

General Docket
United States Court of Appeals for the 5th Circuit

Court of Appeals Docket #: 02-20843 USA v. Therm-All Inc Appeal From: Southern District of Texas, Houston Fee Status: fee paid	Docketed: 07/30/2002 Termed: 06/14/2004										
Case Type Information: 1) Direct Criminal 2) Conviction & Sentence 3)											
Originating Court Information: District: 0541-4 : H-00-CR-362-2 Court Reporter: Bruce Slavin, Court Reporter Trial Judge: Nancy F. Atlas, U.S. District Judge Date Filed: 05/31/2000 Date NOA Filed: 07/18/2002 Date Rec'd COA: 07/25/2002											
Prior Cases: None											
Current Cases: <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 15%;">Lead</th> <th style="width: 15%;">Member</th> <th style="width: 15%;">Start</th> <th style="width: 15%;">End</th> </tr> </thead> <tbody> <tr> <td>AIMS Additional</td> <td>02-20843</td> <td>02-20844</td> <td>07/30/2002</td> <td></td> </tr> </tbody> </table>			Lead	Member	Start	End	AIMS Additional	02-20843	02-20844	07/30/2002	
	Lead	Member	Start	End							
AIMS Additional	02-20843	02-20844	07/30/2002								
Panel Assignment: Panel: TMR EHJ EBC Date of Hearing: 09/05/2003 Date of Decision: 12/03/2003 Date Completed: 12/03/2003											

UNITED STATES OF AMERICA Plaintiff - Appellee	<p>John P. Fonte Direct: 202-514-2435 Email: john.fonte@usdoj.gov Fax: 202-214-0536 [COR LD NTC Government] U.S. Department of Justice Appellate Section, Antitrust Division Suite 3224 950 Pennsylvania Avenue, N.W. Washington, DC 20530-0001</p> <p>John James Powers, III, Esq., Assistant Chief Attorney Direct: 202-514-2414 Email: john.powers@usdoj.gov Fax: 202-514-0536 [COR NTC Government] U.S. Department of Justice Appellate Section, Antitrust Division Room 3226 950 Pennsylvania Avenue, N.W. Washington, DC 20530-0001</p> <p>James Lee Turner, Assistant U.S. Attorney Direct: 713-567-9102 Email: jim.turner@usdoj.gov Fax: 713-718-3302 [COR NTC Government] U.S. Attorney's Office Southern District of Texas Suite 1500 P.O. Box 61129 Houston, TX 77208-1129</p>
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v.

THERM-ALL INC
Defendant - Appellant

Karl R. Wetzel
Direct: 216-642-3342
Email: krwetzel@wegmanlaw.com
Fax: 216-642-8826
[COR LD NTC Retained]
Wegman, Hessler & Vanderburg
Suite 200
6055 Rockside Woods Boulevard
Cleveland, OH 44131-0000

UNITED STATES OF AMERICA


Plaintiff - Appellee



v.


THERM-ALL INC; SUPREME INSULATION INC





Defendants - Appellants









- 07/30/2002 Direct criminal case docketed. NOA filed by Appellant Therm-All Inc. [02-20843] (Former Employee)
- 07/30/2002 Direct criminal case docketed. NOA filed by Appellant Supreme Insulation in 02-20844. [02-20844] (Former Employee)
- 07/30/2002 Additional Appeal docketed. [02-20843, 02-20844] (Former Employee)
- 08/08/2002 Appearance form filed by David Benjamin Gerger for Appellant Supreme Insulation in 02-20844. [02-20843, 02-20844] (JRD)
- 08/19/2002 Judgment and commitment order entered in the District Court 7/10/02. [02-20843] Transcript Order due on 9/3/02 for Therm-All Inc. (Former Employee)
- 08/19/2002 5 transcript orders received on 8/8/02 from Appellant Supreme Insulation in 02-20844 for Court Reporter Tape - SR in 02-20844, Court Reporter Gayle Dye in 02-20844, Court Reporter Bruce Slavin in 02-20844, Court Reporter Phyllis Loy in 02-20844, Court Reporter Edward L Reed in 02-20844. Dates of Hearings: 6/19/00 (Arraignment), 6/19/00 (Initial Appearance), 7/14/00 (Arraignment) - Tape SR; 9/28/00 (Pre-trial Conference), 7/26/01 (Hearing Minutes & Order) - Gayle Dye; 11/30/00 (Hearing Minutes & Order), 6/28/01 (Hearing Minutes & Order); 9/4/01 (Hearing Minutes & Order), 9/5/01 to 10/17/01 (Entire Trial Proceedings) - Bruce Slavin; 7/13/01 (Hearing Minutes & Order) - Phyllis Loy; 8/23/01 (Hearing Minutes & Order - Telephone Pre-trial Conference) - Edward Reed. [02-20844, 02-20843] Ct. Reporter Acknowledgment due on 9/3/02 for Tape - SR in 02-20844, for Gayle Dye in 02-20844, for Bruce Slavin in 02-20844, for Phyllis Loy in 02-20844, for Edward L Reed in 02-20844. (Former Employee)
- 08/19/2002 Transcript order acknowledgment received from Court Reporter Tape - SR in 02-20844. Date Financial Arrangements Made: 8/14/02. [02-20844, 02-20843] Ct. Reporter Acknowledgement ddl satisfied. Transcript due on 9/16/02 for Tape - SR in 02-20844. Ct. Reporter Discount Date is 10/15/02 for Tape - SR in 02-20844. (Former Employee)
- 08/19/2002 Transcript order acknowledgment received on 8/16/02 from Court Reporter Bruce Slavin in 02-20844. Estimated pages: 5,500. Date Financial Arrangements Made: 8/9/02. [02-20844, 02-20843] Reporter Acknowledgement ddl satisfied. Transcript due on 9/30/02 for Bruce Slavin in 02-20844. Ct. Reporter Date is 10/8/02 for Bruce Slavin in 02-20844. (Former Employee)
- 08/30/2002 Appearance form filed by Karl R Wetzel for Appellant Therm-All Inc in 02-20843. [02-20843, 02-20844] (JRD)
- 09/10/2002 Appearance form filed by John J Powers for Appellee USA in 02-20843, John J Powers for Appellee USA in 02-20844. [02-20843, 02-20844] (Former Employee)
- 09/10/2002 Appearance form filed by John P Fonte for Appellee USA in 02-20843, John P Fonte for Appellee USA in 02-20844. [02-20843, 02-20844] (Former Employee)
- 09/17/2002 Fee paid by Appellant Supreme Insulation in 02-20844. [02-20844] Fee ddl satisfied. (AS)
- 09/17/2002 Transcript order received on 8/2/02 from Appellant Therm-All Inc in 02-20843 and return because transcript must reflect the dates and names of the requested hearings. [02-20843, 02-20844] Transcript Order ddl updated to for Therm-All Inc in 02-20843. (Former Employee)
- 09/17/2002 Notice received from Appellant Therm-All Inc in 02-20843 that transcript is already on file. [02-20843, 02-20844] Transcript Order ddl satisfied. (Former Employee)
- 09/23/2002 Transcript filed in district court by Court Reporter Phyllis Loy in 02-20844 on 7/26/01. [02-20844, 02-20843] Transcript ddl satisfied. Ct. Reporter Discount Date canceled. Ct. Reporter Acknowledgment ddl canceled. (Former Employee)
- 09/23/2002 Transcript filed in district court by Court Reporter Gayle Dye in 02-20844 on 10/3/00 for 9/28/00 Pre-Trial Conference and on 8/1/01 for 7/26/01 Hearing Minutes and Order. [02-20844, 02-20843] Transcript ddl satisfied. Ct. Reporter Discount Date canceled. Ct. Reporter Acknowledgment ddl canceled. (Former Employee)
- 09/30/2002 Notice received from Court Reporter Edward L Reed in 02-20844 that transcript is awaiting final payment. [02-20844] (Former Employee)
- 10/07/2002 Transcript filed in district court by Court Reporter Tape - SR in 02-20844 on 10/1/02. [02-20844, 02-20843] Transcript ddl satisfied. Ct. Reporter Discount Date canceled. (Former Employee)
- 10/07/2002 Motion filed by Court Reporter Bruce Slavin in 02-20844 to extend the time for filing the transcript until: 10/25/02 and to waive the discount date. [3837336-1] Sufficient [Y/N]: y. [02-20844, 02-20843] (AS)

- 10/09/2002 Transcript order acknowledgment received from Court Reporter Edward L Reed in 02-20844. Date Financial Arrangements Made: 8/7/02 [02-20844, 02-20843] Ct. Reporter Acknowledgement ddl satisfied. Transcript due on 9/16/02 for Edward L Reed in 02-20844. Ct. Reporter Discount Date is 10/16/02 for Edward L Reed in 02-20844. (CB)
- 10/09/2002 CLERK Order filed granting court reporter motion extend time to file Transcript & waive discount [3837336-1] Transcript ddl updated to 10/25/02 for Bruce Slavin in 02-20844. Ct. Reporter Discount ddl updated to 10/25/02 for Bruce Slavin in 02-20844, granting court reporter motion extend time to file Transcript & waive discount [3837336-1] Transcript ddl updated to 10/25/02 for Bruce Slavin in 02-20844. Ct. Reporter Discount ddl updated to 10/25/02 for Bruce Slavin in 02-20844. Copies to all counsel. [02-20844, 02-20843] (AS)
- 10/10/2002 Dismissal notice issued to Appellant Supreme Insulation in 02-20844 for failure to make financial arrangements w/ Court reporter. [3838797-1] DIS-1 Remedy due on 10/25/02 for Supreme Insulation. [02-20844] (Former Employee)
- 10/17/2002 Transcript filed and completed in district court by Court Reporter Bruce Slavin in 02-20844 on 10/15/02. [02-20844, 02-20843] Transcript ddl satisfied. Ct. Reporter Discount Date canceled. (AS)
- 11/11/2002 Transcript filed in district court by Court Reporter Edward L Reed in 02-20844 on 11/7/02. [02-20844] Transcript ddl satisfied. Ct. Reporter Discount Date canceled. DIS-1 Remedy ddl satisfied. ROA due on 11/22/02 . (Former Employee)
- 12/13/2002 Record on appeal filed. Vol(s) of Pleadings: 17 Vol(s) of Transcripts: 47 Exhibits: 3 boxes SEALED: 1 box (Doc# 187,188,190,332,333,334,335,336,337,338,339,340,344,346,347, 348,351,353) & 1 env.(PSIs & Recommendations as to both) [02-20843, 02-20844] ROA ddl satisfied. (CPD)
- 12/23/2002 Briefing notice issued. [02-20843, 02-20844] A/Pet's Brief due on 2/3/03 for Therm-All Inc in 02-20843, for Supreme Insulation in 02-20844. (CPD)
- 12/24/2002 Record on appeal released to attorney Karl R Wetzal for Appellant Therm-All Inc in 02-20843,(Vols. 1-9) David Benjamin Gerger for Appellant Supreme Insulation in 02-20844.(Vols. 10-17) [02-20843, 02-20844] (CPD)
- 01/09/2003 Agreed motion filed by Appellant Therm-All Inc in 02-20843, Appellant Supreme Insulation in 02-20844 to extend time to file appellant(s) brief until 4/4/03. [4066725-1] Date of COS: 1/8/03 Sufficient [Y/N]: y [02-20843, 02-20844] (AS)
- 01/10/2003 CLERK Order filed granting appellants' agreed motion to extend time to file Appellant's Brief [4066725-1] A/Pet's Brief ddl updated to 4/4/03 for Therm-All Inc in 02-20843, for Insulation in 02-20844. Copies to all counsel. [02-20843, 02-20844] (AS)
- 02/21/2003 Motion filed by Appellant Therm-All Inc in 02-20843 to view sealed document. Which Document?: 1 box of exhibits [02-20843] Date of COS: 2/20/03 Sufficient [Y/N]: y [02-20843] (AS)
- 03/03/2003 Letter authorizing this office to treat motion to unseal ROA as a motion to view sealed document [4121051-1] filed by Appellant Therm-All Inc in 02-20843 [4121055-1] [02-20843] (AS)
- 03/13/2003 COURT Order filed granting motion of appellant, Therm-All Inc., to unseal the record treated as a motion to view the sealed box of exhibits [4121051-1] in 02-20843. (JLD) Copies to all counsel. [02-20843, 02-20844] (SDS)
- 03/14/2003 Record on appeal released to attorney Karl R Wetzal for Appellant Therm-All Inc in 02-20843. Exhibits: 3 boxes SEALED: 1 sealed box. [02-20843, 02-20844] (SDS)
- 04/04/2003 Record excerpts filed by Appellant Therm-All Inc in 02-20843 # of copies: 4 Sufficient [Y/N]: Y. [02-20843, 02-20844] (Former Employee)
- 04/04/2003  Appellant's Brief filed by Appellant Therm-All Inc in 02-20843. Copies of Brief: 7 # of pages: 57 Word count: 13,372 Date of COS: 4/3/03 Disk Provided [Y/N]: Y Sufficient [Y/N]: N Electronic copy of brief isn't in Portable Document Format (pdf). [4152621-1] [02-20843, 02-20844] A/Pet's Brief ddl satisfied. Sufficient Brief due on 4/18/03 for Therm-All Inc in 02-20843. (Former Employee)
73 pg, 140.28 KB
- 04/07/2003 Record excerpts filed by Appellant Supreme Insulation in 02-20844 # of copies: 4 Sufficient [Y/N]: y. [02-20844, 02-20843] (RFP)
- 04/07/2003 Appellant's Brief filed by Appellant Supreme Insulation in 02-20844. Copies of Brief: 7 # of pages: 62 Word count: 13859 Date of COS: 4/4/03 Disk Provided [Y/N]: y Sufficient [Y/N]: n disk not in PDF format; missing appearance form from Woods. [4154298-1] [02-20844, 02-20843] A/Pet's Brief ddl satisfied. E/Res's Brief due on 5/7/03 for USA in 02-20844, for USA in 02-20843. Sufficient Brief due on 4/21/03 for Supreme Insulation in 02-20844. (RFP)

- 04/07/2003 Record on appeal forwarded by David Benjamin Gerger for Appellant Supreme Insulation in 02-20844 to John P Fonte for Appellee USA in 02-20844. Volumes: 10-17 [02-20844, 02-20843] (RFP)
- 04/10/2003 Record on appeal forwarded by Karl R Wetzel for Appellant Therm-All Inc in 02-20843 to John P Fonte for Appellee USA in 02-20843, John P Fonte for Appellee USA in 02-20844. Volumes: 9 (1-9 ONLY) Exhibits: 3 boxes SEALED: 1 box [02-20843, 02-20844] (Former Employee)
- 04/14/2003 Record on appeal returned to 5CCA. SEALED: 1 box [02-20843, 02-20844] Miscellaneous ddl satisfied. (SDH)
- 04/17/2003 Brief made sufficient by Appellant Therm-All Inc in 02-20843 Replacement Disk Provided [Y/N]: y [02-20843, 02-20844] Sufficient Brief ddl satisfied. (Former Employee)
- 04/18/2003 Unopposed motion filed by Appellee USA in 02-20843, Appellee USA in 02-20844 to supplement the record on appeal with Government's Trial Exhibits. [4165756-1] Date of COS: 4/17/03 Sufficient [Y/N]: Y [02-20843, 02-20844] (JRD)
- 04/21/2003 CLERK Order filed granting unopposed motion to supplement the record [4165756-1] in 02-20843, in 02-20844 Copies to all counsel. [02-20843, 02-20844] (JRD)
- 04/21/2003 Record on appeal filed. Exhibits: 1 box. [02-20843, 02-20844] (CPD)
- 04/22/2003 Appearance form filed by Curtis E Woods for Appellant Supreme Insulation in 02-20844. [02-20844] Sufficient Brief ddl satisfied. (Former Employee)
- 04/23/2003 Unopposed motion filed by Appellee USA in 02-20843, Appellee USA in 02-20844 to extend time to file appellee(s) brief until 6/6/03 [4169415-1] Date of COS: 4/22/03 Sufficient [Y/N]: y [02-20843, 02-20844] (AS)
- 04/23/2003 CLERK Order filed granting appellee's unopposed motion to extend time to file Appellee's Brief [4169415-1] E/Res's Brief ddl updated to 6/6/03 for USA in 02-20843, for USA in 02-20844. in 02-20843, 02-20844 Copies to all counsel. [02-20843, 02-20844] (AS)
- 05/01/2003 Record on appeal released to attorney John P Fonte for Appellee USA in 02-20843, John P Fonte for Appellee USA in 02-20844. Exhibits: 1 Box. [02-20843, 02-20844] (JRD)
- 05/29/2003 Unopposed motion filed by Appellee USA in 02-20843, Appellee USA in 02-20844 for leave to file an appellee's brief of 16,000 words [4207951-1]. Date of COS: 5/28/03 Sufficient [Y/N]: Y. [02-20843, 02-20844] (MCS)
- 06/02/2003 CLERK Order filed granting appellee's unopposed motion for leave to file an appellee's brief of 16,000 words [4207951-1] in 02-20843, 02-20844. Copies to all counsel. [02-20843, 02-20844] (SDS)
- 06/09/2003 Record on appeal returned to 5CCA. Volumes: 17 Exhibits: 3 boxes [02-20843, 02-20844] (SDH)
- 06/09/2003  Appellee's Brief filed by Appellee USA in 02-20843, Appellee USA in 02-20844. Copies of Brief: 7 # of pages: 66 Word count: 15911 Date of COS: 6/6/03 Hand Delivered [Y/N]: n Disk Provided [Y/N]: y Sufficient [Y/N]: y. [4214647-1] [02-20843, 02-20844] E/Res's Brief ddl satisfied. Reply Brief due on 6/23/03 for Therm-All Inc in 02-20843, for Supreme Insulation in 02-20844. (RFP)
88 pg, 955.06 KB
- 06/10/2003 Record on appeal returned to 5CCA. Exhibits: 1 box [02-20843, 02-20844] (SDH)
- 06/11/2003 Unopposed motion filed by Appellant Therm-All Inc in 02-20843, Appellant Supreme Insulation in 02-20844 to extend time to file reply brief until 7/7/03 [4217628-1] Sufficient Mtn/Resp/Rpl due on 6/23/03 for Therm-All Inc in 02-20843, for Supreme Insulation in 02-20844. Date of COS: xx/xx/xx Sufficient [Y/N]: n, COS is not dated and does not show method of service [02-20843, 02-20844] (AS)
- 06/12/2003 The unopposed motion to extend time to file Reply Brief [4217628-1] by Appellant Therm-All Inc, Supreme Insulation in 02-20843, 02-20844 has been made sufficient. Sufficient Mtn/Resp/Rpl due ddl satisfied. [02-20843, 02-20844] (RJd)
- 06/12/2003 CLERK Order filed granting appellants' joint unopposed motion to extend time to file reply brief in 02-20843, in 03-20844. [4217628-1] Reply Brief ddl updated to 7/7/03 for Therm-All Inc in 02-20843, for Supreme in 02-20844. in 02-20843, 02-20844 Copies to all counsel. [02-20843, 02-20844] (RJd)
- 06/26/2003 Case tentatively calendared for oral argument Week of: 09/01/03. [02-20843, 02-20844] (GAM)
- 07/07/2003  Reply brief filed by Appellant Therm-All Inc in 02-20843. Copies of Brief: 7 # of pages: 32 Date of COS: 7/3/03 Disk Provided [Y/N]: y Sufficient [Y/N]: n Excess pages/ needs certificate of compliance. [4242414-1] [02-20843, 02-20844] Reply Brief ddl satisfied. Sufficient Brief due on 7/17/03 for Therm-All Inc in 02-20843. (Former Employee)
22 pg, 86.94 KB

- 07/08/2003  33 pg, 61.57 KB Reply brief filed by Appellant Supreme Insulation in 02-20844. Copies of Brief: 7 # of pages: 27 Word count: 6,673 Date of COS: 7/7/03 Disk Provided [Y/N]: y Sufficient [Y/N]: n Improper attachment. [4244540-1] [02-20843, 02-20844] Reply Brief ddl satisfied. Sufficient Brief due on 7/21/03 for Supreme Insulation in 02-20844. (Former Employee)
- 07/11/2003 Brief made sufficient by Appellant Therm-All Inc in 02-20843 Replacement Disk Provided [Y/N]: y [02-20843, 02-20844] Sufficient Brief ddl satisfied. Word count: 6,980 (Former Employee)
- 07/22/2003 Case calendared for oral argument. [02-20843, 02-20844] (Former Employee)
- 07/31/2003 Unopposed motion filed by Appellant Therm-All Inc in 02-20843, Appellant Supreme Insulation in 02-20844 for additional argument time of 10 minutes (extend allotted time for appellants' argument from twenty minutes to thirty minutes) [4267814-1] Date of COS: 7/30/03 Sufficient [Y/N]: y [02-20843, 02-20844] (Former Employee)
- 08/05/2003 Brief made sufficient by Appellant Supreme Insulation in 02-20844 Replacement Disk Provided [Y/N]: n [02-20843, 02-20844] Sufficient Brief ddl satisfied. (Former Employee)
- 08/07/2003 COURT Order filed granting appellants' unopposed motion for additional argument time of 10 minutes (extend allotted time for appellants' argument from twenty minutes to thirty minutes) [4267814-1] in 02-20843, 02-20844 () Copies to all counsel. [02-20843, 02-20844] (Former Employee)
- 08/19/2003 Supplemental authorities (FRAP 28(j)) filed by Appellee USA in 02-20843, Appellee USA in 02-20844 [4284323-1]. [02-20843, 02-20844] (Former Employee)
- 08/25/2003 Response/opposition filed by Appellant Therm-All Inc in 02-20843 to FRAP 28(j) [4284323-1] by Appellee USA. Date of COS: 8/22/03 Sufficient [Y/N]: n. [4290931-1] [02-20843] (Former Employee)
- 09/05/2003 Oral argument heard. Case argued by Karl R Wetzel for Appellant Therm-All Inc in 02-20843, John P Fonte for Appellee USA in 02-20843, Curtis E Woods for Appellant Supreme Insulation in 02-20844, John P Fonte for Appellee USA in 02-20844 [02-20843, 02-20844] (Former Employee)
- 09/05/2003 Supplemental authorities (FRAP 28(j)) filed by Appellant Supreme Insulation in 02-20844 [4601308-1]. [02-20843, 02-20844] (JRD)
- 10/24/2003 Record on appeal returned to 5CCA. Exhibits: 4 boxes SEALED: 1 box [02-20843, 02-20844] (SDH)
- 12/03/2003 Opinion filed. Issd in T form? y Mandate pull date is 12/24/03 in 02-20843, in 02-20844. [02-20843, 02-20844] (JMA)
- 12/03/2003 Judgment entered and filed. [02-20843, 02-20844] (JMA)
- 12/05/2003 Record on appeal returned to 5CCA. Volumes: 64 Exhibits: 4 boxes SEALED: 1 env; 1 box [02-20843, 02-20844] (SDH)
- 12/10/2003 Unopposed motion filed by Appellee USA in 02-20843, Appellee USA in 02-20844 to extend time to file rehearing until 1/16/04 [4692448-1] Date of COS: 12/9/03 Sufficient [Y/N]: Y [02-20843, 02-20844] (SDS)
- 12/11/2003 COURT Order filed granting appellee's unopposed motion to extend time to file rehearing until 1/16/04 [4692448-1] Mandate pull date updated to 1/20/04 in 02-20843, in 02-20844. in 02-20843, 02-20844 (EBC) Copies to all counsel. [02-20843, 02-20844] (AS)
- 01/13/2004 Petition filed by Appellee USA in 02-20843, Appellee USA in 02-20844 for rehearing en banc. # of copies filed: 20 [4718761-1] Mandate pull date canceled. Date of COS: 1/12/04 Sufficient [Y/N]: Y [02-20843, 02-20844] (JRD)
- 01/15/2004 Response/opposition requested by the Court to petition for rehearing en banc [4718761-1] by Appellee USA, in 02-20843, petition for rehearing en banc [4718761-1] by Appellee USA, Response/Opposition due on 1/26/04 in 02-20843, in 02-20844. in 02-20844 [02-20843, 02-20844] (AS)
- 01/20/2004 Unopposed joint motion filed by Appellant Therm-All Inc in 02-20843, Appellant Supreme Insulation in 02-20844 to extend time to 2/25/04 to file response to petition for rehearing en banc [4718761-1] by Appellee USA in 02-20843, petition for rehearing en banc [4718761-1] by Appellee USA in 02-20844 [4726445-1]. Date of COS: 1/19/04 Sufficient [Y/N]: Y [02-20843, 02-20844] (JRD)
- 01/22/2004 COURT Order filed granting appellants' joint unopposed motion for an extension of 30 days, or, to and including February 25, 2004, to file the response/opposition to the petition for rehearing en banc [4726445-1] in 02-20843, 02-20844 (EBC) Copies to all counsel. [02-20843, 02-20844] (SDH)
- 02/25/2004 Response/opposition filed by Appellant Therm-All Inc in 02-20843 to petition for rehearing en banc [4718761-1] by Appellee USA. Response/Opposition ddl satisfied. Date of COS: 2/24/04 Sufficient [Y/N]: Y [4760152-1] [02-20843] (SDS)

- 02/25/2004 Response/opposition filed by Appellant Supreme Insulation in 02-20844 to petition for rehearing en banc [4718761-1] by Appellee USA. Response/Opposition ddl satisfied. Date of COS: 2/24/04 Sufficient [Y/N]: Y [4760162-1] [02-20844] (SDS)
- 02/27/2004 Motion filed by Appellee USA in 02-20843, Appellee USA in 02-20844 [4762975-1] for leave to file reply to response/opposition [4760152-1] by Appellant Therm-All Inc in 02-20843, petition for rehearing en banc [4718761-1] by Appellee USA in 02-20843, response/opposition [4760162-1] by Appellant Supreme Insulation in 02-20844, petition for rehearing en banc [4718761-1] by Appellee USA in 02-20844 Date of COS: 2/26/04 Sufficient [Y/N]: Y [02-20843, 02-20844] (RJd)
- 03/04/2004 Response/opposition filed by Appellant Therm-All Inc in 02-20843 to motion for leave to file reply [4762975-1] by Appellee USA, USA in 02-20843, motion for leave to file reply [4762975-1] by Appellee USA, USA in 02-20844 Date of COS: 3/4/04 Sufficient [Y/N]: y [4768781-1] [02-20843, 02-20844] (AS)
- 03/04/2004 Response/opposition filed by Appellant Supreme Insulation in 02-20844 to motion for leave to file reply [4762975-1] by Appellee USA, USA in 02-20843, motion for leave to file reply [4762975-1] by Appellee USA, USA in 02-20844 Date of COS: 3/4/04 Sufficient [Y/N]: y [4768857-1] [02-20843, 02-20844] (AS)
- 03/04/2004 Motion filed by Appellant Supreme Insulation in 02-20844 [4768892-1] for leave to file surreply to reply to response to the petition for rehearing en banc if the motion for leave to file a reply is granted. Date of COS: 3/4/04 Sufficient [Y/N]: y (INCORPORATED IN RESPONSE) [02-20843, 02-20844] (AS)
- 03/04/2004 Motion filed by Appellant Therm-All Inc in 02-20843 [4769927-1] for leave to file surreply to reply to response to the petition for rehearing en banc if the motion for leave to file a reply is granted. Date of COS: 3/4/04 Sufficient [Y/N]: y (INCORPORATED IN RESPONSE) [02-20843, 02-20844] (AS)
- 03/08/2004 COURT Order filed granting appellee's motion for leave to file a reply to the responses to the petition for rehearing en banc [4762975-1] in 02-20843, 02-20844 (EBC) Copies to all counsel. [02-20843, 02-20844] (JRD)
- 03/08/2004 COURT Order filed granting appellants' motion for leave to file a surreply to USA's reply to response to the petiton for rehearing en banc [4768892-1] in 02-20843, 02-20844, (EBC) Copies to all counsel. [02-20843, 02-20844] (JRD)
- 03/08/2004 Reply filed by Appellee USA in 02-20843, Appellee USA in 02-20844 to petition for rehearing en banc [4718761-1] in 02-20843, response/opposition [4760152-1] in 02-20843, petition for rehearing en banc [4718761-1] in 02-20844, response/opposition [4760162-1] in 02-20844 Sufficient [Y/N]: Y [4772019-1] [02-20843, 02-20844] (JRD)
- 03/15/2004 SurReply filed by Appellant Therm-All Inc in 02-20843 to reply [4772019-1], response/opposition [4760152-1], petition for rehearing en banc [4718761-1] Sufficient [Y/N]: Y [4778544-1] [02-20843] (SDS)
- 03/15/2004 SurReply filed by Appellant Supreme Insulation in 02-20844 to reply [4772019-1], response/opposition [4760162-1], for rehearing en banc [4718761-1] Sufficient [Y/N]: Y [4778566-1] [02-20844] (SDS)
- 03/16/2004 Record on appeal filed. Exhibits: 1 box. [02-20843, 02-20844] (Former Employee)
- 05/13/2004 Record on appeal returned to 5CCA. Volumes: 64 Exhibits: 3 boxes SEALED: 1 box [02-20843, 02-20844] (SDH)
- 05/13/2004 Record on appeal returned to 5CCA. SEALED: 1 env [02-20843, 02-20844] (SDH)
- 06/14/2004 Opinion withdrawn. opinion [4684508-1] in 02-20843, opinion [4684508-1] in 02-20844 [02-20843, 02-20844] (JMA)
- 06/14/2004 Case reopened. [02-20843, 02-20844] (JMA)
- 06/14/2004 COURT Order filed denying appellee's petition for rehearing en banc (HANDLED IN OPINION) [4718761-1] With poll (Y/N)?: N in 02-20843, 02-20844 Copies to all counsel. [02-20843, 02-20844] (JMA)
- 06/14/2004  Opinion filed. Issd in T form? y [02-20843, 02-20844] (JMA)
26 pg, 120.74 KB
- 06/14/2004  Judgment entered and filed. [02-20843, 02-20844] (JMA)
1 pg, 8.34 KB
- 06/15/2004  Mandate issued forthwith. [02-20843, 02-20844] (Former Employee)
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- 06/28/2004  Petition filed by Appellant Therm-All Inc in 02-20843, Appellant Supreme Insulation in 02-20844 for rehearing. # of copies filed: 4 [4873953-1] Date of COS: 6/25/04 Sufficient [Y/N]: y 02-20843, 02-20844] (LBM)
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07/14/2004	 	COURT Order filed denying petition for rehearing [4873953-1] in 02-20843, in 02-20844. Copies to all counsel. [02-20843, 02-20844] (LBM)
10/26/2004	 	Supreme Court notice that petition for certiorari was filed on 10/12/04 by Appellant Therm-All Inc in 02-20843. Supct No.: 04-527 [02-20843] (CAV)
12/03/2004	 	Supreme Court order received denying petition certiorari [4982530-1] by Appellant Therm-All Inc on 11/29/04. [02-20843] (CAV)
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