



**SEPTEMBER 22 - 26, 2008
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, and 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.

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

www.ca8.uscourts.gov

Revised: 9/19/08

DIVISION I
28th Floor
En Banc Courtroom

MONDAY, SEPTEMBER 22, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, WOLLMAN, SMITH

			BDG
1.	08-1376	Falcon Creditor Trust v. First Insurance Funding, et al.	20
2.	07-3099EM	B.W.A., etc., et al. v. Farmington R-7 School District, et al.	15
3.	08-1276EA	Thomas Jerry Gibson, Jr. v. Regions Financial Corporation, et al.	15
4.	08-1260EA	Richard Roeben v. BG Excelsior Limited Partnership, etc., et al.	15

TUESDAY, SEPTEMBER 23, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, WOLLMAN, SMITH

			BNS
	08-1156SI	United States v. Robert Zazueta-Apodaca	DISMISSED
1.	08-1331SI 08-1332SI	United States v. Geno Webb United States v. Micaiah Rey, etc.	15
2.	08-1796NI	United States v. Melissa Miner	10
	08-1149SI	United States v. Bobby Littrell, Jr.	NO ARG
3.	08-1304NI	United States v. Ashkelon Barrett	10

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

**WEDNESDAY, SEPTEMBER 24, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, SMITH, GRUENDER**

			LMT
1.	08-1103NE	Rodney A. Ballard v. David Heineman, Governor, etc., et al.	15
2.	08-1172SI	Steven T. Owen v. Michael J. Astrue, etc.	15
	07-3899NI	Cedar Rapids Television Company, etc. v. MCC Iowa, LLC, et al.	REMOVED
3.	08-1425SI	Gary W. Finch v. Michael J. Astrue, etc.	15

BEFORE JUDGES WOLLMAN, MELLOY, GRUENDER

4.	05-4381EA	Bruce Earl Ward v. Larry Norris, etc.	
	07-2015EA	Bruce Earl Ward v. Larry Norris, etc.	30

**** EN BANC SESSION ****

BEGINNING AT 2:00 P.M.

BEFORE JUDGES LOKEN, BRIGHT, WOLLMAN, ARNOLD, MURPHY, BYE, RILEY, MELLOY, SMITH, COLLOTON, GRUENDER, BENTON, SHEPHERD

	04-2901NI	United States v. Travis Ray Burns	
	04-2933NI	United States v. Travis Ray Burns	20

BEGINNING AT 3:00 P.M.

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

	07-2481EA	Shawanna Nelson, et al. v. Larry Norris, etc., et al.	20
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DIVISION I
28th Floor
En Banc Courtroom

THURSDAY, SEPTEMBER 25, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, SMITH, GRUENDER

			LLB
1.	08-1442EA	AR Blue Cross Blue Shield, etc., et al. v. Little Rock Cardiology Clinic, P.A., et al.	
	08-1443EA	AR Blue Cross Blue Shield, etc., et al. v. Little Rock Cardiology Clinic, P.A., et al.	20
2.	07-3873	Baraka Jerry Dukuly v. Michael B. Mukasey, etc.	15
3.	07-3528SI	Lawrence Gladson, et al. v. Iowa Department of Corrections, et al.	15
4.	08-1530	Josephine Kemunto Manani v. Michael B. Mukasey, etc.	15
	08-1325NE	Contemporary Industries Corporation, etc., et al. v. Terry G. Frost, et al.	REMOVED

FRIDAY, SEPTEMBER 26, 2008, BEGINNING AT 8:30 A.M.
BEFORE JUDGES WOLLMAN, SMITH, GRUENDER

			SRD
1.	08-1609EA	Bruce Mouser v. Michael J. Astrue, etc.	15
2.	07-2859	Aleksandr M. Skurtu v. Michael B. Mukasey, etc.	15
3.	07-3824EA	Devonna Culpepper v. Mike Johanns, etc.	15
4.	07-3895	Irene Clemente-Giron v. Michael B. Mukasey, etc.	10
	08-1503EA	Brenda C. Owens v. United States Department of the Army, etc.	REMOVED

DIVISION II
27th Floor
Southeast Courtroom

MONDAY, SEPTEMBER 22, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, ARNOLD, BENTON

			DMH
1.	07-2600WM 08-2109WM	United States v. John P. Street, etc. United States v. John P. Street, etc.	20
	08-1351SI	Julie J. Underhill v. United Parcel Service, Inc.	DISMISSED
2.	07-3613NI 07-3614NI	United States v. Zhang Jian Long, etc. United States v. Dongyan Huang, etc.	10
3.	08-1564EM	United States v. Danny Ray Hart	10

2:00 P.M. BEFORE JUDGES MURPHY, HANSEN, RILEY

	06-1103EM	United States v. Ruth Kane	15
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TUESDAY, SEPTEMBER 23, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, ARNOLD, BENTON

	08-2043NI	United States v. Donald Smith, etc.	CMD NO ARG
	07-3791EM	United States v. Jay Scott Patterson	NO ARG
	08-1427SI	United States v. Michael Rasavanh	NO ARG
	08-2019SI	United States v. Sagrario Valdez, etc.	NO ARG

DIVISION II
27th Floor
Southeast Courtroom

WEDNESDAY, SEPTEMBER 24, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, ARNOLD, BENTON

			BWB
1.	08-1511NE	Daniel Kosmicki v. Burlington Northern and Santa Fe Railway Company	15
	07-3660	Nora E. Keating v. Commissioner of Internal Revenue	
	08-1266	Richard L. Shearer v. Commissioner of Internal Revenue	NO ARG
	08-2033SI	United States v. Robert Andre Clay	NO ARG
2.	08-1390	Missouri Coalition for the Environment, et al. v. Federal Energy Regulatory Commission	15
3.	08-1335SI	United States v. Graeme Pierson	10

THURSDAY, SEPTEMBER 25, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, BOWMAN, BENTON

			MDS
1.	08-1054EA	All-Ways Logistics, Inc. v. USA Truck, Inc., et al.	20
2.	08-1889SI	David Shannon, Sr. v. Barilla America, Inc., et al.	15
	08-1044EM	United States v. Buddy Gene Blagg	NO ARG
3.	08-1284NE	Elaine L. Chao, etc. v. Barbeque Ventures, LLC, et al.	15
	08-2000EM	United States v. Karrie L. Guler	NO ARG

2:00 P.M. BEFORE JUDGES WOLLMAN, BRIGHT, GIBSON

	06-3438EM	United States v. Christopher James Lee	15
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DIVISION II
27th Floor
Southeast Courtroom

FRIDAY, SEPTEMBER 26, 2008, BEGINNING AT 8:30 A.M.
BEFORE JUDGES MURPHY, BOWMAN, BENTON

	08-1694EA	Willis Smith and Company, Inc. v. State of Arkansas, et al.	LAB
	08-1763EA	Triple S Spraybays v. State of Arkansas, et al.	NO ARG
1.	08-1344WA	Heritage Constructors, Inc. v. City of Greenwood, Arkansas, et al.	15
	07-2713EM	Tommy Eugene Reed v. City of St. Charles, Missouri, et al.	NO ARG
2.	08-1231WA	Robert William Koch, etc., et al. v. Southwestern Electric Power Company, etc.	15
	07-3358EA	Frank E. Tappin, et al. v. Tommy Goodwin, etc., et al.	NO ARG
3.	07-3538NE	United States v. Ralph Cordy	15

**DIVISION III
27th Floor
Northeast Courtroom**

**MONDAY, SEPTEMBER 22, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, BEAM, COLLOTON**

			JPP
1.	07-3166SD	Kathleen M. Hackett v. Standard Insurance Company	15
2.	08-1082EA	Jamila Phillips v. Cathie Mathews, etc., et al.	15
	08-1548NI	United States v. Chris Pipkin	NO ARG
3.	08-1353EA	Al McCullough v. University of Arkansas, for Medical Sciences, et al.	15
4.	08-1508WA	United States v. Gregg Michael Langley	15
	08-2097NI	United States v. Daniel Eric Beenen	NO ARG

**TUESDAY, SEPTEMBER 23, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, BEAM, COLLOTON**

			TAB
1.	08-1613EM	United States v. Charles Barron	15
	08-1575WA	United States v. Ascencion Diaz	NO ARG
2.	08-1623EM	United States v. Christopher Adam Walley	10
	08-1523WA	United States v. Frank Jeremy Wallace	NO ARG

DIVISION III
27th Floor
Northeast Courtroom

WEDNESDAY, SEPTEMBER 24, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, BEAM, SHEPHERD

			DMS
1.	07-3840	GAF Holdings, LLC v. Philip Rinaldi, et al.	
	07-3929	GAF Holdings, LLC v. J.P. Morgan Trust Company, etc.	
	07-3931	GAF Holdings, LLC v. Stanley Riemann	
	07-3932	GAF Holdings, LLC v. Robert Terry	20
	08-1059SI	Allan Lane v. Michael J. Astrue, etc.	REMANDED
	07-3782	James Morgan, et al. v. Jo-Anne L. Goldman, et al.	REMOVED
2.	08-1186SI	Christina M. Wiese v. Michael J. Astrue	15
	08-1317NE	United States v. Gabriel E. Pando	NO ARG

THURSDAY, SEPTEMBER 25, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, BEAM, SHEPHERD

			MER
1.	07-3866EA	B & B Hardware, Inc., etc. v. Hargis Industries, Inc., etc., et al.	20
2.	07-3945	Maricela Arellano-Hernandez v. Michael B. Mukasey, etc.	15
3.	08-1302NE	Calvin R. Silva v. Robert Houston	15
	07-3715	Ana Rosa Ochoa v. Michael B. Mukasey, etc.	REMOVED
4.	08-1911NE	United States v. Warren Blankenship	10

DIVISION III
27th Floor
Northeast Courtroom

FRIDAY, SEPTEMBER 26, 2008, BEGINNING AT 8:30 A.M.
BEFORE JUDGES BYE, BEAM, SHEPHERD

			JMH	
1.	08-1712EM	Fru-Con Construction Corporation, et al. v. Controlled Air, Inc., etc.	15	
2.	08-1343EA	Jeanette Jackson v. United Parcel Service, Inc.	15	
3.	08-1498EM	Michael Ray Reed v. Lear Corporation	15	
	08-1192EA	Talmadge Scobey v. Nucor Steel-Arkansas	REMOVED	
4.	08-1747EM	Semi-Materials Co., Ltd. v. MEMC Electronic Materials, Inc., et al.	15	

DIVISION IV
27th Floor
Southwest Courtroom

MONDAY, SEPTEMBER 22, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, HANSEN, MELLOY

1.	08-1310NI	United States v. Cedric Jarreau Hawkins	KAS	15
2.	07-3846WA	Jeannine Presley, etc., et al. v. Lakewood Engineering and Manufacturing Company		15
3.	08-1491EA	Independence County, Arkansas, et al. v. Pfizer, Inc., et al.		15
4.	08-2126NI	United States v. David Matthew Howell		
	08-2171NI	United States v. Charles Edward Thomas		20
	08-1657EM	United States v. Roderick Maxie	NO ARG	

TUESDAY, SEPTEMBER 23, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, HANSEN, MELLOY

1.	07-2428NI	United States v. Dorian Ragland, etc.	ABC	20
	08-1341NI	United States v. Brook Allen Walton	DISMISSED	
	08-1126EA	United States v. Laleroy James Hampton	NO ARG	
2.	08-1489EA	United States v. Jennifer Corey Spikes		10

**Division IV
27th Floor
Southwest Courtroom**

**WEDNESDAY, SEPTEMBER 24, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, HANSEN, MELLOY**

			YML
1.	08-1012	Mykola Mykolalayevich Khrystodorov, et al. v. Michael B. Mukasey, etc.	15
	07-2921EA	Susan Vaughn v. Christopher L. Gray, etc., et al.	REMOVED
	08-1298	Bassel R. Banat v. Michael B. Mukasey, etc.	REMOVED
2.	08-1092EM	United States v. Karen Hartstein	15
	08-1221EA	Willie Littleton v. Pilot Travel Centers, LLC	REMOVED

**THURSDAY, SEPTEMBER 25, 2008, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, BRIGHT, MELLOY**

			LAD
1.	06-4068EA	Jimmy Don Wooten v. Larry Norris, etc.	30
2.	08-1116NE	Jose G. Diaz-Diaz v. United States	15
3.	07-2385WA	Andrew Sasser v. Larry Norris, etc.	20
4.	08-1855NE	United States v. Luis Alberto Erenas-Luna, etc.	10
5.	08-1364EM	United States v. Brandon K. Hill	10

DIVISION IV
27th Floor
Southwest Courtroom

FRIDAY, SEPTEMBER 26, 2008, BEGINNING AT 8:30 A.M.
BEFORE JUDGES RILEY, BRIGHT, MELLOY

			PAW
1.	07-3428	Boutros Chafic Habchy v. Michael B. Mukasey, etc.	15
2.	07-3938WA	Charles Brooks Co., et al. v. Georgia-Pacific, LLC	
	08-1026WA	Charles Brooks Co., et al. v. Georgia-Pacific, LLC	15
3.	07-3443	Noel Malonga v. Michael B. Mukasey, etc.	15
4.	08-1175EA	Barry J. Jewell v. United States	15
5.	08-1137WA	Triple H Debris Removal, Inc. v. Companion Property and Casualty Insurance Company	15