

**General Docket
Seventh Circuit Court of Appeals**

Court of Appeals Docket #: 15-3001 Nature of Suit: 3410 Antitrust Woodman's Food Market, Inc. v. Clorox Company, et al Appeal From: Western District of Wisconsin Fee Status: Paid	Docketed: 09/14/2015
Case Type Information: 1) civil 2) private 3) -	
Originating Court Information: District: 0758-3 : 3:14-cv-00734-slc Trial Judge: Stephen L. Crocker, Magistrate Judge Date Filed: 10/28/2014 Date Order/Judgment: 08/13/2015 Date NOA Filed: 09/08/2015	
Prior Cases: 15-8016 Date Filed: 07/27/2015 Date Disposed: 09/08/2015 Disposition: GRANTED	
Current Cases: None	

WOODMAN'S FOOD MARKET, INC. Plaintiff - Appellee	John Alan Kassner, III, Attorney Direct: 608-551-3969 [COR LD NTC Retained] VON BRIESEN & ROPER, S.C. Suite 900 Ten E. Doty Street Madison, WI 53703 Kraig Alan Byron, Attorney Direct: 608-661-3981 [COR NTC Retained] VON BRIESEN & ROPER, S.C. Suite 900 Ten E. Doty Street Madison, WI 53703
v.	
CLOROX COMPANY Defendant - Appellant	Thomas G. Hungar, Attorney Direct: 202-955-8500 [COR LD NTC Retained] GIBSON, DUNN & CRUTCHER LLP 1050 Connecticut Avenue N.W. Washington, DC 20036-0000 Michael R. Huston, Attorney Direct: 202-887-3793 [COR NTC Retained] GIBSON, DUNN & CRUTCHER LLP 1050 Connecticut Avenue N.W. Washington, DC 20036-0000 Joshua H. Soven, Attorney Direct: 202-955-8503 [COR NTC Retained] GIBSON, DUNN & CRUTCHER LLP 1050 Connecticut Avenue N.W. Washington, DC 20036-0000
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WOODMAN'S FOOD MARKET, INC.,
Plaintiff - Appellee

v.

CLOROX COMPANY and
CLOROX SALES COMPANY,
Defendants - Appellants

09/14/2015	<input type="checkbox"/> 1 48 pg, 4.71 MB	Private civil case docketed. Fee paid. Transcript information sheet due by 09/28/2015. Docketing Statement due for Appellants Clorox Company and Clorox Sales Company by 09/16/2015. Appellant's brief due on or before 10/26/2015 for Clorox Company and Clorox Sales Company. [1] [6692199] [15-3001] (AD)
09/14/2015	<input type="checkbox"/>	Case transferred from Miscellaneous Docket No. 15-8016. [6692208-2] [6692208] [15-3001] (AD)
09/15/2015	<input type="checkbox"/> 2 1 pg, 73.78 KB	Filed Seventh Circuit Transcript Information Sheet by Appellants Clorox Company and Clorox Sales Company. [2] [6692607] [15-3001] (CR)
09/16/2015	<input type="checkbox"/> 3 5 pg, 108.35 KB	Docketing Statement filed by Appellants Clorox Company and Clorox Sales Company. Prior or Related proceedings: No. [3] [6693078] [15-3001] (Hungar, Thomas)
09/17/2015	<input type="checkbox"/> 4 2 pg, 144.01 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Michael R. Huston for Appellants Clorox Company and Clorox Sales Company. [4] [6693209] (L-No; E-Yes; R-No) [15-3001] [Edited 09/17/2015 by CAG to reflect the addition of counsel.] (Huston, Michael)
09/17/2015	<input type="checkbox"/> 5 2 pg, 144.28 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Joshua H. Soven for Appellants Clorox Company and Clorox Sales Company. [5] [6693211] (L-No; E-Yes; R-No) [15-3001] [Edited 09/17/2015 by CAG to reflect the addition of counsel.] (Soven, Joshua)
09/18/2015	<input type="checkbox"/> 6 4 pg, 129.46 KB	Filed Appellants Clorox Company and Clorox Sales Company statement of the issues pursuant to Fed. R. App. P. 10(b)(3). [6] [6693725] [15-3001] (CD)
09/23/2015	<input type="checkbox"/> 7 2 pg, 135.44 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney John A. Kassner for Appellee Woodman's Food Market, Inc.. [7] [6694884] (L-Yes; E-Yes; R-No) [15-3001] (Kassner, John)
09/23/2015	<input type="checkbox"/> 8 2 pg, 143.85 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Kraig A. Byron for Appellee Woodman's Food Market, Inc.. [8] [6694896] (L-No; E-Yes; R-No) [15-3001] [Edited 09/23/2015 by CAG to reflect the addition of counsel.] (Byron, Kraig)
10/22/2015	<input type="checkbox"/> 9 2 pg, 143.74 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Justin Epner for Appellants Clorox Company and Clorox Sales Company. [9] [6702451] (L-No; E-No; R-No) [15-3001] (Epner, Justin)
10/26/2015	<input type="checkbox"/> 10 122 pg, 1.49 MB	Submitted appellant brief by Thomas G. Hungar for Appellants Clorox Company and Clorox Sales Company. [10] [6703172] [15-3001] (Hungar, Thomas)
10/26/2015	<input type="checkbox"/> 11	Submitted Appendix by Thomas G. Hungar for Appellants Clorox Company and Clorox Sales Company. [11] [6703174] [15-3001] (Hungar, Thomas)
10/26/2015	<input type="checkbox"/> 12 122 pg, 1.6 MB	Appellant's brief filed by Appellants Clorox Company and Clorox Sales Company. Appellee's brief due on or before 11/25/2015 for Woodman's Food Market, Inc.. Paper copies due on 11/03/2015 Electronically Transmitted. [12] [6703316] [15-3001]--[Edited 11/04/2015 by AP - STRICKEN per the court's 11/4/15 order] (RT)
10/26/2015	<input type="checkbox"/> 13	Filed Appendix by Appellants Clorox Company and Clorox Sales Company. [13] [6703317] Paper copies due on 11/03/2015 [15-3001] (RT)
11/02/2015	<input type="checkbox"/> 14 34 pg, 177.9 KB	Submitted brief by Bradley Grossman for amicus Federal Trade Commission. Federal or state filer (consent unnecessary). [14] [6704975] [15-3001] (Grossman, Bradley)
11/02/2015	<input type="checkbox"/> 15 34 pg, 183.32 KB	Amicus brief filed by Amicus Curiae FTC government filing, no consent necessary. Paper copies due on 11/10/2015 Electronically Transmitted. [15] [6705131] [15-3001] (ACB)
11/04/2015	<input type="checkbox"/> 16 2 pg, 66.66 KB	ORDER: The brief of appellants is STRICKEN. Appellants must file a new brief no later than November 12, 2015, which contains a jurisdictional statement that complies with all the requirements of Circuit Rule 28(a). Counsel are reminded that they may not change any other portion of the brief. This order will not extend the time for appellee to file its brief. (See order for further details) DW [16] [6705366] [15-3001] (AP)
11/04/2015	<input type="checkbox"/> 17 122 pg, 1.5 MB	Re-Submitted appellant brief by Thomas G. Hungar for Appellants Clorox Company and Clorox Sales Company. [17] [6705592] [15-3001] (Hungar, Thomas)
11/04/2015	<input type="checkbox"/> 18	Submitted Appendix by Thomas G. Hungar for Appellants Clorox Company and Clorox Sales Company. [18] [6705597] [15-3001] (Hungar, Thomas)
11/04/2015	<input type="checkbox"/> 19 122 pg, 1.61 MB	CORRECTED Appellant's brief filed by Appellants Clorox Company and Clorox Sales Company. Paper copies due on 11/12/2015 Electronically Transmitted. [19] [6705648] [15-3001] (NR)
11/16/2015	<input type="checkbox"/> 20 9 pg, 138.49 KB	Motion filed by Appellants Clorox Company and Clorox Sales Company to extend time to file appellant reply brief. [20] [6707928] [15-3001] (Hungar, Thomas)
11/16/2015	<input type="checkbox"/> 21 1 pg, 109.68 KB	Order issued GRANTING Defendants-Appellants' motion for extension of time to file reply brief. [20] IT IS ORDERED that the motion for an extension of time to file a reply brief is GRANTED to the extent

that the appellants' reply brief, if any, is due by December 23, 2015. The appellee's response brief remains due November 25, 2015. JKL [21] [6708014] [15-3001] (AP)

11/25/2015 [22](#) Submitted appellee brief by John Kassner for Appellees Woodman's Food Market, Inc.. [22][6710768] [15-3001]--[Edited 11/30/2015 by RT] (Kassner, John)
147 pg, 9.27 MB

11/25/2015 [23](#) Appellee's brief filed by Appellee Woodman's Food Market, Inc.. Paper copies due on 12/07/2015
64 pg, 3.28 MB Electronically Transmitted. [23] [6710964] [15-3001] (SP)

11/25/2015 [24](#) Filed Supplemental Appendix by Appellee Woodman's Food Market, Inc.. [24] [6710965] Paper copies
83 pg, 6.01 MB due on 12/07/2015 [15-3001] (SP)

12/02/2015 [25](#) Motion by Appellants Clorox Company and Clorox Sales Company to seal Appendix (Dkt. 11,13 & 18).
0 pg, 0 KB [25] [6711666] [15-3001]--[Edited 12/02/2015 by JAD to include dkt. #11 & #13] (Hungar, Thomas)

12/02/2015 [26](#) Filed Non-Party Motion for leave to file Amicus Curiae Brief by National Grocers Association.
40 pg, 141.97 KB [6711921] [15-3001] (Wenning, Thomas)

12/02/2015 [27](#) Filed Response in Opposition by to Appellant Clorox's Motion to Seal Appendix. [27][6711950] [15-
6 pg, 287.36 KB 3001] (Kassner, John)

12/03/2015 [28](#) Filed Reply by Appellants Clorox Company and Clorox Sales Company to Plaintiff-Appellee's
5 pg, 126.42 KB Opposition to Motion to Seal Appendix (Dkt. 27, 12/2/15). [28][6712175] [15-3001] (Hungar, Thomas)

12/04/2015 [29](#) ORDER re: 1. Defendants-Appellants' Motion to Seal Appendix. 2. Plaintiff-Appellee Woodman's Food
2 pg, 100.61 KB Market, Inc.'s Memorandum in Opposition to Defendants-Appellants Clorox's Motion to Seal Appendix.
3. Reply in Support of Defendant-Appellants' Motion to Seal Appendix. 4. Motion for Leave to File
Amicus Curiae Brief of the National Grocers Association in Support of Plaintiff-Appellee and for
Affirmance. Clorox's motion to file a sealed appendix is GRANTED. The clerk of this court shall seal
the unredacted appendices (docket entries 11, 13, and 18). Counsel for Clorox shall file a redacted
version of its appendix by 12/08/2015, which shall be filed in the public record. The National Grocers
Association's motion to file an amicus curiae brief is GRANTED. The NGA shall resubmit its amicus
brief with the disclosure statement in the correct location by 12/08/2015. When the compliant brief is
submitted, the clerk of this court shall file it INSTANTER. SCR [26] [25] [29] [6712334] [15-3001] (MM)

12/04/2015 [30](#) NOTICE: Attorney Thomas G. Hungar for Appellants Clorox Company and Clorox Sales Company will
2 pg, 670.62 KB not be available for oral argument February 22-26, 2016. [30] [6712503] [15-3001] (Hungar, Thomas)

12/07/2015 [31](#) Re-Submitted brief by Thomas F. Wenning for Amicus Curiae National Grocers Association. Leave
35 pg, 112.34 KB granted by court order. [31] [6712595] [15-3001] (Wenning, Thomas)

12/07/2015 [32](#) NOTICE: Attorney Mr. John Alan Kassner, III for Appellee Woodman's Food Market, Inc. will not be
4 pg, 155.89 KB available for oral argument January 17-23, 2016; and March 18-25, 2016. [32] [6712762] [15-3001]
(Kassner, John)

12/07/2015 [33](#) Amicus brief filed by Amicus Curiae National Grocers Association per order. Paper copies due on
35 pg, 112.48 KB 12/14/2015 Electronically Transmitted. [33] [6712807] [15-3001] (GW)

12/08/2015 [34](#) Submitted Appendix by Thomas G. Hungar for Appellants Clorox Company and Clorox Sales
110 pg, 4.74 MB Company. [34] [6713196] [15-3001] (Hungar, Thomas)

12/08/2015 [35](#) Filed Redacted Appendix by Appellants Clorox Company and Clorox Sales Company, per order. [35]
110 pg, 4.74 MB [6713236] Paper copies due on 12/15/2015 [15-3001] (SK)

12/17/2015 [36](#) Notice to the District Court to transmit the record on appeal. [36] [6715456] [15-3001] (RS)
1 pg, 86.67 KB

12/17/2015 [37](#) Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Thomas G. Hungar for
2 pg, 143.85 KB Appellants Clorox Company and Clorox Sales Company. [37] [6715532] (L-Yes; E-Yes; R-No) [15-
3001] (Hungar, Thomas)

12/18/2015 [38](#) Argument set for Friday, February 12, 2016, at 9:30 a.m. in the Main Courtroom, Room 2721. Each
4 pg, 137.51 KB side limited to 20 minutes. [38] [6715817] [15-3001] (RS)

12/18/2015 [39](#) Original record on appeal filed electronically. Contents of record : 7 vol. of pleadings; 12 sealed
977 pg, 46.65 MB documents. [39] [6716047] [15-3001] (NR)

12/21/2015 [40](#) ORDER: This Court has received 12 electronic files under seal from the district court. All documents
1 pg, 102.72 KB filed in this Court, except those required to be sealed by statute or rule are considered public. Pursuant
to 7th Circuit Operating Procedure 10(b), documents sealed in the district court will be maintained
under seal in this Court for 14 days, to afford time to request the approval required by section (a) of
this operating procedure. Absent a motion from a party these sealed documents will be placed in the
public record on 01/05/2016. Motion shall be filed by 01/04/2016 [40] [6716187] [15-3001] (RT)

12/23/2015 [41](#) Submitted appellant reply brief by Thomas G. Hungar for Appellants Clorox Company and Clorox Sales Company. [41] [6717175] [15-3001] (Hungar, Thomas)
34 pg, 314.62 KB

- Documents and Docket Summary
- Documents Only

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Totals reflect accessible documents only and do not include unauthorized restricted documents.
