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**United States Courts for the Ninth Circuit**  
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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 will sit February 11 and 13 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 the courtroom. The court will convene a special sitting February 12 at the University of Hawaii at Manoa, William S. Richardson School of Law. Oral arguments will begin at 9 a.m. in the law school's Moot Courtroom, 2515 Dole St. A photo ID will be required for access into courtroom.

A three-judge panel consisting of Circuit Judges Susan P. Graber of Portland, Oregon, Jay S. Bybee of Las Vegas, Nevada, and Morgan Christen of Anchorage, Alaska, will hear six appeals of decisions by the U.S. District Court for the District of Hawaii. Cases on the docket are:

- *He v. Holder*, in which Zuchao He, a Chinese citizen, petitions for review of Board of Immigration Appeals decision affirming denial of his applications for asylum, withholding of removal, and protection under the Convention Against Torture. He asserted that his wife underwent a forced abortion after they violated China's family planning laws by trying to have a second child before it was authorized. The BIA affirmed the immigration judge's denial of relief on adverse credibility grounds. Case 10-72383
- *Enriquez v. Aurora Loan Services LLC*, Benny Enriquez, Jr., and Lori K. Enriquez appeal the district court's dismissal of their action against Aurora Loan Services LLC, alleging violations of the Real Estate Settlement Procedures Act and the Truth in Lending Act in the refinancing of a residential mortgage loan and foreclosure proceedings. Case 11-16864

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- *United States v. Ruskjer*, in which David Ruskjer appeals his jury conviction of mail fraud, wire fraud, structuring financial transaction to avoid currency reporting requirements, and money laundering arising from his orchestration of a multi-million dollar Ponzi scheme. Case 12-10018
- *Ah Quin v. County of Kauai*, in which Kathleen M. Ah Quin appeals the district court's grant of summary judgment dismissing her action against the County of Kauai Transportation Agency. She alleged that her failure to be promoted from an on-call driver to a full-time driver was the result of gender discrimination. The district court concluded that Ah Quin was judicially estopped from pursuing her claims because she failed to disclose her lawsuit in her bankruptcy proceedings. Case 10-16000
- *HIE Holdings, Inc. v. CIR*, in which Hawaiian Isles Enterprises (HIE), Inc.; HIE Holdings, Inc.; and controlling shareholder, Michael Boulware, appeal the tax court's decision, after trial, of their petition for redetermination of federal income tax. The HIE corporations paid substantial fees incurred due to Boulware's involvement in criminal and civil litigation over his business and personal activities. The Internal Revenue Service disallowed the deductions on various grounds. The tax court sustained the disallowances and ordered appellants to pay a bond to stay tax assessment and collection pending appeal. Case 10-72588, 10-72589, 10-72590
- *Rodriguez v. General Dynamics Arm & Tech*, in which Stephanie Rodriguez and others ("plaintiffs") appeal the district court's judgment, following a six-week jury trial, in favor of General Dynamics Armament and Technical Products, Inc., in plaintiffs' diversity production liability action arising out of the premature explosion of a mortar cartridge while still inside a mortar tube during an Army training mission in Hawaii. The blast killed Oscar Rodriguez and injured Samuel Oyola-Perez, Julius Riggins, and Wilfredo Dayandante. The soldiers and their families sued General Dynamics, whose predecessor-in-interest, Martin Marietta Aluminum Sales, Inc., was the manufacturer of the mortar cartridge. The jurors found that the cartridge was not defective. Case 11-16531

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>.