

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff,</i>)	
)	Civil Action No.: 99-1180-JTM
v.)	
)	
AMR CORPORATION,)	
AMERICAN AIRLINES, INC., and)	FILED OCT 23, 2000
AMR EAGLE HOLDING)	
CORPORATION,)	
)	
<i>Defendants.</i>)	
)	

**PLAINTIFF’S MOTION FOR RECONSIDERATION
OF THE COURT’S SEPTEMBER 28, 2000,
ORDER GRANTING DEFENDANTS’ MOTION TO REVIEW**

Plaintiff United States hereby moves, pursuant to D. Kan. Rule 7.3, for reconsideration of the Court’s Order Granting Defendants’ Motion to Review Magistrate Judge Humphreys’ decision of June 13, 2000 (filed September 28, 2000) (“September 28 Order”). The United States respectfully requests that the Court modify its September 28 Order to correct the mistaken implication that Professor Hovenkamp revised his treatise, PHILLIP E. AREEDA & HERBERT HOVENKAMP, ANTITRUST LAW: AN ANALYSIS OF ANTITRUST PRICIPLES AND THEIR APPLICATION (Supp. 1999), after consulting with the government by “adding a footnote which suggesed **for the first time** that the entire cost of an airplane (in addition to depreciation and obsolescence) should be considered a variable cost.” (Emphasis added).

In support of this Motion, Plaintiff files its accompanying Memorandum and the Declaration of Herbert Hovenkamp.

Date: October 21, 2000

Respectfully submitted,

Plaintiff United States

By: _____ / "s" / _____
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