

REHNQUIST CENTER

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The 9th Circuit Court of Appeals Panel To Hear Argument in Tucson

FOR IMMEDIATE RELEASE

Date: Monday, March 26, 2012, 10:00 a.m. – 12:00 p.m.
Where: The University of Arizona, James E. Rogers College of Law
Ares Auditorium (Room 164)
1201 E. Speedway Boulevard, Tucson, Arizona 85721



The United States Court of Appeals for the Ninth Circuit will hold oral arguments at the James E. Rogers College of Law. Information regarding event registration and procedures will be made available on our web site prior to the event. Seating in the Ares Auditorium is limited. Priority seating is available for law students, attorneys appearing before the Court, and others with confirmed reservations. Remaining seats will be available on a first-come, first-served basis. Photo identification is required for those who are attending. Parking is available in the Park Ave. Garage at the corner of Park and Speedway on a space-available basis. For garage rates and other visitor parking options contact Parking and Transportation, 520-626-7275, <http://parking.arizona.edu/visitors/>

Case materials are available at: <http://www.ca9.uscourts.gov>. The cases to be heard include:

United States v. Zarate-Gaspar

Julio Zarate-Gaspar appeals the sentence imposed following his guilty plea to illegal reentry after deportation in violation of 8 U.S.C. § 1326. Case 10-10477, Arizona

Didiana v. Parball Corp.

Anthony Didiana appeals the district court's summary judgment in his action under Title VII and the Age Discrimination in Employment Act against Parball Corp. Didiana alleges gender and age discrimination in his termination from his job as a bartender at O'Shea's Casino and Bar. Case 10-17527, Nevada

In re Ratliff

Harlan J. Ratliff and Theresa L. Ratliff, chapter 11 debtors, appeal the Bankruptcy Appellate Panel's partial affirmance of the bankruptcy court's judgment after trial in an adversary proceeding in which Todd Campbell and Stephanie McRae claimed that the Ratliffs received more than their rightful share of the proceeds of the sale of a farm by Cochise Agricultural Properties, LLC ("CAP"). The parties are members of CAP, whose operating agreement provides that distributions shall be made to repay the members' respective capital contributions before being made in equal shares to the members. Wells Fargo Bank collected funds from CAP when the Ratliffs could not pay a debt. The bankruptcy court found that the Ratliffs' capital contribution to CAP was the farm, and that its value was equal to the cash contributed by Campbell and McRae. The bankruptcy concluded that the payment to Wells Fargo resulted in an overpayment to the Ratliffs because the parties were entitled to equal shares of distributions from CAP, and that the Ratliffs' debt for the overpayment was nondischargeable. The BAP reversed in part the judgment of nondischargeability and otherwise affirmed. Campbell and McRae cross-appeal. Case 10-60051, Arizona

At the end of the final argument, the judges will be available to answer general questions from audience members. While judges are prohibited from answering questions about pending cases, they can discuss Court operations and the decision-making process. The three-judge panel will be named one week prior to the event.

The Court's visit to Arizona Law has been coordinated by the [Rehnquist Center](#), a non-partisan center that honors the legacy of Chief Justice Rehnquist. The Center is dedicated to encouraging scholarship about, and public understanding of, the separation of powers, the balance of powers between the federal and state governments, and judicial independence.

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Media note: All video camera and audio recorder usage must be approved several days in advance by the court. Please contact David Madden, 415-355-8930, dmadden@ce9.uscourts.gov