

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

AMERICAN AIRLINES, INC. §
 §
VS. § CIVIL ACTION NO. 4:11-CV-244-Y
 §
TRAVELPORT LIMITED, et al. §

ORDER DENYING REQUEST FOR STATUS CONFERENCE,
DENYING MOTION TO FILE SUPPLEMENTAL BRIEF, AND
GRANTING IN PART AND DENYING IN PART MOTION TO EXTEND

Before the Court are the Motion to Extend Scheduling Order Deadlines (doc. 168), Motion to File Supplemental Brief (doc. 211), and Request for Rule 16 Status Conference (doc. 221) filed by plaintiff American Airlines, Inc. ("American"). After review, the Court will deny American's motion for leave to file a supplemental brief and its request for a status conference, but will grant in part and deny in part its motion to extend the scheduling-order deadlines.

Federal Rule of Civil Procedure 16(a) authorizes the Court to hold a status conference "for such purposes as: (1) expediting disposition of the action; (2) establishing early and continuing control so that the case will not be protracted because of lack of management; (3) discouraging wasteful pretrial activities; (4) improving the quality of the trial through more thorough preparation; and (5) facilitating settlement." Fed. R. Civ. P. 16(a). American contends that a Rule 16 conference would help the Court determine an effective sequence for ruling on the pending

motions to dismiss. Such a conference would also, according to American, assist the Court in establishing an efficient pretrial schedule that accommodates American's chapter 11 bankruptcy case. The defendants respond that American's request for a status conference is merely an attempt to obtain oral argument on the various matters pending before the Court.

In the Court's view, no status conference is necessary. Requiring counsel to appear personally before the Court would prove expensive for the parties. American's motion to extend has been fully briefed, and American has adequately apprised the Court of its chapter 11 bankruptcy petition. Moreover, the Court is confident that it will be able to rule on the motions to dismiss in an efficient and judicious manner, even in the absence of a status conference. Accordingly, American's request for a Rule 16 conference is DENIED.

Along those same lines, the Court concludes that it has no need for supplemental briefing in connection with American's motion to extend. American's principal brief, along with the defendants' responses and American's reply, enable the Court to properly evaluate the merits of American's extension request. Therefore, American's motion for leave to file a supplemental brief is DENIED.

By its motion to extend, American seeks a five-month extension of all deadlines in the Court's Initial Scheduling Order (doc. 121). American posits a number of reasons for its request,

including its recently filed bankruptcy petition, the voluminous amounts of discovery materials that it must review, alleged delays on the part of certain defendants in responding to discovery requests, and technical difficulties.

Rule 6(b) provides generally that “[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time . . . with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.” Fed. R. Civ. P. 6(b)(1)(A). Similarly, where a scheduling order has been entered, the Court may modify the schedule “for good cause.” Fed. R. Civ. P. 16(b)(4).

After review, the Court concludes that American has demonstrated good cause for extending certain deadlines in the Initial Scheduling Order, but not for a length of five months. Therefore, American’s motion to extend is GRANTED in part and DENIED in part. The Court’s Initial Scheduling Order is AMENDED as follows:¹

(4) The parties must file any motions to implead third parties or to join additional parties pursuant to Rules 14 or 19, respectively, no later than **March 30, 2012**.

¹ After American filed its motion to extend, the parties reached a number of stipulations regarding mediation and settlement-conference requirements (doc. 220) and expert-related deadlines (doc. 209). The Court will not disturb those deadlines. In addition, the Court will not disturb deadlines that expired prior to the filing of American’s motion to extend (e.g., the initial-disclosure deadline).

(6) Each party must file any motions for leave to amend his pleadings no later than **May 1, 2012**.

(7) The parties shall cease all document-production activity under the Federal Rules of Civil Procedure on **May 1, 2012**, and cease all fact discovery on **July 16, 2012**.

(8) The parties must file all pretrial and dispositive motions except motions in limine no later than **August 17, 2012**.

SIGNED February 28, 2012.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE