

**General Docket  
Tenth Circuit Court of Appeals**

<b>Court of Appeals Docket #:</b> 01-3202 <b>Nature of Suit:</b> 1890 Other Statutory Actions United States v. AMR Corporation, et al <b>Appeal From:</b> United States District Court for the District of Kansas - Wichita <b>Fee Status:</b> U.S. appellant	<b>Docketed:</b> 07/05/2001 <b>Termed:</b> 07/03/2003
<b>Case Type Information:</b> 1) civil 2) USA as party 3) -	
<b>Originating Court Information:</b> <b>District:</b> 1083-6 : <a href="#">99-CV-1180-JTM</a> <b>Court Reporter:</b> Jim Harper, - <b>Sentencing Judge:</b> J. Thomas Marten, -, U.S. District Judge <b>Date Filed:</b> 05/13/1999 <b>Date NOA Filed:</b> 06/26/2001	
<b>Prior Cases:</b> None	
<b>Current Cases:</b> None	
<b>Panel Assignment:</b> Not available	

UNITED STATES OF AMERICA  
Plaintiff - Appellant

Craig Conrath  
[COR LD NTC Government]  
U.S. Department of Justice  
Antitrust Division  
Firm: 202/514-2435  
601 D Street, N.W.  
Washington, DC 20530-0000

John Fonte  
Direct: 202-514-2435  
Email: john.fonte@usdoj.gov  
[COR LD NTC Government]  
U.S. Department of Justice  
Appellate Staff, Civil Division  
3224  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Eric F. Melgren, U.S. Attorney  
Email: ksd\_melgren\_chambers@ksd.uscourts.gov  
[COR LD NTC Government]  
Office of the United States Attorney  
District of Kansas  
Firm: 785-295-2850  
444 S.E. Quincy Street  
Topeka, KS 66683

Robert Nicholson  
Direct: 202-514-2489  
Email: robert.nicholson@usdoj.gov  
[COR NTC Government]  
U.S. Department of Justice  
Antitrust Division, Appellate Section  
3228  
Firm: 202/353-8629  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

v.

AMR CORPORATION  
Defendant - Appellee

Peter A. Antonucci  
[COR LD NTC Retained]  
Weil Gotshal & Manges  
Firm: 212/310-8000  
767 Fifth Avenue, Suite 3301  
New York, NY 10153

D. Jarrett Arp  
Email: jarp@gibsondunn.com  
[COR LD NTC Retained]  
Gibson, Dunn & Crutcher  
Firm: 202/955-8500  
1050 Connecticut Avenue, NW  
Washington, DC 20036

Robert H. Bork  
[COR LD NTC Retained]  
American Enterprise Inst.  
1150 17th Street N.W.  
Washington, DC 20036-0000

Robert E. Cooper  
[COR LD NTC Retained]  
Gibson Dunn  
Firm: 213-229-7000  
333 South Grand Avenue  
Los Angeles, CA 90071-3197

Melanie Gray  
[COR LD NTC Retained]  
Weil Gotshal & Manges  
Firm: 713-546-5000  
700 Louisiana  
Suite 1600  
Houston, TX 77002

Helene D. Jaffe  
[COR LD NTC Retained]  
Weil Gotshal & Manges  
Firm: 212/310-8000  
767 Fifth Avenue, Suite 3301  
New York, NY 10153

Samuel G. Liversidge  
[COR LD NTC Retained]  
Gibson Dunn  
Firm: 213-229-7000  
333 South Grand Avenue  
Los Angeles, CA 90071-3197

Debra J. Pearlstein  
Email: debra.pearlstein@weil.com  
[COR LD NTC Retained]  
Weil Gotshal & Manges  
Firm: 212/310-8000  
767 Fifth Avenue, Suite 3301  
New York, NY 10153

David A. Rameden  
[COR LD NTC Retained]  
Shook, Hardy & Bacon  
Firm: 913/451-6060  
10801 Mastin  
Suite 1000 84 Corporate Woods  
Overland Park, KS 66210-1669

Joseph M. Rebein  
Email: jrebein@shb.com  
[COR LD NTC Retained]  
Shook, Hardy & Bacon  
Firm: 816/474-6550  
1200 Main

27th Floor  
Kansas City, MO 64105-0000

Stephen E. Robison, Esq.  
Direct: 316-267-7361  
Email: srobison@fleeson.com  
[COR LD NTC Retained]  
Fleeson, Gooing, Coulson & Kitch  
1900 Epic Center  
Firm: 316/267-7361  
301 North Main  
Wichita, KS 67202

William Roth Sampson  
Direct: 816-474-6550  
Email: wsampson@shb.com  
[COR LD NTC Retained]  
Shook, Hardy & Bacon  
Firm: 816/474-6550  
2555 Grand Boulevard  
Kansas City, MO 64108

Edward Soto  
[COR LD NTC Retained]  
Weil Gotshal & Manges  
Firm: 305/577-3100  
701 Brickell Avenue  
Suite 1200  
Miami, FL 33131

Daniel G. Swanson  
Email: dswanson@gibsondunn.com  
[COR LD NTC Retained]  
Gibson Dunn  
Firm: 213-229-7000  
333 South Grand Avenue  
Los Angeles, CA 90071-3197

Mark E. Weber  
[COR LD NTC Retained]  
Gibson Dunn  
Firm: 213-229-7000  
333 South Grand Avenue  
Los Angeles, CA 90071-3197

Matthew J. Wiltanger  
Email: matt.wiltanger@qchi.com  
[COR LD NTC Retained]  
Shook, Hardy & Bacon  
Firm: 913/451-6060  
10801 Mastin  
Suite 1000 84 Corporate Woods  
Overland Park, KS 66210-1669

Peter A. Antonucci  
[COR LD NTC Retained]  
(see above)

Robert H. Bork  
[COR LD NTC Retained]  
(see above)

Robert E. Cooper  
[COR LD NTC Retained]  
(see above)

Helene D. Jaffe  
[COR LD NTC Retained]  
(see above)

Debra J. Pearlstein  
[COR LD NTC Retained]

AMERICAN AIRLINES, INC.  
Defendant - Appellee

(see above)

David A. Rameden  
[COR LD NTC Retained]  
(see above)

Joseph M. Rebein  
[COR LD NTC Retained]  
(see above)

Stephen E. Robison, Esq.  
Direct: 316-267-7361  
[COR LD NTC Retained]  
(see above)

William Roth Sampson  
Direct: 816-474-6550  
[COR LD NTC Retained]  
(see above)

Mark E. Weber  
[COR LD NTC Retained]  
(see above)

Matthew J. Wiltanger  
[COR LD NTC Retained]  
(see above)

AMR EAGLE HOLDING CORPORATION  
Defendant - Appellee

Peter A. Antonucci  
[COR LD NTC Retained]  
(see above)

D. Jarrett Arp  
[COR LD NTC Retained]  
(see above)

Robert H. Bork  
[COR LD NTC Retained]  
(see above)

Robert E. Cooper  
[COR LD NTC Retained]  
(see above)

Melanie Gray  
[COR LD NTC Retained]  
(see above)

Helene D. Jaffe  
[COR LD NTC Retained]  
(see above)

Debra J. Pearlstein  
[COR LD NTC Retained]  
(see above)

David A. Rameden  
[COR LD NTC Retained]  
(see above)

Joseph M. Rebein  
[COR LD NTC Retained]  
(see above)

Stephen E. Robison, Esq.  
Direct: 316-267-7361  
[COR LD NTC Retained]  
(see above)

William Roth Sampson  
Direct: 816-474-6550  
[COR LD NTC Retained]

(see above)

Edward Soto  
[COR LD NTC Retained]  
(see above)

Mark E. Weber  
[COR LD NTC Retained]  
(see above)

Matthew J. Wiltanger  
[COR LD NTC Retained]  
(see above)

-----  
VANGUARD AIRLINES, INC.  
Amicus Curiae

Sarah Alderks Brown, Esq.  
Direct: 816-931-9901  
Email: sarah@rmbllawyers.com  
[COR NTC Retained]  
Randles, Mata & Brown, LLC  
Firm: 816/931-9901  
406 West 34th Street  
Suite 623  
Kansas City, MO 64111-0000

UNITED STATES OF AMERICA,

Plaintiff - Appellant,

v.

AMR CORPORATION; AMERICAN AIRLINES, INC.; AMR EAGLE HOLDING CORPORATION,

Defendants - Appellees,

-----  
VANGUARD AIRLINES, INC.,

Amicus Curiae.

- 07/05/2001  [1428589] Civil case docketed. Preliminary record filed. DATE RECEIVED: 7/2/01. Transcript order form due 7/16/01 for Jim Harper pursuant to R.42.1. Docketing statement due 7/16/01 for United States. Notice of appearance due 7/16/01 for AMR Eagle Holding, for American Airlines, for AMR Corporation, for United States.
- 07/09/2001  [1430054] Notice of appearance filed by John P. Fonte as attorney for United States. CERT. OF INTERESTED PARTIES (y/n): y.
- 07/09/2001  [1430055] Docketing statement filed by United States. Original and 4 copies c/s: y.
- 07/13/2001  [1431049] Appellant's "Consent Motion to Establish Briefing Schedule" filed by United States . Original and 3 copies c/s: y
- 07/16/2001  [1431350] Notice filed that the transcript is already on file in district court. Notice due that record is complete 7/26/01 for J. Thomas Marten.
- 07/17/2001  [1431352] Appellant's "Consent Motion to Establish Briefing Schedule" submitted to court.
- 07/18/2001  [1432725] Notice of appearance filed by William R. Sampson and Stephen E. Robison as attorneys for AMR Corporation, American Airlines and AMR Eagle Holding. CERT. OF INTERESTED PARTIES (y/n): y
- 07/19/2001  [1432346] Order filed by Judges Murphy, Porfilio granting Appellant's "Consent Motion to Establish Briefing Schedule" [1431049-1]. Parties have agreed to the following briefing schedule: Appellant's brief due 9/28/01 for United States; Appellee's brief due 11/20/01 for AMR Eagle Holding, for American Airlines, for AMR Corporation; Appellant's optional reply brief due 12/11/01. In light of the agreement of the parties, the court will entertain no motions to deviate from the dates established in the agreement. Parties served by mail.
- 07/19/2001  [1432505] Filed notice record is complete 7/16/01.
- 07/30/2001  [1435325] Notice of appearance filed by Mark E. Weber as attorney for AMR Corporation, American Airlines and AMR Eagle Holding. CERT. OF INTERESTED PARTIES (y/n): y
- 07/30/2001  [1435334] Notice of appearance filed by Debra J. Pearlstein as attorney for AMR Corporation, American Airlines and AMR Eagle Holding. CERT. OF INTERESTED PARTIES (y/n): y
- 08/17/2001  [1440886] Notice of appearance filed by Robert E. Cooper as attorney for AMR Corporation, American Airlines and AMR Eagle Holding. CERT. OF INTERESTED PARTIES (y/n): y.
- 08/17/2001  [1440896] Notice of appearance filed by Helene D. Jaffe as attorney for AMR Corporation, American Airlines and AMR Eagle Holding. CERT. OF INTERESTED PARTIES (y/n): y.
- 08/17/2001  [1440958] Notice of appearance filed by Robert H. Bork as attorney for AMR Corporation, American Airlines and AMR Eagle Holding. CERT. OF INTERESTED PARTIES (y/n): y.
- 09/18/2001  [1448635] Appellant's motion filed by Appellant United States to file an oversize brief 16,500 words long. Original and 3 copies c/s: y
- 09/19/2001  [1449015] Appellant's motion to file an oversize brief submitted to court.
- 09/19/2001  [1449018] Designation of the Joint Appendix filed by Appellant United States. Original and 3 copies. [01-3202]
- 09/20/2001  [1449337] Joint Motion for New Briefing Schedule [01-3202] filed by United States, AMR Corporation, American Airlines, AMR Eagle Holding. Original and 3 copies. c/s: y.
- 09/20/2001  [1449340] Joint Motion for new briefing schedule filed by Appellant United States, Appellee AMR Corporation, Appellee American Airlines, Appellee AMR Eagle Holding submitted to court.
- 09/24/2001  [1450128] Order filed by Judges Murphy, Porfilio granting Appellant's motion to file an oversize brief. Both the appellant and appellees' may each file a brief not to exceed 16,500 words. [1448635-1] The joint motion for a new briefing schedule is granted. [1449337-1] Appellant's opening brief is due 1/11/02; Appellees' respons brief is due 2/26/02; and appellant's reply brief is due 3/19/02. Parties served by mail.
- 01/14/2002  [1477737] Appellant's motion filed by Appellant United States to seal appellant's brief and Volumes II-VI of Government's Appendix. These documents are presently under seal in the district court. Original and 3 copies. c/s: y
- 01/14/2002  [1477766] Appellant's brief filed by United States. SEALED. Original and 7 copies. c/s: y. Served on 1/11/02. Oral argument? y., Appendix filed. Original and 1 appendix copy. Appendix Pages: 1371. Appellee's brief due 2/26/02 for AMR Eagle Holding, for American Airlines, for AMR Corporation.
- 01/16/2002  [1478358] Order filed by PF - appellees' response to appellant's "Motion to File Under Seal" due 1/28/02 for AMR Eagle Holding, for Airlines, for AMR Corporation. Parties served by mail.
- 01/22/2002  [1480723] Motion for leave to become amicus filed by Vanguard Airlines. Original and 4 copies. c/s: y
- 01/22/2002  [1480725] Amicus Brief received from Vanguard Airlines, but not filed. Original and 7 copies. c/s: y
- 01/28/2002  [1481687] Response filed by AMR Corporation, American Airlines and AMR Eagle Holding to Appellant's motion to seal appellant's brief. Original and 2 copies. c/s: y

- 01/30/2002  [1481987] Order filed by Judges Murphy and Porfilio granting motion leave to become amicus. [1480723-1] The amicus curiae brief will be docketed as filed on the date of this order. Appellees' brief remains due on or before 2/26/02 and must conform to the length requirements set forth in court's order of 9/24/01. Notice of appearance due 2/11/02 for Sarah A. Brown. Parties served by mail.
- 01/30/2002  [1482004] Order filed by PF granting Appellant's motion to seal appellant's brief and volumes II through IV of appendix. [1477737-1] Parties served by mail.
- 01/30/2002  [1482014] Amicus Curiae brief filed by Vanguard Airlines. Original and 7 copies. c/s: y.
- 02/15/2002  [1487232] Notice of appearance filed by Sarah A. Brown as attorney for Vanguard Airlines. CERT. OF INTERESTED PARTIES (y/n): y
- 02/27/2002  [1489826] Appellee's motion to seal appendix filed by AMR Corporation, American Airlines, AMR Eagle Holding. Original and 3 copies. c/s: y
- 02/27/2002  [1494784] Appellee's brief filed by AMR Corporation, American Airlines, AMR Eagle Holding. Original and 7 copies. c/s: y. Served on 2/26/02. Oral Argument? y, Appendix filed UNDER SEAL. Original and 1 appendix copy. Appendix Pages: 260. Appellant's optional reply brief due 3/15/02 for United States.
- 02/27/2002  [1523442] Sealed record stored. Record can be located at Section: J Shelf: 2.
- 03/11/2002  [1494057] Errata sheet filed by AMR Corporation Original and 7 copies. c/s: y
- 03/15/2002  [1494789] Order filed provisionally granting Appellee's motion to file appendix under seal. The panel will make the final determination on the motion. [1489826-1] REFERRED TO PANEL ON THE MERITS. Parties served by mail.
- 03/20/2002  [1496366] Appellant's motion to file reply brief under seal filed by Appellant United States. Original and 3 copies. c/s: y
- 03/21/2002  [1496369] Appellant's motion to file supplemental appendix under SEAL with reply brief filed by Appellant United States. Original and 3 copies. c/s: y
- 03/22/2002  [1496582] Order filed by PF (jeh) granting Appellant's motion to file reply brief under SEAL. [1496366-1] Parties served by mail.
- 03/22/2002  [1496587] Order filed by PF (jeh) granting Appellant's motion to file supplemental appendix under SEAL with reply brief. 1496369-1] Parties served by mail.
- 03/22/2002  [1496590] Appellant's reply brief filed under SEAL by United States. Original and 7 copies. c/s: y
- 03/22/2002  [1496603] Supplemental appendix filed under SEAL by Appellant United States. Original and 1 copy. Appendix pages: 262 c/s: y
- 03/27/2002  [1498139] Appellant's supplemental authority filed by United States. Original and 7 copies. c/s: y
- 06/14/2002  [1519156] Hearing set for September, 2002 Session, at Denver, Colorado.
- 09/12/2002  [1544520] Appellant's supplemental authority filed by United States and submitted to court. Original and 7 copies. c/s: y
- 09/23/2002  [1547460] Case argued by John P. Fonte for the appellant; Robert E. Cooper for the appellee, and submitted to Judges Lucero, Porfilio, Murphy.
- 07/03/2003  [1624804] Terminated on the Merits after Oral Hearing; Affirmed, Appellees' motion to file appendix under seal is granted.; Written, Signed, Published. Lucero, authoring judge; Porfilio; Murphy. [01-3202] Parties served by mail on 7/3/03.
- 07/21/2003  [1628902] Letter to the court filed by appellant's counsel re: possible factual error in the court's opinion of 7/3/03.
- 07/21/2003  [1628903] Letter submitted to court.
- 07/23/2003  [1629595] Amendment to opinion filed by Judges Lucero, Porfilio & Murphy to correct clerical error (page 6, 5th line). In the paragraph preceding heading "II", a sentence states: "After reviewing a voluminous record, receiving extensive briefs, and hearing oral argument, the district court granted..." The sentence should read as follows: "After reviewing a voluminous record and receiving extensive briefs the district court granted...." Parties served by mail.
- 08/25/2003  [1640072] Mandate issued. Mandate receipt due 9/24/03.
- 09/02/2003  [1643854] Mandate receipt filed.
- 04/15/2004  [1701275] Case file closed. Shipment to records center due 4/15/06
- 01/30/2007  [1996310] Archived case received at records center. Accession number: 276-06-0001 Box number: 143 of 320 Location number: 712371-712698



Clear All

- Documents and Docket Summary
- Documents Only

Include Page Numbers

Selected Pages:  Selected Size:

View Selected

---