

(RCx), DISCOVERY, MANADR

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:10-cv-05830-MMM -RC**

AFMS LLC v. United Parcel Service Co. et al
Assigned to: Judge Margaret M. Morrow
Referred to: Magistrate Judge Rosalyn M. Chapman
Cause: 28:1337 Sherman-Clayton Act

Date Filed: 08/05/2010
Jury Demand: Plaintiff
Nature of Suit: 410 Anti-Trust
Jurisdiction: Federal Question

Plaintiff

AFMS LLC

represented by **Alyson Claire Decker**
Blecher and Collins P C
515 South Figueroa Street Suite 1750
Los Angeles, CA 90071
213-622-4222
Fax: 213-622-1656
Email: adecker@blechercollins.com
ATTORNEY TO BE NOTICED

Charles Thomas Collett
Charles T Collett P C
620 Newport Center Drive Suite 280
Newport Beach, CA 92660
949-640-7676
Fax: 949 640 5858
Email: ctcollett@earthlink.com
ATTORNEY TO BE NOTICED

Courtney A Palko
Blecher and Collins PC
515 South Figueroa Street Suite 1750
Los Angeles, CA 90071-3334
213-622-4222
Fax: 213-622-1656
Email: cpalko@blechercollins.com
ATTORNEY TO BE NOTICED

Maxwell M Blecher
Blecher and Collins PC
515 South Figueroa Street Suite 1750
Los Angeles, CA 90071-3334
213-622-4222
Fax: 213-622-1656
Email: mblecher@blechercollins.com
ATTORNEY TO BE NOTICED

V.

Defendant**United Parcel Service Co.**

represented by **Douglas J Beteta**
Morrison and Foerster LLP
555 West 5th Street Suite 3500
Los Angeles, CA 90013-1024
213-892-5200
Fax: 213-892-5454
Email: dbeteta@mofocom
ATTORNEY TO BE NOTICED

Gregory B Koltun
Morrison & Foerster LLP
555 West 5th Street
Los Angeles, CA 90013-1024
213-892-5200
Fax: 213-892-5454
Email: gkoltun@mofocom
ATTORNEY TO BE NOTICED

Paul Terry Friedman
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2482
415-268-7000
Fax: 415-268-7522
Email: pfriedman@mofocom
ATTORNEY TO BE NOTICED

Sean P Gates
Morrison & Foerster LLP
555 West Fifth Street
Los Angeles, CA 90013-1024
213-892-5200
Fax: 213-892-5454
Email: sgates@mofocom
ATTORNEY TO BE NOTICED

Defendant**FedEx Corporation**

represented by **Andrew J Frackman**
O'Melveny & Myers LLP
7 Times Square
New York, NY 10036
212-326-2000
Fax: 212-326-2061
Email: afrackman@omm.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Christina J Brown

O'Melveny & Myers LLP
Two Embarcadero Center 28th Floor
San Francisco, CA 94111
415-984-8979
Fax: 415-984-8701
Email: cjbrown@omm.com
ATTORNEY TO BE NOTICED

Christopher J Yost

Federal Express Corporation
2601 Main Street Suite 340
Irvine, CA 92614
949-862-4558
Fax: 949-862-4605
Email: cjyost@fedex.com
ATTORNEY TO BE NOTICED

Colleen D Hitch

Federal Express Corporation
Legal Department
3620 Hacks Cross Road Building B 3rd
Floor
Memphis, TN 38125
901-434-8338
Fax: 901-434-4523
Email: colleen.hitch@fedex.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeana M Littrell

Federal Express Corporation
Legal Department
3620 Hacks Cross Road Building B 3rd
Floor
Memphis, TN 38125
901-434-8561
Fax: 901-434-9278
Email: jmlittrell@fedex.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael W Higginbotham

FedEx Express Corporation
3620 Hacks Cross Road 3rd Floor
Building B
Memphis, TN 38125
901-434-8570
Fax: 901-434-4523

Email: mwhigginbotham@fedex.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

R Jeffery Kelsey
 FedEx Legal Department
 3620 Hacks Cross Road Building B 2nd
 Floor
 Memphis, TN 38125
 901-434-8563
 Fax: 901-434-4523
 Email: jkelsey@fedex.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/05/2010	1	COMPLAINT against Defendants FedEx Corporation, United Parcel Service Co. Case assigned to Judge Margaret M. Morrow for all further proceedings. Discovery referred to Magistrate Judge Rosalyn M. Chapman.(Filing fee \$ 350: PAID) Jury Demanded., filed by plaintiff AFMS LLC.(ghap) (Additional attachment(s) added on 8/6/2010: # 1 Ntc of Asgmt, # 2 Summons, # 3 Civil Cover Sheet) (mg). (Entered: 08/06/2010)
08/05/2010		21 DAY Summons Issued re Complaint - (Discovery) 1 as to Defendants FedEx Corporation, United Parcel Service Co. (ghap) (Entered: 08/06/2010)
08/05/2010	2	NOTICE of Interested Parties filed by Plaintiff AFMS LLC. (ghap) (mg). (Entered: 08/06/2010)
08/05/2010	3	NOTICE TO PARTIES OF ADR PROGRAM filed.(ghap) (Entered: 08/06/2010)
08/13/2010	4	PROOF OF SERVICE Executed by Plaintiff FedEx Corporation, upon Defendant FedEx Corporation served on 8/10/2010, answer due 8/31/2010. Service of the Summons and Complaint were executed upon C.T. CORPORATION SYSTEMS in compliance with California Code of Civil Procedure by personal service. Original Summons NOT returned. (Blecher, Maxwell) (Entered: 08/13/2010)
08/26/2010	5	STIPULATION for Extension of Time to File Answer to October 11, 2010 re Complaint - (Discovery), Complaint - (Discovery) 1 filed by Defendant FedEx Corporation. (Attachments: # 1 Exhibit Signature Page, # 2 Proposed Order Proposed Order)(Yost, Christopher) (Entered: 08/26/2010)
08/27/2010	6	PROOF OF SERVICE Executed by Plaintiff AFMS LLC, upon Defendant United Parcel Service Co. served on 8/10/2010, answer due 8/31/2010. Service of the Summons and Complaint were executed upon UNITED PARCEL SERVICE in compliance with California Code of Civil Procedure by personal service. Original Summons NOT returned. (Blecher, Maxwell) (Entered: 08/27/2010)

08/27/2010	7	ORDER GRANTING EXTENSION OF TIME TO RESPOND TO COMPLAINT by Judge Margaret M. Morrow: HEREBY ORDERS that the time for Defendant to answer or otherwise respond to the Complaint is extended until and including October 11, 2010. (bp) (Entered: 08/27/2010)
08/30/2010	8	STIPULATION for Extension of Time to File Answer to 10/11/10 re Complaint - (Discovery), Complaint - (Discovery) 1 filed by Defendants AFMS LLC, United Parcel Service Co.. (Attachments: # 1 Proposed Order) (Beteta, Douglas) (Entered: 08/30/2010)
08/30/2010	9	NOTICE of Appearance filed by attorney Douglas J Beteta on behalf of Defendant United Parcel Service Co. (Beteta, Douglas) (Entered: 08/30/2010)
08/30/2010	10	NOTICE of Appearance filed by attorney Douglas J Beteta on behalf of Defendant United Parcel Service Co. (Beteta, Douglas) (Entered: 08/30/2010)
08/30/2010	11	CERTIFICATE of Interested Parties filed by Defendants United Parcel Service Co., (Beteta, Douglas) (Entered: 08/30/2010)
08/31/2010	12	ORDER on Stipulation to Extend Time to Respond to Complaint 8 by Judge Margaret M. Morrow. IT IS HEREBY ORDERED that defendant United Parcel Service Co. shall have to including 10/12/2010 to respond to the Complaint. (csi) (Entered: 09/01/2010)
09/01/2010	13	NOTICE of Appearance filed by attorney Gregory B Koltun on behalf of Defendant United Parcel Service Co. (Koltun, Gregory) (Entered: 09/01/2010)
09/01/2010	14	NOTICE of Appearance filed by attorney Paul T Friedman on behalf of Defendant United Parcel Service Co. (Friedman, Paul) (Entered: 09/01/2010)
09/22/2010	15	STIPULATION for Extension of Time to File Answer to October 12, 2010 re Stipulation to Extend Time to Answer (More than 30 days), Stipulation to Extend Time to Answer (More than 30 days) 5 , Complaint - (Discovery), Complaint - (Discovery) 1 filed by Defendant FedEx Corporation. (Attachments: # 1 Exhibit Signature Page, # 2 Proposed Order Proposed Order) (Yost, Christopher) (Entered: 09/22/2010)
09/23/2010	16	ORDER Granting Further Extension of Time to Respond to Complaint 15 by Judge Margaret M. Morrow. The Court HEREBY ORDERS that the time for Defendant FedEx Corporation to answer or otherwise respond to the Complaint is extended until and including 10/12/2010. (csi) (Entered: 09/24/2010)
09/28/2010	17	APPLICATION for attorney Jeana M. Littrell to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by Defendant FedEx Corporation. (Attachments: # 1 Exhibit Certificate of Good Standing, # 2 Proposed Order Proposed Order) (Yost, Christopher) (Entered: 09/28/2010)
09/28/2010	18	APPLICATION for attorney Michael Wayne Higginbotham to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by Defendant FedEx Corporation. (Attachments: # 1 Exhibit Certificate of Good Standing, # 2 Proposed Order Proposed Order)(Yost, Christopher) (Entered: 09/28/2010)
09/28/2010	19	APPLICATION for attorney Colleen Denise Hitch to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by Defendant FedEx Corporation. (Attachments:

		# 1 Exhibit Certificate of Good Standing, # 2 Proposed Order Proposed Order) (Yost, Christopher) (Entered: 09/28/2010)
09/28/2010	20	APPLICATION for attorney Robert Jeffrey Kelsey to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by Defendant FedEx Corporation. (Attachments: # 1 Exhibit Certificate of Good Standing, # 2 Proposed Order Proposed Order) (Yost, Christopher) (Entered: 09/28/2010)
09/28/2010	21	APPLICATION for attorney Andrew J. Frackman to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by Defendant FedEx Corporation. (Attachments: # 1 Exhibit Certificate of Good Standing, # 2 Proposed Order Proposed Order) (Yost, Christopher) (Entered: 09/28/2010)
10/01/2010	22	NOTICE of Appearance filed by attorney Christina J Brown on behalf of Defendant FedEx Corporation (Brown, Christina) (Entered: 10/01/2010)
10/04/2010	23	ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY by Judge Margaret M. Morrow: The Court, having reviewed the accompanying Application of R. Jeffrey Kelsey for permission to appear and participate in the above-entitled action on behalf of defendant Fedex Corporation, re APPLICATION for attorney Robert Jeffrey Kelsey to Appear Pro Hac Vice (PHV FEE NOT PAID.) 20 (bp) (Entered: 10/04/2010)
10/04/2010	24	ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE by Judge Margaret M. Morrow: The Court, having reviewed the accompanying Application of R. Jeffrey Kelsey for permission to appear and participate in the above-entitled action on behalf of defendant Fedex Corporation 20 Application to Appear Pro Hac Vice by Attorney R. Jeffrey Kelsey on behalf of Defendant, Fedex Corporation, designating Christopher J. Yost as local counsel. (bp) (Entered: 10/04/2010)
10/04/2010	25	ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE by Judge Margaret M. Morrow: The Court, having reviewed the accompanying Application of Colleen D. Hitch for permission to appear and participate in the above-entitled action on behalf of defendant Fedex Corporation 19 Application to Appear Pro Hac Vice by Attorney Colleen D. Hitch on behalf of Defendant, Fedex Corporation, designating Christopher J. Yost as local counsel. (bp) (Entered: 10/04/2010)
10/04/2010	26	ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE by Judge Margaret M. Morrow: The Court, having reviewed the accompanying Application of Michael W. Higginbotham for permission to appear and participate in the above-entitled action on behalf of Defendant Fedex Corporation 18 Application to Appear Pro Hac Vice by Attorney Michael W. Higginbotham on behalf of Defendant, Fedex Corporation, designating Christopher J. Yost as local counsel. (bp) (Entered: 10/04/2010)
10/04/2010	27	ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE by Judge Margaret M. Morrow: The Court, having reviewed the accompanying Application of Jeana M. Litrell for permission to appear and participate in the above-entitled action on behalf of defendant Fedex Corporation granting 17 Application to Appear Pro Hac Vice

		by Attorney Jeanna M. Litrell on behalf of Defendant, Fedex Corporation, designating Christopher J. Yost as local counsel. (bp) (Entered: 10/04/2010)
10/04/2010	28	ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE by Judge Margaret M. Morrow: The Court, having reviewed the accompanying Application of Andrew J. Frackman for permission to appear and participate in the above-entitled action on behalf of Defendant Fedex Corporation granting 21 Application to Appear Pro Hac Vice by Attorney Andrew J. Frackman on behalf of Defendant, Fedex Corporation, designating Christopher J. Yost as local counsel. (bp) (Entered: 10/04/2010)
10/11/2010	29	STIPULATION to Continue Defendants' Deadlines to Respond to Initial Complaint and Setting Deadline for Amending Complaint from 10/12/2010 to 10/15/2010 Re: Order, Order Extending Answer Due Deadline 12 , Order, Order Extending Answer Due Deadline,, 16 filed by Defendant FedEx Corporation. (Attachments: # 1 Proposed Order)(Brown, Christina) (Entered: 10/11/2010)
10/12/2010	30	ORDER by Judge Margaret M. Morrow, re Stipulation to Continue, 29 : IT IS HEREBY ORDERS THAT: 1) Defendants UPS and FedExs deadlines for responding to the initial Complaint are hereby taken off calendar; and 2) Plaintiff AFMS shall file an amended complaint on or before October 15, 2010. (rrey) (Entered: 10/12/2010)
10/14/2010	31	FIRST AMENDED COMPLAINT against defendants FedEx Corporation, United Parcel Service Co. amending Complaint - (Discovery) 1 , filed by plaintiff AFMS LLC (rrey) (Entered: 10/15/2010)
10/28/2010	32	STIPULATION for Hearing re Stipulation re Briefing and Hearing Schedule for Motions to Dismiss First Amended Complaint filed by defendant United Parcel Service Co.. (Attachments: # 1 Proposed Order)(Gates, Sean) (Entered: 10/28/2010)
10/29/2010	33	NOTICE of Change of Attorney Information filed by Plaintiff AFMS LLC. (Decker, Alyson) (Entered: 10/29/2010)
11/01/2010	40	NOTICE OF MOTION AND MOTION to Dismiss Case [FRCP 12(B)(6)] filed by defendant United Parcel Service Co.. Motion set for hearing on 1/31/2011 at 10:00 AM before Judge Margaret M. Morrow. (Friedman, Paul) (Entered: 11/01/2010)
11/01/2010	41	NOTICE OF MOTION AND MOTION to Dismiss Case 2// Defendant FedEx Corporation's Notice of Motion and Motion to Dismiss First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) filed by Defendant FedEx Corporation. Motion set for hearing on 1/31/2011 at 10:00 AM before Judge Margaret M. Morrow. (Frackman, Andrew) (Entered: 11/01/2010)
11/12/2010	42	MEMORANDUM in Support of MOTION to Dismiss Case [FRCP 12(B)(6)] 40 filed by Defendant United Parcel Service Co.. (Attachments: # 1 Proposed Order)(Friedman, Paul) (Entered: 11/12/2010)
11/12/2010	43	MEMORANDUM in Support of MOTION to Dismiss Case 2// Defendant FedEx Corporation's Notice of Motion and Motion to Dismiss First Amended

		<i>Complaint Pursuant to Fed. R. Civ. P. 12(b)(6)</i> MOTION to Dismiss Case 2// <i>Defendant FedEx Corporation's Notice of Motion and Motion to Dismiss First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6)</i> 41 filed by Defendant FedEx Corporation. (Attachments: # 1 Proposed Order Granting FedEx Corporation's Motion to Dismiss First Amended Complaint)(Frackman, Andrew) (Entered: 11/12/2010)
11/22/2010	44	IN CHAMBERS ORDER SETTING SCHEDULING CONFERENCE by Judge Margaret M. Morrow: Scheduling Conference set for 1/31/2011 10:00 AM. Joint 26(f) Report and ADR Questionnaire due 1/24/2011. (ah) (Entered: 11/22/2010)
11/23/2010	45	NOTICE of Change of Attorney Information for attorney Alyson Claire Decker counsel for Plaintiff AFMS LLC. Filed by PLAINTIFF AFMS LLC (Decker, Alyson) (Entered: 11/23/2010)
11/23/2010	46	IT IS HEREBY ORDERED THAT: Defendant United Parcel Service Co. ("UPS") and Defendant FedEx Corporation ("FedEx") will file their notices of motion on Monday, November 1, 2010 and will file their motions to dismiss the First Amended Complaint on November 12, 2010. AFMS will file its oppositions to UPS's and FedEx's motion to dismiss on or before December 13, 2010. UPS and FedEx will file their reply briefs on or before December 20, 2010 by Judge Margaret M. Morrow, re Stipulation for Hearing 32 (bp) (Entered: 11/24/2010)
12/13/2010	47	OPPOSITION In support of re: MOTION to Dismiss Case 2// <i>Defendant FedEx Corporation's Notice of Motion and Motion to Dismiss First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6)</i> MOTION to Dismiss Case 2// <i>Defendant FedEx Corporation's Notice of Motion and Motion to Dismiss First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6)</i> 41 , MOTION to Dismiss Case [FRCP 12(B)(6)] 40 filed by Plaintiff AFMS LLC. (Attachments: # 1 Declaration Declaration of Maxwell M. Blecher in Support of Plaintiff AFMS LLC's Omnibus Opposition to Defendant United Parcel Service Co.'s Motion to Dismiss [FRCP 12(B)(6) and Defendant Fedex Corporation's Motion to Dismiss First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6))(Blecher, Maxwell) (Entered: 12/13/2010)
12/20/2010	48	REPLY in support of MOTION to Dismiss Case [FRCP 12(B)(6)] 40 filed by Defendant United Parcel Service Co.. (Friedman, Paul) (Entered: 12/20/2010)
12/20/2010	49	MEMORANDUM in Support of MOTION to Dismiss Case 2// <i>Defendant FedEx Corporation's Notice of Motion and Motion to Dismiss First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6)</i> MOTION to Dismiss Case 2// <i>Defendant FedEx Corporation's Notice of Motion and Motion to Dismiss First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6)</i> 41 filed by Defendant FedEx Corporation. (Frackman, Andrew) (Entered: 12/20/2010)
12/30/2010	50	NOTICE of Ruling filed by Plaintiff AFMS LLC. (Attachments: # 1 Exhibit) (Blecher, Maxwell) (Entered: 12/30/2010)

PACER Service Center

Transaction Receipt			
01/08/2011 06:15:25			
PACER Login:	ss5396	Client Code:	
Description:	Docket Report	Search Criteria:	2:10-cv-05830-MMM -RC End date: 1/8/2011
Billable Pages:	6	Cost:	0.48