

**Form 6. Civil Appeals Docketing Statement**

USCA DOCKET # (IF KNOWN)
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**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT  
CIVIL APPEALS DOCKETING STATEMENT**

PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY.

TITLE IN FULL: JOSHUA HILD v. CALIFORNIA SUPREME COURT	DISTRICT: NORTHERN		JUDGE: THELTON E. HENDERSON
	DISTRICT COURT NUMBER: C 07-05107 TEH		
	DATE NOTICE OF APPEAL FILED: March 25, 2008	IS THIS A CROSS-APPEAL? <input type="checkbox"/> YES	
	IF THIS MATTER HAS BEEN BEFORE THIS COURT PREVIOUSLY, PLEASE PROVIDE THE DOCKET NUMBER AND CITATION (IF ANY):		

**BRIEF DESCRIPTION OF ACTION AND RESULT BELOW:**  
Declaratory Relief to strike down Cal Rules of Court, Rule 8.1115(a), the "non-citation rule" as unconstitutional. Motion to Dismiss below was granted. FRCP 12(b)(6).

**PRINCIPAL ISSUES PROPOSED TO BE RAISED ON APPEAL:**  
Is CRC Rule 8.1115(a) unconstitutional as promoting "selective prospectivity"?

PLEASE IDENTIFY ANY OTHER LEGAL PROCEEDING THAT MAY HAVE A BEARING ON THIS CASE (INCLUDE PENDING DISTRICT COURT POST-JUDGMENT MOTIONS):

**DOES THIS APPEAL INVOLVE ANY OF THE FOLLOWING:**

Possibility of settlement

Likelihood that intervening precedent will control outcome of appeal

Likelihood of a motion to expedite or to stay the appeal, or other procedural matters (specify)

Any other information relevant to the inclusion of this case in the Mediation Program

Possibility parties would stipulate to binding award by Appellate Commissioner in lieu of submission to judges.

**\*THIS DOCUMENT SHOULD BE FILED IN THE DISTRICT COURT WITH THE NOTICE OF APPEAL.\*  
\*IF FILED LATE, IT SHOULD BE FILED DIRECTLY WITH THE U.S. COURT OF APPEALS\***

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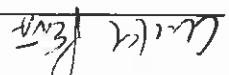
FIRM: BISNAR|CHASE, LLP

NAME: Brian D. Chase, Esq. and Mike Pena, Esq.

**COUNSEL WHO COMPLETED THIS FORM**

Signature  
Mike Pena, Esq.

March 24<sup>th</sup>, 2008  
Date



4. I UNDERSTAND THAT FAILURE TO COMPLY WITH THESE FILING REQUIREMENTS MAY RESULT IN SANCTIONS, INCLUDING DISMISSAL OF THIS APPEAL.

3. A COPY OF THIS CIVIL APPEALS DOCKETING STATEMENT WAS SERVED IN COMPLIANCE WITH FRAP 25.

2. A CURRENT SERVICE LIST OR REPRESENTATION STATEMENT WITH TELEPHONE AND FAX NUMBERS IS ATTACHED (SEE 9TH CIR. RULE 3-2).

1. COPIES OF ORDER / JUDGMENT APPEALED FROM ARE ATTACHED.

**I CERTIFY THAT:**

**CERTIFICATION OF COUNSEL**

<input checked="" type="checkbox"/> FEDERAL QUESTION <input type="checkbox"/> FEDERAL <input type="checkbox"/> DIVERSITY <input type="checkbox"/> OTHER (SPECIFY)		<input checked="" type="checkbox"/> FINAL DECISION OF DISTRICT COURT <input type="checkbox"/> INTERLOCUTORY DECISION APPEALABLE AS OF RIGHT <input type="checkbox"/> INTERLOCUTORY ORDER CERTIFIED BY DISTRICT JUDGE (SPECIFY): <input type="checkbox"/> OTHER (SPECIFY):		<input type="checkbox"/> DEFAULT JUDGMENT <input type="checkbox"/> DISMISSAL / JURISDICTION <input checked="" type="checkbox"/> DISMISSAL / MERITS <input type="checkbox"/> SUMMARY JUDGMENT <input type="checkbox"/> JUDGMENT / COURT DECISION <input type="checkbox"/> JUDGMENT / JURY VERDICT <input type="checkbox"/> DECLARATORY JUDGMENT <input type="checkbox"/> JUDGMENT AS A MATTER OF LAW <input type="checkbox"/> OTHER (SPECIFY):	<input type="checkbox"/> DAMAGES: SOUGHT \$ _____ AWARDED \$ _____ <input type="checkbox"/> INJUNCTIONS: PERMANENT / PRELIMINARY <input type="checkbox"/> DENIED <input type="checkbox"/> ATTORNEY FEES: SOUGHT \$ _____ AWARDED \$ _____ <input type="checkbox"/> PENDING COSTS: \$ _____
FEDERAL		APPELLATE		RELIEF	
JURISDICTION		TYPE OF JUDGMENT / ORDER APPEALED			
DISTRICT COURT DISPOSITION		DAMAGES: SOUGHT \$ _____ AWARDED \$ _____			

**LOWER COURT INFORMATION**