

General Docket
Third Circuit Court of Appeals

Court of Appeals Docket #: 16-1345 Nature of Suit: 3410 Antitrust Valspar Corp, et al v. E I Du Pont De Nemours & Co Appeal From: United States District Court for the District of Delaware Fee Status: Paid	Docketed: 02/22/2016 Termed: 09/14/2017			
Case Type Information: 1) civil 2) private 3) Federal question				
Originating Court Information: District: 0311-1 : 1-14-cv-00527 Court Reporter: Leonard A. Dibbs Trial Judge: Richard G. Andrews, U.S. District Judge Date Filed: 04/24/2014 <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Date Order/Judgment: 01/25/2016</td> <td style="width: 33%; text-align: center;">Date Order/Judgment EOD: 01/25/2016</td> <td style="width: 33%; text-align: right;">Date NOA Filed: 02/16/2016</td> </tr> </table>		Date Order/Judgment: 01/25/2016	Date Order/Judgment EOD: 01/25/2016	Date NOA Filed: 02/16/2016
Date Order/Judgment: 01/25/2016	Date Order/Judgment EOD: 01/25/2016	Date NOA Filed: 02/16/2016		
Prior Cases: None				
Current Cases: None				

VALSPAR CORP Plaintiff - Appellant	<p>Frederick L. Cottrell, III, Esq. Direct: 302-651-7509 Email: cottrell@rlf.com Fax: 302-651-7701 [Retained] Richards Layton & Finger 920 North King Street One Rodney Square Wilmington, DE 19801</p> <p>John C. Eckman, Esq. Email: jekman@lindquist.com [Retained] Lindquist & Venum 80 South 8th Street 2000 IDS Center Minneapolis, MN 55402</p> <p>James M. Lockhart, Esq. Direct: 612-371-3953 Email: jlockhart@lindquist.com Fax: 612-371-3207 [COR NTC Retained] Lindquist & Venum 80 South 8th Street 2000 IDS Center Minneapolis, MN 55402</p> <p>James P. McCarthy, Esq. Email: jmccarthy@lindquist.com [Retained] Lindquist & Venum 80 South 8th Street 2000 IDS Center Minneapolis, MN 55402</p> <p>Jessica L. Meyer, Esq. Email: jmeyer@lindquist.com [Retained] Lindquist & Venum 80 South 8th Street 2000 IDS Center Minneapolis, MN 55402</p>
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v.

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VALSPAR CORPORATION; VALSPAR SOURCING, INC.,

Appellant















v.












E. I. DU PONT DE NEMOURS AND COMPANY

02/22/2016	<input type="checkbox"/>	CIVIL CASE DOCKETED. Notice filed by Appellants Valspar Corp. and Valspar Sourcing Inc. in District Court No. 1-14-cv-00527. (DW) 37 pg, 5.65 MB
02/22/2016	<input type="checkbox"/>	RECORD available on District Court CM/ECF. (DW)
03/07/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from James M. Lockhart on behalf of Appellant(s) The Valspar Corporation and Valspar Sourcing, Inc.. (JML) 1 pg, 64.78 KB
03/07/2016	<input type="checkbox"/>	ECF FILER: Concise Summary of the Case filed by Appellants Valspar Corp and Valspar Sourcing Inc, received. (JML) 94 pg, 4.64 MB
03/07/2016	<input type="checkbox"/>	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellant Valspar Corp, filed. (JML) 1 pg, 6.83 KB
03/07/2016	<input type="checkbox"/>	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellant Valspar Sourcing Inc, filed. (JML) 1 pg, 6.77 KB
03/07/2016	<input type="checkbox"/>	ECF FILER: CIVIL INFORMATION STATEMENT on behalf of Appellants Valspar Corp and Valspar Sourcing Inc, filed. (JML) 2 pg, 146.91 KB
03/07/2016	<input type="checkbox"/>	ECF FILER: Transcript Purchase Order Form (Part 1) filed by Appellants Valspar Corp and Valspar Sourcing Inc advising this court that transcripts are already on file in the District Court.(---Document removed, corrected transcript purchase order form filed on 03/07/2016---)[Edited 03/07/2016 by DW] (JML)
03/07/2016	<input type="checkbox"/>	ECF FILER: CORRECTED Transcript Purchase Order Form (Part 1) filed by Appellants Valspar Corp and Valspar Sourcing Inc advising this court that transcripts are already on file in the District Court.--[Edited 03/07/2016 by DW] (JML) 1 pg, 230.11 KB
03/07/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from John A. Sensing on behalf of Appellee(s) E. I. du Pont de Nemours and Company. (JAS) 1 pg, 488.81 KB
03/09/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Kathleen Furey McDonough on behalf of Appellee(s) E. I. du Pont de Nemours and Company. (KFM) 1 pg, 110.47 KB
03/09/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Shari Ross Lahlou on behalf of Appellee(s) E.I. du Pont de Nemours & Co.. (SRL) 2 pg, 699.84 KB
03/09/2016	<input type="checkbox"/>	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellee EI DuPont de Nemours & Co, filed. (SRL) 3 pg, 632.96 KB
03/11/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Joshua Stokes on behalf of Respondent(s) E.I. du Pont de Nemours & Co.(--WITHDRAWN as of May 26, 2016---) (JCS) 2 pg, 202.85 KB
03/11/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Joshua Stokes on behalf of Respondent(s) E.I. su Pont de Nemours & Co.(---Document removed, duplicate of appearance form filed on 03/11/2016---) (JCS)
03/11/2016	<input type="checkbox"/>	Notice to Counsel. The attached document is restricted. To view document, click on the document number link in the NDA (Notice of Docket Activity). In order to access this document, you must be the attorney of record using your individual ECF login and password. (TNH) 0 pg, 0 KB
05/10/2016	<input type="checkbox"/>	BRIEFING NOTICE ISSUED. Brief on behalf of Appellants Valspar Corp and Valspar Sourcing Inc due on or before 06/20/2016. Appendix due on or before 06/20/2016. (DW) 3 pg, 135 KB
05/19/2016	<input type="checkbox"/>	ECF FILER: JOINT Motion filed by Appellants Valspar Corp and Valspar Sourcing Inc for Extension of Time to file Appellant's Brief and Appellee's brief until/for Appellant's brief - July 15, 2016; Appellee's brief - 45 days after service of Appellant's brief. Certificate of Service dated 05/19/2016. (JML) 3 pg, 186.12 KB
05/19/2016	<input type="checkbox"/>	ECF FILER: JOINT Motion to Submit a Deferred Joint Appendix filed by Appellants Valspar Corp, Valspar Sourcing Inc and Appellee EI DuPont de Nemours & Co. Certificate of Service dated 05/19/2016.--[Edited 05/19/2016 by DW] (JML) 3 pg, 190.75 KB
05/25/2016	<input type="checkbox"/>	ORDER (Clerk) The foregoing motions are considered. The parties' joint motion for enlargement of time to file their briefs is construed as a joint motion to modify the briefing schedule. So construed, the motion is granted. The briefing schedule is hereby modified as follows: Appellants' brief must be filed and served on or before July 15, 2016. Appellee's brief must be filed and served within forty-five (45) days of service of Appellants' brief. Appellant's' reply brief, if any, must be filed and served within fourteen (14) days of service of Appellee's brief. The parties' joint motion to submit a deferred joint motion is granted. The deferred joint appendix must be filed within twenty-one (21) days after service of Appellee's brief. Briefs filed in accordance with the modified briefing schedule and before the filing of the deferred appendix should be designated as "PROOF" briefs and filed in electronic format only. The parties must then electronically file final briefs containing references to the appendix within

		fourteen (14) days from the date the appendix is filed. See Fed. R. App. P. 30 (c) 2)(B). Seven (7) hard copies of the final briefs and four(4) hard copies of the appendix must be delivered to the Clerk's Office within (5) days of the electronic filing of the final briefs., filed. (DW)
05/26/2016	<input type="checkbox"/>	ECF FILER: Withdraw of Appearance by Joshua C. Stokes on behalf of Appellee EI DuPont de Nemours & Co. Certificate of Service dated 05/26/2016. (JCS)
	2 pg, 119.04 KB	
07/15/2016	<input type="checkbox"/>	ECF FILER: JOINT Motion filed by Appellants Valspar Corp and Valspar Sourcing Inc to seal Briefs, Defered Appendix and Related Documents. Certificate of Service dated 07/15/2016. (SEND TO MERITS) (JML)
	3 pg, 135.64 KB	
07/15/2016	<input type="checkbox"/>	ECF FILER: SEALED ELECTRONIC PROOF BRIEF on behalf of Appellants Valspar Corp and Valspar Sourcing Inc, filed. Certificate of Service dated 07/15/2016 by ECF. (JML)
	0 pg, 0 KB	
07/18/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Benjamin Wastler on behalf of Appellee(s) E.I. du Pond de Nemours & Co.. (BCW)
	2 pg, 128.91 KB	
07/19/2016	<input type="checkbox"/>	ORDER (Clerk) The foregoing motion is referred to the merits panel. The parties' briefs, deferred appendix, and confidential documents will be held provisionally under seal pending disposition of the motion by the panel. All parties are directed to use the CM/ECF events preceded by the word SEALED whenever filing the above referenced documents or any documents which may contain sealed material. (DW)
	1 pg, 72.73 KB	
07/22/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Richard M. Brunell on behalf of Amicus Curiae American Antitrust Institute. (RMB)
	2 pg, 808.29 KB	
07/22/2016	<input type="checkbox"/>	ECF FILER: Motion filed by American Antitrust Institute to proceed as Amicus Curiae in support of Appellant/Petitioner. Certificate of Service dated 07/22/2016. (RMB)
	6 pg, 101.01 KB	
07/22/2016	<input type="checkbox"/>	ECF FILER: ELECTRONIC AMICUS/INTERVENOR BRIEF on behalf of American Antitrust Institute in support of Appellant/Petitioner, filed. Certificate of Service dated 07/22/2016 by ECF. F.R.A.P. 29 (a) Permission: NO. (RMB)
	35 pg, 243.9 KB	
07/27/2016	<input type="checkbox"/>	HARD COPY RECEIVED from Proposed Amicus-Appellant American Antitrust Institute - Amicus Brief. Copies: 7. (RM)
08/04/2016	<input type="checkbox"/>	ECF FILER: Response filed by Appellee EI DuPont de Nemours & Co to Motion to proceed as amicus/intervenor. Certificate of Service dated 08/04/2016. (SRL)
	9 pg, 149.14 KB	
08/09/2016	<input type="checkbox"/>	ORDER (SHWARTZ, Circuit Judge) The foregoing Motion by American Antitrust Institute to proceed as Amicus Curiae in support of Appellant/Petitioner is granted, filed. Judge: SHWARTZ, Authoring. (EMA)
	1 pg, 6.15 KB	
08/24/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Randa Adra on behalf of Appellee(s) E.I. du Pont de Nemours & Co.. (RA)
	2 pg, 173.9 KB	
08/29/2016	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Clifton S. Elgarten on behalf of Appellee(s) E.I. du Pont de Nemours & Co.. (CSE)
	2 pg, 124.44 KB	
08/29/2016	<input type="checkbox"/>	ECF FILER: SEALED ELECTRONIC PROOF BRIEF on behalf of Appellee EI DuPont de Nemours & Co, filed. Certificate of Service dated 08/29/2016 by ECF. (SRL)
	0 pg, 0 KB	
09/12/2016	<input type="checkbox"/>	ECF FILER: SEALED ELECTRONIC PROOF REPLY BRIEF on behalf of Appellants Valspar Corp and Valspar Sourcing Inc, filed. Certificate of Service dated 09/12/2016 by ECF. (JML)
	0 pg, 0 KB	
09/19/2016	<input type="checkbox"/>	ECF FILER: SEALED ELECTRONIC JOINT APPENDIX VOLUMES I - XIV on behalf of Appellants Valspar Corp and Valspar Sourcing Inc, filed. Certificate of Service dated 09/19/2016 by ECF. --[Edited 09/26/2016 by EAF - text edited to specify volume; Volume VII removed as it has been correctly re-filed as of 10/3/16] (JML)
	0 pg, 0 KB	
09/30/2016	<input type="checkbox"/>	ECF FILER: LETTER from Attorney Shari R. Lahlou, Esq. for Appellee EI DuPont de Nemours & Co. Counsel is unavailable from 12/05/2016 through 12/21/2016. (SRL)
	0 pg, 0 KB	
10/03/2016	<input type="checkbox"/>	ECF FILER: LETTER from James M. Lockhart, Esq. for Appellants Valspar Corp and Valspar Sourcing Inc and James P. McCarthy, Esq. for Appellant Valspar Corp. Counsel is unavailable for the following dates: 12/05/2016, 12/06/2016, (JML)
10/03/2016	<input type="checkbox"/>	ECF FILER: LETTER from Attorney James M. Lockhart, Esq. for Appellants Valspar Corp and Valspar Sourcing Inc filing of corrected Volume VII of Joint Appendix. Certificate of Service dated 10/03/2016. (JML)
	1 pg, 135.46 KB	
10/03/2016	<input type="checkbox"/>	ECF FILER: SEALED CORRECTED ELECTRONIC JOINT APPENDIX VOLUME VII on behalf of Appellants Valspar Corp and Valspar Sourcing Inc, filed. Certificate of Service dated 10/03/2016 by ECF. --[Edited 10/06/2016 by EAF - Text edited to specify volume] (JML)
	0 pg, 0 KB	

10/03/2016	<input type="checkbox"/>	ECF FILER: LETTER/ERRATA from Attorney James M. Lockhart, Esq. for Appellants Valspar Corp and Valspar Sourcing Inc advising of correction made in Appellant's reply brief. Certificate of Service dated 10/03/2016. --[Edited 10/06/2016 by EAF - SEND TO MERITS PANEL] (JML)
10/03/2016	<input type="checkbox"/>	ECF FILER: SEALED ELECTRONIC BRIEF with Volume I of Appendix attached on behalf of Appellants Valspar Corp and Valspar Sourcing Inc, filed. Certificate of Service dated 10/03/2016 by ECF. (JML)
10/03/2016	<input type="checkbox"/>	ECF FILER: SEALED ELECTRONIC REPLY BRIEF on behalf of Appellants Valspar Corp and Valspar Sourcing Inc, filed. Certificate of Service dated 10/03/2016 by ECF. (JML)
10/03/2016	<input type="checkbox"/>	ECF FILER: SEALED ELECTRONIC BRIEF on behalf of Appellee EI DuPont de Nemours & Co, filed. Certificate of Service dated 10/03/2016 by ECF. (SRL)
10/06/2016	<input type="checkbox"/>	NON COMPLIANCE Order issued to Appellants Valspar Corp and Valspar Sourcing Inc regarding the Sealed Opening Brief and Reply Brief filed on 10/03/2016. Please open the attachment for the full text of the Order. Compliance due by 10/11/2016. This Order does not change the deadline for filing the next brief. (EAF)
10/07/2016	<input type="checkbox"/>	ECF FILER: ELECTRONIC ADDENDUM to BRIEF on behalf of Appellants Valspar Corp and Valspar Sourcing Inc containing Addendum to Appellants' Opening and Reply Briefs, filed. Certificate of Service dated 10/07/2016 by ECF. (JML)
10/07/2016	<input type="checkbox"/>	HARD COPY RECEIVED from Appellee EI DuPont de Nemours & Co - SEALED Brief. Copies: 7. (RM)
10/07/2016	<input type="checkbox"/>	COMPLIANCE RECEIVED. Addendum to Opening and Reply Brief(s) including identical certification received from Appellants Valspar Corp and Valspar Sourcing Inc. (EAF)
10/11/2016	<input type="checkbox"/>	HARD COPY RECEIVED from Appellants Valspar Corp and Valspar Sourcing Inc - Brief with Volume I of Appendix attached. Copies: 7 (FILED UNDER SEAL) (SJB)
10/11/2016	<input type="checkbox"/>	HARD COPY RECEIVED from Appellants Valspar Corp and Valspar Sourcing Inc - Reply Brief. Copies: 7 (FILED UNDER SEAL) (SJB)
10/11/2016	<input type="checkbox"/>	HARD COPY RECEIVED from Appellants Valspar Corp and Valspar Sourcing Inc - Joint Appendix. Copies: 4. Volumes: 14 (Volume I attached to Brief). (EAF)
11/09/2016	<input type="checkbox"/>	ECF FILER: LETTER from Attorney Shari R. Lahlou, Esq. for Appellee EI DuPont de Nemours & Co. Counsel is unavailable for the following dates: 01/17/2017, 01/18/2017, 01/19/2017, 01/20/2017, (SRL)
01/18/2017	<input type="checkbox"/>	Calendared for Friday, 03/10/2017. Calendar Clerk: PM. (PM)
01/23/2017	<input type="checkbox"/>	ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Shari R. Lahlou, Esq. for Appellee EI DuPont de Nemours & Co. Certificate of Service dated 01/23/2017. Service made by ECF. (SRL)
01/24/2017	<input type="checkbox"/>	ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney James M. Lockhart, Esq. for Appellants Valspar Corp and Valspar Sourcing Inc. Certificate of Service dated 01/24/2016. Service made by ECF. (JML)
02/27/2017	<input type="checkbox"/>	Oral Argument Notification for Thursday, 03/09/2017. Courtroom & Time: Maris Courtroom / 9:30am. Location: Philadelphia, PA. (PM)
02/27/2017	<input type="checkbox"/>	ORDER (HARDIMAN, KRAUSE and STENGEL, Circuit Judges) Pursuant to Third Circuit Local Appellate Rule 106.1(a), a party filing a motion to seal should consider redacting and seeking the sealing of a separate supplemental filing "[r]ather than automatically requesting the sealing of an entire brief, motion, or other filing." 3d Cir. L.A.R. 106.1(a). This comports with the well-settled public right of access to judicial proceedings that creates a strong presumption against sealing a judicial record. See <i>In re Cendant Corp.</i> , 260 F.3d 183, 192 (3d Cir. 2001). Here, in view of the redacted versions of documents that the parties filed in the District Court and the information made publicly available through the District of Delaware and the District of Maryland's summary judgment opinions, see <i>Valspar Corp. v. E.I. Du Pont De Nemours</i> , 152 F. Supp. 3d 234 (D. Del. 2016); <i>In re Titanium Dioxide Antitrust Litig.</i> , 959 F. Supp. 2d 799 (D. Md. 2013), the parties have not met their burden to demonstrate that sealing of the entirety of their briefs, appendices, and related documents is necessary. The Joint Motion by Parties for Leave to File Briefs, Deferred Appendix and Other Confidential Documents Under Seal is therefore denied without prejudice to renewal upon a satisfactory showing in compliance with Rule 106.1(a). To the extent Appellants elect to seek the sealing of portions, rather than the entirety of the briefs, appendices, and other documents, that showing shall be accompanied by a proposed redacted version of the documents, and a separate sealed filing if necessary for the Court's consideration. Any such renewed motion should be filed within 30 days from the date of this order. The briefs, appendices, and related documents will continue to be sealed provisionally pending the latter of the expiration of this period or this Court's disposition of any renewed motion to seal that is filed in the interim, filed. Hardiman, Authoring Judge. (DW)

03/06/2017	<input type="checkbox"/>	ECF FILER: SUMMARY OF ORAL ARGUMENT submitted by Attorney Shari R. Lahlou, Esq. for Appellee EI DuPont de Nemours & Co. Case Summary: Whether the District Court properly granted summary judgment because plaintiffs-appellants failed to produce evidence that tends to exclude the possibility that defendant-appellee acted independently.. Post Video: YES. (SRL)
03/06/2017	<input type="checkbox"/>	ECF FILER: SUMMARY OF ORAL ARGUMENT submitted by Attorney James M. Lockhart, Esq. for Appellants Valspar Corp and Valspar Sourcing Inc. Case Summary: At issue is whether the District of Delaware erred in holding that Valspar did not present sufficient evidence to support its price-fixing claim, when the District of Maryland denied summary judgment based upon a nearly identical record in a prior action.. Post Video: YES. (JML)
03/09/2017	<input type="checkbox"/>	ARGUED on Thursday, March 09, 2017. Panel: HARDIMAN, KRAUSE, Circuit Judges and STENGEL, District Judge. Shari R. Lahlou arguing for Appellee EI DuPont de Nemours & Co; James M. Lockhart arguing for Appellant Valspar Corp. (PM)
03/09/2017	<input type="checkbox"/> 	COURT MINUTES OF ARGUED/SUBMITTED CASES. [16-1345, 14-4245, 16-1170, 16-1583, 16-3075] (PM)
	0 pg, 0 KB	
03/29/2017	<input type="checkbox"/> 	ECF FILER: UNOPPOSED Motion filed by Appellee EI DuPont de Nemours & Co for Leave to File Redacted Briefs and to Maintain Under Seal Volumes II through XIV of the Deferred Appendix. Certificate of Service dated 03/29/2017 by ECF. [Entry edited to reflect all reliefs requested]--[Edited 03/29/2017 by EMA] (SRL)
	7 pg, 113.98 KB	
03/29/2017	<input type="checkbox"/> 	ECF FILER: REDACTED ELECTRONIC BRIEF on behalf of Appellee EI DuPont de Nemours & Co, filed. Certificate of Service dated 03/29/2017 by ECF. [Entry edited to reflect the correct event]--[Edited 03/29/2017 by EMA] (SRL)
	71 pg, 519 KB	
03/29/2017	<input type="checkbox"/> 	ECF FILER: REDACTED ELECTRONIC BRIEF with Volume I of Appendix attached on behalf of Appellants Valspar Corp and Valspar Sourcing Inc, filed. Certificate of Service dated 03/29/2017 by ECF. (JML)
	107 pg, 23.62 MB	
03/29/2017	<input type="checkbox"/> 	ECF FILER: REDACTED ELECTRONIC REPLY BRIEF on behalf of Appellants Valspar Corp and Valspar Sourcing Inc, filed. Certificate of Service dated 03/29/2017 by ECF. (JML)
	36 pg, 583.48 KB	
03/29/2017	<input type="checkbox"/> 	ECF FILER: SEALED ELECTRONIC JOINT APPENDIX on behalf of Appellants Valspar Corp, Valspar Sourcing Inc and Appellee EI DuPont de Nemours & Co, filed. Certificate of Service dated 03/29/2017 by ECF. (JML)
	0 pg, 0 KB	
03/30/2017	<input type="checkbox"/>	HARD COPY RECEIVED from Appellee EI DuPont de Nemours & Co - REDACTED Brief. Copies: 7. (SJB)
09/08/2017	<input type="checkbox"/> 	ORDER (HARDIMAN, KRAUSE, Circuit Judges and STENGEL, Chief District Judge) The foregoing Motion by Appellee for leave to file Redacted Briefs and to Maintain Under Seal Volumes II - XIV of the Deferred Appendix is granted, filed. Hardiman, Authoring Judge. (EMA)
	1 pg, 72.5 KB	
09/14/2017	<input type="checkbox"/> 	SEALED PRECEDENTIAL OPINION Coram: HARDIMAN, KRAUSE, Circuit Judges and STENGEL*, District Judge. Total Pages: 65. Judge: HARDIMAN Authoring, Judge: STENGEL Dissenting. *The Honorable Lawrence F. Stengel, Chief District Judge, United States District Court for the Eastern District of Pennsylvania, sitting by designation. We will affirm the judgment of the District Court. (DW)
	0 pg, 0 KB	
09/14/2017	<input type="checkbox"/> 	JUDGMENT, Affirmed. Costs taxed against Appellants. (DW)
	5 pg, 32.53 KB	
09/14/2017	<input type="checkbox"/> 	ORDER (HARDIMAN, KRAUSE, Circuit Judges and STENGEL*, Chief District Judge) The opinion in this matter has been temporarily filed as a sealed document. The parties are hereby directed to provide the Court with proposed redactions from the opinion, together with the reason for each redaction, on or before September 25, 2017. The Court will then determine whether to accept the proposed redactions and will unseal the opinion in an appropriate form. Proposed redactions are to be filed with the Clerk's office using the SEALED response event in ECF. , filed. Hardiman, Authoring Judge. *The Honorable Lawrence F. Stengel, Chief Judge, United States District Court for the Eastern District of Pennsylvania, sitting by designation. (DW)
	1 pg, 74.32 KB	
09/21/2017	<input type="checkbox"/> 	ECF FILER: UNOPPOSED Motion filed by Appellants Valspar Corp and Valspar Sourcing Inc for Extension of Time to file Petition for Panel Rehearing and/or Rehearing En Banc until/for 10/13/17. Certificate of Service dated 09/21/2017. Service made by ECF. (JML)
	5 pg, 166.97 KB	
09/21/2017	<input type="checkbox"/> 	ECF FILER: Declaration of James M. Lockhart in Support of Appellants' Uncontested Motion to Extend Time to File Petition for Panel Rehearing and/or Rehearing En Banc filed by Appellants Valspar Corp and Valspar Sourcing Inc. Certificate of Service dated 09/21/2017. (JML)
	4 pg, 159.61 KB	
09/21/2017	<input type="checkbox"/> 	ECF FILER: AMENDED DISCLOSURE STATEMENT on behalf of Appellant Valspar Corp, filed. (JML)
	1 pg, 7.36 KB	
09/21/2017	<input type="checkbox"/> 	ECF FILER: AMENDED DISCLOSURE STATEMENT on behalf of Appellant Valspar Sourcing Inc, filed. (JML)
	1 pg, 7.35 KB	

09/21/2017	<input type="checkbox"/>	TEXT ONLY ORDER (Clerk) granting Unopposed Motion for Extension of Time to File Petition for En Banc and Panel Rehearing filed by Appellants Valspar Corp and Valspar Sourcing Inc. Appellants' petition for rehearing must be filed on or before October 13, 2017., filed. (DW)
09/25/2017	<input type="checkbox"/> 	ECF FILER: LETTER from Attorney Shari R. Lahlou, Esq. for Appellee El DuPont de Nemours & Co Responding to Court Order filed September 14, 2017. Certificate of Service dated 09/25/2017. (SRL)
09/25/2017	<input type="checkbox"/>  1 pg, 105.51 KB	ECF FILER: LETTER from Attorney James M. Lockhart, Esq. for Appellants Valspar Corp and Valspar Sourcing Inc Letter to court acknowledging no proposed redactions. Certificate of Service dated 09/25/2017. (JML)
10/02/2017	<input type="checkbox"/>  1 pg, 9.19 KB	ORDER (HARDIMAN, KRAUSE and STENGEL, Circuit Judges) As no party has requested redactions to the opinion, it is hereby ORDERED that the opinion shall be unsealed and published in accordance with this Court's normal procedures, filed. Hardiman, Authoring Judge. (ARR)
10/02/2017	<input type="checkbox"/>  65 pg, 70.99 KB	PRECEDENTIAL OPINION Coram: HARDIMAN, KRAUSE, Circuit Judges and STENGEL*, District Judge. Total Pages: 65. Judge: HARDIMAN Authoring, Judge: STENGEL Dissenting. *The Honorable Lawrence F. Stengel, Chief District Judge, United States District Court for the Eastern District of Pennsylvania, sitting by designation. We will affirm the judgment of the District Court, filed. (ARR)
10/13/2017	<input type="checkbox"/>  91 pg, 468.79 KB	ECF FILER: Petition filed by Appellants Valspar Corp and Valspar Sourcing Inc for Rehearing before original panel and the court en banc. Certificate of Service dated 10/13/2017. Service made by ECF. (JML)
10/20/2017	<input type="checkbox"/>  25 pg, 1008.11 KB	ECF FILER: Motion filed by Amicus Curiae Appellant American Antitrust Institute for Leave to File Brief in Support of Appellants' Petition for En Banc and Panel Rehearing. Certificate of Service dated 10/20/2017. (RMB)
10/26/2017	<input type="checkbox"/>  1 pg, 286.54 KB	ORDER (HARDIMAN, Circuit Judge) granting Motion by Amicus Curiae Appellant American Antitrust Institute for Leave to File Brief in Support of Appellant's Petition for Panel and En Banc Rehearing, filed. Hardiman, Authoring Judge. (SB)
10/26/2017	<input type="checkbox"/>  1 pg, 73.26 KB	Brief by Amicus Appellant, American Antitrust Institute in Support of Appellants' Petition for Panel and En Banc Rehearing. Certificate of Service dated 10/20/2017. Service made by ECF. (SB)
12/05/2017	<input type="checkbox"/>  19 pg, 50.13 KB	ORDER (SMITH, Chief Judge, AMBRO, CHAGARES, JORDAN, HARDIMAN, GREENAWAY JR., VANASKIE, SHWARTZ, KRAUSE, RESTREPO, Circuit Judges and STENGEL*, Chief District Judge) denying Petition for En Banc and Panel Rehearing filed by Appellants Valspar Corp and Valspar Sourcing Inc., filed. Hardiman, Authoring Judge. *[The Honorable Lawrence F. Stengel, Chief United States District Judge for the Eastern District of Pennsylvania, sitting by designation.] (SB)
12/13/2017	<input type="checkbox"/>  1 pg, 7.44 KB	MANDATE ISSUED., filed. (DW)
	<input type="checkbox"/>  68 pg, 541.52 KB	

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