

(ORDER LIST: 555 U.S.)

TUESDAY, OCTOBER 28, 2008

ORDER IN PENDING CASE

07-636 KENNEDY, KARI E., ET AL. V. PLAN ADM. FOR DUPONT SAVINGS, ET AL.

The parties are directed to file supplemental briefs addressing the following question: Whether 29 U.S.C. §1104(a)(1)(D), mandating administration of a plan in accordance with plan documents, required that the distribution in question be made to Liv Kennedy, even on the assumption that a waiver of her interest was not otherwise subject to statutory bar. The briefs, not to exceed 4,500 words, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Monday, November 10, 2008. Amicus curiae briefs, not to exceed 3,000 words, may be filed with the Clerk and served upon counsel for the parties on or before 2 p.m., Monday, November 10, 2008.