

453 F.2d 1377  
United States Court of Appeals,  
Fourth Circuit.

James E. SWANN et al., Appellees,  
v.  
CHARLOTTE-MECKLENBURG BOARD OF  
EDUCATION et al., Appellants.

No. 71-1811. | Argued Jan. 5, 1972. | Decided Feb. 16,  
1972.

Appeal from the United States District Court for the  
Western District of North Carolina, at Charlotte; James B.  
McMillan, Judge.

**Attorneys and Law Firms**

William J. Waggoner, Charlotte, N. C. (Waggoner, Hasty  
& Kratt, Charlotte, N. C., on brief), for appellants.

J. LeVonne Chambers, Charlotte, N. C. (Adam Stein,  
Chambers, Stein, Ferguson, & Lanning, Charlotte, N. C.,  
and Conrad O. Pearson, Durham, N. C., Jack Greenberg,

**Footnotes**

\* Judge Craven was disqualified from participating in these proceedings.

James M. Nabrit, III, and Norman Chachkin, New York  
City, on brief), for appellees.  
Before HAYNSWORTH, Chief Judge, and BRYAN,  
WINTER, BUTZNER, RUSSELL and FIELD, Circuit  
Judges, en banc.\*

**Opinion**

PER CURIAM:

The district court, 328 F.Supp. 1346, required the  
modification of an amended “feeder plan” for pupil  
assignment proposed by the School board as a revision to  
the court order approved in *Swann v. Charlotte-  
Mecklenburg Board of Education*, 402 U.S. 1, 91 S.Ct.  
1267, 28 L.Ed.2d 554 (1971), and, as modified,  
authorized it to be put into effect. We do not think that the  
district court exceeded its equity powers or abused its  
discretion in approving the plan or in requiring the  
modifications thereto.

Affirmed.