

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

AMERICAN AIRLINES, INC.,)	
)	
Plaintiff,)	
)	
TRAVELPORT LIMITED, a foreign)	
corporation, and TRAVELPORT, LP, a)	Civil Action No. 4:11-cv-00244-Y
Delaware limited partnership, d/b/a)	
TRAVELPORT;)	
)	
And)	
)	
ORBITZ WORLDWIDE, LLC,)	
a Delaware limited liability company,)	
d/b/a ORBITZ,)	
)	
Defendants.)	

TRAVELPORT LIMITED AND TRAVELPORT, LP’S MOTION TO STAY DISCOVERY UNTIL DISPOSITIVE MOTIONS ARE DECIDED

Defendants Travelport Limited and Travelport, LP (collectively “Travelport”) respectfully request that this Court stay discovery pursuant to Federal Rule of Civil Procedure 26(c) until the Court decides Travelport’s pending Rule 12(b)(6) and Rule 12(b)(3) motions.¹ As discussed in Travelport’s supporting memorandum,² Travelport’s Rule 12(b)(6) motion to dismiss is dispositive of all claims and would thus obviate the need for any discovery in this case. Similarly, Travelport’s Rule 12(b)(3) motion would transfer this case to Illinois, obviating the need for this Court to manage any discovery.

This Court has broad authority to stay discovery until threshold questions that may

¹ Travelport’s Rule 12(b)(6) and Rule 12(b)(3) motions were filed on May 25, 2011. Travelport submits this motion subject to and without waiving the arguments asserted in those motions.

² Travelport’s Opposition to Request for Rule 16 Conference and Memorandum in Support of Motion to Stay Discovery Pending a Decision on the Rule 12(b)(6) and Rule 12(b)(3) Motions. (Docket # 47).

dispose of the case are determined. In this case, a stay of discovery is proper in light of: (1) the strength of Travelport's dispositive motions; (2) the well-recognized burdens of subjecting the parties and third parties to costly antitrust discovery that, in this case, would span over four years of conduct occurring in Europe as well as the United States; and (3) Plaintiff's failure to provide any coherent explanation as to why discovery should proceed immediately.³ Travelport thus respectfully submits that discovery is premature at this stage of the case and requests the Court to stay all discovery until the Court first decides both of Travelport's dispositive motions.

Dated: June 1, 2011

Respectfully submitted,

/s/ Michael L. Weiner

Michael L. Weiner

michael.weiner@dechert.com

DECHERT LLP

1095 Avenue of the Americas

New York, New York 10036-6797

212.698.3608

212.698.3599(Fax)

Mike Cowie

mike.cowie@dechert.com

Craig Falls

craig.falls@dechert.com

DECHERT LLP

1775 I Street, NW

Washington, D.C. 20006-2401

202.261.3300

202.261.3333 (Fax)

ATTORNEYS FOR DEFENDANTS

TRAVELPORT LIMITED and

TRAVELPORT, LP

³ See Plaintiff American Airline's Request for Rule 16(a) Conference (Docket # 33).

Of Counsel to Travelport Defendants:

/s/ Walker C. Friedman

Walker C. Friedman
State Bar No. 07472500
wcf@fsclaw.com

Christian D. Tucker
State Bar No. 00795690
tucker@fsclaw.com

FRIEDMAN, SUDER & COOKE, P.C.

Tindall Square Warehouse No. 1
604 East 4th Street, Suite 200
Fort Worth, Texas 76102
817.334.0400
817.334.0401 (Fax)

John T. Schriver
JTSchriver@duanemorris.com
Paul E. Chronis
pechronis@duanemorris.com

DUANE MORRIS LLP

Suite 3700
190 South LaSalle Street
Chicago, Illinois 60603-3433
312.499.6700
312.499.6701 (Fax)

CERTIFICATE OF CONFERENCE

I hereby certify that on the 1st day of June, 2011, I attempted to confer with counsel for Plaintiff, including Michelle Hartmann, Paul Yetter, and Bill Bogle, regarding the merits of this Motion via email. As of the execution of this Certificate of Conference, I had not received a response to my email. Therefore this Motion is submitted to the Court for determination.

/s/ Christian D. Tucker

Christian D. Tucker

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of June, 2011, I electronically filed 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/ Walker C. Friedman

Walker C. Friedman