

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 06-35196

Docketed: 03/08/2006

Nature of Suit: 3442 Jobs

Termed: 02/27/2008

Williams, et al v. The Boeing Company, et al

Appeal From: U.S. District Court for Western Washington, Seattle

Fee Status: Paid

Case Type Information:

1) civil

2) private

3) null

Originating Court Information:

District: 0981-2 : [CV-98-00761-MJP](#)

Court Reporter: Laurene Kelly, Court Reporter

Trial Judge: Marsha J. Pechman, District Judge

Date Filed: 06/14/1998

Date Order/Judgment:

02/07/2006

Date NOA Filed:

03/08/2006

Prior Cases:

[99-36086](#)

Date Filed: 11/10/1999 **Date Disposed:** 11/26/2002 **Disposition:**

[99-36086](#)

Date Filed: 11/10/1999 **Date Disposed:** 04/29/2003 **Disposition:** Reversed, Remanded - Opinion

Current Cases:

None

SOLOMON WILLIAMS

Plaintiff,

MARA FERRARI

Plaintiff - Appellant,

Ivy D. Arai, Esquire, Attorney

Direct: 206/623-7292

[COR LD Retained]

Hagens Berman Sobol Shapiro LLP

Ste 2900

1918 Eighth Ave.

Seattle, WA 98101

Steve Berman, Attorney

Direct: 206-623-7292

[COR LD NTC Retained]

Hagens Berman Sobol Shapiro LLP

Suite 3300

1918 Eighth Ave.

Seattle, WA 98101

Craig R. Spiegel, Attorney

Direct: 206-623-7292

[COR LD NTC Retained]

Hagens Berman Sobol Shapiro LLP

Suite 2900

1918 Eighth Ave.

Seattle, WA 98101

RHONDA CAPPS

Plaintiff - Appellant,

Ivy D. Arai, Esquire, Attorney

Direct: 206/623-7292

[COR LD Retained]

(see above)

Steve Berman, Attorney
Direct: 206-623-7292
[COR LD NTC Retained]
(see above)

Craig R. Spiegel, Attorney
Direct: 206-623-7292
[COR LD NTC Retained]
(see above)

KEVIN BIGLOW
Plaintiff - Appellant,

Ivy D. Arai, Esquire, Attorney
Direct: 206/623-7292
[COR LD Retained]
(see above)

Steve Berman, Attorney
Direct: 206-623-7292
[COR LD NTC Retained]
(see above)

Craig R. Spiegel, Attorney
Direct: 206-623-7292
[COR LD NTC Retained]
(see above)

DOREEN FERGUSON
Plaintiff - Appellant,

Ivy D. Arai, Esquire, Attorney
Direct: 206/623-7292
[COR LD Retained]
(see above)

Steve Berman, Attorney
Direct: 206-623-7292
[COR LD NTC Retained]
(see above)

Craig R. Spiegel, Attorney
Direct: 206-623-7292
[COR LD NTC Retained]

(see above)

BEVERLY TROTTER
Plaintiff - Appellant,

Ivy D. Arai, Esquire, Attorney
Direct: 206/623-7292
[COR LD Retained]
(see above)

Steve Berman, Attorney
Direct: 206-623-7292
[COR LD NTC Retained]
(see above)

Craig R. Spiegel, Attorney
Direct: 206-623-7292
[COR LD NTC Retained]
(see above)

v.

THE BOEING COMPANY
Defendant - Appellee,

Jeffrey A. Hollingsworth, Esquire, Attorney
Direct: 206/359-8000
[COR LD NTC Retained]
Perkins Coie LLP
Suite 4800
1201 Third Avenue
Seattle, WA 98101-3099

Michael Reiss, Esquire, Attorney
Direct: 206-757-8130
[COR LD NTC Retained]
Davis Wright Tremaine LLP
2200
1201 Third Avenue
Seattle, WA 98101-3045

David C. Tarshes, Attorney
Direct: 206-622-3150
[COR LD NTC Retained]
Davis Wright Tremaine LLP
Suite 2200

1201 Third Avenue
Seattle, WA 98101-3045

Nancy Williams, Attorney
Direct: 206-359-8473
[COR LD Retained]
Perkins Coie LLP
Suite 4800
1201 Third Avenue
Seattle, WA 98101-3099

BOEING NORTH AMERICAN, INC., a Delaware corp. Jeffrey A. Hollingsworth, Esquire, Attorney
Defendant - Appellee, Direct: 206/359-8000

[COR LD NTC Retained]
(see above)

Michael Reiss, Esquire, Attorney
Direct: 206-757-8130
[COR LD NTC Retained]
(see above)

David C. Tarshes, Attorney
Direct: 206-622-3150
[COR LD NTC Retained]
(see above)

Nancy Williams, Attorney
Direct: 206-359-8473
[COR LD Retained]
(see above)

MCDONNELL DOUGLAS CORPORATION
Defendant - Appellee,

Jeffrey A. Hollingsworth, Esquire, Attorney
Direct: 206/359-8000
[COR LD NTC Retained]
(see above)

Michael Reiss, Esquire, Attorney
Direct: 206-757-8130
[COR LD NTC Retained]
(see above)

Nancy Williams, Attorney
Direct: 206-359-8473
[COR LD Retained]
(see above)

SOLOMON WILLIAMS,

Plaintiff,

and

MARA FERRARI; RHONDA CAPPES; KEVIN BIGLOW; DOREEN FERGUSON; BEVERLY TROTTER,

Plaintiffs - Appellants,

v.

THE BOEING COMPANY; BOEING NORTH AMERICAN, INC., a Delaware corp.; MCDONNELL DOUGLAS CORPORATION,

Defendants - Appellees.

- | | | | |
|------------|--------------------------|----|--|
| 03/08/2006 | <input type="checkbox"/> | 1 | DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. CADS SENT (Y/N): N. setting schedule as follows: appellant's designation of RT is due 3/20/06,, ; appellee's designation of RT is due 3/28/06,, ; appellant shall order transcript by 4/7/06,, ; court reporter shall file transcript in DC by 5/8/06; certificate of record shall be filed by 5/15/06 ; appellant's opening brief is due 6/26/06,, ; appellees' brief is due 7/24/06,, ; appellants' reply brief is due w/in 14 days of svc of aple's brief. [06-35196] (KM) |
| 03/08/2006 | <input type="checkbox"/> | 2 | Filed attorney for Appellant Civil Appeals Docketing Statement served on 3/7/06 (to CONFATT) [06-35196] [06-35196] (KM) |
| 03/08/2006 | <input type="checkbox"/> | 16 | Prior case 99-36086 Rv/Rmd Opinion 4/29/03 dpl SST MSB ** TO ANY PANEL |

PER MSB ** [06-35196] (MW)

- | | | | |
|------------|--------------------------|----|---|
| 03/09/2006 | <input type="checkbox"/> | 3 | Filed order CONFATT (LW) This case is under consideration for inclusion in the mediation prgm. W/in 14 days of the date of this order, cnsl for all parties are requested to inform the mediator of their clients' position. The existing brfing sched remains in effect. [06-35196] (SB) |
| 03/21/2006 | <input type="checkbox"/> | 4 | Filed order CONFATT (CG) Case not selected for program. Counsel interested in obtaining settlement assistance or program information should contact mediation office in Seattle. The brfing sched prev established by the court remains in effect. [06-35196] (SB) |
| 06/20/2006 | <input type="checkbox"/> | 5 | Filed notice of appearance dated 6/16/06 of Michael Reiss & David C. Tarshes for aples The Boeing Co, et al. [06-35196] (MF) |
| 06/27/2006 | <input type="checkbox"/> | 6 | Filed original and 15 copies Appellants opening brief (Informal: NO) 34 pages and five excerpts of record in 2 volumes; served on 6/26/06 [06-35196] (MF) |
| 07/14/2006 | <input type="checkbox"/> | 7 | 14 day oral extension by phone of time to file Appellee's brief. [06-35196] appellees' brief due 8/9/06,, ; appellants' reply brief due w/in 14 days of svc of aple's brief. (KM) |
| 08/10/2006 | <input type="checkbox"/> | 8 | Filed original and 15 copies appellee The Boeing Company, Boeing North, McDonnell Douglas's 61 pages brief, 5 suppl Exc. in 3 vols: ; served on 8/9/06 [06-35196] (GR) |
| 08/16/2006 | <input type="checkbox"/> | 11 | 14 day oral extension by phone of time to file Appellant's reply brief. [06-35196] appellants' reply brief due 9/6/06,, ; (KM) |
| 09/06/2006 | <input type="checkbox"/> | 12 | Filed original and 15 copies Appellants reply brief (Informal: NO) 29 pages & 5 copies of suppl excs in 1 vol; served on 9/6/06 with minor defcy: (Wrong covers). Notified counsel. [06-35196] (MF) |
| 09/19/2006 | <input type="checkbox"/> | 14 | Received Appellant Mara Ferrari satisfaction of (minor) brief deficiency. (Grey Covers) (RECORDS) [06-35196] (MF) |
| 11/08/2006 | <input type="checkbox"/> | 18 | FILED CERTIFIED RECORD ON APPEAL IN 13 CLERKS RECORD, 14 EXPANDO FILES, AND 1 FOLDER OF MISC DOCUMENTS/ITEMS. [06-35196] (JR) |

07/05/2007	<input type="checkbox"/>	19	Calendar check performed [06-35196] (XX)
07/27/2007	<input type="checkbox"/>	20	Calendar materials being prepared. [06-35196] [06-35196] (XX)
07/31/2007	<input type="checkbox"/>	21	CALENDARED: Seattle Oct 18 2007 9:00 a.m. Courtroom at Park Place, 4th Floor [06-35196] (TH)
08/09/2007	<input type="checkbox"/>	22	Filed appellee The Boeing Company motion to continue hearing of case until November or December; served on 8/8/07 (PANEL) (RT)
08/13/2007	<input type="checkbox"/>	25	Filed order (Deputy Clerk: jf) Aple's mtn for ext of argument date is GRANTED. This csse is hereby removed from the 10/18/07 calendar in Seattle & shall be recalendared before the next available 3-judge panel in Seattle. (PHONED/FAXED: 2:47) [06-35196] (MF)
11/01/2007	<input type="checkbox"/>	26	Calendar check performed [06-35196] (XX)
11/13/2007	<input type="checkbox"/>	27	Calendar materials being prepared. [06-35196] [06-35196] (XX)
11/15/2007	<input type="checkbox"/>	28	CALENDARED: SEA Fri Jan 11, 2008 9:00 am Courtroom @ Park Place 21st Floor [06-35196] (XX)
12/10/2007	<input type="checkbox"/>	30	Filed The Boeing Company additional citations, served on 12/7/07 PANEL [06-35196] (GR)
12/11/2007	<input type="checkbox"/>	32	Received Appellee excerpts of record in 1 volume (supplemental), lacks proof of service. PANEL [06-35196] (GR)
12/11/2007	<input type="checkbox"/>	34	Filed The Boeing Company motion to supplement record on appeal served on 12/10/07 PANEL. (KKW)
12/11/2007	<input type="checkbox"/>	35	Filed Appellee The Boeing Company's motion to dismiss the case . Served on 12/10/07 PANEL. [06-35196] (KKW)
12/12/2007	<input type="checkbox"/>	36	Filed order (Deputy Clerk: jf) Plaintiff-aplts are directed to file a response to respondent's mtn to dismiss the appl for want of jurisdiction... The response is due by 12/21/07 and is limited to no more than 10 pages. PHONED [06-

35196] (GR)

- 12/21/2007 37 Filed Appellant Mara Ferrari response not opposing appellee's motion to supplement record on appeal [34] served on 12/20/07 PANEL [06-35196] (GR)
- 12/21/2007 38 Filed Appellant Mara Ferrari response to opposing dispositive motion to dismiss the case [35] [06-35196] 12/20/07 PANEL (GR)
- 12/21/2007 39 Filed Appellant Mara Ferrari et al's motion to suppl the excerpts of record or, in the alternative, request for judicial notice [06-35196] served on 12/20/07 [6381251] PANEL [06-35196] (GR)
- 12/21/2007 40 Received Appellant excerpts of record in 1 volumes; served on 12/20/07 PANEL [06-35196] (GR)
- 12/28/2007 42 Filed Appellee The Boeing Company response to supporting dispositive motion to dismiss the case [35] 12/27/07 PANEL (GR)
- 01/07/2008 44 Filed order (Robert R. BEEZER, A. W. TASHIMA, Richard C. TALLMAN,): Appellee's and apt's unopposed mtns to supplement the excerpts of record are granted. The addl supp excerpts of record 602-654 are part of the record on appl and may be relied upon by the parties. [34] [39] FAXED PARTIES [06-35196] (GR)
- 01/11/2008 45 ARGUED AND SUBMITTED TO Robert R. BEEZER, A. W. TASHIMA, Richard C. TALLMAN. [06-35196] (SB)
- 02/27/2008 49 FILED OPINION: AFFIRMED IN PART; DISMISSED IN PART AS MOOT. Each party shall bear its own costs. (Terminated on the Merits after Oral Hearing; Affirmed (in part) and Dismissed (in part) as moot; Written, Signed, Published. Robert R. BEEZER; A. W. TASHIMA; Richard C. TALLMAN, author.) FILED AND ENTERED JUDGMENT. [06-35196] (GR)
- 03/20/2008 [50](#) MANDATE ISSUED. RRB, AWT and RCT (LC)