

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

LOCATION OF HEARING FOR NOVEMBER CALENDAR

Revised Notice:

James R. Browning US Courthouse
United States Court of Appeals - 9th Circuit
95 Seventh Street
San Francisco, California 94103

September 30 2010

 Picture ID required to enter Courthouse 

COUNSEL WILL PLEASE CHECK-IN WITH THE DEPUTY IN THE COURTROOM
All CJA Counsel call (415) 355-7993 for travel authorization

Monday, November 1, 2010 9:00 a.m. Courtroom 1, 3rd Floor

- () * 09-10459 United States v. Espinoza
- () * 09-10467 United States v. Lopez
- () * 09-10508 United States v. Calvillo-Alvarado
- () * 09-10523 United States v. Sandoval-Galvez
- () ** 10-16645 USA v. State of Arizona
- () 09-17311 Minority Television Project v. FCC

Monday, November 1, 2010 9:00 a.m. Courtroom 2, 3rd Floor

- () * 07-10603 United States v. Cardoza-Fuentes
- () * 08-15327) Mosley v. Ornoski
08-15389)
- () * 09-15328 Alley v. Carey
- () * 08-15794 Kyzar v. Schriro
- () ** 09-17233 Center for Biological Diversity v. USDA
- () 08-17316) Goldberg v. Pacific Indemnity Co.
09-16243)

Monday, November 1, 2010 9:00 a.m. Courtroom 3, 3rd Floor

- () * 09-15790 Phipps v. Evans
- () * 09-16185 McInerney v. Helling
- () * 09-16270 White v. Dexter
- () * 09-16660 Castle v. Schriro
- () ** 08-74340 El Comite Para El Bienstar de Earlimart v. EPA
- () 09-71383) Ass'n of Irrigated Residents v. EPA
09-71404)

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Monday, November 1, 2010 9:30 a.m. Courtroom 4, 2nd Floor

() * 09-10362 United States v. Sepulveda-Barraza
() * 09-16917 Taylor v. Evans
() * 09-17169 Hassan v. Morawcznski
() ** 09-17250 Gray v. Motorola, Inc.
() ** 09-17368 Dairy America, Inc. v. New York Marine and Gen. Ins. Co.
() ** 09-70136 Abufayad v. Holder

Tuesday, November 2, 2010 9:30 a.m. Courtroom 1, 3rd Floor

() * 05-77180 Perez-Rojo v. Holder
() * 07-72817 Rodriguez De Zamora v. Holder
() * 09-16970 Kerner v. Mendez
() ** 07-16482 U-Haul International v. Wilcher
() ** 09-16444 U-Haul Int'l, Inc. v. Albright
() ** 08-15209 Geertson v. Federal Deposit Insurance

Tuesday, November 2, 2010 9:00 a.m. Courtroom 2, 3rd Floor

() * 08-10561) United States v. Hernandez
08-10581
() * 06-72475 Singh v. Holder
() * 06-74678 Singh v. Holder
() * 09-70041 Caringal v. Holder
() ** 07-72358 Martinez-Herrera v. Holder
() 09-15878 Darensburg v. MTC

Tuesday, November 2, 2010 9:00 a.m. Courtroom 3, 3rd Floor

() * 06-71680 Gutierrez v. Holder
() * 06-74445 Hajikhan Mohammadi v. Holder
() * 08-74479 Salado-Alva v. Holder
() ** 08-16987 Tatum v. Schwartz
() ** 08-17421 Roots Ready Made Garments Co. v. The Gap, Inc.
() ** 09-17428 Masters v. Boston Scientific Corp. <note added case

Tuesday, November 2, 2010 9:30 a.m. Courtroom 4, 2nd Floor

() * 10-10004 United States v. Donahue
() * 10-10011 United States v. Kent
() * 10-10036 United States v. Smith
() * 10-10037 United States v. Moran
() ** 07-15241 Tuttelman v. City of San Jose
() 09-16662) Sierra Pacific Power Co. v. Hartford Steam Boiler Inspection
09-16802)

Wednesday, November 3, 2010 9:00 a.m. Courtroom 1, 3rd Floor

- () * 06-73809 Takhsh v. Holder
- () * 08-16055 Bailey v. Ramirez
- () * 10-10057 United States v. DeJarnette
- () ** 09-16402 Rezner v. Bayerische
- () ** 09-16460 A.D. v. State of California Highway Patrol
09-17635)

- () ** 09-16486 Aspect Systems, Inc. v. Lam Research Corp.
09-16584)

Wednesday, November 3, 2010 9:00 a.m. Courtroom 2, 3rd Floor

- () * 06-74210 Vargas-Montes v. Holder
- () * 08-74287 Chuquillanqi-Vasquez v. Holder
- () * 09-17089 Steward v. Town of Paradise
- () ** 09-15163 International Church v. City of San Leandro
- () ** 09-15701 Freeman v. Astrue
- () ** 10-15758 USA v. White and Case LLP

Wednesday, November 3, 2010 9:30 a.m. Courtroom 3, 3rd Floor

- () + 07-99001 Milke v. Schriro

Wednesday, November 3, 2010 9:30 a.m. Courtroom 4, 2nd Floor

- () * 06-74015 Kacalniku v. Holder
- () * 06-74857 Vata v. Holder
- () * 07-70765 Gorceac v. Holder
- () ** 09-10319 United States v. Tucker
- () ** 09-15998 Cal-Agrex, Inc. v. Tassell
- () ** 09-16181 Cafasso v. Genral Dynamics C4 Sys., Inc.
09-16607) 09-17710)

Thursday, November 4, 2010 9:30 a.m. Courtroom 1, 3rd Floor

- () * 06-73897 Rana v. Holder
- () * 06-74075 Ajqui-Munoz v. Holder
- () * 07-70064 Singh v. Holder
- () ** 07-73933 Guzman v. Holder
- () ** 09-16640 EEOC v. GNVL Corp.
- () ** 09-16780 United States v. City of Arcata

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Thursday, November 4, 2010 9:00 a.m. Courtroom 2, 3rd Floor

- () * 06-72289) Alghalayini v. Holder
06-75736)
- () * 08-16831 Temple v. Montgomery
- () * 09-17574 Kelly v. Arizona
- () ** 09-16781 McLeodUSA Tel. v. Ariz. Corp. Comm'n
- () ** 09-16790 Jensen Farms v. Monterey Bay Dist.
- () ** 09-16817 Ghouri v. Johnson & Johnson

Thursday, November 4, 2010 9:00 a.m. Courtroom 3, 3rd Floor

- () * 06-74321 Zapico-Delgado v. Holder
- () * 09-15664 Walter v. Astrue
- () * 09-70617 Finazzo v. FAA
- () ** 09-16873 Jones v. Wal-Mart Stores East, L.P.
- () ** 09-17485 Vallimont v. Chevron
- () ** 09-16963 Gregorie v. Alpine Meadows Ski Corp.

Thursday, November 4, 2010 9:30 a.m. Courtroom 4, 2nd Floor

- () * 09-16953 See More Light v. Morgan Stanley
- () * 08-70275 Dehkordi v. Holder
- () * 09-70107 Bingham v. Holder
- () ** 07-73897) Heu v. Holder
08-74984)
- () ** 09-16955 Toll Brothers, Inc. v. Lin
- () ** 09-17111 Cecconi v. Spicer

Thursday, November 4, 2010 2:00 p.m. Courtroom 1, 3rd Floor

- () 08-75058 San Luis Obispo Mothers for Peace v. NRC

Friday, November 5, 2010 9:00 a.m. Courtroom 1, 3rd Floor

- () * 09-15986 Reudy v. ClearChannel Outdoor, Inc.
- () * 09-16104 MRW, Inc. v. Big O Tires, LLC
- () * 09-16537 Sepatis v. City and County of S.F.
- () ** 09-17002 Pest Committee v. Miller
- () ** 09-17047) Resilient Floor Covering v. M & M
09-17064)
- () ** 09-17057 Arce v. Carmody

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Friday, November 5, 2010 9:00 a.m. Courtroom 2, 3rd Floor

- () * 09-16609 Lockett v. Ericson
- () * 09-16674 Robidoux v. Rosengren
- () * 09-16775 Bibbins v. United States
- () ** 09-17072 Ervco, Inc. v. Texaco
- () ** 09-17084 E.M. v. Pajaro Valley U.S.D.
- () ** 09-17409 Does 1-4 v. United States <note added case

Friday, November 5, 2010 9:00 a.m. Courtroom 3, 3rd Floor

- () * 06-73793 Habtyes v. Holder
- () * 08-70612)
- () * 06-74554 Tahmazyan v. Holder
- () * 08-74634 Vail-Diaz v. Holder
- () ** 09-17202 American Family Mutual Ins. Co. v. Nat'l Fire
- () ** 09-17206 Smith v. Simmons
- () ** 09-17190 Cumbre, Inc., v. SCIF

Friday, November 5, 2010 9:30 a.m. Courtroom 4, 2nd Floor

- () * 08-16042 Regan v. Department of Public Safety
- () * 09-16850 Transwestern Pipeline v. Agua Fria
- () * 09-17040 Hillis v. Heineman
- () ** 09-17167 Tri-Star Theme Builders, Inc. v. OneBeacon
- () ** 09-17185 Perez v. Cate
- () ** 09-17188 Garcia v. County of Merced
- 09-17189)

* MAXIMUM ARGUMENT TIME 10 MINUTES PER SIDE
** MAXIMUM ARGUMENT TIME 15 MINUTES PER SIDE
+ MAXIMUM ARGUMENT TIME 30 MINUTES PER SIDE
OTHER CASES 20 MINUTES PER SIDE

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U.S. Court of Appeals for the Ninth Circuit Electronic Devices Policy

This policy pertains to the use of electronic devices by the bar, media and the public in the courthouses and other dedicated spaces housing the United States Court of Appeals for the Ninth Circuit. These are the William K. Nakamura U.S. Courthouse in Seattle, the Pioneer U.S. Courthouse in Portland, the James R. Browning U.S. Courthouse in San Francisco, the Richard H. Chambers U.S. Courthouse in Pasadena, and the U.S. Court of Appeals for the Ninth Circuit in Honolulu. The policy also applies to other places in which the court holds session for special sittings. These include courtrooms in the district courthouses and spaces in law schools and other locations.

Visitors to any of the Ninth Circuit courthouses and dedicated spaces are allowed to carry and make use of various electronic devices as set out by this policy. Different rules may apply when the court meets in another venue, such as a district courthouse. Where conflicts between this policy and that of a district court become known, the chief circuit judge and chief district judge, or their designees, will confer to resolve such conflicts.

General Rules:

- 1. Anyone may bring electronic devices, such as a Blackberry, smart phone, laptop computer or a similar functioning device having wireless communications capability into the courthouse.**
- 2. Except for courtrooms, persons may use such devices in public areas of the courthouse to make telephone calls and to transmit and receive data communications, such as email or text messages, or to access the Internet. For reasons of privacy, safety, and security, use of these devices to take photographs or for audio or video recording or transmission is prohibited in the courthouse (exceptions for court staff, authorized vendors or for educational or ceremonial events).**
- 3. In courtrooms, persons may use such devices to take notes, transmit and receive data communications, and access the Internet. This includes media members who are transmitting written accounts of the proceeding to a wider audience using various means. Persons may not use these devices for telephone calls, photographs or audio or video recording or transmission. Telephone ring tones and other functional sounds produced by devices must be disabled while in the courtroom. Only quiet keyboards may be used in the courtrooms.**
- 4. The presiding judge of a judicial panel may prohibit or further restrict use of such devices by all persons prior to or during a proceeding when necessary to protect the rights of the parties or to assure the orderly conduct of the proceedings.**
- 5. This policy will be prominently displayed wherever the court holds session and posted on the court's website. Failure to adhere to the policy may result in removal from the courtroom or other sanction.**

Adopted June 23, 2010.