

# United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

## NOTICE OF ORAL ARGUMENT

Date: April 10, 2003

By the court:

No. 02-3926

JAMES A. KNAUER, as the Court Appointed Receiver for  
HEARTLAND FINANCIAL SERVICES, INCORPORATED, JMS INVESTMENT  
GROUP, LLC,

Plaintiff - Appellant

v.

JONATHON ROBERTS FINANCIAL GROUP, INCORPORATED, ALLIANCE  
CAPITAL MANAGEMENT CORPORATION, ANDOVER SECURITIES,  
INCORPORATED, et al.,

Defendants - Appellees

Appeal from the United States District Court for the  
Southern District of Indiana, Indianapolis Division  
N ) 01 C 1168, John Daniel Tinder, Judge

**IT IS ORDERED** that this case be orally argued on  
Thursday, May 29, 2003, in the Courtroom of the United States Court  
of Appeals for the Seventh Circuit, 219 South Dearborn,  
Room 2721, Chicago, Illinois at 10:00 a.m.

Oral argument will be no more than 15 minutes for each side.  
Counsel are advised that the panel of judges assigned to oral  
argument may decide, after reading the briefs, that less time  
is required for oral argument.

**IT IS FURTHER ORDERED** that counsel notify the Calendar  
Clerk (312-435-5843) who will present oral argument by completing  
and returning the enclosed post card to the court. Notice must be  
received in the clerk's office no later than 5 business days prior  
to the scheduled argument date.

Copies of this notice have been sent to counsel of record.

**NOTE:** Any request for waiver or postponement of a scheduled oral argument must be made by formal motion, with proof of  
service on all other counsel or parties. Postponements will be granted only in extraordinary circumstances. See  
Circuit Rule 34(e).

Please review the attached "Special Notice to Counsel Who Will Present Oral Argument" for important requirements  
and information about oral argument in the Court of Appeals.

(1006-102301)

## **SPECIAL NOTICE TO COUNSEL WHO WILL PRESENT ORAL ARGUMENT**

1. Counsel for all parties are directed to contact the court's calendar clerk, Mary Wagner, at (312) 435-5843, no later than FIVE business days prior to your scheduled oral argument to verify that he or she will be appearing to present oral argument. Counsel for appellants must also advise the calendar clerk how much of your allotted time is to be reserved for rebuttal. The clerk must provide this information in advance to the panel of three judges who will hear oral arguments. Counsel for the appellee does not receive the opportunity for rebuttal. Whenever more than one attorney will share the total time allotted for oral argument by a "side" the sequence of argument and the amount of time each attorney is to speak (to be arrived at by consensus between or among counsel) must also be provided to the calendar clerk.
2. Every attorney who will present oral argument must be admitted to practice in this court. Lead counsel must be admitted to the Bar of this court within 30 days of the appeal's docketing. Circuit Rule 46(a). Government attorneys are exempted from this requirement by Circuit Rule 46(c).
3. Counsel presenting oral argument to the court must be seated at the appropriate counsel table when the case is called for oral argument. When facing the bench, appellant's counsel is seated to the left, appellee's counsel to the right. Counsel should remain seated at counsel table during their opponent's entire argument.
4. Because oral arguments occasionally end before their allotted time expires, counsel are expected to be in the courtroom during the argument of the case immediately preceding theirs. To allow a prompt transition between arguments, counsel for the next scheduled case should be seated in the front row of the public gallery, if possible. Please be prepared to move to the appropriate counsel table for the commencement of your argument.
5. Please be advised that the judges have read the briefs, and proceed accordingly in planning your oral argument. Lengthy expositions of the facts should be avoided, unless requested by the court.
6. The podium is equipped with three lights: white, yellow, and red. The courtroom deputy clerk will activate the white light when an appellant is entering the time reserved for rebuttal; when an individual attorney's time has expired in an instance where more than one attorney is presenting oral argument for one "side"; or when an appellee has five minutes remaining. The yellow light will indicate when one minute of an attorney's entire allotted time remains. The red light indicates that all of the time allocated to a side has expired. When time expires, counsel should quickly finish their thought, but not continue argument beyond the allotted time unless instructed to do so by the court. Please do not use the court's time and your own by initiating your argument with a recitation of who will be splitting time with whom and/or how much time you have decided to reserve for rebuttal. The judges will already have this information.
7. Counsel presenting oral argument must sign in with the clerk's office at least 15 minutes prior to their scheduled time. Please read the bulletin board located in the hallway by the entrance to the main courtroom for additional information regarding oral arguments. The panel of judges and the order of cases to be argued that day is posted by 9:00 a.m. each morning the court is in session.
8. Attire for counsel should be restrained and appropriate to the dignity of a Court of Appeals of the United States.
9. All cellular telephones, pagers, or personal digital devices must be switched off while in the courtroom.
10. The court is handicap accessible. Anyone needing special accommodations should call the clerk's office.

Thank you for your cooperation.  
Gino J. Agnello, Clerk of the Court

It's important that you arrive EARLY  
to the courthouse, due to security  
screening. You also need to bring a  
picture i.d.

Thank you,

U.S. Court of Appeals