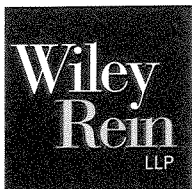


EXHIBIT E



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May 11, 2010

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The Honorable Timothy C. Batten, Sr.
United States District Judge
c/o Ms. Julee Smilley
1788 Richard B. Russell Federal Building
and United States Courthouse
75 Spring Street, SW
Atlanta, GA 30303-3309

Re: *In re: Delta/Air Train Baggage Fee Antitrust Litigation*,
Case No. 1:09-md-2089

Dear Judge Batten:

By letter forwarded by Ms. Elizabeth Fite on May 5, 2010, Plaintiffs' interim lead counsel advised the Court of the need to correct the statement on page 26 of Plaintiffs' Opposition "that AirTran announced the filing of its [April 22, 2008] registration statement at 5:05 p.m. ET." Ms. Fite requested that the Court advise of additional steps necessary to clarify the record. In response to that request, we write to advise the Court of the additional steps we believe Plaintiffs must take for that purpose.

Plaintiffs Opposition, page 26, challenges AirTran's alternative explanation of the reason AirTran rescheduled its first quarter 2008 earnings call from April 24 to April 22, 2008. Plaintiffs had alleged "on information and belief" that the reason for the change was "to signal to Delta a desire to jointly reduce capacity to increase prices, and to give Delta an opportunity to respond during Delta's upcoming [April 23] call." CAC at 12. In support of its motion to dismiss, AirTran offered the alternative explanation that the change would allow AirTran to use the earnings call to respond to investor inquiries on the same day [April 22] that it filed registration statements supporting \$150 million of new securities.

In their Opposition, Plaintiffs challenged AirTran's explanation, arguing that "(a) jury would almost certainly reject this explanation."

To support their argument, Plaintiffs asserted "that AirTran announced the filing of its registration statement at 5:05 p.m. ET" well after the earnings call scheduled for 9:00 a.m. ET. Plaintiffs further claimed that this alleged discrepancy exposed "the fallacies of AirTran's facts." Opposition p. 27.



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As a courtesy, on April 14, 2010, AirTran counsel notified Plaintiffs' interim lead counsel that Plaintiffs had misread the 05:05 time stamp on the Press Release from which he drew the 5:05 p.m. ET conclusion. AirTran pointed Plaintiffs' counsel to both the public record on file at the SEC showing the Offering and Press Release to have been filed soon after 6:00 a.m. ET April 22 and to analysts' references to the Offering in the transcript of the 9:00 a.m. ET April 22 earnings call Plaintiffs' cited in their complaint.

Plaintiffs now concede their factual error but leave in place the Opposition argument that depends on their erroneous factual premise. In response to Plaintiffs' request for guidance on what further they should do, AirTran respectfully suggests that Plaintiffs expunge the factually baseless argument on page 26 of the Opposition and withdraw the claim of AirTran "fallacies" on page 27 of the Opposition. If the Court deems it appropriate, we respectfully request that it is so advise Ms. Fite.

Sincerely yours,

A handwritten signature in cursive script that reads "Bert W. Rein".

Bert W. Rein
Counsel for AirTran