

CLOSED, ECF

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:10-cv-01415-WHP

United States Of America v. Keyspan
Corporation
Assigned to: Judge William H. Pauley, III
Cause: 15:1 Antitrust Litigation

Date Filed: 02/22/2010
Date Terminated: 02/02/2011
Jury Demand: None
Nature of Suit: 410 Anti-Trust
Jurisdiction: U.S. Government
Plaintiff

Plaintiff

United States Of America represented by
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Date Filed	#	Docket Text
02/22/2010	1	COMPLAINT against Keyspan Corporation. Document filed by United States Of America.(ama) (Entered: 02/23/2010)
02/22/2010		SUMMONS ISSUED as to Keyspan Corporation. (ama) (Entered: 02/23/2010)
02/22/2010		Magistrate Judge Ronald L. Ellis is so designated. (ama) (Entered: 02/23/2010)
02/22/2010		Case Designated ECF. (ama) (Entered: 02/23/2010)
02/23/2010	2	NOTICE OF APPEARANCE by David Edward Altschuler on behalf of United States Of America (Altschuler, David) (Entered: 02/23/2010)
02/23/2010	3	NOTICE of Competitive Impact Statement. Document filed by United States Of America. (Altschuler, David) (Entered: 02/23/2010)
02/23/2010	4	NOTICE of Plaintiff United States' Explanation of Consent

		Decree Procedures. Document filed by United States Of America. (Altschuler, David) (Entered: 02/23/2010)
02/23/2010	5	CERTIFICATE OF SERVICE of Summons and Complaint. Keyspan Corporation served on 2/22/2010, answer due 3/15/2010. Document filed by United States Of America. (Altschuler, David) (Entered: 02/23/2010)
02/23/2010	6	CERTIFICATE OF SERVICE of Competitive Impact Statement served on Keyspan Corporation on 02/23/2010. Service was made by Mail. Document filed by United States Of America. (Altschuler, David) (Entered: 02/23/2010)
02/23/2010	7	CERTIFICATE OF SERVICE of Notice of Appearance served on Keyspan Corporation on 02/23/2010. Service was made by Mail. Document filed by United States Of America. (Altschuler, David) (Entered: 02/23/2010)
02/23/2010	8	CERTIFICATE OF SERVICE of Plaintiff United States' Explanation of Consent Decree Procedures served on Keyspan Corporation on 02/23/2010. Service was made by Mail. Document filed by United States Of America. (Altschuler, David) (Entered: 02/23/2010)
03/11/2010	9	SCHEDULING ORDER: Initial Conference set for 4/9/2010 at 10:30 AM in Courtroom 11D, 500 Pearl Street, New York, NY 10007 before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 3/11/10) (cd) (Entered: 03/12/2010)
03/17/2010	10	NOTICE OF APPEARANCE by Peter J. Kadzik on behalf of Keyspan Corporation (Kadzik, Peter) (Entered: 03/17/2010)
03/26/2010	11	ENDORSED LETTER addressed to Judge William H. Pauley from Jade Alice Eaton dated 3/18/10 re: That by the time of the 4/9 conference it is unlikely that any public comments will have been submitted. ENDORSEMENT: Application granted. The conference will be rescheduled for 6/1/10 at 2:00 pm. (Initial Conference reset for 6/1/2010 at 02:00 PM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 3/26/10) (cd) (Entered: 03/29/2010)
05/11/2010	12	NOTICE OF APPEARANCE by Paul Madison Eckles on behalf of Keyspan Corporation (Eckles, Paul) (Entered: 05/11/2010)
05/13/2010	13	MOTION for Tara S. Emory to Appear Pro Hac Vice. Document filed by Keyspan Corporation.(mro) (Entered: 05/14/2010)
05/13/2010	14	MOTION for John H. Lyons to Appear Pro Hac Vice. Document

		filed by Keyspan Corporation.(mro) (Entered: 05/14/2010)
05/18/2010		CASHIERS OFFICE REMARK on 14 Motion to Appear Pro Hac Vice, 13 Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 05/13/2010, Receipt Number 904080. (jd) (Entered: 05/18/2010)
05/19/2010	15	ORDER, that Tara S. Emory is admitted to the bar of this Court pro hac vice for Defendant KeySpan Corporation in the above captioned action. Additional relief as set forth in this Order. (Signed by Judge William H. Pauley, III on 5/18/10) (pl) (Entered: 05/19/2010)
05/19/2010	17	ORDER, that John H. Lyons is admitted to the bar of this Court pro hac vice for Defendant KeySpan Corporation in the above captioned action. Additional relief as set forth in this Order (Signed by Judge William H. Pauley, III on 5/18/10) (pl) (Entered: 05/19/2010)
05/19/2010		***DELETED DOCUMENT. Deleted document number 16 Order admitting Tara S. Emory. The document was incorrectly filed in this case. (pl) (Entered: 06/03/2010)
05/25/2010	18	ENDORSED LETTER addressed to Judge William H. Pauley from John H. Lyons dated 5/18/2010 re: Counsel for KeySpan Corporation requests that the Court reschedule the upcoming conference in this matter currently scheduled for 6/1/2010 at 2:00 p.m. ENDORSEMENT: Application granted. The conference is adjourned until June 8, 2010 at 2:00 pm. (Initial Conference set for 6/8/2010 at 02:00 PM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 5/25/2010) (tro) (Entered: 05/26/2010)
06/11/2010	19	NOTICE of Plaintiff United States's Response to Public Comments. Document filed by United States Of America. (Attachments: # 1 Exhibit Comments of AARP, # 2 Exhibit Comments of Consolidated Edison, # 3 Exhibit Comments of NYCEDC, # 4 Exhibit Exhibit to Comments of NYCEDC, # 5 Exhibit Comments of NYSCP, # 6 Exhibit Comments of NYSPSC, # 7 Exhibit Comments of PaPUC, # 8 Exhibit Comments of Nelson M Stewart)(Elias, John) (Entered: 06/11/2010)
06/15/2010	20	CONSENT MOTION to Authorize Excuse of Federal Register Publication of Attachments to the Stewart Comments. Document filed by United States Of America. (Attachments: # 1 Exhibit Changes in the Cost to Publish in the Federal Register, # 2 Exhibit Proposed Order)(Elias, John) (Entered: 06/15/2010)

		06/15/2010)
06/17/2010	21	NOTICE of Amended Stipulation. Document filed by United States Of America. (Attachments: # 1 Exhibit Amended Stipulation by the United States and KeySpan, # 2 Exhibit Proposed Final Judgment)(Eaton, Jade) (Entered: 06/17/2010)
06/17/2010	22	NOTICE of Errata re: 19 Notice (Other), Notice (Other). Document filed by United States Of America. (Attachments: # 1 Errata Corrected Copy of the Comments of Nelson M. Stewart)(Eaton, Jade) (Entered: 06/17/2010)
06/28/2010	23	ORDER granting 20 Motion to Authorize. The Court, having considered the application of the United States, finds that good cause exists pursuant to 15 U.S.C. 16(d)(2) to excuse the publication of the attachments to the Comments of Mr. Nelson M. Stewart in the Federal Register, GRANTS the United State's Unopposed Motion to Excuse Federal Register Publication of Attachments to the Stewart Comments, and AUTHORIZES, as an alternative method of public dissemination, the publication in the Federal Register of the Stewart Comments with a link to the United States Department of Justice website where the attachments to those comments can be viewed and downloaded. (Signed by Judge William H. Pauley, III on 6/28/2010) (tro) Modified on 6/29/2010 (tro). (Entered: 06/28/2010)
07/08/2010	24	NOTICE of DEFENDANT KEYSpan CORPORATIONS DESCRIPTION OF WRITTEN OR ORAL COMMUNICATIONS CONCERNING THE PROPOSED FINAL JUDGMENT AND CERTIFICATION OF COMPLIANCE UNDER 15 U.S.C. § 16(g). Document filed by Keyspan Corporation. (Eckles, Paul) (Entered: 07/08/2010)
07/20/2010	25	MOTION for Judgment. Document filed by United States Of America. (Attachments: # 1 Exhibit Certificate of Compliance with APPA, # 2 Exhibit [Proposed] Final Judgment)(Elias, John) (Entered: 07/20/2010)
08/06/2010	26	Amicus Curiae APPEARANCE entered by Jonathan D. Feinberg on behalf of Public Service Commission of the State of New York.(Feinberg, Jonathan) (Entered: 08/06/2010)
08/06/2010	27	MOTION to File Amicus Brief. Document filed by Public Service Commission of the State of New York.(Feinberg, Jonathan) (Entered: 08/06/2010)
08/06/2010	28	AFFIRMATION of Jonathan D. Feinberg in Support re: 27

		MOTION to File Amicus Brief.. Document filed by Public Service Commission of the State of New York. (Feinberg, Jonathan) (Entered: 08/06/2010)
08/06/2010	29	CERTIFICATE OF SERVICE. Document filed by Public Service Commission of the State of New York. (Feinberg, Jonathan) (Entered: 08/06/2010)
08/12/2010	30	MEMO ENDORSEMENT on re: 28 Affirmation in Support of Motion filed by Public Service Commission of the State of New York. Application granted. Petitioner may appear for the purpose of filing a reply to the United States' Response to Public Comments. SO ORDERED. (Signed by Judge William H. Pauley, III on 8/12/2010) (jmi) (Entered: 08/13/2010)
09/14/2010	31	SCHEDULING ORDER: Status Conference set for 10/12/2010 at 02:00 PM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 9/14/2010) (jpo) (Entered: 09/15/2010)
10/04/2010	32	ORDER. At the October 12, 2010 conference, this Court will pose questions concerning, inter alia, the following topics: The factual basis for the Government's calculation of Keyspan's earnings under the swap agreement; The use of disgorgement as a remedy in an antitrust action; and The Government's consideration of alternatives to the proposed final judgment. (Signed by Judge William H. Pauley, III on 10/4/10) (djc) Modified on 10/6/2010 (djc). (Entered: 10/04/2010)
10/12/2010	33	ENDORSED LETTER addressed to Judge William H. Pauley from Jonathan D. Feinberg dated 10/5/2010 re: Requesting permission for the NYSPSC to appear at the October 12, 2010 status conference for the limited purpose of answering any questions the Court may have regarding the NYSPC's filings in this case. ENDORSEMENT: Application granted. (Signed by Judge William H. Pauley, III on 10/8/2010) (jpo) (Entered: 10/12/2010)
10/19/2010	34	TRANSCRIPT of proceedings (conference) held on 6/8/2010 before Judge William H. Pauley, III. (ja) (Entered: 10/19/2010)
10/19/2010	35	TRANSCRIPT of proceedings held on 10/12/2010 before Judge William H. Pauley, III. (ab) (Entered: 10/21/2010)
10/19/2010	36	TRANSCRIPT of proceedings held on 10/12/10 before Judge William H. Pauley, III. (jw) (Entered: 10/22/2010)

10/26/2010	37	DECLARATION of Oliver M. Richard in Support re: 25 MOTION for Judgment.. Document filed by United States Of America. (Attachments: # 1 Declaration of Oliver M. Richard)(Elias, John) (Entered: 10/26/2010)
10/26/2010	38	CERTIFICATE OF SERVICE of Declaration of Oliver M. Richard served on KeySpan Corporation and the Public Service Commission of the State of New York on 10/26/2010. Service was made by Mail. Document filed by United States Of America. (Elias, John) (Entered: 10/26/2010)
02/02/2011	39	MEMORANDUM & ORDER granting 25 Motion for Judgment. The Clerk of the Court is directed to terminate the motions pending at Docket Nos. 25 and 27. (Signed by Judge William H. Pauley, III on 2/2/11) (cd) (Entered: 02/02/2011)
02/02/2011	40	FINAL JUDGMENT #11,0188 in favor of United States Of America against Keyspan Corporation in the amount of \$ 12,000,000. (Signed by Judge William H. Pauley, III on 2/2/11) (Attachments: # 1 notice of right to appeal)(ml) (Entered: 02/02/2011)

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