

(CORRECTED ORDER LIST: 547 U.S.)

TUESDAY, MAY 2, 2006

ORDER IN PENDING CASE

04-1131 WHITMAN, TERRY L. V. DEPT. OF TRANSPORTATION, ET AL.

Counsel are directed to file supplemental briefs addressing the applicability of *Darby v. Cisneros*, 509 U.S. 137 (1993), to this case. The briefs, not to exceed 15 pages, are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, May 15, 2006.

Justice Alito took no part in the consideration or decision of this order.