

<http://origin.www.supremecourtus.gov/docket/08-678.htm>

No. 08-678

Title: QUESTIONS PRESENTED:
Mohawk Industries, Inc., Petitioner **Whether a party has an immediate appeal under the collateral order doctrine, as set forth in Cohen v. Beneficial Industrial Loan Corp., 337 U.S. 541 (1949), of a district court's order finding waiver of the attorney-client privilege and compelling production of privileged materials.**
v.
Norman Carpenter

Docketed: November 24, 2008
Lower Ct: United States Court of Appeals for the Eleventh Circuit
Case Nos.: (07-15208-GG, 07-15691-GG)
Decision Date: August 26, 2008

Questions Presented

~~~~Date~ ~~~~~Proceedings and Orders~~~~~

- Nov 20 2008 Petition for a writ of certiorari filed. (Response due December 24, 2008)
- Dec 23 2008 Brief of respondent Norman Carpenter in opposition filed.
- Jan 6 2009 Reply of petitioner Mohawk Industries, Inc. filed. (Distributed)
- Jan 7 2009 DISTRIBUTED for Conference of January 23, 2009.
- Jan 26 2009 Petition GRANTED.
- Feb 13 2009 The time within which to file the joint appendix and petitioner's brief on the merits is extended to and including April 13, 2009.
- Apr 10 2009 The time within which to file the joint appendix and petitioner's brief on the merits is further extended to and including April 27, 2009.
- Apr 27 2009 Joint appendix filed. Statement of costs received.
- Apr 27 2009 Brief of petitioner Mohawk Industries, Inc. filed.
- May 4 2009 Brief amicus curiae of DRI - Voice of the Defense Bar filed.
- May 4 2009 Brief amicus curiae of American Bar Association filed.
- May 4 2009 Brief amicus curiae of Chamber of Commerce of the United States of America filed.
- May 6 2009 The time within which to file respondent's brief on the merits is extended to and including June 26, 2009.
- Jun 23 The time within which to file respondent's brief on the merits is further extended to and

2009 including July 6, 2009.  
 Jul 6 2009 Brief of respondent Norman Carpenter filed.  
 Jul 13 2009 Brief amicus curiae of United States filed.  
 Jul 13 2009 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.  
 Jul 13 2009 Brief amici curiae of Former Article III Judges and Law professors filed.  
 Jul 16 2009 SET FOR ARGUMENT ON Monday, October 5, 2009.  
 Jul 17 2009 CIRCULATED.  
 Aug 5 2009 Reply of petitioner Mohawk Industries, Inc. filed. (Distributed)  
 Aug 17 2009 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.  
 Sep 1 2009 Record received from U.S.C.A. for 11th Circuit. (1 Box)  
 Oct 5 2009 Argued. For petitioner: Randall L. Allen, Atlanta, Ga. For respondent: Judith Resnik, New Haven, Conn.; and Edwin S. Kneedler, Deputy Solicitor General, Department of Justice, Washington, D.C. (for United States, as amicus curiae.)  
 Oct 19 2009 Letter, dated October 15, 2009, received from counsel for the respondents. (Distributed).

| ~Name~                                    | ~Address~                                                                                             | ~Phone~        |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------|----------------|
| <b>Attorneys for Petitioner:</b>          |                                                                                                       |                |
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| Party name: Mohawk Industries, Inc.       |                                                                                                       |                |
| <b>Attorneys for Respondent:</b>          |                                                                                                       |                |
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| Party name: Norman Carpenter              |                                                                                                       |                |
| <b>Other:</b>                             |                                                                                                       |                |
| Paul D. Clement                           | King and Spalding L.L.P.                                                                              | (202) 737-0500 |

