

**General Docket**  
**United States Court of Appeals for the Ninth Circuit**

<b>Court of Appeals Docket #:</b> 10-17208 <b>Nature of Suit:</b> 3410 Antitrust Michael Malaney, et al v. UAL Corporation, et al <b>Appeal From:</b> U.S. District Court for Northern California, San Francisco <b>Fee Status:</b> Paid	<b>Docketed:</b> 10/01/2010 <b>Termed:</b> 05/23/2011
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**Case Type Information:**

- 1) civil
- 2) private
- 3) null

**Originating Court Information:**

**District:** 0971-3 : [3:10-cv-02858-RS](#)  
**Court Reporter:** Belle Ball  
**Court Reporter:** Connie Kuhl  
**Court Reporter:** Debra Pas, Official Court Reporter  
**Trial Judge:** Richard Seeborg, District Judge  
**Date Filed:** 06/29/2010

<b>Date Order/Judgment:</b>	<b>Date Order/Judgment EOD:</b>	<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>
09/27/2010	09/27/2010	10/01/2010	10/01/2010

**Prior Cases:**

None

**Current Cases:**

None

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MICHAEL C. MALANEY; KATHERINE R. ARCELL; KEITH DEAN BRADT; JOSE M. BRITO; JAN MARIE BROWN; ROBERT D. CONWAY; ROSEMARY D'AUGUSTA; BRENDA K. DAVIS; PAMELA FAUST; CAROLYN FJORD; DON FREELAND; TED FRIEDLI; DONALD V. FRY; GABRIEL GARAVANIAN; HARRY GARAVANIAN; YVONNE JOCELYN GARDNER; LEE M. GENTRY; JAY GLIKMAN; DONNA M. JOHNSON; VALARIE ANN JOLLY; GAIL S. KOSACH; ROZANN KUNSTLE; STEVE KUNSTLE; WILLIAM JOHN LOVELL; LEN MARAZZO; LEE MCCARTHY; LISA MCCARTHY; PATRICIA ANN MEEUWSEN; L. WEST OEHMIG, Jr.; CYNTHIA PROSTERMAN; DEBORAH M. PULFER; SHARON HOLMES REED; DANA L. ROBINSON; ROBERT A. ROSENTHAL; BILL RUBINSOHN; SONDRRA K. RUSSELL; SYLVIA N. SPARKS; JUNE STANSBURY; CLYDE D. STENSRUD; SHERRY LYNNE STEWART; WAYNE TALEFF; GARY TALEWSKY; ANNETTE M. TIPPETTS; DIANA LYNN ULTICAN; J. MICHAEL WALKER; PAMELA S. WARD; DAVID P. WENDELL; CHRISTINE O. WHALEN; SURAJ ZUTSHI,

Plaintiffs - Appellants,

v.

UAL CORPORATION; UNITED AIRLINES, INC.; CONTINENTAL AIRLINES, INC.,












Defendants - Appellees.





- 10/01/2010  [1](#) 15 pg, 687.27 KB DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: Yes. PRELIMINARY INJUNCTION APPEAL. RULE 3-3- APPLIES. ALL FILINGS TO MOATT. The schedule is set as follows: Fee due from Appellant Katherine R. Arcell, Appellant Keith Dean Bradt, Appellant Jose M. Brito, Appellant Jan Marie Brown, Appellant Robert D. Conway, Appellant Rosemary D'Augusta, Appellant Brenda K. Davis, Appellant Pamela Faust, Appellant Carolyn Fjord, Appellant Don Freeland, Appellant Ted Friedli, Appellant Donald V. Fry, Appellant Gabriel Garavanian, Appellant Harry Garavanian, Appellant Yvonne Jocelyn Gardner, Appellant Lee M. Gentry, Appellant Jay Glikman, Appellant Donna M. Johnson, Appellant Valarie Ann Jolly, Appellant Gail S. Kosach, Appellant Rozann Kunstle, Appellant Steve Kunstle, Appellant John Lovell, Appellant Michael C. Malaney, Appellant Len Marazzo, Appellant Lee McCarthy, Appellant Lisa McCarthy, Appellant Patricia Ann Meeuwsen, Appellant L. West Oehmig Jr., Appellant Cynthia Prosterman, Appellant Deborah M. Pulfer, Appellant Sharon Holmes Reed, Appellant Dana L. Robinson, Appellant Robert A. Rosenthal, Appellant Bill Rubinsohn, Appellant Sondra K. Russell, Appellant Sylvia N. Sparks, Appellant June Stansbury, Appellant Clyde D. Stensrud, Appellant Sherry Lynne Stewart, Appellant Wayne Taleff, Appellant Gary Talewsky, Appellant Annette M. Tippetts, Appellant Diana Lynn Ultican, Appellant J. Michael Walker, Appellant Pamela S. Ward, Appellant David P. Wendell, Appellant Christine O. Whalen and Appellant Suraj Zutshi on 10/01/2010. Mediation Questionnaire due on 10/08/2010. [7494414] (GR)
- 10/01/2010  [2](#) 46 pg, 3.57 MB Filed Appellants Michael C. Malaney, et al., emergency motion for injunction pending appeal; exhibits; served on 10/01/2010. [7494465] (HH)
- 10/05/2010  [3](#) 59 pg, 243.08 KB Filed (ECF) Appellees Continental Airlines, Inc., UAL Corporation and United Air Lines, Inc. Joint Motion to dismiss the case and Response opposing motion (,for injunction pending appeal). Date of service: 10/05/2010. [7498296] (MS)
- 10/06/2010  [4](#) 15 pg, 131.81 KB Filed (ECF) Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardner, Lee M. Gentry, Jay Glikman, Donna M. Johnson, Valarie Ann Jolly, Gail S. Kosach, Rozann Kunstle, Steve Kunstle, John Lovell, Michael C. Malaney, Len Marazzo, Lee McCarthy, Lisa McCarthy, Patricia Ann Meeuwsen, L. West Oehmig, Jr., Cynthia Prosterman, Deborah M. Pulfer, Sharon Holmes Reed, Dana L. Robinson, Robert A. Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Sherry Lynne Stewart, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, David P. Wendell, Christine O. Whalen and Suraj Zutshi reply to response (,for injunction pending appeal, ,motion to dismiss the case). Date of service: 10/06/2010. [7499614] (JA)
- 10/06/2010  [5](#) 2 pg, 34.56 KB Filed order (DIARMUID F. O'SCANNLAIN and WILLIAM A. FLETCHER) This is a preliminary injunction appeal. The emergency motion for a "hold separate" order is denied. See Winter v. Natural Resources Def. Council, Inc., – U.S. –, 129 S. Ct. 365, 375-76 (2008). A review of this court's docket reflects that the filing and docketing fees for this appeal remain due. Within 21 days after the date of this order, appellants shall pay to the district court the \$455.00 filing and docketing fees for this appeal. Failure to pay the fees or file a motion to proceed in forma pauperis shall result in the automatic dismissal of the appeal by the Clerk for failure to prosecute. See 9th Cir. R. 42-1. If they have not already done so, within 7 calendar days after the filing date of this order, the parties shall make arrangements to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal. The briefing schedule shall proceed as follows: the opening brief and excerpts of record are due not later than October 29, 2010; the answering brief is due November 26, 2010 or 28 days after service of the opening brief, whichever is earlier; and the optional reply brief is due within 14 days after service of the answering brief. See 9th Cir. R. 3-3(b). If appellants fail to file timely the opening brief, this appeal will be dismissed automatically by the Clerk for failure to prosecute. See 9th Cir. R. 42-1. The motion to dismiss this appeal shall be addressed by separate order and shall not stay the briefing schedule for this appeal.[7499796] (KD)
- 10/14/2010  [6](#) 1 pg, 22.27 KB Filed order (DIARMUID F. O'SCANNLAIN, STEPHEN S. TROTT and WILLIAM A. FLETCHER): This is a preliminary injunction appeal. Appellees' motion to dismiss this appeal as moot is denied without prejudice to renewing the arguments in the answering brief. The briefing schedule established previously shall remain in effect. [7508623] (AF)
- 10/15/2010  [7](#) 2 pg, 13 KB Filed (ECF) notice of appearance of Max R. Shulman for Appellees UAL Corporation and United Air Lines, Inc.. Date of service: 10/15/2010. [7509339] (MS)
- 10/15/2010  8 Terminated Katherine Forrest for United Air Lines, Inc., UAL Corporation and Continental Airlines, Inc. in 10-17208 [7509384] (EL)
- 10/28/2010  9 Received notification from District Court re: payment of docket fee. Amount Paid: USD \$455.00 Date paid: 10/27/2010. [7526238] (RT)
- 10/29/2010  [10](#) 47 pg, 257.22 KB Submitted (ECF) Opening brief for review. Submitted by Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardner, Lee M. Gentry, Jay Glikman, Donna M. Johnson, Valarie Ann Jolly, Gail S. Kosach,

Rozann Kunstle, Steve Kunstle, John Lovell, Michael C. Malaney, Len Marazzo, Lee McCarthy, Lisa McCarthy, Patricia Ann Meeuwsen, L. West Oehmig, Jr., Cynthia Prosterman, Deborah M. Pulfer, Sharon Holmes Reed, Dana L. Robinson, Robert A. Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Sherry Lynne Stewart, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, David P. Wendell, Christine O. Whalen and Suraj Zutshi. Date of service: 10/29/2010. [7528583] (JA)

- 10/29/2010  [11](#) Filed Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito and Michael C. Malaney excerpts of record in 2 volumes. Served on 10/29/2010. [7528890] (WP)
- 11/01/2010  [12](#)  
1 pg, 80.12 KB Filed clerk order: The opening brief [[10](#)] submitted by Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis and Michael C. Malaney is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, with a blue cover, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. [7528990] (WP)
- 11/04/2010  [13](#) Received 7 paper copies of Opening brief [[10](#)] filed by Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis and Michael C. Malaney. [7535890] (SD)
- 11/08/2010  [14](#)  
1 pg, 24.57 KB Filed order MEDIATION (MGS): The Court of Appeals' records do not indicate that appellants have filed a Mediation Questionnaire in accordance with Circuit Rule 3-4. Within seven (7) days of the filing of this order, appellants shall: (a) file a Mediation Questionnaire (available on the court's website, www.ca9.uscourts.gov); (b) dismiss the appeal voluntarily pursuant to Fed. R. App. P. 42(b); or (c) show cause in writing why this appeal should not be dismissed pursuant to Ninth Cir. R. 42-1. Failure to comply with this order will result in dismissal pursuant to Ninth Cir. R. 42-1. [7538978] (AF)
- 11/10/2010  [15](#)  
5 pg, 19.51 KB Filed (ECF) Appellees Continental Airlines, Inc., UAL Corporation and United Air Lines, Inc. Unopposed Motion to extend time to file Answering brief until 12/10/2010. Date of service: 11/10/2010. [7542552] (SG)
- 11/12/2010  [16](#)  
5 pg, 132.25 KB Filed (ECF) Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardner, Lee M. Gentry, Jay Glikman, Donna M. Johnson, Valarie Ann Jolly, Gail S. Kosach, Rozann Kunstle, Steve Kunstle, John Lovell, Michael C. Malaney, Len Marazzo, Lee McCarthy, Lisa McCarthy, Patricia Ann Meeuwsen, L. West Oehmig, Jr., Cynthia Prosterman, Deborah M. Pulfer, Sharon Holmes Reed, Dana L. Robinson, Robert A. Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Sherry Lynne Stewart, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, David P. Wendell, Christine O. Whalen and Suraj Zutshi Mediation Questionnaire. Date of service: 11/12/2010. [7543527] (DGH)
- 11/16/2010  [17](#)  
2 pg, 25.06 KB Filed order MEDIATION (VLS): Based on a review of the Mediation Questionnaire, this case is not selected for inclusion in the Mediation Program. The existing briefing schedule remains in effect. Counsel for any party interested in obtaining assistance from the court in pursuing settlement of the case on appeal or learning more about the Mediation Program is encouraged to contact Roxane G. Ashe, Circuit Mediator, by fax (415) 355-8566. The communication will be kept confidential, if requested, from the other parties in the case. Counsel are requested to send copies of this order to their clients. [7547842] (BJB)
- 11/18/2010  [18](#)  
1 pg, 23.6 KB Filed order MOATT: (EC) This is a preliminary injunction appeal. Appellees' unopposed motion for an extension of time to file the answering brief is granted. The answering brief is now due December 10, 2010. The optional reply brief is due within 14 days after the filing of the answering brief. . [7550512] (JS)
- 12/10/2010  [19](#)  
70 pg, 152.53 KB Submitted (ECF) Answering brief for review. Submitted by Appellees Continental Airlines, Inc., UAL Corporation and United Air Lines, Inc.. Date of service: 12/10/2010. [7576965] (SG)
- 12/13/2010  [20](#)  
1 pg, 79.61 KB Filed clerk order: The answering brief [[19](#)] submitted by Continental Airlines, Inc., UAL Corporation and United Air Lines, Inc. is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, with a red cover, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. [7577627] (WP)
- 12/13/2010  [21](#) Filed Appellees Continental Airlines, Inc., UAL Corporation and United Air Lines, Inc. excerpts of record in 3 volumes. Served on 12/10/2010. [7578341] (WP)
- 12/16/2010  [22](#) Received 7 paper copies of Answering brief [[19](#)] filed by Continental Airlines, Inc. and UAL Corporation. [7582653] (SD)
- 12/23/2010  [23](#)  
5 pg, 69.06 KB Filed (ECF) Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardner, Lee M. Gentry, Jay Glikman, Donna M. Johnson, Valarie Ann Jolly, Gail S. Kosach, Rozann Kunstle, Steve Kunstle, John

- Lovell, Michael C. Malaney, Len Marazzo, Lee McCarthy, Lisa McCarthy, Patricia Ann Meeuwsen, L. West Oehmig, Jr., Cynthia Prosterman, Deborah M. Pulfer, Sharon Holmes Reed, Dana L. Robinson, Robert A. Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Sherry Lynne Stewart, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, David P. Wendell, Christine O. Whalen and Suraj Zutshi Unopposed Motion to extend time to file a reply until 01/10/2011 at 11:59 pm. Date of service: 12/23/2010. [7591174] (JA)
- 12/23/2010  [24](#)  
1 pg, 23.3 KB Filed clerk order (Deputy Clerk:MT): This is a preliminary injunction appeal. Appellants' unopposed motion for an extension of time to file the reply brief is granted. The reply brief is now due January 10, 2011. Upon filing of the reply brief, briefing will be complete. [7591467] (WL)
- 01/10/2011  [25](#)  
35 pg, 207.6 KB Submitted (ECF) Reply brief for review. Submitted by Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardner, Lee M. Gentry, Jay Glikman, Donna M. Johnson, Valarie Ann Jolly, Gail S. Kosach, Rozann Kunstle, Steve Kunstle, John Lovell, Michael C. Malaney, Len Marazzo, Lee McCarthy, Lisa McCarthy, Patricia Ann Meeuwsen, L. West Oehmig, Jr., Cynthia Prosterman, Deborah M. Pulfer, Sharon Holmes Reed, Dana L. Robinson, Robert A. Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Sherry Lynne Stewart, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, David P. Wendell, Christine O. Whalen and Suraj Zutshi. Date of service: 01/10/2011. [7606860] (JA)
- 01/11/2011  [26](#)  
1 pg, 79.82 KB Filed clerk order: The reply brief [\[25\]](#) submitted by Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown and Robert D. Conway is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, with a gray cover, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. [7607936] (WP)
- 01/14/2011  [27](#)  
Received 7 paper copies of Reply brief [\[25\]](#) filed by Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown and Robert D. Conway. [7612917] (SD)
- 03/30/2011  [28](#)  
7 pg, 50.55 KB Notice of Oral Argument on MAY Calendar. Please return ACKNOWLEDGMENT OF HEARING NOTICE form to: SAN FRANCISCO Office. Attention: The Notice of Docket Activity may not list your case number. Please open attached documents to view details about your case. [7698733] (CL)
- 03/30/2011  [29](#)  
7 pg, 50.55 KB Notice of Oral Argument on MAY Calendar. Please return ACKNOWLEDGMENT OF HEARING NOTICE form to: SAN FRANCISCO Office. Attention: The Notice of Docket Activity may not list your case number. Please open attached documents to view details about your case. [7698764] (CL)
- 04/27/2011  [30](#)  
UPDATED CASE CALENDARED: note change in courtroom 05/10/2011 9:00 AM San Francisco, CA Courtroom 2 [7732549] [07-73699, 10-15786, 10-15978, 10-16035, 10-16061, 10-17208] (AW)
- 05/04/2011  [31](#)  
15 pg, 960.49 KB Filed (ECF) Appellees Continental Airlines, Inc., UAL Corporation and United Air Lines, Inc. citation of supplemental authorities. Date of service: 05/04/2011. [7739672] (SG)
- 05/04/2011  [32](#)  
26 pg, 3.83 MB Filed (ECF) Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardner, Lee M. Gentry, Jay Glikman, Donna M. Johnson, Valarie Ann Jolly, Gail S. Kosach, Rozann Kunstle, Steve Kunstle, John Lovell, Michael C. Malaney, Len Marazzo, Lee McCarthy, Lisa McCarthy, Patricia Ann Meeuwsen, L. West Oehmig, Jr., Cynthia Prosterman, Deborah M. Pulfer, Sharon Holmes Reed, Dana L. Robinson, Robert A. Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Sherry Lynne Stewart, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, David P. Wendell, Christine O. Whalen and Suraj Zutshi Correspondence: Request for Judicial Notice. Date of service: 04/04/2011 [7740787] (JMA)
- 05/09/2011  [33](#)  
36 pg, 1.38 MB Filed (ECF) Appellees Continental Airlines, Inc., UAL Corporation and United Air Lines, Inc. Motion to take judicial notice of the United States Department of Transportation's Order Transferring Authority issued February 3, 2011. Date of service: 05/09/2011. [7744462] (SG)
- 05/10/2011  [34](#)  
ARGUED AND SUBMITTED TO DOROTHY W. NELSON, WILLIAM A. FLETCHER and KEVIN THOMAS DUFFY. [7746825] (BJK)
- 05/20/2011  [35](#)  
2 pg, 27.15 KB Filed order (DOROTHY W. NELSON, WILLIAM A. FLETCHER and KEVIN THOMAS DUFFY) Defendants-Appellees' request that we take judicial notice of the "Order Transferring Authority" issued by the United States Department of Transportation on February 3, 2011, is GRANTED. Plaintiffs-Appellants' request that we take judicial notice of various news articles is DENIED. [7759790] (BJB)
- 05/23/2011  [36](#)  
9 pg, 394.31 KB FILED MEMORANDUM DISPOSITION (DOROTHY W. NELSON, WILLIAM A. FLETCHER and KEVIN THOMAS DUFFY) AFFIRMED. FILED AND ENTERED JUDGMENT. [7761065] (PH)

- 05/27/2011  [37](#) Filed (ECF) Appellees Continental Airlines, Inc., UAL Corporation and United Air Lines, Inc. bill of costs (Form 10) in the amount of \$461.20 USD. Date of service: 05/27/2011 [7767082] (SG)  
3 pg, 103.52 KB
- 06/06/2011  [38](#) Filed (ECF) Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardner, Lee M. Gentry, Jay Glikman, Donna M. Johnson, Valarie Ann Jolly, Gail S. Kosach, Rozann Kunstle, Steve Kunstle, John Lovell, Michael C. Malaney, Len Marazzo, Lee McCarthy, Lisa McCarthy, Patricia Ann Meeuwsen, L. West Oehmig, Jr., Cynthia Prosterman, Deborah M. Pulfer, Sharon Holmes Reed, Dana L. Robinson, Robert A. Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Sherry Lynne Stewart, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, David P. Wendell, Christine O. Whalen and Suraj Zutshi Motion to extend time to file petition for rehearing until 06/13/2011 at 11:59 pm. Date of service: 06/06/2011. [7775749] (JMA)  
5 pg, 82.13 KB
- 06/06/2011  [39](#) Filed order (WILLIAM A. FLETCHER) Appellants' motion for an extension of time, to and including June 13, 2011, within which to file a petition for rehearing and/or a petition for rehearing en banc is hereby GRANTED. Parties who are registered for ECF must file the petition electronically without submission of paper copies. Parties who are not registered ECF filers must file the original petition plus 50 paper copies. [7775958] (WL)  
2 pg, 26.01 KB
- 06/13/2011  [40](#) Filed (ECF) Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardner, Lee M. Gentry, Jay Glikman, Donna M. Johnson, Valarie Ann Jolly, Gail S. Kosach, Rozann Kunstle, Steve Kunstle, John Lovell, Michael C. Malaney, Len Marazzo, Lee McCarthy, Lisa McCarthy, Patricia Ann Meeuwsen, L. West Oehmig, Jr., Cynthia Prosterman, Deborah M. Pulfer, Sharon Holmes Reed, Dana L. Robinson, Robert A. Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Sherry Lynne Stewart, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, David P. Wendell, Christine O. Whalen and Suraj Zutshi petition for panel rehearing and petition for rehearing en banc (from 05/23/2011 memorandum). Date of service: 06/13/2011. [7783843] (JMA)  
61 pg, 2.15 MB
- 07/08/2011  [41](#) Filed order (DOROTHY W. NELSON, WILLIAM A. FLETCHER and KEVIN THOMAS DUFFY) The panel has voted to deny the petition for rehearing. Judge W. Fletcher has voted to deny the petition for rehearing en banc; and Judges D.W. Nelson and Duffy so recommend. The full court has been advised of the petition for rehearing en banc and no judge of the court has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35. The petition for rehearing and the petition for rehearing en banc, filed June 13, 2011, are DENIED. [7812425] (WL)  
2 pg, 34.45 KB
- 07/18/2011  [42](#) MANDATE ISSUED.(DWN, WAF and KTD) Cost awarded to APPELLEES in the amount of \$461.20. [7823281] (RR)  
1 pg, 6.96 KB
- 10/03/2011  [44](#) Received letter from the Supreme Court dated 09/30/2011. Application No. 11A332. Re: The application for an ext of time within which to file a petition for a writ of cert has been presented to Justice Kennedy, who on 09/30/11 extended the time to and including 10/21/11. [7918242] (RR)  
2 pg, 44.06 KB
- 10/18/2011  [45](#) Filed (ECF) notice of appearance of Robert W. Finnerty for Appellants Katherine R. Arcell, Keith Dean Bradt, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Rosemary D'Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardner, Lee M. Gentry, Jay Glikman, Donna M. Johnson, Valarie Ann Jolly, Gail S. Kosach, Rozann Kunstle, Steve Kunstle, William John Lovell, Michael C. Malaney, Len Marazzo, Lee McCarthy, Lisa McCarthy, Patricia Ann Meeuwsen, L. West Oehmig, Jr., Cynthia Prosterman, Deborah M. Pulfer, Sharon Holmes Reed, Dana L. Robinson, Robert A. Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Sherry Lynne Stewart, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, David P. Wendell, Christine O. Whalen and Suraj Zutshi. Date of service: 10/18/2011. [7932112] (RF)  
2 pg, 181.96 KB
- 10/18/2011  46 Added attorney Robert Finnerty for William John Lovell Gabriel Garavanian Deborah M. Pulfer Don Freeland Keith Dean Bradt Clyde D. Stensrud Bill Rubinsohn Christine O. Whalen Michael C. Malaney Dana L. Robinson Jan Marie Brown David P. Wendell Len Marazzo Robert A. Rosenthal Pamela Faust Lisa McCarthy Sylvia N. Sparks Rozann Kunstle Cynthia Prosterman June Stansbury Annette M. Tippetts Pamela S. Ward Steve Kunstle Lee McCarthy L. West Oehmig Jr. Yvonne Jocelyn Gardner Rosemary D'Augusta Donna M. Johnson Gary Talewsky Gail S. Kosach Katherine R. Arcell Wayne Taleff Carolyn Fjord Diana Lynn Ultican Ted Friedli Sherry Lynne Stewart Harry Garavanian Robert D. Conway Suraj Zutshi Valarie Ann Jolly J. Michael Walker Donald V. Fry Sharon Holmes Reed Brenda K. Davis Sondra K. Russell Jose M. Brito Jay Glikman Patricia Ann Meeuwsen Lee M. Gentry, in case 10-17208. [7932130] (SW)

10/27/2011	 <a href="#">47</a> 1 pg, 41.53 KB	Received notice from the Supreme Court: petition for certiorari filed on 10/21/2011 and placed on the docket 10/26/11. Supreme Court Number 11-521. [7944926] (RR)
12/12/2011	 <a href="#">48</a> 1 pg, 44.26 KB	The petition for writ of certiorari was denied on 12/12/2011. Supreme Court number 11-521. <b>(Panel: DWN, WAF and KTD)</b> . [7997587] (RR)

Clear All

- Documents and Docket Summary
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