

**General Docket  
Seventh Circuit Court of Appeals**

<b>Court of Appeals Docket #:</b> 10-1712 <b>Nature of Suit:</b> 3890 Other Statutory Actions Minn-Chem, Incorporated, et al v. Agrium Incorporated, et al <b>Appeal From:</b> Northern District of Illinois, Eastern Division <b>Fee Status:</b> Paid	<b>Docketed:</b> 03/24/2010 <b>Termed:</b> 06/27/2012
<b>Case Type Information:</b> 1) civil 2) private 3) -	
<b>Originating Court Information:</b> <b>District:</b> 0752-1 : <a href="#">1:08-cv-06910</a> <b>Court Reporter:</b> Kathleen M. Fennell, Court Reporter <b>Trial Judge:</b> Ruben Castillo, District Court Judge <b>Date Filed:</b> 12/02/2008 <b>Date Order/Judgment:</b> 01/15/2010	
<b>Date NOA Filed:</b> 03/17/2010	
<b>Prior Cases:</b> None	
<b>Current Cases:</b> None	

MINN-CHEM, INCORPORATED Plaintiff - Appellee	J. Timothy Eaton, Attorney Direct: 312-836-4071 [ <b>COR LD NTC Retained</b> ] SHEFSKY & FROELICH, LTD. Suite 2800 111 E. Wacker Drive Chicago, IL 60601-0000  Steven A. Hart, Attorney Direct: 312-645-7800 [ <b>COR LD NTC Retained</b> ] SEGAL, MCCAMBRIDGE, SINGER & MAHONEY Suite 5500 233 S. Wacker Drive Chicago, IL 60606  Bruce L. Simon, Attorney Direct: 415-433-9000 [ <b>NTC Retained</b> ] PEARSON SIMON WARSHAW & PENNY LLP Suite 2450 44 Montgomery Street San Francisco, CA 94104
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v.

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MINN-CHEM, INCORPORATED, et al.,  
Plaintiffs - Appellees

v.

AGRIUM INCORPORATED, et al.,  
Defendants - Appellants

03/24/2010	<input type="checkbox"/> <a href="#">1</a> 152 pg, 2.49 MB	Private civil case docketed. Fee paid. Transcript information sheet due by 04/07/2010. Docketing Statement due for Appellant Agrium Incorporated, Appellant BPC Chicago, LLC, Appellant JSC Silvinit, Appellant JSC Uralkali, Appellant Mosaic Company and Appellant Potash Corporation of Saskatchewan, Incorporated by 03/24/2010. Appellant's brief due on or before 05/03/2010 for Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated. Record on Appeal from Northern District of Illinois, Eastern Division due by 04/15/2010. [1] [10-1712] (AD)
03/24/2010	<input type="checkbox"/>	Case transferred from Miscellaneous Docket No. 10-8007. [6208051-2] [10-1712] (AD)
03/24/2010	<input type="checkbox"/>	THIS CAUSE CONSISTS OF MORE THAN 5 PARTIES FOR EITHER SIDE. The following are those parties to this cause as reflected on the District Court docket, yet are not reflected on the Appellate docket/caption for administrative purposes: APPELLANTS: Agrium U.S. Inc., Mosaic Crop Nutrition, LLC, PCS Sales, Inc., JSC International Potash Company, JSC Belarusian Potash Company and APPELLEES: Kraft Chemical Company, Shannon D. Flinn and Westside Forestry Services, Inc. [6208055][6208055-1] [10-1712] (AD)
03/24/2010	<input type="checkbox"/> <a href="#">2</a> 27 pg, 834.05 KB	Motion filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated for an accelerated briefing schedule. [2] [10-1712] (ER)
03/26/2010	<input type="checkbox"/> <a href="#">3</a> 2 pg, 187.36 KB	Order issued GRANTING appellants' joint motion to set an accelerated briefing schedule. [2] Appellants' joint brief due on or before 04/16/2010. Appellee's' briefs due on or before 05/07/2010. Appellants' joint reply brief, if any, is due on or before 05/17/2010. Oral argument will be held during the week of June 1, 2010, and will be set by later court order. The parties are advised that the briefs must be received in the clerk's office and served on the opposing party by the specified dates and times. Fed. R. App. P. 25(a)(2)(B)(i) does not apply. No extensions of time will be granted. The clerk of this court shall distribute a copy of this order to the assigned merits panel. WLK [3] [10-1712] (KL)
03/26/2010	<input type="checkbox"/> <a href="#">4</a> 2 pg, 71.85 KB	Attorney Daniel E. Reidy for Potash Corporation of Saskatchewan, Incorporated. in 10-1712 terminated and added Attorney(s) Brian J. Murray for party(s) Appellant Potash Corporation of Saskatchewan, Incorporated, and PCS Sales Inc. in case 10-1712 per disclosure statement. Disclosure statement filed by Attorney(s) Brian J. Murray for party(s) Appellants Potash Corporation of Saskatchewan, Incorporated, and PCS Sales Inc. in case 10-1712. [10-1712]--[Edited 03/29/2010 by KH] (KH)
03/29/2010	<input type="checkbox"/> <a href="#">5</a> 2 pg, 22.39 KB	NOTICE: Attorney Bruce Simon for Appellees Minn-Chem, Incorporated, Gage's Fertilizer & Grain, Incorporated, Thomasville Feed & Seed, Incorporated and Direct Purchaser Plaintiffs will not be available for oral argument June 1 & 2, 2010. [6209181] [10-1712] (AB)
03/30/2010	<input type="checkbox"/> <a href="#">6</a> 1 pg, 63.64 KB	Filed Seventh Circuit Transcript Information Sheet by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated. [6209376][6] [10-1712] (FP)
03/30/2010	<input type="checkbox"/> <a href="#">7</a> 6 pg, 57.76 KB	Docketing statement filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated. [6209613][7] [10-1712] (FP)
04/06/2010	<input type="checkbox"/> <a href="#">8</a> 2 pg, 66.84 KB	Disclosure Statement filed by Attorney Duane M. Kelley for Appellant JSC Silvinit and JSC International Potash Company. [8] [10-1712] (AM)
04/06/2010	<input type="checkbox"/> <a href="#">11</a> 2 pg, 67.7 KB	Disclosure Statement filed by Attorney Thomas M. Buchanan for Appellant JSC Silvinit & JSC International Potash Company. [11] [10-1712] (MAN)
04/07/2010	<input type="checkbox"/> <a href="#">9</a> 4457 pg, 94.99 MB	Original record on appeal filed electronically. Contents of record: 10 vol. of pleadings. [9] [10-1712] (DP)
04/07/2010	<input type="checkbox"/> 10	Filed electronic transcript of proceedings held on 02/24/09, 04/23/09, 09/02/09, 11/17/09, 01/06/10, 03/04/10 and 03/23/10. [10] THIS TRANSCRIPT IS FOR INTERNAL COURT USE ONLY. Remote electronic access to the transcript is ONLY available through the District Court's PACER system. [10-1712] (DP)
04/08/2010	<input type="checkbox"/> <a href="#">12</a> 4 pg, 219.92 KB	Disclosure Statement filed by Attorneys Stephen M. Shapiro, Charles A. Rothfeld, Richard J. Favretto & Britt M. Miller for Appellant Mosaic Company and Mosaic Crop Nutrition, LLC. [12] [10-1712] (MAN)
04/08/2010	<input type="checkbox"/> <a href="#">13</a> 2 pg, 113.48 KB	Attorney Patrick M. Collins for Agrium Incorporated in 10-1712 terminated and added Attorney(s) Richard Parker for party(s) Appellant Agrium Incorporated, in case 10-1712 per disclosure statement. Disclosure statement filed by Attorney(s) Richard Parker & Patrick M. Collins for party(s) Appellant Agrium Incorporated, in case 10-1712. [10-1712] (MAN)

- 04/08/2010  [14](#) Attorney M. Elaine Johnston for BPC Chicago, LLC in 10-1712 terminated and added Attorney(s) Robert A. Milne for party(s) Appellant BPC Chicago, LLC, in case 10-1712 per disclosure statement. Disclosure statement filed by Attorney(s) Robert A. Milne, Jack E. Pace, III & Michael L. McCluggage for party(s) Appellant BPC Chicago, LLC & JSC Belarusian Potash Company, in case 10-1712. [10-1712] (MAN)  
3 pg, 181.57 KB
- 04/08/2010  [15](#) Disclosure Statement filed by Attorneys Jeffrey L. Kessler, Elizabeth M. Bradshaw, Eamon O'Kelly & A. Paul Victor for Appellant JSC Uralkali . [15] [10-1712] (MAN)  
4 pg, 208.02 KB
- 04/08/2010  [16](#) Disclosure Statement filed by Attorneys Paula S. Quist, Michael Sennett & Daniel E. Reidy for Appellant Potash Corporation of Saskatchewan, Incorporated & PCS Sales USA, Incorporated . [16] [10-1712] (MAN)  
6 pg, 200.48 KB
- 04/13/2010  [17](#) Disclosure Statement filed by Attorney Michael B. Kimberly for Appellant Mosaic Company and Mosaic Crop Nutrition, LLC. [17] [10-1712] (SM)  
1 pg, 57.91 KB
- 04/16/2010  [18](#) 15 copies Appellant's brief filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated. [6214533] [18] Disk Filed. [10-1712] (LB)  
115 pg, 381.04 KB
- 04/16/2010  19 Filed 10 copies Appendix by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated. [6214535] [10-1712] (LB)
- 04/21/2010  [20](#) Added Attorney J. Timothy Eaton for Appellees Minn-Chem, Incorporated, Gage's Fertilizer & Grain, Incorporated, Kraft Chemical Company, Shannon D. Flinn, Westside Forestry Services d/b/a Signature Lawn Care, and Thomasville Feed & Seed, Incorporated, in case 10-1712 per disclosure statement. Disclosure statement filed by Attorney J. Timothy Eaton for Appellees Minn-Chem, Incorporated, Gage's Fertilizer & Grain, Incorporated, Kraft Chemical Company, Shannon D. Flinn, Westside Forestry Services d/b/a Signature Lawn Care, and Thomasville Feed & Seed, Incorporated, in case 10-1712. [10-1712] (JLC)  
1 pg, 62.2 KB
- 05/05/2010  [21](#) Argument set for Thursday, June 3, 2010, at 9:30 a.m in the Main Courtroom, Room 2721. Each side limited to 20 minutes. [10-1712] (RS)  
2 pg, 80.64 KB
- 05/05/2010  [22](#) Disclosure Statement filed by Attorneys Marvin A. Miller, Paul F. Novak, Elizabeth McKenna, Lori A. Fanning, Beverly Tse, Craig Essenmacher & Matthew E. Van Tine for Indirect Purchasers, Plaintiff - Appellees (Kevin Gillespie, Gordon Tillman, Feyh Farms Company, William H. Coaker, Jr. & David Baier.) [22] [10-1712]--[Edited 05/25/2010 by JAD] (MAN)  
7 pg, 431.97 KB
- 05/05/2010  [24](#) Disclosure Statement filed by attorney Daniel Hume for Indirect Purchasers, Plaintiff - Appellees (Kevin Gillespie, Gordon Tillman, Feyh Farms Company, William H. Coaker, Jr. and David Baier.) [24] [10-1712]--[Edited 05/25/2010 by JAD] (AD)  
1 pg, 62.43 KB
- 05/06/2010  [23](#) Disclosure Statement filed by attorneys Christopher Lovell, Keith Essenmacher, Tyler W. Hudson and Eric D. Barton for Indirect Purchasers, Plaintiff - Appellees (Kevin Gillespie, Gordon Tillman, Feyh Farms Company, William H. Coaker, Jr. and David Baier.) [23] [10-1712]--[Edited 05/25/2010 by JAD] (AD)  
4 pg, 240.77 KB
- 05/07/2010  [25](#) 15 copies Appellee's brief filed by Appellee Indirect Purchasers. [6219492] [25] Electronically Transmitted--[Edited 05/07/2010 by LB]. [10-1712] (LB)  
80 pg, 256.72 KB
- 05/07/2010  [26](#) 15 copies Appellee's brief filed by Appellees Gage's Fertilizer & Grain, Incorporated, Minn-Chem, Incorporated and Thomasville Feed & Seed, Incorporated. [6219603] [26] Disk filed. [10-1712]--[Edited 05/10/2010 by LJ] (LJ)  
77 pg, 278.19 KB
- 05/10/2010  [27](#) Emergency motion filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali and Mosaic Company for enlargement of words permitted for their joint reply brief. [27] [10-1712] (CD)  
8 pg, 248.06 KB
- 05/10/2010  [28](#) Joint motion filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company, Potash Corporation of Saskatchewan, Incorporated and Appellees Direct Purchaser Plaintiffs, Gage's Fertilizer & Grain, Incorporated, Indirect Purchasers, Minn-Chem, Incorporated and Thomasville Feed & Seed, Incorporated to correct appellants typographical errors in their opening brief. [28] [10-1712] (FP)  
20 pg, 578.04 KB
- 05/10/2010  [29](#) Disclosure Statement filed by attorney Adam S. Davis for Kevin Gillespie, Gordon Tillman, Feyh Farms Company, William H. Coaker, Jr. and David Baier. [29] [10-1712] (FP)  
1 pg, 71 KB
- 05/12/2010  [30](#) ORDER re: 1) Appellants' Joint Motion to Correct Typographical Errors in Their Opening Brief [28]. 2) Appellants' Emergency Motion for Enlargement of Words Permitted for Their Joint Reply Brief [27]. #1 is GRANTED only to the extent that appellants may withdraw their opening brief, make only the changes identified in their motion, and refile the corrected brief by May 18, 2010. Appellants are reminded that no substantive changes to the brief are permitted. #2 is GRANTED. Appellants may file a reply brief containing up to 9,000 words. SCR [30] [10-1712] (MAN)  
2 pg, 236.05 KB

05/13/2010	<input type="checkbox"/> <a href="#">31</a> 189 pg, 4.44 MB	15 copies CORRECTED Appellant's brief filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated, per order. [6221621] [31] Disk Filed. [10-1712] (SP)
05/17/2010	<input type="checkbox"/> <a href="#">32</a> 52 pg, 276.31 KB	15 copies Appellant's reply brief filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated. Dist. [6221632] [32] Disk Filed. [10-1712]--[Edited 05/18/2010 by RS] (RS)
05/19/2010	<input type="checkbox"/> <a href="#">33</a> 2 pg, 274.68 KB	Disclosure Statement filed by attorney Christopher Lovell for indirect plaintiffs Kevin Gillespie, Gordon Tillman, Feyh Farms Company, William Coaker, Jr., and David Baier. [33] [10-1712] (KL)
05/26/2010	<input type="checkbox"/>	Received argument confirmation per argument card for Attorney Stephen M. Shapiro for Appellant Mosaic Company. [6223976-1] [10-1712] (LJ)
05/26/2010	<input type="checkbox"/>	Received argument confirmation per argument card for Bruce L. Simon for Minn-Chem, Incorporated Indirect Purchasers Direct Purchaser Plaintiffs Gage's Fertilizer & Grain, Incorporated Thomasville Feed & Seed, Incorporated, in case 10-1712 [6223981-1] [10-1712] (LJ)
06/02/2010	<input type="checkbox"/>	Received argument confirmation per argument card for Marvin A. Miller for Kevin Gillespie, Gordon Tillman, Feyh Farms Company, a privately held Kansas corporation; william H. Coaker, Jr and David Baier , in case 10-1712 [6225221-1] [10-1712] (LJ)
06/03/2010	<input type="checkbox"/> 34	Case heard and taken under advisement by panel: Daniel A. Manion, Circuit Judge; Terence T. Evans, Circuit Judge and Diane S. Sykes, Circuit Judge. [6225945] [10-1712] (SP)
06/03/2010	<input type="checkbox"/> 35	Case argued by Stephen M. Shapiro for Appellant Mosaic Company and Bruce L. Simon for Appellees Minn-Chem, Incorporated, Gage's Fertilizer & Grain, Incorporated, Indirect Purchasers, Thomasville Feed & Seed, Incorporated and Direct Purchaser Plaintiffs. [6225946] [10-1712] (SP)
07/01/2010	<input type="checkbox"/> <a href="#">36</a> 44 pg, 408.97 KB	Filed Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated Citation of Additional Authority, per Circuit Rule 28(e). Dist [36] [6232946] [10-1712] (RS)
07/06/2010	<input type="checkbox"/> <a href="#">37</a> 4 pg, 46.82 KB	Filed Appellees Direct Purchaser Plaintiffs, Gage's Fertilizer & Grain, Incorporated, Indirect Purchasers, Minn-Chem, Incorporated and Thomasville Feed & Seed, Incorporated Citation of Additional Authority, per Circuit Rule 28(e). Dist [37] [6233334] [10-1712] (RS)
01/11/2011	<input type="checkbox"/> <a href="#">38</a> 17 pg, 724.36 KB	Filed Appellees Direct Purchaser Plaintiffs, Gage's Fertilizer & Grain, Incorporated, Indirect Purchasers, Minn-Chem, Incorporated and Thomasville Feed & Seed, Incorporated Citation of Additional Authority, per Circuit Rule 28(e). Dist [38] [6278545] [10-1712] (RS)
01/13/2011	<input type="checkbox"/> <a href="#">39</a> 2 pg, 96.62 KB	Filed Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated Citation of Additional Authority, per Circuit Rule 28(e). Dist [39] [6279230] [10-1712] (RS)
03/22/2011	<input type="checkbox"/> <a href="#">40</a> 38 pg, 1.81 MB	Emergency motion filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated to stay district court proceedings pending resolution of the appeal. [6295510] [10-1712] (FP)
03/23/2011	<input type="checkbox"/> <a href="#">41</a> 1 pg, 89.56 KB	Order issued GRANTING motion for stay of proceedings. District court proceedings shall be stayed pending resolution of this appeal. [40] SCR [41] [6295695] [10-1712] (AM)
08/25/2011	<input type="checkbox"/> <a href="#">42</a> 23 pg, 731.14 KB	Filed Appellees Gage's Fertilizer & Grain, Incorporated, Minn-Chem, Incorporated and Thomasville Feed & Seed, Incorporated Citation of Additional Authority, per Circuit Rule 28(e). [42] [6332704] [10-1712] (Eaton, J.)
08/26/2011	<input type="checkbox"/> <a href="#">43</a> 1 pg, 17.92 KB	Filed Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated Citation of Additional Authority, per Circuit Rule 28(e). [43] [6333017] [10-1712] (Shapiro, Stephen)
09/23/2011	<input type="checkbox"/> <a href="#">44</a> 27 pg, 185.84 KB	Filed opinion of the court by Judge Sykes. We VACATE the district court's order denying the defendants' motion to dismiss and REMAND with instructions to dismiss the plaintiffs' Sherman Act claim. Daniel A. Manion, Circuit Judge; Terence T. Evans*, Circuit Judge and Diane S. Sykes, Circuit Judge. (*Circuit Judge Terence T. Evans died on August 10, 2011, and did not participate in the decision of this case, which is being resolved by a quorum of the panel under 28 U.S.C. 46(d).) [44] [6339918] [10-1712] (SM)
09/23/2011	<input type="checkbox"/> <a href="#">45</a> 1 pg, 98.66 KB	ORDER: Final judgment filed per opinion. Each side to bear its own costs. [45] [6339922] [10-1712] (SM)
10/07/2011	<input type="checkbox"/> <a href="#">46</a> 45 pg, 250.86 KB	Submitted petition for rehearing en banc by J. Timothy Eaton for Appellees Direct Purchaser Plaintiffs, Gage's Fertilizer & Grain, Incorporated, Minn-Chem, Incorporated and Thomasville Feed & Seed, Incorporated. [46] [6343997] [10-1712] (Eaton, J.)



- 10/07/2011  [47](#) Filed Petition for Rehearing and Petition for Rehearing Enbanc by Appellees Direct Purchaser Plaintiffs, Gage's Fertilizer & Grain, Incorporated, Indirect Purchasers, Minn-Chem, Incorporated and Thomasville Feed & Seed, Incorporated. [47] [6344033] Paper copies due on 10/11/2011. [10-1712] (RS)  
45 pg, 323.7 KB
- 10/07/2011  [48](#) Motion filed by Appellee Indirect Purchasers Motion to Join the Petition for Rehearing Filed by the Direct Purchaser Plaintiffs-Appellees and to Adopt Their Arguments in Support of Rehearing En Banc. [6344047] [10-1712] (Miller, Marvin)  
5 pg, 100.9 KB
- 10/07/2011  [49](#) Disclosure Statements filed by Attorneys Marvin A. Miller, Matthew E. Van Tine, Lori A. Fanning, Christopher Lovell, Gary S. Jacobson, Craig Essenmacher, Keith Essenmacher, Eric D. Barton, Tayler W. Hudson, Adam S. Davis, Daniel Hume, Beverly Tse, Paul F. Novak, Elizabeth McKenna for Appellee Indirect Purchasers. [49] [6344053] [10-1712]--[Edited 10/11/2011 by FP to add Attorneys Christopher P. Lovell & Marvin A. Miller Appellee Indirect Purchasers, in case 10-1712 per disclosure statement.] (Miller, Marvin)  
15 pg, 219.36 KB
- 10/07/2011  [50](#) Submitted brief by Anita Poole-Endsley for amicus Organization For Competitive Markets. Federal or state filer (consent unnecessary). [50] [6344057] [10-1712] (Poole-Endsley, Anita)  
7 pg, 96.37 KB
- 10/07/2011  [51](#) Filed Non-Party Motion of the American Antitrust Institute for Leave to File Brief as Amicus Curiae Supporting Appellees' Petition for Rehearing En Banc by American Antitrust Institute. [6344093] [10-1712] (Brunell, Richard)  
23 pg, 377.78 KB
- 10/10/2011  [52](#) Motion filed by Organization For Competitive Markets to file Motion For Leave to File Brief. [6344121] [10-1712] (Poole-Endsley, Anita)  
5 pg, 120.72 KB
- 10/12/2011  [53](#) Order re: 1) Indirect Purchaser Plaintiffs-appellees' Motion to Join the Petition for Rehearing En Banc Filed by the Direct Purchaser Plaintiffs-appellees and to Adopt Their Arguments in Support of Rehearing En Banc. 2) Motion of the American Antitrust Institute for Leave to File Brief as Amicus Curiae Supporting Appellees' Petition for Rehearing En Banc. 3) Motion of the Organization for Competitive Markets for Leave to File Brief as Amicus Curiae Supporting Appellees' Petition for Rehearing En Banc. #1 is GRANTED. The indirect purchaser plaintiffs-appellees may join the Petition for Rehearing filed on October 7, 2011, by the direct purchaser plaintiffs-appellees. Further, #2 is GRANTED. The clerk of this court shall file and distribute the American Antitrust Institute's brief as amicus curiae in support of the Petition for Rehearing. The clerk of this court shall also distribute a copy of this order en banc. Finally, #3 is DENIED. [48] [51] [52] SCR [6344575] [10-1712] (AD)  
2 pg, 101.36 KB
- 10/12/2011  [54](#) Amicus brief filed by Amicus Curiae American Antitrust Institute per order. Paper copies due on 10/17/2011. Electronically Transmitted. [6344905] [10-1712] (SMP)  
19 pg, 273 KB
- 10/19/2011  [55](#) Sent clerk's copy of request to Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated requesting 30 copies of their answer to the Petition for Rehearing and Petition for Rehearing Enbanc filed by Appellees Direct Purchaser Plaintiffs, Gage's Fertilizer & Grain, Incorporated, Indirect Purchasers, Minn-Chem, Incorporated and Thomasville Feed & Seed, Incorporated on 10/07/2011. Answer to Petition for Rehearing due for Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company, Potash Corporation of Saskatchewan, Incorporated by 11/02/2011. [55] [6346400] [10-1712] (AM)  
1 pg, 99.62 KB
- 11/02/2011  [56](#) Submitted answer to petition for rehearing enbanc by Stephen M. Shapiro for Appellant Mosaic Company. [56] [6350151] [10-1712] (Shapiro, Stephen)  
47 pg, 425.46 KB
- 11/02/2011  [57](#) Filed Answer to Petition for Rehearing and Petition for Rehearing Enbanc by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated. [57] [6350261] Paper copies due on 11/07/2011. [10-1712] (SP)  
47 pg, 425.93 KB
- 12/02/2011  [58](#) ORDER: The petition for rehearing en banc is GRANTED. The panel's opinion and judgment previously issued on September 23, 2011, are VACATED. Oral argument will be set by the court at a date to be determined. [6356393] [57] [10-1712] (FP)  
2 pg, 130.73 KB
- 12/06/2011  [59](#) En Banc Argument set for Wednesday, February 8, 2012, at 2:00 p.m. in the Ceremonial Courtroom, Room 2525. Each side limited to 30 minutes. [59] [6357022] [10-1712] (AB)  
4 pg, 137.82 KB
- 12/08/2011  [60](#) The Court, having granted the Petition for Rehearing Enbanc, requests that counsel resubmit 30 copies of all briefs, appendices and citations of authority to the Clerks Office. Paper copies due on 12/15/2011. [60] [6357883] [10-1712] (GW)  
1 pg, 180.11 KB
- 01/10/2012  [61](#) Received argument confirmation from J. Timothy Eaton for Appellees Direct Purchaser Plaintiffs, Gage's Fertilizer & Grain, Incorporated, Indirect Purchasers, Minn-Chem, Incorporated and Thomasville Feed & Seed, Incorporated. [61] [6365120] [10-1712] (Eaton, J.)  
2 pg, 62.12 KB
- 01/12/2012  [62](#) Non-Party motion filed by The United States and the Federal Trade Commission to file an amicus brief on rehearing en banc. [6366047] [10-1712] (Levin, Nickolai)  
42 pg, 178.95 KB

01/18/2012	<a href="#">63</a> 1 pg, 88.59 KB	Instant order issued GRANTING to file an amicus brief on rehearing en banc. The clerk of this court shall file the tendered amicus brief by the United States and the Federal Trade Commission INSTANTER and distribute it to the en banc panel. [62]. SCR [63] [6367214] [10-1712] (ER)
01/18/2012	<a href="#">64</a> 38 pg, 131.45 KB	Filed Brief for the USA and FTC as Amici Curiae in support of neither party on Rehearing En Banc, per order. [64] [6367710] Paper copies due on 01/23/2012. [10-1712]--[Edited 01/19/2012 by JAD] (RS)
01/19/2012	<a href="#">65</a> 2 pg, 9.33 KB	Appearance form filed by Attorney Catherine G. O'Sullivan, Robert B. Nicholson, James J. Fredricks, Nickolai G. Levin, and Kristen C. Limarzi for Amicus Curiae USA. [65] [6367756] [10-1712] (Levin, Nickolai)
01/26/2012	<a href="#">66</a> 42 pg, 223.54 KB	Motion filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated to file Supplemental Brief in Response to Amicus Brief of United States and Federal Trade Commission. [6369525] [10-1712] (Shapiro, Stephen)
01/26/2012	<a href="#">67</a> 1 pg, 102.2 KB	Instant order issued GRANTING motion of appellants to file supplemental brief in response to amicus brief of United States and Federal Trade Commission. The clerk of this court shall file appellants' tendered supplemental brief INSTANTER and distribute it to the en banc panel. [66] SCR [67] [6369602] [10-1712] (CD)
01/26/2012	<a href="#">68</a> 37 pg, 169.16 KB	Supplemental brief filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated. per order... Paper copies due on 02/02/2012. Electronically Transmitted. [6369649] [10-1712] (RS)
01/31/2012	<a href="#">69</a> 2 pg, 81.3 KB	Received argument confirmation from Charles A. Rothfeld for Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated. [69] [6370883] [10-1712] (Rothfeld, Charles)
02/01/2012	<a href="#">70</a> 3 pg, 42.05 KB	Amended Disclosure Statement filed by Attorney Robert A. Milne, Jack E. Pace III, Michael L. McCluggage for Appellant BPC Chicago, LLC. for JSC Belarusian Potash Company. [70] [6370986] [10-1712] (Milne, Robert)
02/08/2012	<a href="#">71</a>	Case heard and taken under advisement by panel: Frank H. Easterbrook, Chief Judge; Richard A. Posner, Circuit Judge; Daniel A. Manion, Circuit Judge; Michael S. Kanne, Circuit Judge; Diane P. Wood, Circuit Judge; Diane S. Sykes, Circuit Judge; John Daniel Tinder, Circuit Judge and David F. Hamilton, Circuit Judge. [71] [6373045] [10-1712] (SP)
02/08/2012	<a href="#">72</a>	Case argued by Mr. Charles A. Rothfeld for Appellant Mosaic Company and Bruce L. Simon for Appellees Minn-Chem, Incorporated, Gage's Fertilizer & Grain, Incorporated, Indirect Purchasers, Thomasville Feed & Seed, Incorporated and Direct Purchaser Plaintiffs. [72] [6373050] [10-1712] (SP)
06/27/2012	<a href="#">73</a> 32 pg, 177.59 KB	Filed opinion of the court by Judge Wood. AFFIRMED. Frank H. Easterbrook, Chief Judge; Richard A. Posner, Circuit Judge; Daniel A. Manion, Circuit Judge; Michael S. Kanne, Circuit Judge; Diane P. Wood, Circuit Judge; Diane S. Sykes, Circuit Judge; John Daniel Tinder, Circuit Judge and David F. Hamilton, Circuit Judge*. * Circuit Judges Flaum, Rovner, and Williams took no part in the consideration or decision of this case. [73] [6408653] [10-1712] (AD)
06/27/2012	<a href="#">74</a> 1 pg, 99.91 KB	ORDER: Final judgment filed per opinion. With costs: yes. [74] [6408658] [10-1712] (AD)
07/03/2012	<a href="#">75</a> 17 pg, 96.64 KB	Motion filed by Appellants Agrium Incorporated, BPC Chicago, LLC, JSC Silvinit, JSC Uralkali, Mosaic Company and Potash Corporation of Saskatchewan, Incorporated Defendants-Appellants' Motion for Stay of Mandate Pending the Filing of a Petition for Certiorari. [6410235] [10-1712] (Shapiro, Stephen)

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