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NEWS RELEASE

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Court of Appeals Schedules Special Sitting at the University of Hawaii

SAN FRANCISCO – The United States Court of Appeals for the Ninth Circuit will hear oral arguments next week at two locations in Honolulu, Hawaii.

The court is scheduled to sit February 14 and 15 at its regular venue at 1132 Bishop Street. Oral arguments will begin at 9 a.m. in Courtroom Suite 250L. A photo ID will be required for access into courtroom. A special sitting is scheduled for February 16 at the University of Hawaii at Manoa, William S. Richardson School of Law. Oral arguments will begin at 9:30 a.m. in the law school's Moot Courtroom, 2515 Dole St.

A three-judge panel consisting of Circuit Judge Mary H. Murguia of Phoenix, Arizona, and Senior Circuit Judges Alfred T. Goodwin of Pasadena, California, and Stephen Trott of Boise, Idaho, will hear appeals of decisions by the U.S. district courts for Hawaii and the Northern Mariana Islands. Among the cases on the docket are:

- *United States v. Paik*, in which a former employee of the U.S. Fish & Wildlife Service appeals his jury conviction on two counts of wire fraud, two counts of mail fraud, and one count of criminal conflict of interest arising from the fraudulent award and performance of two subcontracts for work at the Hanalei Wildlife Refuge on Kauai. Case 10-10568
- *Peter-Palican v. Government of the Commonwealth*, in which the government of the Commonwealth of the Northern Mariana Islands and Governor Benigno Fitial appeal from the CNMI district court judgment finding them liable for violating the due process rights of Emerenciana Peter-Palican, who had served since 2002 as a special assistant for women's affairs under the previous governor. In 2006, Peter-Palican was notified by the office of Governor Fitial that her position would be terminated. The district court ordered that she be reinstated and awarded damages. Case 10-17153

- *Turtle Island Restoration Network v. Hawaii Longline Association*, in which intervenor, Hawaii Longline Association (HLA), appeals interlocutorily the Hawaii district court’s order allowing the plaintiff environmental groups and National Marine Fisheries Service (NMFS) to enter a stipulated injunction pertaining to fishing regulations. The stipulated injunction, approved by the district court as a consent decree, vacated regulations governing the “shallow-set” swordfish fishery, and ordered NMFS to promulgate new regulations governing the fishery. The HLA represents the interests of the U.S.-flagged fishing vessel owners and crew, and businesses that participate in Hawaii-based shallow-set commercial longline swordfish fishery. The consent decree resulted from litigation over an NMFS ruling increasing the annual number of allowable interactions between the fishery and endangered loggerhead sea turtles. Case 11-15783

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, California; 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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