



Public Information Office  
**United States Courts for the Ninth Circuit**

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**NEWS RELEASE**

December 7, 2011

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## **Ninth Circuit Court of Appeals to Offer Remote Viewing of *En Banc* Proceedings**

**SAN FRANCISCO** – The United States Court of Appeals for the Ninth Circuit will provide for remote viewing of *en banc* court proceedings scheduled for December 12-15, 2011, in Courtroom One of the James R. Browning U.S. Courthouse, 95 7<sup>th</sup> St., San Francisco.

*En banc* courts, which consist of 11 judges rather than the normal three-judge appellate panel, are used to resolve intra-circuit case conflicts and legal questions deemed by the court to be of exceptional importance. Less than 20 cases per year typically receive *en banc* review.

The seven appeals to be heard in San Francisco involve dismissal of an indictment in a mail fraud case; review of a Board of Immigration Appeals' decision; a challenge to mining operations in a national forest; a challenge to the administration of veterans benefits and medical care; an order in a plaintiff class action involving Armenian Genocide victims; an action regarding alleged retaliation for plaintiffs' publication of stories critical of the defendants; and an appeal of an order dismissing counts of an indictment charging an employee with exceeding authorized access to a protected computer. More information is provided below.

A live video and audio feed from the proceedings at the San Francisco courthouse will be delivered via electronically secure means to the following Ninth Circuit courthouses:

**Richard H. Chambers**  
U.S. Courthouse  
125 South Grand Ave.  
Pasadena, California  
Mezzanine Room

**U.S. Pioneer Courthouse**  
700 SW Sixth Avenue  
Portland, Oregon  
Pioneer Courtroom

**William K. Nakamura**  
U.S. Courthouse  
1010 Fifth Avenue  
Seattle, Washington  
En Banc Courtroom, 8<sup>th</sup> Floor

Public access to the remote viewing locations will be on a first-come-first-served basis. No photographs or recording/transmission of the audio and video displayed at the remote viewing locations will be allowed. Proper decorum is expected.

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**NINTH CIRCUIT *EN BANC* COURTS**  
**SAN FRANCISCO, CALIFORNIA**  
**December 12-15, 2011**

**December 12**

**10:00 a.m.**

*United States v. Milovanovic*, 08-30381

Appeal by the United States of the Eastern Washington district court's dismissal of an indictment before trial for honest services mail fraud.

**2:00 p.m.**

*Young v Holder*, 07-70949

Petition for review by the Board of Immigration Appeals' decision finding the petitioner removable base on his conviction for violating California Health & Safety Code.

**December 13**

**9:30 a.m.**

*Karuk Tribe of California v. United States Forest Service*, 05-16801

Appeal by the Karuk Tribe of California of the Northern California district court's judgment in favor of the United States Forest Service in the tribe's action challenging mining operations in the Klamath National Forest.

**12:30 p.m.**

*Veterans for Common Sense v. Shinseki*, 08-16728

Appeal by veterans organizations of the Northern California district court's judgment in favor of the Department of Veterans Affairs in the veterans' action challenging the agency's administration of benefits and medical care.

**December 14**

**10:00 a.m.**

*Movsesian v. Versicherung AG*, 07-56722

Appeal of the Central California district court's order granting in part and denying in part insurer's motion to dismiss complaint by plaintiff class alleging breach of contract and other claims arising from insurance policies issued to Armenian Genocide victims.

**2:00 p.m.**

*Lacey v. Arpaio*, 09-15703

Cross-appeals in an action brought by the Phoenix New Times newspaper, its writers, and its editor, alleging that defendants Sheriff Joseph Arpaio and the county prosecutor and special prosecutor retaliated against them for publishing stories critical of defendants.

**December 15**

**9:15 a.m.**

*United States v. Nosal*, 10-10038

Appeal by the United States of the Northern California district court's order dismissing counts of an indictment charging an employee with exceeding authorized access to a protected computer in violation of the Computer Fraud and Abuse Act.

The Ninth Circuit Court of Appeals hears appeals of cases decided by executive branch agencies and federal trial courts in nine western states and two Pacific Island jurisdictions. The court normally meets monthly in Seattle, San Francisco, and Pasadena; every other month in Portland, Oregon; three times per year in Honolulu, Hawaii; and twice a year in Anchorage, Alaska. A complete schedule of cases is available online at <http://www.ca9.uscourts.gov>.

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