

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, ET AL.,

Plaintiffs,

v.

AMERICAN AIRLINES GROUP INC. and
JETBLUE AIRWAYS CORPORATION,

Defendants.

Civil Action No. 1:21-cv-11558-LTS

Oral Argument Requested

**AMERICAN AIRLINES GROUP INC. AND JETBLUE AIRWAYS CORPORATION’S
DAUBERT MOTION AND MOTION IN *LIMINE* CONCERNING
PLAINTIFFS’ EXPERT’S MERGER SIMULATION MODEL**

Pursuant to Federal Rule of Evidence 702, Defendants American Airlines Group Inc. (“American”) and JetBlue Airways Corporation (collectively with American, “Defendants”) respectfully move this Court to preclude Plaintiffs’ expert Dr. Nathan H. Miller from offering opinions or testimony that rely on the results of his “merger simulation” model because there is too great an analytical gap between Dr. Miller’s merger simulation model and the issues raised by the NEA, and because the model is not reliable.

In support of this motion, Defendants submit an accompanying memorandum, an attorney declaration, and two expert declarations. Defendants will further submit any additional briefing and argument permitted or requested by the Court.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Defendants respectfully request to be heard at oral argument on their motion.

Dated: September 2, 2022

Respectfully submitted,

/s/ Daniel M. Wall

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LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), I hereby certify that I conferred with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues raised in Defendants' *Daubert* Motion and Motion in *Limine*, and Plaintiffs oppose this motion.

/s/ Daniel M. Wall
Daniel M. Wall

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing.

/s/ Daniel M. Wall
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