



and Travelport; American did so *after* it terminated “for convenience” Orbitz’s ability to sell tickets on American flights and at a time when American was advertising that fact.

Orbitz moved to dismiss American’s initial complaint. American amended its complaint. Both Orbitz’s original motion to dismiss (filed May 25, 2011) and its motion to dismiss American’s amended complaint (filed June 15, 2011) explained the numerous deficiencies in American’s theory and the controlling authority mandating dismissal of the claims as to Orbitz.

Consistent with its previous complaints, American’s latest proposed amendments predominantly concern the GDS defendants and not Orbitz. And those of its amendments which do reference Orbitz purport to concern only alleged reactions to American’s own termination of Orbitz’s ticketing authority. None cure the threshold deficiencies Orbitz raised previously. For that reason, resolution of the pending motions to dismiss will help narrow the remaining issues and frame future motion practice with respect to American’s amended claims.

Orbitz therefore respectfully requests that the Court adjudicate the pending motions to dismiss – and the claims addressed therein – and then set a schedule by which the parties may separately brief any new claims raised by American’s latest amendments.

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DATED: November 10, 2011

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

On November 10, 2011, I electronically submitted the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, Fort Worth Division, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

s/ Christopher S. Yates  
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Christopher S. Yates

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