

**09-1476 DURYEA V. GUARNIERI**

DECISION BELOW: 364 FED.APPX. 749

LOWER COURT CASE NUMBER: 08-3949, 08-4428

**QUESTION PRESENTED:**

Whether the Third Circuit erred in holding that state and local government employees may sue their employers for retaliation under the First Amendment's Petition Clause when they petitioned the government on matters of purely private concern, contrary to decisions by all ten other federal circuits and four state supreme courts that have ruled on the issue.

CERT. GRANTED 10/12/2010