

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

DEPT. OF TRANSPORTATION
DOCKET SECTION
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In the Matter of

Computer Reservations System (CRS)
Regulations

Docket No. OST-97-2881 - 105

Motion of Lyn-Lea Travel Corp. d/b/a
First Class International Travel Management to
Withdraw Previously-Filed Sealed Documents
and
Motion to Subpoena Documents

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First Class International Travel Management to
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On February 3, 1998, Lyn-Lea Travel Corp. d/b/a First Class International Travel Management (“First Class International”) filed comments in response to the Advance Notice of Proposed Rulemaking (“Notice”) issued by the Department in this proceeding. 62 Fed. Reg. 47606 (September 10, 1997).

The purpose of these comments was to bring to the attention of the Department information contained in documents obtained by First Class International in a civil case styled *Lyn-Lea Travel Corp. d/b/a First Class International Travel Management v. American Airlines, Inc.*, Civil Action No. 3-96:CV:2068-BC (pending in the United States District Court for the Northern District of Texas).¹

Initially, the district court granted First Class International leave to file the Sealed Documents with the Department on condition that they be filed under seal. Therefore, First Class International filed the Sealed Documents under seal. Subsequent to that filing, Defendants American Airlines, Inc. and The SABRE Group, Inc. (herein, “American” and “SABRE”) advised the court that other parties to this rulemaking could have access to the Sealed Documents, and the

¹ These documents will be referred to as the “Subject Documents.”

court ordered First Class International to “withdraw its prior filing of the Subject Documents.”

Accordingly, First Class International hereby moves the Department to withdraw its prior filing of the Subject Documents, to unfile all copies of the Subject Documents, and to return all copies of the Subject Documents to First Class International.

However, First Class International continues to believe that the Subject Documents should be reviewed by the Department in this rulemaking. Therefore, First Class International moves the Department to subpoena the Subject Documents from American and SABRE and to refile them in this rulemaking. To the degree necessary, First Class International waives any claims of confidentiality as to the Subject Documents.

For purposes of identification, the Subject Documents bear the following exhibit numbers and descriptions:

1. Affidavit of Stephen Sedgwick
2. Affidavit of Robin Sedgwick
3. Affidavit of Lisa Maresch
4. Deposition of Joyce Topping
5. Deposition of Sherri Schwebach
6. Deposition of Randy Tony
7. Deposition of Dan Lookabill
8. Deposition of Mary Earhart
9. Deposition of Melissa Moran
10. Deposition of Pat Anderson
11. Deposition of Renee Mzyk
12. Deposition of Jack Williams
13. Deposition of Mark Cox
14. Deposition of Chris Dane
15. Deposition of Gerry Moore-Murray

16. August 15, 1995 letter from SABRE regarding First Class Travel booking levels
17. Nick Lugo Travel SABRE Agreements.
18. Mendoza Dillon passenger name records
19. Mendoza Dillon tickets booked by Nick Lugo Travel
20. March 10, 1996 Confidential Memo by Dan Lookabill
21. SABRE revenue worksheet on First Class Travel.
22. American Airlines Commission Expense Overview
23. American Airlines draft press releases on possible commission changes
24. July 14, 1994 American Airlines Commission Analysis
25. September 13, 1994 American Airlines Memo and draft Commission Change Q&A's
26. September 19, 1994 draft letter from Chris Dane re: commission changes
27. September 28, 1994 draft Commission Change Q&A's
28. October 18, 1994 American Airlines Memo re: flat fee commission
29. November 2, 1994 American Airlines Commission Review packet
30. November 9, 1994 Jack Williams Memo and Commission Review packet
31. November 28, 1994 American Airlines Memo re: commission changes
32. December 8, 1994 American Airlines Memo re: commission changes
33. February 10, 1995 American Airlines Press Release announcing commission changes
34. November 1, 1994 American Airlines e-mail re: commission changes
35. SABRE data re: revenues and expenses attributable to First Class Travel
36. February 6, 1996 SABRE Memo re: First Class Travel bookings
37. SABRE spreadsheet re: revenues and expenses attributable to First Class Travel

Request for Relief

THEREFORE, First Class International asks that the Department take the actions requested herein.

Respectfully submitted,

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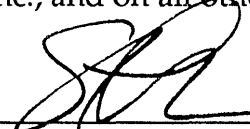
by:



Stephen Gardner

CERTIFICATE OF SERVICE

I certify that a copy of this motion was properly served on American Airlines, Inc. and The SABRE Group, Inc., and on all other persons required to be served, on or before March 10th 1998.



Stephen Gardner