

CC 30  
CC 7d

CITY COUNCIL MEETING  
SEPTEMBER 5, 1984

Ag 245

HEARING NOTICES  
RECEIVED STATE  
COURT OF APPEALS  
FOR THE NINTH  
CIRCUIT

City Clerk Reimche presented the following Hearing Notice which had been received from the Office of the Clerk, United States Court of Appeals for the Ninth Circuit:

HEARING NOTICE

Case No. & Title: Date: Aug. 23, 1984

83-7851 Pacific Gas & Electric Co., et al. v.  
Federal Energy Regulatory Commission

83-7933 City of Oakland, etc. v. Federal Energy  
Regulatory Commission

assigned for hearing:

Date: Tuesday, October 2, 1984 Time: 1:30 p.m.

Location: U. S. COURT OF APPEALS, 7th & Mission Streets,  
San Francisco, California

City Attorney Stein was requested to obtain additional information regarding the Cases heretofore referenced.

OFFICE OF THE CLERK  
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT  
RECEIVED

HEARING NOTICE

1984 AUG 27 AM 9 36

DATE: AUG 23 1984  
ALICE M. REIMCHE  
CITY CLERK  
CITY OF LOS ANGELES

Case No. & Title:

83-7854 Pacific Gas & Electric Co., et al. v.  
Federal Energy Regulatory Commission  
83-7933 City of Oakland, etc. v. Federal Energy  
Regulatory Commission

assigned for hearing:

Date: Tuesday, October 2, 1984

Time: 1:30 p.m.

Location: U.S. COURT OF APPEALS, 7th & Mission Streets,  
San Francisco, California

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT  
7th & Mission Streets, P.O. Box 547  
San Francisco, CA 94101

NOTICE OF CASES SET FOR HEARING

Your case has been set for hearing as indicated on the attached calendar. Please take special note of the time and place of hearing. In order that the court may make proper arrangements for oral argument it is essential that you immediately complete the attached acknowledgment receipt and return it to the clerk's office address provided.

In preparing for oral argument the parties should be guided by Rule 34 of the Federal Rules of Appellate Procedure. The following information is provided to ensure the effectiveness of the hearing process:

Possibility of Mootness or Settlement - If your case has become moot or a settlement is imminent, immediately advise this office in writing.

Notification of Related Cases - If you are aware of other cases pending in this court which are related to and which should be calendared with the case(s) checked on the attached calendar, please notify this office.

Admission for Oral Argument - Any attorney who will be presenting oral argument must have been admitted to the bar of this court. If you have not been admitted, please check the appropriate box on the acknowledgement receipt and return it with a self-addressed franked envelope. This office will provide you with the forms necessary for admission by mail. While admission in open court on the day of hearing is discouraged, you may elect such an admission procedure. Candidates for admission in open court must appear in the clerk's office with a sponsor who has already been admitted to the bar of the circuit and who can orally move the admission before the calendar is called.

Submission Without Oral Argument - A party who feels that oral argument would not be of assistance to the court may present a written motion asking the court to submit the case for decision without oral argument. Such a motion must be served on all parties. The court may, on its own motion, determine that oral argument would not be of assistance. In such cases, all parties will be advised by separate notice pursuant to Rule 3(a) of the Local Rules of the Ninth Circuit.

Appearing for Argument - If oral argument is to be presented, please register in the Court of Appeals clerk's office at the hearing location 30 minutes before the time of hearing. The deputy clerk assigned to your case(s) will direct you to the appropriate courtroom. All parties for all cases must be in their respective courtrooms at the time the session is convened.

Hearing Order of Cases - Cases are generally heard in the order in which they appear on the calendar. On the other hand, a panel may elect to poll the calendar prior to the commencement of argument and to rearrange the order of cases based on the projected length of argument. Nevertheless, parties in the first case should be prepared to begin argument immediately after court is convened in the event that the entire calendar is not polled.

Limitation on Argument Time - Argument time in cases on the calendar which are identified with an asterisk (\*) is limited to 15 minutes per side. In all other cases oral argument time is limited to 30 minutes per side. The limitations may be modified by the panel at the time of hearing.

Subject of Oral Argument - At the time of hearing the judges of the panel will have studied the record and the briefs and will be familiar with the facts and issues of the case. Argument should be devoted to clarifying issues as needed and to responding to questions raised by the judges of the panel.

Presenting Additional Citations - Additional citations of relevant decisions rendered since the filing of the party's last brief may be submitted not later than one week prior to the hearing. Such citations should be on letter-size paper, showing proof of service on all counsel and parties not represented by counsel. An original and three copies must be submitted to the court. Under no circumstances may arguments be included with additional citations. On the day of hearing the panel may authorize the filing of additional citations of very recent decisions. Such citations must be submitted on "gum sheets" provided by the clerk's office.

Identity of Panel Members - Not earlier than the week before the court week in which your case will be heard, the names of judges hearing the currently calendared cases will be announced. The names will be posted on the public bulletin board of the clerk's office of your local U.S. district court. You may also determine the names of the judges by submitting with the attached acknowledgement form, a self-addressed postage paid envelope and a card listing the case number, date and time of hearing. We will write the names of the judges hearing your case on this card and will mail it to you at the same time that the official calendars are mailed to the district court clerk's offices for posting.

Continuances - After a case has been calendared continuances are not granted except for a showing of extraordinarily good cause. If oral argument is essential but you find it impossible to be present, you must immediately after receipt of this hearing notice submit a formal motion and supporting affidavit for continuance. Presentation of the motion does not ensure that the continuance will be granted. The court will not consider a motion for continuance after the identity of the panel of judges has been divulged.

OFFICE OF THE CLERK  
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

ACKNOWLEDGEMENT OF HEARING NOTICE

ATTENTION: Calendar Clerk

DATE: \_\_\_\_\_

I acknowledge receipt of notice of assignment showing my case:

No. \_\_\_\_\_

Title: \_\_\_\_\_

assigned for hearing:

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Location: \_\_\_\_\_

Counsel to Argue: Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Party(s) Represented: \_\_\_\_\_

NOTE:

In the event that argument is to be presented "in pro per" please place party's name, address and telephone number in the space provided for counsel.

ADMISSION STATUS

(TO BE COMPLETED BY ATTORNEYS ONLY.)

[ ] I certify that I am admitted to practice before this Court.

[ ] I certify that I am generally qualified for admission to practice before the bar of the Ninth Circuit and that I will immediately apply for admission.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

SSN: \_\_\_\_\_

RETURN NOTICE TO: Office of the Clerk, U.S. Court of Appeals for the  
Ninth Circuit, P.O. Box 547, San Francisco, CA 94101

\*\*\*\*\*