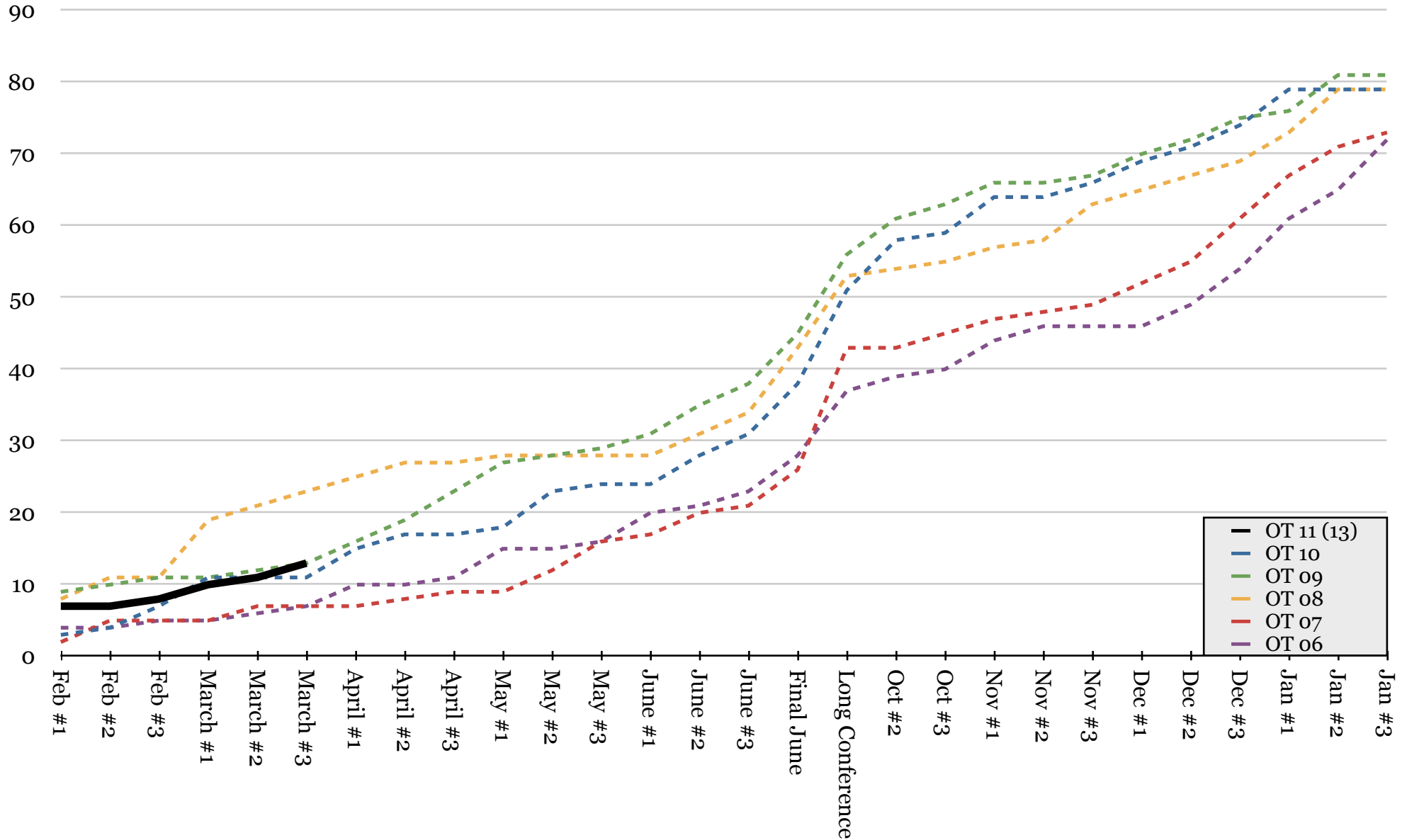
### Term Index

This chart includes a summary of the cases for the term including (1) majority opinion author, (2) vote, (3) days between argument and opinion, (4) judgment, and (5) court below.

October							Avg.		November							Avg.		December							Avg.		
Abbott	RBG	8-0	42d	A	CA3	JGR	1	147d	Tohono				CAFC	JGR	1	64d	Wall	SAA	9-0	98d	A	CA1	JGR	0			
Ransom	EK	8-1	99d	A	CA9	AS	1	133d	Ortiz	RBG	9-0	84d	R	CA6	AS	1	119d	Walker	RBG	9-0	86d	R	CA9	AS	1	48d	
LA County	SGB	8-0	56d	R	CA9	AMK	2	99d	Staub	AS	8-0	119d	R	CA7	AMK	1	152d	Plata					USDC	AMK	0		
Michigan	SMS	6-2	146d	R	ST	CT	1	174d	Ent. Merch. Ass'n					CA9	CT	1	146d	CIGNA					CA2	CT	0		
NASA	SAA	8-0	106d	R	CA9	RBG	2	94d	Sossamon					CA5	RBG	1	84d	VOPA					CA4	RBG	1	86d	
Snyder	JGR	8-1	147d	A	CA4	SGB	2	108d	AZ Christian	AMK	5-4	152d	R	CA9	SGB	1	112d	Milner	EK	8-1	96d	R	CA9	SGB	0		
Connick	CT	5-4	174d	R	CA5	SAA	1	106d	Williamson	SGB	8-0	112d	R	ST	SAA	0		Henderson	SAA	8-0	85d	R	CAFC	SAA	2	92d	
Harrington	AMK	8-0	99d	R	CA9	SMS	1	146d	CostCo	PC	4-4		A	CA9	SMS	0		Pepper	SMS	7-1	86d	R	CA8	SMS	2	67d	
Bruesewitz	AS	6-2	133d	A	CA3	EK	1	99d	Mayo	JGR	8-0	64d	A	CA8	EK	1	104d	Janus					CA4	EK	1	96d	
Premo	AMK	8-0	99d	R	CA9	Total	12		Vincent					CA9	Total	8		Thompson	AS	8-0	48d	R	CA6	Total	7		
Kasten	SGB	6-2	160d	R	CA7	Expect.	12		Cullen	CT	7-2	146d	R	CA9	Expect.	13		Chase	SMS	9-0	47d	R	CA9	Expect.	12		
Skinner	RBG	6-3	145d	R	CA5	Avg.	117d		Flores-Villar					CA9	Avg.	112d		Whiting					CA9	Avg.	78d		
									CSX Trans.	EK	7-2	104d	R	CA11													
January							Avg.		February							Avg.		March							Avg.		
Matrixx	SMS	9-0	71d	A	CA9	JGR	1	41d	Freeman					CA6	JGR	0		Davis					CA11	JGR	0		
Montana					Orig	AS	0		Tinklenberg					CA6	AS	0		Tolentino	DIG	-	-	-	ST	AS	0		
Goodyear					ST	AMK	0		Bond					CA3	AMK	0		Duryea					CA3	AMK	0		
McIntyre					ST	CT	0		Global Tech					CAFC	CT	0		Fox					CA5	CT	0		
King					ST	RBG	1	69d	DePierre					CA1	RBG	0		J.D.B.					ST	RBG	0		
Sykes					CA7	SGB	0		Stanford					CAFC	SGB	0		Turner					ST	SGB	0		
Gen. Dynamics					CAFC	SAA	0		Schindler					CA2	SAA	0		McBride					CA7	SAA	0		
Bayer					CA8	SMS	1	71d	Camreta					CA9	SMS	0		AZ Free Ent.					CA9	SMS	0		
Stern					CA9	EK	0		Bullcoming					ST	EK	0		Fowler					CA11	EK	0		
Astra	RBG	8-0	69d	R	CA9	Total	3		Al-Kidd					CA9	Total	0		Wal-Mart					CA9	Total	0		
AT&T	JGR	8-0	41d	R	CA3	Expect.	11								Expect.	10		PLIVA					CA8	Expect.	11		
						Avg.	60d								Avg.	-		Talk America					CA6	Avg.	-		
April							Avg.		Summary Reversal							Avg.		Total							Avg.		
Microsoft					CAFC	JGR	0		Wilson	PC	9-0	-	R	CA7				Roberts	3	84d							
Tapia					CA9	AS	0		Swarthout	PC	9-0	-	R	CA9				Scalia	3	100d							
Am. Electrical					CA2	AMK	0		Felkner	PC	9-0	-	R	CA9				Kennedy	3	117d							
Apache Nation					CAFC	CT	0												Thomas	2	160d						
John Fund					CA5	RBG	0												Ginsburg	5	85d						
McNeill					CA4	SGB	0												Bryer	3	109d						
Sorrell					CA2	SAA	0												Alito	3	96d						
Nevada					ST	SMS	0												Sotomayor	4	88d						
						EK	0												Kagan	3	100d						
						Total	0												Summary Rev	3							
						Expect.	8												Total Decided	33							
						Avg.	-												Expected	80							
																			Percent Decided	41%							
																			Avg.	100d							

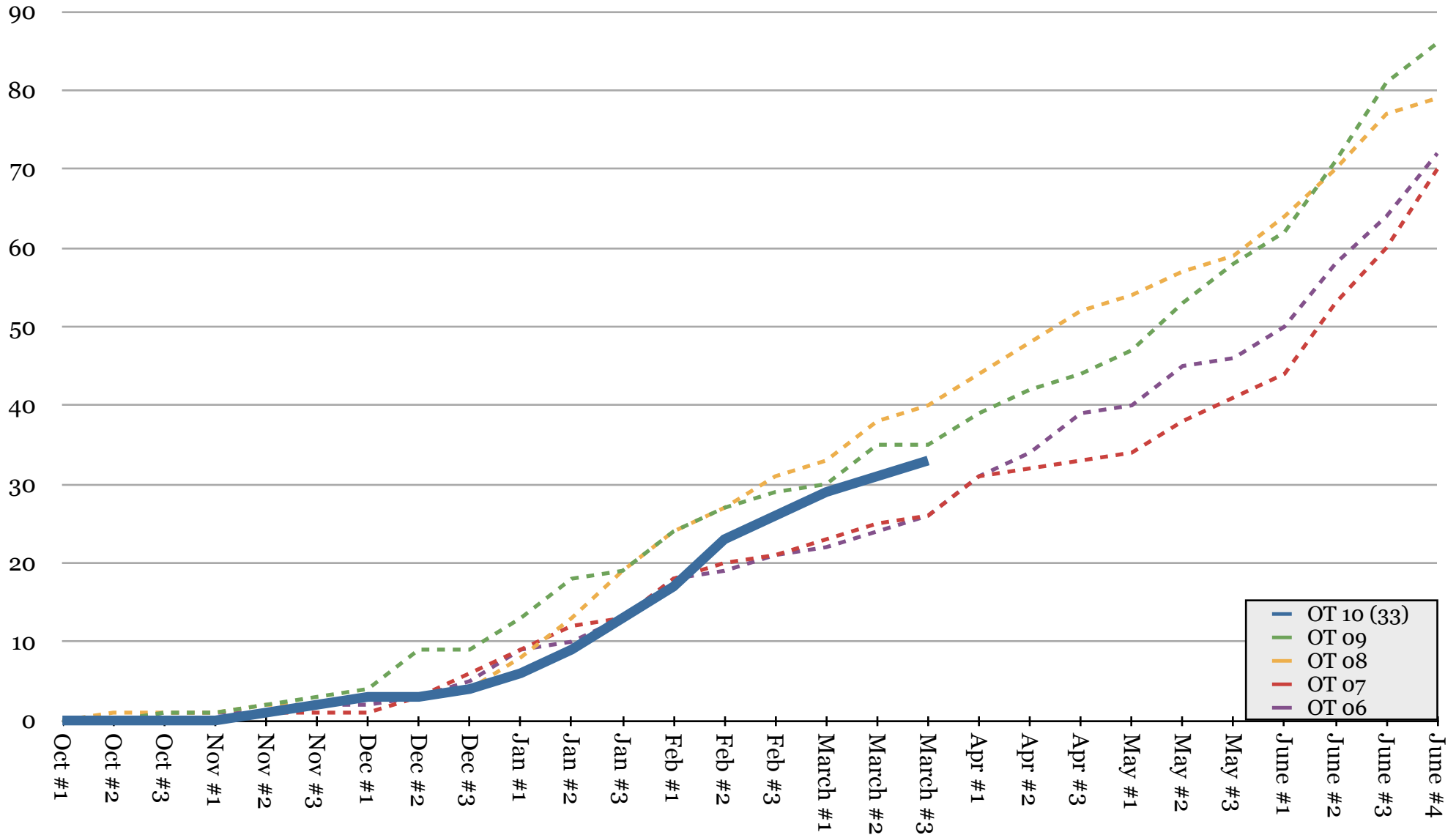
## Pace of Grants

The following chart plots the pace at which the Court fills its merits docket for a given term. Each date marker represents the conference within a given sitting. For instance, Feb #3 is the third February conference, which actually took place on March 4, 2011. Categorizing grants by their conference within a given sitting ensures more accurate cross-term comparisons.



## Pace of Opinions

The following chart plots the pace at which the Court releases merit opinions throughout the term, beginning in October and ending in June. This chart includes both opinions released after full briefing and summary reversals. Here, like in the Pace of Grants chart, cases are categorized by their release within a given sitting. For example, opinions for Feb. #3 were actually released on March 7, 2011.



## Petitions to Watch

The following charts cover SCOTUSblog's Petitions to Watch feature. This feature monitors petitions raising issues that Tom has determined to have a reasonable chance of being granted, although we post them without consideration of whether they present appropriate vehicles in which to decide those issues.

Overall				
	OT09	OT10	Total	Percentages
<b>Granted</b>	62	44	106	24.3%
<b>Denied</b>	195	135	330	75.7%
<b>Pending</b>	2	27	29	
<b>Total Listed</b>	<b>259</b>	<b>206</b>	<b>465</b>	

Percentage of paid merits cases which appeared as a Petition to Watch prior to being granted	OT10	<b>92%</b> (60/65)
	OT11	<b>90%</b> (9/10)

Recent Conferences				
	Conference	Listed	Granted	Pending
OT 10	September 27	59	16	3
	October 8	6	2	1
	October 15	7	1	1
	October 29	10	2	2
	November 5	1	0	-
	November 12	5	0	-
	November 23	17	6	-
	December 3	7	4	2
	December 10	8	3	2
	January 7	18	3	1
	January 14	10	1	1
	January 21	5	0	-
	February 18	18	3	4
	February 25	8	2	1
	March 4	13	0	3
	March 18	7	1	1
March 25	4	0	3	
April 1	3	0	2	

\* Cases are listed only for the first conference for which they are listed as a petition to watch. Cases listed due to representation from Akin Gump or Goldstein, Howe & Russell are not included. Cases listed as OT09 petitions are those that were first listed as a petition to watch during the OT09 and the same applies to OT10 petitions. You can read more about the Petitions to Watch feature here: <http://www.scotusblog.com/2010/11/tracking-petitions-on-scotusblog-4-0/>.