

**General Docket
Third Circuit Court of Appeals**

Court of Appeals Docket #: 10-2865		Docketed: 06/25/2010
Nature of Suit: 3410 Antitrust		Termed: 08/23/2011
Caroline Behrend, et al v. Comcast Corp, et al		
Appeal From: United States District Court for the Eastern District of Pennsylvania		
Fee Status: Paid		
Case Type Information:		
1) civil		
2) private		
3) Federal question		
Originating Court Information:		
District: 0313-2 : 2-03-cv-06604		
Court Reporter: Joan Carr		
Trial Judge: John R Padova, U.S. District Judge		
Date Filed: 12/08/2003		
Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:
01/13/2010	01/13/2010	06/18/2010
Prior Cases:		
None		
Current Cases:		
None		

CAROLINE BEHREND Plaintiff - Appellee	Barry C. Barnett, Esq. Direct: 214-754-1903 Email: bbarnett@susmangodfrey.com Fax: 214-754-1933 [COR NTC Retained] Susman Godfrey 901 Main Street Suite 5100 Dallas, TX 75202-3775
	Anthony J. Bolognese, Esq. Direct: 215-814-6750 Email: abolognese@bolognese-law.com Fax: 215-814-6764 [COR NTC Retained] Bolognese & Associates 1500 John F. Kennedy Boulevard Suite 320, Two Penn Center Plaza Philadelphia, PA 19102-0000
	Daniel H. Charest, Esq. Direct: 214-754-1900 Email: dcharest@susmangodfrey.com Fax: 214-754-1933 [COR NTC Retained] Susman Godfrey 901 Main Street Suite 5100 Dallas, TX 75202-3775
	Joshua H. Grabar, Esq. Direct: 215-814-6750 Email: jgrabar@bolognese-law.com Fax: 215-814-6764 [COR NTC Retained] Bolognese & Associates 1500 John F. Kennedy Boulevard

Suite 320, Two Penn Center Plaza
Philadelphia, PA 19102-0000

Stephen L. Shackelford, Jr., Esq.
Direct: 214-754-1915
Email: sshackelford@susmangodfrey.com
Fax: 214-754-1933
[COR NTC Retained]
Susman Godfrey
901 Main Street
Suite 5100
Dallas, TX 75202-3775

David R. Woodward, Esq.
Direct: 612-338-4605
Email: dwoodward@heinsmills.com
Fax: 612-338-4692
[COR NTC Retained]
Heins, Mills & Olson
310 Clifton Avenue
Minneapolis, MN 55403

STANFORD GLABERSON
Plaintiff - Appellee

Barry C. Barnett, Esq.
Direct: 214-754-1903
[COR NTC Retained]
(see above)

Anthony J. Bolognese, Esq.
Direct: 215-814-6750
[COR NTC Retained]
(see above)

Daniel H. Charest, Esq.
Direct: 214-754-1900
[COR NTC Retained]
(see above)

Joshua H. Grabar, Esq.
Direct: 215-814-6750
[COR NTC Retained]
(see above)

Stephen L. Shackelford, Jr., Esq.
Direct: 214-754-1915
[COR NTC Retained]
(see above)

David R. Woodward, Esq.
Direct: 612-338-4605
[COR NTC Retained]
(see above)

JOAN EVANCHUK-KIND
Plaintiff - Appellee

Barry C. Barnett, Esq.
Direct: 214-754-1903
[COR NTC Retained]
(see above)

Anthony J. Bolognese, Esq.
Direct: 215-814-6750
[COR NTC Retained]
(see above)

Daniel H. Charest, Esq.
Direct: 214-754-1900
[COR NTC Retained]
(see above)

ERIC BRISLAWN
Plaintiff - Appellee

Joshua H. Grabar, Esq.
Direct: 215-814-6750
[COR NTC Retained]
(see above)

Stephen L. Shackelford, Jr., Esq.
Direct: 214-754-1915
[COR NTC Retained]
(see above)

David R. Woodward, Esq.
Direct: 612-338-4605
[COR NTC Retained]
(see above)

Barry C. Barnett, Esq.
Direct: 214-754-1903
[COR NTC Retained]
(see above)

Anthony J. Bolognese, Esq.
Direct: 215-814-6750
[COR NTC Retained]
(see above)

Daniel H. Charest, Esq.
Direct: 214-754-1900
[COR NTC Retained]
(see above)

Joshua H. Grabar, Esq.
Direct: 215-814-6750
[COR NTC Retained]
(see above)

Stephen L. Shackelford, Jr., Esq.
Direct: 214-754-1915
[COR NTC Retained]
(see above)

David R. Woodward, Esq.
Direct: 612-338-4605
[COR NTC Retained]
(see above)

v.

COMCAST CORP
Defendant - Appellant

Sheron Korpus, Esq.
Direct: 212-506-1969
Email: skorpus@kasowitz.com
[COR NTC Retained]
Kasowitz, Benson, Torres & Friedman
1633 Broadway
21st Floor
New York, NY 10019

Darryl J. May, Esq.
Direct: 215-864-8103
Email: may@ballardspahr.com
Fax: 215-864-8999
[COR NTC Retained]
Ballard Spahr
1735 Market Street
51st Floor
Philadelphia, PA 19103

	Michael S. Shuster, Esq. Direct: 212-506-1968 Email: mshuster@kasowitz.com [COR NTC Retained] Kasowitz, Benson, Torres & Friedman 1633 Broadway 21st Floor New York, NY 10019
COMCAST HOLDING CORP Defendant - Appellant	Sheron Korpus, Esq. Direct: 212-506-1969 [COR NTC Retained] (see above)
	Darryl J. May, Esq. Direct: 215-864-8103 [COR NTC Retained] (see above)
	Michael S. Shuster, Esq. Direct: 212-506-1968 [COR NTC Retained] (see above)
COMCAST CABLE COMMUNICATIONS INC Defendant - Appellant	Sheron Korpus, Esq. Direct: 212-506-1969 [COR NTC Retained] (see above)
	Darryl J. May, Esq. Direct: 215-864-8103 [COR NTC Retained] (see above)
	Michael S. Shuster, Esq. Direct: 212-506-1968 [COR NTC Retained] (see above)
COMCAST CABLE COMMUNICATIONS HOLDINGS INC Defendant - Appellant	Sheron Korpus, Esq. Direct: 212-506-1969 [COR NTC Retained] (see above)
	Darryl J. May, Esq. Direct: 215-864-8103 [COR NTC Retained] (see above)
	Michael S. Shuster, Esq. Direct: 212-506-1968 [COR NTC Retained] (see above)
COMCAST CABLE HOLDINGS, LLC Defendant - Appellant	Sheron Korpus, Esq. Direct: 212-506-1969 [COR NTC Retained] (see above)
	Darryl J. May, Esq. Direct: 215-864-8103 [COR NTC Retained] (see above)
	Michael S. Shuster, Esq.

Direct: 212-506-1968
[COR NTC Retained]
(see above)

CAROLINE BEHREND; STANFORD GLABERSON;
JOAN EVANCHUK-KIND; ERIC BRISLAWN

v.

COMCAST CORPORATION; COMCAST HOLDINGS CORPORATION;
COMCAST CABLE COMMUNICATIONS, INC.;
COMAST CABLECOMMUNICATIONS HOLDINGS, INC.;
COMCAST CABLE HOLDINGS, LLC,

Appellants

06/25/2010	 	CIVIL CASE DOCKETED. Notice filed by Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp in District Court No. 2-03-cv-06604. Case transferred from Misc. Docket No. 10-8009. (SMW)
06/25/2010		RECORD available on District Court CM/ECF. (SMW)
07/07/2010	 	ECF FILER: ENTRY OF APPEARANCE from David Woodward on behalf of Appellee(s) Caroline Behrend, Stanford Glaberson, Joan Evanchuk-Kind, Eric Brislaw. (DRW)
07/07/2010	 	ECF FILER: ENTRY OF APPEARANCE from Barry Barnett on behalf of Appellee(s) Caroline Behrend, Stanford Glaberson, Joan Evanchuk-Kind, Eric Brislaw. (BCB)
07/08/2010	 	ECF FILER: ENTRY OF APPEARANCE from Daniel H. Charest on behalf of Appellee(s) Caroline Behrend; Stanford Glaberson; Joan Evanchuk-Kind; Eric Brislaw. (DHC)
07/09/2010	 	ECF FILER: ENTRY OF APPEARANCE from Darryl J. May on behalf of Appellant(s) Comcast Corporation, Comcast Holdings Corporation, Comcast Cable Communications, Inc., Comcast Cable Holdings, Inc., Comcast Cable Holdings, LLC. (DJM)
07/09/2010	 	ECF FILER: Transcript Purchase Order Form (Part 1) filed by Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp advising this court that transcripts are already on file in the District Court. (DJM)
07/09/2010	 	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellant Comcast Corp, filed. (DJM)
07/09/2010	 	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC and Comcast Holding Corp, filed. (DJM)
07/09/2010	 	ECF FILER: CIVIL INFORMATION STATEMENT on behalf of Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp, filed. (DJM)
07/09/2010	 	ECF FILER: Concise Summary of the Case filed by Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp, received. (DJM)
07/09/2010	 	ECF FILER: ENTRY OF APPEARANCE from Anthony J. Bolognese on behalf of Appellee(s) Caroline Behrend; Standford Glaberson; Joan Evanchuk-Kind; Eric Brislaw. (AJB)
07/09/2010	 	ECF FILER: ENTRY OF APPEARANCE from Joshua H. Grabar on behalf of Appellee(s) Caroline Behrend; Stanford Glaberson; Joan Evanchuk-Kind; Eric Brislaw. (AJB)
07/12/2010	 	ECF FILER: ENTRY OF APPEARANCE from Stephen L. Shackelford, Jr. on behalf of Appellee(s) Caroline Behrend; Stanford Glaberson; Joan Evanchuk-Kind; Eric Brislaw. (SLS)
07/20/2010	 	BRIEFING NOTICE ISSUED. Brief on behalf of Appellants due on or before 08/30/2010. Appendix due on or before 08/30/2010. (SMW)
08/26/2010	 	ECF FILER: ENTRY OF APPEARANCE from Michael S. Shuster on behalf of Appellant(s) Comcast Corporation, Comcast Holdings Corporation, Comcast Cable Communications Inc., Comcast Cable Holdings Inc., Comcast Cable Holdings LLC. (MSS)
08/26/2010	 	ECF FILER: ENTRY OF APPEARANCE from Sheron Korpus on behalf of Appellant(s) Comcast Corporation, Comcast Holdings Corporation, Comcast Cable Communications Inc., Comcast Cable Holdings Inc., and Comcast Cable Holdings LLC. (SK)
08/26/2010	 	ECF FILER: UNOPPOSED Motion filed by Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp to seal Appendix Volumes 10-21. Certificate of Service dated 08/26/2010. SEND TO THE MERITS PANEL.--[Edited 09/15/2010 by LAL] (DJM)
08/30/2010	 	ECF FILER: ELECTRONIC BRIEF on behalf of Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp, filed. Certificate of Service dated 08/30/2010 by hand delivery, ECF, 3rd party. (DJM)
08/30/2010		HARD COPY RECEIVED from Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp - Brief with Volume I of Appendix attached. Copies: 10, (SJB)
08/30/2010		APPENDIX on behalf of Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp - Appendix. Copies: 4.

Volumes: 21 (Volume I attached to Brief). (Volumes 10 through 21 Held Under Seal), filed. (LAL)

09/15/2010   ORDER (Clerk) referring to the merits panel the Motion by Appellants Comcast Corp, Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Holding Corp and Comcast Cable Holdings, LLC for leave to file Appendix Volumes 10 through 21 Under Seal. The Clerk is directed to hold Volumes 10 through 21 of the appendix under seal pending disposition of the motion,. SEND TO MERITS PANEL., filed. (LAL)
1 pg, 21.18 KB

09/29/2010   ECF FILER: ELECTRONIC BRIEF on behalf of Appellees Caroline Behrend, Eric Brislaw, Joan Evanchuk-Kind and Stanford Glaberson, filed. Certificate of Service dated 09/29/2010 by US mail, ECF. (BCB)
66 pg, 3.1 MB

10/04/2010  HARD COPY RECEIVED from Appellees Caroline Behrend, Eric Brislaw, Joan Evanchuk-Kind and Stanford Glaberson - Brief. Copies: 10. (KEL)

10/18/2010   ECF FILER: ELECTRONIC REPLY BRIEF on behalf of Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp, filed. Certificate of Service dated 10/18/2010 by ECF, 3rd party, hand delivery. (DJM)
36 pg, 150.69 KB

10/18/2010  HARD COPY RECEIVED from Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp - Reply Brief. Copies: 10. (RM)

11/02/2010   Calendared for Tuesday, 01/11/2011. (TLW)
2 pg, 36.8 KB

11/02/2010   ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Darryl J. May, Esq. for Appellants Comcast Corp, Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Holding Corp and Comcast Cable Holdings, LLC. Certificate of Service dated 11/02/2010. (DJM)
2 pg, 30.7 KB

11/03/2010   ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Barry C. Barnett, Esq. for Appellees Eric Brislaw, Joan Evanchuk-Kind, Caroline Behrend and Stanford Glaberson. Certificate of Service dated 11/03/2010. (BCB)
2 pg, 41.92 KB

12/02/2010   Oral Argument Notification for Tuesday, 01/11/2011. (TLW)
4 pg, 58.01 KB

01/11/2011  Argued on Tuesday, January 11, 2011 before AMBRO, FISHER and JORDAN, Circuit Judges Barry C. Barnett arguing for Appellees Caroline Behrend, Eric Brislaw, Joan Evanchuk-Kind, and Stanford Glaberson; Michael S. Shuster arguing for Appellants Comcast Corp, Comcast Holding Corp, Comcast Cable Comm, Inc. Comcast Cable Communications Holdings, and LLC Comcast Cable Holdings. (TLW)

01/11/2011   CLERK'S LETTER to counsel written at the direction of the Court. At the direction of the Court, counsel are directed to file a transcript of oral argument by Tuesday, January 25, 2011 in the above entitled case. Liaison counsel should immediately advise the Clerk's Office of the Court Reporter or Agency handling the transcription of oral argument. Counsel are to split the cost of the transcript. (Please see the attached letter for the FULL text.) (TLW)
3 pg, 77.38 KB

01/11/2011  Calendared for Tuesday, 01/11/2011. (TLW)

01/21/2011   CLERK'S LETTER to counsel written at the direction of the Court. The panel has been reconstituted in the above case due to a belated recusal. The parties will be notified if the reconstituted panel wishes argument in this case. (PM)
2 pg, 60.4 KB

01/25/2011   ECF FILER: Transcript of oral argument on 01/11/2011 prepared at the direction of the Court. (DJM)
83 pg, 3.12 MB

06/22/2011   ECF FILER: Letter dated 06/22/2011 , filed pursuant to Rule 28(j) from counsel for Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp. This document will be SENT TO THE MERITS PANEL, if/when applicable. (MSS)
2 pg, 13.39 KB

06/27/2011   ECF FILER: Response filed by Appellees Caroline Behrend, Eric Brislaw, Joan Evanchuk-Kind and Stanford Glaberson to Rule 28(j) letter. Certificate of Service dated 06/27/2011. This document will be SENT TO THE MERITS PANEL, if/when applicable. (BCB)
2 pg, 95.94 KB

08/23/2011   PRECEDENTIAL OPINION Coram: FISHER, JORDAN and ALDISERT, Circuit Judges. Judge: ALDISERT Authoring, Judge: JORDAN Concurring & dissenting. (SMW)
98 pg, 572.82 KB

08/23/2011   JUDGMENT, Affirmed. Costs taxed against Appellant. (SMW)
5 pg, 31.86 KB

09/06/2011	  61 pg, 281.07 KB	ECF FILER: Petition filed by Appellants Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Cable Holdings, LLC, Comcast Corp and Comcast Holding Corp for Rehearing before original panel and the court en banc. Certificate of Service dated 09/06/2011. (MSS)
09/20/2011	  1 pg, 35.26 KB	ORDER (MCKEE, Chief Judge, SLOVITER, SCIRICA, FUENTES, SMITH, FISHER, CHAGARES, JORDAN, VANASKIE, and ALDISERT*, Circuit Judges) Denying Petition for Rehearing filed by Appellants Comcast Corp, Comcast Cable Comm, Comcast Cable Communications Holdings, Inc., Comcast Holding Corp and Comcast Cable Holdings, LLC, filed. Ruggero J. Aldisert*, Authoring Judge. *As to panel rearing only. (SMW)
09/28/2011	  102 pg, 624.54 KB	MANDATE ISSUED, filed. (PDB)
12/07/2011		U.S. Supreme Court Letter dated 12/02/2011 granting Appellant Comcast Corp an extension of time to and including 01/18/2012 to file petition for writ of certiorari. Supreme Court Application No. 11A534. (CRG)
06/25/2012		NOTICE from U.S. Supreme Court. Petition for Writ of Certiorari filed by Comcast Corp on 01/11/2012. Supreme Court Case No. 11-864. (CRG)
06/25/2012		NOTICE of U.S. Supreme Court disposition at No. 11-864. Petition for Writ of Ceriorari filed by Comcast Corp granted on 06/25/2012. Petition granted limited to the following question : "Whether a district court may certify a class action without resolving whether the plaintiff class has introduced admissible evidence, including expert testimony, to show that the case is susceptible to awarding damages on a class-wide basis." (CRG)
08/02/2012		Letter from U.S. Supreme Court dated 07/25/2012 requesting 3rd Circuit and originating court records, filed. (CRG)
08/02/2012		Certified copy of briefs, appendices and partial proceedings in this Court forwarded to Clerk of U.S. Supreme Court on 08/02/2012. (CRG)

Clear All

- Documents and Docket Summary
- Documents Only

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