



1	C O N T E N T S	
2	ORAL ARGUMENT OF	PAGE
3	E. JOSHUA ROSENKRANZ, ESQ.	
4	On behalf of the Petitioner	3
5	ORAL ARGUMENT OF	
6	MICHAEL R. DREEBEN, ESQ.	
7	On behalf of United States, as amicus curiae,	
8	supporting Petitioner	17
9	ORAL ARGUMENT OF	
10	THOMAS C. GOLDSTEIN, ESQ.	
11	On behalf of the Respondents	29
12	REBUTTAL ARGUMENT OF	
13	E. JOSHUA ROSENKRANZ, ESQ.	
14	On behalf of the Petitioner	62
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 P R O C E E D I N G S

2 (10:07 a.m.)

3 CHIEF JUSTICE ROBERTS: We'll hear argument  
4 first this morning in Case 13-1175, the City of Los  
5 Angeles v. Patel.

6 Mr. Rosenkranz.

7 ORAL ARGUMENT OF E. JOSHUA ROSENKRANZ

8 ON BEHALF OF PETITIONER

9 MR. ROSENKRANZ: Thank you, Mr. Chief  
10 Justice, and may it please the Court:

11 This case is about whether to deprive scores  
12 of cities of one of the most effective tools that they  
13 have developed to deter human trafficking, prostitution,  
14 and drug crimes that have seized the -- the ground in  
15 America's hotels and motels.

16 The ordinance in question is the least  
17 intrusive of -- inspection scheme that this Court has  
18 ever encountered. It is limited to showing the police a  
19 single book containing only information that the hotels  
20 transcribe specifically for the city and that they've  
21 been turning over to the police by operation of law for  
22 150 years.

23 JUSTICE SOTOMAYOR: Could you -- first, two  
24 questions: Is the information that they've been keeping  
25 for 150 years the same? Because looking at the

1 requirements, the early information was basically  
2 somebody's name and -- I'm not even sure -- their  
3 address. But today's information has -- or today's  
4 registry and requirements have information that Federal  
5 law doesn't permit to be disclosed, like driver's  
6 license, credit card information. I mean, Federal law  
7 says you can't disclose that information.

8 So isn't there a difference? It's not the  
9 same tradition over 150 years.

10 MR. ROSENKRANZ: You are right, Your Honor,  
11 that the amount of information has increased. The  
12 privacy interests, however, have been pretty much the  
13 same. It was name and address and the rate that they  
14 were charged and so forth, and that is the -- the -- the  
15 information that the -- that the hotels have argued is  
16 the most private.

17 JUSTICE SOTOMAYOR: Right. All of the  
18 things that you say, the most effective tool for  
19 trafficking, prostitution, child molestation, none of  
20 that sounds like it's -- the purpose of the search is  
21 administrative.

22 MR. ROSENKRANZ: Well, it is administrative,  
23 Your Honor, and to understand why it's administrative,  
24 you have to focus first on the target. The target here  
25 is not people who are accused crimes. The target is the

1 motels and the hotels who are required to keep records,  
2 to record information. And why are they required to  
3 record the information? For the deterrent purpose, and  
4 the deterrent purpose more specifically is that  
5 criminals do not like to register. They do not like to  
6 record their information.

7 JUSTICE GINSBURG: Mr. Rosenkranz, are you  
8 saying then that the police can do this -- can request  
9 these records on demand, and they don't have to have any  
10 reason at all -- no reasonable suspicion, no probable  
11 cause, nothing -- because the purpose is to deter people  
12 from staying in hotels who might do bad things. So  
13 no -- nothing like a reasonable suspicion requirement.

14 MR. ROSENKRANZ: That's correct, Your Honor.  
15 It's the same rationale that this Court adopted in  
16 Burger, that frequent, unannounced spot inspections are  
17 necessary in order to achieve that deterrent purpose;  
18 that if the hotels do not record all the names, and more  
19 specifically, they record most names but not the names  
20 of the -- of the guests that they know are criminals,  
21 there's no way to know, unless you have this frequent,  
22 unannounced inspection, that someone is missing. So  
23 there's a real necessity here as there was in Burger and  
24 in Biswell.

25 JUSTICE SOTOMAYOR: Can you tell me how many

1 prosecutions there have been -- and I use the word both  
2 criminally or civil -- for the failure to register  
3 people?

4 MR. ROSENKRANZ: Well, there have been  
5 numerous prosecutions. I can't tell you how many. The  
6 complaints in this case, which are in the beginning of  
7 the joint appendix, refer to the plaintiffs having been  
8 prosecuted multiple times, or fined, for failure -- for  
9 failing to keep the records.

10 And I guess I do want to underscore this  
11 point about necessity. The problem is not that the  
12 registers are empty. The problem is that the hotels  
13 decline to record the names of those who they know are  
14 criminals, or the motels do --

15 JUSTICE SOTOMAYOR: But that has nothing to  
16 do with the free right to search. Those people who are  
17 refusing to do it are going to refuse to do it. A  
18 recordkeeping requirement has no -- has no  
19 constitutional challenge. What does is the unfettered  
20 access to that record.

21 MR. ROSENKRANZ: Agreed, Your Honor, and so  
22 let me just break it down.

23 JUSTICE SOTOMAYOR: Those people who don't  
24 want to do it are not going to do it anyway.

25 MR. ROSENKRANZ: Exactly. Those people who

1 don't want to do it go somewhere else or don't commit  
2 their crimes, but if they -- if they are forced to do  
3 it, which is to say the motel won't let them stay there  
4 unless they register, then they will not commit those  
5 crimes in the motels. And the only way to make sure  
6 that the motels are enforcing that obligation is to  
7 descend on them without notice as -- as Justice Ginsburg  
8 was saying, and frequently, so that they never know when  
9 the police are going to come. Why? To make sure that  
10 they are indeed recording the information.

11 And why is the realtime observation key?

12 It's because they've been busy, the police show up and  
13 they have a register, and they notice that room  
14 number -- room No. 2 is unoccupied according to the  
15 register, but they see someone in room No. 2. They know  
16 only from realtime observation that there is a violation  
17 here. If they get the register a month later, they have  
18 nothing to compare it to.

19 JUSTICE KENNEDY: You -- you mean they can  
20 walk up and down the halls and see that nobody's in the  
21 certain room? I don't know quite how you do that.

22 MR. ROSENKRANZ: Well, Your Honor, the way  
23 it works in particular --

24 JUSTICE KENNEDY: You have room No. 2 as if  
25 it's right there, but room No. 1204 --

1 MR. ROSENKRANZ: So motels, for example, are  
2 out in the open. You can sit there and see --

3 JUSTICE KENNEDY: What about my question  
4 about room 1204? You seem to say the police can wander  
5 all over the hotel.

6 MR. ROSENKRANZ: Well, if -- the police may  
7 be allowed to wander around the hotel. They probably  
8 will not see much if what they're doing is wandering  
9 back and forth looking at particular rooms.

10 JUSTICE SCALIA: I suppose in motels they  
11 can see what rooms have cars in front of them. And I  
12 suppose as to room 1204 they can see, usually behind the  
13 desk what -- what keys are missing, what -- what rooms  
14 appear not to be occupied.

15 MR. ROSENKRANZ: That's correct, Your Honor,  
16 and that's why the realtime observation is so key,  
17 because you can't do that a month later. And that's why  
18 we have the same necessity --

19 JUSTICE SOTOMAYOR: Sure. Why? I mean,  
20 what you're saying is it's easier to prosecute, but it  
21 doesn't mean that you can't devote some resources and  
22 find this out. You do a surveillance which is what  
23 police do for a lot of crimes. And you watch people  
24 going in for two hours and leaving, and you keep a  
25 record of it. You can even stop those people who are

1 leaving to ask them.

2 So there's a whole lot of law enforcement  
3 techniques that could be used to combat the situations  
4 you're talking about.

5 MR. ROSENKRANZ: But not nearly as  
6 effectively, Your Honor, because --

7 JUSTICE SOTOMAYOR: Well, since when has the  
8 Fourth Amendment completely been abandoned to how  
9 effective the proof that the police can get at a moment  
10 should be?

11 MR. ROSENKRANZ: Well, Your Honor, that's  
12 not the test. But Dewey refers to the fact that it's  
13 not as effective, and it simply doesn't work, Your  
14 Honor. Let me give you an example.

15 If all the police are doing is looking for  
16 who's in what room and what keys are missing, they don't  
17 actually know what to look for until long after the  
18 fact. They may be looking for the wrong thing. And  
19 there are many motels where they can't -- where they  
20 can't do it, for example, look at the keys because  
21 they're not available and easy to see. And so it's  
22 having the information right in front of them, and then  
23 comparing it to things that they might be able to  
24 observe.

25 JUSTICE KAGAN: But, Mr. Rosenkranz, why

1 isn't this just like Barlow's really? That it's not  
2 necessary on the following rationale: Number one, most  
3 people will consent so that you go -- the police go into  
4 a hotel and say we'd like to see your registry, most  
5 people are going to consent. If somebody says no, and  
6 there's a real basis for believing that the evidence is  
7 going to be altered or destroyed, you can seize it  
8 pending judicial review, or you can get an  
9 administrative warrant ex parte and conduct a surprise  
10 examination if you want to.

11 So we talked about all of those things in  
12 Barlow's, about how -- why that suggested that these  
13 warrantless searches were not necessary. What makes  
14 this different?

15 MR. ROSENKRANZ: Your Honor, what makes this  
16 different is the distinction between Barlow's on the one  
17 hand and Burger, Dewey, Biswell, Colonnade, on the other  
18 hand, and that is the movability of information. That  
19 is the transience and -- of the information that you use  
20 to verify.

21 In Barlow's, if there is an unsafe  
22 condition, there is an unsafe condition, and it's hard  
23 to see. The -- this Court said it also in See and  
24 distinguished -- and Biswell distinguished See on that  
25 ground. If you -- if you -- if it's the sort of

1 condition that doesn't change over time, you can get a  
2 warrant, and it doesn't affect your --

3 JUSTICE KAGAN: What's --

4 JUSTICE ALITO: Go ahead.

5 JUSTICE KAGAN: What's going to -- what's  
6 going to change here? The registry is the registry, and  
7 as I said, if in an unusual case you have the feeling  
8 that the hotel is complicit, you can make sure to freeze  
9 the registry. But that's going to be an unusual case,  
10 and mostly, the registry is going to be there.

11 And, you know, as I said mostly people are  
12 going to consent. To the extent not you can go get a  
13 warrant.

14 MR. ROSENKRANZ: Well, Your Honor, what  
15 will -- what would change is, is the information on the  
16 basis of which you draw that comparison. If you only  
17 compare the register -- if you get the register a month  
18 later, you can't compare it to facts on the ground to --  
19 to the cause --

20 JUSTICE KAGAN: A month later doesn't -- you  
21 know, it -- it's an hour later.

22 MR. ROSENKRANZ: Well, you mean get a  
23 warrant within hour? Warrants within an hour are -- are  
24 not that easy to get, particularly --

25 JUSTICE SCALIA: What's the probable cause

1 for the warrant?

2 MR. ROSENKRANZ: Well, there is -- that's --

3 JUSTICE SCALIA: If you haven't seen the  
4 register, what's the probable cause?

5 MR. ROSENKRANZ: There is no probable cause.

6 JUSTICE SCALIA: What, do you have to have a  
7 policeman sit outside the hotel for -- for days to -- I  
8 mean, you don't have probable cause unless you know that  
9 there -- there are people who are, you know, in -- in  
10 the room for a short time who haven't registered.

11 MR. ROSENKRANZ: Right. That -- that's  
12 exactly right. But -- and warrants are for probable  
13 cause. That's why Burger and Biswell said no, you don't  
14 need to get a warrant when you're doing an  
15 administrative inspection.

16 JUSTICE KENNEDY: If you prevail in this  
17 case and a member of the Court sits down to write the  
18 opinion, does he or she have to use the phrase  
19 "reasonable expectation of privacy" and say there is no  
20 reasonable expectation of privacy in our society, in our  
21 culture, in our day, or do we just forget that phrase?  
22 In -- in a way, as we all know it's circular, that if we  
23 say there is a reasonable expectation, then there is.

24 MR. ROSENKRANZ: Well, Your Honor, the  
25 answer depends upon which Fourth Amendment rubric one

1 uses. Under the Burger line of cases, the Court looks  
2 at the statute, asks is this a closely regulated  
3 business? Was it necessary? Is it a legitimate non-law  
4 enforcement purpose, and so forth.

5 JUSTICE KENNEDY: Is closely regulated  
6 another way to talk about reasonable expectation of  
7 privacy?

8 MR. ROSENKRANZ: Yes, indeed it is.

9 JUSTICE KENNEDY: We talk about that in the  
10 Katz case, the telephone booth case --

11 JUSTICE SOTOMAYOR: I don't know that --

12 JUSTICE KENNEDY: But I'm not sure that --  
13 is that still a phrase that's -- that's necessary and  
14 required for us to address in an opinion like this?

15 MR. ROSENKRANZ: If the Court adopts the  
16 Burger rubric, what the Court was doing in Burger was  
17 saying because this is so heavily regulated in the  
18 context of this case, because everyone knows that these  
19 registers have been reviewed by the police for 15 years,  
20 no one goes into the hole -- into the hotel business  
21 unaware that their registers will be inspected.

22 JUSTICE SCALIA: Whose expectation of  
23 privacy are we talking about?

24 MR. ROSENKRANZ: We are talking only about  
25 the hotel.

1 JUSTICE SCALIA: Not the hotel guests;  
2 right?

3 MR. ROSENKRANZ: No, Your Honor. The motel  
4 -- the plaintiffs have taken the position that this is  
5 not about the expectation of privacy of the guests.

6 JUSTICE SCALIA: Yes. That's what I  
7 thought. It's --

8 MR. ROSENKRANZ: But only --

9 JUSTICE SCALIA: -- of the hotel.

10 MR. ROSENKRANZ: Yes.

11 JUSTICE SCALIA: You can't see my register.  
12 It's -- it's dear to me.

13 MR. ROSENKRANZ: Even though I have entered  
14 a business that for 115 years has revealed these  
15 registers and for 100 of those years, actually revealed  
16 the registers to the guests.

17 JUSTICE KAGAN: But --

18 JUSTICE SOTOMAYOR: Who --

19 JUSTICE KAGAN: Suppose that there's a --  
20 Mr. Rosenkranz, suppose that there's a statute that says  
21 that the taxing authority, the IRS or the equivalent on  
22 the State level, that the taxing authority can go into  
23 businesses at any time and check payroll records; and  
24 the reason is that they need to conduct these surprise,  
25 warrantless searches because there's a serious problem

1 with businesses ginning up false payroll records. Is  
2 that constitutional?

3 MR. ROSENKRANZ: I would think not, Your  
4 Honor, at least not without more information. And the  
5 difference is, there -- there isn't this long history of  
6 the government reviewing payroll records. And  
7 secondly -- or at least it's a closer question. And  
8 secondly, payroll records are not the sorts of things  
9 for which you need spot inspections. If someone --

10 JUSTICE SOTOMAYOR: How about the hiring --

11 JUSTICE KAGAN: No. If the government says  
12 that they do -- the government says that if you wait  
13 till they submit everything at the end of the year,  
14 they'll falsify a lot of records, and we really need to  
15 see what's happening right now on the ground in  
16 realtime.

17 MR. ROSENKRANZ: Well, Your Honor, either a  
18 payroll record is false or it's not. You don't need  
19 realtime verification to figure out if it's false or  
20 not.

21 JUSTICE KAGAN: No, you do, because you  
22 don't want to give them the time to falsify things till  
23 the end of the year. I mean, we -- we could have a  
24 thousand examples like this.

25 MR. ROSENKRANZ: And -- and my answer is

1 still the same. It doesn't have the same realtime need  
2 to verify against facts that are --

3 JUSTICE SOTOMAYOR: I don't know why not.  
4 Checking to see if people are actually registered, you  
5 don't know that until you see a person working. So  
6 you've got a construction site. You count the number of  
7 people; and you say, let me see your recordkeeping for  
8 your employees today.

9 MR. ROSENKRANZ: Well, Your Honor, that  
10 was --

11 JUSTICE SOTOMAYOR: That's a realtime need.

12 MR. ROSENKRANZ: It's a -- it's -- but  
13 either the record -- either the ultimate record that is  
14 submitted is false or it's not. You -- you don't have  
15 the realtime ability to verify whether those records  
16 are --

17 JUSTICE SOTOMAYOR: You just --

18 MR. ROSENKRANZ: -- correct.

19 JUSTICE SOTOMAYOR: You just keep a  
20 register -- you falsify the register the way that you're  
21 saying these people would.

22 I -- my problem with the closely held --  
23 closely regulated is I don't see one regulation that's  
24 not applicable to virtually every public accommodation  
25 entity, whether it's a telephone company or a day school

1 or a hospital.

2 I mean, virtually all of these requirements  
3 that you list are part of the normal State regulation of  
4 entities that serve people.

5 Is it your position now that once we say  
6 this is closely regulated, that everything is --

7 MR. ROSENKRANZ: No, your Honor.

8 JUSTICE SOTOMAYOR: -- that serves the  
9 public in some way?

10 MR. ROSENKRANZ: No. And I see I'm eating  
11 into my rebuttal time, so if I may answer quickly.

12 No. There -- first of all, the closely  
13 regulated exception is not -- is -- is way more than  
14 just closely regulated. There are three other elements  
15 to it, and you need to demonstrate the necessity, you  
16 need to demonstrate that it's not a criminal justice  
17 purpose, and you need to demonstrate that there's an  
18 adequate substitute for a warrant.

19 So if there are no further questions, I'd  
20 like to reserve the remainder of my time for rebuttal.

21 CHIEF JUSTICE ROBERTS: Thank you, counsel.

22 Mr. Dreeben.

23 ORAL ARGUMENT OF MICHAEL R. DREEBEN

24 FOR UNITED STATES, AS AMICUS CURIAE

25 SUPPORTING PETITIONER

1 MR. DREEBEN: Thank you, Mr. Chief Justice,  
2 and may it please the Court:

3 This Court can resolve this case on a much  
4 narrower basis than it has used in looking at other  
5 administrative inspection schemes, such as the one in  
6 Barlow's.

7 The Ninth Circuit itself recognized that  
8 this case did not involve an entry into the nonpublic  
9 working places of a business. It did not involve an  
10 entry into a residential property. It involved an entry  
11 only into the public lobby area of a motel and a brief  
12 inspection of the registry of the motel.

13 CHIEF JUSTICE ROBERTS: Well, that doesn't  
14 seem very significant. I mean, it -- it could well  
15 involve entry into a drawer. We wouldn't normally say,  
16 well, because you can -- our rule is not simply because  
17 you can get into a house, for example, that you're free  
18 to rummage through desks.

19 MR. DREEBEN: That's certainly right, but  
20 what the -- this statute requires is that the registry  
21 be produced for inspection. And the way in which the  
22 officer gets to the registry is to walk into the lobby.

23 And so the Ninth Circuit --

24 JUSTICE SOTOMAYOR: I'm sorry. You're  
25 saying that if a police officer stands outside a house

1 and says, bring me whatever it is I want from inside,  
2 and he brings it out, that's not a violation of the  
3 Fourth Amendment because he, under compulsion, tells the  
4 person you have to bring me what's inside, because I  
5 can't enter under the Fourth Amendment.

6 MR. DREEBEN: Well, Justice Sotomayor, it  
7 would be a search. The reasonableness of it would  
8 depend on the facts, but what -- what my --

9 JUSTICE SOTOMAYOR: So that's the point.

10 MR. DREEBEN: -- my point here is that this  
11 is -- we're dealing here with businesses which have  
12 reduced expectations of privacy, and we are not dealing  
13 with entry into the nonpublic areas of the businesses,  
14 which is what Marshall's was concerned with, Colonnade,  
15 Biswell, Burger, all of those cases.

16 So the Ninth Circuit itself did not apply  
17 the rules that govern those kinds of situations where  
18 the Court has sometimes said an administrative warrant  
19 is required and other times said it is not.

20 JUSTICE ALITO: This is a facial challenge.  
21 Now, are there any or a substantial number of instances  
22 in which the application of this statute would be  
23 constitutional?

24 MR. DREEBEN: Well, I -- I think there  
25 would, Justice Alito, in -- if there were exigent

1 circumstances that justified the access to the registry.

2 And most importantly --

3 JUSTICE KENNEDY: But -- but then you don't  
4 need the statute.

5 MR. DREEBEN: Well, the statute helps  
6 because it informs the --

7 JUSTICE KENNEDY: No.

8 MR. DREEBEN: -- hotels.

9 JUSTICE KENNEDY: There are exigent  
10 circumstances. You can get -- get a warrant.

11 MR. DREEBEN: Yeah. Well, you don't have to  
12 get a warrant.

13 JUSTICE KENNEDY: So that doesn't work.

14 MR. DREEBEN: No, I think it works, Justice  
15 Kennedy, in the sense that the -- the statute provides  
16 encouragement for a potentially recalcitrant hotel owner  
17 to produce it, because it's an offense for him not to.

18 But more importantly, I think for the  
19 Court's evaluation of the facial challenge issue is that  
20 there's no record in this case about what kind of  
21 privacy expectations actually exist with respect to  
22 hotel registries. It's largely a matter of conjecture,  
23 speculation, and everybody's intuition of --

24 JUSTICE SOTOMAYOR: I don't think -- I don't  
25 see why we've ever required more. All we've required is

1 a person to say, this is my business record.

2 And why do they have to prove more?

3 MR. DREEBEN: Because --

4 JUSTICE SOTOMAYOR: What -- what are they  
5 suppose to prove, that they don't use -- that they don't  
6 show it to anyone else? We've never required that.

7 MR. DREEBEN: Well, I think that they should  
8 show that there's a certain degree of confidentiality  
9 associated with it that they in fact --

10 JUSTICE SOTOMAYOR: Well, there is today  
11 when the Federal law requires that you not disclose  
12 credit card information and driver's license information  
13 and these registries contain that information. So you  
14 can't have it both ways.

15 MR. DREEBEN: Well --

16 JUSTICE SOTOMAYOR: The registries --

17 MR. DREEBEN: -- some --

18 JUSTICE SOTOMAYOR: -- by law are required  
19 to have the driver's license information taken for  
20 people who are paying cash --

21 MR. DREEBEN: That's right.

22 JUSTICE SOTOMAYOR: -- and requires the  
23 credit card information of people who are otherwise  
24 registering.

25 MR. DREEBEN: Well, the registry doesn't

1 have to have the credit card information unless they  
2 check in at a kiosk. And this, I think, brings up a  
3 very important point. What the Ninth Circuit did was  
4 facially invalidate the statute that said that  
5 regardless of any facts, it can't be enforced against  
6 anyone.

7 JUSTICE SCALIA: Yes. I -- I assume that,  
8 you know, if the problem is license plates and credit  
9 card information and all of that, it's not up to the  
10 hotel to complain about that invasion of privacy. It's  
11 up to the guests, right?

12 MR. DREEBEN: I would agree with that,  
13 Justice Scalia.

14 JUSTICE SCALIA: And this case does not  
15 involve the guests. It's just the hotel who's  
16 objecting.

17 MR. DREEBEN: It's just the hotel, and there  
18 is a range of situations in which different information  
19 is maintained in different ways.

20 So I think that treating it as a facial  
21 challenge is problematic; but if you reach the merits,  
22 what the Ninth Circuit itself did is conclude that this  
23 case doesn't trigger the very strong safeguards that are  
24 triggered when there is an invasion of a nonpublic space  
25 of a business. They treat it as if it's an

1 administrative subpoena case, which does have Fourth  
2 Amendment requirements associated with it; but those  
3 requirements are that the subpoena be relevant, that it  
4 be reasonable in scope, and that it be specific.

5 And the Ninth Circuit conceded that all  
6 three of those requirements are satisfied, Section  
7 41.49, by itself establishes the relevance of the  
8 information for the administrative purpose that the  
9 statute serves. It is specific and it is narrow in  
10 scope. And anybody who goes into the hotel industry  
11 knows that that is a -- an inspection that they are  
12 subjected to.

13 The Ninth Circuit --

14 JUSTICE KENNEDY: How -- how do you  
15 distinguish -- is it Marshall and Barlow?

16 Do I -- do I have the right name?

17 MR. DREEBEN: You do, Justice Kennedy.

18 And the distinction which the Ninth Circuit,  
19 itself drew is that involved entry into the nonpublic  
20 areas of a business which exposes a much wider range of  
21 information to the inspection of the authorities.

22 Marshall covered every industry in  
23 interstate commerce, and it allowed OSHA inspections  
24 without any limitation. And in that circumstance --

25 JUSTICE KAGAN: I guess I don't understand

1 that, Mr. Dreeben. You're saying that it makes a  
2 difference constitutionally whether you keep the  
3 registry at the front desk or in the back office?

4 MR. DREEBEN: What I'm saying, Justice  
5 Kagan, is that the Ninth Circuit analyzed it precisely  
6 that way, that you can walk into the lobby of a hotel.  
7 This Court so said in the Lone Steer case, you're not  
8 invading any expectation of privacy. All you do is you  
9 ask the hotel keeper, the front desk clerk, to show you  
10 the register, which can be done as -- simply by just  
11 moving the computer screen so that the officer can see  
12 it. And that is the most minimal intrusion on privacy  
13 interests, if they exist.

14 JUSTICE KENNEDY: Well, if I were running a  
15 hotel, I think I might have -- prefer to have two  
16 uniformed detectives in the backroom so the guests don't  
17 see it. I think it's quite intrusive.

18 MR. DREEBEN: The Ninth Circuit treated it  
19 as a lesser degree of intrusion than an inspection of  
20 all of the private areas of the business; and that's why  
21 it applied the subpoena line of cases. But once you  
22 apply the subpoena line of cases, you realize that the  
23 statute itself serves the purposes that that line of  
24 cases is designed to serve.

25 And the only remaining claim that's

1 really -- well, the judicial review will be very  
2 difficult to accomplish in this case, because the whole  
3 purpose of this administrative scheme is, we're not --  
4 you know, we regulate prostitutes, we regulate narcotics  
5 activity through the criminal law. The place where they  
6 are frequently conducting it are low-budget motels that  
7 have a strong incentive to take cash and not fill out a  
8 registry and allow this kind of criminal activity to  
9 flourish.

10 So the regulatory purpose of 41.49 is to  
11 target not the criminals, but the place where they  
12 conduct their activity. And doing it in a classic  
13 administrative way. This is lawful activity; you can  
14 rent a room. You just have to not rent it to people for  
15 cash, for short terms, for no reservations, when they  
16 don't have an identification to show who they are, and  
17 you need to keep a record of what you're doing.

18 JUSTICE KAGAN: Mr. Dreeben, I'm trying to  
19 figure out what do you think is relevant here; so let me  
20 give you a hypo, which is say that it's not a hotel, but  
21 it's a hunting lodge. And there are recordkeeping  
22 requirements about how much people shoot and when they  
23 shoot them and what they shoot, and so forth and so on.  
24 And the fish and wildlife service or some State  
25 equivalent of that says, we do not -- we do not want to

1     rely on people reporting this to us at periodic points,  
2     we just want to make spot inspections, surprise  
3     inspections, all the time.  Would that be all right?

4             MR. DREEBEN:             It seems like a much more  
5     difficult case to me, Justice Kagan, in part because --

6             JUSTICE SCALIA:             Is this a public hunting  
7     lodge?

8             JUSTICE KAGAN:             It's a private hunting  
9     lodge, this was a private hotel.

10            JUSTICE SCALIA:            Well, that's a big  
11     difference, isn't it?

12            MR. DREEBEN:            I will have to defer to  
13     members of the Court on hunting lodges.

14            (Laughter.)

15            MR. DREEBEN:            But I think that interest that  
16     is being served there is far weaker than the interest  
17     that is being served here, which is a genuine problem  
18     reflected in the fact that there are a hundred statutes  
19     like this across the country in different sounds --

20            JUSTICE KAGAN:            Wait, that's how you're  
21     going to distinguish it, Just because it's more  
22     important?  Because the fish and wildlife people think  
23     that it's really, awfully very important to make sure  
24     that all these rules are -- are complied with.

25            MR. DREEBEN:            I agree with that, Justice

1 Kagan, but I do think that this Court in it's classic  
2 Fourth Amendment analysis balances the government  
3 interest to be served against the nature of the  
4 intrusion.

5 I don't know enough about the hunting lodges  
6 that you have in mind to really gage the nature of the  
7 intrusion. I will say this, that a mere requirement  
8 that you expose books and records that you're required  
9 to keep as a regulatory matter, and that no one disputes  
10 you're required to keep, to a law enforcement officer in  
11 a public area of your facility, that's this case.

12 JUSTICE SCALIA: There -- there -- there is  
13 no dispute here that you can require the hotel to keep  
14 the records.

15 MR. DREEBEN: That is correct.

16 JUSTICE SCALIA: Is that right?

17 MR. DREEBEN: The hotels are not challenging  
18 that.

19 JUSTICE SCALIA: I think there would be a  
20 big dispute with regard to private hunting lodges,  
21 whether you could require them to keep the records.

22 MR. DREEBEN: And there may be Second  
23 Amendment concerns that the Court would weigh in the  
24 balance.

25 I think that the Court can resolve this

1 case, in an extremely narrow fashion.

2 JUSTICE SOTOMAYOR: I -- I think it's even  
3 more dangerous. Look at almost how many businesses,  
4 retail businesses transact their recordkeeping in public  
5 areas. Talk about any shop in the country. They don't  
6 go to the back, virtually any of them, and transact  
7 their business, keep their credit card information.  
8 They put it right on the computer in front of them. So,  
9 I mean --

10 MR. DREEBEN: I -- I think --

11 JUSTICE SOTOMAYOR: So it can't be that  
12 merely ask -- intruding on someone's private  
13 information, in a public place eliminates the Fourth  
14 Amendment.

15 MR. DREEBEN: May I answer?

16 CHIEF JUSTICE ROBERTS: Yes.

17 MR. DREEBEN: I think you ask -- asked three  
18 questions, Justice Sotomayor; first, the substantiality  
19 of the government interests; second, the nature of the  
20 intrusion on privacy; and third, necessity. And there  
21 is a strong need in the case of these hotels, where  
22 prostitution and narcotics activity flourish because  
23 criminals do not want to identify themselves when they  
24 check in, to have regular, unannounced inspections to  
25 give the hotels the incentive to comply with the

1 registration law.

2 CHIEF JUSTICE ROBERTS: Thank you, counsel.

3 MR. DREEBEN: Thank you.

4 CHIEF JUSTICE ROBERTS: Mr. Goldstein.

5 ORAL ARGUMENT BY THOMAS C. GOLDSTEIN

6 ON BEHALF OF RESPONDENTS

7 MR. GOLDSTEIN: Mr. Chief Justice, may it  
8 please the Court:

9 We ask the Court to hold that the city does  
10 not need to go to the judge in advance and get a  
11 warrant, but instead, that it merely needs to issue us a  
12 one-page subpoena. Now, we can object to that subpoena,  
13 but it's going to be enforced unless the city isn't  
14 actually implementing a legitimate administrative scheme  
15 because it's searching us to harass us or to investigate  
16 crimes.

17 JUSTICE SCALIA: Is it -- is it your  
18 position that there is no instance in which this statute  
19 and the -- the implementation of it would be  
20 constitutional?

21 MR. GOLDSTEIN: It is because the hypothesis  
22 that you would use it for, exigent circumstances or when  
23 would you have waived the right to privacy by putting it  
24 out on the desk, don't actually involve the enforcement  
25 of the statute.

1           What's necessary here, the value that's in  
2 the Fourth Amendment, is the requirement that there be a  
3 regularized scheme. Now, it's going to be a regularized  
4 scheme that either appears in the administrative rule  
5 itself. That doesn't exist here. There's no limit on  
6 when they can search, how often they can search, or the  
7 reason they can search. And if there isn't that, then  
8 we put a court into the process. We make  
9 pre-enforcement judicial reviewable available, and the  
10 reason is the Fourth Amendment protects our sense of  
11 tranquility. The hotel owners, individuals in other  
12 contexts, businesses in other contexts, need to know  
13 that beat officers aren't going to, at their whim,  
14 conduct these searches.

15           JUSTICE ALITO:           Suppose that a city or a  
16 State wanted to establish an administrative inspection  
17 regime along the lines of Barlow's? What would it --  
18 what would it have to include in your judgment? Could  
19 they -- could the warrant be issued by an administrative  
20 law judge --

21           MR. ROSENKRANZ:           Yes.

22           JUSTICE ALITO:           -- as opposed to a superior  
23 court judge in California?

24           MR. ROSENKRANZ:           Yes.

25           JUSTICE ALITO:           Would it have -- would it

1 require probable cause?

2 MR. ROSENKRANZ: No.

3 JUSTICE ALITO: Could they -- could it be  
4 done without prior notice?

5 MR. GOLDSTEIN: Yes.

6 JUSTICE ALITO: Could you have different  
7 standards for different types of hotels?

8 MR. ROSENKRANZ: If there is --

9 JUSTICE ALITO: Periodic inspections for all  
10 hotels, but much more frequent inspections for hotels  
11 that rent by the hour, hotels that have a large number  
12 of guests who pay in cash, and so forth?

13 MR. GOLDSTEIN: Yes.

14 JUSTICE ALITO: All those things could be  
15 done.

16 MR. GOLDSTEIN: Sure.

17 JUSTICE ALITO: Now if that's okay, it's  
18 really not clear to me what that would add to the  
19 ordinance that we have before us.

20 MR. GOLDSTEIN: Great. And that was,  
21 Justice Kennedy asked how we -- how Barlow's plays out  
22 in this context. So Mr. Dreeben is half right in his  
23 answer. He is absolutely right that the Court has said,  
24 look, if you're not physically inspecting the premises,  
25 then you don't have to, ahead of time, get a warrant.

1           And, Justice Scalia, it's not a probable  
2           cause criminal warrant. All the Court has required in  
3           this line of cases is that the government show that it's  
4           part of an ordinarily administrative scheme.

5           But the second part is what's missing, and  
6           the key case that's mentioned in passing by Mr. Dreeben,  
7           it hasn't gotten enough attention in the case, it's  
8           called *Donovan v. Lone Steer*. And it was decided by --  
9           an opinion by then Justice Rehnquist, it's an unanimous  
10          opinion, and it considers a circumstance very similar to  
11          this, and that is, under the Fair Labors Standards Act,  
12          the government can do just what it does here, and that  
13          is it just demands employment records.

14          And the reason this Court said that that  
15          comports with the Fourth Amendment is there is a  
16          balance, and that is that the government has to issue a  
17          subpoena to which the employer can object. And that  
18          accomplishes two things. The first is, without  
19          burdening the government, it interjects the possibility  
20          of judicial review and that way you know that the  
21          enforcement officer --

22                 JUSTICE GINSBURG:           Well, what would be the  
23                 nature of the objection? I'm going back to  
24                 Mr. Rosenkranz's answer to my question. He said, the --  
25                 there is no notion of probable cause, reasonable cause.

1 The hotel owner is required to keep these records and  
2 the -- that's not disputed. They're each required to  
3 keep them. And so -- and the police don't have to have  
4 any reason.

5 What would be -- what would be shown by some  
6 kind of a hearing?

7 MR. GOLDSTEIN: Sure, Your Honor. This  
8 line -- this Court's consistent line of precedents,  
9 there are six cases that have dealt with this subpoena  
10 rule, have said the following: And that is, the  
11 concern, when you have a scheme like this one that  
12 doesn't tell the officer how often or when to search,  
13 and -- is that the officer will do two things that are  
14 forbidden by the Fourth Amendment. One is they'll do it  
15 in a harassing way, and the second is they'll use it for  
16 crime control.

17 And the latter is a real concern here. The  
18 city is avowedly saying it wants to look at the record  
19 to, for example, find prostitutes or the Johns who are  
20 involved in renting the rooms. And so that's why what  
21 you do is you let the police issue the subpoena. They  
22 don't go to the judge ahead of time. But the prospect  
23 that there can be an objection and that you can go to a  
24 judge is what protects the -- the sense of tranquility  
25 of the business owner.

1 JUSTICE KENNEDY: Well, what's the  
2 purpose -- you agree that it's constitutional to require  
3 the registry?

4 MR. GOLDSTEIN: Absolutely.

5 JUSTICE KENNEDY: Okay. Why is the State  
6 interested in requiring the register if it can't go look  
7 at it with little notice?

8 MR. GOLDSTEIN: Ah --

9 JUSTICE KENNEDY: What's the point?

10 MR. GOLDSTEIN: Well, Justice Kennedy, the  
11 fact that its only interest is in law enforcement I  
12 think is a point in our favor. But just recognize that  
13 what Mr. Rosenkranz is describing as the scenario that  
14 gave rise to your question about room 1202 we think is  
15 entirely inaccurate. So if I could just play out the  
16 hypothetical.

17 His point is as follows: An officer shows  
18 up at a motel, and sees someone in a room -- sees a  
19 light on in room 2. We'll give him the best case. And  
20 what he wants to do then is to go and look and, right  
21 then, determine, look, there is a registration card for  
22 room 2. Now, I don't know what that proves, because he  
23 doesn't know that anything inappropriate is going on in  
24 room 2, but it doesn't matter. What the officer does is  
25 he makes a record: There was someone in room 2 on

1 June 1st 12:00 a.m. And then he comes back two days  
2 later and serves the subpoena.

3 There is no reason in the world -- that  
4 doesn't give any advance notice to the motel owner. If  
5 he has a particular concern, then he can sequester the  
6 records so that they can have them held separately, if  
7 there is going to be an objection, which is extremely  
8 rare. There is no reason -- his concern is about  
9 contemporaneous observation. That's not the issue in  
10 the case. He can sit outside and look outside the room.  
11 The issue in the case is do you have to go in and have  
12 no opportunity for a judge to be involved before you  
13 search the records.

14 JUSTICE SCALIA: Seeing the light on doesn't  
15 prove anything unless you know that the hotel has not  
16 registered the person who is in the room.

17 MR. GOLDSTEIN: Justice Scalia --

18 JUSTICE SCALIA: And --

19 MR. GOLDSTEIN: -- remember, our objection  
20 is not to them being able to either require the register  
21 or inspect the register. Neither one of those is at  
22 issue. The question is, can they do that without giving  
23 us any opportunity to say to a judge what's actually  
24 going on in here is law enforcement or harassment;  
25 they've come in five times during the day. And that

1 system, which is they issued the subpoena, right? They  
2 don't go to the judge ahead of time, they come up, they  
3 show -- they give me a subpoena, right, and they say, we  
4 want the records, and if there is an objection, the  
5 officer has made the observation about room 2.

6 And they can go ahead -- telephonic warrants  
7 are easy, but there's no reason that the subpoena  
8 objection can't be heard by a judge later on. He's  
9 already observed and made a note about what's going on  
10 in the hotel.

11 Now, I will say --

12 JUSTICE SCALIA: They -- they -- they could  
13 fill in. While he's running off getting his subpoena,  
14 they fill in who was in that room.

15 MR. GOLDSTEIN: The subpoena is -- Justice  
16 Scalia, the subpoena -- he's not running off anywhere.  
17 The subpoena is simply handed at the desk. This is an  
18 administrative one-page piece of paper. But let me just  
19 say --

20 CHIEF JUSTICE ROBERTS: No, no -- sorry.

21 JUSTICE SCALIA: I don't understand.

22 MR. GOLDSTEIN: Okay. Sorry.

23 JUSTICE SCALIA: He has it in his pocket?

24 MR. GOLDSTEIN: Yes. That's how --

25 JUSTICE SCALIA: All you're asking for all

1 this litigation is just that the one who wants to  
2 inspect it, just pulls out a piece of paper and hands it  
3 to him and that makes it all okay.

4 MR. GOLDSTEIN: No. There's two parts to  
5 this, Justice Scalia. That's how a subpoena works. The  
6 reason this Court has required that is the bare minimum,  
7 except in the very limited Burger context, is that when  
8 you hand the subpoena, the person who receives the  
9 subpoena says, this is an unusual case, I'm going to go  
10 to the trouble of objecting. I think I can tell a judge  
11 and prove to a judge that this is law enforcement in --  
12 in disguise.

13 JUSTICE SCALIA: He could say the same thing  
14 without the subpoena.

15 MR. GOLDSTEIN: Yes, but that's -- our  
16 critical point is that this guarantees him the right to  
17 say that to a judge.

18 JUSTICE KAGAN: And the --

19 CHIEF JUSTICE ROBERTS: It allows him the  
20 opportunity, while the policeman is getting a subpoena,  
21 to fill in the name of the person in what is otherwise a  
22 blank space.

23 MR. GOLDSTEIN: Mr. Chief Justice, he's not  
24 going to get a subpoena. Subpoenas don't work that way.  
25 Subpoenas are issued --

1 CHIEF JUSTICE ROBERTS: Oh, I thought you  
2 said that if he serves a subpoena, the other person can  
3 demand judicial -- pre-enforcement judicial review.

4 MR. GOLDSTEIN: Yes, that's correct.

5 CHIEF JUSTICE ROBERTS: So the police  
6 officer has to go somewhere to get the judicial review  
7 with whoever the hotel owner sends.

8 MR. GOLDSTEIN: Well, it might not work that  
9 way, and that is, the hotel office -- the hotel owner  
10 may have to file a motion to quash. It's not  
11 particularly important to your hypothetical.

12 Mr. Chief Justice, here's the problem with  
13 that argument.

14 JUSTICE KENNEDY: Well, it is important  
15 because we're trying to figure out how this works.

16 MR. GOLDSTEIN: Yes.

17 JUSTICE KENNEDY: The policeman goes with a  
18 subpoena and the hotel owner says, I object.

19 MR. GOLDSTEIN: Yes.

20 JUSTICE KENNEDY: Now what happens?

21 MR. GOLDSTEIN: He files --

22 JUSTICE KENNEDY: And how long does it take?

23 MR. GOLDSTEIN: It doesn't take any amount  
24 of time, which is why the Court has consistently  
25 required it. And that is, he says, I'm not going to

1 give you the records. I'm going to file a motion to  
2 quash. If the police want to enforce it right away,  
3 they can go to an administrative judge and ask that it  
4 be --

5 CHIEF JUSTICE ROBERTS: Okay. They go  
6 somewhere.

7 MR. GOLDSTEIN: Yes.

8 CHIEF JUSTICE ROBERTS: Okay. During that  
9 time, doesn't the hotel clerk take his pen and say, I  
10 didn't register this guy in room 2, I'm going to get in  
11 trouble, and he fills in whatever is left to be filled  
12 in.

13 MR. GOLDSTEIN: No. For the reason given by  
14 Justice Kagan, and that is, you can sequester the  
15 records. And that is, the question is searching the  
16 records. That is, we're talking about a set of cards.  
17 And if this is a real concern -- now, I will say it is a  
18 concern made up by the city's lawyers in this Court when  
19 at trial they did not introduce any evidence of this and  
20 it would be equally applicable in every kind of required  
21 record. The same is true in a construction site, Fair  
22 Labor Standards Act.

23 JUSTICE KENNEDY: So in a construction  
24 subpoena, if you object and say, well, I'm going to take  
25 these records and keep them in the police car trunk

1 until we resolve this?

2 MR. GOLDSTEIN: Yes, you can do that. There  
3 are two ways --

4 JUSTICE KENNEDY: There's authority for  
5 that?

6 MR. GOLDSTEIN: I'm sorry?

7 JUSTICE KENNEDY: There's authority from  
8 this Court?

9 MR. GOLDSTEIN: Oh, sure. It's very similar  
10 to what this Court has said in the Fourth Amendment  
11 context. Remember, when the police show up at someone's  
12 house and they're concerned about the destruction of  
13 evidence inside, what they do is simply sequester --

14 JUSTICE KENNEDY: It seems to me that's much  
15 more intrusive than the scheme you're objecting to.

16 MR. GOLDSTEIN: Justice Kennedy, I don't  
17 think the government can have it both ways. These are  
18 our private records, okay? And they want to do  
19 something incredibly unusual that the Fourth Amendment  
20 forbids, and that is, they want to have a scheme that  
21 doesn't say when they'll search, how often they'll  
22 search, or the purpose of the search.

23 JUSTICE SCALIA: They're not entirely  
24 private records --

25 JUSTICE KENNEDY: Right.

1 JUSTICE SCALIA: -- they're records required  
2 by law to be kept and you are not objecting to that at  
3 all.

4 MR. GOLDSTEIN: Well, Justice Scalia, that's  
5 absolutely right. The other side makes a good point,  
6 and that is, these are business records that will  
7 receive reduced Fourth Amendment protection. We  
8 understand that. So did the unanimous court in Lone  
9 Steer. What it said is, that's the reason we don't have  
10 a probable cause requirement here. That's why we  
11 require the minimum amount of judicial process, which is  
12 the prospect that if the owner has a good objection,  
13 they can go to a judge. That's why we don't have the  
14 Fourth Amendment's full protections. But remember --

15 JUSTICE KAGAN: Mr. Goldstein, I thought --

16 JUSTICE GINSBURG: But you said they could  
17 be -- they can be -- they can be sequestered by the  
18 police officer, they even answered before, that  
19 suggested you have to have some outside approval. But  
20 now you're saying if the hotel owner says, you can't  
21 have these records, the police can say, give me the  
22 books and take them away.

23 MR. GOLDSTEIN: Yes. They cannot inspect  
24 them, just hold them aside. If this is a real problem,  
25 which there's no evidence of, but if -- if they want to

1 just hold them aside, then that -- they can be just  
2 sequestered. Nobody looks at them until a judge  
3 decides.

4 JUSTICE ALITO: That's a seizure. That is a  
5 seizure.

6 MR. GOLDSTEIN: Right. Absolutely.  
7 Justice --

8 JUSTICE ALITO: So why is that justified and  
9 looking at the information not?

10 MR. GOLDSTEIN: This Court has held that in  
11 the identical circumstance, this arises in the Fourth  
12 Amendment context. When the government is concerned  
13 about the destruction of evidence, before it can acquire  
14 a warrant, it can sequester the property, that is, it  
15 can seize control of the property without searching it.

16 JUSTICE ALITO: Yeah, that's if it has  
17 probable cause.

18 MR. GOLDSTEIN: Well, Your Honor, it has the  
19 relevant level of cause that's required in the  
20 particular context. We can't --

21 JUSTICE ALITO: I'm confused by your answer.  
22 I thought you said in response to my earlier questions  
23 that the city could have a regime under which an  
24 administrative law judge issues a warrant, not a  
25 subpoena --

1 MR. GOLDSTEIN: Yes.

2 JUSTICE ALITO: -- for a periodic  
3 inspection.

4 MR. GOLDSTEIN: Sure.

5 JUSTICE ALITO: So the -- the officer would  
6 have the warrant, would go to the hotel, here's the  
7 warrant, this is your periodic inspection. There would  
8 be no pre-judicial review.

9 MR. GOLDSTEIN: That is -- that's not right.

10 JUSTICE ALITO: There could be a challenge  
11 to it later.

12 MR. GOLDSTEIN: No, Your Honor. When --  
13 what this Court has said in cases like *Camara* and *See*,  
14 and it's the distinction drawn in *Lone Steer* and  
15 *Barlow's*, is that when you get the pre-enforcement  
16 judicial review, that is the judicial involvement that's  
17 required.

18 JUSTICE ALITO: Right.

19 MR. GOLDSTEIN: Right? So we'd be perfectly  
20 happy with that. The difference between your  
21 hypothetical and this one is that a judge is involved  
22 and ensures that this isn't for law enforcement. It's  
23 the orderly operation of administrative scheme; whereas,  
24 what the city wants is for a beat cop to be able to go  
25 in anytime, as often as he wants, for any purpose.

1 JUSTICE KENNEDY: The complexity of the  
2 answers and, frankly, the surprise I have at some of  
3 your answers may indicate that this is not a basis for a  
4 facial -- this is not a case for facial attack.

5 MR. GOLDSTEIN: Okay. Let me --

6 JUSTICE KENNEDY: Seems to me we have to go  
7 back and -- and decide these issues on a case-by-case  
8 basis.

9 MR. GOLDSTEIN: Well, Justice Kennedy, I'll  
10 give my responses to that obviously, and that is, the  
11 Court in all of the Colonnade line of cases and Camara  
12 cases has dealt with things on a categorical basis. It  
13 has never done it on a case-by-case basis, because it is  
14 look at the structure of the scheme, that is, this is a  
15 scheme where they're not going to have any reason --  
16 they don't need any justification to come in. We know  
17 what they can seize. It's still limited, right? It's a  
18 particular record, but they can do it anytime. And in  
19 that kind of scheme, what the Court has consistently  
20 insisted on, and I hope that the Court will take a look  
21 at Lone Steer, is that there be this minimum of a  
22 subpoena process. I'm just describing, Your Honor --  
23 JUSTICE SOTOMAYOR: I'm sorry. I thought  
24 the stronger answer would be we've always looked at a  
25 lack of procedural protection under a facial

1 challenge --

2 MR. GOLDSTEIN: Certainly. That's Sibron --

3 JUSTICE SOTOMAYOR: We did.

4 MR. GOLDSTEIN: Sibron says exactly --

5 JUSTICE SOTOMAYOR: Exactly. So anytime

6 that the challenge as to the lack of process --

7 MR. GOLDSTEIN: Yes.

8 JUSTICE SOTOMAYOR: -- we've looked at it,  
9 facially it was applied or whatever, but it doesn't need  
10 to be as applied.

11 MR. GOLDSTEIN: Yes. And let me just add  
12 one other point that's sort of under-appreciated in the  
13 case, and that is, not only does our complaint assert an  
14 as-applied challenge, there was a trial on the  
15 as-applied challenge. And the record on the as-applied  
16 challenge is the record in this case. We pursued our  
17 facial challenge only after before the second trial they  
18 stipulated that they had only facial defenses of the  
19 statute. That's the -- that's the reason we have this  
20 oddity that we're here on a facial challenge. The  
21 evidence has already been collected. There's nothing to  
22 be gained by having a second trial.

23 JUSTICE SCALIA: Would you -- would you --  
24 you've constantly said that one of the objections that  
25 the hotel owner can make is that you want these records

1 for enforcement of the criminal law, right? You say  
2 that's bad.

3 MR. GOLDSTEIN: Yes.

4 JUSTICE SCALIA: But the whole purpose of  
5 this thing is to enable the criminal law to be enforced,  
6 isn't it?

7 MR. GOLDSTEIN: Ah, Justice Scalia, there  
8 are two different points that are being made here. One  
9 is, you're quite right. They have an administrative  
10 scheme. The point of the administrative scheme is to  
11 deter criminal violations. But my point is different,  
12 and that is, imagine on Tuesday a police officer comes  
13 in and says, look, I think there's a prostitute in the  
14 room 3, okay? So what I'm going to do is I'm going to  
15 invoke this 41.49 and see if that person's name matches  
16 up as a prostitute, okay? That's criminal law  
17 enforcement. It requires probable cause.

18 The fact that they have an underlying  
19 administrative scheme doesn't mean that they can  
20 investigate crimes through using this evidence. This  
21 Court has said time and time again in its administrative  
22 decisions that it's really important that we involve the  
23 courts because there is this concern, and this case  
24 presents it more starkly than any other, that you will  
25 misuse the administrative process.

1 JUSTICE SCALIA: Well, I think there may be  
2 an exception to that principle where the whole purpose  
3 of the scheme is to enable the detection the criminal  
4 activity.

5 MR. GOLDSTEIN: But --

6 JUSTICE SCALIA: And then the objection  
7 would be the whole scheme is bad. You cannot require  
8 them to keep books because its whole purpose is to  
9 detect criminal activity.

10 But that's not what you're arguing. You're  
11 saying, they can keep the books in order to detect  
12 criminal activity, but if they request the book in order  
13 to detect criminal activity, it's bad.

14 MR. GOLDSTEIN: No --

15 JUSTICE SCALIA: That doesn't make any sense  
16 at all.

17 MR. GOLDSTEIN: Because it's not the  
18 argument. And that is --

19 JUSTICE SCALIA: Well, what is -- what is  
20 the argument?

21 MR. GOLDSTEIN: The argument is -- their  
22 defense of the statute is not that the -- the records  
23 are used to detect crime; it's they're used to deter  
24 crime. They don't look at the records to find  
25 criminals. All they do is look at the records to make

1 sure we're keeping records.

2 My point is that one day a police officer  
3 under this -- and it can happen regularly, is that an  
4 officer, a beat officer will come in and say, I'm not  
5 concerned about whether you filled out the form; I think  
6 there might be a prostitute in room 3, and use it for  
7 criminal --

8 JUSTICE KAGAN: And, Mr. Goldstein, I had  
9 thought that an equally important purpose behind these  
10 laws is to -- as you said earlier, prevent harassment.

11 MR. GOLDSTEIN: Yes.

12 JUSTICE KAGAN: Prevent, I don't like this  
13 hotel owner, I want to drive this hotel out of business,  
14 I'm going to be showing up in his lobby every day.

15 But that's part of what's going on here,  
16 isn't that right?

17 MR. GOLDSTEIN: That's -- in fact, the  
18 principal thing that this Court's precedents have  
19 pointed to -- and just look at what's missing in this --  
20 in this ordinance. Every time the other side will say  
21 to you, look, we identified specifically the records.  
22 But the question isn't what the records are, it's the  
23 loss of the sense of tranquility provided by the Fourth  
24 Amendment, that we don't know how frequently and for  
25 what harassing purpose and how -- and for what reasons

1 at all that a police officer is just going to come in  
2 over and over again.

3 CHIEF JUSTICE ROBERTS: Have we used that  
4 phrase before?

5 MR. GOLDSTEIN: Which one, Your Honor?

6 CHIEF JUSTICE ROBERTS: Tranquility.

7 MR. GOLDSTEIN: I don't think that that word  
8 is --

9 CHIEF JUSTICE ROBERTS: We talk about  
10 privacy and all that, but I'm not sure that the Fourth  
11 Amendment should be expanded to protect the sense of  
12 tranquility.

13 MR. GOLDSTEIN: I'm trying to --

14 JUSTICE SCALIA: I have a problem imagining  
15 tranquil hotel owners. It's not what I associate with  
16 owning a hotel.

17 MR. GOLDSTEIN: It is the sense of certainty  
18 that the Fourth Amendment provides that what you do know  
19 is that there are going to be limits on when the police  
20 come in and say, show us your papers. Okay? And that's  
21 what we're talking about.

22 CHIEF JUSTICE ROBERTS: Do -- I think  
23 there's some rule -- at least they do it, I mean, in  
24 hotels, they have these notices posted all over about  
25 where the first emergency exit is and all that.

1 MR. GOLDSTEIN: Yes.

2 CHIEF JUSTICE ROBERTS: Could police come in  
3 and check to make sure the hotel has those posted --

4 MR. GOLDSTEIN: Yes.

5 CHIEF JUSTICE ROBERTS: -- without any type  
6 of a warrant?

7 MR. GOLDSTEIN: Because they're in public  
8 spaces. That is to say --

9 CHIEF JUSTICE ROBERTS: Well, I don't know  
10 -- is the back of a hotel room door -- I mean, is that a  
11 private place?

12 MR. GOLDSTEIN: So you're saying, say, for  
13 example, in the back of the restaurant, in the back of  
14 the kitchen, for example?

15 CHIEF JUSTICE ROBERTS: No, no, I'm talking  
16 about every hotel room --

17 MR. GOLDSTEIN: Yes.

18 CHIEF JUSTICE ROBERTS: -- has one of those  
19 --

20 MR. GOLDSTEIN: Oh, inside the room.

21 CHIEF JUSTICE ROBERTS: Can they go and say,  
22 look, you know, this is a very important thing to make  
23 sure people don't die in a big fire, we're going to make  
24 sure you've got them. Check -- let me go look in room  
25 12 where nobody is.

1           MR. GOLDSTEIN:           It's a great example for us.  
2           That's actually Camara and See; that's a fire inspection  
3           regime. And what has to happen is that there has to be  
4           a subpoena ahead of time.

5           At the very least, this Court -- the lowest  
6           level -- the lowest standard the Court has ever applied  
7           is in a case called Dewey. And what Dewey said is, at  
8           the very least, if you're not going to involve a court,  
9           you have to have a set of rules about when these  
10          searches are going to apply, or are going to be  
11          conducted, and how often.

12          JUSTICE ALITO:           This is -- I didn't quite  
13          understand your question about harassment. Maybe it's  
14          because -- maybe this is in the record or maybe it's  
15          because this wasn't as applied. But the police -- even  
16          if this ordinance were invalidated, the police could  
17          show up whenever they wanted, couldn't they, and ask for  
18          the -- the owner or the person at the desk voluntarily  
19          to disclose the register so there could be -- they could  
20          be in the lobby as much as they want.

21          MR. GOLDSTEIN:           Right.

22          JUSTICE ALITO:           So exactly what does -- how  
23          does this aid in harassment of hotels?

24          MR. GOLDSTEIN:           Because of the fact that  
25          they're requiring us to produce private records. The

1 Court -- it was always the case, in cases like Barlow's,  
2 Camara, See, where the police couldn't show up and  
3 inspect the premises, they could still show up and  
4 harass. But what the Court said is if you're going to  
5 invade privacy -- we agree this is -- everyone agrees  
6 now this is a Fourth Amendment search.

7 JUSTICE ALITO: No, but it's a private --  
8 it's a public space. I don't know whether it's  
9 dispositive, but it's of some relevance.

10 So they walk in -- there are two scenarios;  
11 one, with the ordinance, one, without. Without the  
12 ordinance, they walk in and they said, would you, in the  
13 kindness of your heart, let us look at the register.  
14 And the owner says, no, I don't want to. And then they  
15 come back the next day and they do the same thing.  
16 Okay? That's the first scenario.

17 The second one is, they come in and they  
18 say, let us see the register. You show them the  
19 register, and what? It's a harassment because they sit  
20 there for a while and the guests coming in see the  
21 police in the lobby? I just don't understand factually.

22 MR. GOLDSTEIN: It's the fact -- it's the  
23 fact that day after day after day we have to give them  
24 our private information. And it -- it really will  
25 involve the problem that it can harass and be intended

1 to put us out of business. If our customers are in the  
2 -- let's imagine the following scenario -- and I, you  
3 know, we are put in this position because they've come  
4 up with this hypothetical -- these hypotheticals about  
5 when it could be valid.

6 The officers see someone come into the  
7 motel, and each time they see someone come into the  
8 motel, they come in and say, hey, we're the police, let  
9 us see the records. The -- it really can interfere if  
10 you just imagine --

11 JUSTICE GINSBURG: I think that's -- if you  
12 had such a case-specific example, that might be one  
13 thing. But maybe it would help if you can tell me what  
14 goes on in this pre-compliance judicial review.

15 MR. GOLDSTEIN: Yes.

16 JUSTICE GINSBURG: So the hotel owner says,  
17 sorry, you can't look at the registry, I want  
18 pre-compliance judicial review.

19 MR. GOLDSTEIN: Yes.

20 JUSTICE GINSBURG: What is the nature of  
21 that review?

22 MR. GOLDSTEIN: The -- this Court has  
23 considered that question in the Fair Labor Standards  
24 Act, the context of the tax, the context -- and the  
25 banking context, so California Bankers, Donovan and Lone

1 Steer. And what it has said is that the administrative  
2 agent with the -- you know, the police officer, whoever  
3 enforces the law -- don't have to go to a judge -- gives  
4 a one-page subpoena. Then there is an objection by the  
5 business owner in any of these contexts, and remember,  
6 in banking, these are records that the government  
7 requires you to produce.

8 And then what happens is that the -- the --  
9 what generally will be the rule, it's up to the city, is  
10 that the city will put the onus on us to go to a judge.  
11 And the fact that the onus is on us to go to a judge and  
12 the fact that our objections are very limited, which is  
13 to say, we only get to object that this is harassing or  
14 for law enforcement, means that we almost always give  
15 over the records because it's going to be a completely  
16 futile objection. But it is the prospect that we can go  
17 to a judge that tells the beat cop that he needs to  
18 behave and --

19 JUSTICE GINSBURG: And those are the only  
20 objections that would be --

21 MR. GOLDSTEIN: Yes.

22 JUSTICE GINSBURG: -- successful, harassment  
23 and using this for law enforcement?

24 MR. GOLDSTEIN: Yes. That's detailed in  
25 this Court's precedents including Barlow's, it is what

1 -- that's the rule of Camara and See.

2 JUSTICE SCALIA: How many of these Courts'  
3 precedents involves a business that has been treated  
4 like a public utility? I mean, there are requirements  
5 for hotels, how big the room has to be, how many people  
6 you can put in the room, even in -- in many locations,  
7 how much you can charge for the room.

8 The hotel owner is not like the -- like a  
9 private business. He is a regulated provider of -- of  
10 public services that has traditionally been regulated  
11 closely over the years.

12 MR. GOLDSTEIN: The short answer -- the  
13 first question you asked is, how many times have you  
14 been asked that question. The answer is none. The  
15 second answer to your question is that, but in the  
16 relevant sense, which is to say how much of this  
17 property is protected and private, is that  
18 overwhelmingly hotels have constitutional protections.

19 Remember, 95 percent of this hotel is going  
20 to be the guests' rooms, and unlike in cases like Berger  
21 -- remember they go out and search the open junkyard,  
22 unlike cases like Colonnade and Biswell where you  
23 inspect the open stores or even go behind the scenes.  
24 Here the police can't do it. The Fourth Amendment,  
25 everybody agrees, protects privacy at the hotel. And so

1 there is a much greater expectation of privacy on our  
2 part.

3 JUSTICE KAGAN: But I think the question  
4 that Justice Scalia is asking is, is there a reason to  
5 think that hotels are a more heavily regulated industry  
6 than all the other industries that we can think of?

7 MR. GOLDSTEIN: No. I mean, just think  
8 about it. California Bankers and Miller are cases  
9 involving banking. Banking is incredibly heavily  
10 regulated, you have to have a charter, the government  
11 requires you to keep all kinds of records. And in both  
12 of those cases -- and remember, Justice Scalia, those  
13 are the bank customers' records, they're about the bank  
14 customers' transactions.

15 And what this Court said in both of those  
16 cases is that with rare exceptions, like the \$10,000  
17 requirement, Title I of the Bank Secrecy Act is  
18 constitutional because it requires a subpoena. That is,  
19 there is the prospect of getting a judge involved if the  
20 Bank Secrecy requirement that the investigation is too  
21 onerous.

22 I'll give you one other data point --

23 JUSTICE KENNEDY: But innkeepers have been  
24 regulated, not for decades, but they've been regulated  
25 for centuries and they have -- they have duties to the

1 public that are enforceable.

2 MR. GOLDSTEIN: So --

3 JUSTICE KENNEDY: And I'm just puzzled by  
4 this case. You concede that the records have to be  
5 kept. There are very few reasons for keeping those  
6 records other than law enforcement.

7 MR. GOLDSTEIN: Ah, that we disagree with,  
8 Justice Kennedy. Remember we've kept these records and  
9 innkeepers have kept these records for time immemorial.  
10 We use these records for very different purposes. They  
11 are every record of our business transactions. We use  
12 this information to keep in touch with our customers.  
13 Every business does. It's quite proprietary  
14 information. And while it's the case that we --

15 JUSTICE SCALIA: Motel 6 does this? Jeez,  
16 I've never -- I've never received anything from them.

17 (Laughter.)

18 JUSTICE SCALIA: My goodness.

19 MR. GOLDSTEIN: You may not be in their  
20 frequent guest --

21 (Laughter.)

22 MR. GOLDSTEIN: But, nobody doubts --  
23 remember, this is an ordinance that applies to the Four  
24 Seasons and the Ritz-Carlton and everything else.  
25 They've just carved out a very specific subset.

1           And, Justice Kennedy, while we are attentive  
2 to the point that you can't -- we are not asserting and  
3 the guests are not asserting Fourth Amendment rights  
4 here, let's not lose sight of the fact that these  
5 records can show very, very personal information. Not  
6 just the driver's license information, but whether you  
7 stayed at a hotel during a religious or a political  
8 convention --

9           JUSTICE SCALIA:           Once again, you're not  
10 complaining about the privacy interests of the guests.  
11 That's not your complaint here.

12           MR. GOLDSTEIN:           That's the point. We --  
13 they agree this is a Fourth Amendment search, point one.  
14 Then what you are doing is if you have to make an honest  
15 assessment of whether this information really does  
16 further the Fourth Amendment value of privacy. And it  
17 does because this has private stuff in it. There's just  
18 no real dispute about that.

19           And I am sympathetic, Justice Kennedy, to  
20 the fact that innkeepers have been regulated for a long  
21 time. I will simply say that in 99.4 percent of the  
22 jurisdictions in this country, this is not the rule.  
23 There are 100, but there are 18,000 other jurisdictions  
24 in which this is not the rule and apparently has never  
25 been the rule.

1           And the nature of that regulation isn't one  
2 that, in the Burger sense, impinges on our sense of  
3 privacy. We have to take guests, but what does that  
4 tell us about whether our records are private? And  
5 certainly, we can identify a huge array of other  
6 businesses that are regulated.

7           The one data point that I wanted to make is  
8 that in 2002, the Department of Justice did a study, and  
9 it found that 335 different provisions of Federal law  
10 use the system that I just described for you; and that  
11 is, the subpoena first in order to get the records. And  
12 there's a bare handful of them, none of them involving  
13 just bare records with the possible exception of the OCC  
14 that use this exception that says, you never have to get  
15 a judge involved. It is the subpoenas --

16           CHIEF JUSTICE ROBERTS:           99.4 percent  
17 jurisdictions, does that include -- are you comparing  
18 the little hamlet in Indiana with Los Angeles or  
19 New York? Does New York City have something like this?

20           MR. GOLDSTEIN:           I don't know the answer to  
21 the question of that particular city, but, Your Honor,  
22 they're including big and small and so am I. So there  
23 are a lot of big cities that don't have this rule.

24           My point is this, Justice Kennedy --

25           JUSTICE KENNEDY:           But -- you're -- you're

1 saying, oh, the hotel has a private interest because it  
2 wants to know who its customers. But they can do that  
3 by keeping their own record consensually. You have  
4 conceded that they can require the information as a  
5 matter of law.

6 MR. GOLDSTEIN: Well, that's because your  
7 precedents say they can, Your Honor. And my point is  
8 this, because your precedents say --

9 JUSTICE SCALIA: Well, that means it's true.  
10 (Laughter.)

11 MR. GOLDSTEIN: Well -- and hence, my answer  
12 yes.

13 But my point is this: Because they can do  
14 it here, Justice Kennedy, they can do it everywhere.  
15 The government can require any business to keep track of  
16 all of its transactions and all of its customers. And  
17 if the government can then just say, all right, now,  
18 give us all that information, then they've reduced the  
19 Fourth Amendment to a nullity.

20 The final point I'll make is that don't be  
21 confused with the idea that there's something special  
22 about hotels. The amount of government regulation here  
23 is massive. The reason that the deputy solicitor  
24 general is here on behalf of the United States is that  
25 there are hundreds and hundreds and hundreds of

1 regulatory schemes the Federal government administers  
2 where it is now required to use a subpoena. But what  
3 self-respecting regulator wouldn't love --

4 JUSTICE ALITO: A subpoena -- a subpoena is  
5 worthless when what is sought is something that can be  
6 easily destroyed, hidden or falsified. It's -- it's  
7 very useful if you're trying to get complicated records  
8 that can't be easily altered between the time when the  
9 subpoena is issued and the time when the subpoena is  
10 enforced. But nobody -- nobody issues a subpoena for  
11 the murder weapon that one is -- you know, that you  
12 suspect is in somebody's house.

13 So these records are more like the murder  
14 weapon where there's something that can be easily  
15 falsified. You -- you seem to concede when you say that  
16 the police can seize them, then -- then the subpoena is  
17 worthless.

18 MR. GOLDSTEIN: Lone Steer says the opposite  
19 with all respect, and that is, the records there are how  
20 many hours did someone work at what amount of pay. And  
21 if you can't falsify that just as quickly as you can  
22 falsify who's in room 2, then I just don't understand  
23 the nature of recordkeeping.

24 The Court has insisted on this as a bare  
25 constitutional minimum, both to keep the enforcement

1 officer in line and to let us know the enforcement  
2 officer is kept in line. It has not -- it has been  
3 attentive to the fact that we don't want to put undue  
4 burdens on the government and that is, it's just a  
5 subpoena and that we have less than Fourth Amendment  
6 rights.

7 JUSTICE ALITO: You think -- you think  
8 payroll records in general are no more complicated than  
9 the ledger at a motel that runs by the hour?

10 MR. GOLDSTEIN: In the relevant respect,  
11 Justice Alito, if the question is, did the person work  
12 50 hours or 35 and the record says 50 -- the actual  
13 record would be 30 -- 50 and I just want to fill in 35,  
14 yes. The -- the court didn't even think that that was a  
15 remotely plausible argument in that -- the line of cases  
16 that I'm describing.

17 CHIEF JUSTICE ROBERTS: Thank you, counsel.

18 Four minutes, Mr. Rosenkranz.

19 REBUTTAL ARGUMENT OF E. JOSHUA ROSENKRANZ

20 ON BEHALF OF PETITIONER

21 MR. ROSENKRANZ: Thank you, Your Honor.

22 Let me start with the facial point and then  
23 circle back to the -- to the merits. So as I hear  
24 Mr. Goldstein describing the rule, the only objections  
25 that are going to be raised are harassment and whether

1 this is for a legitimate purpose, but if that's the  
2 concern, that's a classic as-applied challenge.

3 If a hotel has a cop coming up to them five  
4 times a day, they come in and say, this is really  
5 harassment. These searches are inappropriate. And if  
6 the -- if it's the purpose of the officer, he's doing  
7 criminal investigation rather than actually caring about  
8 whether my records are complete, that is an as-applied  
9 challenge.

10 Now, the plaintiffs have not even tried to  
11 demonstrate that this ordinance is unconstitutional in  
12 every circumstance. On pages 19 to 20 of our brief, we  
13 develop numerous scenarios, and Mr. Goldstein mentioned  
14 only one of them.

15 So, for example, where the hotel is required  
16 to upload the records to the police department every  
17 day, it may not even be a search, but it's certainly  
18 less intrusive.

19 JUSTICE KENNEDY: But that's -- that's not  
20 the statute. I didn't understand those examples because  
21 some of those examples, the police could act without  
22 this -- without this.

23 MR. ROSENKRANZ: Well --

24 JUSTICE KENNEDY: Without this --

25 MR. ROSENKRANZ: So not that one, Your

1 Honor. Justice Kennedy, not that one. So some of  
2 them -- in some of them, the ordinance has the purpose  
3 of requiring someone to do something that they would not  
4 otherwise have to submit to. But the one that I just  
5 gave as an example, the scenario of uploading the  
6 documents rather than the police conducting a search on  
7 the spot, is less intrusive.

8 And -- and the problem here is that the  
9 plaintiffs have tried to invalidate every possible  
10 application of this ordinance but they haven't done  
11 the -- the intrusiveness, privacy, government interest  
12 balance that one needs to do for each of them.

13 But let me even circle to the merits  
14 because --

15 JUSTICE SOTOMAYOR: I'm still very confused  
16 about this. There is always a potential exception to a  
17 warrant, even a Fourth Amendment warrant of going into  
18 the home, exigent circumstances, there's someone sick on  
19 the other side, if there's a fleeing felon into the  
20 place, but that doesn't eliminate the need for a  
21 warrant. It's not a tell-us-later issue. Police can't  
22 just keep going in and then fish around for an excuse.  
23 That's a process issue.

24 MR. ROSENKRANZ: Understood, Your Honor.

25 JUSTICE SOTOMAYOR: You're entitled to a

1 warrant, you're entitled to a subpoena, you're  
2 entitled -- that's what they're challenging, which is  
3 they're not challenging all of the other reasons why the  
4 police could go in legitimately --

5 MR. ROSENKRANZ: Well, Your Honor --

6 JUSTICE SOTOMAYOR: -- as an exception to  
7 the Fourth Amendment. They're asking whether this kind  
8 of search, generally, without all of those other exigent  
9 circumstances or other Fourth Amendment exceptions is  
10 constitutional.

11 MR. ROSENKRANZ: Right, Your Honor.

12 JUSTICE SOTOMAYOR: Is the process here  
13 right.

14 MR. ROSENKRANZ: Understood.

15 And so let's not talk about the exceptions.  
16 Let's talk about another example where the motel  
17 continues to keep the register in the open, like they  
18 did for 100 years, and then snatches it away when the  
19 police come. That --

20 JUSTICE SOTOMAYOR: You know something, but  
21 that's a different issue. It's in the public.

22 MR. ROSENKRANZ: Well, right. And they  
23 would --

24 JUSTICE SOTOMAYOR: And how often do you  
25 think that's going to happen?

1           MR. ROSENKRANZ:           And for that reason, they  
2 would have no expectation of privacy and the Fourth  
3 Amendment calculus would be totally different. But let  
4 me -- let me --

5           JUSTICE KAGAN:           Well, but then it's not a  
6 search at all. And, once again, it's not this statute  
7 that's doing the work.

8           MR. ROSENKRANZ:           Well, no, your Honor. If  
9 they snatch it away, it certainly is this ordinance that  
10 is doing the work.

11          JUSTICE KAGAN:           You're saying that they have  
12 no expectation of privacy. We wouldn't -- we wouldn't  
13 say it's a search at all, and the police can take it  
14 away. It doesn't depend on this statute.

15          MR. ROSENKRANZ:           Well, no, exactly. We  
16 would -- we would win the Fourth Amendment case, but  
17 they would -- but that has been invalidated by -- by  
18 deciding this on a facial basis.

19          CHIEF JUSTICE ROBERTS:       Counsel, our  
20 questions intruded on your rebuttal time. Why don't you  
21 take an extra minute or so.

22          MR. ROSENKRANZ:           Thank you, Your Honor.

23           So let me just emphasize that this is a very  
24 narrow rule that we're talking about. We're talking  
25 about a rule that is unlikely to be repeated in so many

1 of the other circumstances that have been discussed  
2 today.

3 It's about an inspection of only a single  
4 book of information that the government requires hotels  
5 to maintain and that the -- that Mr. Goldstein has  
6 admitted the government should -- can require hotels to  
7 maintain.

8 It's in a context that is especially prone  
9 to criminality. People are using these hotels precisely  
10 to commit crimes where the gaps are quite detectable in  
11 realtime but not detectable otherwise.

12 In an industry where there has been hundreds  
13 of years of regulation including a history of  
14 warrantless searches that are even broader at the time  
15 of the founding, hotels were being searched with --  
16 without warrants at the time of the founding and a  
17 history of a hundred years of police inspections in Los  
18 Angeles itself and even a hundred years of these things  
19 being open to the public.

20 If the Court has no further questions, we  
21 respectfully request that the Court reverse.

22 CHIEF JUSTICE ROBERTS: Thank you, counsel.

23 The case is submitted.

24 (Whereupon, at 11:09 a.m., the case in the  
25 above-entitled matter was submitted.)

<b>A</b>	<p><b>adopted</b> 5:15  <b>adopts</b> 13:15  <b>advance</b> 29:10              35:4  <b>affect</b> 11:2  <b>agent</b> 54:2  <b>agree</b> 22:12              26:25 34:2              52:5 58:13  <b>Agreed</b> 6:21  <b>agrees</b> 52:5              55:25  <b>Ah</b> 34:8 46:7              57:7  <b>ahead</b> 11:4              31:25 33:22              36:2,6 51:4  <b>aid</b> 51:23  <b>AL</b> 1:7  <b>Alito</b> 11:4 19:20              19:25 30:15,22              30:25 31:3,6,9              31:14,17 42:4              42:8,16,21              43:2,5,10,18              51:12,22 52:7              61:4 62:7,11  <b>allow</b> 25:8  <b>allowed</b> 8:7              23:23  <b>allows</b> 37:19  <b>altered</b> 10:7              61:8  <b>Amendment</b> 9:8              12:25 19:3,5              23:2 27:2,23              28:14 30:2,10              32:15 33:14              40:10,19 41:7              42:12 48:24              49:11,18 52:6              55:24 58:3,13              58:16 60:19              62:5 64:17              65:7,9 66:3,16  <b>Amendment's</b>              41:14</p>	<p><b>America's</b> 3:15  <b>amicus</b> 1:20 2:7              17:24  <b>amount</b> 4:11              38:23 41:11              60:22 61:20  <b>analysis</b> 27:2  <b>analyzed</b> 24:5  <b>Angeles</b> 1:3 3:5              59:18 67:18  <b>answer</b> 12:25              15:25 17:11              28:15 31:23              32:24 42:21              44:24 55:12,14              55:15 59:20              60:11  <b>answered</b> 41:18  <b>answers</b> 44:2,3  <b>anybody</b> 23:10  <b>anytime</b> 43:25              44:18 45:5  <b>anyway</b> 6:24  <b>apparently</b>              58:24  <b>appear</b> 8:14  <b>APPEARAN...</b>              1:15  <b>appears</b> 30:4  <b>appendix</b> 6:7  <b>applicable</b> 16:24              39:20  <b>application</b>              19:22 64:10  <b>applied</b> 24:21              45:9,10 51:6              51:15  <b>applies</b> 57:23  <b>apply</b> 19:16              24:22 51:10  <b>approval</b> 41:19  <b>area</b> 18:11 27:11  <b>areas</b> 19:13              23:20 24:20              28:5  <b>argued</b> 4:15  <b>arguing</b> 47:10</p>	<p><b>argument</b> 1:13              2:2,5,9,12 3:3              3:7 17:23 29:5              38:13 47:18,20              47:21 62:15,19  <b>arises</b> 42:11  <b>array</b> 59:5  <b>as-applied</b> 45:14              45:15,15 63:2              63:8  <b>aside</b> 41:24 42:1  <b>asked</b> 28:17              31:21 55:13,14  <b>asking</b> 36:25              56:4 65:7  <b>asks</b> 13:2  <b>assert</b> 45:13  <b>asserting</b> 58:2,3  <b>assessment</b>              58:15  <b>associate</b> 49:15  <b>associated</b> 21:9              23:2  <b>assume</b> 22:7  <b>attack</b> 44:4  <b>attention</b> 32:7  <b>attentive</b> 58:1              62:3  <b>authorities</b>              23:21  <b>authority</b> 14:21              14:22 40:4,7  <b>available</b> 9:21              30:9  <b>avowedly</b> 33:18  <b>awfully</b> 26:23</p>	<p>32:16 64:12  <b>balances</b> 27:2  <b>bank</b> 56:13,13              56:17,20  <b>Bankers</b> 53:25              56:8  <b>banking</b> 53:25              54:6 56:9,9  <b>bare</b> 37:6 59:12              59:13 61:24  <b>Barlow</b> 23:15  <b>Barlow's</b> 10:1              10:12,16,21              18:6 30:17              31:21 43:15              52:1 54:25  <b>basically</b> 4:1  <b>basis</b> 10:6 11:16              18:4 44:3,8,12              44:13 66:18  <b>beat</b> 30:13 43:24              48:4 54:17  <b>beginning</b> 6:6  <b>behalf</b> 1:16,22              2:4,7,11,14 3:8              29:6 60:24              62:20  <b>behave</b> 54:18  <b>believing</b> 10:6  <b>Berger</b> 55:20  <b>best</b> 34:19  <b>Bethesda</b> 1:21  <b>big</b> 26:10 27:20              50:23 55:5              59:22,23  <b>Biswell</b> 5:24              10:17,24 12:13              19:15 55:22  <b>blank</b> 37:22  <b>book</b> 3:19 47:12              67:4  <b>books</b> 27:8              41:22 47:8,11  <b>booth</b> 13:10  <b>break</b> 6:22  <b>brief</b> 18:11              63:12</p>
			<b>B</b>	
			<p><b>back</b> 8:9 24:3              28:6 32:23              35:1 44:7              50:10,13,13              52:15 62:23  <b>backroom</b> 24:16  <b>bad</b> 5:12 46:2              47:7,13  <b>balance</b> 27:24</p>	

<b>bring</b> 19:1,4	13:10,10,18	<b>change</b> 11:1,6	<b>closely</b> 13:2,5	28:8
<b>brings</b> 19:2 22:2	18:3,8 20:20	11:15	16:22,23 17:6	<b>concede</b> 57:4
<b>broader</b> 67:14	22:14,23 23:1	<b>charge</b> 55:7	17:12,14 55:11	61:15
<b>burdening</b>	24:7 25:2 26:5	<b>charged</b> 4:14	<b>closer</b> 15:7	<b>conceded</b> 23:5
32:19	27:11 28:1,21	<b>charter</b> 56:10	<b>collected</b> 45:21	60:4
<b>burdens</b> 62:4	32:6,7 34:19	<b>check</b> 14:23	<b>Colonnade</b>	<b>concern</b> 33:11
<b>Burger</b> 5:16,23	35:10,11 37:9	22:2 28:24	10:17 19:14	33:17 35:5,8
10:17 12:13	44:4 45:13,16	50:3,24	44:11 55:22	39:17,18 46:23
13:1,16,16	46:23 51:7	<b>Checking</b> 16:4	<b>combat</b> 9:3	63:2
19:15 37:7	52:1 57:4,14	<b>Chief</b> 3:3,9	<b>come</b> 7:9 35:25	<b>concerned</b> 19:14
59:2	66:16 67:23,24	17:21 18:1,13	36:2 44:16	40:12 42:12
<b>business</b> 13:3,20	<b>case-by-case</b>	28:16 29:2,4,7	48:4 49:1,20	48:5
14:14 18:9	44:7,13	36:20 37:19,23	50:2 52:15,17	<b>concerns</b> 27:23
21:1 22:25	<b>case-specific</b>	38:1,5,12 39:5	53:3,6,7,8 63:4	<b>conclude</b> 22:22
23:20 24:20	53:12	39:8 49:3,6,9	65:19	<b>condition</b> 10:22
28:7 33:25	<b>cases</b> 13:1 19:15	49:22 50:2,5,9	<b>comes</b> 35:1	10:22 11:1
41:6 48:13	24:21,22,24	50:15,18,21	46:12	<b>conduct</b> 10:9
53:1 54:5 55:3	32:3 33:9	59:16 62:17	<b>coming</b> 52:20	14:24 25:12
55:9 57:11,13	43:13 44:11,12	66:19 67:22	63:3	30:14
60:15	52:1 55:20,22	<b>child</b> 4:19	<b>commerce</b> 23:23	<b>conducted</b> 51:11
<b>businesses</b> 14:23	56:8,12,16	<b>circle</b> 62:23	<b>commit</b> 7:1,4	<b>conducting</b> 25:6
15:1 19:11,13	62:15	64:13	67:10	64:6
28:3,4 30:12	<b>cash</b> 21:20 25:7	<b>Circuit</b> 18:7,23	<b>company</b> 16:25	<b>confidentiality</b>
59:6	25:15 31:12	19:16 22:3,22	<b>compare</b> 7:18	21:8
<b>busy</b> 7:12	<b>categorical</b>	23:5,13,18	11:17,18	<b>confused</b> 42:21
	44:12	24:5,18	<b>comparing</b> 9:23	60:21 64:15
<b>C</b>	<b>cause</b> 5:11 11:19	<b>circular</b> 12:22	59:17	<b>conjecture</b>
<b>C</b> 1:21 2:1,10	11:25 12:4,5,8	<b>circumstance</b>	<b>comparison</b>	20:22
3:1 29:5	12:13 31:1	23:24 32:10	11:16	<b>consensually</b>
<b>calculus</b> 66:3	32:2,25,25	42:11 63:12	<b>complain</b> 22:10	60:3
<b>California</b> 1:4	41:10 42:17,19	<b>circumstances</b>	<b>complaining</b>	<b>consent</b> 10:3,5
30:23 53:25	46:17	20:1,10 29:22	58:10	11:12
56:8	<b>centuries</b> 56:25	64:18 65:9	<b>complaint</b> 45:13	<b>considered</b>
<b>called</b> 32:8 51:7	<b>certain</b> 7:21	67:1	58:11	53:23
<b>Camara</b> 43:13	21:8	<b>cities</b> 3:12 59:23	<b>complaints</b> 6:6	<b>considers</b> 32:10
44:11 51:2	<b>certainly</b> 18:19	<b>city</b> 1:3 3:4,20	<b>complete</b> 63:8	<b>consistent</b> 33:8
52:2 55:1	45:2 59:5	29:9,13 30:15	<b>completely</b> 9:8	<b>consistently</b>
<b>car</b> 39:25	63:17 66:9	33:18 42:23	54:15	38:24 44:19
<b>card</b> 4:6 21:12	<b>certainty</b> 49:17	43:24 54:9,10	<b>complexity</b> 44:1	<b>constantly</b> 45:24
21:23 22:1,9	<b>challenge</b> 6:19	59:19,21	<b>complicated</b>	<b>constitutional</b>
28:7 34:21	19:20 20:19	<b>city's</b> 39:18	61:7 62:8	6:19 15:2
<b>cards</b> 39:16	22:21 43:10	<b>civil</b> 6:2	<b>complicit</b> 11:8	19:23 29:20
<b>caring</b> 63:7	45:1,6,14,15	<b>claim</b> 24:25	<b>complied</b> 26:24	34:2 55:18
<b>cars</b> 8:11	45:16,17,20	<b>classic</b> 25:12	<b>comply</b> 28:25	56:18 61:25
<b>carved</b> 57:25	63:2,9	27:1 63:2	<b>comports</b> 32:15	65:10
<b>case</b> 3:4,11 6:6	<b>challenging</b>	<b>clear</b> 31:18	<b>compulsion</b> 19:3	<b>constitutionally</b>
11:7,9 12:17	27:17 65:2,3	<b>clerk</b> 24:9 39:9	<b>computer</b> 24:11	24:2

<b>construction</b> 16:6 39:21,23	33:8 48:18 54:25	<b>decided</b> 32:8	<b>determine</b> 34:21	<b>draw</b> 11:16
<b>contain</b> 21:13	<b>courts</b> 46:23	<b>decides</b> 42:3	<b>deterrent</b> 5:3,4	<b>drawer</b> 18:15
<b>containing</b> 3:19	55:2	<b>deciding</b> 66:18	5:17	<b>drawn</b> 43:14
<b>contemporane...</b>	<b>covered</b> 23:22	<b>decisions</b> 46:22	<b>develop</b> 63:13	<b>Dreeben</b> 1:18
35:9	<b>credit</b> 4:6 21:12	<b>decline</b> 6:13	<b>developed</b> 3:13	2:6 17:22,23
<b>context</b> 13:18	21:23 22:1,8	<b>defense</b> 47:22	<b>devote</b> 8:21	18:1,19 19:6
31:22 37:7	28:7	<b>defenses</b> 45:18	<b>Dewey</b> 9:12	19:10,24 20:5
40:11 42:12,20	<b>crime</b> 33:16	<b>defer</b> 26:12	10:17 51:7,7	20:8,11,14
53:24,24,25	47:23,24	<b>degree</b> 21:8	<b>die</b> 50:23	21:3,7,15,17
67:8	<b>crimes</b> 3:14 4:25	24:19	<b>difference</b> 4:8	21:21,25 22:12
<b>contexts</b> 30:12	7:2,5 8:23	<b>demand</b> 5:9	15:5 24:2	22:17 23:17
30:12 54:5	29:16 46:20	38:3	26:11 43:20	24:1,4,18
<b>continues</b> 65:17	67:10	<b>demands</b> 32:13	<b>different</b> 10:14	25:18 26:4,12
<b>control</b> 33:16	<b>criminal</b> 17:16	<b>demonstrate</b>	10:16 22:18,19	26:15,25 27:15
42:15	25:5,8 32:2	17:15,16,17	26:19 31:6,7	27:17,22 28:10
<b>convention</b> 58:8	46:1,5,11,16	63:11	46:8,11 57:10	28:15,17 29:3
<b>cop</b> 43:24 54:17	47:3,9,12,13	<b>department</b>	59:9 65:21	31:22 32:6
63:3	48:7 63:7	63:16	66:3	<b>drew</b> 23:19
<b>correct</b> 5:14	<b>criminality</b> 67:9	<b>depend</b> 19:8	<b>difficult</b> 25:2	<b>drive</b> 48:13
8:15 16:18	<b>criminally</b> 6:2	66:14	26:5	<b>driver's</b> 4:5
27:15 38:4	<b>criminals</b> 5:5,20	<b>depends</b> 12:25	<b>disagree</b> 57:7	21:12,19 58:6
<b>counsel</b> 17:21	6:14 25:11	<b>deprive</b> 3:11	<b>disclose</b> 4:7	<b>drug</b> 3:14
29:2 62:17	28:23 47:25	<b>deputy</b> 1:18	21:11 51:19	<b>duties</b> 56:25
66:19 67:22	<b>critical</b> 37:16	60:23	<b>disclosed</b> 4:5	
<b>count</b> 16:6	<b>culture</b> 12:21	<b>descend</b> 7:7	<b>discussed</b> 67:1	<b>E</b>
<b>country</b> 26:19	<b>curiae</b> 1:20 2:7	<b>described</b> 59:10	<b>disguise</b> 37:12	<b>E</b> 1:16 2:1,3,13
28:5 58:22	17:24	<b>describing</b> 34:13	<b>dispositive</b> 52:9	3:1,1,7 62:19
<b>court</b> 1:1,13	<b>customers</b> 53:1	44:22 62:16,24	<b>dispute</b> 27:13,20	<b>earlier</b> 42:22
3:10,17 5:15	56:13,14 57:12	<b>designed</b> 24:24	58:18	48:10
10:23 12:17	60:2,16	<b>desk</b> 8:13 24:3,9	<b>disputed</b> 33:2	<b>early</b> 4:1
13:1,15,16	<b>D</b>	29:24 36:17	<b>disputes</b> 27:9	<b>easier</b> 8:20
18:2,3 19:18	<b>D</b> 3:1	51:18	<b>distinction</b>	<b>easily</b> 61:6,8,14
24:7 26:13	<b>D.C</b> 1:9,19	<b>desks</b> 18:18	10:16 23:18	<b>easy</b> 9:21 11:24
27:1,23,25	<b>dangerous</b> 28:3	<b>destroyed</b> 10:7	43:14	36:7
29:8,9 30:8,23	<b>data</b> 56:22 59:7	61:6	<b>distinguish</b>	<b>eating</b> 17:10
31:23 32:2,14	<b>day</b> 12:21 16:25	<b>destruction</b>	23:15 26:21	<b>effective</b> 3:12
37:6 38:24	35:25 48:2,14	40:12 42:13	<b>distinguished</b>	4:18 9:9,13
39:18 40:8,10	52:15,23,23,23	<b>detailed</b> 54:24	10:24,24	<b>effectively</b> 9:6
41:8 42:10	63:4,17	<b>detect</b> 47:9,11	<b>documents</b> 64:6	<b>either</b> 15:17
43:13 44:11,19	<b>days</b> 12:7 35:1	47:13,23	<b>doing</b> 8:8 9:15	16:13,13 30:4
44:20 46:21	<b>dealing</b> 19:11,12	<b>detectable</b> 67:10	12:14 13:16	35:20
51:5,6,8 52:1,4	<b>dealt</b> 33:9 44:12	67:11	25:12,17 58:14	<b>elements</b> 17:14
53:22 56:15	<b>dear</b> 14:12	<b>detection</b> 47:3	63:6 66:7,10	<b>eliminate</b> 64:20
61:24 62:14	<b>decades</b> 56:24	<b>detectives</b> 24:16	<b>Donovan</b> 32:8	<b>eliminates</b> 28:13
67:20,21	<b>decide</b> 44:7	<b>deter</b> 3:13 5:11	53:25	<b>emergency</b>
<b>Court's</b> 20:19		46:11 47:23	<b>door</b> 50:10	49:25
			<b>doubts</b> 57:22	<b>emphasize</b> 66:23

<b>employees</b> 16:8	<b>evaluation</b> 20:19	<b>extra</b> 66:21	<b>fills</b> 39:11	<b>frankly</b> 44:2
<b>employer</b> 32:17	<b>everybody</b> 55:25	<b>extremely</b> 28:1	<b>final</b> 60:20	<b>free</b> 6:16 18:17
<b>employment</b> 32:13	<b>everybody's</b> 20:23	35:7	<b>find</b> 8:22 33:19	<b>freeze</b> 11:8
<b>empty</b> 6:12	<b>evidence</b> 10:6	<b>F</b>	47:24	<b>frequent</b> 5:16,21
<b>enable</b> 46:5 47:3	39:19 40:13	<b>facial</b> 19:20	<b>fined</b> 6:8	31:10 57:20
<b>encountered</b> 3:18	41:25 42:13	20:19 22:20	<b>fire</b> 50:23 51:2	<b>frequently</b> 7:8
<b>encouragement</b> 20:16	45:21 46:20	44:4,4,25	<b>first</b> 3:4,23 4:24	25:6 48:24
<b>enforce</b> 39:2	<b>evolvment</b> 43:16	45:17,18,20	17:12 28:18	<b>front</b> 8:11 9:22
<b>enforceable</b> 57:1	<b>ex</b> 10:9	62:22 66:18	32:18 49:25	24:3,9 28:8
<b>enforced</b> 22:5	<b>exactly</b> 6:25	<b>facially</b> 22:4	52:16 55:13	<b>full</b> 41:14
29:13 46:5	12:12 45:4,5	45:9	59:11	<b>further</b> 17:19
61:10	51:22 66:15	<b>facility</b> 27:11	<b>fish</b> 25:24 26:22	58:16 67:20
<b>enforcement</b> 9:2	<b>examination</b> 10:10	<b>fact</b> 9:12,18 21:9	64:22	<b>futile</b> 54:16
13:4 27:10	<b>example</b> 8:1	26:18 34:11	<b>five</b> 35:25 63:3	<b>G</b>
29:24 32:21	9:14,20 18:17	46:18 48:17	<b>fleeing</b> 64:19	<b>G</b> 3:1
34:11 35:24	33:19 50:13,14	51:24 52:22,23	<b>flourish</b> 25:9	<b>gage</b> 27:6
37:11 43:22	51:1 53:12	54:11,12 58:4	28:22	<b>gained</b> 45:22
46:1,17 54:14	63:15 64:5	58:20 62:3	<b>focus</b> 4:24	<b>gaps</b> 67:10
54:23 57:6	65:16	<b>facts</b> 11:18 16:2	<b>following</b> 10:2	<b>general</b> 1:18
61:25 62:1	<b>examples</b> 15:24	19:8 22:5	33:10 53:2	60:24 62:8
<b>enforces</b> 54:3	63:20,21	<b>factually</b> 52:21	<b>follows</b> 34:17	<b>generally</b> 54:9
<b>enforcing</b> 7:6	<b>exception</b> 17:13	<b>failing</b> 6:9	<b>forbidden</b> 33:14	65:8
<b>ensures</b> 43:22	47:2 59:13,14	<b>failure</b> 6:2,8	<b>forbids</b> 40:20	<b>genuine</b> 26:17
<b>enter</b> 19:5	64:16 65:6	<b>Fair</b> 32:11 39:21	<b>forced</b> 7:2	<b>getting</b> 36:13
<b>entered</b> 14:13	<b>exceptions</b> 56:16	53:23	<b>forget</b> 12:21	37:20 56:19
<b>entirely</b> 34:15	65:9,15	<b>false</b> 15:1,18,19	<b>form</b> 48:5	<b>ginning</b> 15:1
40:23	<b>excuse</b> 64:22	16:14	<b>forth</b> 4:14 8:9	<b>Ginsburg</b> 5:7
<b>entities</b> 17:4	<b>exigent</b> 19:25	<b>falsified</b> 61:6,15	13:4 25:23	7:7 32:22
<b>entitled</b> 64:25	20:9 29:22	<b>falsify</b> 15:14,22	31:12	41:16 53:11,16
65:1,2	64:18 65:8	16:20 61:21,22	<b>found</b> 59:9	53:20 54:19,22
<b>entity</b> 16:25	<b>exist</b> 20:21	<b>far</b> 26:16	<b>founding</b> 67:15	<b>give</b> 9:14 15:22
<b>entry</b> 18:8,10,10	24:13 30:5	<b>fashion</b> 28:1	67:16	25:20 28:25
18:15 19:13	<b>exit</b> 49:25	<b>favor</b> 34:12	<b>Four</b> 57:23	34:19 35:4
23:19	<b>expanded</b> 49:11	<b>Federal</b> 4:4,6	62:18	36:3 39:1
<b>equally</b> 39:20	<b>expectation</b> 12:19,20,23	21:11 59:9	<b>Fourth</b> 9:8	41:21 44:10
48:9	13:6,22 14:5	61:1	12:25 19:3,5	52:23 54:14
<b>equivalent</b> 14:21	24:8 56:1 66:2	<b>feeling</b> 11:7	23:1 27:2	56:22 60:18
25:25	66:12	<b>felon</b> 64:19	28:13 30:2,10	<b>given</b> 39:13
<b>especially</b> 67:8	<b>expectations</b> 19:12 20:21	<b>figure</b> 15:19	32:15 33:14	<b>gives</b> 54:3
<b>ESQ</b> 1:16,18,21	24:8 56:1 66:2	25:19 38:15	40:10,19 41:7	<b>giving</b> 35:22
2:3,6,10,13	<b>expose</b> 27:8	<b>file</b> 38:10 39:1	41:14 42:11	<b>go</b> 7:1 10:3,3
<b>establish</b> 30:16	<b>exposes</b> 23:20	<b>files</b> 38:21	48:23 49:10,18	11:4,12 14:22
<b>establishes</b> 23:7	<b>extent</b> 11:12	<b>fill</b> 25:7 36:13	52:6 55:24	28:6 29:10
<b>ET</b> 1:7		36:14 37:21	58:3,13,16	33:22,23 34:6
		62:13	60:19 62:5	34:20 35:11
		<b>filled</b> 39:11 48:5	64:17 65:7,9	36:2,6 37:9
			66:2,16	

<p>38:6 39:3,5 41:13 43:6,24 44:6 50:21,24 54:3,10,11,16 55:21,23 65:4 <b>goes</b> 13:20 23:10 38:17 53:14 <b>going</b> 6:17,24 7:9 8:24 10:5,7 11:5,6,9,10,12 26:21 29:13 30:3,13 32:23 34:23 35:7,24 36:9 37:9,24 38:25 39:1,10 39:24 44:15 46:14,14 48:14 48:15 49:1,19 50:23 51:8,10 51:10 52:4 54:15 55:19 62:25 64:17,22 65:25 <b>Goldstein</b> 1:21 2:10 29:4,5,7 29:21 31:5,13 31:16,20 33:7 34:4,8,10 35:17,19 36:15 36:22,24 37:4 37:15,23 38:4 38:8,16,19,21 38:23 39:7,13 40:2,6,9,16 41:4,15,23 42:6,10,18 43:1,4,9,12,19 44:5,9 45:2,4,7 45:11 46:3,7 47:5,14,17,21 48:8,11,17 49:5,7,13,17 50:1,4,7,12,17 50:20 51:1,21 51:24 52:22 53:15,19,22 54:21,24 55:12</p>	<p>56:7 57:2,7,19 57:22 58:12 59:20 60:6,11 61:18 62:10,24 63:13 67:5 <b>good</b> 41:5,12 <b>goodness</b> 57:18 <b>gotten</b> 32:7 <b>govern</b> 19:17 <b>government</b> 15:6,11,12 27:2 28:19 32:3,12,16,19 40:17 42:12 54:6 56:10 60:15,17,22 61:1 62:4 64:11 67:4,6 <b>great</b> 31:20 51:1 <b>greater</b> 56:1 <b>ground</b> 3:14 10:25 11:18 15:15 <b>guarantees</b> 37:16 <b>guess</b> 6:10 23:25 <b>guest</b> 57:20 <b>guests</b> 5:20 14:1 14:5,16 22:11 22:15 24:16 31:12 52:20 55:20 58:3,10 59:3 <b>guy</b> 39:10</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>half</b> 31:22 <b>halls</b> 7:20 <b>hamlet</b> 59:18 <b>hand</b> 10:17,18 37:8 <b>handed</b> 36:17 <b>handful</b> 59:12 <b>hands</b> 37:2 <b>happen</b> 48:3 51:3 65:25 <b>happening</b></p>	<p>15:15 <b>happens</b> 38:20 54:8 <b>happy</b> 43:20 <b>harass</b> 29:15 52:4,25 <b>harassing</b> 33:15 48:25 54:13 <b>harassment</b> 35:24 48:10 51:13,23 52:19 54:22 62:25 63:5 <b>hard</b> 10:22 <b>hear</b> 3:3 62:23 <b>heard</b> 36:8 <b>hearing</b> 33:6 <b>heart</b> 52:13 <b>heavily</b> 13:17 56:5,9 <b>held</b> 16:22 35:6 42:10 <b>help</b> 53:13 <b>helps</b> 20:5 <b>hey</b> 53:8 <b>hidden</b> 61:6 <b>hiring</b> 15:10 <b>history</b> 15:5 67:13,17 <b>hold</b> 29:9 41:24 42:1 <b>hole</b> 13:20 <b>home</b> 64:18 <b>honest</b> 58:14 <b>Honor</b> 4:10,23 5:14 6:21 7:22 8:15 9:6,11,14 10:15 11:14 12:24 14:3 15:4,17 16:9 17:7 33:7 42:18 43:12 44:22 49:5 59:21 60:7 62:21 64:1,24 65:5,11 66:8 66:22</p>	<p><b>hope</b> 44:20 <b>hospital</b> 17:1 <b>hotel</b> 8:5,7 10:4 11:8 12:7 13:20,25 14:1 14:9 20:16,22 22:10,15,17 23:10 24:6,9 24:15 25:20 26:9 27:13 30:11 33:1 35:15 36:10 38:7,9,9,18 39:9 41:20 43:6 45:25 48:13,13 49:15 49:16 50:3,10 50:16 53:16 55:8,19,25 58:7 60:1 63:3 63:15 <b>hotels</b> 3:15,19 4:15 5:1,12,18 6:12 20:8 27:17 28:21,25 31:7,10,10,11 49:24 51:23 55:5,18 56:5 60:22 67:4,6,9 67:15 <b>hour</b> 11:21,23 11:23 31:11 62:9 <b>hours</b> 8:24 61:20 62:12 <b>house</b> 18:17,25 40:12 61:12 <b>huge</b> 59:5 <b>human</b> 3:13 <b>hundred</b> 26:18 67:17,18 <b>hundreds</b> 60:25 60:25,25 67:12 <b>hunting</b> 25:21 26:6,8,13 27:5 27:20 <b>hypo</b> 25:20</p>	<p><b>hypothesis</b> 29:21 <b>hypothetical</b> 34:16 38:11 43:21 53:4 <b>hypotheticals</b> 53:4</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>idea</b> 60:21 <b>identical</b> 42:11 <b>identification</b> 25:16 <b>identified</b> 48:21 <b>identify</b> 28:23 59:5 <b>imagine</b> 46:12 53:2,10 <b>imagining</b> 49:14 <b>immemorial</b> 57:9 <b>impinges</b> 59:2 <b>implementation</b> 29:19 <b>implementing</b> 29:14 <b>important</b> 22:3 26:22,23 38:11 38:14 46:22 48:9 50:22 <b>importantly</b> 20:2,18 <b>inaccurate</b> 34:15 <b>inappropriate</b> 34:23 63:5 <b>incentive</b> 25:7 28:25 <b>include</b> 30:18 59:17 <b>including</b> 54:25 59:22 67:13 <b>increased</b> 4:11 <b>incredibly</b> 40:19 56:9 <b>Indiana</b> 59:18 <b>indicate</b> 44:3</p>
---	---	--	---	--

<b>individuals</b> 30:11	34:11 60:1 64:11	29:11 32:16 33:21 35:9,11	16:11,17,19 17:8,16,21	60:9,14 61:4 62:7,11,17
<b>industries</b> 56:6	<b>interested</b> 34:6	35:22 64:21,23	18:1,13,24	63:19,24 64:1
<b>industry</b> 23:10	<b>interests</b> 4:12	65:21	19:6,9,20,25	64:15,25 65:6
23:22 56:5	24:13 28:19	<b>issued</b> 30:19	20:3,7,9,13,14	65:12,20,24
67:12	58:10	36:1 37:25	20:24 21:4,10	66:5,11,19
<b>information</b>	<b>interfere</b> 53:9	61:9	21:16,18,22	67:22
3:19,24 4:1,3,4	<b>interjects</b> 32:19	<b>issues</b> 42:24	22:7,13,14	<b>justification</b>
4:6,7,11,15 5:2	<b>interstate</b> 23:23	44:7 61:10	23:14,17,25	44:16
5:3,6 7:10 9:22	<b>introduce</b> 39:19		24:4,14 25:18	<b>justified</b> 20:1
10:18,19 11:15	<b>intruded</b> 66:20	<b>J</b>	26:5,6,8,10,20	42:8
15:4 21:12,12	<b>intruding</b> 28:12	<b>Jeez</b> 57:15	26:25 27:12,16	<b>K</b>
21:13,19,23	<b>intrusion</b> 24:12	<b>Johns</b> 33:19	27:19 28:2,11	<b>Kagan</b> 9:25 11:3
22:1,9,18 23:8	24:19 27:4,7	<b>joint</b> 6:7	28:16,18 29:2	11:5,20 14:17
23:21 28:7,13	28:20	<b>JOSHUA</b> 1:16	29:4,7,17	14:19 15:11,21
42:9 52:24	<b>intrusive</b> 3:17	2:3,13 3:7	30:15,22,25	23:25 24:5
57:12,14 58:5	24:17 40:15	62:19	31:3,6,9,14,17	25:18 26:5,8
58:6,15 60:4	63:18 64:7	<b>judge</b> 29:10	31:21 32:1,9	26:20 27:1
60:18 67:4	<b>intrusiveness</b>	30:20,23 33:22	32:22 34:1,5,9	37:18 39:14
<b>informs</b> 20:6	64:11	33:24 35:12,23	34:10 35:14,17	41:15 48:8,12
<b>innkeepers</b>	<b>intuition</b> 20:23	36:2,8 37:10	35:18 36:12,15	56:3 66:5,11
56:23 57:9	<b>invade</b> 52:5	37:11,17 39:3	36:20,21,23,25	<b>Katz</b> 13:10
58:20	<b>invading</b> 24:8	41:13 42:2,24	37:5,13,18,19	<b>keep</b> 5:1 6:9
<b>inside</b> 19:1,4	<b>invalidate</b> 22:4	43:21 54:3,10	37:23 38:1,5	8:24 16:19
40:13 50:20	64:9	54:11,17 56:19	38:12,14,17,20	24:2 25:17
<b>insisted</b> 44:20	<b>invalidated</b>	59:15	38:22 39:5,8	27:9,10,13,21
61:24	51:16 66:17	<b>judgment</b> 30:18	39:14,23 40:4	28:7 33:1,3
<b>inspect</b> 35:21	<b>invasion</b> 22:10	<b>judicial</b> 10:8	40:7,14,16,23	39:25 47:8,11
37:2 41:23	22:24	25:1 30:9	40:25 41:1,4	56:11 57:12
52:3 55:23	<b>investigate</b>	32:20 38:3,3,6	41:15,16 42:4	60:15 61:25
<b>inspected</b> 13:21	29:15 46:20	41:11 43:16,16	42:7,8,16,21	64:22 65:17
<b>inspecting</b> 31:24	<b>investigation</b>	53:14,18	43:2,5,10,18	<b>keeper</b> 24:9
<b>inspection</b> 3:17	56:20 63:7	<b>June</b> 35:1	44:1,6,9,23	<b>keeping</b> 3:24
5:22 12:15	<b>invoke</b> 46:15	<b>junkyard</b> 55:21	45:3,5,8,23	48:1 57:5 60:3
18:5,12,21	<b>involve</b> 18:8,9	<b>jurisdictions</b>	46:4,7 47:1,6	<b>Kennedy</b> 7:19
23:11,21 24:19	18:15 22:15	58:22,23 59:17	47:15,19 48:8	7:24 8:3 12:16
30:16 43:3,7	29:24 46:22	<b>justice</b> 1:19 3:3	48:12 49:3,6,9	13:5,9,12 20:3
51:2 67:3	51:8 52:25	3:10,23 4:17	49:14,22 50:2	20:7,9,13,15
<b>inspections</b> 5:16	<b>involved</b> 18:10	5:7,25 6:15,23	50:5,9,15,18	23:14,17 24:14
15:9 23:23	23:19 33:20	7:7,19,24 8:3	50:21 51:12,22	31:21 34:1,5,9
26:2,3 28:24	35:12 43:21	8:10,19 9:7,25	52:7 53:11,16	34:10 38:14,17
31:9,10 67:17	56:19 59:15	11:3,4,5,20,25	53:20 54:19,22	38:20,22 39:23
<b>instance</b> 29:18	<b>involves</b> 55:3	12:3,6,16 13:5	55:2 56:3,4,12	40:4,7,14,16
<b>instances</b> 19:21	<b>involving</b> 56:9	13:9,11,12,22	56:23 57:3,8	40:25 44:1,6,9
<b>intended</b> 52:25	59:12	14:1,6,9,11,17	57:15,18 58:1	56:23 57:3,8
<b>interest</b> 26:15	<b>IRS</b> 14:21	14:18,19 15:10	58:9,19 59:8	58:1,19 59:24
26:16 27:3	<b>issue</b> 20:19	15:11,21 16:3	59:16,24,25	

59:25 60:14 63:19,24 64:1 <b>kept</b> 41:2 57:5,8 57:9 62:2 <b>key</b> 7:11 8:16 32:6 <b>keys</b> 8:13 9:16 9:20 <b>kind</b> 20:20 25:8 33:6 39:20 44:19 65:7 <b>kindness</b> 52:13 <b>kinds</b> 19:17 56:11 <b>kiosk</b> 22:2 <b>kitchen</b> 50:14 <b>know</b> 5:20,21 6:13 7:8,15,21 9:17 11:11,21 12:8,9,22 13:11 16:3,5 22:8 25:4 27:5 30:12 32:20 34:22,23 35:15 44:16 48:24 49:18 50:9,22 52:8 53:3 54:2 59:20 60:2 61:11 62:1 65:20 <b>knows</b> 13:18 23:11	37:11 41:2 42:24 43:22 46:1,5,16 54:3 54:14,23 57:6 59:9 60:5 <b>lawful</b> 25:13 <b>laws</b> 48:10 <b>lawyers</b> 39:18 <b>leaving</b> 8:24 9:1 <b>ledger</b> 62:9 <b>left</b> 39:11 <b>legitimate</b> 13:3 29:14 63:1 <b>legitimately</b> 65:4 <b>lesser</b> 24:19 <b>let's</b> 53:2 58:4 65:15,16 <b>level</b> 14:22 42:19 51:6 <b>license</b> 4:6 21:12 21:19 22:8 58:6 <b>light</b> 34:19 35:14 <b>limit</b> 30:5 <b>limitation</b> 23:24 <b>limited</b> 3:18 37:7 44:17 54:12 <b>limits</b> 49:19 <b>line</b> 13:1 24:21 24:22,23 32:3 33:8,8 44:11 62:1,2,15 <b>lines</b> 30:17 <b>list</b> 17:3 <b>litigation</b> 37:1 <b>little</b> 34:7 59:18 <b>lobby</b> 18:11,22 24:6 48:14 51:20 52:21 <b>locations</b> 55:6 <b>lodge</b> 25:21 26:7 26:9 <b>lodges</b> 26:13 27:5,20	<b>Lone</b> 24:7 32:8 41:8 43:14 44:21 53:25 61:18 <b>long</b> 9:17 15:5 38:22 58:20 <b>look</b> 9:17,20 28:3 31:24 33:18 34:6,20 34:21 35:10 44:14,20 46:13 47:24,25 48:19 48:21 50:22,24 52:13 53:17 <b>looked</b> 44:24 45:8 <b>looking</b> 3:25 8:9 9:15,18 18:4 42:9 <b>looks</b> 13:1 42:2 <b>Los</b> 1:3 3:4 59:18 67:17 <b>lose</b> 58:4 <b>loss</b> 48:23 <b>lot</b> 8:23 9:2 15:14 59:23 <b>love</b> 61:3 <b>low-budget</b> 25:6 <b>lowest</b> 51:5,6	8:19,21 11:22 12:8 15:23 17:2 18:14 28:9 46:19 49:23 50:10 55:4 56:7 <b>means</b> 54:14 60:9 <b>member</b> 12:17 <b>members</b> 26:13 <b>mentioned</b> 32:6 63:13 <b>mere</b> 27:7 <b>merely</b> 28:12 29:11 <b>merits</b> 22:21 62:23 64:13 <b>MICHAEL</b> 1:18 2:6 17:23 <b>Miller</b> 56:8 <b>mind</b> 27:6 <b>minimal</b> 24:12 <b>minimum</b> 37:6 41:11 44:21 61:25 <b>minute</b> 66:21 <b>minutes</b> 62:18 <b>missing</b> 5:22 8:13 9:16 32:5 48:19 <b>misuse</b> 46:25 <b>molestation</b> 4:19 <b>moment</b> 9:9 <b>month</b> 7:17 8:17 11:17,20 <b>morning</b> 3:4 <b>motel</b> 7:3 14:3 18:11,12 34:18 35:4 53:7,8 57:15 62:9 65:16 <b>motels</b> 3:15 5:1 6:14 7:5,6 8:1 8:10 9:19 25:6 <b>motion</b> 38:10 39:1 <b>movability</b>	10:18 <b>moving</b> 24:11 <b>multiple</b> 6:8 <b>murder</b> 61:11 61:13
<hr/> <b>N</b> <hr/>				
<b>N</b> 2:1,1 3:1 <b>N.Y</b> 1:16 <b>name</b> 4:2,13 23:16 37:21 46:15 <b>names</b> 5:18,19 5:19 6:13 <b>NARANJIBH...</b> 1:7 <b>narcotics</b> 25:4 28:22 <b>narrow</b> 23:9 28:1 66:24 <b>narrower</b> 18:4 <b>nature</b> 27:3,6 28:19 32:23 53:20 59:1 61:23 <b>nearly</b> 9:5 <b>necessary</b> 5:17 10:2,13 13:3 13:13 30:1 <b>necessity</b> 5:23 6:11 8:18 17:15 28:20 <b>need</b> 12:14 14:24 15:9,14 15:18 16:1,11 17:15,16,17 20:4 25:17 28:21 29:10 30:12 44:16 45:9 64:20 <b>needs</b> 29:11 54:17 64:12 <b>Neither</b> 35:21 <b>never</b> 7:8 21:6 44:13 57:16,16 58:24 59:14 <b>New</b> 1:16 59:19				

<p>59:19  <b>Ninth</b> 18:7,23                  19:16 22:3,22                  23:5,13,18                  24:5,18  <b>nobody's</b> 7:20  <b>non-law</b> 13:3  <b>nonpublic</b> 18:8                  19:13 22:24                  23:19  <b>normal</b> 17:3  <b>normally</b> 18:15  <b>note</b> 36:9  <b>notice</b> 7:7,13                  31:4 34:7 35:4  <b>notices</b> 49:24  <b>notion</b> 32:25  <b>nullity</b> 60:19  <b>number</b> 7:14                  10:2 16:6                  19:21 31:11  <b>numerous</b> 6:5                  63:13</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>O</b> 2:1 3:1  <b>object</b> 29:12                  32:17 38:18                  39:24 54:13  <b>objecting</b> 22:16                  37:10 40:15                  41:2  <b>objection</b> 32:23                  33:23 35:7,19                  36:4,8 41:12                  47:6 54:4,16  <b>objections</b> 45:24                  54:12,20 62:24  <b>obligation</b> 7:6  <b>observation</b>                  7:11,16 8:16                  35:9 36:5  <b>observe</b> 9:24  <b>observed</b> 36:9  <b>obviously</b> 44:10  <b>OCC</b> 59:13  <b>occupied</b> 8:14</p>	<p><b>oddy</b> 45:20  <b>offense</b> 20:17  <b>office</b> 24:3 38:9  <b>officer</b> 18:22,25                  24:11 27:10                  32:21 33:12,13                  34:17,24 36:5                  38:6 41:18                  43:5 46:12                  48:2,4,4 49:1                  54:2 62:1,2                  63:6  <b>officers</b> 30:13                  53:6  <b>oh</b> 38:1 40:9                  50:20 60:1  <b>okay</b> 31:17 34:5                  36:22 37:3                  39:5,8 40:18                  44:5 46:14,16                  49:20 52:16  <b>once</b> 17:5 24:21                  58:9 66:6  <b>one-page</b> 29:12                  36:18 54:4  <b>onerous</b> 56:21  <b>onus</b> 54:10,11  <b>open</b> 8:2 55:21                  55:23 65:17                  67:19  <b>operation</b> 3:21                  43:23  <b>opinion</b> 12:18                  13:14 32:9,10  <b>opportunity</b>                  35:12,23 37:20  <b>opposed</b> 30:22  <b>opposite</b> 61:18  <b>oral</b> 1:12 2:2,5,9                  3:7 17:23 29:5  <b>order</b> 5:17 47:11                  47:12 59:11  <b>orderly</b> 43:23  <b>ordinance</b> 3:16                  31:19 48:20                  51:16 52:11,12                  57:23 63:11</p>	<p>64:2,10 66:9  <b>ordinarily</b> 32:4  <b>OSHA</b> 23:23  <b>outside</b> 12:7                  18:25 35:10,10                  41:19  <b>overwhelmingly</b>                  55:18  <b>owner</b> 20:16                  33:1,25 35:4                  38:7,9,18                  41:12,20 45:25                  48:13 51:18                  52:14 53:16                  54:5 55:8  <b>owners</b> 30:11                  49:15  <b>owning</b> 49:16</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>P</b> 3:1  <b>PAGE</b> 2:2  <b>pages</b> 63:12  <b>paper</b> 36:18                  37:2  <b>papers</b> 49:20  <b>part</b> 17:3 26:5                  32:4,5 48:15                  56:2  <b>parte</b> 10:9  <b>particular</b> 7:23                  8:9 35:5 42:20                  44:18 59:21  <b>particularly</b>                  11:24 38:11  <b>parts</b> 37:4  <b>passing</b> 32:6  <b>Patel</b> 1:7 3:5  <b>pay</b> 31:12 61:20  <b>paying</b> 21:20  <b>payroll</b> 14:23                  15:1,6,8,18                  62:8  <b>pen</b> 39:9  <b>pending</b> 10:8  <b>people</b> 4:25 5:11                  6:3,16,23,25</p>	<p>8:23,25 10:3,5                  11:11 12:9                  16:4,7,21 17:4                  21:20,23 25:14                  25:22 26:1,22                  50:23 55:5                  67:9  <b>percent</b> 55:19                  58:21 59:16  <b>perfectly</b> 43:19  <b>periodic</b> 26:1                  31:9 43:2,7  <b>permit</b> 4:5  <b>person</b> 16:5 19:4                  21:1 35:16                  37:8,21 38:2                  51:18 62:11  <b>person's</b> 46:15  <b>personal</b> 58:5  <b>Petitioner</b> 1:5,17                  1:20 2:4,8,14                  3:8 17:25                  62:20  <b>phrase</b> 12:18,21                  13:13 49:4  <b>physically</b> 31:24  <b>piece</b> 36:18 37:2  <b>place</b> 25:5,11                  28:13 50:11                  64:20  <b>places</b> 18:9  <b>plaintiffs</b> 6:7                  14:4 63:10                  64:9  <b>plates</b> 22:8  <b>plausible</b> 62:15  <b>play</b> 34:15  <b>plays</b> 31:21  <b>please</b> 3:10 18:2                  29:8  <b>pocket</b> 36:23  <b>point</b> 6:11 19:9                  19:10 22:3                  34:9,12,17                  37:16 41:5                  45:12 46:10,11                  48:2 56:22</p>	<p>58:2,12,13                  59:7,24 60:7                  60:13,20 62:22  <b>pointed</b> 48:19  <b>points</b> 26:1 46:8  <b>police</b> 3:18,21                  5:8 7:9,12 8:4                  8:6,23 9:9,15                  10:3 13:19                  18:25 33:3,21                  38:5 39:2,25                  40:11 41:18,21                  46:12 48:2                  49:1,19 50:2                  51:15,16 52:2                  52:21 53:8                  54:2 55:24                  61:16 63:16,21                  64:6,21 65:4                  65:19 66:13                  67:17  <b>policeman</b> 12:7                  37:20 38:17  <b>political</b> 58:7  <b>position</b> 14:4                  17:5 29:18                  53:3  <b>possibility</b> 32:19  <b>possible</b> 59:13                  64:9  <b>posted</b> 49:24                  50:3  <b>potential</b> 64:16  <b>potentially</b>                  20:16  <b>pre-compliance</b>                  53:14,18  <b>pre-enforcem...</b>                  30:9 38:3                  43:15  <b>pre-judicial</b>                  43:8  <b>precedents</b> 33:8                  48:18 54:25                  55:3 60:7,8  <b>precisely</b> 24:5                  67:9</p>
---	--	---	---	---

<b>prefer</b> 24:15	64:23 65:12	<b>pulls</b> 37:2	<b>rationale</b> 5:15	20:20 21:1
<b>premises</b> 31:24	<b>produce</b> 20:17	<b>purpose</b> 4:20	10:2	25:17 33:18
52:3	51:25 54:7	5:3,4,11,17	<b>reach</b> 22:21	34:25 39:21
<b>presents</b> 46:24	<b>produced</b> 18:21	13:4 17:17	<b>real</b> 5:23 10:6	44:18 45:15,16
<b>pretty</b> 4:12	<b>prone</b> 67:8	23:8 25:3,10	33:17 39:17	51:14 57:11
<b>prevail</b> 12:16	<b>proof</b> 9:9	34:2 40:22	41:24 58:18	60:3 62:12,13
<b>prevent</b> 48:10	<b>property</b> 18:10	43:25 46:4	<b>realize</b> 24:22	<b>recording</b> 7:10
48:12	42:14,15 55:17	47:2,8 48:9,25	<b>really</b> 10:1	<b>recordkeeping</b>
<b>principal</b> 48:18	<b>proprietary</b>	63:1,6 64:2	15:14 25:1	6:18 16:7
<b>principle</b> 47:2	57:13	<b>purposes</b> 24:23	26:23 27:6	25:21 28:4
<b>prior</b> 31:4	<b>prosecute</b> 8:20	57:10	31:18 46:22	61:23
<b>privacy</b> 4:12	<b>prosecuted</b> 6:8	<b>pursued</b> 45:16	52:24 53:9	<b>records</b> 5:1,9
12:19,20 13:7	<b>prosecutions</b> 6:1	<b>put</b> 28:8 30:8	58:15 63:4	6:9 14:23 15:1
13:23 14:5	6:5	53:1,3 54:10	<b>realtime</b> 7:11,16	15:6,8,14
19:12 20:21	<b>prospect</b> 33:22	55:6 62:3	8:16 15:16,19	16:15 27:8,14
22:10 24:8,12	41:12 54:16	<b>putting</b> 29:23	16:1,11,15	27:21 32:13
28:20 29:23	56:19	<b>puzzled</b> 57:3	67:11	33:1 35:6,13
49:10 52:5	<b>prostitute</b> 46:13		<b>reason</b> 5:10	36:4 39:1,15
55:25 56:1	46:16 48:6	<b>Q</b>	14:24 30:7,10	39:16,25 40:18
58:10,16 59:3	<b>prostitutes</b> 25:4	<b>quash</b> 38:10	32:14 33:4	40:24 41:1,6
64:11 66:2,12	33:19	39:2	35:3,8 36:7	41:21 45:25
<b>private</b> 4:16	<b>prostitution</b>	<b>question</b> 3:16	37:6 39:13	47:22,24,25
24:20 26:8,9	3:13 4:19	8:3 15:7 32:24	41:9 44:15	48:1,21,22
27:20 28:12	28:22	34:14 35:22	45:19 56:4	51:25 53:9
40:18,24 50:11	<b>protect</b> 49:11	39:15 48:22	60:23 66:1	54:6,15 56:11
51:25 52:7,24	<b>protected</b> 55:17	51:13 53:23	<b>reasonable</b> 5:10	56:13 57:4,6,8
55:9,17 58:17	<b>protection</b> 41:7	55:13,14,15	5:13 12:19,20	57:9,10 58:5
59:4 60:1	44:25	56:3 59:21	12:23 13:6	59:4,11,13
<b>probable</b> 5:10	<b>protections</b>	62:11	23:4 32:25	61:7,13,19
11:25 12:4,5,8	41:14 55:18	<b>questions</b> 3:24	<b>reasonableness</b>	62:8 63:8,16
12:12 31:1	<b>protects</b> 30:10	17:19 28:18	19:7	<b>reduced</b> 19:12
32:1,25 41:10	33:24 55:25	42:22 66:20	<b>reasons</b> 48:25	41:7 60:18
42:17 46:17	<b>prove</b> 21:2,5	67:20	57:5 65:3	<b>refer</b> 6:7
<b>probably</b> 8:7	35:15 37:11	<b>quickly</b> 17:11	<b>rebuttal</b> 2:12	<b>refers</b> 9:12
<b>problem</b> 6:11,12	<b>proves</b> 34:22	61:21	17:11,20 62:19	<b>reflected</b> 26:18
14:25 16:22	<b>provided</b> 48:23	<b>quite</b> 7:21 24:17	66:20	<b>refuse</b> 6:17
22:8 26:17	<b>provider</b> 55:9	46:9 51:12	<b>recalcitrant</b>	<b>refusing</b> 6:17
38:12 41:24	<b>provides</b> 20:15	57:13 67:10	20:16	<b>regard</b> 27:20
49:14 52:25	49:18		<b>receive</b> 41:7	<b>regardless</b> 22:5
64:8	<b>provisions</b> 59:9	<b>R</b>	<b>received</b> 57:16	<b>regime</b> 30:17
<b>problematic</b>	<b>public</b> 16:24	<b>R</b> 1:18 2:6 3:1	<b>receives</b> 37:8	42:23 51:3
22:21	17:9 18:11	17:23	<b>recognize</b> 34:12	<b>register</b> 5:5 6:2
<b>procedural</b>	26:6 27:11	<b>raised</b> 62:25	<b>recognized</b> 18:7	7:4,13,15,17
44:25	28:4,13 50:7	<b>range</b> 22:18	<b>record</b> 5:2,3,6	11:17,17 12:4
<b>process</b> 30:8	52:8 55:4,10	23:20	5:18,19 6:13	14:11 16:20,20
41:11 44:22	57:1 65:21	<b>rare</b> 35:8 56:16	6:20 8:25	24:10 34:6
45:6 46:25	67:19	<b>rate</b> 4:13	15:18 16:13,13	35:20,21 39:10

<p>51:19 52:13,18 52:19 65:17 <b>registered</b> 12:10 16:4 35:16 <b>registering</b> 21:24 <b>registers</b> 6:12 13:19,21 14:15 14:16 <b>registration</b> 29:1 34:21 <b>registries</b> 20:22 21:13,16 <b>registry</b> 4:4 10:4 11:6,6,9,10 18:12,20,22 20:1 21:25 24:3 25:8 34:3 53:17 <b>regular</b> 28:24 <b>regularized</b> 30:3 30:3 <b>regularly</b> 48:3 <b>regulate</b> 25:4,4 <b>regulated</b> 13:2,5 13:17 16:23 17:6,13,14 55:9,10 56:5 56:10,24,24 58:20 59:6 <b>regulation</b> 16:23 17:3 59:1 60:22 67:13 <b>regulator</b> 61:3 <b>regulatory</b> 25:10 27:9 61:1 <b>Rehnquist</b> 32:9 <b>relevance</b> 23:7 52:9 <b>relevant</b> 23:3 25:19 42:19 55:16 62:10 <b>religious</b> 58:7 <b>rely</b> 26:1 <b>remainder</b> 17:20</p>	<p><b>remaining</b> 24:25 <b>remember</b> 35:19 40:11 41:14 54:5 55:19,21 56:12 57:8,23 <b>remotely</b> 62:15 <b>rent</b> 25:14,14 31:11 <b>renting</b> 33:20 <b>repeated</b> 66:25 <b>reporting</b> 26:1 <b>request</b> 5:8 47:12 67:21 <b>require</b> 27:13,21 31:1 34:2 35:20 41:11 47:7 60:4,15 67:6 <b>required</b> 5:1,2 13:14 19:19 20:25,25 21:6 21:18 27:8,10 32:2 33:1,2 37:6 38:25 39:20 41:1 42:19 43:17 61:2 63:15 <b>requirement</b> 5:13 6:18 27:7 30:2 41:10 56:17,20 <b>requirements</b> 4:1,4 17:2 23:2 23:3,6 25:22 55:4 <b>requires</b> 18:20 21:11,22 46:17 54:7 56:11,18 67:4 <b>requiring</b> 34:6 51:25 64:3 <b>reservations</b> 25:15 <b>reserve</b> 17:20 <b>residential</b> 18:10 <b>resolve</b> 18:3</p>	<p>27:25 40:1 <b>resources</b> 8:21 <b>respect</b> 20:21 61:19 62:10 <b>respectfully</b> 67:21 <b>Respondents</b> 1:22 2:11 29:6 <b>response</b> 42:22 <b>responses</b> 44:10 <b>restaurant</b> 50:13 <b>retail</b> 28:4 <b>revealed</b> 14:14 14:15 <b>reverse</b> 67:21 <b>review</b> 10:8 25:1 32:20 38:3,6 43:8,16 53:14 53:18,21 <b>reviewable</b> 30:9 <b>reviewed</b> 13:19 <b>reviewing</b> 15:6 <b>right</b> 4:10,17 6:16 7:25 9:22 12:11,12 14:2 15:15 18:19 21:21 22:11 23:16 26:3 27:16 28:8 29:23 31:22,23 34:20 36:1,3 37:16 39:2 40:25 41:5 42:6 43:9,18 43:19 44:17 46:1,9 48:16 51:21 60:17 65:11,13,22 <b>rights</b> 58:3 62:6 <b>rise</b> 34:14 <b>Ritz-Carlton</b> 57:24 <b>ROBERTS</b> 3:3 17:21 18:13 28:16 29:2,4 36:20 37:19</p>	<p>38:1,5 39:5,8 49:3,6,9,22 50:2,5,9,15,18 50:21 59:16 62:17 66:19 67:22 <b>room</b> 7:13,14,15 7:21,24,25 8:4 8:12 9:16 12:10 25:14 34:14,18,19,22 34:24,25 35:10 35:16 36:5,14 39:10 46:14 48:6 50:10,16 50:20,24 55:5 55:6,7 61:22 <b>rooms</b> 8:9,11,13 33:20 55:20 <b>Rosenkranz</b> 1:16 2:3,13 3:6 3:7,9 4:10,22 5:7,14 6:4,21 6:25 7:22 8:1,6 8:15 9:5,11,25 10:15 11:14,22 12:2,5,11,24 13:8,15,24 14:3,8,10,13 14:20 15:3,17 15:25 16:9,12 16:18 17:7,10 30:21,24 31:2 31:8 34:13 62:18,19,21 63:23,25 64:24 65:5,11,14,22 66:1,8,15,22 <b>Rosenkranz's</b> 32:24 <b>rubric</b> 12:25 13:16 <b>rule</b> 18:16 30:4 33:10 49:23 54:9 55:1 58:22,24,25 59:23 62:24</p>	<p>66:24,25 <b>rules</b> 19:17 26:24 51:9 <b>rummage</b> 18:18 <b>running</b> 24:14 36:13,16 <b>runs</b> 62:9</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>S</b> 2:1 3:1 <b>safeguards</b> 22:23 <b>satisfied</b> 23:6 <b>saying</b> 5:8 7:8 8:20 13:17 16:21 18:25 24:1,4 33:18 41:20 47:11 50:12 60:1 66:11 <b>says</b> 4:7 10:5 14:20 15:11,12 19:1 25:25 37:9 38:18,25 41:20 45:4 46:13 52:14 53:16 59:14 61:18 62:12 <b>Scalia</b> 8:10 11:25 12:3,6 13:22 14:1,6,9 14:11 22:7,13 22:14 26:6,10 27:12,16,19 29:17 32:1 35:14,17,18 36:12,16,21,23 36:25 37:5,13 40:23 41:1,4 45:23 46:4,7 47:1,6,15,19 49:14 55:2 56:4,12 57:15 57:18 58:9 60:9 <b>scenario</b> 34:13 52:16 53:2</p>
---	--	--	--	--

64:5 <b>scenarios</b> 52:10 63:13 <b>scenes</b> 55:23 <b>scheme</b> 3:17 25:3 29:14 30:3,4 32:4 33:11 40:15,20 43:23 44:14,15 44:19 46:10,10 46:19 47:3,7 <b>schemes</b> 18:5 61:1 <b>school</b> 16:25 <b>scope</b> 23:4,10 <b>scores</b> 3:11 <b>screen</b> 24:11 <b>search</b> 4:20 6:16 19:7 30:6,6,7 33:12 35:13 40:21,22,22 52:6 55:21 58:13 63:17 64:6 65:8 66:6 66:13 <b>searched</b> 67:15 <b>searches</b> 10:13 14:25 30:14 51:10 63:5 67:14 <b>searching</b> 29:15 39:15 42:15 <b>Seasons</b> 57:24 <b>second</b> 27:22 28:19 32:5 33:15 45:17,22 52:17 55:15 <b>secondly</b> 15:7,8 <b>Secrecy</b> 56:17 56:20 <b>Section</b> 23:6 <b>see</b> 7:15,20 8:2,8 8:11,12 9:21 10:4,23,23,24 14:11 15:15 16:4,5,7,23 17:10 20:25	24:11,17 43:13 46:15 51:2 52:2,18,20 53:6,7,9 55:1 <b>Seeing</b> 35:14 <b>seen</b> 12:3 <b>sees</b> 34:18,18 <b>seize</b> 10:7 42:15 44:17 61:16 <b>seized</b> 3:14 <b>seizure</b> 42:4,5 <b>self-respecting</b> 61:3 <b>sends</b> 38:7 <b>sense</b> 20:15 30:10 33:24 47:15 48:23 49:11,17 55:16 59:2,2 <b>separately</b> 35:6 <b>sequester</b> 35:5 39:14 40:13 42:14 <b>sequestered</b> 41:17 42:2 <b>serious</b> 14:25 <b>serve</b> 17:4 24:24 <b>served</b> 26:16,17 27:3 <b>serves</b> 17:8 23:9 24:23 35:2 38:2 <b>service</b> 25:24 <b>services</b> 55:10 <b>set</b> 39:16 51:9 <b>shoot</b> 25:22,23 25:23 <b>shop</b> 28:5 <b>short</b> 12:10 25:15 55:12 <b>show</b> 7:12 21:6 21:8 24:9 25:16 32:3 36:3 40:11 49:20 51:17 52:2,3,18 58:5 <b>showing</b> 3:18	48:14 <b>shown</b> 33:5 <b>shows</b> 34:17 <b>Sibron</b> 45:2,4 <b>sick</b> 64:18 <b>side</b> 41:5 48:20 64:19 <b>sight</b> 58:4 <b>significant</b> 18:14 <b>similar</b> 32:10 40:9 <b>simply</b> 9:13 18:16 24:10 36:17 40:13 58:21 <b>single</b> 3:19 67:3 <b>sit</b> 8:2 12:7 35:10 52:19 <b>site</b> 16:6 39:21 <b>sits</b> 12:17 <b>situations</b> 9:3 19:17 22:18 <b>six</b> 33:9 <b>small</b> 59:22 <b>snatch</b> 66:9 <b>snatches</b> 65:18 <b>society</b> 12:20 <b>solicitor</b> 1:18 60:23 <b>somebody</b> 10:5 <b>somebody's</b> 4:2 61:12 <b>someone's</b> 28:12 40:11 <b>sorry</b> 18:24 36:20,22 40:6 44:23 53:17 <b>sort</b> 10:25 45:12 <b>sorts</b> 15:8 <b>Sotomayor</b> 3:23 4:17 5:25 6:15 6:23 8:19 9:7 13:11 14:18 15:10 16:3,11 16:17,19 17:8 18:24 19:6,9	20:24 21:4,10 21:16,18,22 28:2,11,18 44:23 45:3,5,8 64:15,25 65:6 65:12,20,24 <b>sought</b> 61:5 <b>sounds</b> 4:20 26:19 <b>space</b> 22:24 37:22 52:8 <b>spaces</b> 50:8 <b>special</b> 60:21 <b>specific</b> 23:4,9 57:25 <b>specifically</b> 3:20 5:4,19 48:21 <b>speculation</b> 20:23 <b>spot</b> 5:16 15:9 26:2 64:7 <b>standard</b> 51:6 <b>standards</b> 31:7 32:11 39:22 53:23 <b>stands</b> 18:25 <b>starkly</b> 46:24 <b>start</b> 62:22 <b>State</b> 14:22 17:3 25:24 30:16 34:5 <b>States</b> 1:1,13,20 2:7 17:24 60:24 <b>statute</b> 13:2 14:20 18:20 19:22 20:4,5 20:15 22:4 23:9 24:23 29:18,25 45:19 47:22 63:20 66:6,14 <b>statutes</b> 26:18 <b>stay</b> 7:3 <b>stayed</b> 58:7 <b>staying</b> 5:12 <b>Steer</b> 24:7 32:8	41:9 43:14 44:21 54:1 61:18 <b>stipulated</b> 45:18 <b>stop</b> 8:25 <b>stores</b> 55:23 <b>strong</b> 22:23 25:7 28:21 <b>stronger</b> 44:24 <b>structure</b> 44:14 <b>study</b> 59:8 <b>stuff</b> 58:17 <b>subjected</b> 23:12 <b>submit</b> 15:13 64:4 <b>submitted</b> 16:14 67:23,25 <b>subpoena</b> 23:1,3 24:21,22 29:12 29:12 32:17 33:9,21 35:2 36:1,3,7,13,15 36:16,17 37:5 37:8,9,14,20 37:24 38:2,18 39:24 42:25 44:22 51:4 54:4 56:18 59:11 61:2,4,4 61:9,9,10,16 62:5 65:1 <b>subpoenas</b> 37:24,25 59:15 <b>subset</b> 57:25 <b>substantial</b> 19:21 <b>substantiality</b> 28:18 <b>substitute</b> 17:18 <b>successful</b> 54:22 <b>suggested</b> 10:12 41:19 <b>superior</b> 30:22 <b>supporting</b> 1:20 2:8 17:25 <b>suppose</b> 8:10,12 14:19,20 21:5
---	--	---	---	--

30:15 <b>Supreme</b> 1:1,13 <b>sure</b> 4:2 7:5,9 8:19 11:8 13:12 26:23 31:16 33:7 40:9 43:4 48:1 49:10 50:3,23 50:24 <b>surprise</b> 10:9 14:24 26:2 44:2 <b>surveillance</b> 8:22 <b>suspect</b> 61:12 <b>suspicion</b> 5:10 5:13 <b>sympathetic</b> 58:19 <b>system</b> 36:1 59:10	<b>tell-us-later</b> 64:21 <b>tells</b> 19:3 54:17 <b>terms</b> 25:15 <b>test</b> 9:12 <b>Thank</b> 3:9 17:21 18:1 29:2,3 62:17,21 66:22 67:22 <b>thing</b> 9:18 37:13 46:5 48:18 50:22 52:15 53:13 <b>things</b> 4:18 5:12 9:23 10:11 15:8,22 31:14 32:18 33:13 44:12 67:18 <b>think</b> 15:3 19:24 20:14,18,24 21:7 22:2,20 24:15,17 25:19 26:15,22 27:1 27:19,25 28:2 28:10,17 34:12 34:14 37:10 40:17 46:13 47:1 48:5 49:7 49:22 53:11 56:3,5,6,7 62:7 62:7,14 65:25 <b>third</b> 28:20 <b>THOMAS</b> 1:21 2:10 29:5 <b>thought</b> 14:7 38:1 41:15 42:22 44:23 48:9 <b>thousand</b> 15:24 <b>three</b> 17:14 23:6 28:17 <b>till</b> 15:13,22 <b>time</b> 11:1 12:10 14:23 15:22 17:11,20 26:3 31:25 33:22 36:2 38:24	39:9 46:21,21 48:20 51:4 53:7 57:9 58:21 61:8,9 66:20 67:14,16 <b>times</b> 6:8 19:19 35:25 55:13 63:4 <b>Title</b> 56:17 <b>today</b> 16:8 21:10 67:2 <b>today's</b> 4:3,3 <b>tool</b> 4:18 <b>tools</b> 3:12 <b>totally</b> 66:3 <b>touch</b> 57:12 <b>track</b> 60:15 <b>tradition</b> 4:9 <b>traditionally</b> 55:10 <b>trafficking</b> 3:13 4:19 <b>tranquil</b> 49:15 <b>tranquility</b> 30:11 33:24 48:23 49:6,12 <b>transact</b> 28:4,6 <b>transactions</b> 56:14 57:11 60:16 <b>transcribe</b> 3:20 <b>transience</b> 10:19 <b>treat</b> 22:25 <b>treated</b> 24:18 55:3 <b>treating</b> 22:20 <b>trial</b> 39:19 45:14 45:17,22 <b>tried</b> 63:10 64:9 <b>trigger</b> 22:23 <b>triggered</b> 22:24 <b>trouble</b> 37:10 39:11 <b>true</b> 39:21 60:9 <b>trunk</b> 39:25 <b>trying</b> 25:18 38:15 49:13	61:7 <b>Tuesday</b> 1:10 46:12 <b>turning</b> 3:21 <b>two</b> 3:23 8:24 24:15 32:18 33:13 35:1 37:4 40:3 46:8 52:10 <b>type</b> 50:5 <b>types</b> 31:7	12:18 21:5 29:22 33:15 48:6 57:10,11 59:10,14 61:2 <b>useful</b> 61:7 <b>uses</b> 13:1 <b>usually</b> 8:12 <b>utility</b> 55:4
<hr/> <b>T</b> <hr/>			<hr/> <b>U</b> <hr/>	<hr/> <b>V</b> <hr/>
<b>T</b> 2:1,1 <b>take</b> 25:7 38:22 38:23 39:9,24 41:22 44:20 59:3 66:13,21 <b>taken</b> 14:4 21:19 <b>talk</b> 13:6,9 28:5 49:9 65:15,16 <b>talked</b> 10:11 <b>talking</b> 9:4 13:23,24 39:16 49:21 50:15 66:24,24 <b>target</b> 4:24,24 4:25 25:11 <b>tax</b> 53:24 <b>taxing</b> 14:21,22 <b>techniques</b> 9:3 <b>telephone</b> 13:10 16:25 <b>telephonic</b> 36:6 <b>tell</b> 5:25 6:5 33:12 37:10 53:13 59:4			<b>ultimate</b> 16:13 <b>unanimous</b> 32:9 41:8 <b>unannounced</b> 5:16,22 28:24 <b>unaware</b> 13:21 <b>unconstitutio...</b> 63:11 <b>under-appreci...</b> 45:12 <b>underlying</b> 46:18 <b>underscore</b> 6:10 <b>understand</b> 4:23 23:25 36:21 41:8 51:13 52:21 61:22 63:20 <b>Understood</b> 64:24 65:14 <b>undue</b> 62:3 <b>unfettered</b> 6:19 <b>uninformed</b> 24:16 <b>United</b> 1:1,13,19 2:7 17:24 60:24 <b>unoccupied</b> 7:14 <b>unsafe</b> 10:21,22 <b>unusual</b> 11:7,9 37:9 40:19 <b>upload</b> 63:16 <b>uploading</b> 64:5 <b>use</b> 6:1 10:19	<b>v</b> 1:6 3:5 32:8 <b>valid</b> 53:5 <b>value</b> 30:1 58:16 <b>verification</b> 15:19 <b>verify</b> 10:20 16:2,15 <b>violation</b> 7:16 19:2 <b>violations</b> 46:11 <b>virtually</b> 16:24 17:2 28:6 <b>voluntarily</b> 51:18
			<hr/> <b>W</b> <hr/>	<hr/> <b>W</b> <hr/>
				<b>wait</b> 15:12 26:20 <b>waived</b> 29:23 <b>walk</b> 7:20 18:22 24:6 52:10,12 <b>wander</b> 8:4,7 <b>wandering</b> 8:8 <b>want</b> 6:10,24 7:1 10:10 15:22 19:1 25:25 26:2 28:23 36:4 39:2 40:18,20 41:25 45:25 48:13 51:20 52:14 53:17 62:3,13 <b>wanted</b> 30:16 51:17 59:7 <b>wants</b> 33:18 34:20 37:1 43:24,25 60:2 <b>warrant</b> 10:9

11:2,13,23 12:1,14 17:18 19:18 20:10,12 29:11 30:19 31:25 32:2 42:14,24 43:6 43:7 50:6 64:17,17,21 65:1 <b>warrantless</b> 10:13 14:25 67:14 <b>warrants</b> 11:23 12:12 36:6 67:16 <b>Washington</b> 1:9 1:19 <b>wasn't</b> 51:15 <b>watch</b> 8:23 <b>way</b> 5:21 7:5,22 12:22 13:6 16:20 17:9,13 18:21 24:6 25:13 32:20 33:15 37:24 38:9 <b>ways</b> 21:14 22:19 40:3,17 <b>We'll</b> 3:3 34:19 <b>we're</b> 19:11 25:3 38:15 39:16 45:20 48:1 49:21 50:23 53:8 66:24,24 <b>we've</b> 20:25,25 21:6 44:24 45:8 57:8 <b>weaker</b> 26:16 <b>weapon</b> 61:11 61:14 <b>weigh</b> 27:23 <b>whim</b> 30:13 <b>wider</b> 23:20 <b>wildlife</b> 25:24 26:22 <b>win</b> 66:16 <b>word</b> 6:1 49:7	<b>work</b> 9:13 20:13 37:24 38:8 61:20 62:11 66:7,10 <b>working</b> 16:5 18:9 <b>works</b> 7:23 20:14 37:5 38:15 <b>world</b> 35:3 <b>worthless</b> 61:5 61:17 <b>wouldn't</b> 18:15 61:3 66:12,12 <b>write</b> 12:17 <b>wrong</b> 9:18 <hr/> <b>X</b> <hr/> <b>x</b> 1:2,8 <hr/> <b>Y</b> <hr/> <b>Yeah</b> 20:11 42:16 <b>year</b> 15:13,23 <b>years</b> 3:22,25 4:9 13:19 14:14,15 55:11 65:18 67:13,17 67:18 <b>York</b> 1:16 59:19 59:19 <hr/> <b>Z</b> <hr/> <b>0</b> <hr/> <b>1</b> <hr/> <b>10:07</b> 1:14 3:2 <b>100</b> 14:15 58:23 65:18 <b>11:09</b> 67:24 <b>115</b> 14:14 <b>12</b> 50:25 <b>12:00</b> 35:1 <b>1202</b> 34:14 <b>1204</b> 7:25 8:4,12 <b>13-1175</b> 1:5 3:4 <b>15</b> 13:19	<b>150</b> 3:22,25 4:9 <b>17</b> 2:8 <b>18,000</b> 58:23 <b>19</b> 63:12 <b>1st</b> 35:1 <hr/> <b>2</b> <hr/> <b>2</b> 7:14,15,24 34:19,22,24,25 36:5 39:10 61:22 <b>20</b> 63:12 <b>2002</b> 59:8 <b>2015</b> 1:10 <b>29</b> 2:11 <hr/> <b>3</b> <hr/> <b>3</b> 1:10 2:4 46:14 48:6 <b>30</b> 62:13 <b>335</b> 59:9 <b>35</b> 62:12,13 <hr/> <b>4</b> <hr/> <b>41.49</b> 23:7 25:10 46:15 <hr/> <b>5</b> <hr/> <b>50</b> 62:12,12,13 <hr/> <b>6</b> <hr/> <b>6</b> 57:15 <b>62</b> 2:14 <hr/> <b>7</b> <hr/> <b>8</b> <hr/> <b>9</b> <hr/> <b>95</b> 55:19 <b>99.4</b> 58:21 59:16		
---	--	---	--	--