

**General Docket
Third Circuit Court of Appeals**

Court of Appeals Docket #: 09-4468 Nature of Suit: 3410 Antitrust W Penn Alghny Health Sys v. UPMC, et al Appeal From: United States District Court for the Western District of Pennsylvania Fee Status: Paid	Docketed: 12/01/2009 Termed: 11/29/2010			
Case Type Information: 1) civil 2) private 3) Federal question				
Originating Court Information: District: 0315-2 : 2-09-cv-00480 Trial Judge: Arthur J Schwab, U.S. District Judge Date Filed: 04/21/2009 <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Date Order/Judgment: 10/29/2009</td> <td style="width: 33%;">Date Order/Judgment EOD: 10/29/2009</td> <td style="width: 33%;">Date NOA Filed: 11/20/2009</td> </tr> </table>		Date Order/Judgment: 10/29/2009	Date Order/Judgment EOD: 10/29/2009	Date NOA Filed: 11/20/2009
Date Order/Judgment: 10/29/2009	Date Order/Judgment EOD: 10/29/2009	Date NOA Filed: 11/20/2009		
Prior Cases: None				
Current Cases: None				

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v.

UPMC

Defendant - Appellee

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WEST PENN ALLEGHENY HEALTH SYSTEM, INC.,




















Appellant

v.

UPMC; HIGHMARK, INC.

12/01/2009	 84 pg, 346.7 KB	CIVIL CASE DOCKETED. Notice filed by Appellant West Penn Alghny Health Sys Inc.--[Edited 12/03/2009 by TYW] (TYW)
12/01/2009		RECORD available on District Court CM/ECF. (TYW)
12/02/2009	 1 pg, 34.98 KB	ECF FILER: ENTRY OF APPEARANCE from Donna M. Doblick on behalf of Appellee(s) Highmark Inc.. (DMD)
12/02/2009	 1 pg, 17.54 KB	ECF FILER: ENTRY OF APPEARANCE from Jonathan M. Jacobson on behalf of Appellee(s) UPMC. (JMJ)
12/03/2009	 1 pg, 29.91 KB	ECF FILER: ENTRY OF APPEARANCE from P. Gavin Eastgate on behalf of Appellee(s) Highmark Inc.. (PGE)
12/03/2009	 1 pg, 271.21 KB	ECF FILER: ENTRY OF APPEARANCE from Jeffrey J. Bresch on behalf of Appellee(s) Highmark Inc.. (JJB)
12/03/2009	 1 pg, 29.04 KB	ECF FILER: ENTRY OF APPEARANCE from Daniel I. Booker on behalf of Appellee(s) Highmark Inc.. (DIB)
12/03/2009	 2 pg, 50.83 KB	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellee Highmark Inc, filed. (PGE)
12/15/2009	 1 pg, 36.55 KB	ECF FILER: ENTRY OF APPEARANCE from Ms. Barbara W. Mather on behalf of Appellant(s) West Penn Allegheny Health System,Inc.. (BWM)
12/15/2009	 1 pg, 34.87 KB	ECF FILER: ENTRY OF APPEARANCE from Mr. Barak A. Bassman on behalf of Appellant(s) West Penn Allegheny Health System,Inc.. (BAB)
12/15/2009	 2 pg, 63.04 KB	ECF FILER: CIVIL INFORMATION STATEMENT on behalf of Appellant W Penn Alghny Health, filed. (BAB)
12/15/2009	 2 pg, 80.27 KB	ECF FILER: Concise Summary of the Case filed by Appellant W Penn Alghny Health, received. (BAB)
12/15/2009	 2 pg, 55.63 KB	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellant W Penn Alghny Health, filed. (BAB)
12/15/2009	 1 pg, 41.08 KB	ECF FILER: Transcript Purchase Order Form (Part 1) filed by Appellant W Penn Alghny Health advising this court that transcripts are already on file in the District Court. (BAB)
12/17/2009	 2 pg, 74.1 KB	BRIEFING NOTICE ISSUED. Brief and Appendix on behalf of Appellant W Penn Alghny Health due on or before 01/26/2010. (TYW)
12/17/2009	 1 pg, 48.57 KB	ECF FILER: ENTRY OF APPEARANCE from Ms. Barbara T. Sicalides on behalf of Appellant(s) West Penn Allegheny Health System, Inc. (BTS)
12/21/2009	 1 pg, 49.36 KB	ECF FILER: ENTRY OF APPEARANCE from Paul H. Titus on behalf of Appellee(s) UPMC. (NAS)
12/21/2009	 1 pg, 49.09 KB	ECF FILER: ENTRY OF APPEARANCE from Nilam A. Sanghvi on behalf of Appellee(s) UPMC. (NAS)
12/21/2009	 2 pg, 80.13 KB	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellee UPMC, filed. (NAS)
01/20/2010	 1 pg, 44.9 KB	ECF FILER: ENTRY OF APPEARANCE from Mr. James T. Giles on behalf of Appellant(s) West Penn Allegheny Health System, Inc.. (JTG)
01/25/2010	 4 pg, 18.25 KB	ECF FILER: UNOPPOSED Motion filed by Appellee Highmark Inc to seal Supplemental Appendix. Certificate of Service dated 01/25/2010. SEND TO MERITS PANEL.--[Edited 02/08/2010 by TMK] (PGE)
01/25/2010	 4 pg, 16.79 KB	ECF FILER: UNOPPOSED Motion by Appellee UPMC to File Supplemental Appendix under Seal, filed. Certificate of Service dated 01/25/2010.--[Edited 01/25/2010 by TMK] SEND TO MERITS PANEL.--[Edited 02/08/2010 by TMK] (JMJ)
01/26/2010	 78 pg, 216.88 KB	ECF FILER: ELECTRONIC BRIEF on behalf of Appellant W Penn Alghny Health, filed. Certificate of Service dated 01/26/2010 by hand delivery, email. (BAB)
01/26/2010	 88 pg, 404 KB	ECF FILER: ELECTRONIC JOINT APPENDIX on behalf of Appellant W Penn Alghny Health, filed. Certificate of service dated 01/26/2010 by email. (BAB)
01/26/2010	 893 pg, 52.12 MB	ECF FILER: ELECTRONIC JOINT APPENDIX on behalf of Appellant W Penn Alghny Health, filed. Certificate of service dated 01/26/2010 by email. (BAB)
01/26/2010	 0 pg, 0 KB	ECF FILER: SEALED ELECTRONIC APPENDIX on behalf of Appellant W Penn Alghny Health, filed. Certificate of Service dated 01/26/2010 by email. (BAB)

01/27/2010		HARD COPY RECEIVED from Appellant W Penn Alghny Health - Brief with Volume I of Joint Appendix attached. Copies: 10. (KEL)
01/27/2010		HARD COPY RECEIVED from Appellant W Penn Alghny Health - Joint Appendix. Copies: 4. Volumes: 3 (Volume I attached to Brief and Volume III HELD UNDER SEAL). (MCW)
02/05/2010		NON COMPLIANCE Order issued to Appellant W Penn Alghny Health regarding the appendix filed on 01/26/2010. Please open the attachment for the full text of the Order. Compliance due by 02/10/2010. (EMA)
02/08/2010		ECF FILER: ENTRY OF APPEARANCE from Nancy Winkelman on behalf of Appellee(s) UPMC. (NAS)
02/08/2010		ECF FILER: ELECTRONIC ADDENDUM to APPENDIX on behalf of Appellant W Penn Alghny Health containing District Court Docket Sheet, filed. Certificate of Service dated 02/08/2010 by hand delivery, email. (BAB)
02/08/2010		ORDER (Clerk) considering Motions for leave to file supplemental appendix and to file supplemental appendix under seal. The motions for leave to file supplemental appendix are granted in part. To the extent the motions seek to seal the supplemental appendices, the motions are referred to the merits pane, filed. SEND TO MERITS PANEL. (Please see order for full text of the Order) (TMK)
02/08/2010		HARD COPY RECEIVED from Appellant W Penn Alghny Health - Addendum to Appendix. Copies: 4. (RM)
02/09/2010		ECF FILER: UNOPPOSED Motion filed by Appellant W Penn Alghny Health to seal Volume III Of The Joint Appendix. Certificate of Service dated 02/09/2010. SEND TO MERITS PANEL.--[Edited 03/05/2010 by EMA] (BTS)
02/09/2010		COMPLIANCE RECEIVED. Received addendum to appendix both electronically and hard copies containing the DC docket and a motion to seal joint appendix volume III. (EMA)
03/01/2010		ECF FILER: ELECTRONIC BRIEF on behalf of Appellee Highmark Inc, filed. Certificate of Service dated 03/01/2010 by clerk. (DIB)
03/01/2010		ECF FILER: ELECTRONIC BRIEF on behalf of Appellee UPMC, filed. Certificate of Service dated 03/01/2010 by US mail. (JMJ)
03/01/2010		HARD COPY RECEIVED from Appellee UPMC - Brief. Copies: 10. (KEL)
03/02/2010		HARD COPY RECEIVED from Appellee Highmark Inc - Brief. Copies: 10. (KEL)
03/03/2010		ORDER (Clerk) The foregoing motion by Appellant for leave to Seal Volume III of the Joint Appendix is referred to the merits panel. The Clerk is directed to hold Volume III of the joint appendix under seal pending disposition of the motion. SEND TO MERITS PANEL. (EMA)
03/18/2010		ECF FILER: ELECTRONIC REPLY BRIEF on behalf of Appellant W Penn Alghny Health, filed. Certificate of Service dated 03/18/2010 by hand delivery, email. (BAB)
03/18/2010		HARD COPY RECEIVED from Appellant W Penn Alghny Health - Reply Brief. Copies: 10. (SJB)
05/07/2010		ECF FILER: Letter dated 5/7/10 , filed pursuant to Rule 28(j) from counsel for Appellant. This document will be SENT TO THE MERITS PANEL, if/when applicable. Certificate of Service dated 05/07/2010.-- [Edited 05/10/2010 by TYW] (BTS)
05/12/2010		ECF FILER: Response filed by Appellee Highmark Inc to Rule 28(j) letter. Certificate of Service dated 05/12/2010. This document will be SENT TO THE MERITS PANEL, if/when applicable. (DMD)
06/11/2010		Calendared for Wednesday, 09/15/2010 (Rescheduled from Tuesday, 09/14/2010) (CMH)
06/11/2010		ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Jonathan M. Jacobson, Esq. for Appellee UPMC. Certificate of Service dated 06/11/2010. (JMJ)
06/15/2010		ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Daniel I. Booker, Esq. for Appellee Highmark Inc. Certificate of Service dated 06/15/2010. (DIB)
06/17/2010		ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Barbara W. Mather, Esq. for Appellant W Penn Allegheny Health System. Certificate of Service dated 06/17/2010. (BWM)
07/27/2010		ECF FILER: Letter dated 07/27/2010 , filed pursuant to Rule 28(j) from counsel for Appellee UPMC. This document will be SENT TO THE MERITS PANEL, if/when applicable. (JMJ)
07/27/2010		ECF FILER: Letter dated 07/27/2010 , filed pursuant to Rule 28(j) from counsel for Appellee Highmark Inc. This document will be SENT TO THE MERITS PANEL, if/when applicable. (DIB)

07/30/2010	 3 pg, 147.93 KB	ECF FILER: Letter dated 07/30/2010 , filed pursuant to Rule 28(j) from counsel for Appellant W Penn Allegheny Health System. This document will be SENT TO THE MERITS PANEL, if/when applicable. (BTS)
08/18/2010	 1 pg, 79.46 KB	Oral Argument Notification for Wednesday, 09/15/2010. (PM)
08/24/2010	 2 pg, 22.85 KB	ECF FILER: DIVISION OF TIME FORM filed by Attorney Jonathan M. Jacobson, Esq. for Appellee UPMC. Certificate of Service dated 08/24/2010. (JMJ)
09/02/2010	 203 pg, 877.76 KB	ECF FILER: Letter dated 09/02/2010 , filed pursuant to Rule 28(j) from counsel for Appellee UPMC. This document will be SENT TO THE MERITS PANEL, if/when applicable. (JMJ)
09/02/2010	 1 pg, 16.89 KB	ECF FILER: LETTER on behalf of Appellee Highmark Inc. Appellee Highmark Inc will adopt the Rule 28(j) Letter by UPMC Filed on September 2, 2010 on behalf of Appellee UPMC. Certificate of Service dated 09/02/2010. This document will be SENT TO THE MERITS PANEL if/when applicable. (DMD)
09/08/2010	 3 pg, 50.13 KB	ECF FILER: Letter dated 09/08/2010 , filed pursuant to Rule 28(j) from counsel for Appellant W Penn Allegheny Health System. This document will be SENT TO THE MERITS PANEL, if/when applicable. (BTS)
09/15/2010	 1 pg, 256.75 KB	ECF FILER: LETTER on behalf of Attorney Donna M. Doblick, Esq. for Appellee Highmark Inc advising the Court of editing errors in the brief. Certificate of Service dated 09/15/2010. SEND TOMERITS PANEL. --[Edited 09/15/2010 by MS] (DMD)
09/15/2010		Argued on Wednesday, September 15, 2010 before SLOVITER, BARRY and SMITH, Circuit Judges. Daniel I. Booker arguing for Appellee Highmark, Inc.,; Jonathan M. Jacobson arguing for Appellee UPMC; Barbara W. Mather arguing for Appellant Barbara W. Mather. (CMH)
09/15/2010	 4 pg, 830.17 KB	ECF FILER: LETTER on behalf of Attorney Jonathan M. Jacobson, Esq. for Appellee UPMC, sent for the court's information in reference to a discussion during oral argument. Certificate of Service dated 09/15/2010.--[Edited 09/15/2010 by CMH] (JMJ)
11/29/2010	 44 pg, 244.2 KB	PRECEDENTIAL OPINION Coram: SLOVITER, BARRY and SMITH, Circuit Judges. Total Pages: 44. Judge: SMITH Authoring. (TYW)
11/29/2010	 6 pg, 50.65 KB	JUDGMENT the judgment of the District Court entered October 29, 2009 is reversed in part and vacated in part and the matter is remanded for further proceedings. Each party to bear its own costs. (TYW)
12/13/2010	 68 pg, 291.24 KB	ECF FILER: Petition filed by Appellee UPMC for Rehearing before original panel and the court en banc. Certificate of Service dated 12/13/2010. (NAS)
12/13/2010	 64 pg, 1.12 MB	ECF FILER: Petition filed by Appellee Highmark Inc for Rehearing before original panel and the court en banc. Certificate of Service dated 12/13/2010. (DIB)
12/29/2010	 2 pg, 22.12 KB	ORDER (MCKEE, Chief Judge, SLOVITER, SCIRICA, BARRY, AMBRO, FUENTES, SMITH, CHAGARES, JORDAN, GREENAWAY and VANASKIE, Circuit Judges) denying En Banc Rehearing filed by Appellee UPMC, denying En Banc Rehearing filed by Appellee Highmark Inc; denying for Panel Rehearing filed by Appellee UPMC, denying for Panel Rehearing filed by Appellee Highmark Inc, filed. D. Brooks Smith, Authoring Judge. (MB)
12/29/2010	 73 pg, 323.71 KB	ECF FILER: Motion filed by Appellee UPMC to stay mandate. Certificate of Service dated 12/29/2010. (NAS)
12/29/2010	 28 pg, 88.31 KB	ECF FILER: Motion filed by Appellee Highmark Inc to stay mandate. Certificate of Service dated 12/29/2010. (DMD)
01/04/2011	 1 pg, 23.22 KB	ORDER (SLOVITER, BARRY and SMITH, Circuit Judges) denying Motion by Appellees UPMC and Highmark Inc for stay of the mandate, filed. Smith, Authoring Judge. (TYW)
01/05/2011	 48 pg, 321.66 KB	MANDATE ISSUED, filed. (TH)
03/14/2011		U.S. Supreme Court Letter dated 03/09/2011 granting Appellee Highmark Inc an extension of time to and including 04/28/2011 to file petition for writ of certiorari. Supreme Court Application No. 10A878. (CRG)

- Documents and Docket Summary
- Documents Only

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Totals reflect accessible documents only and do not include unauthorized restricted documents.
