

General Docket
United States Court of Appeals for the Ninth Circuit

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|--|---------------------------------|-----------------------------|------------------------|
| Court of Appeals Docket #: 11-16173 | | Docketed: 05/09/2011 | |
| Nature of Suit: 3410 Antitrust | | Termed: 06/02/2011 | |
| Wayne Taleff, et al v. Southwest Airlines Co., et al | | | |
| Appeal From: U.S. District Court for Northern California, San Francisco | | | |
| Fee Status: Paid | | | |
| Case Type Information: | | | |
| 1) civil | | | |
| 2) private | | | |
| 3) null | | | |
| Originating Court Information: | | | |
| District: 0971-3 : 3:11-cv-02179-JW | | | |
| Trial Judge: James Ware, Chief District Judge | | | |
| Date Filed: 05/03/2011 | | | |
| Date Order/Judgment: | Date Order/Judgment EOD: | Date NOA Filed: | Date Rec'd COA: |
| 05/04/2011 | 05/04/2011 | 05/09/2011 | 05/09/2011 |
| Prior Cases: | | | |
| None | | | |
| Current Cases: | | | |
| None | | | |

| | |
|--|--|
| <p>WAYNE TALEFF Plaintiff - Appellant,</p> | <p>Jamie L. Miller, Attorney [COR LD NTC Retained] ALIOTO LAW FIRM 225 Bush Street San Francisco, CA 94104</p> <p>Theresa Driscoll Moore [COR LD NTC Retained] ALIOTO LAW FIRM 225 Bush Street San Francisco, CA 94104</p> <p>Thomas Pier [COR LD NTC Retained] ALIOTO LAW FIRM 225 Bush Street San Francisco, CA 94104</p> <p>Joseph M. Alioto [COR NTC Retained] ALIOTO LAW FIRM 225 Bush Street San Francisco, CA 94104</p> |
| <p>JUDY CRANDELL Plaintiff - Appellant,</p> | <p>Thomas Pier [COR LD NTC Retained] (see above)</p> <p>Joseph M. Alioto [COR NTC Retained] (see above)</p> <p>Jamie L. Miller, Attorney [COR NTC Retained] (see above)</p> <p>Theresa Driscoll Moore [COR NTC Retained]</p> |

ROSEMARY D' AUGUSTA
Plaintiff - Appellant,

(see above)

Thomas Pier
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Jamie L. Miller, Attorney
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Theresa Driscoll Moore
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(see above)

JOSE M. BRITO
Plaintiff - Appellant,

Thomas Pier
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(see above)

Joseph M. Alioto
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BRENDA K. DAVIS
Plaintiff - Appellant,

Jamie L. Miller, Attorney
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KATHERINE R. ARCELL
Plaintiff - Appellant,

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JUDY BRAY
Plaintiff - Appellant,

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Thomas Pier
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PAMELA FAUST
Plaintiff - Appellant,

Theresa Driscoll Moore
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CAROLYN FJORD
Plaintiff - Appellant,

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DON FREELAND
Plaintiff - Appellant,

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DONALD V. FRY
Plaintiff - Appellant,

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GABRIEL GARAVANIAN
Plaintiff - Appellant,

Thomas Pier
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HARRY GARAVANIAN
Plaintiff - Appellant,

Thomas Pier
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YVONNE JOCELYN GARDENER
Plaintiff - Appellant,

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LEE M. GENTRY
Plaintiff - Appellant,

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JAY GLIKMAN
Plaintiff - Appellant,

Thomas Pier
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VALARIE ANN JOLLY
Plaintiff - Appellant,

Theresa Driscoll Moore
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Thomas Pier
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GAIL S. KOSACH
Plaintiff - Appellant,

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WILLIAM JOHN LOVELL
Plaintiff - Appellant,

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MICHAEL C. MALANEY
Plaintiff - Appellant,

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Theresa Driscoll Moore
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LEN MARAZZO
Plaintiff - Appellant,

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LISA MCCARTHY
Plaintiff - Appellant,

Theresa Driscoll Moore
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Thomas Pier
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MICHELE MCKECHNIE
Plaintiff - Appellant,

Thomas Pier
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PATRICIA ANN MEEUWSEN
Plaintiff - Appellant,

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CYNTHIA PROSTERMAN
Plaintiff - Appellant,

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DEBORAH M. PULFER
Plaintiff - Appellant,

Thomas Pier
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DANA L. ROBINSON
Plaintiff - Appellant,

Thomas Pier
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ROBERT ROSENTHAL
Plaintiff - Appellant,

Thomas Pier
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BILL RUBINSOHN
Plaintiff - Appellant,

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SONDRA K. RUSSELL
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SYLVIA N. SPARKS
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JUNE STANSBURY
Plaintiff - Appellant,

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CLYDE D. STENSRUD
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GARY TALEWSKY
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ANNETTE M. TIPPETTS
Plaintiff - Appellant,

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DIANA LYNN ULTICAN
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J. MICHAEL WALKER
Plaintiff - Appellant,

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PAMELA S. WARD
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PAMELA S. WARD
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Thomas Pier
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DAVID P. WENDELL
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CHRISTINE O. WHALEN
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JAN MARIE BROWN
Plaintiff - Appellant,

Thomas Pier
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Theresa Driscoll Moore
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ROBERT D. CONWAY (-: J00576)
Plaintiff - Appellant,

Thomas Pier
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TED FRIEDLI
Plaintiff - Appellant,

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Thomas Pier
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Joseph M. Alioto
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Theresa Driscoll Moore
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v.

SOUTHWEST AIRLINES CO.
Defendant - Appellee,

Steven C. Sunshine
Direct: 202-371-7860
[COR LD NTC Retained]
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GUADALUPE HOLDINGS CORP.
Defendant - Appellee,

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AIRTRAN HOLDINGS, INC.
Defendant - Appellee,

Steven C. Sunshine
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WAYNE TALEFF; JUDY CRANDELL; ROSEMARY D' AUGUSTA; JOSE M. BRITO; BRENDA K. DAVIS; KATHERINE R. ARCELL;
JUDY BRAY; PAMELA FAUST; CAROLYN FJORD; DON FREELAND; DONALD V. FRY; GABRIEL GARAVANIAN; HARRY
GARAVANIAN; YVONNE JOCELYN GARDENER; LEE M. GENTRY; JAY GLIKMAN; VALARIE ANN JOLLY; GAIL S. KOSACH;
WILLIAM JOHN LOVELL; MICHAEL C. MALANEY; LEN MARAZZO; LISA MCCARTHY; MICHELE MCKECHNIE; PATRICIA ANN
MEEUWSEN; CYNTHIA PROSTERMAN; DEBORAH M. PULFER; DANA L. ROBINSON; ROBERT ROSENTHAL; BILL RUBINSOHN;
SONDRA K. RUSSELL; SYLVIA N. SPARKS; JUNE STANSBURY; CLYDE D. STENSRUD; GARY TALEWSKY; ANNETTE M.
TIPPETTS; DIANA LYNN ULTICAN; J. MICHAEL WALKER; PAMELA S. WARD; PAMELA S. WARD; DAVID P. WENDELL; CHRISTINE
O. WHALEN; JAN MARIE BROWN; ROBERT D. CONWAY; TED FRIEDLI,

Plaintiffs - Appellants,

v.

SOUTHWEST AIRLINES CO.; GUADALUPE HOLDINGS CORP.; AIRTRAN HOLDINGS, INC.,

Defendants - Appellees.

- 05/09/2011 [1](#) 20 pg, 398.16 KB DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. NO APPEARANCE FOR DEFENDANTS/ APPELLEE. SEND MQ: No. The schedule is set as follows: Appellant Katherine R. Arcell, Appellant Judy Bray, Appellant Jose M. Brito, Appellant Jan Marie Brown, Appellant Robert D. Conway, Appellant Judy Crandell, Appellant Rosemary D' Augusta, Appellant Brenda K. Davis, Appellant Pamela Faust, Appellant Carolyn Fjord, Appellant Don Freeland, Appellant Ted Friedli, Appellant Donald V. Fry, Appellant Gabriel Garavanian, Appellant Harry Garavanian, Appellant Yvonne Jocelyn Gardener, Appellant Lee M. Gentry, Appellant Jay Glikman, Appellant Valarie Ann Jolly, Appellant Gail S. Kosach, Appellant John Lovell, Appellant Michael C. Malaney, Appellant Len Marazzo, Appellant Lisa McCarthy, Appellant Michele McKechnie, Appellant Patricia Ann Meeuwsen, Appellant Cynthia Prosterman, Appellant Deborah M. Pulfer, Appellant Dana L. Robinson, Appellant Robert Rosenthal, Appellant Bill Rubinsohn, Appellant Sondra K. Russell, Appellant Sylvia N. Sparks, Appellant June Stansbury, Appellant Clyde D. Stensrud, Appellant Wayne Taleff, Appellant Gary Talewsky, Appellant Annette M. Tippetts, Appellant Diana Lynn Ultican, Appellant J. Michael Walker, Appellant Pamela S. Ward, Appellant David P. Wendell and Appellant Christine O. Whalen opening brief due 08/17/2011. [7745260] (WF)
- 05/09/2011 [2](#) 105 pg, 3.01 MB Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen EMERGENCY Motion for injunction pending appeal. Date of service: 05/09/2011. [7745391]--[COURT UPDATE: Attached Appendix 7-12. Resent NDA. 05/09/2011 by TW] (JLM)
- 05/11/2011 [3](#) 8 pg, 92.89 KB Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen Motion to expedite case. Date of service: 05/11/2011. [7749372] (JLM)
- 05/12/2011 [4](#) 2 pg, 28.67 KB Filed clerk order (Deputy Clerk: AKT): The appeal filed May 9, 2011 is a preliminary injunction appeal. Accordingly, Ninth Circuit Rule 3-3 shall apply. If they have not already done so, within 7 calendar days after the filing date of this order, the parties shall make arrangements to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal. The briefing schedule shall proceed as follows: the opening brief and excerpts of record are due not later than June 6, 2011; the answering brief is due July 5, 2011, or 28 days after service of the opening brief, whichever is earlier; and the optional reply brief is due within 14 days after service of the answering brief. See 9th Cir. R. 3-3(b). Failure to file timely the opening brief shall result in the automatic dismissal of this appeal by the Clerk for failure to prosecute. See 9th Cir. R. 42-1. The motion for an injunction pending appeal shall be addressed by separate order. [7750455] (SM)
- 05/12/2011 [5](#) 1 pg, 339.14 KB Filed (ECF) notice of appearance of Allen J. Ruby for Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co.. Date of service: 05/12/2011. [7750760] (AJR)
- 05/12/2011 [6](#) Added attorney Allen J. Ruby for Southwest Airlines Co. Airtran Holdings, Inc. Guadalupe Holdings Corp. [7750779] (RL)
- 05/12/2011 [7](#) 1 pg, 22.94 KB Filed order MOATT: (AT) This is a preliminary injunction appeal. Appellantsâ€™ motion to expedite the motion for injunction pending appeal is granted in part. Appelleesâ€™ opposition is due Friday, May 20, 2011. Appellantsâ€™ reply is due Monday, May 23, 2011. The previously established briefing schedule remains in effect. [7750821] (DEV)
- 05/12/2011 [8](#) 27 pg, 204.34 KB Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. Motion to dismiss the case. Date of service: 05/12/2011. [7751057] --[COURT UPDATE: Removed PDF of Motion to Take Judicial Notice, see Entry [9](#)]. Resent NDA. 05/13/2011 by DB] (AJR)
- 05/13/2011 [9](#) 7 pg, 56.63 KB Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. Motion to take judicial notice of publicly available document.. Date of service: 05/13/2011. [7751591] (AJR)
- 05/16/2011 [10](#) 3 pg, 1.8 MB Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa

McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubensohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen Mediation Questionnaire. Date of service: 05/16/2011. [7753461] (JLM)

- 05/20/2011 [11](#) Filed (ECF) notice of appearance of Steven C. Sunshine for Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co.. Date of service: 05/20/2011. [7759472] (SCS)
1 pg, 409.47 KB
- 05/20/2011 [12](#) Added attorney Steven C. Sunshine for Southwest Airlines Co. Airtran Holdings, Inc. Guadalupe Holdings Corp. [7759490] (RL)
- 05/20/2011 [13](#) COURT DELETED ENTRY. (Motion to Take Judicial Notice) Correct entry below: [\[15\]](#). Original text: Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. response opposing motion (,motion for injunction pending appeal). Date of service: 05/20/2011. [7760258] (SCS)
- 05/20/2011 [14](#) Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. response opposing motion (,motion for injunction pending appeal). Date of service: 05/20/2011. [7760300] (SCS)
27 pg, 524.32 KB
- 05/20/2011 [15](#) Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. Motion to take judicial notice of Public Document. Date of service: 05/20/2011. [7760312] (SCS)
12 pg, 564.35 KB
- 05/23/2011 [16](#) Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubensohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen reply to response (, ,motion for injunction pending appeal). Date of service: 05/23/2011. [7761902] (JLM)
93 pg, 1.42 MB
- 05/26/2011 [17](#) Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubensohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen response opposing motion (,motion to dismiss the case). Date of service: 05/26/2011. [7765955]--[COURT UPDATE: Attached certificate of service. Resent NDA. 05/26/2011 by TT] (JLM)
48 pg, 1.14 MB
- 05/26/2011 [18](#) Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubensohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen response opposing motion (,motion to take judicial notice, ,motion to take judicial notice). Date of service: 05/26/2011. [7766430] (JLM)
4 pg, 76.46 KB
- 05/26/2011 [19](#) COURT DELETED ENTRY PER FILER. Correct entry below: [\[20\]](#). Original text: Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. citation of supplemental authorities. Date of service: 05/26/2011. [7766431] (SCS)
- 05/26/2011 [20](#) Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. citation of supplemental authorities. Date of service: 05/26/2011. [7766445] (SCS)
7 pg, 696.78 KB
- 05/27/2011 [21](#) Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubensohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen citation of supplemental authorities.
2 pg, 41.81 KB

Date of service: 05/27/2011 [7767678] --[COURT UPDATE: Edited docket text to reflect the content of the filing. Resent NDA. 05/31/2011 by DB] (JLM)

- 06/02/2011 [22](#) Filed order (WILLIAM C. CANBY, KIM MCLANE WARDLAW and RONALD M. GOULD) Appelleesâ€™ motion to dismiss this appeal for lack of jurisdiction is granted. See Religious Tech. Ctr., Church of Scientology, Intâ€™l, Inc. v. Scott, 869 F.2d 1306, 1308 (9th Cir. 1989). All pending motions are denied as moot. DISMISSED. [7770929] (SM)
1 pg, 33.74 KB
- 06/24/2011 [23](#) MANDATE ISSUED. (WCC, KMW and RMG) [7797262] (LC)
1 pg, 79.68 KB
- 06/30/2011 [24](#) Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. Motion for sanctions. Date of service: 06/30/2011. [7804744] (SCS)
29 pg, 436.47 KB
- 07/12/2011 [25](#) Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubinson, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen Motion to extend time to file a response until 07/29/2011 at 11:59 pm. Date of service: 07/12/2011. [7817106] (JMA)
4 pg, 77.95 KB
- 07/14/2011 [26](#) Filed order MOATT: (AT) Appellantsâ€™ unopposed motion for an extension of time to file an opposition to the motion for sanctions is granted. The opposition is due July 29, 2011. [7820864] (DEV)
1 pg, 22.91 KB
- 07/29/2011 [27](#) Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubinson, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen Motion to extend time to file opposition until 08/02/2011 at 11:59 pm. Date of service: 07/29/2011. [7837024] (JMA)
4 pg, 78.44 KB
- 07/29/2011 [28](#) Filed order MOATT: (AM) Appellantsâ€™ unopposed motion for an extension of time to file an opposition to the motion for sanctions is granted. The opposition is due August 2, 2011. Further requests for extensions of time are strongly discouraged. [7837127] (KD)
1 pg, 23.26 KB
- 08/02/2011 [29](#) Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubinson, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen response opposing motion (,motion for sanctions). Date of service: 08/02/2011. [7841655] (JMA)
35 pg, 125.43 KB
- 08/12/2011 [30](#) Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. reply to response (motion for sanctions). Date of service: 08/12/2011. [7856783] (SCS)
14 pg, 363.83 KB
- 08/30/2011 [31](#) Filed order (WILLIAM C. CANBY, KIM MCLANE WARDLAW and RONALD M. GOULD) Appelleesâ€™ motion for sanctions is granted. See 28 U.S.C. Â§ 1927. This matter is referred to the Appellate Commissioner for determination of the amount of attorneys fees to be awarded. [7875762] (WL)
1 pg, 26.11 KB
- 09/13/2011 [33](#) Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, William John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubinson, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen motion for reconsideration of non-dispositive Judge Order of 08/30/2011. Date of service: 09/13/2011. [7892781] (JMA)
6 pg, 82.62 KB

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| 09/27/2011 | <input type="checkbox"/> 34 1 pg, 22.07 KB | Filed order (WILLIAM C. CANBY, KIM MCLANE WARDLAW and RONALD M. GOULD) Appellants have filed a motion for reconsideration of the court's August 30, 2011 order granting the motion for sanctions. Appellees shall file a response to the motion for reconsideration on or before October 11, 2011. Appellants' optional reply is due October 20, 2011. [7907923] (TSP) |
| 10/11/2011 | <input type="checkbox"/> 35 15 pg, 79.03 KB | Filed (ECF) Appellees Airtran Holdings, Inc., Guadalupe Holdings Corp. and Southwest Airlines Co. response opposing motion (, motion to reconsider order). Date of service: 10/11/2011. [7923480] (SCS) |
| 10/20/2011 | <input type="checkbox"/> 36 32 pg, 1.3 MB | Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, William John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen reply to response (, , ,). Date of service: 10/20/2011. [7936824] (JMA) |
| 11/23/2011 | <input type="checkbox"/> 37 1 pg, 26.46 KB | Filed order (WILLIAM C. CANBY, KIM MCLANE WARDLAW and RONALD M. GOULD) Appellants' motion for reconsideration is denied. See 9th Cir. R. 27-10. All other requests are denied as moot. GOULD, Circuit Judge, dissenting. I respectfully dissent. I would grant reconsideration and would deny the defendants' motion for sanctions, believing that bad faith or the requisite degree of recklessness of plaintiffs or their counsel has not been shown, and that the sanctions award may incorrectly discourage vigorous private prosecution of antitrust law claims that is beneficial to the public. [7978212] (SM) |
| 12/08/2011 | <input type="checkbox"/> 38 9 pg, 60.59 KB | Filed (ECF) Appellants Katherine R. Arcell, Judy Bray, Jose M. Brito, Jan Marie Brown, Robert D. Conway, Judy Crandell, Rosemary D' Augusta, Brenda K. Davis, Pamela Faust, Carolyn Fjord, Don Freeland, Ted Friedli, Donald V. Fry, Gabriel Garavanian, Harry Garavanian, Yvonne Jocelyn Gardener, Lee M. Gentry, Jay Glikman, Valarie Ann Jolly, Gail S. Kosach, William John Lovell, Michael C. Malaney, Len Marazzo, Lisa McCarthy, Michele McKechnie, Patricia Ann Meeuwsen, Cynthia Prosterman, Deborah M. Pulfer, Dana L. Robinson, Robert Rosenthal, Bill Rubinsohn, Sondra K. Russell, Sylvia N. Sparks, June Stansbury, Clyde D. Stensrud, Wayne Taleff, Gary Talewsky, Annette M. Tippetts, Diana Lynn Ultican, J. Michael Walker, Pamela S. Ward, Pamela S. Ward, David P. Wendell and Christine O. Whalen motion for reconsideration of non-dispositive Judge Order of 11/23/2011. Date of service: 12/08/2011. [7992452] (JMA) |
| 02/10/2012 | <input type="checkbox"/> 39 1 pg, 25.73 KB | Filed order (WILLIAM C. CANBY, KIM MCLANE WARDLAW and RONALD M. GOULD) The full court has been advised of appellants' December 6, 2011 motion for reconsideration en banc, and no judge has requested a vote on whether to rehear the matter en banc. See Fed. R. App. P. 35. The motion for reconsideration en banc is denied. [8064794] (SM) |
| 04/27/2012 | <input type="checkbox"/> 40 2 pg, 42.58 KB | Received letter from the Supreme Court dated 04/24/2012. The application for an extension of time within which to file a petition for a writ of certiorari has been presented to Justice Kennedy, who on 4/24/12 extended the time to and including 5/25/12. [8160822] (RR) |
| 06/05/2012 | <input type="checkbox"/> 41 1 pg, 53 KB | Received notice from the Supreme Court: petition for certiorari filed on 05/25/2012. Supreme Court Number 11-1438. [8203317] (RR) |

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