

APPEAL,CLOSED,TYPE-A

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:04-cv-00534-JDB**

FEDERAL TRADE COMMISSION v. ARCH COAL, INC. et al  
Assigned to: Judge John D. Bates  
Cause: 15:53b Federal Trade Commission Act

Date Filed: 04/01/2004  
Date Terminated: 08/31/2004  
Jury Demand: None  
Nature of Suit: 410 Anti-Trust  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**FEDERAL TRADE COMMISSION**

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V.

**Defendant**

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V.

**Interested Party**

**AMERICAN ELECTRIC POWER  
SERVICE CORPORATION**

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**Interested Party**

**EDISON MISSION ENERGY FUEL  
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**Interested Party**

**OKLAHOMA GAS & ELECTRIC  
COMPANY**

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**Amicus**

**PETER KIEWIT SONS, INC.**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/01/2004	<a href="#">1</a>	COMPLAINT against ARCH COAL, INC., NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC , filed by FEDERAL TRADE COMMISSION.(bcs, ) (Entered: 04/05/2004)
04/01/2004		Summons Issued (1)as to ARCH COAL, INC., NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC. (bcs, ) (Entered: 04/05/2004)
04/05/2004	<a href="#">2</a>	ANSWER to Complaint of <i>FEDERAL TRADE COMMISSION</i> by NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC. (Attachments: # <a href="#">1</a> Disclosure of Corporate Affiliations and Financial Interests)(Parker, Richard) (Entered: 04/05/2004)
04/05/2004	<a href="#">3</a>	<i>Defendant's ANSWER to Complaint of Federal Trade Commission for Preliminary Injunction filed</i> by ARCH COAL, INC..(Baldrige, James) (Entered: 04/05/2004)
04/05/2004	<a href="#">4</a>	MOTION for Leave to Appear Pro Hac Vice by NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC. (Attachments: # <a href="#">1</a> Declaration in support thereof)(Parker, Richard) (Entered: 04/05/2004)
04/05/2004	<a href="#">5</a>	LCvR 7.1 - CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests <i>filed by Arch Coal, Inc.</i> (Baldrige, James) (Entered: 04/05/2004)
04/05/2004	<a href="#">6</a>	LCvR 7.1 - CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NEW VULCAN COAL HOLDINGS, LLC and TRITON COAL COMPANY, LLC (jf, ) (Entered: 04/06/2004)
04/06/2004		MINUTE ENTRY: Upon consideration of <a href="#">4</a> defendants' motion for leave to appear pro hac vice, it is hereby ORDERED that the motion is GRANTED, and it is further ORDERED that Charles E. Bachman is admitted to the bar of this Court pro hac vice. Signed by Judge John D. Bates on 04/06/04. (lcjdb2) (Entered: 04/06/2004)
04/06/2004		Set Deadlines/Hearings: Status Conference set for 4/14/2004, at 04:45 PM before Judge John D. Bates. (lcjdb1) (Entered: 04/06/2004)
04/07/2004	<a href="#">7</a>	MOTION for Protective Order by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Krulla, Rhett) (Entered: 04/07/2004)
04/07/2004	<a href="#">8</a>	STIPULATION by FEDERAL TRADE COMMISSION. (Krulla, Rhett) (Entered: 04/07/2004)
04/08/2004		MINUTE ENTRY: ORDER granting <a href="#">7</a> Motion for Protective Order and denying as moot <a href="#">8</a> request for approval of Stipulated Protective Order. Signed by Judge John D. Bates on 4/8/04. (lcjdb1) (Entered: 04/08/2004)
04/08/2004	<a href="#">9</a>	MOTION to Seal by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Krulla, Rhett) (Entered: 04/08/2004)
04/08/2004	<a href="#">10</a>	MOTION for Preliminary Injunction by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Krulla, Rhett) (Entered: 04/08/2004)

04/08/2004	<a href="#">11</a>	PROTECTIVE ORDER Signed by Judge John D. Bates on 04/08/2004. (tb ) (Entered: 04/08/2004)
04/13/2004	<a href="#">12</a>	MOTION to Consolidate Cases by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Baldrige, James) (Entered: 04/13/2004)
04/14/2004		Minute Entry Initial Scheduling Conference held on 4/14/2004 before Judge John D. Bates: Status Conference set for 5/10/2004 09:30 AM in Courtroom 21 before Judge John D. Bates. (Court Reporter Bryan Wayne) (tb) (Entered: 04/15/2004)
04/19/2004	<a href="#">13</a>	STIPULATION by FEDERAL TRADE COMMISSION. (Krulla, Rhett) (Entered: 04/19/2004)
04/19/2004	<a href="#">14</a>	SUPPLEMENTAL MEMORANDUM <i>in Support of Rule 65(a)(2) Motion for Consolidation of Preliminary and Permanent Injunctions</i> from Arch Coal, Inc.. (Baldrige, James) (Entered: 04/19/2004)
04/20/2004		MINUTE ENTRY ORDER: <a href="#">13</a> Stipulated Order is APPROVED and so ORDERED by the Court. The June 18, 2004 final pre-trial conference date, however, will have to be changed in light of the Court's unavailability from June 16-18, 2004. Parties should suggest an alternate date and any modifications to the scheduling order that may be necessitated by the change. The next status conference in this case is SET for May 10, 2004, at 9:30 a.m. Signed by Judge John D. Bates on 4/20/04. (lcjdb1) (Entered: 04/20/2004)
04/22/2004	<a href="#">15</a>	Emergency MOTION to Compel by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Krulla, Rhett) (Entered: 04/22/2004)
04/22/2004	<a href="#">16</a>	Memorandum in opposition to motion re <a href="#">12</a> <i>Rule 65(a)(2) Consolidation of Preliminary and Permanent Injunction by Plaintiff States</i> filed by FEDERAL TRADE COMMISSION. (Krulla, Rhett) (Entered: 04/22/2004)
04/22/2004	<a href="#">17</a>	Memorandum in opposition to motion re <a href="#">12</a> <i>Consolidation of Preliminary and Permanent Injunction</i> filed by FEDERAL TRADE COMMISSION. (Krulla, Rhett) (Entered: 04/22/2004)
04/23/2004	<a href="#">18</a>	NOTICE OF TRANSCRIPT FILED for initial scheduling conference held on dates April 14, 2004. (jf, ) (Entered: 04/26/2004)
04/27/2004	<a href="#">19</a>	Memorandum in opposition to motion re <a href="#">15</a> <i>Order to Compel Defendant Arch Coal to Pay the FTC's Storage Fees Relating to Discoverable Electronic Documents</i> filed by ARCH COAL, INC.. (Baldrige, James) (Entered: 04/27/2004)
04/28/2004	<a href="#">20</a>	RESPONSE to the <i>FTC's and Plaintiff States' Opposition to Arch Coal's Rule 65(a)(2) Consolidation Motion</i> filed by ARCH COAL, INC.. (Baldrige, James) (Entered: 04/28/2004)
04/28/2004	<a href="#">21</a>	MEMORANDUM <i>in Support of Plaintiff's Motion for Preliminary Injunction - Redacted (Public Version)</i> . (Krulla, Rhett) (Entered: 04/28/2004)
04/28/2004	<a href="#">24</a>	MOTION to participate in this action as amicus curiae by PETER KIEWIT SONS, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order)(bcs, ) (Entered: 04/30/2004)

04/29/2004	<a href="#">22</a>	REPLY to opposition to motion re <a href="#">15</a> <i>To Compel Defendant Arch Coal To Provide Continued Access To Electronic Documents</i> filed by FEDERAL TRADE COMMISSION. (Krulla, Rhett) (Entered: 04/29/2004)
04/29/2004	<a href="#">23</a>	Unopposed MOTION to Compel <i>Production of Third-Party Documents and Request for Expedited Consideration</i> by ARCH COAL, INC.. (Baldrige, James) (Entered: 04/29/2004)
04/30/2004	<a href="#">25</a>	MOTION for Protective Order by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> )(Alvarez, Marc) (Entered: 04/30/2004)
05/04/2004	<a href="#">26</a>	ENTERED IN ERROR..... MOTION For Leave to Take Additional Depositions Pursuant to Local Rule 26.2(B) and Federal Rule 30(a)(2)(A) re <a href="#">25</a> MOTION for Protective Order <i>Limiting the Number of Depositions that the Defendants May Notice and Take</i> by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Baldrige, James) Modified on 5/4/2004 (jf, ). (Entered: 05/04/2004)
05/04/2004	<a href="#">27</a>	Memorandum in opposition to motion re <a href="#">25</a> <i>Protective Order Limiting The Number of Depositions The Defendants May Notice and Take and In Support of Defendants' Motion For Leave to Take Additional Depositions</i> filed by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Baldrige, James) (Entered: 05/04/2004)
05/04/2004		NOTICE OF CORRECTED DOCKET. Document No. 26 was entered in error and counsel was instructed to re-file said pleading with correct document. (jf, ) (Entered: 05/04/2004)
05/04/2004	<a href="#">28</a>	MOTION For Leave to Take Additional Depositions Pursuant to Local Rule 26.2(B) and Federal Rule 30(a)(2)(A) re <a href="#">25</a> MOTION for Protective Order <i>Limiting the Number of Depositions that the Defendants May Notice and Take</i> by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Baldrige, James) (Entered: 05/04/2004)
05/05/2004	<a href="#">29</a>	ORDER granting <a href="#">23</a> Motion to Compel production of third-party documents. Signed by Judge John D. Bates on 5/5/04. (lcjdb1) (Entered: 05/05/2004)
05/05/2004		MINUTE ENTRY: ORDER granting <a href="#">24</a> Motion of Peter Kiewit Sons, Inc. to participate in this action as amicus curiae. Signed by Judge John D. Bates on 5/5/04. (lcjdb1) (Entered: 05/05/2004)
05/05/2004	<a href="#">30</a>	REPLY to opposition to motion re <a href="#">25</a> <i>Protective Order Limiting Number of Defendants' Depositions</i> filed by FEDERAL TRADE COMMISSION. (Alvarez, Marc) (Entered: 05/05/2004)
05/06/2004	<a href="#">31</a>	Consent MOTION to Compel <i>Production of Third Party Documents and Request for Expedited Consideration</i> by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Baldrige, James) (Entered: 05/06/2004)
05/06/2004	<a href="#">32</a>	MOTION for Leave to File " <i>Defendant Arch Coal, Inc.'s Motion (i) To Compel American Electric Power Service Corporation to Produce Copies of Its Sworn Testimony About The Coal Industry in Another Recent Lawsuit And (ii) For An Accelerated Briefing Schedule</i> " Under Seal by ARCH COAL, INC.. (Attachments: # <a href="#">1</a>

		Text of Proposed Order Proposed Order)(Baldrige, James) (Entered: 05/06/2004)
05/06/2004	<a href="#">33</a>	ORDER GRANTING <a href="#">15</a> Motion to Compel defendant Arch to provide continued electronic access to Arch's discoverable electronic documents. Defendant Arch shall promptly make any necessary arrangements to provide the Commission with access to Arch's electronically produced documents under the same conditions that it had provided access to the Commission prior to April 20, 2004. Signed by Judge John D. Bates on 5/6/04. (lcjdb1) (Entered: 05/06/2004)
05/06/2004	<a href="#">34</a>	ORDER granting <a href="#">31</a> Motion to Compel production of third-party documents. Signed by Judge John D. Bates on 5/6/04. (lcjdb1) (Entered: 05/06/2004)
05/06/2004	<a href="#">35</a>	REPLY to opposition to motion re <a href="#">28</a> <i>For Leave to Take Additional Depositions</i> filed by ARCH COAL, INC.. (Baldrige, James) (Entered: 05/06/2004)
05/06/2004	<a href="#">36</a>	ORDER denying <a href="#">12</a> Motion for consolidation of preliminary and permanent injunctions, without prejudice to renewal. Signed by Judge John D. Bates on 5/6/04. (lcjdb1) (Entered: 05/06/2004)
05/06/2004	<a href="#">37</a>	ORDER granting <a href="#">9</a> plaintiff FTC's Motion to Seal. FTC's Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction and the FTC's Exhibits to that Memorandum shall be filed under seal until further order of the Court. Plaintiff FTC may at any time file on the public record a duplicate copy of the Memorandum that does not reveal confidential material. Signed by Judge John D. Bates on 5/6/04. (lcjdb1) (Entered: 05/06/2004)
05/06/2004	<a href="#">38</a>	ORDER granting <a href="#">32</a> defendant Arch's Motion for Leave to File under seal its Motion to Compel American Energy Power Service Corporation ("AEPSC") to Produce Copies of its Sworn Testimony About the Coal Industry in Another Recent Lawsuit and for an Accelerated Briefing Schedule and the Memorandum of Law and Exhibits submitted in support thereof. Defendant Arch's Motion to Compel, Memorandum, and Exhibits shall be filed under seal. Signed by Judge John D. Bates on 5/6/04. (lcjdb1) (Entered: 05/06/2004)
05/06/2004	40	MOTION to Compel American Electric Power Service Corporation to produce copies of its sworn testimony about Coal Industry in another recent lawsuit and (ii) for an accelerated briefing schedule by ARCH COAL, INC.; Exhibits (4); (Filed Under Seal) (bcs, ) (Entered: 05/10/2004)
05/07/2004	<a href="#">39</a>	ORDER granting in part and denying in part <a href="#">25</a> plaintiffs' Motion for Protective Order; granting in part and denying in part <a href="#">28</a> defendants' Motion leave to take additional depositions. Defendants are limited to no more than twenty-three (23) depositions, and a reciprocal limitation with respect to plaintiffs' depositions shall apply as well. Signed by Judge John D. Bates on 5/7/04. (lcjdb1) (Entered: 05/07/2004)
05/10/2004		Minute Entry Status Conference held on 5/10/2004 before Judge John D. Bates: Order forthcoming. (Court Reporter Bryan Wayne) (tb) (Entered: 05/10/2004)
05/11/2004	<a href="#">41</a>	SCHEDULING ORDER: Pretrial Conference set for 6/15/2004, at 12:00 PM before Judge John D. Bates. Status Conference set for 5/28/2004, at 09:15 AM before Judge John D. Bates. Signed by Judge John D. Bates on 5/11/04. (lcjdb1) (Entered: 05/11/2004)

05/12/2004	<a href="#">42</a>	NOTICE OF WITHDRAWAL OF MOTION by ARCH COAL, INC. re 40 MOTION to Compel <i>American Electric Power Service Corporation To Produce Copies of Its Sworn Testimony About The Coal Industry in Another Recent Lawsuit and (ii) For An Accelerated Briefing Schedule</i> (Baldrige, James) (Entered: 05/12/2004)
05/14/2004	<a href="#">43</a>	MOTION <i>To Modify The Scheduling Order</i> by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Order to Modify the Scheduling Order)(Baldrige, James) (Entered: 05/14/2004)
05/14/2004	<a href="#">44</a>	NOTICE OF TRANSCRIPT FILED for scheduling conference dates May 10, 2004. (bcs, ) (Entered: 05/17/2004)
05/17/2004		MINUTE ENTRY: ORDER granting <a href="#">43</a> Motion for extension of time to file briefs. Defendants shall file any oppositions to plaintiffs' motion for preliminary injunction by not later than May 24, 2004. Plaintiffs shall file any replies thereto by not later than June 11, 2004. Signed by Judge John D. Bates on 5/17/04. (lcjdb1) (Entered: 05/17/2004)
05/17/2004		Set/Reset Deadlines: Responses due by 5/24/2004. Replies due by 6/11/2004. (lcjdb1) (Entered: 05/17/2004)
05/24/2004	<a href="#">45</a>	MOTION <i>For Order Pursuant To LCvR 5.1(j) Directing The Filing Under Seal of "Pretrial Brief of Arch Coal Company, Inc., Triton Coal Company, LLC and New Vulcan Coal Holdings, LLC in Opposition To Plaintiffs' Motions for Preliminary Injunction</i> by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order Directing The Filing Under Seal of Pretrial Brief)(Baldrige, James) (Entered: 05/24/2004)
05/24/2004	<a href="#">46</a>	MOTION for Leave to File Excess Pages of <i>Reply Memorandum in Excess of Twenty-Five Pages</i> by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Supplement Proposed Order)(Baldrige, James) (Entered: 05/24/2004)
05/24/2004	<a href="#">47</a>	ORDER granting <a href="#">45</a> Motion leave to file opposition under seal, and denying <a href="#">46</a> Motion for Leave to File Excess Pages as moot. Signed by Judge John D. Bates on 5/24/04. (lcjdb1) (Entered: 05/24/2004)
05/24/2004	49	Memorandum in opposition to motion re <a href="#">10</a> for preliminary injunction filed by ARCH COAL, INC., NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC. (Filed Under Seal) (bcs, ) (Entered: 05/26/2004)
05/25/2004	<a href="#">48</a>	MOTION <i>For Leave to File One Day Late Their Opposition to Plaintiffs' Motions for Preliminary Injunction</i> by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Baldrige, James) (Entered: 05/25/2004)
05/25/2004		MINUTE ENTRY: ORDER GRANTING <a href="#">48</a> defendants' motion for leave to file opposition one day late. Signed by Judge John D. Bates on 5/25/04. (lcjdb1) (Entered: 05/25/2004)
05/27/2004		Minute Entry: Pursuant to the request of the parties, the status conference originally scheduled to take place on Friday May 28, 2004, is CANCELLED. (lcjdb1) (Entered: 05/27/2004)



06/03/2004	<a href="#">50</a>	MOTION in Limine <i>To Exclude All Evidence and Argument On Issue of Remedy and Memo In Support</i> by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> Text of Proposed Order Exclude evidence and argument on issue of remedy)(Alvarez, Marc) (Entered: 06/03/2004)
06/04/2004	<a href="#">51</a>	MOTION in Limine <i>To Limit Testimony of Plaintiffs' Expert</i> by ARCH COAL, INC., NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC. (Attachments: # <a href="#">1</a> Text of Proposed Order # <a href="#">2</a> Appendix Attachment A# <a href="#">3</a> Appendix Attachment B)(Parker, Richard) (Entered: 06/04/2004)
06/04/2004		MINUTE ENTRY: ORDER REQUIRING parties to file responses to <a href="#">50</a> Motion in Limine to exclude evidence and <a href="#">51</a> Motion in Limine to limit testimony, by not later than 5:00 p.m. on June 10, 2004; and REQUIRING parties to file replies thereto by not later than 12:00 p.m. (noon) on June 14, 2004. Signed by Judge John D. Bates on 6/4/04. (lcjdb1) (Entered: 06/04/2004)
06/04/2004		Set/Reset Deadlines: Responses due by 5:00 pm on 6/10/2004; Replies due by 12:00 pm on 6/14/2004. (tb) (Entered: 06/09/2004)
06/09/2004	<a href="#">52</a>	RESPONSE to <i>Motion in Limine by Plaintiff Federal Trade Commission to Exclude All Evidence and Argument on the Issue of Remedy</i> filed by PETER KIEWIT SONS, INC.. (Starling, Kenneth) (Entered: 06/09/2004)
06/09/2004		MINUTE ENTRY: ORDER REQUIRING plaintiffs to file their reply by not later than 10:00 a.m. on Monday June 14, 2004. A courtesy copy of the reply shall be provided to defendants and chambers by not later than 12:00 p.m. on Saturday June 12, 2004. Signed by Judge John D. Bates on 6/9/04. (lcjdb1) (Entered: 06/09/2004)
06/09/2004		Set/Reset Deadlines: Replies to 49 defendants' opposition to the motion for preliminary injunction due by 6/14/2004, at 10:00 a.m. (lcjdb1) (Entered: 06/09/2004)
06/10/2004	<a href="#">53</a>	MOTION <i>For Order Pursuant to LCvR 5.1 (j) Directing the Filing Under Seal of "Defendants' Memorandum in Opposition To Plaintiffs' Motion in Limine"</i> by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Baldrige, James) (Entered: 06/10/2004)
06/10/2004	<a href="#">54</a>	Memorandum in opposition to motion re <a href="#">51</a> <i>Striking Portions of Expert Report and Limiting Proposed Testimony of David Painter</i> filed by FEDERAL TRADE COMMISSION. (Alvarez, Marc) (Entered: 06/10/2004)
06/10/2004	<a href="#">55</a>	MOTION in Limine <i>To Bar Cumulative, Conclusory and Untimely Expert Testimony and Memo In Support</i> by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> Text of Proposed Order To Strike Expert Report and Bar Expert Testimony At Trial); Attachment A (under seal)(Alvarez, Marc) (Entered: 06/10/2004)
06/10/2004	112	MOTION to seal Opposition to motion in limine (Exhibit-OPPOSITION to plaintiff's MOTION in Limine To Bar Cumulative, Conclusory and Untimely Expert Testimony by ARCH COAL, INC., NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC and Exhibits 1 through 4.(Filed under seal and inadvertently not entered on the docket) (Burgess, Joe) (Entered: 10/12/2004)

06/14/2004	<a href="#">56</a>	REPLY to opposition to motion re <a href="#">50</a> <i>Exclusion of All Evidence and Argument On the Issue of Remedy</i> filed by FEDERAL TRADE COMMISSION. (Alvarez, Marc) (Entered: 06/14/2004)
06/14/2004	<a href="#">57</a>	REPLY to opposition to motion re <a href="#">51</a> <i>Limit Testimony of Plaintiffs' Expert</i> filed by ARCH COAL, INC.. (Baldrige, James) (Entered: 06/14/2004)
06/14/2004	<a href="#">58</a>	MOTION for Order <i>Directing Filing Under Seal of Exhibits 1 &amp; 2 To Plaintiffs' Memo In Reply To Defendants' Opposition To Plaintiffs' Motion In Limine and Memo In Support</i> by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> Text of Proposed Order Directing the Filing Under Seal of Exhibits 1 & 2 To Memo In Reply To Defendants' Opposition To Plaintiffs' Motion In Limine)(Alvarez, Marc) (Entered: 06/14/2004)
06/14/2004		MINUTE ENTRY: ORDER GRANTING <a href="#">53</a> Motion for order directing the filing under seal of defendants' memorandum in opposition to <a href="#">50</a> plaintiffs' motion in limine; and GRANTING <a href="#">58</a> Motion for Order directing the filing under seal of exhibits 1 and 2 to plaintiff FTC's memorandum in reply to defendants' opposition to <a href="#">50</a> plaintiffs' motion in limine. Defendants' memorandum in opposition to <a href="#">50</a> plaintiffs' motion in limine and exhibits 1 and 2 of plaintiff FTC's memorandum in reply thereto SHALL BE FILED UNDER SEAL until further order of the Court. Signed by Judge John D. Bates on 6/14/04. (lcjdb1) (Entered: 06/14/2004)
06/14/2004	<a href="#">59</a>	Memorandum in opposition to motion re <a href="#">55</a> <i>Plaintiffs' Motion in Limine to Bar Rebuttal Expert Testimony From Dennis N. Kostic</i> filed by ARCH COAL, INC.. (Baldrige, James) (Entered: 06/14/2004)
06/14/2004	113	REPLY MEMORANDUM in support of plaintiffs' motion for preliminary injunction filed by FEDERAL TRADE COMMISSION; Exhibits (42)lodged under seal. (This entry was inadvertently not placed on the docket) (Burgess, Joe) Modified on 12/27/2004 to reflect correct file date of 6/14/04(Burgess, Joe). (Entered: 10/12/2004)
06/15/2004		Set/Reset Hearings: Bench Trial set for 6/21/2004 09:00 AM in Courtroom 10 before Judge John D. Bates. (tb) (Entered: 06/15/2004)
06/15/2004		Minute Entry Pretrial Conference held on 6/15/2004 held before Judge John D. Bates: (Court Reporter Bryan Wayne) (tb) (Entered: 06/15/2004)
06/15/2004		MINUTE ENTRY ORDER: GRANTING <a href="#">51</a> MOTION in Limine To Limit Testimony of Plaintiffs' Expert. The testimony of plaintiffs' rebuttal expert Mr. David Painter shall be limited to issues responsive to the report of defendants' expert Mr. Paul A. Lang, i.e. Mr. Painter's testimony shall be limited to the issue of efficiencies, but shall exclude the issue of Triton's financial condition; DENYING <a href="#">55</a> MOTION in Limine To Bar Cumulative, Conclusory and Untimely Expert Testimony. The report of defendants' proposed expert Mr. Dennis N. Kostic is properly considered an expert report rebutting Mr. Painter's report, and shall not be excluded; moreover, any concerns regarding facts relied on by Mr. Kostic can be addressed through cross-examination and deposition; and DEFFERRING RULING ON <a href="#">50</a> MOTION in Limine To Exclude All Evidence and Argument On Issue of Remedy. The Court shall rule on this motion subsequent to the presentation of evidence on the issue of the proposed transaction between Arch and Kiewit. Signed by Judge John D. Bates on 6/15/04. (lcjdb1) (Entered: 06/15/2004)

06/17/2004	<a href="#">90</a>	MOTION for in camera treatment of documents and deposition testimony by AMERICAN ELECTRIC POWER SERVICE CORPORATION. (Attachments: # <a href="#">1</a> Attachments)(jf, ) (Entered: 08/13/2004)
06/18/2004	<a href="#">60</a>	NOTICE OF TRANSCRIPT FILED for pretrial hearing dates June 15, 2004. (bcs, ) (Entered: 06/23/2004)
06/18/2004	<a href="#">91</a>	NOTICE of Appearance by Mary Anne Mason on behalf of EDISON MISSION ENERGY FUEL SERVICES, INCORPORATED (jf, ) (Entered: 08/13/2004)
06/18/2004	<a href="#">92</a>	MOTION for in camera treatment of documents and deposition testimony produced by EDISON MISSION ENERGY FUEL SERVICES, INCORPORATED. (jf, ) (Entered: 08/13/2004)
06/21/2004		Minute Entry Bench Trial begun on 6/21/2004 before Judge John D. Bates: Opening statements; Plaintiff witnesses: Ronald Rahm, R. Michael Bales, and Paul Freund. Bench Trial resumes on 6/22/2004 09:45 AM in Courtroom 10 before Judge John D. Bates. (Court Reporter Bryan Wayne (am), Elaine Merchant (pm)) (tb) (Entered: 06/21/2004)
06/22/2004		Minute Entry Bench Trial held on 06/22/04 before Judge John D. Bates: Plaintiff witnesses: Rober Orme, Jon Kelly, Jeffrey Herndon, Steven Hollaway and Mark Warner.Bench Trial continued to 6/23/2004 at 9:45 before Judge John D. Bates. (Court Reporter Bryan Wayne (am), Judy Brown (pm)) (tb) (Entered: 06/22/2004)
06/22/2004	<a href="#">61</a>	NOTICE OF TRANSCRIPT FILED for preliminary injunction hearing day one - am dates June 21, 2004. (bcs, ) (Entered: 06/23/2004)
06/22/2004	<a href="#">62</a>	NOTICE OF TRANSCRIPT FILED for preliminary injunction hearing day two-am dates June 22, 2004. (bcs, ) (Entered: 06/23/2004)
06/22/2004	<a href="#">93</a>	MOTION for protection of certain highly confidential documents and information to be introduced at the hearing and for limited in camera treatment by OKLAHOMA GAS & ELECTRIC COMPANY. (Attachments: # <a href="#">1</a> Exhibit A)(jf, ) (Entered: 08/13/2004)
06/23/2004		Minute Entry Bench trial resumed before Judge John D. Bates: plaintiff's witnesses: Mark Werner, John Stolwyk, John Carr and John Morris; Bench Trial continued to 6/24/2004 at 9:00 before Judge John D. Bates. (Court Reporter Bryan Wayne (am), Judy Brown (pm)) (tb) (Entered: 06/23/2004)
06/23/2004		Set/Reset Hearings: Bench Trial set for 6/24/2004 09:00 AM in Courtroom 10 before Judge John D. Bates. (tb) (Entered: 06/23/2004)
06/23/2004	<a href="#">63</a>	NOTICE OF TRANSCRIPT FILED for preliminary injunction hearing day one-pm dates June 21, 2004. (bcs, ) (Entered: 06/25/2004)
06/24/2004		Minute Entry Bench Trial held on 6/24/2004 before Judge John D. Bates: plaintiff's witness: John Morris; plaintiff rest; defendant witness Paul Lang. Bench Trial continued for 6/25/2004 10:00 AM in Courtroom 10 before Judge John D. Bates. (Court Reporter Bryan Wayne (am), Judy Brown (pm)) (tb) (Entered: 06/24/2004)

06/25/2004		Minute Entry Bench Trial held on 6/25/2004 before Judge John D. Bates: Defendant's witnesses: Paul Lang, Sami Shalah and Dennis Kostic; Bench Trial continued for 6/28/2004 09:30 AM in Courtroom 10 before Judge John D. Bates. (Court Reporter Bryan Wayne (am), Judy Brown (pm)) (tb) (Entered: 06/25/2004)
06/25/2004	<a href="#">64</a>	NOTICE by ARCH COAL, INC. of <i>Withdrawal of Appearance</i> (Baldrige, James) (Entered: 06/25/2004)
06/28/2004	<a href="#">65</a>	MOTION to Seal <i>The Courtroom</i> by NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC. (Parker, Richard) (Entered: 06/28/2004)
06/28/2004		Minute Entry Bench Trial held on 6/28/2004 before Judge John D. Bates :Defendant witnesses: Stephen Leer, Bruce Grewcock and Kirt Ohlberg; Bench Trial continued for 6/29/2004 09:30 AM in Courtroom 10 before Judge John D. Bates. (Court Reporter Bryan Wayne (am), Judy Brown (pm)) (tb) (Entered: 06/28/2004)
06/28/2004		MINUTE ENTRY: ORDER granting <a href="#">65</a> Motion to Seal Courtroom. The courtroom shall be sealed during the confidential portion of Mr. James Hake's testimony. Signed by Judge John D. Bates on 6/28/04. (lcjdb1) (Entered: 06/28/2004)
06/29/2004		Minute Entry Bench Trial held on 6/29/2004 before Judge John D. Bates: Defendant's witnesses: James Hake. Bench Trial continued to 6/30/2004 02:00 PM in Courtroom 10 before Judge John D. Bates. (Court Reporter Bryan Wayne) (tb) (Entered: 06/29/2004)
06/29/2004	<a href="#">68</a>	NOTICE OF TRANSCRIPT FILED for Preliminary Injunction Hearing held on June 23, 2004; Court Reporter: Bryan A. Wayne (Day 3-a.m.). (jf, ) (Entered: 07/08/2004)
06/29/2004	<a href="#">69</a>	NOTICE OF TRANSCRIPT FILED for Preliminary Injunction Hearing held on June 24, 2004; Court Reporter: Bryan A. Wayne - (Day 4 - a.m.). (jf, ) (Entered: 07/08/2004)
06/29/2004	<a href="#">70</a>	NOTICE OF TRANSCRIPT FILED for Preliminary Injunction Hearing held on June 24, 2004; Court Reporter: Bryan A. Wayne - (Day 5 - a.m.). (jf, ) (Entered: 07/08/2004)
06/29/2004	<a href="#">71</a>	NOTICE OF TRANSCRIPT FILED for Preliminary Injunction Hearing held on June 28, 2004; Court Reporter: Bryan A. Wayne - (Day 6 - a.m.). (jf, ) (Entered: 07/08/2004)
06/29/2004	<a href="#">72</a>	NOTICE OF TRANSCRIPT FILED for Preliminary Injunction Hearing held on June 29, 2004; Court Reporter: Bryan A. Wayne - (Day 7). (jf, ) (Entered: 07/08/2004)
06/30/2004		Minute Entry Bench Trial held on 6/30/2004 before Judge John D. Bates: Defendant's witnesses: James Hake and Margaret Guerin-Calvert. Bench Trial continued to 7/1/2004 09:30 AM in Courtroom 10 before Judge John D. Bates. (Court Reporter Judy Brown, Miller) (tb) (Entered: 06/30/2004)
07/01/2004		Minute Entry Bench Trial held on 7/1/2004 before Judge John D. Bates: Defendant's witness: Margaret Guerin-Calver; Briefs due by 7/14/2004; Responses due by 7/16/2004. Oral argument set for 7/20/2004 01:30 PM in Courtroom 8 before Judge John D. Bates. Briefs due by 7/14/2004. Bench trial continued for 9:45 on 07/07/04 before Judge John D. Bates.(Court Reporter Bryan Wayne) (tb) (Entered: 07/02/2004)

07/07/2004		Minute Entry Bench Trial completed on 7/7/2004 held before Judge John D. Bates: Defendant's witnesses: Eric Lapplander, Dale Luksan, and Gary Stuchal; defendant rested; plaintiff's rebuttal witness: David Painer; plaintiff rested; parties to submit final exhibit lists; defendant's oral renewed motion for consolidation; heard and taken under advisement. (Court Reporter Bryan Wayne) (tb) (Entered: 07/07/2004)
07/07/2004	<a href="#">66</a>	ORDER denying <a href="#">50</a> plaintiff's Motion in Limine. Signed by Judge John D. Bates on 7/7/04. (lcjdb1) (Entered: 07/07/2004)
07/07/2004	<a href="#">67</a>	MEMORANDUM OPINION DENYING <a href="#">50</a> plaintiff's Motion in Limine to exclude, for the purposes of the preliminary injunction proceeding, all evidence and argument on the issue of the sale by Arch of the Buckskin mine to Kiewit. Signed by Judge John D. Bates on 7/7/04. (lcjdb1) (Entered: 07/07/2004)
07/08/2004	<a href="#">73</a>	NOTICE OF TRANSCRIPT FILED for Preliminary Injunction Hearing held on July 01, 2004; Court Reporter: Bryan A. Wayne (Day 9). (jf, ) (Entered: 07/09/2004)
07/08/2004	<a href="#">74</a>	NOTICE OF TRANSCRIPT FILED for Preliminary Injunction Hearing held on July 07, 2004; Court Reporter: Bryan A. Wayne - (Day 10 - a.m.). (jf, ) (Entered: 07/09/2004)
07/08/2004	<a href="#">75</a>	NOTICE OF TRANSCRIPT FILED for Preliminary Injunction Hearing held on July 07, 2004; Court Reporter: Bryan A. Wayne - (Day 10- p.m.). (jf, ) (Entered: 07/09/2004)
07/09/2004	<a href="#">76</a>	NOTICE by ARCH COAL, INC. of <i>Submission of Trial Exhibits</i> (Reynolds, William) (Entered: 07/09/2004)
07/12/2004	<a href="#">77</a>	Exhibit List <i>Joint Submission</i> by ARCH COAL, INC... (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order# <a href="#">2</a> Exhibit Attachment 1# <a href="#">3</a> Exhibit Attachment 2# <a href="#">4</a> Exhibit Attachment 3)(Reynolds, William) (Entered: 07/12/2004)
07/14/2004	<a href="#">78</a>	MOTION for Order Pursuant to LCvR 5.1(j) Directing the Filing Under Seal of "Defendants' Proposed Findings of Fact" and "Defendants' Post-Trial Brief" by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Reynolds, William) (Entered: 07/14/2004)
07/14/2004	<a href="#">79</a>	NOTICE by PETER KIEWIT SONS, INC. of <i>Post-Hearing Brief of Amicus Curiae</i> (Starling, Kenneth) (Entered: 07/14/2004)
07/14/2004	<a href="#">80</a>	MOTION to Seal <i>Plaintiffs' Findings of Fact and Post-Hearing Brief</i> by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> Text of Proposed Order To Seal Findings of Fact and Post-Hearing Brief)(Alvarez, Marc) (Entered: 07/14/2004)
07/14/2004	<a href="#">81</a>	MOTION for Extension of Time to File <i>Proposed Findings of Fact and Post-Hearing Brief</i> by FEDERAL TRADE COMMISSION. (Alvarez, Marc) (Entered: 07/14/2004)
07/15/2004	<a href="#">82</a>	MOTION for Leave to File Under Seal the defendants Proposed Findings of Fact and the Post-Trial Brief by ARCH COAL, INC., NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC. (Attachments: # <a href="#">1</a> Text of Proposed Order # <a href="#">2</a> Exhibit A)(tje, ) (Entered: 07/16/2004)

07/16/2004	<a href="#">83</a>	MOTION for Order Pursuant to LCvR 5.1(j) Directing the Filing Under Seal of "Defendants' Post-Trial Reply Brief" by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Reynolds, William) (Entered: 07/16/2004)
07/16/2004	<a href="#">84</a>	MOTION to Strike Portions of Plaintiffs' Proposed Findings of Fact by ARCH COAL, INC.. (Attachments: # <a href="#">1</a> Appendix Attachment A# <a href="#">2</a> Appendix Attachment B# <a href="#">3</a> Text of Proposed Order Proposed Order# <a href="#">4</a> Exhibit Attachment A to Proposed Order# <a href="#">5</a> Exhibit Attachment B to Proposed Order)(Reynolds, William) (Entered: 07/16/2004)
07/16/2004	<a href="#">85</a>	MOTION to Seal Document Plaintiffs' Reply to Defendants' Proposed Findings of Fact and Brief by FEDERAL TRADE COMMISSION. (Attachments: # <a href="#">1</a> Memo In Support of Motion To Seal Reply FOF and Brief# <a href="#">2</a> Text of Proposed Order Proposed Order To Seal Reply FOF and Brief)(Alvarez, Marc) Modified on 7/19/2004 (rje, ). (Entered: 07/16/2004)
07/20/2004		Minute Entry Oral Argument held on 7/20/2004 before Judge John D. Bates: Case submitted. (Court Reporter Bryan Wayne) (tb) (Entered: 07/20/2004)
07/26/2004	<a href="#">86</a>	NOTICE OF TRANSCRIPT FILED of Preliminary Injunction Hearing held on 7/20/04 before Judge Bates. Court Reporter: Bryan A. Wayne (rje, ) (Entered: 07/27/2004)
08/02/2004	<a href="#">87</a>	ERRATA TO PLAINTIFFS' REPLY FINDINGS by FEDERAL TRADE COMMISSION. (Alvarez, Marc) (Entered: 08/02/2004)
08/13/2004	<a href="#">88</a>	ORDER GRANTING: <a href="#">78</a> & <a href="#">82</a> Motion to seal/for Leave to File under seal defendants' proposed findings of fact and post-trial brief; <a href="#">80</a> plaintiffs' Motion to Seal proposed findings of fact and post-hearing brief; <a href="#">81</a> plaintiffs' Motion for Extension of Time to File proposed findings of fact and post-hearing brief; <a href="#">83</a> defendants' Motion to seal post-trial reply brief; and <a href="#">85</a> plaintiffs' Motion to Seal reply findings of fact and reply brief. Signed by Judge John D. Bates on 8/13/04. (lcjdb1) (Entered: 08/13/2004)
08/13/2004	<a href="#">89</a>	ORDER ADMITTING into the record all exhibits listed in the attachments to <a href="#">77</a> Joint Submission of Exhibit List. Signed by Judge John D. Bates on 8/13/04. (lcjdb1) (Entered: 08/13/2004)
08/13/2004		MINUTE ENTRY: ORDER DENYING <a href="#">84</a> Motion to Strike portions of plaintiffs' proposed findings of fact, pursuant to decision issued orally at the hearing on closing arguments on July 20, 2004. Signed by Judge John D. Bates on 8/13/04.(lcjdb1) (Entered: 08/13/2004)
08/13/2004		MINUTE ENTRY: ORDER GRANTING <a href="#">90</a> third party American Electric Power Service Corporation's ("AEPSC") Motion for in camera treatment of documents and deposition testimony produced by non-party AEPSC, and GRANTING <a href="#">92</a> third party Edison Mission Energy Fuel Services, Inc.'s ("Edison Mission") Motion for in camera treatment of documents and deposition testimony produced by non-party Edison Mission. It is HEREBY ORDERED that all of AEPSC's documents and deposition excerpts and all of Edison Mission's documents and deposition excerpts be treated in camera throughout the trial in this matter. Signed by Judge John D. Bates on 8/13/04. (lcjdb1) (Entered: 08/13/2004)

08/13/2004	<a href="#">94</a>	ORDER GRANTING <a href="#">93</a> Motion of non-party Oklahoma Gas and Electric for protection of certain highly confidential documents and information to be introduced at the hearing and for limited in camera treatment. Signed by Judge John D. Bates on 8/13/04. (lcjdb1) (Entered: 08/13/2004)
08/13/2004	<a href="#">95</a>	ORDER DENYING <a href="#">10</a> Motion for Preliminary Injunction and DENYING defendants' motion to consolidate the preliminary and permanent injunction proceedings, renewed by defendants at the close of the hearing on July 7, 2004. Signed by Judge John D. Bates on 8/13/04. (lcjdb1) (Entered: 08/13/2004)
08/13/2004	102	TRANSCRIPT of Trial held on June 22, 2004 before Judge Bates. Court Reporter: Judy Brown (Miller). (Pages 59-84; FILED UNDER SEAL) (jf, ) (Entered: 08/18/2004)
08/13/2004	103	TRANSCRIPT of Trial held on June 23, 2004 before Judge Bates. Court Reporter: Judy Brown (Miller). (Day 3) (jf, ) (Entered: 08/18/2004)
08/13/2004	104	TRANSCRIPT of Trial held on June 30, 2004 before Judge Bates. Court Reporter: Judy Brown (Miller). (Day 8) (Pages 2-14; FILED UNDER SEAL) (jf, ) (Entered: 08/18/2004)
08/13/2004	105	TRANSCRIPT of Trial held on June 24, 2004 before Judge Bates. Court Reporter: Judy Brown (Miller). (Day 4) (jf, ) (Entered: 08/18/2004)
08/13/2004	106	TRANSCRIPT of Trial held on June 25, 2004 before Judge Bates. Court Reporter: Judy Brown (Miller). (Day 5) (jf, ) (Entered: 08/18/2004)
08/13/2004	107	TRANSCRIPT of Trial held on June 28, 2004 before Judge Bates. Court Reporter: Judy Brown (Miller). (Day 6) (jf, ) (Entered: 08/18/2004)
08/13/2004	114	POST-TRIAL BRIEF AND PROPOSED FINDINGS OF FACT by ARCH COAL, INC., NEW VULCAN COAL HOLDINGS, LLC, TRITON COAL COMPANY, LLC; (FILED UNDER SEAL). (rje) (Entered: 02/03/2006)
08/13/2004	115	POST-TRIAL REPLY BRIEF by ARCH COAL, INC., NEW VULCAN COAL HOLDINGS, LLC; (FILED UNDER SEAL). (rje) Modified on 2/3/2006 (rje, ). (Entered: 02/03/2006)
08/16/2004		Minute Entry Status Conference held on 8/16/2004 for proceedings held before Judge John D. Bates: (Court Reporter Bryan Wayne) (tb) (Entered: 08/16/2004)
08/16/2004	<a href="#">96</a>	MEMORANDUM OPINION DENYING <a href="#">10</a> Motion for Preliminary Injunction. Signed by Judge John D. Bates on 8/16/04. (lcjdb1) (Entered: 08/16/2004)
08/16/2004	<a href="#">97</a>	ORDER: Based on the agreement of the parties, the challenged transactions are ENJOINED through noon on Friday, August 20, 2004; and it is further ORDERED that the FTC's oral motion for an injunction pending appeal, to last for the duration of that appeal, is DENIED. Signed by Judge John D. Bates on 8/16/04. (lcjdb1) (Entered: 08/16/2004)
08/16/2004	<a href="#">98</a>	NOTICE OF APPEAL as to <a href="#">95</a> Order on Motion for Preliminary Injunction, by FEDERAL TRADE COMMISSION. No fee paid U.S. Government(jf, ) (Entered: 08/17/2004)

08/17/2004		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <a href="#">98</a> Notice of Appeal (jf, ) (Entered: 08/17/2004)
08/17/2004	<a href="#">99</a>	TRIAL BRIEF <i>Pre-Hearing Public Version</i> by FEDERAL TRADE COMMISSION. (Alvarez, Marc) (Entered: 08/17/2004)
08/17/2004	<a href="#">100</a>	TRIAL BRIEF <i>Post-Hearing Public Version</i> by FEDERAL TRADE COMMISSION. (Alvarez, Marc) (Entered: 08/17/2004)
08/17/2004	<a href="#">101</a>	TRIAL BRIEF <i>Post-Hearing Reply Public Version</i> by FEDERAL TRADE COMMISSION. (Alvarez, Marc) (Entered: 08/17/2004)
08/18/2004		USCA Case Number 04-5291 for <a href="#">98</a> Notice of Appeal filed by FEDERAL TRADE COMMISSION. (jsc) (Entered: 08/23/2004)
08/18/2004	108	TRANSCRIPT of Proceedings held on August 10, 2004 Telephone Conference before Judge John D. Bates. Court Reporter: Bryan A. Wayne. (bm) (Entered: 09/01/2004)
08/18/2004	109	TRANSCRIPT of Proceedings held on August 16, 2004 Hearing before Judge John D. Bates. Court Reporter: Bryan A. Wayne. (bm) (Entered: 09/01/2004)
08/26/2004		Set/Reset Hearings: Status Conference by telephone conference call set for Tuesday, 8/31/2004, at 10:15 AM before Judge John D. Bates. Parties shall initiate the call. (lcjdb1) (Entered: 08/26/2004)
08/31/2004		Minute Entry for proceedings held before Judge John D. Bates : Status Conference by telephone conference call held on 8/31/2004. (Court Reporter Bryan Wayne.) (lcjdb1) (Entered: 08/31/2004)
09/02/2004	<a href="#">110</a>	NOTICE OF TRANSCRIPT FILED for dates 8/31/04; Court Reporter: Bryan A. Wayne. (td, ) (Entered: 09/08/2004)
09/15/2004	<a href="#">111</a>	ORDER of USCA (certified copy) as to <a href="#">98</a> Notice of Appeal filed by FEDERAL TRADE COMMISSION; it is hereby ordered that the motions be granted, and these cases are hereby dismissed; USCA#04-5291 (jsc ) (Entered: 09/16/2004)
04/12/2012	<a href="#">116</a>	<p>TRANSCRIPT OF PROCEEDINGS <i>Day 1 - p.m. Transcript of a Preliminary Injunction Hearing</i> , before Judge John D. Bates held on 06/21/2004; Page Numbers: 120. Court Reporter/Transcriber Elaine A. Merchant, Telephone number (202)289-1571,</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at <a href="http://ww.dcd.uscourts.gov">ww.dcd.uscourts.gov</a>.</p>



Redaction Request due 5/3/2012. Redacted Transcript Deadline set for 5/13/2012.  
Release of Transcript Restriction set for 7/11/2012.(dr) (Entered: 04/16/2012)

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