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NEWS RELEASE

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U.S. APPEALS COURTS HEARS CASES AT UM

MISSOULA --

For the second year running, the U.S. 9th Circuit Court of Appeals will hear cases at The University of Montana School of Law.

The public is invited to attend the hearings, which begin at 9:30 a.m. Friday, May 7, in the Castles Center on the lower level of the UM Law Building. A three-judge panel of the San Francisco-based federal appeals court will hear oral arguments regarding the cases until about 11:30 a.m.

The panel consists of judges Harry Pregerson and A. Wallace Tashima of Los Angeles and Sidney R. Thomas of Billings. Thomas is a graduate of UM's law school and practiced law with the Moulton, Bellingham, Longo and Mather firm in Billings before his appointment to the second highest court in the nation in 1996. Pregerson was appointed to the court in 1979, while Tashima was appointed in 1996.

The panel will hear four cases, three civil and one habeas corpus. In *Cutler v. Sedminik*, plaintiff Cutler is appealing the denial of his civil rights claim that Anaconda-Deer Lodge police officers used excessive force and deprived him of medical care in a single vehicle accident.

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In Montana Department of Transportation v. King, the president of the Fort Belknap Indian Community Council is appealing the state's action to enjoin the council's Employment Rights Ordinance, which imposes employment preferences for tribal members on work performed within the reservation.

In Diversified House Logs v. Northern Lights, the plaintiff sued a public utility company, alleging negligence in installing power lines that caused a fire destroying its saw mill. Diversified is appealing a summary judgment in favor of the utility company. In Maxwell v. Mahoney, Maxwell is appealing the denial of his habeas corpus petition challenging his jury conviction and 30-year sentence for rape.

The 9th Circuit Court of Appeals hears appeals from lower court decisions in the federal courts of nine Western states: Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon and Washington. The court's judges typically hear oral arguments each month in Seattle, Portland, San Francisco and Pasadena. Hearings are held in other locations by special arrangement.

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