

(ORDER LIST: 546 U.S.)

WEDNESDAY, NOVEMBER 2, 2005

ORDER IN PENDING CASE

04-607      LABORATORY CORP. OF AMERICA V. METABOLITE LABORATORIES, ET AL.

Having been advised by the Chief Justice that he now realizes that he should have recused himself from participation in this case, and does now recuse himself, the Court vacates its order of Monday, October 31, 2005. The Court has reconsidered the petition for certiorari, which is granted but limited to question three as presented in the petition. The Chief Justice has not participated in the vote to withdraw the order of October 31, 2005 or in the instant reconsideration of the petition for certiorari.