

**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.	§	

**APPENDIX IN SUPPORT OF AMERICAN AIRLINES, INC.'S OPPOSITION TO
DEFENDANT ORBITZ WORLDWIDE, LLC'S MOTION FOR AN ORDER
PERMITTING IT TO SHARE CERTAIN DOCUMENTS WITH IN-HOUSE COUNSEL
PURSUANT TO THE PROTECTIVE ORDER**

American Airlines, Inc. respectfully files this Appendix in Support of its Opposition to Defendant Orbitz Worldwide, LLC's Motion for an Order Permitting it to Share Certain Documents with In-House Counsel Pursuant to the Protective Order.

App. Page(s)	Ex.	Description
1-3	1	Email from Yolanda C. Garcia to Brendan A. McShane, dated Jan. 20, 2012
4-6	2	Letter from Brendan A. McShane to Margaret H. Allen and Yolanda C. Garcia, dated Jan. 10, 2012
7-9	3	Email from Brendan A. McShane to Yolanda C. Garcia, dated Jan. 23, 2012

DATED: March 1, 2012

Respectfully submitted,

/s/ Yolanda Cornejo Garcia
Yolanda Cornejo Garcia

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system pursuant to the Court's Local Rule 5.1(d) this 1st day of March, 2012.

/s/ Margaret H. Allen

Margaret H. Allen

EXHIBIT 1

From: Brendan.McShane@lw.com
Sent: Friday, January 20, 2012 6:07 PM
To: Garcia, Yolanda
Cc: Allen, Margaret; Velevis, Rob; Chris.Yates@LW.com; Jason.Daniels@lw.com
Subject: RE: AA/Sabre - federal expert deadline

I'm available to talk now. Shall I call your office? Otherwise you can call me – 415.395.8164.

From: Garcia, Yolanda [mailto:yolanda.garcia@weil.com]
Sent: Friday, January 20, 2012 3:57 PM
To: McShane, Brendan (SF)
Cc: Allen, Margaret; Velevis, Rob
Subject: Re: AA/Sabre - federal expert deadline

Hey Brendan:

I was in court today and missed your call. **When will you begin Orbitz's production? I think we should discuss a mutual ask to allow certain docs to be shown to in house counsel, and we think mutuality is fair given we all would like opportunity for our in-house counsel to give input to prepare for depositions and trial. We had also asked when negotiating the order if all parties would agree to certain in house counsel seeing docs but defendants told us no.** Perhaps, if you are interested, we can re-broch this subject with other defendants? Are either of these ideas workable? I'm going to send u longer formal letter re same but wanted to get back to you with these ideas. Hope u have a good weekend, and I'm available to talk if you would like.

Yolanda
Yolanda Cornejo Garcia
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Dallas, TX 75201-6950
yolanda.garcia@weil.com
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+1 214 746 7777 Fax

From: Brendan.McShane@lw.com [mailto:Brendan.McShane@lw.com]
Sent: Friday, January 20, 2012 06:21 PM
To: Velevis, Rob
Cc: Garcia, Yolanda; carolyn.feeney@dechert.com <carolyn.feeney@dechert.com>; rob.addy@bartlit-beck.com <rob.addy@bartlit-beck.com>; Chris.Yates@LW.com <Chris.Yates@LW.com>; Jason.Daniels@lw.com <Jason.Daniels@lw.com>
Subject: RE: AA/Sabre - federal expert deadline

Rob Velevis –

Chris forwarded me your email. We'll take a look through this.

In the meantime, I'd appreciate a response to my Jan. 10 letter, as well as my follow up emails of Jan. 17 and Jan. 19, and my voicemails to you, Yolanda and Margaret from this morning, about the confidentiality designation issues which we have raised. I look forward to your response.

Brendan

From: Velevis, Rob <robert.velevis@weil.com>
To: Rob Addy <rob.addy@bartlit-beck.com>
Cc: Garcia, Yolanda <yolanda.garcia@weil.com>; Carolyn H. Feeney (carolyn.feeney@dechert.com) <carolyn.feeney@dechert.com>; Yates, Chris (SF)
Sent: Fri Jan 20 14:45:13 2012
Subject: RE: AA/Sabre - federal expert deadline

Rob, Carrie, Chris,
Attached is a draft of the agreed motion to extend the time to serve the expert reports with a proposed order. Let us know if you have any comments. Thanks.

Rob



Robert Velevis

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+1 214 746 7777 Fax

From: Rob Addy [mailto:rob.addy@bartlit-beck.com]
Sent: Wednesday, January 18, 2012 5:00 PM
To: Velevis, Rob
Cc: Garcia, Yolanda; Carolyn H. Feeney (carolyn.feeney@dechert.com); Christopher Yates (Chris.Yates@LW.com)
Subject: RE: AA/Sabre - federal expert deadline

Thanks. I am adding Travelport and Orbitz counsel to the distribution. Would you mind taking the first crack at a stipulation and circulating it to this group?

-Rob

Sundee K. (Rob) Addy
Bartlit Beck Herman Palenchar & Scott LLP
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(303) 592-3140 (fax)
(512) 507-3973 (cell)

This message may contain confidential and privileged information. If it has been sent to you in error, please notify me and then immediately delete this message

From: Velevis, Rob [mailto:robert.velevis@weil.com]
Sent: Wednesday, January 18, 2012 3:38 PM
To: Rob Addy
Cc: Garcia, Yolanda
Subject: AA/Sabre - federal expert deadline

Rob,

American is agreeable to the proposal we discussed earlier whereby the parties would move the current expert deadlines back by two months in the federal case, and American will not use this agreement against Sabre in our reply brief for the motion to extend all of the deadlines by five months (or any other argument in connection with our motion to extend the deadlines). Are you putting together a motion/agreed order on this point, or did you want us to do so?



Robert Velevis

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EXHIBIT 2

From: Brendan.McShane@lw.com
Sent: Tuesday, January 10, 2012 7:01 PM
To: Allen, Margaret; Garcia, Yolanda
Cc: Velevis, Rob; Chris.Yates@LW.com; Jason.Daniels@lw.com
Subject: American Airlines, Inc. v. Sabre Inc., et al.: Correspondence
Attachments: AA Letter re Protective Order -- 1-10-2011.pdf

Margaret, Yolanda –

Please see the attached correspondence.

<<AA Letter re Protective Order -- 1-10-2011.pdf>>

We look forward to hearing back from you.

Brendan A. McShane

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LATHAM & WATKINS LLP

January 10, 2012

VIA EMAIL

Margaret H. Allen
Yolanda C. Garcia
Weil, Gotshal & Manges LLP
200 Crescent Court, Suite 300
Dallas, TX 75201-6950

FIRM / AFFILIATE OFFICES
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Milan

File No. 031104-0039

Re: American Airlines, Inc. v. Sabre Inc., et al., No. 4:11-cv-00244-Y (N.D. Tex.)

Dear Margaret and Yolanda:

Pursuant to paragraph 13 of the Stipulated Protective Order entered in this case, Orbitz requests that American agree to allow Craig Sonnenschein, Orbitz's litigation counsel, to review the below documents:

AA-GDS-000542424
AA-GDS-000678021
AA-GDS-000316238
AA-GDS-000003987
AA-GDS-000004178
AA-GDS-000451857
AA-GDS-000001139
AA-GDS-000486911
AA-GDS-000468064
AA-GDS-000485608
AA-GDS-000255739
AA-GDS-000464183
AA-GDS-000462967
AA-GDS-000003991
AA-GDS-000147654
AATVP_00012865
AA-SABBI-000538470
AA-GDS-000003867
AA-SABBI-000073556
AA-GDS-000012696
AA-GDS-000000427

AA-GDS-000009646
AA-GDS-000528224
AA-GDS-000254585
AA-GDS-000595743
AA-GDS-000201169
AA-GDS-000528427
AA-GDS-000791565
AA-GDS-000267953
AA-GDS-000255547
AA-GDS-000538535
AA-GDS-000253732
AA-GDS-000525075
AA-GDS-000572774
AA-GDS-000468310
AA-GDS-000012194
AA-GDS-000482978
AA-GDS-000467542
AA-GDS-000473857
AA-GDS-000470515
AA-GDS-000029390
AA-SABBI-000152379

LATHAM & WATKINS^{LLP}

AA-GDS-000012128
AA-GDS-000051800
AA-GDS-000034180
AA-GDS-000010318
AA-GDS-000001561

AA-GDS-000456144
AA-SABBI-000289217
AA-GDS-000468746
AA-GDS-000014290

Review of these documents by Mr. Sonnenschein is essential for Orbitz to effectively prepare its defense of this case. Please confirm American's willingness to permit this disclosure as soon as possible.

Best regards,

/s/ Brendan A. McShane

Brendan A. McShane
of LATHAM & WATKINS LLP

SF\890801.1

EXHIBIT 3

From: Garcia, Yolanda
Sent: Tuesday, January 31, 2012 11:49 AM
To: Brendan.McShane@lw.com
Cc: Allen, Margaret; Velevis, Rob; Chris.Yates@LW.com; Jason.Daniels@lw.com
Subject: Re: American Airlines, Inc. v. Sabre Inc., et al.: Correspondence

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Brendan:

As discussed we believe that all the parties in the case should have a coordinated approach to addressing the question of de-designations and/or allowing in-house counsel to see certain documents. We understand you currently disagree with that approach.

Re the scheduling the conference, we think we should file a joint notice to the court. We have a draft and will circulate. We will circulate to you and counsel for Sabre who has also agreed to move this date out. We need to file today given the current deadline.

Yolanda
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From: Brendan.McShane@lw.com [mailto:Brendan.McShane@lw.com]
Sent: Monday, January 30, 2012 04:14 PM
To: Garcia, Yolanda
Cc: Allen, Margaret; Velevis, Rob; Chris.Yates@LW.com <Chris.Yates@LW.com>; Jason.Daniels@lw.com <Jason.Daniels@lw.com>
Subject: FW: American Airlines, Inc. v. Sabre Inc., et al.: Correspondence

Yolanda,

I'm following up, again, about these documents, and the voicemail which I just left for you. Given that we have never heard back from you, we're assuming that AA opposes this request and Orbitz will move the Court for permission to show these documents to Craig Sonnenschein, its litigation counsel identified in the Protective Order. It remains our hope that we can avoid burdening the Court with this type of dispute, so please let us know immediately if you are agreeable to our request.

In addition, as mentioned in my voicemail, the Court-ordered deadline for a settlement conference is fast approaching. We are agreeable to your request to move this date out, and would like to discuss that issue with you.

Please let me know a good time to speak.

Brendan

From: McShane, Brendan (SF)

Sent: Monday, January 23, 2012 9:43 AM

To: Garcia, Yolanda

Cc: Allen, Margaret; Velevis, Rob; Yates, Chris (SF); Daniels, Jason (SF)

Subject: FW: American Airlines, Inc. v. Sabre Inc., et al.: Correspondence

Yolanda,

I'm writing to follow-up on our conversation from Friday afternoon. Please let me know a good time to speak today.

Second, pursuant to paragraph 13 of the Stipulated Protective Order, Orbitz also requests that American agree to allow Craig Sonnenschein, Orbitz's litigation counsel, to review the following documents, in addition to those identified in my January 10 letter:

AATVP_00007019

AA-GDS-000022256

AA-SABBI-000057426

AA-SABBI-000017227

AA-SABBI-000542680

Review of these documents by Mr. Sonnenschein is essential for Orbitz to effectively prepare its defense of this case. For your convenience, and to speed along the process, I've attached PDF copies of these 5 new documents.

<<January 4 PPT - AA-GDS-000022256.pdf>> <<November 18 PPT - AA-SABBI-000057426.pdf>> <<December 23 PPT - AATVP_00007019.pdf>> <<May 16 PPT - AA-SABBI-000542680.pdf>> <<January 16 PPT - AA-SABBI-000017227.pdf>>

I look forward to speaking with you today.

Brendan

From: McShane, Brendan (SF)

Sent: Thursday, January 19, 2012 3:17 PM

To: 'Allen, Margaret'; 'Garcia, Yolanda'

Cc: 'Velevis, Rob'; Yates, Chris (SF); Daniels, Jason (SF)

Subject: FW: American Airlines, Inc. v. Sabre Inc., et al.: Correspondence

Margaret –

I'm following up again on my letter. You indicated during our call on Friday that you had already pulled all of the referenced documents and were just awaiting confirmation from your client. While we appreciate that things can take time, we have heard no further word from you since – despite the fact that, under paragraph 13 of the Protective Order, AA's response was due within 5 business days of my Jan. 10 letter.

This issue is extremely important to our client, and we intend to move the Court for relief unless we hear back from you.

Brendan

From: McShane, Brendan (SF)

Sent: Tuesday, January 17, 2012 2:13 PM

To: 'Allen, Margaret'; 'Garcia, Yolanda'
Cc: 'Velevis, Rob'; Yates, Chris (SF); Daniels, Jason (SF)
Subject: FW: American Airlines, Inc. v. Sabre Inc., et al.: Correspondence

Margaret –

As a follow up to Friday's call, can you please confirm that AA is willing to allow Craig Sonnenschein, Orbitz's litigation counsel, to view these documents?

Thanks,

Brendan

From: McShane, Brendan (SF)
Sent: Tuesday, January 10, 2012 5:01 PM
To: Allen, Margaret; Garcia, Yolanda
Cc: Velevis, Rob; Yates, Chris (SF); Daniels, Jason (SF)
Subject: American Airlines, Inc. v. Sabre Inc., et al.: Correspondence

Margaret, Yolanda –

Please see the attached correspondence.

<<AA Letter re Protective Order -- 1-10-2011.pdf>>

We look forward to hearing back from you.

Brendan A. McShane

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