







11. What does *Pillsbury* tell us about the allowable limits of congressional case work?

12. How were the facts determined in the perverts R us cases?

13. Referencing the above question, why does this undermine the basis for demanding a hearing?

14. What is the separation of powers issue in the *Wooley* case?

15. How does the *Bonvillian II* decision undermine the LA SC's resolution of *Wooley*?

16. The city council sets a tax rate for real property: Rulemaking or adjudication and why?

17. Why is it especially hard to assure consistent policy in adjudications in LA?

18. What is the substitute for individual due process in rulemaking?

19. What factors do the courts consider when determining whether an interpretive rule is really a legislative rule, requiring notice and comment?

20. What do the *Hoctor* and *Picciotto* cases tell us about the distinction between legislative and interpretive rules?

21. How was *Chocolate Manufacturers Ass'n v. Block* modified by *Arizona Public Service*?

22. What issue in permitting in *Vermont Yankee* did the AEC attempt to resolve with rulemaking to reduce the issues that could be attacked by activists during the permitting process?

23. In broad terms, what does Executive Order 12866 require an agency to consider when making rules?

24. We have seen different standards for reviewing rules that affect small business. What are the problems with this special concern for small business from a consumer/individual citizen's point of view?

25. How was the zone of interest different between *Hazardous Waste Treatment Council v. Thomas*, 885 F.2d 918 (D.C. Cir. 1989) and *Honeywell International, Inc. v. EPA*, 374 F.3d 1363 (D.C. Cir. 2004)?

26. What made standing easier to show in *Friends of the Earth v. Laidlaw Environmental Services*, 528 U.S. 167 (2000)?

27. Why did the Court find that the orders in *Sackett v. EPA* were ripe?

28. Why is failing to exhaust your remedies (if required and not within an exception) a fatal error that the court cannot correct on equitable grounds?

29. Does the Global Climate Protection Act of 1987 directly support the argument that Congress intended EPA to regulate greenhouse gasses?

30. What are the *Barnhart* Factors for evaluating agency persuasiveness?

31. If an appeals court disagrees with an agency's interpretation of law in an adjudication, can the agency relitigate the same interpretation in other adjudications with different parties?

32. How does an area warrant differ from a criminal law warrant?

33. In the context of private data aggregators such as Equifax and Facebook, how does the Silver Platter Doctrine undermine constitutional protections?

34. How is a statute in dereliction of immunity construed differently from a statute creating immunity?

35. What is the immunity provision of the Flood Control Act of 1928 (FCA), i.e., how broad is it?

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