

**General Docket
Eighth Circuit Court of Appeals**

Court of Appeals Docket #: 12-3753		Docketed: 11/19/2012
Nature of Suit: 3710 Fair Labor Standards Peg Bouaphakeo, et al v. Tyson Foods, Inc.		
Appeal From: U.S. District Court for the Northern District of Iowa - Sioux City		
Fee Status: paid - cs		
Case Type Information:		
1) Civil		
2) Private		
3) null		
Originating Court Information:		
District: 0862-5 : 5:07-cv-04009-JAJ		
Trial Judge: John A. Jarvey, U.S. District Judge		
Date Filed: 02/06/2007		
Date Order/Judgment:	Date NOA Filed:	Date Rec'd COA:
11/09/2012	11/16/2012	11/19/2012
Prior Cases:		
None		
Current Cases:		
None		

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Heribento Renteria, on behalf of themselves and all other similarly
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v.

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Peg Bouaphakeo; Javier Frayre; Jose A. Garcia; Mario Martinez; Jesus A. Montes; Heribento Renteria, on behalf of themselves and all other similarly situated individuals


















Plaintiffs - Appellees

v.















Tyson Foods, Inc.

Defendant - Appellant

11/19/2012	<input type="checkbox"/>	Civil case docketed. [3976201] [12-3753] (PSA) 5 pg, 15.8 KB
11/19/2012	<input type="checkbox"/>	Originating court document filed consisting of notice of appeal, docket entries, judgment filed 11/9/12 [3976205] [12-3753] (PSA)
11/19/2012	<input type="checkbox"/>	BRIEFING SCHEDULE SET AS FOLLOWS: Appendix due on 12/31/2012. BRIEF OF APPELLANT Tyson Foods due 12/31/2012. Appellee brief is due 30 days from the date the court issues the Notice of Docket Activity filing the brief of appellant. Appellant reply brief is due 14 days from the date the court issues the Notice of Docket Activity filing the appellee brief. [3976207] [12-3753] (PSA)
11/20/2012	<input type="checkbox"/>	APPEARANCE filed by Emily Burkhardt Vicente for Appellant Tyson Foods w/service 11/20/2012 [3976880] [12-3753] (EBV)
11/20/2012	<input type="checkbox"/>	APPEARANCE filed by Evangeline C. Paschal for Appellant Tyson Foods w/service 11/20/2012 [3976884] [12-3753] (ECP)
11/20/2012	<input type="checkbox"/>	APPEARANCE filed by Michael J. Mueller for Appellant Tyson Foods w/service 11/20/2012 [3976887] [12-3753] (MJM)
11/20/2012	<input type="checkbox"/>	CORPORATE disclosure statement filed by Appellant Tyson Foods. - FOR CAL. [3976890] [12-3753] (MJM)
11/20/2012	<input type="checkbox"/>	Certificate of transcript filed by Appellant Tyson Foods. No Transcript [3976898] [12-3753] (MJM)
11/20/2012	<input type="checkbox"/>	METHOD of appendix preparation filed by Appellant Tyson Foods - Joint Appendix w/service 11/20/2012 [3976899] [12-3753] (MJM)
11/20/2012	<input type="checkbox"/>	APPEARANCE filed by Candis A. McGowan for Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria w/service 11/20/2012 [3976981] [12-3753] (CAM)
11/20/2012	<input type="checkbox"/>	APPEARANCE filed by Jacob A. Kiser for Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria w/service 11/20/2012 [3976984] [12-3753] (JAK)
11/20/2012	<input type="checkbox"/>	APPEARANCE filed by Robert L. Wiggins for Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria w/service 11/20/2012 [3976986] [12-3753] (RLW)
11/27/2012	<input type="checkbox"/>	APPEARANCE filed by Allison D. Balus for Appellant Tyson Foods w/service 11/27/2012 [3978437] [12-3753] (AB)
11/27/2012	<input type="checkbox"/>	APPEARANCE filed by Thomas E. Johnson for Appellant Tyson Foods w/service 11/27/2012 [3978457] [12-3753] (TEJ)
11/29/2012	<input type="checkbox"/>	APPEARANCE filed by Roger K. Doolittle for Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia and Mario Martinez w/service 11/29/2012 [3979745] [12-3753] (RKD)
12/20/2012	<input type="checkbox"/>	RECORD FILED - TRIAL TRANSCRIPT, 9 volumes, Location STL, Comments: Copy do not return to the District Court at end of case, Source Location: USDC / NI, Dt. of Proceeding/Hearing: 09/12/2011 - 9/23/2011, No. of Pgs.: 1813, Court Reporter: Egbers, Linda Lou [3987180] [12-3753] (STL)
12/20/2012	<input type="checkbox"/>	RECORD FILED - HEARING TRANSCRIPT, 1 volumes, Location STL, Comments: Copy do not return to the District Court at end of case, Source Location: USDC / NI, Dt. of Proceeding/Hearing: 02/14/2011, No. of Pgs.: 119, Court Reporter: Egbers, Linda Lou [3987190] [12-3753] (STL)
12/20/2012	<input type="checkbox"/>	RECORD FILED - HEARING TRANSCRIPT, 1 volumes, Location STL, Comments: Copy do not return to the District Court at end of case, Source Location: USDC / NI, Dt. of Proceeding/Hearing: 09/20/2011, No. of Pgs.: 19, Court Reporter: Egbers, Linda Lou [3987192] [12-3753] (STL)
12/20/2012	<input type="checkbox"/>	RECORD FILED - TRIAL TRANSCRIPT, 1 volumes, Location STL, Comments: Transcript of Jury Question and Jury Verdict [Copy do not return to the District Court at end of case], Source Location: USDC / NI, Dt. of Proceeding/Hearing: 09/26/2011, Court Reporter: Egbers, Linda Lou [3987194] [12-3753] (STL)
12/20/2012	<input type="checkbox"/>	MOTION for extension of time to file brief until 02/14/2013, filed by Attorney Mr. Michael J. Mueller for Appellant Tyson Foods w/service 12/20/2012. [3987458] [12-3753] (MJM)
12/21/2012		

	<input type="checkbox"/> 	CLERK ORDER:Granting in Part [3987458-2] motion for extension of time to file brief filed by Mr. Michael J. Mueller [3987556] Brief of Appellant Tyson Foods due 01/30/2013. Appendix due on 01/30/2013. [3987556] [12-3753] (MER)
01/25/2013	<input type="checkbox"/> 	APPEARANCE filed by Thomas C. Walsh for Appellant Tyson Foods w/service 01/25/2013 [3998137] [12-3753] (TW)
01/25/2013	<input type="checkbox"/> 	MOTION for extension of time to file brief until 02/08/2013, filed by Attorney Mr. Thomas Walsh for Appellant Tyson Foods w/service 01/25/2013. [3998274] [12-3753] (TW)
01/28/2013	<input type="checkbox"/> 	CLERK ORDER:Granting [3998274-2] motion for extension of time to file brief filed by Mr. Thomas Walsh. Brief of Appellant Tyson Foods due 02/08/2013. Appendix due on 02/08/2013. [3998410] [12-3753] (MER)
02/06/2013	<input type="checkbox"/> 	METHOD of appendix preparation filed by Appellant Tyson Foods - Separate Appendix w/service 02/06/2013 [4002344] [12-3753] (MJM)
02/08/2013	<input type="checkbox"/> 	APPELLANT brief of Tyson Foods submitted for review. The time for filing the subsequent brief does not begin to run until the brief has been approved and filed. [4003395] [12-3753] (TW)
02/08/2013	<input type="checkbox"/> 	Addendum of APPELLANT submitted for review by Tyson Foods [4003397] [12-3753] (TW)
02/12/2013	<input type="checkbox"/> 	Brief deficiency notice sent to counsel, Attorney Mr. Thomas Walsh for Appellant Tyson Foods. [4004420] [12-3753] (MER)
02/13/2013	<input type="checkbox"/> 	APPELLANT brief of Tyson Foods submitted for review. The time for filing the subsequent brief does not begin to run until the brief has been approved and filed. [4004904] [12-3753] ATTACHED DOCUMENT REPLACED AT COUNSEL'S REQUEST--[Edited 02/14/2013 by MER] (TW)
02/13/2013	<input type="checkbox"/>	RECORD FILED - APLNT/PET APPENDIX, 5 volumes, Location STL, 1 box, Comments: 3 copies [4005274] [12-3753] (MER)
02/14/2013	<input type="checkbox"/> 	BRIEF FILED - APPELLANT BRIEF filed by Tyson Foods. w/service 02/13/2013 , Length: 11,938 words 10 COPIES OF PAPER BRIEFS FROM Tyson Foods due 02/19/2013 WITH revised certificate of service for paper briefs . Brief of Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria due on 03/18/2013 [4005057] [12-3753] (MER)
02/14/2013	<input type="checkbox"/> 	ADDENDUM of APPELLANT FILED by Appellant Tyson Foods. w/service 02/08/2013 [4005061] [12-3753] (MER)
02/15/2013	<input type="checkbox"/>	Paper copies Appellant/Petitioner Brief, [4005057-2] filed by Tyson Foods. 10 paper copies received. w/Addendum attached [4005709] [12-3753] (MER)
03/11/2013	<input type="checkbox"/> 	MOTION for extension of time to file brief until 04/19/2013, filed by Attorney Mr. Robert L. Wiggins, Jr. for Appellees Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria w/service 03/11/2013. [4013347] [12-3753] (RLW)
03/12/2013	<input type="checkbox"/> 	CLERK ORDER:Granting in Part [4013347-2] motion for extension of time to file brief filed by Mr. Robert L. Wiggins, Jr. [4013702] Brief of Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria due 04/08/2013. [4013702] [12-3753] (MER)
04/01/2013	<input type="checkbox"/> 	MOTION for extension of time to file brief until 04/18/2013, filed by Attorney Mr. Robert L. Wiggins, Jr. for Appellees Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria w/service 04/01/2013. [4020303] [12-3753] (RLW)
04/01/2013	<input type="checkbox"/> 	CLERK ORDER:Granting [4020303-2] motion for extension of time to file brief filed by Mr. Robert L. Wiggins, Jr.. Brief of Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria due 04/18/2013. [4020314] [12-3753] (MER)
04/18/2013	<input type="checkbox"/> 	Addendum of APPELLEE submitted for review by Peg Bouaphakeo [4026929] [12-3753] (RLW)
04/18/2013	<input type="checkbox"/> 	APPELLEE brief of Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria submitted for review. The time for filing the subsequent brief does not begin to run until the brief has been approved and filed. [4026930] [12-3753] ATTACHED DOCUMENT REPLACED AT COUNSEL'S REQUEST--[Edited 04/22/2013 by MER] (RLW)
04/19/2013	<input type="checkbox"/>	RECORD FILED - APLEE/RES APPENDIX, 1 volume, Location STL, Comments: 3 copies [4028831] [12-3753] (MER)
04/22/2013		

	<input type="checkbox"/>	Addendum deficiency notice sent to counsel, Attorney Mr. Robert L. Wiggins, Jr. for Appellees Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria. New electronic copy of addendum due on 04/29/2013 [4027841] [12-3753] (MER)
04/22/2013	<input type="checkbox"/>	Brief deficiency notice sent to counsel, Attorney Mr. Robert L. Wiggins, Jr. for Appellees Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria. [4027859] [12-3753] (MER)
04/29/2013	<input type="checkbox"/>	APPELLEE brief of Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria submitted for review. The time for filing the subsequent brief does not begin to run until the brief has been approved and filed. [4030470] [12-3753] (RLW)
04/29/2013	<input type="checkbox"/>	Addendum of APPELLEE submitted for review by Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria [4030471] [12-3753] (RLW)
04/30/2013	<input type="checkbox"/>	ADDENDUM of APPELLEE FILED by Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria , w/service 04/29/2013 [4030675] [12-3753] (MER)
04/30/2013	<input type="checkbox"/>	BRIEF FILED - APPELLEE BRIEF filed by Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria, w/service 04/29/2013 , Length: 13,996 words 10 COPIES OF PAPER BRIEFS FROM Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria due 05/06/2013 WITH revised certificate of service for paper briefs . Reply brief of Tyson Foods due on 05/14/2013. [4030685] [12-3753] (MER)
05/03/2013	<input type="checkbox"/>	Paper copies Appellee/Respondent brief, [4030685-2] filed by Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria. 10 paper copies received. w/Addendum attached [4032711] [12-3753] (MER)
05/07/2013	<input type="checkbox"/>	Please note that this case has been screened for oral argument. The exact date of your oral argument has not been determined at this time. You will be receiving a calendar approximately 4 weeks before the scheduled argument date. The following is a link to the upcoming court sessions http://media.ca8.uscourts.gov/files/oadates.pdf Please review these dates immediately to determine if you have any conflicts. If you do have conflicts with any of the argument dates, please inform this court by sending a letter using the ECF docketing event 'Correspondence to Court', 'Letter filed' 'regarding availability for oral argument'. Your compliance with this policy will minimize the need for motions to continue or reschedule oral argument. The court also encourages you to notify the clerk if conflicts with these dates develop in the future. The clerk's office takes conflict dates into consideration in scheduling oral arguments but cannot guarantee that every request will be honored. [4033070] [12-3753] (BWB)
05/08/2013	<input type="checkbox"/>	MOTION for extension of time to file brief until 06/04/2013 at 11:59 pm, filed by Attorney Mr. Thomas Walsh for Appellant Tyson Foods w/service 05/08/2013. [4033818] [12-3753] (TW)
05/09/2013	<input type="checkbox"/>	CLERK ORDER:Granting [4033818-2] motion for extension of time to file brief filed by Mr. Thomas Walsh. Reply brief of Tyson Foods due 06/04/2013 [4033913] [12-3753] (MER)
05/09/2013	<input type="checkbox"/>	LETTER from Appellant Tyson Foods regarding availability for oral argument. w/service 05/09/2013 [4034021] [12-3753] (MJM)
05/09/2013	<input type="checkbox"/>	LETTER from Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria regarding availability for oral argument. w/service 05/09/2013 [4034034] [12-3753] (RLW)
06/04/2013	<input type="checkbox"/>	REPLY brief of Tyson Foods submitted for review. The time for filing the subsequent brief does not begin to run until the brief has been approved and filed. [4042096] [12-3753] (TW)
06/05/2013	<input type="checkbox"/>	BRIEF FILED - APPELLANT REPLY BRIEF filed by Tyson Foods. w/service 06/04/2013 , Length: 6,948 words 10 COPIES OF PAPER BRIEFS FROM Tyson Foods due 06/10/2013 WITH revised certificate of service for paper briefs [4042305] [12-3753] (MER)
06/05/2013	<input type="checkbox"/>	Paper copies Reply brief, [4042305-2] filed by Tyson Foods. 10 paper copies received. [4042767] [12-3753] (MER)
10/16/2013	<input type="checkbox"/>	LETTER from Appellant Tyson Foods regarding availability for oral argument. w/service 10/16/2013 [4086303] [12-3753] (MJM)
10/23/2013	<input type="checkbox"/>	LETTER from Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria regarding availability for oral argument. w/service 10/23/2013 [4088729] [12-3753] (RLW)
01/13/2014	<input type="checkbox"/>	SET FOR ARGUMENT - CASE PLACED ON CALENDAR - <i>for Argument in St. Paul on Tuesday, February 11, 2014.</i> To be heard before Judges Lavenski R. Smith, C. Arlen Beam and Duane

		Benton in Division I. The courtroom deputy will be Janet Michaels. All attorneys presenting oral argument must complete a Response Form. The Response Form may be found at http://media.ca8.uscourts.gov/newcoa/forms/OralArgumentResponseForm.pdf . For the complete calendar go to http://media.ca8.uscourts.gov/webcal/feb14stp.pdf PLEASE REVIEW THE ENTIRE CALENDAR CAREFULLY, PARTICULARLY THE COUNSEL NOTICE PAGE. <i>If you are appointed counsel under the Criminal Justice Act and require airline transportation to oral argument, the court will issue a travel authorization the next business day.</i> [4113316] [12-3753] (TAB)
01/13/2014	<input type="checkbox"/>  1 pg, 102.5 KB	ARGUMENT RESPONSE/APPEARANCE FORM filed by Mr. Michael J. Mueller for Tyson Foods for argument in February, at the U.S. Courthouse in St. Paul, Minnesota. [4113471] [12-3753] (MJM)
01/22/2014	<input type="checkbox"/>  1 pg, 206.19 KB	ARGUMENT RESPONSE/APPEARANCE FORM filed by Mr. Robert L. Wiggins, Jr. for Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria for argument in February, at the U.S. Courthouse in St. Paul, Minnesota. [4115981] [12-3753] (RLW)
01/23/2014	<input type="checkbox"/>  1 pg, 1.01 MB	28(j) citation filed by Appellant Tyson Foods w/service 01/23/2014 - FOR CAL [4116463] [12-3753] (TW)
02/03/2014	<input type="checkbox"/>  2 pg, 95.54 KB	Response of Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria to 28(j) citation , [4116463-2], filed by Tyson Foods in 12-3753 ,28(j) citation for Calendar, [4116463-3], filed by Tyson Foods in 12-3753. w/service 02/03/2014 - FOR CAL [4119977] [12-3753] (RLW)
02/11/2014	<input type="checkbox"/>  1 pg, 5.06 KB	ARGUED & SUBMITTED in St. Paul to Judges Lavenski R. Smith, C. Arlen Beam, Duane Benton on 02/11/2014 Mr. Michael J. Mueller for Appellant Tyson Foods and Mr. Robert L. Wiggins, Jr. for Appellees Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria. Rebuttal by Mr. Michael J. Mueller for Tyson Foods RECORDED [4122794] [12-3753] (JMM)
08/25/2014	<input type="checkbox"/>  24 pg, 189.63 KB	OPINION FILED - THE COURT: Lavenski R. Smith, C. Arlen Beam and Duane Benton AUTHORING JUDGE:Duane Benton (PUBLISHED), DISSENT BY: C. Arlen Beam [4189089] [12-3753] (MDS)
08/25/2014	<input type="checkbox"/>	JUDGMENT FILED - The judgment of the Originating Court is AFFIRMED in accordance with the opinion.. LAVENSKI R. SMITH, C. ARLEN BEAM and DUANE BENTON Hrg Feb 2014 [4189102] [12-3753] ***THIS JUDGMENT WAS VACATED, Pursuant to Remand by the U.S. Supreme Court on April 25, 2016*** (MDS)
09/04/2014	<input type="checkbox"/>  3 pg, 24.92 KB	MOTION for extension of time to file petition for rehearing until 09/22/2014, filed by Attorney Mr. Thomas Walsh for Appellant Tyson Foods w/service 09/05/2014. [4193079] [12-3753]--[Edited 09/05/2014 by MDS to correct ECF relief] (TW)
09/05/2014	<input type="checkbox"/>  1 pg, 5.42 KB	CLERK ORDER:Granting [4193079-3] motion for extension of time to file rehearing filed by Mr. Thomas Walsh. Petition for Rehearing due on 09/22/2014; [4193788] [12-3753] (MDS)
09/08/2014	<input type="checkbox"/>	LETTER from Appellant Tyson Foods regarding Bill of Costs. w/service 09/08/2014 [4194033] [12-3753] COUNSEL WAS ASKED TO REFILE THIS DOCUMENT AS A BILL OF COSTS, SHOWING APPELLEE AS THE FILER.--[Edited 09/08/2014 by SRD] (CAM)
09/08/2014	<input type="checkbox"/>  7 pg, 163.13 KB	MOTION for bill of costs in the amount of 233.35, filed by Attorney Ms. Candis A. McGowan for Appellees Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria w/service 09/08/2014. [4194342] [12-3753] (CAM)
09/08/2014	<input type="checkbox"/>  4 pg, 27.3 KB	MOTION for attorney fees in the amount of, filed by Attorney Ms. Candis A. McGowan for Appellees Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria w/service 09/08/2014. [4194430] [12-3753] (CAM)
09/19/2014	<input type="checkbox"/>  3 pg, 84.62 KB	RESPONSE with no opposition to motion for attorney fees [4194430-2] filed by Mr. Michael J. Mueller for Appellant Tyson Foods and Mr. Thomas Walsh for Appellant Tyson Foods , w/service 09/18/2014. [4198815] [12-3753] (MJM)
09/22/2014	<input type="checkbox"/>  42 pg, 1.77 MB	PETITION for en banc rehearing and also for rehearing by panel filed by Appellant Tyson Foods w/service 09/22/2014 [4198917] [12-3753] (TW)
09/25/2014	<input type="checkbox"/>  1 pg, 5.37 KB	JUDGE ORDER:A petition for rehearing has been filed by the Appellant in the above case. The court requests a response to the petition. The response is limited to fifteen pages and should be filed electronically. Response due on 10/06/2014 by Appellees Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Mario Martinez, Jesus A. Montes and Heribento Renteria. [4200253] [12-3753] (MDS)
10/02/2014	<input type="checkbox"/>  2 pg, 18.35 KB	MOTION for extension of time to file response to judge order request response to petition for rehearing, [4200253-2], judge order , [4200253-3], until 10/09/2014 at 11:59 pm, filed by Attorney Mr. Robert L. Wiggins, Jr. for Appellees Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria w/service 10/02/2014. [4202877] [12-3753] (RLW)

10/03/2014	<input type="checkbox"/>	CLERK ORDER:Granting [4202877-2] motion for extension of time to file a response filed by Mr. Robert L. Wiggins, Jr.. Response due on 10/09/2014. [4203017] [12-3753] (MDS)
10/09/2014	<input type="checkbox"/>	RESPONSE in opposition to petition for enbanc rehearing [4198917-2] , petition for rehearing by panel [4198917-3] filed by Attorney Mr. Robert L. Wiggins, Jr. for Appellees Mario Martinez, Peg Bouaphakeo, Javier Frayre, Jose A. Garcia, Jesus A. Montes and Heribento Renteria , w/service 10/09/2014. [4205231] [12-3753] (RLW)
11/18/2014	<input type="checkbox"/>	JUDGE ORDER: The petition for rehearing en banc is denied. The petition for panel rehearing is also denied. Chief Judge Riley, Judge Wollman, Judge Loken, Judge Gruender, and Judge Shepherd would grant the petition for rehearing en banc. Judge Beam would grant panel rehearing. Judge Beam dissented to the denial of rehearing by the panel. Judge Benton wrote separately. PUBLISHED ORDER., [4198917-2] ATTACHED DOCUMENT LOCKED - ORDER VACATED IN ORDER OF 11/18/2014--[Edited 11/19/2014 by MER] (MDS)
11/18/2014	<input type="checkbox"/>	CLERK ORDER: The order of November 18, 2014 is vacated. PUBLISHED ORDER, Doc No. [4217639-2],[4217651] [12-3753]--[Edited 11/19/2014 by MER] (MDS)
11/19/2014	<input type="checkbox"/>	JUDGE ORDER: The petition for rehearing en banc is denied. The petition for panel rehearing is also denied. Chief Judge Riley, Judge Wollman, Judge Loken, Judge Gruender, and Judge Shepherd would grant the petition for rehearing en banc. Judge Beam would grant panel rehearing. Judge Beam dissented to the denial of rehearing by the panel. Judge Benton wrote separately. [4198917-2] [4198917-3] PUBLISHED ORDER. [4217916] [12-3753] (MER)
11/26/2014	<input type="checkbox"/>	MOTION to stay the mandate, filed by Attorney Mr. Thomas Walsh for Appellant Tyson Foods w/service 11/26/2014. [4220133] [12-3753] (TW)
12/03/2014	<input type="checkbox"/>	JUDGE ORDER: Appellant's motion to stay the mandate is denied. Judge C. Arlen Beam would grant the motion for stay. The court's mandate shall issue forthwith. [4220133-2] Hrg Feb 2014 [4221950] [12-3753] (MDS)
12/03/2014	<input type="checkbox"/>	MANDATE ISSUED. [4221960] [12-3753] (MDS)
01/29/2015	<input type="checkbox"/>	Supreme Court Letter extending time to file cert petition until 03/19/2015. [4242172] [12-3753] (MDS)
03/20/2015	<input type="checkbox"/>	U.S. Supreme Court Notice of cert filed in the Supreme Court on 03/20/2015, case No. 14-1146 [4258618] [12-3753] (SRD)
06/08/2015	<input type="checkbox"/>	SUPREME COURT order filed granting cert petition. Order filed on 06/08/2015 in case No.14-1146. [4283235] [12-3753] (SRD)
09/10/2015	<input type="checkbox"/>	Supreme Court letter/notice filed: requesting 8th Cir. record [12-3753] (SRD)
09/11/2015	<input type="checkbox"/>	8th Circuit record sent to Supreme Court on 09/11/2015 - consisting of the complete copy of the pleadings file,all briefs of records and apendicies. [12-3753] (JJF)
03/22/2016	<input type="checkbox"/>	U.S. SUPREME COURT opinion filed on 03/22/2016 in case 14-1146. Ruling of the Supreme Court: affirmed [4381321] [12-3753] (AMT)
04/25/2016	<input type="checkbox"/>	SUPREME COURT JUDGMENT/MANDATE FILED 04/25/2016 in Supreme Court Case 14-1146 Supreme Court Ruling: affirmed and remanded. (See Judgment for complete text) [4393243] [12-3753] (SRD)
04/28/2016	<input type="checkbox"/>	CLERK ORDER: [4393246] [12-3753] Pursuant to the order of the U.S. Supreme Court, dated March 22, 2016, and the U.S. Supreme Court's mandate of April 25, 2016, this court's judgment dated August 25, 2014, is vacated, the mandate is hereby recalled, and the case is reopened. (SRD)
04/28/2016	<input type="checkbox"/>	CASE REOPENED 1 REOPEN[4393249] [12-3753] (SRD)

- Documents and Docket Summary
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