

UNITED STATES COURT OF APPEALS

EIGHTH CIRCUIT

February 20, 1961

CHAMBERS OF
HARVEY M. JOHNSEN, CHIEF JUDGE
OMAHA 2, NEBRASKA

Honorable Harry A. Blackmun
United States Circuit Judge
Rochester, Minnesota

Re: No. 15,765
Dyer v. Securities and Exchange
Commission

Dear Judge Blackmun:

In order to take care of the question raised by you in the second paragraph of your letter of February 17, I have inserted the words "to submit any declaration" following the word "undertaken" in line 6 from the bottom of the second paragraph on page 2 of the proposed opinion. This will make the sentence read "They have not undertaken to submit any declaration to make proxy solicitations of their own" etc. I did not intend, of course, to leave any implication in relation to case No. 16,554, but simply wanted to point out that their procedure was to engage in objections to the declaration of Union Electric and not to seek Commission approval for any solicitation of their own.

Sincerely yours,



Harvey M. Johnsen

cc: Judge Van Oosterhout