



Public Information Office
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NEWS RELEASE

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Court of Appeals Schedules Special Sitting at Stanford Law School

SAN FRANCISCO – The United States Court of Appeals for the Ninth Circuit will hold a special sitting November 3 at Stanford University School of Law, 559 Nathan Abbott Way. Oral arguments will begin at 11:00 a.m. in the school’s Moot Courtroom. A picture ID will be required to enter the courtroom.

An appellate panel consisting of Circuit Judges Sidney R. Thomas of Billings and Sandra S. Ikuta of Pasadena, and Chief Judge Jane A. Restani of the U.S. Court of International Trade, sitting by designation, will consider appeals of six cases decided by the federal trial courts for the districts of Arizona, Eastern California and Northern California. The cases on the docket are:

- *United States v. Butler*, in which Jemara Butler appeals the Arizona district court’s sentence following his jury conviction on charges related to production and distribution of false and fraudulent identification documents, and fraud by wire, radio or television. The charges arose out of a scheme to defraud by falsely telling individuals that they had won a lottery and convincing them to send money to operators of the scheme. Case 09-10067.
- *Lendahl v. Palosaari*, in which Michael David Lendahl, an Arizona state prisoner, appeals the Arizona district court’s denial of his habeas corpus petition challenging his guilty plea to burglary. He received an aggravated sentence of seven years. Case 09-15496.
- *John-Charles v. State of California*, in which Curtis M. John-Charles, a California state prisoner, appeals the Eastern California district court’s denial of his habeas corpus petition challenging his bench conviction and 18-year sentence for home invasion robbery in concert with others, assault with a firearm, receipt of stolen property and firearm possession by a felon. Case 09-16530.

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- *Dept. of Fair Employment and Housing v. Lucent Technologies, Inc.*, in which the DFEH and intervenor Steven Carauddo appeal the Northern California district court's summary judgment in favor of Lucent Technologies, Inc., in a diversity action brought by DFEH alleging disability discrimination. Carauddo was injured while working as an installer for Lucent's predecessor. DFEH filed suit in California state court against Lucent on behalf of Carauddo, alleging causes of action under California's Fair Employment and Housing Act. After removal to federal court, Carauddo filed a complaint-in-intervention alleging five causes of action, including wrongful termination. Case 09-15057, 09-15060.
- *Lopes v. Campbell*, in which Ty Erik Lopes, a California state prisoner, appeals the Eastern California district court's denial of his habeas corpus petition challenging his jury conviction of murder and rape. He was sentenced to life without possibility of parole. Case 09-15769.
- *Rhoades v. Progressive Casualty Insurance Company*, in which Progressive Casualty appeals the Eastern California district court's order remanding a class action to California state court. Plaintiffs filed their class action complaint in California state court alleging overtime and wage violations, and Progressive removed the action to federal court. The district court remanded on the basis that Progressive did not satisfy the \$5 million amount in controversy requirement of the Class Action Fairness Act. The district court held that Progressive had established \$4.3 million as being in controversy but did not place value on plaintiffs' primary claim for unpaid overtime which plaintiffs' alleged was between \$7.9 million and \$19.8 million. Case 10-17129.

The Ninth Circuit Court of Appeals hears appeals of cases decided by executive branch agencies and federal trial courts in nine western states and two Pacific Island jurisdictions. The court normally meets monthly in Seattle, San Francisco, and Pasadena; every other month in Portland, Oregon; three times per year in Honolulu, Hawaii; and twice a year in Anchorage, Alaska. A complete schedule of cases is available online at <http://www.ca9.uscourts.gov>.

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