



## **ST. LOUIS, MISSOURI APRIL 13 - 17, 2015**

**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. 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 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 will be sitting with the court in April:

\*The Honorable James E. Gritzner  
Chief Judge U. S. District Court  
Des Moines, Iowa

\*The Honorable David S. Doty  
Senior U.S. District Judge  
Minneapolis, Minnesota

\*The Honorable Patrick J. Schiltz  
U.S. District Judge  
Minneapolis, Minnesota

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

**MONDAY, APRIL 13, 2015 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES RILEY, LOKEN, SHEPHERD**

1	14-2580	NI	Edward Hagen, DO v. Siouxland Obstetrics and Gynecology, et al.	
	14-2648	NI	Edward Hagen, DO v. Siouxland Obstetrics and Gynecology, et al.	15
2	14-2594	EM	Rebecca Shirrell v. St. Francis Medical Center, et al.	15
3	14-3039	SI	Jason Powell v. Larry Noble, et al.	15
4	14-1435	EM	Mark Robbins, et al. v. Randy Becker, Sr., et al.	15
5	13-3320	NI	Ronald Weaver v. United States	
	13-3321	NI	Ronald Weaver v. United States	10

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

**TUESDAY, APRIL 14, 2015 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES RILEY, LOKEN, SHEPHERD**

1	14-2779	EA	Duit Construction Company v. Scott Bennett, Director of the Arkansas State Highway & Transportation Department, et al.	15
2	14-2884	EA	Shelby County Health Care Corporation v. Southern Farm Bureau Casualty Insurance Company, et al.	15
3	14-3041	EA	Katherine Johnson v. Carolyn W. Colvin	10
4	14-3081	WA	Darren Lee v. Airgas-Mid South, et al.	15
5	14-2845	EA	Bridget Turner v. Carolyn W. Colvin	10

**BEGINNING AT 3:00 P.M.  
BEFORE JUDGES RILEY, WOLLMAN, MELLOY**

14-1867	EM	American River Transportation Company v. United States of America, Corps of Engineers	15
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**DIVISION I**  
**En Banc Courtroom**  
**28<sup>th</sup> Floor**

**THURSDAY, APRIL 16, 2015 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES RILEY, LOKEN, SHEPHERD**

1	14-1722	EM	Henry Davis v. Michael White, et al.	20
2	14-1573	NI	Life Investors Insurance Company of America v. Federal City Region, et al.	15
3	14-3359	NI	Charleen Corrado, et al. v. Life Investors Insurance Company of America, et al.	15
4	14-2380	EM	David Oetting v. Green Jacobson, P.C., et al.	15
5	14-2270	SI	Michigan Millers Mutual Insurance Company v. Asoyia, et al.	15

**FRIDAY, APRIL 17, 2015 BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES RILEY, LOKEN, SHEPHERD**

1	14-2397	SI	United States v. Corey Keys	15
2	14-2536	SI	United States v. Nestor Casillas	10
3	14-2557	NI	United States v. Leopoldo Figueroa-Alvarez	10
4	14-2576	NI	United States v. Randy Patrie	10
5	14-3070	NI	United States v. Jamie Goad	10

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

**MONDAY, APRIL 13, 2015 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES WOLLMAN, GRUENDER, \*DOTY**

1	14-3486	EA	James Naples v. Renee Williams, et al.	20
	14-3490	EA	James Naples v. Renee Williams, et al.	
2	14-2932	EM	Samuel Taylor v. Unknown Botkins, Librarian	15
3	14-2587	WM	Western Heritage Insurance Company v. Fun Services of Kansas City	
	14-2697	WM	Western Heritage Insurance Company v. Asphalt Wizards, et al.	15
4	14-1984	SI	Micaiah Rey v. United States	15
5	14-3071	NI	United States v. Darran Lohse	15

**TUESDAY, APRIL 14, 2015 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES WOLLMAN, GRUENDER, \*DOTY**

1	14-2947	SI	RSA 1 Limited Partnership, et al. v. Paramount Software Associates	
	14-3382	SI	RSA 1 Limited Partnership, et al. v. Paramount Software Associates	15
2	14-3021	WM	PR Group v. Windmill International, et al.	15
3	14-1310		Terry Ellis, et al. v. Commissioner of Internal Revenue	15
4	14-2762	SI	United States v. Dico, et al.	15
5	14-3250	WM	United States v. David Knowles	15

**WEDNESDAY, APRIL 15, 2015**  
**THERE WILL BE NO ORAL ARGUMENTS IN DIVISION II**

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

**THURSDAY, APRIL 16, 2015 BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES WOLLMAN, GRUENDER, \*GRITZNER**

1	14-3017	WA	M. Kathleen McKinney, Regional Director of Region 15 of the National Labor Relations Board v. Southern Bakeries, et al.	20
2	14-1326	EM	Dunkin' Donuts Franchising, et al. v. SAI Food & Hospitality, et al.	
	14-2443	EM	Dunkin' Donuts Franchising, et al. v. SAI Food & Hospitality, et al.	15
3	14-1970	EA	Stuart C. Irby Company v. Brandon Tipton, et al.	
	14-2682	EA	Stuart C. Irby Company v. Brandon Tipton, et al.	15
4	14-3026	WM	Midwest Regional Allergy, Asthma, Arthritis & Osteoporosis Center, et al. v. The Cincinnati Insurance Company	15
5	14-2579	EA	Mark Barner, et al. v. Thompson/Center Arms Company, et al.	15

**BEGINNING AT 1:30 P.M.**  
**BEFORE JUDGES MURPHY, SMITH, GRUENDER**

	13-2208	MN	United States v. Amina Farah Ali	
	13-2209	MN	United States v. Hawo Mohamed Hassan	30



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

**FRIDAY, APRIL 17, 2015 BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES WOLLMAN, GRUENDER, \*GRITZNER**

	14-2724	EA	United States v. Henry Billiot	<b>NO ARG</b>
1	14-2961	EA	Hershel Robinson v. Mine Safety Appliances Company, et al.	10
2	14-2250	EA	Robin Thompson v. James "Clint" Murray, et al.	15
	14-2816	EA	Samuel Boellner, et al. v. James Dowden	<b>NO ARG</b>
3	14-1612	WM	Teresa Witthar v. United States	10

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

**MONDAY, APRIL 13, 2015 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES MURPHY, COLLOTON, KELLY**

1	14-3251		Thomas Heckman v. Commissioner of Internal Revenue	15
2	14-3463	EA	John McClung, et al. v. Colonel Courtney W. Paul, et al.	15
3	14-3064	EA	Gregory Holt v. Michelle Howard, et al.	15
4	14-2733	WM	Michael Falco v. Farmers Insurance Group, et al.	10
5	14-2460	WM	United States v. Kimberly Johnson	
	14-2603	WM	United States v. Nkosi Gray	15

**TUESDAY, APRIL 14, 2015 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES MURPHY, COLLOTON, KELLY**

1	14-3084	EA	Digital Recognition Network, et al. v. Mike Beebe, et al.	20
2	14-2819	NI	Joetta Hearing v. Nikole Holloway	15
3	14-2892	WM	Ronald Perras, et al. v. H&R Block, et al.	15
4	14-3006	NI	Security National Bank of Sioux City, IA v. Jones Day, et al.	15
5	14-2575	EA	Jerry Friedman, et al. v. Kelly Farmer, et al.	15

**WEDNESDAY, APRIL 15, 2015  
THERE WILL BE NO ORAL ARGUMENTS IN DIVISION III**

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

**THURSDAY, APRIL 16, 2015 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES MURPHY, COLLOTON, KELLY**

1	14-2853	EA	United States v. Daniel Lee	15
2	14-3074	EM	Thomas Bowden v. Vernon Martin	
	14-3075	EM	Thomas Bowden v. Steve Meinberg, et al.	15
3	14-3092	EA	Kirk Manuel v. MDOW Insurance Company	15
4	14-3258	WM	Linda Ash, et al. v. Anderson Merchandisers, et al.	15
5	14-2554	EM	American Contractors Indemnity Company v. Patty Lee	10

**FRIDAY, APRIL 17, 2015 BEGINNING AT 8:30 A.M.  
BEFORE JUDGES MURPHY, COLLOTON, KELLY**

1	14-3184	EA	United States v. Bob Castleman	15
2	14-2159	EM	Manny Lopez v. United States	15
3	14-3189	WM	United States v. Terrence Brown	15
4	14-2780	SI	Tammy Hesseltine v. Carolyn W. Colvin	10
5	14-2635	EA	United States v. Chad Taylor	10

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

**MONDAY, APRIL 13, 2015 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES BYE, BEAM, SMITH**

1	13-3335	WM	United States v. Isreal Hawkins, Jr.	
	13-3336	WM	United States v. Teresa Brown	
	13-3337	WM	United States v. Johnny Heurung	
	13-3338	WM	United States v. William Miller	
	13-3339	WM	United States v. Martin Roper	30
2	13-1635	WA	James Solomon v. Deputy U.S. Marshal Cory Thomas, et al.	15
3	13-3264	WM	Brandon Kittle-Aikeley, et al. v. Donald Claycomb, et al.	
	14-1145	WM	Brandon Kittle-Aikeley, et al. v. Donald Claycomb, et al.	15
4	14-3012	EA	Carrie Andrews v. Carolyn W. Colvin	10
5	14-3240	EA	Tracy Milam v. Carolyn W. Colvin	10

**TUESDAY, APRIL 14, 2015 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES BYE, BEAM, SMITH**

1	14-2342		Gary Kaplan v. Commissioner of Internal Revenue	15
2	14-1591	WM	Demario Griffin v. United States	15
3	14-3746	EA	Heath Adkisson, et al. v. Blytheville School District #5	15
4	14-2869	WM	Duke Grider, et al. v. B. Bowling	15
5	14-3020	SI	Elizabeth Burciaga v. Ravago Americas	15

**WEDNESDAY, APRIL 15, 2015  
THERE WILL BE NO ORAL ARGUMENTS IN DIVISION IV**

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

**THURSDAY, APRIL 16, 2015 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES BYE, SMITH, \*SCHILTZ**

1	14-2943	EM	Timmy Taylor, et al. v. Cottrell, et al.	20
2	14-3351	EM	SBC Advanced Solutions v. Communications Workers of America, District 6	15
3	14-2588	SI	Ben Doud v. Toy Box Development, et al.	15
4	14-1680	NI	Marvin Mead v. Jason Smith, et al.	15
5	14-2958		Ashwani Saini v. Eric H. Holder, Jr.	10

**FRIDAY, APRIL 17, 2015 BEGINNING AT 8:30 A.M.  
BEFORE JUDGES BYE, SMITH, \*SCHILTZ**

1	14-2887	NI	United States v. Michael Clayton	15
2	14-2955	SI	United States v. Alberto Anguiano	10
3	14-2307	NI	United States v. Trey Boykin	15
4	14-2217	SI	United States v. Rodney Hughes	10
5	14-2875	SI	United States v. Jeremy Trogdon	10