



**ST. LOUIS, MISSOURI  
APRIL 14 - 18, 2014**

**William Jay Riley, Chief Judge - Omaha, Nebraska**

**Circuit Judges in Active Service**

**Roger L. Wollman - Sioux Falls, SD  
James B. Loken - Minneapolis, MN  
Diana E. Murphy - Minneapolis, MN  
Kermit E. Bye - Fargo, ND  
Lavenski R. Smith - Little Rock, AR  
Steven M. Colloton - Des Moines, IA  
Raymond W. Gruender - St. Louis, MO  
Duane Benton - Kansas City, MO  
Bobby E. Shepherd - El Dorado, AR  
Jane Kelly - Cedar Rapids, IA**

**Circuit Judges Who Have Taken Senior Status**

**Myron H. Bright - Fargo, ND  
Pasco M. Bowman - Kansas City, MO  
C. Arlen Beam - Lincoln, NE  
Michael J. Melloy - Cedar Rapids, IA**

## NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

*Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10<sup>th</sup> Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on floor 28. Division II will be held in the Southeast Courtroom on floor 27. On Thursday, April 17, 2014, Division II will be held at St. Louis University School of Law. Division III will be held in the Northeast Courtroom on floor 27, and Division IV will be held in the Southwest Courtroom on floor 27. Counsel presenting oral argument should report to the clerk's office, Room 24.329, 30 minutes before Court convenes. Counsel arguing at the Law School should report directly to the Pruellage Courtroom 30 minutes before Court convenes.*

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Counsel are required to file an "Argument Response/Appearance" form with the Clerk's Office identifying the party or parties they will be representing at oral argument. If an "Appearance" form has not already been filed, the "Argument Response/Appearance" form serves as your notice of appearance in the case. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. *Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.*

Michael E. Gans  
Clerk of Court  
[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)

### *The following visiting judges are sitting with the court in April:*

\*The Honorable Catherine D. Perry  
Chief U.S. District Judge  
St. Louis, Missouri

\*The Honorable Rodney W. Sippel  
U.S. District Judge  
St. Louis, Missouri

\*The Honorable Stephen N. Limbaugh, Jr.  
U.S. District Judge  
Cape Girardeau, Missouri

**DIVISION I  
En Banc Courtroom  
28<sup>th</sup> Floor**

**MONDAY, APRIL 14, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES RILEY, MELLOY, BENTON**

1	12-3623	WM	Sentis Group, et al. v. Shell Oil Company, et al.	15
2	13-1264	EM	Tonya Hyles v. United States	15
3	13-1379	NI	Dorian Ragland v. United States	15
4	13-2352	EM	United Fire & Casualty Insurance Company v. Dennis Thompson	15
5	13-1161	NI	Agri Star Meat & Poultry et al. v. Nevel Properties Corporation	15

**\*\* EN BANC SESSION \*\***

**TUESDAY, APRIL 15, 2014 BEGINNING AT 9:00 A.M.**

**BEFORE JUDGES RILEY, WOLLMAN, BEAM, LOKEN, MURPHY, BYE,  
SMITH, COLLOTON, GRUENDER, BENTON, SHEPHERD, KELLY**

	13-1002	WM	Reyco Granning LLC v. International Brotherhood of Teamsters, Local Union No. 245	20
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**WEDNESDAY, APRIL 16, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES RILEY, BENTON, KELLY**

1	13-3095	EA	Dwain Smith v. Conway County, Arkansas, et al.	15
2	13-3329	EM	Patricia Toben v. Bridgestone Retail Operations	15
3	13-2256		Marco Nunez-Portillo v. Eric H. Holder, Jr.	15
4	13-2115		Boendi Limbeya v. Eric H. Holder, Jr.	15
5	13-1961		Tabitha Kanake v. Eric H. Holder, Jr.	15

**DIVISION I  
En Banc Courtroom  
28<sup>th</sup> Floor**

**WEDNESDAY, APRIL 16, 2014 BEGINNING AT 2:00 P.M.  
BEFORE JUDGES RILEY, COLLOTON, GRUENDER**

10-1990	WA	Ray Dansby v. Ray Hobbs	30
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**THURSDAY, APRIL 17, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES RILEY, BENTON, KELLY**

1	13-2509	WM	United States ex rel Lonnie Paulos, MD v. Stryker Corporation, et al.	
	13-2647	WM	United States ex rel Lonnie Paulos, MD v. Stryker Corporation, et al.	20
2	13-2759	WM	United States ex rel James Kraxberger v. Kansas City Power & Light Company	20
3	13-2448	EA	First Tennessee Bank National Association, et al. v. Pathfinder Exploration, et al.	15
4	13-2838	EA	Renee Toland v. Carolyn W. Colvin	15
5	13-2215	NI	Rick Whitman v. Carolyn W. Colvin	15

**FRIDAY, APRIL 18, 2014 BEGINNING AT 8:30 A.M.  
BEFORE JUDGES RILEY, BENTON, KELLY**

1	13-1592	EM	United States v. Santonio Parker	
	13-1714	EM	United States v. Santonio Parker	15
2	13-3247	WM	United States v. Agustin Rodriguez-Valencia	10
3	13-3520	WM	United States v. Eric Smith	10
4	13-2675	EA	United States v. William Hickman	10
5	13-3179	WM	United States v. Jose Malagon-Soto	10

**DIVISION II**  
**Southeast Courtroom**  
**27<sup>th</sup> Floor**

**MONDAY, APRIL 14, 2014 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES WOLLMAN, BYE, SHEPHERD**

1	13-1905	WM	Hallmark Cards v. Monitor Clipper Partners	20
2	13-2332	WM	Flora Loomis, et al. v. Wing Enterprises	15
3	13-1871	NI	Martha Duban, et al. v. Waverly Sales Co.	15
4	13-2559	EM	Marc Kutten v. Sun Life Assurance Company of Canada	15
5	13-2800	EM	Jody Hill v. Carolyn W. Colvin	15

*Tuesday, April 15, 2014*  
*There will be no oral arguments in Division II*

**WEDNESDAY, APRIL 16, 2014 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES WOLLMAN, BYE, SHEPHERD**

1	13-2045	SI	William Murr v. Midland National Life Insurance Company	15
2	13-2405	WM	PSC Custom v. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local No. 11-770	15
3	13-2776	WM	Fellowship of Christian Athletes, et al. v. Ironshore Specialty Insurance Company	15
4	13-3085	EM	United States v. Ronnie Whisenton	15
5	13-3028	WM	United States v. Larry Davis	15

**BEGINNING AT 2:00 P.M.**  
**BEFORE JUDGES WOLLMAN, BYE, KELLY**

	13-1261		United States v. Kevin Brewer	15
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**DIVISION II**

**ST. LOUIS UNIVERSITY SCHOOL OF LAW  
John K. Pruellage Courtroom at Scott Hall  
100 N. Tucker Blvd., 12<sup>th</sup> Floor  
St. Louis, Missouri**

**THURSDAY, APRIL 17, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES WOLLMAN, BYE, SHEPHERD**

1	13-1635	WA	James Solomon v. Deputy U.S. Marshal Cory Thomas, et al.	15
2	13-2742	EM	Eugene De Boise, Sr., et al. v. St. Louis County, Missouri, et al.	15
3	13-2507	EM	Stephen Hoffmeyer, et al. v. Michael Porter, et al.	15

**DIVISION II**  
**Southeast Courtroom**  
**27<sup>th</sup> Floor**

**FRIDAY, APRIL 18, 2014 BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES WOLLMAN, BYE, SHEPHERD**

1	13-3078	EA	United States v. Larry Cooney	15
2	13-2713	NI	United States v. Gregory Givens	10
3	13-3057	WM	United States v. Scott Olsen	10
4	13-1045	NI	United States v. David Heard	10
5	13-3325	SI	United States v. Matthew Poe	15

**DIVISION III  
Northeast Courtroom  
27<sup>th</sup> Floor**

**MONDAY, APRIL 14, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES LOKEN, MURPHY, KELLY**

1	13-3005	WM	Christi Thompson, et al. v. R. J. Reynolds Tobacco Company, et al.	15
2	13-2179	EM	Travis Gibson v. Rick Cook, et al.	15
3	13-3128	EM	Angela Lee v. Albert Borders	15
4	13-2942	WM	Noelle Aipperspach v. Patrick McInerney, et al.	15

*Tuesday, April 15, 2014  
There will be no oral arguments in Division III*

**WEDNESDAY, APRIL 16, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES LOKEN, MURPHY, \*LIMBAUGH**

1	13-2234	NI	Robert Blackburn v. Carolyn W. Colvin	15
2	13-2832		Ronald Hernandez v. Eric H. Holder, Jr.	15
3	13-1723	EA	Windstream Corporation, et al. v. Johnny Lee, et al.	15
4	13-2399	NI	Guillermo Escobedo v. Mark Lund	15
5	13-2285	NI	United States v. Justin Davis	15



**DIVISION III  
Northeast Courtroom  
27<sup>th</sup> Floor**

**THURSDAY, APRIL 17, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES LOKEN, MURPHY, \*PERRY**

1	13-2984	EA	Gregory Smith v. Carolyn W. Colvin	15
2	13-2467		Adalberto Hernandez-Garcia v. Eric H. Holder, Jr.	15
3	13-2619	NI	Richard Welsh v. Carolyn W. Colvin	15
4	13-2585	SI	Fastpath v. Arbela Technologies	15
5	13-2593	NI	Marvin DeVries v. David Driesen, et al.	15

**FRIDAY, APRIL 18, 2014 BEGINNING AT 8:30 A.M.  
BEFORE JUDGES LOKEN, MURPHY, \*SIPPEL**

1	13-2533	EA	Felecia Channell v. Carolyn W. Colvin	15
2	13-2896	NI	United States v. Paige Mathison	10
3	13-2237	NI	United States v. Amos Deering, Sr.	10
4	13-2351	EA	Kyle Bryant v. Carolyn W. Colvin	10
5	13-3077	SI	United States v. Francisco Zayas	10

**DIVISION IV**  
**Southwest Courtroom**  
**27<sup>th</sup> Floor**

**MONDAY, APRIL 14, 2014 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES SMITH, COLLOTON, GRUENDER**

1	13-2074	WM	Josh Williams, et al. v. Scott Decker, et al.	15
2	13-2262	SI	Vincent Walls v. Dave Tadman, et al.	15
3	13-2176		Myra Goswell-Renner v. Eric H. Holder, Jr.	15
4	13-2646	EA	Calvin Withers v. Leon Johnson, et al.	15
5	13-2477	EA	Heath Adkisson, et al. v. Blytheville School District #5	15

*Tuesday, April 15, 2014*  
*There will be no oral arguments in Division IV*

**WEDNESDAY, APRIL 16, 2014 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES SMITH, COLLOTON, GRUENDER**

1	13-2641	SI	United States v. Johnelle Bell	20
2	13-2601		Max Villatoro v. Eric H. Holder, Jr.	15
3	12-2566	SI	Aaron Anderson, Jr. v. United States	15
4	13-2763	WM	Kenneth Wivell, et al. v. Wells Fargo Bank, et al.	15
5	13-2673	EA	J-McDaniel Construction v. Mid-Continent Casualty Company, et al.	10

**DIVISION IV**  
**Southwest Courtroom**  
**27<sup>th</sup> Floor**

**THURSDAY, APRIL 17, 2014 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES SMITH, COLLOTON, GRUENDER**

1	13-2413	WM	Smithville 169, et al. v. Citizens Bank & Trust Company	20
2	13-2782	EA	Christopher Hampton v. Reliance Standard Life Insurance Company, et al.	15
3	13-3065	WM	Valerie Hawkins, et al. v. Community Bank of Raymore	15
4	13-1870 13-2788		Angel Cun-Luc v. Eric H. Holder, Jr. Angel Cun-Luc v. Eric H. Holder, Jr.	15
5	13-2290		Edilberto Antonio-Fuentes v. Eric H. Holder, Jr.	10

**FRIDAY, APRIL 18, 2014 BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES SMITH, COLLOTON, GRUENDER**

1	13-2320	NI	United States v. Rory Meeks	15
2	13-2650	NI	United States v. Dion Thomas	15
3	13-2888	SI	United States v. Huascar Galvez Montoya	10
4	13-3021	SI	United States v. Dwayne Frosch	10
5	13-2754	NI	United States v. Michael Geraghty	10