

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

FLIGHT OPTIONS, LLC and
FLEXJET, LLC,
Plaintiffs,

v.

No. 1:16-cv-00732

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL 1108; INTERNATIONAL
BROTHERHOOD OF TEAMSTERS; and
BROTHERHOOD OF
TEAMSTERS, AIRLINE DIVISION,
Defendants.

Opinion and Order

[Resolving Doc. [30](#), [36](#)]

and
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, AIRLINE DIVISION, and
TEAMSTERS LOCAL UNION 1108,
Counter-Plaintiffs,

v.
FLIGHT OPTIONS, LLC; FLEXJET, LLC;
ONESKY FLIGHT, LLC; and FLIGHT OPTIONS
HOLDINGS I, INC.,
Counter-Defendants.

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On May 11, 2016, Defendants International Brotherhood of Teamsters (“Pilots Union”) filed application for entry of default against the named Plaintiffs in this case (“Carriers”),¹ stating that the Carriers did not timely file an answer to the Pilots Union’s counterclaim. On May 11,

¹ Doc. [22](#) (application to clerk for entry of default against Flexjet, LLC filed by International Brotherhood of Teamsters, Airline Division); Doc. [23](#) (application to clerk for entry of default against Flight Options Holdings I, LLC filed by Local 1108 International Brotherhood of Teamsters); Doc. [24](#) (application to clerk for entry of default against Flight Options, LLC filed by Local 1108 International Brotherhood of Teamsters); Doc. [25](#) (application to clerk for entry of default against OneSky Flight, LLC filed by Local 1108 International Brotherhood of Teamsters); Doc. [26](#) (application to clerk for entry of default against Flexjet, LLC filed by International Brotherhood of Teamsters, Airline Division); Doc. [27](#) (application to clerk for entry of default against Flight Options Holdings I, LLC filed by International Brotherhood of Teamsters, Airline Division); Doc. [28](#) (application to clerk for entry of default against Flight Options, LLC filed by International Brotherhood of Teamsters, Airline Division); Doc. [29](#) (application to clerk for entry of default against OneSky Flight, LLC filed by International Brotherhood of Teamsters, Airline Division).

2016, the Carriers filed an opposition to the applications for entry of default judgment.² Also on May 11, 2016, this Court held a hearing on Pilots Union's motion for preliminary injunction.³

On May 25, 2016, this Court granted Pilots Union's motion for preliminary injunction.⁴ On May 27, 2016, the Carriers filed an answer to Pilots Union's counterclaims.⁵ On May 30, 2016, Pilots Union filed a motion to strike Carriers' answer to counterclaim.⁶ For the reasons below, this Court **DENIES** Pilots Union's applications for default judgment and **DENIES** Pilots Union's motion to strike Carriers' answer to counterclaim.

On May 6, 2016, this Court issued an order in response to Carriers' "motion for leave to serve expedited discovery and to defer briefing on the Union's Motion to Dismiss and responding to the Union's Counterclaims, or, in the alternative, for an extension of time to answer or otherwise respond to the Teamsters' Counterclaim."⁷

The Court denied the motion to conduct broad expedited discovery, but allowed the Carriers to conduct one Rule 30(b)(6) deposition of an International Brotherhood of Teamsters representative with knowledge of how the integrated seniority list was created.⁸ The Court further ordered both parties to file summaries not to exceed three pages explaining to the Court how seniority will operate under the integrated seniority list.

This Court did not directly address Carriers' secondary request for an extension of time to answer. The Carriers now seem to read an implicit granting of the extension in the Court's order while the Pilots Union seems to read an implicit denial in the Court's order. Because this Court

² Doc. [30](#).

³ Doc. [31](#).

⁴ Doc. [33](#).

⁵ Doc. [35](#).

⁶ Doc. [36](#). Carriers oppose: Doc. [37](#).

⁷ Doc. [17](#).

⁸ *Id.*

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did not issue a clear ruling on the matter and because of the strong preference for trials on the merits in federal courts,⁹ this Court accepts Carriers' late answer.

For the reasons above, this Court **DENIES** Pilots Union's applications for default judgment and **DENIES** Pilots Union's motion to strike Carriers' answer to counterclaim.

IT IS SO ORDERED.

Dated: July 6, 2016

s/ James S. Gwin

JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁹ See [*Shepard Claims Serv., Inc. v. William Darrah & Associates*, 796 F.2d 190, 193 \(6th Cir. 1986\)](#).