

08-1529 HUI V. CASTANEDA

DECISION BELOW: 546 F.3d 682

LOWER COURT CASE NUMBER: 08-55684

QUESTION PRESENTED:

Does 42 U.S.C. § 233(a) make the Federal Tort Claims Act the exclusive remedy for claims arising from medical care and related functions provided by Public Health Service personnel, thus barring Bivens actions?

CONSOLIDATED WITH 08-1547 FOR ONE HOUR ORAL ARGUMENT -
DISMISSED AS TO MIGLIACCIO AND SHACK PURSUANT TO RULE 46
10/29/2009 08-1547 DISMISSED PURSUANT TO RULE 46 10/29/2009
CERT. GRANTED 9/30/2009