

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA, *et al.*,

Plaintiffs,

v.

US AIRWAYS GROUP, INC. and AMR
CORPORATION,

Defendants,

Case No. 1:13-cv-01236-CKK

Trial Date: November 25, 2013

JOINT REPORT IN ADVANCE OF STATUS CONFERENCE

Having met and conferred in advance of the scheduled status conference, the Parties report the following:

I. Trial Date

The case is proceeding apace and is on-track to commence trial on November 25, 2013, as scheduled.

II. Status of Discovery

Fact discovery is nearing a close. The majority of fact discovery was completed by October 25, 2013, and the handful of remaining depositions will be completed before the extended deadline of November 8, 2013. A detailed summary of discovery events is attached as Exhibit One.

Collectively, Defendants have produced approximately 1,350,000 documents to Plaintiffs. Plaintiffs have produced approximately 900,000 documents to Defendants, a third of which are documents Defendants originally produced to Plaintiffs in prior investigations. The parties have met with the Special Master and discussed the status of discovery every week since he was appointed by the Court on September 4.

Most fact depositions, including all party depositions, have been completed. Plaintiffs took depositions of 19 employees of Defendants. The Parties have also deposed nine non-parties, most of whom are executives employed by other airlines. A handful of non-party depositions remain outstanding. The Parties have exchanged responses to nine sets of Requests for Production and eight sets of Interrogatories.

Expert discovery has opened in earnest. On October 25, 2013, Plaintiffs provided expert disclosures to Defendants. Plaintiffs disclosed four experts, all of whom can be described as providing economic opinions or opinions on the purported benefits associated with the merger. Defendants' expert disclosures are due on November 8, 2013.

III. Proposed Trial Procedures Order and Confidentiality Procedures Order

The Parties submitted a proposed Trial Procedures Order ("TPO") to the Court on October 17, 2013. The two remaining points of disagreement between the Parties as to the TPO are the limit on trial exhibits and the limit on witness examination time during trial.

The Parties have been conferring over a proposed Confidentiality Procedures Order and met with the Special Master (who will address issues of confidentiality) about its provisions on October 28, 2013.

IV. Amicus Briefs

Several non-parties have sought leave to file amicus briefs. To establish an orderly procedure for these filings, the Parties' proposed TPO sets a pre-trial deadline of November 15, 2013, for the filing of amicus briefs and a November 22 deadline for any responses.

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V. Status of Settlement Discussions

The Parties have agreed to a mediator suggested by the Court.

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(Signature block on next pages)

Dated: October 28, 2013

Respectfully submitted,

/s/

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