

**03-1601 RANCHO PALOS VERDES, CA, ET AL. V. ABRAMS**

Decision Below: 354 F.3d 1094 (9<sup>th</sup> Cir. 2004)

QUESTION PRESENTED

Whether, as held below but contrary to decisions of the Third and Seventh Circuits, the limits on state and local zoning and land-use authority established by Section 332(c)(7)(B) of the Communications Act may be enforced through an action for damages and attorney's fees under 42 U.S.C. §§ 1983 and 1988.

Cert. Granted 9/28/04