

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

Court of Appeals Docket #: 13-11043 Nature of Suit: 3410 Antitrust Abraham & Veneklasen Joint, et al v. American Quarter Horse Assoc Appeal From: Northern District of Texas, Amarillo Fee Status: Fee Paid	Docketed: 09/27/2013 Termed: 01/14/2015
Case Type Information: 1) Private Civil Federal 2) Private 3)	
Originating Court Information: District: 0539-2 : 2:12-CV-103 Court Reporter: Stacy Mayes Morrison, Court Reporter Originating Judge: Mary Lou Robinson, U.S. District Judge Date Filed: 04/23/2012 Date NOA Filed: 09/23/2013 Date Rec'd COA: 09/23/2013	
Prior Cases: None	
Current Cases: None	
Panel Assignment: Panel: EGJ EHV LMA Date of Hearing: 09/04/2014 Date of Decision: 01/14/2015 Date Completed: 01/14/2015	

ABRAHAM & VENEKLASEN JOINT VENTURE Plaintiff - Appellee	Nancy J. Stone Direct: 806-374-9300 Email: stone@nancyjstone.com Fax: 806-373-3008 [COR LD NTC Retained] 320 S. Polk Street Amarillo, TX 79101
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v.

AMERICAN QUARTER HORSE ASSOCIATION
Defendant - Appellant

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(see above)

<p>ABRAHAM & VENEKLASSEN JOINT VENTURE; ABRAHAM EQUINE, INCORPORATED; JASON ABRAHAM,</p> <p>Plaintiffs - Appellees</p> <p>v.</p> <p>AMERICAN QUARTER HORSE ASSOCIATION,</p> <p>Defendant - Appellant</p>
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09/27/2013		PRIVATE CIVIL FEDERAL CASE docketed. NOA filed by Appellant American Quarter Horse Association [13-11043] (CNF)
09/30/2013		ATTORNEY TRANSCRIPT ORDER form filed by Appellant American Quarter Horse Association for the Court to process. [13-11043] (Michael Hunter Loftin)
09/30/2013		TRANSCRIPT ORDER received from Appellant American Quarter Horse Association. DETAILS: Transcript Order: Court Reporter: Stacy Mayes Morrison, Proceeding Type and Date: Jury Trial 07/17/2013 - 07/19/2013, Jury Trial 07/22/2013 - 07/26/2013, Jury Trial 07/29/2013 - 07/30/2013, Attorneys' Fees and Injunctive Relief Hearing 08/12/2013. Ct. Reporter Acknowledgment due on 10/15/2013 for Stacy Morrison, Court Reporter. Electronic Filing Processed: [7469333-2] [13-11043] (MCS)
10/01/2013		APPEARANCE FORM FILED by Attorney Michael Hunter Loftin for Appellant American Quarter Horse Association in 13-11043 [13-11043] (CNF)
10/03/2013		COURT REPORTER ACKNOWLEDGEMENT received from Stacy Mayes Morrison. [13-11043] (Stacy Mayes Morrison)
10/03/2013		ACKNOWLEDGEMENT Transcript Order: Court Reporter: Stacy Mayes Morrison, Est. Completion Dt: 10/16/2013, Est. No.of Pgs: 1888, Dt. Fin Arrangements Made: 09/16/2013, Dt. Trans. to be Filed: 10/16/2013, Proceeding Type and Date: Jury Trial 07/29/2013 - 07/30/2013, Hearing 08/12/2013 , Jury Trial 07/17/2013 - 07/19/2013, Jury Trial 07/22/2013 - 07/26/2013. Ct. Reporter Acknowledgment ddl satisfied. Transcript due on 10/16/2013 for Stacy Mayes Morrison, Court Reporter. Court Reporter Discount Date is 10/16/2013 for Stacy Mayes Morrison, Court Reporter [13-11043] (MCS)
10/03/2013		TRANSCRIPT FILED IN DISTRICT COURT Transcript Order: Court Reporter: Stacy Mayes Morrison, Dt. Filed in Dist. Ct: 10/03/2013 Transcript deadline satisfied. Court Reporter Discount Date canceled. Electronic ROA due on 10/18/2013. [13-11043] (MCS)
10/04/2013		NOTICE RECEIVED from Court Reporter Ms. Stacy Mayes Morrison, that the transcript ordered by Appellant American Quarter Horse Association is complete and has been filed in the District Court. [13-11043] (Stacy Mayes Morrison)
10/07/2013		INITIAL CASE CHECK by Attorney Advisor complete, Action: Case OK to Process. [7474880-2] Initial AA Check Due satisfied. [13-11043] (CNF)
10/07/2013		APPEARANCE FORM FILED by Attorney(s) David E. Keltner for party(s) Appellant American Quarter Horse Association, in case 13-11043 [13-11043] (CNF)
10/07/2013		APPEARANCE FORM FILED by Attorney(s) Marianne Marsh Auld for party(s) Appellant American Quarter Horse Association, in case 13-11043. [13-11043] (CNF)
10/07/2013		APPEARANCE FORM FILED by Attorney(s) Mary Hallman Smith for party(s) Appellant American Quarter Horse Association, in case 13-11043 [13-11043] (CNF)
10/16/2013		ELECTRONIC RECORD ON APPEAL FILED. Exhibits on File in District Court? No. Electronic ROA deadline satisfied. [13-11043] (CNF)
10/16/2013		BRIEFING NOTICE ISSUED A/Pet's Brief Due on 11/25/2013 for Appellant American Quarter Horse Association. [13-11043] (CNF)
10/29/2013		Attorney Autum White for Appellant American Quarter Horse Association is advised to resubmit appearance form. Reason: Multiple forms attached. Each attorney must file his/her own form separately. [13-11043] (MAS)
10/30/2013		APPEARANCE FORM FILED by Attorney(s) Autum Leigh White for party(s) Appellant American Quarter Horse Association, in case 13-11043 [13-11043] (CNF)
10/30/2013		APPEARANCE FORM FILED by Attorney Samuel Lee Stein for Appellee Abraham Equine, Incorporated in 13-11043 [13-11043] (CNF)
10/30/2013		APPEARANCE FORM FILED by Attorney Nancy J. Stone for Appellee Abraham & Veneklasen Joint Venture in 13-11043 [13-11043] (CNF)
10/30/2013		APPEARANCE FORM FILED by Attorney(s) William Wade Arnold for party(s) Appellant American Quarter Horse Association, in case 13-11043 [13-11043] (CNF)
10/31/2013		APPEARANCE FORM FILED by Attorney(s) Patrick Ryan Beckett for party(s) Appellee Jason Abraham, in case 13-11043 [13-11043] (CNF)
10/31/2013		APPEARANCE FORM FILED by Attorney(s) Luther T. Munford for party(s) Appellee Jason Abraham, in case 13-11043 [13-11043] (CNF)

- 11/18/2013  PHONE EXTENSION CONFIRMED for Appellant American Quarter Horse Association. Extension granted to and including 12/24/2013. A/Pet's Brief deadline updated to 12/24/2013 for Appellant American Quarter Horse Association [13-11043] (MFY)
- 12/18/2013  
3 pg, 14.89 KB MOTION filed by Attorney Mr. Michael Hunter Loftin, Esq. for Appellant American Quarter Horse Association *Autum White's Motion* to withdraw as counsel [7528724-2]. Date of Service: 12/18/2013 via email - Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith, White; Attorney for Appellees: Beckett, Munford, Stein, Stone; US mail - Attorney for Appellee: Nickum [13-11043] (Michael Hunter Loftin)
- 12/18/2013  
1 pg, 54.47 KB CLERK ORDER granting motion to withdraw as counsel filed by Mr. Michael Hunter Loftin, Esq. [7528724-2]. [13-11043] (CNF)
- 12/19/2013  
4 pg, 33.3 KB OPPOSED MOTION filed by Appellant American Quarter Horse Association to supplement the record on appeal with additional documents filed after ROA filed [7530046-2]. Date of service: 12/19/2013 via email - Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Munford, Stein, Stone; US mail - Attorney for Appellee: Nickum [13-11043] (David E. Keltner)
- 12/19/2013  
1 pg, 53.47 KB CLERK ORDER denying motion to supplement the record on appeal filed by Appellant American Quarter Horse Association [7530046-2]. [13-11043] (CNF)
- 12/26/2013  
77 pg, 398.42 KB APPELLANT'S BRIEF FILED by American Quarter Horse Association. Date of service: 12/26/2013 via email - Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Munford, Stein, Stone; US mail - Attorney for Appellee: Nickum [13-11043] REVIEWED AND/OR EDITED.. # of Copies Provided: 0 A/Pet's Brief deadline satisfied. Paper Copies of Brief due on 01/02/2014 for Appellant American Quarter Horse Association.. Appellee's Brief due on 01/28/2014 for Appellees Jason Abraham, Abraham & Veneklasen Joint Venture and Abraham Equine, Incorporated [13-11043] (Marianne Marsh Auld)
- 12/26/2013  
79 pg, 5.59 MB RECORD EXCERPTS FILED by Appellant American Quarter Horse Association. Date of service: 12/26/2013 via email - Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Munford, Stein, Stone; US mail - Attorney for Appellee: Nickum [13-11043] REVIEWED AND/OR EDITED.. # of Copies Provided: 0 Paper Copies of Record Excerpts due on 01/02/2014 for Appellant American Quarter Horse Association. [13-11043] (Marianne Marsh Auld)
- 12/31/2013  Paper copies of appellant brief filed by Appellant American Quarter Horse Association in 13-11043 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [13-11043] (CNF)
- 12/31/2013  Paper copies of record excerpts filed by Appellant American Quarter Horse Association in 13-11043 received. Paper copies match electronic version of document? Yes # of Copies Provided: 4. Paper Copies of Record Excerpts due deadline satisfied. [13-11043] (CNF)
- 01/02/2014  
39 pg, 292.08 KB MOTION by American Kennel Club, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, The Cat Fanciers' Association, Inc., The Jockey Club, Pinto Horse Association, U.S. Trotting Association to file amicus brief [7536547-2] Date of service: 01/02/2014 via US mail - Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Munford, Nickum, Stein, Stone; email - Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Munford, Nickum, Stein, Stone [13-11043] REVIEWED AND/OR EDITED.
MOTION by Not Parties American Kennel Club, Incorporated, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, The Cat Fanciers' Association, Incorporated, The Jockey Club, Pinto Horse Association and United States Trotting Association to file amicus brief [7536547-2] [13-11043] (Phillip A. Wittmann)
- 01/09/2014  
2 pg, 92.57 KB COURT ORDER granting motion to file amicus brief [7536547-2] filed by American Kennel Club, Incorporated, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, Cat Fanciers' Association, Incorporated, Jockey Club, Pinto Horse Association and United States Trotting Association in 13-11043 Judge(s): EBC. [13-11043] (CNF)
- 01/09/2014  
0 pg, 0 KB AMICUS CURIAE BRIEF FILED by American Kennel Club, Incorporated, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, Cat Fanciers' Association, Incorporated, Jockey Club, Pinto Horse Association and United States Trotting Association.
Consent is Not Necessary as a Motion has been Granted.
of Copies Provided: 0
Paper Copies of Brief due on 01/14/2014 for Amici Curiae American Kennel Club, Incorporated, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, Cat Fanciers' Association, Incorporated, Jockey Club, Pinto Horse Association and United States Trotting Association. [13-11043] (CNF)

- 01/09/2014 PHONE EXTENSION CONFIRMED for Appellees Mr. Jason Abraham, Abraham & Veneklasen Joint Venture and Abraham Equine, Incorporated. Extension granted to and including 02/27/2014. E/Res's Brief deadline updated to 02/27/2014 for Appellees Jason Abraham, Abraham & Veneklasen Joint Venture and Abraham Equine, Incorporated [13-11043] (MBC)
- 01/14/2014 Paper copies of amicus brief filed by Amici Curiae American Kennel Club, Incorporated, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, Cat Fanciers' Association, Incorporated, Jockey Club, Pinto Horse Association and United States Trotting Association in 13-11043 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [13-11043] (CNF)
- 01/15/2014 APPEARANCE FORM FILED by Attorney(s) Lesli Danielle Harris for party(s) Amicus Curiae United States Trotting Association Amicus Curiae Appaloosa Horse Club Amicus Curiae American Kennel Club, Incorporated Amicus Curiae Jockey Club Amicus Curiae American Paint Horse Association Amicus Curiae Arabian Horse Association Amicus Curiae American Morgan Horse Association Amicus Curiae Cat Fanciers' Association, Incorporated Amicus Curiae Pinto Horse Association, in case 13-11043 [13-11043] (CNF)
- 01/15/2014 APPEARANCE FORM FILED by Attorney Phillip A. Wittmann for Amicus Curiae United States Trotting Association in 13-11043, Attorney Phillip A. Wittmann for Amicus Curiae Pinto Horse Association in 13-11043, Attorney Phillip A. Wittmann for Amicus Curiae Jockey Club in 13-11043, Attorney Phillip A. Wittmann for Amicus Curiae Cat Fanciers' Association, Incorporated in 13-11043, Attorney Phillip A. Wittmann for Amicus Curiae Arabian Horse Association in 13-11043, Attorney Phillip A. Wittmann for Amicus Curiae Appaloosa Horse Club in 13-11043, Attorney Phillip A. Wittmann for Amicus Curiae American Paint Horse Association in 13-11043, Attorney Phillip A. Wittmann for Amicus Curiae American Morgan Horse Association in 13-11043, Attorney Phillip A. Wittmann for Amicus Curiae American Kennel Club, Incorporated in 13-11043 [13-11043] (CNF)
- 01/30/2014  UNOPPOSED MOTION filed by Amici Curiae American Kennel Club, Incorporated, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, Cat Fanciers' Association, Incorporated, Jockey Club, Pinto Horse Association and United States Trotting Association *Motion* for leave to file corrected amicus brief [7556505-2]. Date of service: 01/30/2014 via US mail - Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Munford, Nickum, Stein, Stone; email - Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Munford, Nickum, Stein, Stone [13-11043] (Lesli Danielle Harris)
41 pg, 298.08 KB
- 01/31/2014  CLERK ORDER granting motion to file corrected brief filed by Amici Curiae American Kennel Club, Incorporated, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, Cat Fanciers' Association, Incorporated, Jockey Club, Pinto Horse Association and United States Trotting Association [[7556505-2](#)]. [13-11043] (CNF)
1 pg, 53.27 KB
- 01/31/2014  CORRECTED BRIEF filed by Amici Curiae American Kennel Club, Incorporated, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, Cat Fanciers' Association, Incorporated, Jockey Club, Pinto Horse Association and United States Trotting Association .. [13-11043] (CNF)
36 pg, 246.77 KB
- 01/31/2014 COURT ACTION withdrawing amicus brief filed by Amici Curiae American Kennel Club, Incorporated, American Morgan Horse Association, American Paint Horse Association, Appaloosa Horse Club, Arabian Horse Association, Cat Fanciers' Association, Incorporated, Jockey Club, Pinto Horse Association and United States Trotting Association [[7541967-2](#)] [13-11043] (MCS)
- 02/27/2014  APPELLEE'S BRIEF FILED by Appellee Mr. Jason Abraham. Date of service: 02/27/2014 via email - Attorney for Amici Curiae: Harris, Wittmann; Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Munford, Stein, Stone; US mail - Attorney for Appellee: Nickum [13-11043] REVIEWED AND/OR EDITED.
74 pg, 402.04 KB
APPELLEE'S BRIEF FILED by Appellees Abraham & Veneklasen Joint Venture and Abraham Equine, Incorporated . # of Copies Provided: 0 E/Res's Brief deadline satisfied. Paper Copies of Brief due on 03/10/2014 for Appellees Jason Abraham, Abraham & Veneklasen Joint Venture and Abraham Equine, Incorporated.. Reply Brief due on 03/17/2014 for Appellant American Quarter Horse Association [13-11043] (Luther T. Munford)
- 02/27/2014  RECORD EXCERPTS FILED by Appellees Mr. Jason Abraham, Abraham & Veneklasen Joint Venture and Abraham Equine, Incorporated.. Date of service: 02/27/2014 via email - Attorney for Amici Curiae: Harris, Wittmann; Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Munford, Stein, Stone; US mail - Attorney for Appellee: Nickum [13-11043] REVIEWED AND/OR EDITED.. # of Copies Provided: 0 Paper Copies of Record Excerpts due on 03/10/2014 for Appellees Jason Abraham, Abraham & Veneklasen Joint Venture and Abraham Equine, Incorporated. [13-11043] (Luther T. Munford)
71 pg, 5.76 MB

03/02/2014		APPEARANCE FORM FILED by Attorney(s) Kathleen Elizabeth Ingram for party(s) Appellee Jason Abraham, in case 13-11043 [13-11043] (CNF)
03/06/2014		PHONE EXTENSION CONFIRMED for Appellant American Quarter Horse Association. Extension granted to and including 03/24/2014. Reply Brief deadline updated to 03/24/2014 for Appellant American Quarter Horse Association [13-11043] (MCS)
03/11/2014		Paper copies of appellee brief filed by Appellees Abraham & Veneklasen Joint Venture, Abraham Equine, Incorporated and Mr. Jason Abraham in 13-11043 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [13-11043] (CNF)
03/11/2014		Paper copies of record excerpts filed by Appellees Abraham & Veneklasen Joint Venture, Abraham Equine, Incorporated and Mr. Jason Abraham in 13-11043 received. Paper copies match electronic version of document? Yes # of Copies Provided: 4. Paper Copies of Record Excerpts due deadline satisfied. [13-11043] (CNF)
03/24/2014		APPELLANT'S REPLY BRIEF FILED by American Quarter Horse Association Date of service: 03/24/2014 via email - Attorney for Amici Curiae: Harris, Wittmann; Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Ingram, Munford, Stein, Stone; US mail - Attorney for Appellee: Nickum [13-11043] REVIEWED AND/OR EDITED. # of Copies Provided: 0 Reply Brief deadline satisfied. Paper Copies of Brief due on 04/02/2014 for Appellant American Quarter Horse Association. [13-11043] (David E. Keltner)
04/01/2014		Paper copies of appellant reply brief filed by Appellant American Quarter Horse Association in 13-11043 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [13-11043] (CNF)
06/06/2014		CASE TENTATIVELY calendared for oral argument for the week of 08/04/2014. [13-11043] (GAM)
06/09/2014		TENTATIVE CALENDAR changed from week of 08/04/2014 to week of 09/01/2014. With Argument? Yes. [13-11043] (GAM)
07/24/2014		CASE CALENDARED for oral argument on Thursday, 09/04/2014 in New Orleans in the En Banc Courtroom -- PM session. In accordance with our policy, lead counsel only will receive via email at a later date a copy of the court's docket and an acknowledgment form. All other counsel of record should monitor the court's website for the posting of the oral argument calendars.. [13-11043] (PFT)
08/29/2014		SUPPLEMENTAL AUTHORITIES (FRAP 28j) FILED by Appellee Mr. Jason Abraham Date of Service: 08/29/2014 via email - Attorney for Amici Curiae: Harris, Wittmann; Attorney for Appellants: Arnold, Auld, Keltner, Loftin, Smith; Attorney for Appellees: Beckett, Ingram, Munford, Nickum, Stein, Stone [13-11043] (Kathleen Elizabeth Ingram)
09/04/2014		ORAL ARGUMENT HEARD before Judges Jolly, Jones, Africk. Arguing Person Information Updated for: David E. Keltner arguing for Appellant American Quarter Horse Association; Arguing Person Information Updated for: Luther T. Munford arguing for Appellee Jason Abraham; Arguing Person Information Updated for: Nancy J. Stone arguing for Appellee Abraham & Veneklasen Joint Venture [13-11043] (PFT)
11/19/2014		RECORD ON APPEAL FILED. Electronic Pleadings, 9; Electronic Transcript, 1 -SEALED ; Electronic Transcript, 9; SEALED EXHIBITS, 1 env (Sealed Transcript); SEALED EXHIBITS, 1 env (Doc#s: 100,106,107,108,125); [13-11043] (NFD)
01/14/2015		PUBLISHED OPINION FILED. [13-11043 Reversed and Rendered] Judge: EGJ , Judge: EHJ , Judge: LMA Mandate pull date is 02/04/2015 [13-11043] (RMF)
01/14/2015		JUDGMENT ENTERED AND FILED. [13-11043] (RMF)

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