

**This docket is current through 05/12/2010.**

**Court:** US COURT OF APPEALS FOR THE NINTH CIRCUIT  
**Case Title:** MIGUEL CASTANEDA, ET AL v. **BURGER KING**  
CORPORATION  
**Appeal From:** U.S. DISTRICT COURT FOR NORTHERN CALIFORNIA, SAN  
FRANCISCO  
**Date Filed:** 02/10/2010

**CASE INFORMATION**

**Case Number:** 10-15310  
**Fee Status:** PAID  
**Case Type:** APPEALS  
**Case Subtype:** CIVIL  
PRIVATE

**Nature of Suit:** 3446 AMERICANS W/DISABILITIES ACT-OTHR  
**Key Nature of Suit:** APPEALS (030)

**LOWER COURT INFORMATION**

**District:** 0971-3  
**Lower Court Docket Number:** 3:08-CV-04262-WHA  
**Trial Judge(s):** WILLIAM H. ALSUP, UNITED STATES DISTRICT JUDGE  
**Court Reporter(s):** DEBRA PAS  
**Date Filed:** 09/10/2008  
**Date Order/Judgment:** 09/25/2009  
**Date NOA Filed:** 11/05/2009

**OTHER CASES**

<b>Prior Case(s): Docket No.:</b>	<b>Judge Panel:</b>	<b>Date Filed:</b>	<b>Date Disposed:</b>	<b>Disp. Code:</b>
09-17210	--	10/07/2009	02/05/2010	DENIED - JUDGE ORDER
09-80158	--	10/13/2009	02/10/2010	GRANTED - JUDGE ORDER

**NAMES**

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**DOCKET PROCEEDINGS**

<b>ENTRY #:</b>	<b>DATE:</b>	<b>DESCRIPTION:</b>
6	03/30/2010	FILED ORDER MEDIATION (PWS): THE BRIEFING SCHEDULE PREVIOUSLY SET BY THE COURT IS VACATED. THE ASSESSMENT CONFERENCE PREVIOUSLY SCHEDULED FOR APRIL 5, 2010, IS CANCELED. ON OR BEFORE JUNE 28, 2010, COUNSEL FOR APPELLANTS IS REQUESTED TO CONTACT THE CIRCUIT MEDIATOR BY EMAIL (PETER_SHERWOOD@CA9.USCOURTS.GOV) OR BY FAX (415-355-8566) TO REPORT ON THE STATUS OF THE CASE. [7283867] (AF)

5                    03/08/2010            FILED ORDER MEDIATION (EPM): THE MEDIATION PROGRAM OF THE NINTH CIRCUIT COURT OF APPEALS FACILITATES SETTLEMENT WHILE APPEALS ARE PENDING. SEE FED. R. APP. P. 33 AND NINTH CIR. R. 33-1. THE COURT HAS SCHEDULED A TELEPHONE SETTLEMENT ASSESSMENT CONFERENCE, WITH COUNSEL ONLY, ON APRIL 5, 2010, AT 11:00 A.M. PACIFIC (SAN FRANCISCO) TIME TO DISCUSS WHETHER THIS CASE IS APPROPRIATE FOR PARTICIPATION IN THE MEDIATION PROGRAM. [7256033] (AF)

4                    02/22/2010            RECEIVED NOTIFICATION FROM DISTRICT COURT RE: PAYMENT OF DOCKET FEE. AMOUNT PAID: USD 455 DATE PAID: 02/18/2010. [7241293] (EL)

3                    02/17/2010            FILED (ECF) APPELLANTS MIGUEL **CASTANEDA**, KATHERINE CORBETT AND JOSEPH WELLNER MEDIATION QUESTIONNAIRE. DATE OF SERVICE: 02/17/2010. [7234422] (AFR)

2                    02/10/2010            DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: YES. THE SCHEDULE IS SET AS FOLLOWS: FEE DUE FROM APPELLANT MIGUEL **CASTANEDA**, APPELLANT KATHERINE CORBETT AND APPELLANT JOSEPH WELLNER ON 02/10/2010. MEDIATION QUESTIONNAIRE DUE BY APPELLANT MIGUEL **CASTANEDA**, APPELLANT KATHERINE CORBETT AND APPELLANT JOSEPH WELLNER DUE ON 02/17/2010. APPELLANT MIGUEL **CASTANEDA**, APPELLANT KATHERINE CORBETT AND APPELLANT JOSEPH WELLNER OPENING BRIEF DUE 05/28/2010. APPELLEE **BURGER KING** CORPORATION ANSWERING BRIEF DUE 06/28/2010. APPELLANT'S OPTIONAL REPLY BRIEF IS DUE 14 DAYS AFTER SERVICE OF THE ANSWERING BRIEF. [7227991] (RT)

02/10/2010

FILED ORDER (WILLIAM C. CANBY AND RONALD M. GOULD) IN CASE NUMBER 09-80158 ON 2-10-2010: DISABILITY RIGHTS LEGAL CENTER AND DISABILITY RIGHTS ADVOCATES' OPPOSED MOTION FOR LEAVE TO BECOME AMICI CURIAE IS GRANTED. THE BRIEF SUBMITTED ON OCTOBER 21, 2009 IN SUPPORT OF THE PETITION FOR PERMISSION TO APPEAL IS ORDERED FILED. THE COURT, IN ITS DISCRETION, GRANTS THE PETITION FOR PERMISSION TO APPEAL THE DISTRICT COURT'S SEPTEMBER 25, 2009 ORDER GRANTING IN PART AND DENYING IN PART CLASS ACTION CERTIFICATION. SEE FED. R. CIV. P. 23(F); CHAMBERLAN V. FORD MOTOR CO., 402 F. 3D 952 (9TH CIR. 2005) (PER CURIAM). WITHIN 14 DAYS AFTER THE DATE OF THIS ORDER, PETITIONER SHALL PERFECT THE APPEAL IN ACCORDANCE WITH FEDERAL RULE OF APPELLATE PROCEDURE 5(D). [7227968] (RT)