



**ST. PAUL, MINNESOTA  
OCTOBER 6 - 10, 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 Warren E. Burger Federal Building & U.S. Courthouse at 316 N. Robert Street, St. Paul, Minnesota. Counsel presenting oral argument should report to the Clerk's Office, Room 500, 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)

**DIVISION I  
Courtroom 5A**

**MONDAY, OCTOBER 6, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES RILEY, WOLLMAN, BYE**

1	14-1132	MN	H.B. Fuller Company v. International Insurance Company	
	14-1134	MN	H.B. Fuller Company v. United States Fire Insurance Company, et al.	20
2	14-1028	NE	Lincoln Provision v. Aron Poretz, et al.	15
3	14-1281	ND	Michael Partlow v. Officer Joseph Stadler, et al.	15
4	14-1284	MN	Lisa Pedersen v. Bio-Medical Applications of Minnesota	15
5	14-1077	ND	PW Enterprises v. State of North Dakota, et al.	15

**TUESDAY, OCTOBER 7, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES RILEY, WOLLMAN, BYE**

1	13-3170	NI	Mark Griffioen, et al. v. Cedar Rapids and Iowa City Railway Company, et al.	20
2	13-3357	MN	Ronald Bernard v. Carolyn W. Colvin	15
3	13-3605	MN	Timothy Skalsky v. Independent School District No. 743, et al.	15
4	14-1154	MN	Ritchie Capital Management, et al. v. John R. Stoebner, et al.	15
5	14-1173	MN	American Family Mutual Insurance Company v. John Donaldson	15
6	13-3407	MN	Loralie Musolf v. J.C. Penney Company	10

**BEGINNING AT 2:00 P.M.  
BEFORE JUDGES BYE, COLLOTON, GRUENDER**

	13-3130	WM	United States v. Rodney Anderson	
	13-3131	WM	United States v. Vincent Pisciotta	
	13-3132	WM	United States v. Mark Sorrentino	20

**DIVISION I  
Courtroom 5A**

**WEDNESDAY, OCTOBER 8, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES RILEY, WOLLMAN, BYE**

1	13-1162	MN	United States v. Jason Beckman	
	13-1163	MN	United States v. Gerald Durand	
	13-2603	MN	United States v. Patrick Kiley	30
2	14-1619	MN	St. Jude Medical S.C. v. Thomas Tormey, Jr., et al.	15
3	13-2658	NE	Union Pacific Railroad Company v. Progress Rail Services Corporation	
	13-2797	NE	Union Pacific Railroad Company v. Progress Rail Services Corporation	15
4	13-1754	MN	Northwest Airlines v. Westchester Fire Insurance Company	15
5	14-1146	MN	Greg Holaway v. Stratasys	10

**BEGINNING AT 2:30 P.M.  
BEFORE JUDGES RILEY, SMITH, SHEPHERD**

	13-1748	MN	United States v. Arthur Chappell	20
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**THURSDAY, OCTOBER 9, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES RILEY, WOLLMAN, BYE**

1	13-3794	NE	United States v. Stacey Sellner	15
2	13-3388	MN	R.J. Zayed v. Associated Bank, N.A.	15
3	13-3665	ND	Elijah Addai v. Robyn Schmalenberger	15
4	13-3385	MN	DRB #24, LLC, et al. v. City of Minneapolis	15
5	13-3378	MN	Antonnette Hopkins v. The City of Bloomington	10

**DIVISION I  
Courtroom 5A**

**FRIDAY, OCTOBER 10, 2014 BEGINNING AT 8:30 A.M.  
BEFORE JUDGES RILEY, WOLLMAN, BYE**

1	14-1398	ND	United States v. Erick McKay	15
2	14-1161	MN	United States v. Cebrian Sims	10
3	13-3787	NI	United States v. Eduardo Rodriguez-Ayala	10
4	14-1421	NI	United States v. Adam Chartier	10
5	14-1504	MN	United States v. Guy Wheelock	15

**DIVISION II  
Courtroom 5B**

**MONDAY, OCTOBER 6, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES LOKEN, BEAM, COLLOTON**

1	13-2670	MN	United States v. Steven Maxwell	
	13-2671	MN	United States v. Joel Powell, Jr.	
	13-2730	MN	United States v. Norman Allen	
	13-2731	MN	United States v. Frederick Hamilton	
	13-2874	MN	United States v. Desmon Burks	
	13-2926	MN	United States v. Russell Royals	
	13-3432	MN	United States v. Gordon Moore	30
2	14-1522	NI	Shannon Peters v. Michelle Risdal, et al.	15
3	14-1785	ND	North Dakota, ex rel. Wayne Stenehjem, et al. v. Badlands Conservation Alliance, et al.	15
4	14-1333	MN	Thomas Gavaras v. Greenspring Media, et al.	15
5	14-1884	NI	United States v. Jose Montoya-Echeverria	10

**TUESDAY, OCTOBER 7, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES LOKEN, BEAM, COLLOTON**

1	14-1642	NE	Richard Smith, et al. v. Mitch Parker, et al.	20
2	14-1741	NE	Menard v. Terry Clauff	15
3	13-3023		Michael Dietz v. Michael Calandrillo	15
4	13-3744	SI	The Weitz Company v. Lexington Insurance Company, et al.	15
5	13-3421	SD	Karen Brake v. The Hutchinson Technology Incorporated Group Disability Income Insurance Plan	15
6	14-1336	MN	United States v. Demario Booker	10

**DIVISION II  
Courtroom 5B**

**WEDNESDAY, OCTOBER 8, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES LOKEN, COLLOTON, SHEPHERD**

1	14-1053		Larry Zavadil, et al. v. Commissioner of Internal Revenue	15
2	14-1787	NE	United States v. Mark Brewer	15
3	13-2621 13-3566		Mohammed Ademo v. Eric H. Holder, Jr. Mohammed Ademo v. Eric H. Holder, Jr.	15
4	13-3255	MN	PHL Variable Insurance Company v. Midas Life Settlements	15
5	14-1210	MN	PHL Variable Insurance Company v. Bank of Utah, et al.	15

**THURSDAY, OCTOBER 9, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES COLLOTON, BRIGHT, SHEPHERD**

1	14-1444		Jorge Barillas-Mendez v. Eric H. Holder, Jr.	15
2	14-1450	MN	Streambend Properties III, et al. v. Sexton Lofts, et al.	15
3	14-1365	NE	Brandon Pierce, et al. v. Collection Associates	15
4	13-3785	MN	Troy Scheffler v. Mona Dohman, et al.	15
5	13-3481	MN	United States v. Christopher Daniels	10

**DIVISION II  
Courtroom 5B**

**FRIDAY, OCTOBER 10, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES COLLOTON, BRIGHT, SHEPHERD**

1	13-3502	MN	United States v. James Fry	15
2	14-1139	SD	United States v. Wesley Yellow Horse, Sr.	10
3	14-1237	NI	United States v. Michael McMahan	10
4	13-3770	SD	United States v. Chad Two Hearts	15
5	14-1519	NE	United States v. Joshua Meyer	10



**DIVISION III  
Courtroom 5C**

**MONDAY, OCTOBER 6, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES MURPHY, SMITH, GRUENDER**

1	12-2102	MN	Meecorp Capital Markets v. Timothy Oliver	
	12-2169	MN	Meecorp Capital Markets v. PSC Funding	20
2	13-3299	NE	Dudie Rose v. Michael Flairty, et al.	15
3	13-2915	MN	ACUITY v. Bryan Johnson, et al.	15
4	14-1164	MN	Sarah McIvor v. Credit Control Services	15
5	14-1088	MN	Patrick Laganiere v. The County of Olmsted, et al.	10

**TUESDAY, OCTOBER 7, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES MURPHY, SMITH, GRUENDER**

1	13-3636		Civic Partners Sioux City v. Main Street Theaters, et al.	
	13-3638		Civic Partners Sioux City v. Main Street Theaters, et al.	15
2	13-2918	MN	Sletten & Brettin Orthodontics, et al. v. Continental Casualty Company, et al.	15
3	13-3069	MN	Michael Keefe v. City of Minneapolis, et al.	15
4	13-3113		Jose Tejado v. Eric H. Holder, Jr.	15
5	13-3411	ND	North Central Rental & Leasing v. United States	15
6	14-1486		Jeho Chavez-Castillo v. Eric H. Holder, Jr.	10

**DIVISION III  
Courtroom 5C**

**WEDNESDAY, OCTOBER 8, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES MURPHY, SMITH, GRUENDER**

1	13-3213	NE	Tyrone Patterson v. City of Omaha, et al.	15
2	13-1832		Liban Ali v. Eric H. Holder, Jr.	15
3	13-2974	MN	Aaron Sari v. Wells Fargo Bank, N.A.	15
4	14-1540	SI	United States v. Michael Allison	10

**BEGINNING AT 1:45 P.M.  
BEFORE JUDGES MURPHY, BYE, SHEPHERD**

	13-3576	MN	United States v. Robert Bailey	10
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**THURSDAY, OCTOBER 9, 2014 BEGINNING AT 9:00 A.M.  
BEFORE JUDGES MURPHY, SMITH, GRUENDER**

1	13-3800	MN	United States v. Michael Brown	
	13-3801	MN	United States v. Jerry Reyes	
	13-3802	MN	United States v. Marc Lyons	
	13-3803	MN	United States v. Frederick Tibbetts	20
2	13-2757	SD	Stephany Draper, et al. v. Carolyn W. Colvin	15
3	13-3773	ND	Ramona Two Shields, et al. v. Spencer Wilkinson, Jr., et al.	15
4	13-3682		Terri Running v. Joseph Miller, et al.	15
5	14-1123	SD	United States v. Randy Never Misses A Shot	15

**DIVISION III  
Courtroom 5C**

**FRIDAY, OCTOBER 10, 2014 BEGINNING AT 8:30 A.M.  
BEFORE JUDGES MURPHY, SMITH, GRUENDER**

1	11-3342	NI	United States v. Zachary Kruse	10
2	13-3738	MN	United States v. Michael Luedtke	
	13-3798	MN	United States v. Irah Goodwin	
	14-1031	MN	United States v. Edward Robinson	15
3	13-2991	MN	United States v. Joseph Parshall	15
4	14-1546	SI	United States v. Kendrick Maid	10
5	14-1337	NI	United States v. Benton Stong	15