

Oral Argument Calendar

United States Court of Appeals for the Sixth Circuit

Tuesday, November 29, 2016

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Daughtrey, Clay, Cook**

16-5811 Mike Partin, et al. v. Floyd Davis, et al.

[4:15-cv-00008](#)

Eastern District of Tennessee at Winchester

T. McDonough

Plaintiffs appeal the summary judgment for Defendants in this civil rights action alleging various state and federal claims arising from the issuance of a writ of execution to enforce a judgment and the seizure of equipment to satisfy the judgment. (15 Minutes for Plaintiffs; 15 Minutes to be Shared by Defendants)

15-1580 USA v. Lynn LaVictor

[2:14-cr-00030-1](#)

Western District of Michigan at Marquette

R. Edgar

In this criminal action tried to a jury, defendant appeals his conviction of sexual abuse, aggravated sexual abuse, assault resulting in serious bodily injury, domestic assault habitual offender, attempt to tamper with a victim by corrupt persuasion, and contempt. (15 Minutes Per Side)

16-3321 Bradley J. Delp Rev. Trust, et al. v. MSJMR 2008 Irrevocable Trust, et al.

[3:14-cv-00591](#)

Northern District of Ohio at Toledo

J. Zouhary

Plaintiffs appeal the dismissal of their second amended complaint as a sanction for engaging in contumacious conduct in this action seeking a declaratory judgment sorting out the parties' ownership of certain companies. (15 Minutes Per Side)

16-5461 D.O., et al. v. Vickie Glisson

[5:15-cv-00048](#)

Eastern District of Kentucky at Lexington

D. Reeves

Plaintiffs appeal the judgment for Defendant in this action under 42 U.S.C. 1983 alleging constitutional violations arising from Defendant's failure to award them foster care maintenance payments provided for under federal law. (15 Minutes Per Side)

16-3419 Farmers' Ethanol LLC v. Bounty Minerals, LLC

[2:15-cv-01558](#)

Southern District of Ohio at Columbus

M. Watson

Plaintiff appeals the judgment for defendant in this diversity contract dispute arising from defendant's purchase of oil and gas located beneath the surface of property owned by plaintiff. (To Be Submitted On Briefs)

16-5313 George Jones v. Select Portfolio Servicing, et al.

[2:15-cv-02495](#)

Western District of Tennessee at Memphis

S. Anderson

Plaintiff appeals the dismissal, for failure to state a claim, of this action for declaratory judgment and to set aside a foreclosure sale. (To Be Submitted On Briefs)

16-3332 Teron Harris v. USA

[3:16-cv-00402](#)

Northern District of Ohio at Toledo

J. Zouhary

Petitioner appeals the denial of his 28 U.S.C. Section 2255 motion to vacate his sentence. (To Be Submitted On Briefs)

Tuesday, November 29, 2016

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Daughtrey, Clay, Cook**

16-1329 USA v. Richard Donaldson

[1:12-cr-00293-1](#)

Western District of Michigan at Grand Rapids

J. Neff

Defendant appeals the ruling on his motion for a reduction in sentence under 18 U.S.C. section 3582(c)(2). (To Be Submitted On Briefs)

Tuesday, November 29, 2016

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Norris, Gibbons, Rogers**

16-3052 Dan Miller, et al. v. City of Wickliffe[1:12-cv-01248](#)

Northern District of Ohio at Cleveland

J. Gwin

Plaintiffs appeal the summary judgment for defendant in this action alleging that their constitutional rights were violated by passage of a city resolution and ordinance that prevented them from opening nightclubs or other venues. (15 Minutes Per Side)

16-3053 Julious Mosley, et al. v. City of Wickliffe[1:13-cv-01646](#)

Northern District of Ohio at Cleveland

J. Gwin

Plaintiffs appeal the summary judgment for defendant in this action challenging the constitutionality of a city ordinance regulating nightclubs operating in the city of Wickliffe. (15 Minutes Per Side)

15-6315 USA v. Darrell Reynolds[6:15-cr-00017-1](#)

Eastern District of Kentucky at London

G. Van Tatenhove

Defendant appeals his judgment of conviction for distribution of pills containing hydrocodone and being a convicted felon in possession of a firearm. (15 Minutes Per Side)

15-5526 Bryan Lamb v. Howe, et al.[1:15-cv-00018](#)

Middle District of Tennessee at Columbia

W. Haynes

Plaintiff appeals a district court order dismissing his civil rights complaint filed under 42 U.S.C. Section 1983. (15 Minutes for Plaintiff)

16-3403 Theodore Lucio, et al. v. Levy Environmental Srvs Co., et al.[3:14-cv-01849](#)

Northern District of Ohio at Toledo

J. Carr

Plaintiffs appeal the summary judgment for the defendants in this employee's tort action in which plaintiff seeks recovery for severe injuries he sustained when he fell from an unguarded screen deck on a slag mill tower. (To Be Submitted On Briefs)

16-1188 USA v. Branden Barnes[1:15-cr-00076-1](#)

Western District of Michigan at Grand Rapids

J. Neff

Defendant appeals the judgment entered following his plea of guilty of manufacturing marijuana plants. (To Be Submitted On Briefs)

16-5407 Joe Peppers, et al. v. Washington County, Tennessee, et al.[2:13-cv-00180](#)

Eastern District of Tennessee at Greeneville

J. Greer

Plaintiffs appeal the summary judgment for defendants in this civil rights action alleging constitutional violations arising from the death of a pretrial detainee. (To Be Submitted On Briefs)

Tuesday, November 29, 2016

403 - 4th Floor Courtroom, 2:00 P.M.

Before: **Moore, Sutton, White**

16-3351 Aubrey Willacy v. Thomas Marotta, et al.[1:14-cv-01858](#)

Northern District of Ohio at Cleveland

P. Gaughan

Plaintiff appeals the denial of his motions for relief from judgment and to alter or amend the judgment for defendants in this diversity breach of contract case arising from the dissolution and winding up of the parties' former law firm. (15 Minutes Per Side)

16-1185 Aelen Unan, et al. v. Nick Lyon[2:14-cv-13470](#)

Eastern District of Michigan at Detroit

M. Battani

Plaintiffs appeal the summary judgment for the defendant in this action challenging that denial of comprehensive Medicaid coverage to permanent resident aliens. (15 Minutes Per Side)

16-1722 Nancy Roschival v. Hurley Medical Center, et al.[2:15-cv-10182](#)

Eastern District of Michigan at Detroit

L. Michelson

In this employment discrimination action, plaintiff appeals the summary judgment for defendants on her claim that she was terminated in violation of the Equal Protection Clause. (15 Minutes Per Side)

16-5596 Dale Singleton, et al. v. KY, et al.[3:15-cv-00015](#)

Eastern District of Kentucky at Frankfort

G. Van Tatenhove

A defendant appeals an interlocutory order from the district court denying her motion to dismiss on the basis of qualified immunity this civil-rights action alleging that state directives governing the structure of an annuity are unconstitutional. (To Be Submitted On Briefs)

16-5265 James Goss v. Susan Green, et al.[2:09-cv-02115](#)

Western District of Tennessee at Memphis

S. Mays

Plaintiff appeals the summary judgment for a defendant in this civil diversity action alleging negligence and related claims arising from injuries sustained in a motor vehicle accident. (To Be Submitted On Briefs)

Wednesday, November 30, 2016

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Moore, Sutton, White**

16-1010 Judith Perry, et al. v. Randstad Gen Partner LLC

[5:14-cv-11240](#)

Eastern District of Michigan at Ann Arbor

J. O'Meara

In this Fair Labor Standards Act action, plaintiffs appeal the order denying their motion for conditional certification as a collective action and granting summary judgment for the defendant and the denial of their motion for relief from judgment. (15 Minutes Per Side)

16-1385 NLRB v. Alternative Entertainment, Inc

07-ca-144404

National Labor Relations Board

The NLRB seeks enforcement of a decision of the Board finding violations of federal labor law. (15 Minutes to be Shared by Respondent & Amicus; 15 Minutes to be Shared by Petitioner & Amicus)

16-5614 Gloria Marshall v. The Rawlings Company LLC, et al.

[3:14-cv-00359](#)

Western District of Kentucky at Louisville

T. Russell

Plaintiff appeals the summary judgment for Defendants in this action for discrimination under the Family and Medical Leave Act and Americans with Disabilities Act. (15 Minutes Per Side)

15-5469 USA v. Israel Gonzalez-Pasos

[5:14-cr-00030-5](#)

Eastern District of Kentucky at Lexington

D. Reeves

15-5555 USA v. Duran Wombles

[5:14-cr-00030-1](#)

Eastern District of Kentucky at Lexington

D. Reeves

15-5774 USA v. Jesus Lizarraras-Estudillo

[5:14-cr-00030-4](#)

Eastern District of Kentucky at Lexington

D. Reeves

Defendants appeal their convictions and sentences for conspiracy to distribute heroin (all) and felon in possession of a firearm (Wombles only). (To Be Submitted On Briefs)

Wednesday, November 30, 2016

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Daughtrey, Clay, Cook**

15-5723 USA v. Richard Meade

[6:11-cr-00051-5](#) Eastern District of Kentucky at London

G. Van Tatenhove

H. Ingram

15-5852 USA v. Mark Justice

[6:11-cr-00051-3](#) Eastern District of Kentucky at London

G. Van Tatenhove

H. Ingram

Defendants appeal their convictions and sentences for conspiracy to commit money laundering, money laundering, and possession of vehicle and vehicle parts with altered VIN numbers. (10 Minutes for each Defendant; 20 Minutes for Plaintiff)

15-2438 Maryann Godboldo, et al. v. County of Wayne, et al.

[2:14-cv-11065](#) Eastern District of Michigan at Detroit

L. Michelson

M. Hluchaniuk

In this civil rights action alleging Fourth Amendment and state law claims, the defendant appeals the denial of qualified and governmental immunity. (15 Minutes Per Side)

16-5560 Jerry Joyce v. Comm. of Social Security

[2:15-cv-02718](#) Western District of Tennessee at Memphis

D. Vescovo

Plaintiff appeals a district court's order affirming the decision of the Commissioner of Social Security denying his claim for disability benefits and supplemental security income. (To Be Submitted On Briefs)

16-1419 Caven West v. Wayne County, et al.

[2:14-cv-11559](#) Eastern District of Michigan at Detroit

R. Cleland

Plaintiff appeals the summary judgment for defendants in this employment discrimination action alleging retaliation in violation of the Family and Medical Leave Act and the First Amendment and violation of the Michigan Whistleblowers Protection Act. (To Be Submitted On Briefs)

16-3387 Dana Leppert v. Liberty Life Assurance Co.

[2:14-cv-01207](#) Southern District of Ohio at Columbus

J. Graham

Plaintiff appeals the judgment for defendant in this ERISA action in which plaintiff seeks long term disability benefits under the terms of an employee benefit plan. (To Be Submitted On Briefs)

Wednesday, November 30, 2016

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Norris, Gibbons, Rogers**

15-2222 USA v. Paul Stewart

[2:12-cr-20030-4](#) Eastern District of Michigan at Detroit

N. Edmunds

15-2227 USA v. Jeffrey Beasley

[2:12-cr-20030-1](#) Eastern District of Michigan at Detroit

N. Edmunds

Defendants appeal their jury convictions and sentences for conspiracy to commit honest services mail and wire fraud (both), interference with commerce by extortion (Beasley only), and acceptance of bribes (Beasley only). (10 Minutes for each Defendant; 20 Minutes for Plaintiff)

16-5470 Bobby Dodd v. City of Chattanooga, Tennessee, et al.

[1:14-cv-00358](#) Eastern District of Tennessee of Chattanooga

H. Mattice

Plaintiff appeals the summary judgment for Defendants in this action for pension benefits. (15 Minutes for Plaintiff; 15 Minutes to be Shared by Defendants)

16-1135 William Beaumont Hosp Sys v. Morgan Stanley & Co., et al.

[2:14-cv-10404](#) Eastern District of Michigan at Detroit

A. Tarnow

Plaintiff appeals the dismissal of its diversity action alleging claims for fraud and misrepresentation in connect with its bond purchases. (15 Minutes for Plaintiff; 15 Minutes to be Shared by Defendants)

15-4015 James Brenson, Jr. v. John Coleman

[2:11-cv-01146](#) Southern District of Ohio at Columbus

E. Sargus

T. Kemp

Petitioner appeals the district court's order dismissing his petition for a writ of habeas corpus filed under 28 U.S.C. Section 2254. (15 Minutes Per Side)

16-5437 Darcy Yonts v. Easton Technical Prod., Inc.

[3:11-cv-00535](#) Western District of Kentucky at Louisville

D. Hale

Plaintiff appeals the judgment for Defendant, and denial of his motion to alter or amend the judgment, in this products liability action arising from an archery accident. (15 Minutes Per Side)

16-1627 Taras Nykoriak v. Lena Wileczek

[1:15-cv-00410](#) Western District of Michigan at Grand Rapids

G. Quist

Plaintiff appeals the summary judgment for defendant in this civil rights action alleging violations of his Fourth Amendment rights. (To Be Submitted On Briefs)

Wednesday, November 30, 2016

403 - 4th Floor Courtroom, 2:00 P.M.

Before: **Merritt, Moore, Clay**

99-4317 **Hill v. Anderson**

[4:96-cv-00795](#) Northern District of Ohio at Cleveland

P. Matia

14-3718 **Danny Hill v. Carl Anderson**

[4:96-cv-00795](#) Northern District of Ohio at Youngstown

J. Adams

Petitioner appeals the denial of his petition and amended petition for a writ of habeas corpus in these death penalty cases alleging, inter alia, that petitioner is mentally retarded and thus ineligible for the death penalty. (30 Minutes Per Side)

Wednesday, November 30, 2016

607 - 6th Floor West Courtroom, 2:00 P.M.

Before: **Siler, Gibbons, White**

14-6445 David Miller v. Bruce Westbrook

[3:01-cv-00487](#)

Eastern District of Tennessee at Knoxville

R. Jordan

Petitioner, a Tennessee death row inmate, appeals the district court's denial of his motion for relief from judgment under Rule 60(b)(6) of the Federal Rules of Civil Procedure, in which he claims ineffective assistance of counsel at resentencing. (30 Minutes Per Side)

Thursday, December 01, 2016

403 - 4th Floor Courtroom, 8:30 A.M.

Before: **Moore, Clay, Hood**

16-5531 USA v. Jeremy Atkins

[2:15-cr-20019-1](#) Western District of Tennessee at Memphis J. Fowlkes

Defendant appeals his judgment in a criminal case for being a felon in possession of a firearm. (15 Minutes Per Side)

16-1575 Mark Brown, et al. v. Battle Creek Police Departmen, et al.

[1:15-cv-00283](#) Western District of Michigan at Grand Rapids R. Jonker

Plaintiffs appeal the summary judgment for the defendants in this civil rights action arising from the fatal shooting of their dogs during the execution of a search warrant. (15 Minutes Per Side)

15-2234 USA v. Sandra White

[1:13-cr-00222-1](#) Western District of Michigan at Grand Rapids P. Maloney

In this criminal action tried to a jury, defendant appeals her conviction of wire fraud and aggravated identity theft. (15 Minutes Per Side)

16-1323 Stryker Sales Corporation v. Johnny McNany, et al.

[1:15-cv-01110](#) Western District of Michigan at Grand Rapids E. Carmody
J. Neff

Defendants appeal the preliminary injunction entered in this diversity action alleging claims for breach of contract, tortious interference with contract and with business relationships, and unfair competition. (15 Minutes Per Side)

16-1477 USA v. Tommy Goodson

[2:14-cr-20019-1](#) Eastern District of Michigan at Detroit A. Cohn

In this direct criminal appeal, the defendant-appellant challenges his sentence under the career-offender guideline, USSG Section 4B1.1, on the ground that his prior Michigan conviction for bank robbery does not qualify as a crime of violence under *Johnson v. United States*, 135 S. Ct. 2551 (2015). (15 Minutes Per Side)

16-1245 Matthew Gillis v. John Miller, et al.

[1:14-cv-12518](#) Eastern District of Michigan at Bay City T. Ludington

Plaintiff appeals the summary judgment for defendants in this employment discrimination action alleging that his termination is in retaliation for the exercise of First Amendment rights and violated state law. (To Be Submitted On Briefs)

16-1249 Fred Walraven v. John Miller, et al.

[1:14-cv-12517](#) Eastern District of Michigan at Bay City T. Ludington

Plaintiff appeals the summary judgment for defendants in this employment discrimination action alleging that his termination ws in retaliation for the exerise of First Amendment rights and violated state law. (To Be Submitted On Briefs)

Thursday, December 01, 2016

403 - 4th Floor Courtroom, 8:30 A.M.

Before: **Moore, Clay, Hood**

16-5776 Shon Hopper v. New Buffalo Corporation

[4:12-cv-00100](#)

Western District of Kentucky at Owensboro

J. McKinley

Plaintiff appeals the summary judgment for Defendant in this diversity action for products liability and related claims arising from Plaintiff's fall from a tree stand. (To Be Submitted On Briefs)

16-3073 USA v. William Pate

[2:15-cr-00109-1](#)

Southern District of Ohio at Columbus

G. Frost

Defendant appeals the judgment entered and sentence imposed following his guilty plea to possession with intent to distribute cocaine, possession of a firearm in furtherance of a drug trafficking crime, and possession of a firearm by a convicted felon. (To Be Submitted On Briefs)

16-5393 Darla Clark v. Commissioner of Social Securi

[1:15-cv-00015](#)

Western District of Kentucky at Bowling Green

H. Brennenstuhl

In this appeal from the denial of benefits under the Social Security Act, Plaintiff appeals the award of attorney fees under the Equal Access to Justice Act. (To Be Submitted On Briefs)

16-5488 Victoria Jackson v. Ford Motor Company, et al.

[1:15-cv-01180](#)

Western District of Tennessee at Jackson

J. Breen

Plaintiff appeals the denial of her diversity product-liability action alleging state-law claims arising from an automobile accident. (To Be Submitted On Briefs)

16-3313 Jesus Vega v. Loretta Lynch

[a 206 403 800](#)

Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies immigration relief. (To Be Submitted On Briefs)

16-3416 Todd Webster v. Gregory Spears

[3:15-cv-00907](#)

Northern District of Ohio at Toledo

S. Lioi

In this appeal from a district court order granting the defendant's motion to dismiss the plaintiff's 42 U.S.C. Section 1983 civil rights action, the plaintiff argues that he complied with the Ohio Savings Statute, Ohio Rev. Code Section 2305.19, which allegedly permitted him to re-file a prior Section 1983 action that had been dismissed for failure to effect service on the defendant. (To Be Submitted On Briefs)

16-3280 Karen Epperson, et al. v. Michael Colbert

[1:10-cv-00706](#)

Southern District of Ohio at Cincinnati

S. Beckwith

Defendant appeals the district court's judgment granting plaintiffs' motion to reopen their civil rights case and granting in part and denying in part their motion for an award of post-judgment attorney's fees. (To Be Submitted On Briefs)

Thursday, December 01, 2016

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Daughtrey, Rogers, Cook**

16-1825 Steven Neumann v. Julie Neumann[2:15-cv-11995](#)

Eastern District of Michigan at Detroit

M. Goldsmith

Defendant appeals the order granting in part a petition for the return of her children to Mexico under the Hague Convention. (15 Minutes Per Side)

16-5524 Carlin Robbins, et al. v. New Cingular Wireless PCS, LLC[5:15-cv-00071](#)

Eastern District of Kentucky at Lexington

K. Caldwell

Plaintiffs appeal the judgment for Defendant in this diversity action alleging claims arising from a dispute over construction of a cellular antenna. (15 Minutes Per Side)

16-5163 Josh Wheeler v. Jackson Natl Life Ins Co.[3:14-cv-00913](#)

Middle District of Tennessee at Nashville

A. Trauger

Plaintiff appeals the summary judgment for Defendant in this civil action alleging discrimination and retaliation under the Americans with Disabilities Act and the Family and Medical Leave Act and related state-law claims. (15 Minutes Per Side)

16-3347 Pamela Rheinfrank v. Abbott Laboratories, Inc., et al.[1:13-cv-00144](#)

Southern District of Ohio at Cincinnati

S. Dlott

Plaintiff appeals the judgment for the defendants and the denial of her motion for a new trial, in this products liability case under Ohio law arising from her ingestion of an antiepileptic drug during her pregnancy. (15 Minutes Per Side)

16-3270 Sofokli Gazeli, et al. v. Loretta Lynch

a 097 596 483

Board of Immigration Appeals

Petitioners seek review of a decision of the BIA that denies immigration relief. (To Be Submitted On Briefs)

16-1235 USA v. Manolo Garza[2:00-cr-80481-2](#)

Eastern District of Michigan at Detroit

R. Cleland

Defendant appeals the judgment imposed on the revocation of supervised release. (To Be Submitted On Briefs)

16-3297 Min Li v. Qi Jiang, et al.[4:13-cv-02435](#)

Northern District of Ohio at Youngstown

B. Pearson

Plaintiff appeals the summary judgment for the defendants in this Title VI case alleging that Youngstown State University denied her tenure on account of her national origin and that the individual defendant retaliated against her for engaging in speech protected by the First Amendment. (To Be Submitted On Briefs)

16-5180 Cheryl White v. Coventry Health & Life Ins. Co, et al.[3:14-cv-00645](#)

Western District of Kentucky at Louisville

C. Simpson

Plaintiff appeals the dismissal of her action alleging discrimination and retaliation under Title VII and related state-law claims. (To Be Submitted On Briefs)

Thursday, December 01, 2016

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Daughtrey, Rogers, Cook**

16-3191 Joanne Partin v. Weltman Weinberg & Reis Co.

[1:14-cv-00216](#)

Southern District of Ohio at Cincinnati

S. Dlott

Plaintiff appeals the summary judgment for defendant in this action alleging that her employment was terminated in violation of the Family and Medical Leave Act. (To Be Submitted On Briefs)

16-5255 Lawrence Clemons v. Metro Govt of Nashville

[3:14-cv-01690](#)

Middle District of Tennessee at Nashville

T. Campbell

Plaintiff appeals the summary judgment for Defendant in this Title VII action for racial discrimination and retaliation. (To Be Submitted On Briefs)

Thursday, December 01, 2016

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Gibbons, Sutton, White**

16-1219 Edward Carter v. City of Detroit, et al.

[2:11-cv-15322](#)

Eastern District of Michigan at Detroit

R. Cleland

In this civil rights action asserting claims based on the failure to disclose evidence allegedly in violation of Brady, plaintiff appeals the summary judgment for the defendants. (15 Minutes Per Side)

15-6074 USA v. Matthew Charles

[3:96-cr-00051-1](#)

Middle District of Tennessee at Nashville

K. Sharp

The government appeals the district court's order reducing Defendant's sentence. (15 Minutes Per Side)

16-5582 Oaklawn Jockey Club, Inc., et al. v. Kentucky Downs, LLC, et al.

[1:15-cv-00118](#)

Western District of Kentucky at Bowling Green

G. Stivers

Plaintiffs appeal the dismissal of their action for trademark infringement. (15 Minutes for Plaintiffs; 15 Minutes to be Shared by Defendants)

16-3141 Brian Green v. Bakemark USA, LLC, et al.

[1:13-cv-00841](#)

Southern District of Ohio at Cincinnati

T. Black

Plaintiff appeals the summary judgment for defendants in this action brought against his former employer and a number of its employees claiming disability discrimination, hostile work environment, and Family Medical Leave Act interference. (15 Minutes Per Side)

16-1417 Rick Bonds v. Varian Medical Systems

[2:15-cv-10973](#)

Eastern District of Michigan at Detroit

B. Friedman

Plaintiff appeals the summary judgment for defendant in this diversity action alleging retaliation and age discrimination under Michigan's Elliott-Larsen Civil Rights Act. (To Be Submitted On Briefs)

16-3022 Natalio Perez-Aguilon v. Loretta Lynch

a201 145 752

Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies asylum, withholding of removal, and protection under the Convention Against Torture. (To Be Submitted On Briefs)

Thursday, December 01, 2016

636 - 6th Floor East Courtroom, 7:45 A.M.

Before: **Moore, Sutton, White**

16-3364 Robert Stein, et al. v. Hhgregg, Incorporated, et al.

[1:15-cv-00396](#)

Southern District of Ohio at Cincinnati

S. Dlott

Plaintiffs appeal the dismissal for failure to state a claim of their complaint in this wage and hours dispute brought by retail sales employees alleging that defendants violated the Fair Labor Standards Act. (15 Minutes Per Side)

Friday, December 02, 2016

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Gibbons, Sutton, White**

16-1346 Malgorzata Krawczyk v. Township Of Hagar, et al.

[1:14-cv-00914](#)

Western District of Michigan at Grand Rapids

J. Neff

The individual defendants appeal the denial of absolute and qualified immunity on plaintiff's state-law claims for gross negligence. (15 Minutes Per Side)

16-5527 Cheryl Martin, et al. v. Carolyn Colvin

[7:15-cv-00046](#)

Eastern District of Kentucky at Pikeville

A. Thapar

H. Ingram

Plaintiffs appeal the dismissal of their claims, for failure to exhaust their administrative remedies, challenging the reopening of proceedings before the Social Security Commissioner. (15 Minutes Per Side)

16-1338 USA v. Carlos Watts

[1:11-cr-00238-1](#)

Western District of Michigan at Grand Rapids

R. Jonker

Defendant appeals the denial of his motion for a reduction in sentence under 18 U.S.C. section 3582(c)(2). (To Be Submitted On Briefs)

15-6025 Benji Manns v. Gary Beckstrom

[7:13-cv-00083](#)

Eastern District of Kentucky at Pikeville

W. Bertelsman

Petitioner appeals the district court's denial of his petition for a writ of habeas corpus filed under 28 U.S.C. Section 2254. (To Be Submitted On Briefs)

16-1507 Laban Pond v. Randall Haas, et al.

[2:15-cv-14038](#)

Eastern District of Michigan at Detroit

B. Friedman

Plaintiff appeals the district court's order dismissing his civil rights action filed under 42 U.S.C. Section 1983 for failure to state a claim upon which relief may be granted. (To Be Submitted On Briefs)

15-4220 USA v. Richard Lash, III

[1:15-cr-00033-1](#)

Northern District of Ohio at Cleveland

C. Boyko

Defendant appeals the denial of his motion to suppress and his conviction and sentence for felon in possession of a firearm and ammunition. (To Be Submitted On Briefs)