



ST. LOUIS, MISSOURI APRIL 3 - 7, 2017

William Jay Riley, Chief Judge - Omaha, Nebraska

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
James B. Loken - Minneapolis, MN
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

**Pasco M. Bowman - Kansas City, MO
C. Arlen Beam - Lincoln, NE
Morris S. Arnold - Little Rock, AR
Diana E. Murphy - Minneapolis, MN
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. 10th 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 the attorney has been appointed to represent a party proceeding in forma pauperis or represents the United States.

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

The following visiting judges will sit with the court during the April session:

*The Honorable Gary A. Fenner
Senior U.S. District Judge
Kansas City, Missouri

*The Honorable Susan Richard Nelson
U.S. District Judge
St. Paul, Minnesota

*The Honorable John M. Gerrard
U.S. District Judge
Lincoln, Nebraska

*The Honorable Robert F. Rossiter, Jr.
U.S. District Judge
Omaha, Nebraska

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

**MONDAY, APRIL 3, 2017
BEFORE JUDGES SMITH, ARNOLD, SHEPHERD**

16-1755		Aura Chavez-Chavez v. Jefferson B. Sessions, III	NO ARG
16-2595	NE	United States v. Daniel Lloyd	NO ARG
16-2753	MN	United States v. Wesley Oatman	NO ARG
16-3179	EM	United States v. Larry Holt	NO ARG
16-4199	NE	United States v. Daniel Drews	NO ARG
16-3101	WA	United States v. Kenneth Fisher, Jr.	NO ARG

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

TUESDAY, APRIL 4, 2017

BEFORE JUDGES SMITH, ARNOLD, SHEPHERD

16-2205	MN	United States v. Mykayla Golden	NO ARG
16-2767		Orlando Perez-Hernandez v. Jefferson B. Sessions, III	NO ARG
16-2681	ND	Charles Odom v. Kenan Kaizer	NO ARG

****EN BANC SESSION****

**BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, WOLLMAN, LOKEN, RILEY,
COLLTON, GRUENDER, BENTON, SHEPHERD, KELLY**

15-2789	WM	Morgan-Larson, et al. v. Ferrellgas Partners, et al.	20
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**BEGINNING AT 10:30 A.M.
BEFORE JUDGES SMITH, WOLLMAN, LOKEN, RILEY,
COLLTON, GRUENDER, BENTON, KELLY**

15-1690	WA	United States v. William Gauld	20
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****AFTERNOON SESSION****

**BEGINNING AT 1:30 P.M.
BEFORE JUDGES WOLLMAN, RILEY, BENTON**

16-4070	SD	Laura Dziadek v. The Charter Oak Fire Insurance Company	
16-4210	SD	Laura Dziadek v. The Charter Oak Fire Insurance Company	15

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

**WEDNESDAY, APRIL 5, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, ARNOLD, SHEPHERD**

1	16-2524	EM	Elaine Robinson, et al. v. Pfizer, et al.	20
2	16-3377	EM	Josephine Havlak Photographer, et al. v. Village of Twin Oaks, et al.	15
3	16-3617	EM	K.T. v. Culver-Stockton College, et al.	15
4	16-3798	WM	Zachary Schouten v. Nancy A. Berryhill	10
5	16-3294	EM	United States v. Craig Giboney	10

**THURSDAY, APRIL 6, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, SHEPHERD, *FENNER**

1	16-3976	SI	United States v. Steven Horton, et al.	
	16-3982	SI	United States v. Beau Croghan, et al.	20
2	16-3275	SI	Catamaran Corporation v. Towncrest Pharmacy, et al.	20
3	16-3113	SI	Ag Spectrum Company v. Vaughn Elder	15
	16-3466	SI	Troy Gomez v. Johnston Community School District, et al.	DISMISSED
4	16-3477	SI	Nick Gerhart, et al. v. United States Department of Health and Human Services, et al.	15

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

**FRIDAY, APRIL 7, 2017 BEGINNING AT 8:30 A.M.
BEFORE JUDGES SMITH, SHEPHERD, *FENNER**

1	16-3556	SI	United States v. Alfred Jackson	
	16-3632	SI	United States v. Curtis Kemp	20
2	16-3345	SI	United States v. Steven Davis	15
3	16-4103	EA	Charles Bryant v. Nancy A. Berryhill	10
4	16-3014	SI	United States v. Bradley Prucha	10
5	16-2157	SI	United States v. Roman Hellems	15

**DIVISION II
Southeast Courtroom
27th Floor**

**MONDAY, APRIL 3, 2017
BEFORE JUDGES GRUENDER, MURPHY, KELLY**

16-2861	MN	United States v. Robert Neely	NO ARG
16-3208	SD	United States v. Makayla Kills In Water	NO ARG
16-2015	MN	Erin Caligiuri v. Symantec Corp., et al.	
16-2113	MN	Michelle Van De Voorde v. Symantec Corp., et al.	NO ARG
16-3256	EM	United States v. Jerry Harvey	NO ARG
16-3297	WA	United States v. Ruben Silva	NO ARG
16-3084	WA	United States v. Stacy Lisenberry	NO ARG

**TUESDAY, APRIL 4, 2017
BEFORE JUDGES GRUENDER, MURPHY, KELLY**

16-3301	MN	United States v. Bartolo Zavala-Reyes	NO ARG
16-2175	MN	United States v. Marvin Johnson	NO ARG
16-2436	MN	United States v. Ryan McMillan	NO ARG

****AFTERNOON SESSION****

**BEGINNING AT 1:30 P.M.
BEFORE JUDGES LOKEN, COLLOTON, KELLY**

16-1564	ND	Arnold Fleck v. Joe Wetch, et al.	15
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DIVISION II
Southeast Courtroom
27th Floor

WEDNESDAY, APRIL 5, 2017 BEGINNING AT 8:00 A.M.
BEFORE JUDGES BENTON, BEAM, MURPHY

16-3433		North Memorial Health Care v. National Labor Relations Board	
16-3657		National Labor Relations Board v. North Memorial Health Care	15

BEGINNING AT 9:00 A.M.
BEFORE JUDGES GRUENDER, MURPHY, KELLY

1	16-3159	EM	Alexia Keil, et al. v. Paul Lopez	
	16-3164	EM	Alexia Keil, et al. v. Pamela McCoy	
	16-3167	EM	Alexia Keil, et al. v. Caroline Nadola	
	16-3169	EM	Alexia Keil, et al. v. Gary Sibley	20
2	16-2846	EA	Hudson Enterprises v. Certain Underwriters at Lloyd's London Insurance Companies	15
3	16-3783	EM	United States ex rel Eric Fields v. Bi-State Development Agency of the Missouri-Illinois Metropolitan District	15
4	16-1410	WM	Jimmy Letterman, et al. v. Steven Lammers, et al.	
	16-1771	WM	Jimmy Letterman, et al. v. Steven Lammers, et al.	15
5	16-3636	WM	Paris Limousine of Oklahoma v. Executive Coach Builders	15

DIVISION II
Southeast Courtroom
27th Floor

THURSDAY, APRIL 6, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES GRUENDER, MURPHY, KELLY

1	16-3539	WM	Planned Parenthood Great Plains v. Peter Lyskowski	15
2	16-3415		National Labor Relations Board v. EYM King of Missouri	15
3	16-3131	WM	Darryl Riddle v. Sergeant Timothy Riepe, et al.	15
4	16-3687	WA	Shawn Royal, et al. v. Missouri & Northern Arkansas Railroad Company, et al.	15
5	16-3328		Southern Bakeries, et al. v. National Labor Relations Board	
	16-3509		Southern Bakeries, et al. v. National Labor Relations Board	15

FRIDAY, APRIL 7, 2017 BEGINNING AT 8:30 A.M.
BEFORE JUDGES GRUENDER, MURPHY, KELLY

1	16-3619		Urvashi Patel v. Jefferson B. Sessions, III	15
2	16-3757	EM	Yaacov Cohen v. Ocean Cohen	15
3	16-3229	EA	Norris Perry v. Margo Wolfe	10
4	16-3665	WM	United States v. Victor Vickers	10
5	16-3053	EM	United States v. Timothy Anderson	10

**DIVISION III
Northeast Courtroom
27th Floor**

**MONDAY, APRIL 3, 2017
BEFORE JUDGES WOLLMAN, LOKEN, RILEY**

16-2574	SI	United States v. Nathan Minard	NO ARG
16-3092	WM	United States v. Frank White	NO ARG
16-3317	EM	United States v. Brannon Mackins	NO ARG
16-2890	SI	United States v. Joseph Evenson	
16-3268	SI	United States v. Miguel Alvarez	NO ARG
16-2456	NI	United States v. David Houle	NO ARG
16-2859	WM	United States v. Norman Weaver	NO ARG

**TUESDAY, APRIL 4, 2017
BEFORE JUDGES WOLLMAN, LOKEN, *ROSSITER**

16-2299	ND	United States v. Wilbert Ladue, Jr.	NO ARG
16-2752	SI	United States v. Jermaine Ford	NO ARG
16-3094	SD	United States v. Kelly Rayson	NO ARG

**DIVISION III
Northeast Courtroom
27th Floor**

**WEDNESDAY, APRIL 5, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, LOKEN, *ROSSITER**

1	16-4041		Julio Carrasco-Palos v. Jefferson B. Sessions, III	15
2	16-3426	EM	Matthew Kuhns v. Scottrade	
	16-3542	EM	Matthew Kuhns v. Scottrade	15
3	16-3228	SI	Davenport Chester v. Abrams Properties, et al.	15
4	16-1854	EM	Captiva Lake Investments v. Fidelity National Title Insurance Company, et al.	
	16-1923	EM	Captiva Lake Investments v. Fidelity National Title Insurance Company	20
5	16-3378	EM	Michael LaCurtis, et al. v. Express Medical Transporters, et al.	15

**THURSDAY, APRIL 6, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, LOKEN, *NELSON**

1	16-3861	SI	United States v. Jesse Benton	
	16-3862	SI	United States v. John Tate	
	16-3864	SI	United States v. Dimitrios Kesari	30
2	16-3182		State of Missouri, Department of Social Services, Family Support Services v. Michael Spencer, et al.	
	16-3183		State of Missouri, Department of Social Services, Family Support Services v. Michael Spencer, et al.	15
3	16-3347	EM	Kerwin Scott v. Tina Coffman, et al.	15
4	16-3429	EM	Michelle Cooper v. Metropolitan Life Insurance Company	10
5	16-4162	WM	Morgan Hansen v. Thomas Black	10

**DIVISION III
Northeast Courtroom
27th Floor**

**FRIDAY, APRIL 7, 2017 BEGINNING AT 8:30 A.M.
BEFORE JUDGES WOLLMAN, LOKEN, *NELSON**

1	16-3093		BNSF Railway Company v. U.S. Department of Labor, Administrative Review Board	15
2	16-3844	WM	United States v. Malcolm Redmon	15
3	16-3682	EM	Cheryl Simpson v. County of Cape Girardeau, Missouri	15
4	16-3741	SI	United States v. Xavier Buckner	10
5	16-3661	EM	United States v. Don Schroers	
	16-3664	EM	United States v. Don Schroers	10

**DIVISION IV
Southwest Courtroom
27th Floor**

**MONDAY, APRIL 3, 2017
BEFORE JUDGES COLLOTON, BEAM, BENTON**

16-2161	MN	United States v. Lazaro Soliz	NO ARG
16-3107	NI	United States v. Brittney Lehr	NO ARG
16-3323	SI	United States v. Jose De La Cruz	NO ARG
16-3331	NI	United States v. Craig Burns	NO ARG
16-1571		Luis Garcia-Urbano v. Jefferson B. Sessions, III	NO ARG
16-2805	NE	United States v. Shane Seizys	NO ARG

**TUESDAY, APRIL 4, 2017
BEFORE JUDGES COLLOTON, BEAM, BENTON**

16-2644	MN	United States v. Andrew Peterson	NO ARG
16-2798	EA	Connie Smith, et al. v. Jeannie Thomas	NO ARG
16-2839	SI	United States v. Kristopher Hatch	NO ARG

**DIVISION IV
Southwest Courtroom
27th Floor**

**WEDNESDAY, APRIL 5, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES COLLOTON, BEAM, BENTON**

1	16-1059	EA	IPSCO Tubulars v. Ajax TOCCO Magnathermic Corporation	
	16-1915	EA	IPSCO Tubulars v. Ajax TOCCO Magnathermic Corporation	20
2	16-2088	WA	Bank of America v. JB Hanna, et al.	15
3	16-3242	EM	E.L. v. Voluntary Interdistrict Choice Corporation	15
4	16-1836	EM	United States v. Jerry Gater	10
5	16-3756	WM	United States v. Dominic Rickett	10

**THURSDAY, APRIL 6, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES COLLOTON, BENTON, *GERRARD**

1	16-3650	EM	Ronald Calzone v. Josh Hawley, et al.	20
2	16-3246	EM	Matthew Leonard v. Delaware North Companies Sport Service	15
3	16-3629	EM	Jimmy Weed v. Corporal T.R. Jenkins, et al.	15
4	16-3067	EA	Michael Barnwell, et al. v. Linda Watson, Dr.	15
5	16-3631	WA	Aaron Rooney v. Rock-Tenn Converting Company, et al.	15

**DIVISION IV
Southwest Courtroom
27th Floor**

**FRIDAY, APRIL 7, 2017 BEGINNING AT 8:30 A.M.
BEFORE JUDGES COLLOTON, BENTON, *GERRARD**

1	16-3778	WA	United States v. James Hobgood	15
2	16-2258	SI	United States v. Kevin Guardado	10
3	16-3087	SI	United States v. Ariel Canales	10
4	16-3532	WA	United States v. Jessyca Hoskins	10
5	16-3807	SI	United States v. Richard Jackson	15