

General Docket
Third Circuit Court of Appeals

Court of Appeals Docket #: 11-3301		Docketed: 08/30/2011		
Nature of Suit: 3410 Antitrust		Termed: 09/28/2012		
ZF Meritor LLC, et al v. Eaton Corporation				
Appeal From: United States District Court for the District of Delaware				
Fee Status: Paid				
Case Type Information:				
1) civil				
2) private				
3) Federal question				
Originating Court Information:				
District: 0311-1 : 1-06-cv-00623				
Court Reporter: Valerie J. Gunning				
Trial Judge: Sue L. Robinson, U.S. District Judge				
Date Filed: 10/05/2006				
Date Order/Judgment: 08/19/2011	Date Order/Judgment EOD: 08/19/2011	Date NOA Filed: 08/19/2011		
Prior Cases: None				
Current Cases:				
	Lead	Member	Start	End
Cross-appeal	11-3301	11-3426	09/14/2011	

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v.

EATON CORP
Defendant - Appellant

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







ZF MERITOR LLC; MERITOR TRANSMISSION CORPORATION


v.

EATON CORPORATION,
Appellant

08/30/2011	<input type="checkbox"/>	CIVIL CASE DOCKETED. Notice filed by Appellant Eaton Corporation in District Court No. 1-06-cv-00623. (TRG)
	33 pg, 1.72 MB	
08/30/2011	<input type="checkbox"/>	RECORD available on District Court CM/ECF. (TRG)
09/12/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Jay N. Fastow on behalf of Appellee(s) ZF Meritor LLC Meritor Transmission Corporation. (JNF)
	1 pg, 9.94 KB	
09/12/2011	<input type="checkbox"/>	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellees Meritor Transmission Corp and ZF Meritor LLC, filed. (JNF)
	2 pg, 8.12 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: CIVIL INFORMATION STATEMENT on behalf of Appellant Eaton Corp, filed. (TGH)
	3 pg, 182.98 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellant Eaton Corp, filed. (TGH)
	2 pg, 36.08 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: Transcript Purchase Order Form (Part 1) filed by Appellant Eaton Corp advising this court that transcripts are already on file in the District Court. (TGH)
	1 pg, 289.62 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: Concise Summary of the Case filed by Appellant Eaton Corp, received. (TGH)
	39 pg, 1.47 MB	
09/13/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Thomas G. Hungar on behalf of Appellant(s) Eaton Corp.. (TGH)
	1 pg, 44.91 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Cynthia E. Richman on behalf of Appellant(s) Eaton Corp.. (TGH)
	1 pg, 45.1 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Geoffrey C. Weien on behalf of Appellant(s) Eaton Corp.. (TGH)
	1 pg, 46.73 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Joseph A. Ostoyich on behalf of Appellant(s) Eaton Corp.. (TGH)
	1 pg, 56.72 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Erik T. Koons on behalf of Appellant(s) Eaton Corp.. (TGH)
	1 pg, 55.72 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from William Lavery on behalf of Appellant(s) Eaton Corp.. (TGH)
	1 pg, 54.22 KB	
09/13/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Caeli A. Higney on behalf of Appellant(s) Eaton Corp.. (TGH)
	1 pg, 44.93 KB	
09/14/2011	<input type="checkbox"/>	NONCOMPLIANCE Order sent to Appellant Eaton Corp requesting Attorney, Caeli A. Higney, Esq. to become a member of our bar. Compliance due 09/28/2011. (TRG)
	1 pg, 11.01 KB	
09/21/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from R. Bruce Holcomb on behalf of Appellee(s) ZF Meritor LLC Meritor Transmission Corporation. (JNF)
	1 pg, 58.37 KB	
09/21/2011	<input type="checkbox"/>	ECF FILER: Motion filed by Appellants/Appellees Meritor Transmission Corp and ZF Meritor LLC consolidate for all purposes case numbers 11-3301 & 11-3426, to enlarge the page limit and use proposed briefing schedule. Certificate of Service dated 09/21/2011. [11-3426, 11-3301]--[Edited 09/21/2011 by TRG] (JNF)
	25 pg, 779.28 KB	
09/22/2011	<input type="checkbox"/>	ECF FILER: Certificate of Service to Motion to consolidate for all purposes case numbers 11-3301 & 11-3426. Certificate of Service dated 09/21/2011. [11-3301, 11-3426]--[Edited 09/22/2011 by TRG] (JNF)
	1 pg, 5.41 KB	
09/23/2011	<input type="checkbox"/>	ECF FILER: Response filed by Appellant Eaton Corp in 11-3301, Appellee Eaton Corp in 11-3426 to Motion to consolidate. Certificate of Service dated 09/23/2011. [11-3301, 11-3426] (TGH)
	5 pg, 91.4 KB	
09/29/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Theodore B. Olson on behalf of Appellant(s) Eaton Corporation. (TGH)
	1 pg, 47.11 KB	
10/11/2011	<input type="checkbox"/>	ORDER (Clerk) The motion to consolidate and use proposed briefing schedule is denied as unnecessary. The appeals have already been designated as cross-appeals, which are treated as consolidated for purposes of scheduling, joint appendix and disposition by the court. [11-3301, 11-3426] (TRG)
	2 pg, 8.17 KB	
10/21/2011	<input type="checkbox"/>	BRIEFING NOTICE ISSUED. 1st Brief on behalf of Brief on behalf of Appellant Eaton Corp due on or before 11/30/2011. Appendix due on or before 11/30/2011. [11-3301, 11-3426] (TRG)
	2 pg, 13.95 KB	
11/02/2011	<input type="checkbox"/>	ECF FILER: ENTRY OF APPEARANCE from Christopher H. Wood on behalf of Appellant(s) ZF Meritor LLC and Meritor Transmission Corporation. [11-3426, 11-3301] (JNF)
	1 pg, 135.76 KB	
11/14/2011	<input type="checkbox"/>	Verbally Granted Cynthia Richman, Counsel for Appellant Eaton Corp an extension of time to file brief & appendix until 12/14/2011 pursuant to Third Cir. LAR 31.4. (CJG)

12/14/2011	<input type="checkbox"/> 	ECF FILER: ELECTRONIC BRIEF on behalf of Appellant Eaton Corp in 11-3301, Appellee Eaton Corp in 11-3426, filed. Certificate of Service dated 12/14/2011 by ECF. [11-3301, 11-3426] (TGH)
12/14/2011	<input type="checkbox"/> 	ECF FILER: ELECTRONIC JOINT APPENDIX on behalf of Appellant Eaton Corp and Appellees Meritor Transmission Corp and ZF Meritor LLC in 11-3301, Appellants Meritor Transmission Corp, ZF Meritor LLC and Appellee Eaton Corp in 11-3426, filed. Certificate of service dated 12/14/2011 by ECF. [11-3301, 11-3426] (TGH)
12/14/2011	<input type="checkbox"/> 	ECF FILER: SEALED ELECTRONIC JOINT APPENDIX on behalf of Appellant Eaton Corp and Appellees Meritor Transmission Corp and ZF Meritor LLC in 11-3301, Appellants Meritor Transmission Corp, ZF Meritor LLC and Appellee Eaton Corp in 11-3426, filed. Certificate of Service dated 12/14/2011 by ECF. [11-3301, 11-3426] (TGH)
12/14/2011	<input type="checkbox"/> 	ECF FILER: ELECTRONIC ADDENDUM to APPENDIX on behalf of Appellant Eaton Corp in 11-3301, Appellee Eaton Corp in 11-3426 containing Certificate of Service of Joint Appendix, filed. Certificate of Service dated 12/14/2011 by ECF. [11-3301, 11-3426] (TGH)
12/15/2011	<input type="checkbox"/> 	NON COMPLIANCE Order issued to Appellant/Cross-Appellee Eaton Corp in 11-3301 and 11-3426 regarding the brief and/or appendix filed on 12/14/2011. Please open the attachment for the full text of the Order. Compliance due by 12/19/2011. [11-3301, 11-3426] (LAL)
12/15/2011	<input type="checkbox"/>	HARD COPY RECEIVED from Appellant Eaton Corp and Appellees Meritor Transmission Corp and ZF Meritor LLC in 11-3301, Appellants Meritor Transmission Corp, ZF Meritor LLC and Appellee Eaton Corp in 11-3426 - Brief. Copies: 10. [11-3301, 11-3426] (MKH)
12/16/2011	<input type="checkbox"/>	HARD COPY RECEIVED from Appellant Eaton Corp and Appellees Meritor Transmission Corp and ZF Meritor LLC in 11-3301, Appellants Meritor Transmission Corp, ZF Meritor LLC and Appellee Eaton Corp in 11-3426 - Joint Appendix. Copies: 4. Volumes: 9 [11-3301, 11-3426] (Volume #9 Held Under Seal.) (LAL)
12/16/2011	<input type="checkbox"/> 	ECF FILER: UNOPPOSED Motion filed by Appellant Eaton Corp in 11-3301, Appellee Eaton Corp in 11-3426 to seal Joint Appendix Volume 9. Certificate of Service dated 12/16/2011. [11-3301, 11-3426]--SEND TO MERITS PANEL--[Edited 12/22/2011 by MS] (TGH)
12/16/2011	<input type="checkbox"/>	COMPLIANCE RECEIVED. Unopposed Motion by Appellant/Cross- Appellee Eaton Corp in 11-3301 and 11-3426 for leave to file Joint Appendix Volume 9 under seal.. [11-3301, 11-3426] (LAL)
12/19/2011	<input type="checkbox"/>	Appellees/Cross Appellants Meritor Transmission Corp and ZF Meritor LLC verbally granted an extension of time to file 2nd brief until 01/31/2012 pursuant to Third Cir. LAR 31.4. [11-3426, 11-3301] (MLR)
12/22/2011	<input type="checkbox"/> 	ORDER (Clerk) referring to the merits panel the Motion by Appellant/Cross-Appellee for Leave to File Volume 9 of the Joint Appendix Under Seal, filed. Volume 9 of the joint appendix will be held provisionally under seal pending disposition of the motion. SEND TO MERITS PANEL. [11-3301, 11-3426] (MS)
01/31/2012	<input type="checkbox"/> 	ECF FILER: ELECTRONIC BRIEF on behalf of Appellees Meritor Transmission Corp and ZF Meritor LLC in 11-3301, Appellants Meritor Transmission Corp and ZF Meritor LLC in 11-3426, filed. Certificate of Service dated 01/31/2012 by ECF, 3rd party. [11-3301, 11-3426] (JNF)
02/01/2012	<input type="checkbox"/>	HARD COPY RECEIVED from Appellees/Cross-Appellants Meritor Transmission Corp and ZF Meritor LLC in 11-3301 - Brief. Copies: 10. [11-3301, 11-3426]--[Edited 03/02/2012 by GPK] (CND)
02/06/2012	<input type="checkbox"/> 	ECF FILER: ENTRY OF APPEARANCE from Michael Tarringer on behalf of Amicus Curiae American Antitrust Institute. [11-3301, 11-3426] (MST)
02/06/2012	<input type="checkbox"/> 	ECF FILER: Request by Appellant Eaton Corp in 11-3301, Appellee Eaton Corp in 11-3426 for Oral Argument. [SEND TO MERITS] [11-3301, 11-3426] (TGH)
02/07/2012	<input type="checkbox"/> 	ECF FILER: ELECTRONIC AMICUS/INTERVENOR BRIEF on behalf of Amicus Appellee American Antitrust Institute in support of Appellee/Respondent (with consent of all parties), filed. Certificate of Service dated 02/07/2012 by ECF. (Docket text edited by the Office of the Clerk to include party consent information. Electronic event spread to case number 11-3426.)--[Edited 02/08/2012 by LAL] (MST)
02/07/2012	<input type="checkbox"/> 	ECF FILER: Request by Appellees Meritor Transmission Corp and ZF Meritor LLC in 11-3301, Appellants Meritor Transmission Corp and ZF Meritor LLC in 11-3426 for Oral Argument. [SEND TO MERITS] [11-3301, 11-3426] (JNF)
02/07/2012	<input type="checkbox"/>	HARD COPY RECEIVED from Amicus Appellee American Antitrust Institute in 11-3301, 11-3426 - Amicus Brief. Copies: 10. [11-3301, 11-3426] (SJB)
02/09/2012	<input type="checkbox"/>	Appellant Eaton Corp in 11-3301, Appellee Eaton Corp in 11-3426 verbally granted an extension of time to file reply brief until 03/21/2012 pursuant to Third Cir. LAR 31.4. [11-3301, 11-3426] (MB)
02/09/2012	<input type="checkbox"/> 	ECF FILER: LETTER from Attorney Theodore B. Olson, Esq. for Appellant Eaton Corp in 11-3301, Attorney Theodore B. Olson, Esq. for Appellee Eaton Corp in 11-3426. Counsel is unavailable for the following dates: 05/15/2012, 05/17/2012, 05/18/2012, 05/21/2012, 05/22/2012, 05/24/2012, 05/25/2012, [11-3301, 11-3426] (TGH)
02/27/2012	<input type="checkbox"/>	

		ECF FILER: LETTER from Attorney Theodore B. Olson, Esq. for Appellant Eaton Corp in 11-3301, Attorney Theodore B. Olson, Esq. for Appellee Eaton Corp in 11-3426. Counsel is unavailable for the following dates: 06/04/2012, 06/05/2012, 06/18/2012, 06/29/2012, [11-3301, 11-3426] (TGH)
03/21/2012	<input type="checkbox"/> 	ECF FILER: ELECTRONIC 3rd STEP BRIEF on behalf of Appellant Eaton Corp in 11-3301, Appellee Eaton Corp in 11-3426, filed. Certificate of Service dated 03/21/2012 by ECF. [11-3301, 11-3426] [Entry edited by the Clerk's Office to reflect the correct event]--[Edited 03/22/2012 by MS] (TGH)
03/22/2012	<input type="checkbox"/>	HARD COPY RECEIVED from Appellant Eaton Corp in 11-3301, Appellee Eaton Corp in 11-3426 - 3rd Step Brief. Copies: 10. [11-3301, 11-3426] (KEL)
03/22/2012	<input type="checkbox"/>	Appellants Meritor Transmission Corp and ZF Meritor LLC in 11-3426 verbally granted an extension of time to file reply brief until 04/23/2012 pursuant to Third Cir. LAR 31.4. [11-3426, 11-3301] (TRG)
03/22/2012	<input type="checkbox"/> 	Calendared for Tuesday, 06/26/2012. (Rescheduled from Monday, 06/25/2012.) [11-3301, 11-3426] (TLW)
03/22/2012	<input type="checkbox"/> 	ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Jay N. Fastow, Esq. for Appellees ZF Meritor LLC and Meritor Transmission Corp in 11-3301, Attorney Jay N. Fastow, Esq. for Appellants ZF Meritor LLC and Meritor Transmission Corp in 11-3426. Certificate of Service dated 03/22/2012. [11-3301, 11-3426] (JNF)
03/23/2012	<input type="checkbox"/> 	ECF FILER: ELECTRONIC ADDENDUM to BRIEF on behalf of Appellant Eaton Corp in 11-3301, Appellee Eaton Corp in 11-3426 containing corrections to appendix citations in the Principal Brief, filed. Certificate of Service dated 03/23/2012 by ECF. [11-3301, 11-3426]--[Edited 03/26/2012 by MS] (TGH)
03/29/2012	<input type="checkbox"/> 	ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Thomas G. Hungar, Esq. for Appellant Eaton Corp in 11-3301, Attorney Thomas G. Hungar, Esq. for Appellee Eaton Corp in 11-3426. Certificate of Service dated 03/29/2012. [11-3301, 11-3426] (TGH)
04/23/2012	<input type="checkbox"/> 	ECF FILER: ELECTRONIC REPLY BRIEF on behalf of Appellants Meritor Transmission Corp and ZF Meritor LLC in 11-3426, Appellees Meritor Transmission Corp and ZF Meritor LLC in 11-3301, filed. Certificate of Service dated 04/23/2012 by ECF. [11-3426, 11-3301] (JNF)
04/24/2012	<input type="checkbox"/>	HARD COPY RECEIVED from Appellees Meritor Transmission Corp and ZF Meritor LLC in 11-3301, Appellants Meritor Transmission Corp and ZF Meritor LLC in 11-3426 - Reply Brief. Copies: 10. [11-3301, 11-3426] (KEL)
06/05/2012	<input type="checkbox"/> 	ORDER (FISHER, GREENBERG, Circuit Judges and OLIVER, Chief District Judge*) granting Motion by Appellant/Cross-Appellee for Leave to File Volume 9 of the Joint Appendix Under Seal, filed. D. Michael Fisher, Authoring Judge. *Honorable Solomon Oliver, Jr., Chief Judge for the Northern District Court of Ohio, sitting by designation. [11-3301, 11-3426] (MS)
06/12/2012	<input type="checkbox"/> 	Oral Argument Notification for Tuesday, 06/26/2012. [11-3301, 11-3426] (TLW)
06/26/2012	<input type="checkbox"/>	ARGUED on Tuesday, June 26, 2012. Panel: FISHER and GREENBERG, Circuit Judges and *OLIVER, Chief District Judge. Jay N. Fastow arguing for Appellees/Cross-Appellants Meritor Transmission Corp, et al.; Theodore B. Olson arguing for Appellant/Cross-Appellee Eaton Corp; *Hon. Solomon Oliver, Jr., Chief District Judge for the District Court of Northern Ohio, sitting by designation. [11-3301, 11-3426] (TLW)
09/27/2012	<input type="checkbox"/> 	ORDER (FISHER, GREENBERG, Circuit Judges and OLIVER*, Chief District Judge) declaring as moot the requests for oral argument filed by Appellant/Cross-Appellee and by Appellee/Cross-Appellant, filed. The cases were argued on June 26, 2012. D. Michael Fisher, Authoring Judge. [11-3301, 11-3426] *Honorable Solomon Oliver, Jr., Chief District Judge for the Northern District of Ohio, sitting by designation. (MS)
09/28/2012	<input type="checkbox"/> 	PRECEDENTIAL OPINION Coram: FISHER, GREENBERG, Circuit Judges and OLIVER*, District Judge. Total Pages: 204. Judge: FISHER Authoring, Judge: GREENBERG Dissenting. (*The Honorable Solomon Oliver, Jr., Chief Judge of the United States District Court for the Northern District of Ohio, sitting by designation) [11-3301, 11-3426] (TRG)
09/28/2012	<input type="checkbox"/> 	JUDGMENT The orders of the District Court entered 8/20/09 and 3/10/11 are AFFIRMED. The order entered 8/04/11 is AFFIRMED in part and REVERSED in part. The order of 8/19/11 is VACATED. The matter is REMANDED to the District Court for further proceedings. Each party will bear its own costs. [11-3301, 11-3426] (TRG)
10/12/2012	<input type="checkbox"/> 	ECF FILER: Petition filed by Appellant/Appellee Eaton Corp for Rehearing before original panel and the court en banc. Certificate of Service dated 10/12/2012. [11-3301, 11-3426]--[Docket text Edited 10/15/2012 by TRG] (TGH)
10/26/2012	<input type="checkbox"/> 	ORDER (MCKEE, SLOVITER, SCIRICA, RENDELL, AMBRO, FUENTES, SMITH, FISHER, CHAGARES, JORDAN, GREENAWAY JR., VANASKIE, GREENBERG, Circuit Judges and **OLIVER, District Judge) denying Petition for En Banc and Panel Rehearing filed by Appellant Eaton Corp, Appellee Eaton Corp, filed. FISHER, Authoring Judge. (*Judge Greenberg is limited to Panel Rehearing Only. **The Honorable Solomon Oliver, Jr., Chief Judge of the United States District Court for the Northern District of Ohio, sitting by designation, whose vote is limited to panel rehearing only.) [11-3301, 11-3426]--[Edited 10/26/2012 by CJG] (CJG)

11/05/2012	<input type="checkbox"/> 	MANDATE ISSUED, filed. [11-3301, 11-3426] (TRG)
	208 pg, 869.76 KB	
12/26/2012	<input type="checkbox"/>	U.S. Supreme Court Letter dated 12/19/2012 granting Appellant Eaton Corp an extension of time to and including 02/25/2013 to file petition for writ of certiorari. Supreme Court Application No. 12A621. [11-3301, 11-3426] (CRG)
02/28/2013	<input type="checkbox"/>	NOTICE from U.S. Supreme Court. Petition for Writ of Certiorari filed by Eaton Corp on 02/25/2013 and placed on the Supreme Court docket on 2/26/13. Supreme Court Case No. 12-1045. [11-3301, 11-3426] (CRG)
04/29/2013	<input type="checkbox"/>	NOTICE of U.S. Supreme Court disposition at No. 12-1045. Petition for Writ of Ceriorari filed by Eaton Corp denied on 04/29/2013. [11-3301, 11-3426] (CRG)

- Documents and Docket Summary
- Documents Only

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