



**JANUARY 12 - 16, 2009
ST. LOUIS, MISSOURI**

James B. Loken, Chief Judge - Minneapolis, Minnesota

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
William Jay Riley - Omaha, NE
Michael J. Melloy - Cedar Rapids, IA
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**

Circuit Judges Who Have Taken Senior Status

**Myron H. Bright - Fargo, ND
John R. Gibson - Kansas City, MO
Pasco M. Bowman - Kansas City, MO
C. Arlen Beam - Lincoln, NE
David R. Hansen - Cedar Rapids, IA
Morris S. Arnold - Little Rock, AR**

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. 10th Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on Floor 28. 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.

Appearance forms of counsel, if not previously submitted, must be completed and forwarded immediately to the clerk's office. 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

The following visiting judges are sitting with the Court in January:

*The Honorable Greg Kays
U.S. District Judge
Kansas City, Missouri

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

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Revised: 1/12/09

**DIVISION I
28th Floor
En Banc Courtroom**

**** EN BANC SESSION ****

MONDAY, JANUARY 12, 2009, BEGINNING AT 10:00 A.M.

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

			PJS	
06-2059EM	United States v. Kendrix D. Feemster			20

TUESDAY, JANUARY 13, 2009, BEGINNING AT 9:00 A.M.

BEFORE JUDGES LOKEN, WOLLMAN, SHEPHERD

			JPP	
1.	08-3088NE	United States v. Alejandro Bonilla-Filomen		15
2.	08-2688SI	United States v. Michael Suitt		15
3.	08-3043NE	United States v. Fabian Lopez		10
	08-2414SI	United States v. Ontario Rush-Richardson	REMOVED	
4.	08-1706NE	United States v. Luis Martinez-Cortes		10

WEDNESDAY, JANUARY 14, 2009, BEGINNING AT 9:00 A.M.

BEFORE JUDGES LOKEN, WOLLMAN, SHEPHERD

			TAB	
1.	08-2245EM	United States v. Chante Hayes		
	08-2296EM	United States v. Gwendolyn Silvers		20
2.	08-1451WM	Nitro Distributing, Inc. v. Alticor, Inc.		20
	08-2484SI	Capital Promotions, L.L.C v. Don King	NO ARG	
3.	08-2542EM	United States v. Heather Vanderpool		10
	08-2267EM	United States v. Alix Denis	NO ARG	

DIVISION I
28th Floor
En Banc Courtroom

THURSDAY, JANUARY 15, 2009, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, WOLLMAN, SHEPHERD

			KAS
1.	07-1984EA	Marcel Williams v. Larry Norris	
	07-2115EA	Marcel Williams v. Larry Norris	30
2.	08-2356EM	United States v. Steven James	15
3.	08-2261WM	United States v. Michael Alexander	15
	08-1621NE	Telco Group, Inc. v. Ameritrade, Inc.	NO ARG
4.	08-2579EM	United States v. Devin Wilson	15

FRIDAY, JANUARY 16, 2009, BEGINNING AT 8:30 A.M.
BEFORE JUDGES LOKEN, WOLLMAN, SHEPHERD

			YML
1.	08-2516WM	Laura Woodruff v. Chrysler Motors	15
	08-2550EM	United States v. John Stackhouse	NO ARG
2.	08-2454WM	United States v. Joseph Pulliam	
	08-2986WM	United States v. Joseph Pulliam	10
3.	08-2699EM	Michigan Millers Mutual Insurance Company v. DG&G Company, Inc.	15
	08-2719WM	Carlisle Power Transmission Products, Inc. v. United Steelworkers of America	NO ARG

**DIVISION III
27th Floor
Northeast Courtroom**

MONDAY, JANUARY 12, 2009

THERE WILL BE NO ORAL ARGUMENTS IN DIVISION III ON MONDAY.

**TUESDAY, JANUARY 13, 2009, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, SMITH, *KAYS**

		JMH
08-2265WA	United States v. Kenneth Hulen	
08-2379WA	United States v. Jovel Torres	NO ARG
08-2669SI	United States v. Manuel Murueta-Espinosa	NO ARG
08-2996NE	United States v. Kevin Jones	NO ARG
08-2304EA	United States v. Marketus Lowe	REMOVED
08-2710EA	United States v. Anthony Jones	NO ARG

**WEDNESDAY, JANUARY 14, 2009, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, SMITH, *LIMBAUGH**

		SRD	
1.	08-1378NE	United States v. Charmar Brown	
	08-1384NE	United States v. Evereada Kouris	
	08-1385NE	United States v. Dale Giles	30
	08-2086WM	United States v. Tyler M. Leach	NO ARG
	08-2537WM	United States v. Jermaine Jones	NO ARG
2.	08-1661WM	Jasen Byers v. United States	10
	08-2014WM	United States v. Jasen Byers	
	08-2181WM	United States v. Edward Robertson	
	08-2189WM	United States v. Johnny Guess	NO ARG

**DIVISION III
27th Floor
Northeast Courtroom**

**THURSDAY, JANUARY 15, 2009, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, SMITH, *LIMBAUGH**

			LMT
1.	08-1436WA	Grand River Enterprises Six Nations v. Mike Beebe	20
2.	08-1802NE 08-1874NE	Fortress Systems L.L.C. v. Bank of the West Fortress Systems L.L.C. v. Bank of the West	15
3.	08-2524EA	United States v. Susan McDougal	15
4.	08-2458SI	James Bell v. The Hershey Company	15
5.	08-2151WA	Brian Wright v. AR & MO Railroad Company	15

2:00 P.M. BEFORE JUDGES MURPHY, COLLOTON, SHEPHERD

	07-2287NI	United States v. Dennis Morris Brown	15
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**FRIDAY, JANUARY 16, 2009, BEGINNING AT 8:30 A.M.
BEFORE JUDGES MURPHY, SMITH, *LIMBAUGH**

			DMS
1.	08-2523EA	Mary Midgett v. Washington Group International Long Term Disability Plan	15
	08-2346EA	Floyce Peyton v. Freds Stores of AR	NO ARG
	08-2426	Alberto Arias Lopez v. Michael B. Mukasey	REMOVED
2.	08-2114EA	Pet Quarters, Inc. v. Depository Trust and Clearing Corporation	15
3.	08-2007	Armando Cubillos v. Michael B. Mukasey	15

**DIVISION IV
27th Floor
Southwest Courtroom**

MONDAY, JANUARY 12, 2009

THERE WILL BE NO ORAL ARGUMENTS IN DIVISION IV ON MONDAY.

**TUESDAY, JANUARY 13, 2009, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, COLLOTON, GRUENDER**

	08-2774NE	United States v. Walter Harris	MER NO ARG
	08-2810NE	United States v. Alfonzo Lee	NO ARG
1.	08-1787NE	United States v. Timothy Degarmo	15
	08-2993NE	United States v. Glenn Wagner	NO ARG
2.	08-2437WM	Jan Fallo v. High Tech Institute	15
	08-1871EA	United States v. Felicia Marie Balentine	REMOVED

**WEDNESDAY, JANUARY 14, 2009, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, GRUENDER, *KAYS**

1.	08-2824SI	United States v. Alphonso Barnum	LAB 10
	08-2419SI	United States v. Herman Baylor	NO ARG
	08-2270EA	Elzie Woods v. AR Department of Corrections	NO ARG
	08-2089SI	United States v. Rosaura Jaramillo-Martinez	NO ARG
2.	08-1503EA	Brenda Owens v. United States Department of the Army	15

DIVISION IV
27th Floor
Southwest Courtroom

THURSDAY, JANUARY 15, 2009, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, COLLOTON, GRUENDER

1.	07-2882WM	Leon Taylor v. Donald Roper	MDS	30
	08-2266EA	Darold Maxfield v. Cintas Corporation	NO ARG	
2.	08-1965WM	Sprint Spectrum v. Platte County, Missouri		15
3.	08-2538EA	United States v. Omar Rivera		10

FRIDAY, JANUARY 16, 2009, BEGINNING AT 8:30 A.M.
BEFORE JUDGES BYE, COLLOTON, GRUENDER

1.	08-2452WM	Dr. Kevin Lester v. Novastar Financial	ABC	15
2.	08-2017EA	David D. Coop v. Anne Lasowski		15
3.	08-2448WM	Eddie Howard v. Ryan Bronner		10
4.	08-2210WM	Lafarge North America v. Discovery Group LLC		15
5.	08-2334WM	Discovery Group, LLC v. Chapel Development, LLC		10