

# Table of Laws and Rules

---

## ADMINISTRATIVE PROCEDURE ACT

<b>Sec.</b>	<b>Sec.</b>
10(c) .....	121, 178, 206

## AMATEUR SPORTS ACT

<b>Sec.</b>	<b>Sec.</b>
110 .....	12

## BANK HOLDING COMPANY ACT (BHCA)

<b>Sec.</b>	<b>Sec.</b>
1842(c) .....	110

## BANK HOLDING COMPANY ACT OF 1956

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
3 .....	110A	4 .....	37, 110A

## CLAYTON ACT

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
1 .....	32, 95, 110A, 164		200, 201
2 .....	32, 126, 164	4A .....	37, 164, 188
2(a) ..	52, 125, 126, 127, 128, 131, 181	4C .....	37, 164
2(c) .....	181	4F(b) .....	164, 205
2(d) .....	123	5 .....	174, 182, 187
2(e) .....	123, 181	5(a) .....	180, 182
2(f) .....	181	5(i) .....	180
3 ....	27, 32, 33, 40, 54, 81, 83, 84, 86, 123, 126, 131, 156	7 ....	30, 32, 33, 36, 41, 48, 49, 54, 67, 85, 92, 95, 96, 97, 99, 100, 102, 103, 104, 105, 106, 107, 108, 109, 110, 110A, 112, 120, 121, 126, 148, 164, 171, 175, 176, 177, 179A, 184, 186, 187, 196, 200,
4 .	33, 34, 37, 40, 44, 84, 88, 112, 116, 124, 127, 131, 144, 158, 163A, 164, 175, 182, 186, 187, 187A, 188, 189, 190, 192, 195, 196, 197,		

FEDERAL CONTROL OF BUSINESS

**CLAYTON ACT—Continued**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
	206, 207, 210, 213	11(1) .....	164, 210, 212
7A .....	110A	11(b) .....	164, 212
8 .....	36, 112, 175, 184, 187, 200, 212	12 .....	165, 167, 171
84 .....	112	15 .....	95, 164
8(a)(5) .....	112	16 .....	94, 97, 124, 175, 176, 177, 178, 184, 187, 200, 202
10 .....	27, 112, 113, 187		
11 .....	121, 176, 206		

**COPYRIGHT ACT**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
1(e) .....	162	104 .....	162
5(g) .....	162		

**FEDERAL DEPOSIT INSURANCE ACT**

<b>Sec.</b>	<b>Sec.</b>
18(c) .....	110A

**FEDERAL TRADE COMMISSION ACT**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
5 .....	25, 30, 32, 33, 40, 47, 52, 66, 72, 85, 86, 87, 95, 97, 99, 107, 110A, 112, 120, 121, 122, 123, 127, 139, 164, 176, 178, 179, 180, 182, 184, 186, 206, 207, 208, 209, 210, 211, 212, 213	5(c) .....	213
		6 .....	32, 207, 209
		6(b) .....	207
		6(g) .....	207, 209
		9 .....	209
5(1) .....	30, 164, 210, 212	10 .....	205, 210
5(a) .....	36, 210	12 .....	30, 32, 121, 164, 209, 211
5(a)(1) .....	17	13(b) .....	92, 105, 110A, 176, 206, 210
5(b) .....	206, 213	14 .....	30, 121, 164

**HART-SCOTT-RODINO ANTITRUST IMPROVEMENTS ACT OF  
1976**

<b>Sec.</b>	<b>Sec.</b>
4C .....	214

TABLE OF LAWS AND RULES

**IMMIGRATION AND NATIONALITY ACT**

<b>Sec.</b>	<b>Sec.</b>
244(c)(2) .....	208

**INTERNATIONAL COMMERCE ACT**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
5 .....	27, 113	5a .....	205

**LANHAM ACT**

<b>Sec.</b>	<b>Sec.</b>
43(a) .....	18, 25

**MCCARRAN-FERGUSON ACT**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
2(a).....	36	3(b).....	36
2(b).....	36		

**NATIONAL LABOR RELATIONS ACT**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
8(e).....	34	8(f) .....	34

**ROBINSON-PATMAN ACT**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
1 .....	124, 187	2(d).....	123, 127, 128, 131, 138, 187
2 .....	126, 128	2(e) .....	127, 128, 131, 138, 187
2(a) ..	32, 43, 44, 47, 52, 68, 124, 125, 126, 127, 128, 129, 130, 131, 133, 136, 137, 138, 177, 181, 188, 205	2(f) .....	127, 131, 135, 138, 139
2(b).....	136, 163A	2a .....	40, 47, 86, 126, 128, 131, 187
2(c) .....	24, 129, 131, 137, 182, 187	4 .....	35, 86
		13 .....	55

**SECURITIES ACT**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
10(b) .....	169	17 .....	169

**SECURITIES EXCHANGE ACT OF 1934**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
10 .....	176	14 .....	176
10(b) .....	187		

**SHERMAN ACT**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
1. 1, 4, 27, 28, 32, 33, 33A, 34, 35, 36, 37, 38, 39, 40, 40A, 41, 41A, 42, 43, 44, 46, 47, 48, 51, 52, 54, 55, 56, 57, 64, 66, 67, 68, 69, 70, 80, 81, 83, 84, 85, 86, 87, 88, 89, 97, 102, 104, 117, 118, 119, 120, 121, 123, 124, 126, 127, 131, 146, 150, 163, 163A, 164, 167, 171, 174, 175, 176, 181, 182, 186, 187,			187A, 188, 190, 193, 195, 200, 201, 202, 203A, 205
		2 .....	28, 29, 33, 35, 36, 37, 37A, 41, 41A, 44, 46, 47, 48, 49, 51, 52, 52A, 53, 54, 55, 67, 84, 85, 88, 121, 124, 126, 127, 131, 148, 156, 158, 160, 164, 181, 186, 187, 195, 196, 200
		8 .....	164, 189, 190

**SHERMAN ANTI-TRUST ACT**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
1. 4, 27, 28, 29, 32, 33, 34, 35, 40, 41, 42, 43, 44, 45, 47, 48, 52, 53, 55, 60, 66, 67, 68, 70, 81, 83, 84, 85, 86, 88, 98, 100, 110A, 120, 126, 146, 158A, 163, 164, 169, 174, 175, 176, 179, 181, 182, 184, 186, 187, 188, 194, 196, 197, 205			42, 43, 44, 45, 46, 47, 48, 52, 53, 55, 60, 66, 67, 68, 70, 81, 83, 85, 86, 88, 96, 98, 100, 110A, 120, 126, 146, 158, 163, 164, 169, 174, 175, 176, 179, 181, 182, 184, 186, 187, 188, 194, 196, 197, 205, 213
2. 4, 27, 28, 29, 32, 33, 34, 35, 40, 41,		3 .....	28, 164, 205

**TARIFF ACT OF 1930**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
337(a) .....	42	526 .....	9, 29

TABLE OF LAWS AND RULES

UNITED STATES CODE ANNOTATED

<b>1 U.S.C.A. Sec.</b>	<b>Sec.</b>	<b>15 U.S.C.A. Sec.</b>	<b>Sec.</b>
1 et seq.....	164	15A .....	37, 164
1 .....	95	15C et seq.....	187A
<b>5 U.S.C.A. Sec.</b>	<b>Sec.</b>	15C .....	37, 164
552.....	164	15C(a)(2) .....	187A
554(d).....	213	15a....	164, 178, 180, 183, 186, 187A, 188, 189, 192, 194
702.....	28, 175	15b.....	177
704.....	206	15c....	186, 187A, 188, 189, 192, 194
<b>7 U.S.C.A. Sec.</b>	<b>Sec.</b>	15c(a)(2) .....	164
1 et seq.....	37	15c(c).....	187A
136 et seq. ....	21	15f(b) .....	164, 187A, 205
601 et seq. ....	27	16 .....	178, 180, 182, 183
608b.....	27	16(a).....	180, 183
901-16 .....	117, 128	16(b) .....	178
<b>8 U.S.C.A. Sec.</b>	<b>Sec.</b>	16(h).....	180, 183
1254(c)(2) .....	208	16(i).....	178
<b>12 U.S.C.A. Sec.</b>	<b>Sec.</b>	18 .....	32, 92, 95
12 .....	84	18A.....	110A
30 .....	9	18a .....	27, 92, 110A, 164, 206
1461 et seq. ....	37	20 .....	27, 113
1464(q).....	37	21(1) .....	30, 164, 213
1828(c)(7)(A) .....	110	22.....	165, 167, 171
1842(c).....	110	25 .....	95, 164
1849(d).....	110	26.....	175, 176
1971 et seq. ....	84	28 .....	179A
1972.....	84	29 .....	179A
<b>15 U.S.C.A. Sec.</b>	<b>Sec.</b>	29(a) .....	179A
1 .....	28	29(b) .....	179A
2 .....	85	30 .....	37, 170
4 .....	175	34 et seq.....	37
6a.....	29, 32A	34 .....	37, 164
7.....	164, 189, 190	35 .....	27, 33, 37, 188
12 .....	31, 95, 171	35(a) .....	33, 37, 188
13 .....	129	37 .....	36A
13(a).....	124, 187	41 et seq. ....	207, 208
13(b) .....	86	45 et seq. ....	30, 121
13c.....	124	45 .....	32, 207, 209, 213
15 .	37, 164, 171, 186, 187A, 188, 189, 190, 192, 194, 200	45(1).....	30, 164, 210, 211, 212, 213
15(a) .....	183	45(3) .....	29
15(b) .....	128	45(a) .....	121
		45(b).....	121, 178, 183
		45(b)(1)(2) .....	211, 212, 213
		45(l).....	210
		45(m) .....	210

**UNITED STATES CODE ANNOTATED—Continued**

<b>15 U.S.C.A. Sec.</b>	<b>Sec.</b>	<b>15 U.S.C.A. Sec.</b>	<b>Sec.</b>
45(m)(1)(A)(B) .....	210	1311 .....	214
45(m)(B)(C) .....	210	1311(f) .....	95
46 .....	30, 121, 207, 209	3501 et seq. ....	37, 88
46(a)(b) .....	209	3501.....	28, 37
46(g) .....	207, 208, 209	3502.....	28, 37, 88
49 .....	30, 121, 209	4001 et seq. ....	29
50 .....	205, 210	4301 et seq.....	120
53 .....	121, 176, 206, 210		
53(b) .....	121, 176, 179A, 206, 210	<b>16 U.S.C.A. Sec.</b>	<b>Sec.</b>
56 .....	210, 212	16(b) .....	183
56(a)(2) .....	210	16(g) .....	183
56(a)(4) .....	210	16(i).....	178
56(a)(5)(b).....	210	824d(a).....	33
56a(3).....	210	2601 et seq. ....	33
57(b) .....	210		
57a .....	121, 206, 208	<b>17 U.S.C.A. Sec.</b>	<b>Sec.</b>
57a(b).....	208	101 et seq. ....	162
57a(c) .....	208	101.....	162
57a(e)(1)(A) .....	208	104.....	162
57a(h).....	208	109(b)(1) .....	162
57a(i) .....	208	110 .....	162
57a(j) .....	208	201(a).....	162
57b.....	210	201(b).....	162
57b(a)(2)(e).....	210	301(a).....	162
57b-1.....	207	302(a).....	162
57b-2.....	207	505.....	200
57b-2(c) .....	207	704(d).....	162
57b-2(d)(2) .....	207	801(a).....	162
57b-3 et seq. ....	207	810.....	162
61 .....	27, 29		
78 .....	29	<b>18 U.S.C.A. Sec.</b>	<b>Sec.</b>
115(b)(7).....	9	2 .....	205
116(c)(4)(B) .....	162	623.....	205
130.....	124	1505 .....	214
156.....	177	1964 .....	177
521 .....	35	2314 .....	162
522 .....	35	3282.....	43
1052 .....	9	3551 .....	28, 205
1052(e)(f) .....	9	3559(b)(1).....	28, 205
1053 et seq. ....	12, 13, 14	3569 .....	205
1064(c) .....	9	3571 .....	205
1065.....	13	3571(b)(1)A .....	28, 205
1125(a) .....	17, 18	6001 et seq.....	205
1291 et seq. ....	37		

TABLE OF LAWS AND RULES

UNITED STATES CODE ANNOTATED—Continued

<b>19 U.S.C.A. Sec.</b>	<b>Sec.</b>	<b>35 U.S.C.A. Sec.</b>	<b>Sec.</b>
1526 .....	9, 29	102(b) .....	200
<b>28 U.S.C.A. Sec.</b>	<b>Sec.</b>	103 .....	143
139(d) .....	167, 171	156 .....	141
1254(1) .....	179A	271 .....	157
1291 .....	164, 179, 179A	271(a)(e)(1)(3) .....	160, 183
1292 .....	176, 179A, 206	271(d)(5) .....	151
1292(a)(1) .....	179A	285 .....	200
1292(b) .....	49, 85, 179	293 .....	156
1295(a)(1) .....	160	<b>36 U.S.C.A. Sec.</b>	<b>Sec.</b>
1331 .....	32A, 40, 167	371 et seq. ....	37
1337 .....	40, 167	380 .....	12
1337(a) .....	167	<b>42 U.S.C.A. Sec.</b>	<b>Sec.</b>
1338 .....	160	300k et seq. ....	27
1338(b) .....	168	1101 et seq. ....	27
1391 .....	171	1983 .....	164, 182
1391(b) .....	165, 167, 171	1988 .....	176, 200
1391(d) .....	167, 171	2135(c)(5) .....	37, 182
1392(a) .....	171	11101 et seq. ....	33
1404(a) .....	171, 173	11101 to 11152 .....	27
1406(a) .....	173	11101 .....	37, 41
1407(b) .....	187A	<b>46 U.S.C.A. Sec.</b>	<b>Sec.</b>
1651 .....	179	813 .....	27
1651(a) .....	37, 164, 175, 176, 183	814 .....	27, 37, 110
1738 .....	164	<b>47 U.S.C.A. Sec.</b>	<b>Sec.</b>
1821 .....	200	152 .....	27
1912 .....	200	201(b) .....	37
1920 .....	200	251(c) .....	37
1927 .....	164	<b>49 U.S.C.A. Sec.</b>	<b>Sec.</b>
2107 .....	179A	5 .....	27, 113
2283 .....	175	5c .....	27, 37
2342(3) .....	37	5c(5)(a) .....	27
2462 .....	210	20a .....	27, 113
<b>29 U.S.C.A. Sec.</b>	<b>Sec.</b>	10706 .....	37
8(e) .....	34	10706(b)(3)(D) .....	27
106 .....	34, 67	<b>49 U.S.C.A. App.</b>	<b>Sec.</b>
158(f) .....	34	§ 1305(a)(1) .....	27, 37, 163A
158e .....	34		
<b>35 U.S.C.A. Sec.</b>	<b>Sec.</b>		
101 .....	143		

UNITED STATES PUBLIC LAWS

<b>Pub. L. No.</b>	<b>Sec.</b>	<b>Pub. L. No.</b>	<b>Sec.</b>
100-185, 86 .....	205	96-252, § 7 .....	208
§ 302(2) (Sept. 30, 1976) .....	182	96-252, § 8 (May, 1980) .....	208
87-664 (Sept. 19, 1962) .....	214	96-252, § 9 .....	208
93-153, § 408(c) (Nov. 16, 1973) ..	30, 164, 210	96-252, § 10 (May, 1980) .....	208
93-153, § 408(d) (Nov. 16, 1973) ..	210	96-252, § 11 .....	208
93-153, § 408(e) (Nov. 16, 1973) ..	207	96-252, § 12 .....	208
93-153, § 408(f) (Nov. 16, 1973) ..	121, 206, 210	96-252, § 13 (May 28, 1980) .....	207
93-153, § 408(g) (Nov. 16, 1973) ..	212	96-252, § 14 (May 1980) .....	207
93-153, § 408(c), (d) (Nov. 16, 1973) .....	30, 164	96-252, § 15 .....	208
93-528, § 2 (Dec. 21, 1974) ..	182, 183	96-252, § 16 .....	208
93-528, § 3 (Dec. 21, 1974) ..	164, 205	96-252, § 18 .....	208
93-528, § 4, 5 .....	179A	96-252, § 19 .....	208
93-637 (Jan. 4, 1975) .....	30	96-252, § 20 .....	208
93-637 .....	121	96-252, § 21 .....	208
93-637, § 202 (Jan. 4, 1975) .....	208	96-252, § 22 .....	208
93-637, § 204 (Jan. 4, 1975) .	210, 212	96-308 .....	121
93-637, § 205 (Jan. 4, 1975) .....	210	97-290 .....	29, 37
94-145 .....	90, 91	97-290, § 102 et seq. ....	29
94-435, § 101 (Sept. 30, 1976) ....	214	97-290, § 402 .....	29
94-435, § 201 (September 10, 1976) .....	27, 92, 110A, 164	98-153, § 408(c)(d) (Nov. 16, 1937) .....	212
94-435, § 301 et seq. (Sept. 30, 1976) .....	187A	98-417 .....	160, 183
94-435, § 302(1) (Sept. 30, 1976) ..	177	98-462, § 2 .....	120
94-435, § 302(2) (Sept. 30, 1976) ..	178	98-473 .....	205
94-435, § 302(3) (Sept. 30, 1976) .	175, 176	98-473, § 212(a)(2) .....	28, 205
94-435, § 303 (Sept. 30, 1976) ...	187A	98-544 .....	37, 164
94-435, § 305 .....	27, 28, 29, 31	98-596 .....	205
94-553, § 101 et seq. (October 19, 1976) .....	162	98-596, § 6a .....	28, 205
95-153, § 408(f) (Nov. 16, 1973) ...	176	98-622, § 102(a) .....	141
96-242, § 13 (May 1980) .....	207	99-660 .....	27
96-252 .....	208	99-660, § 402 .....	37, 41
96-252, § 1 et seq. (May 28, 1980) .....	121	100-86, § 715(a)(1) .....	30, 37, 122
96-252, § 2 (May 28, 1980) ..	211, 212, 213	100-182 .....	28, 205
96-252, § 3 .....	207	100-185 .....	28, 205
96-252, § 4 .....	207	100-667, § 105 et seq. (Nov. 16, 1988) .....	12, 13, 14
96-252, § 5 .....	207	101-73 .....	27, 30
96-252, § 6 (May 28, 1980) .....	210	101-588, § 4a .....	27, 28, 33, 92, 111, 121, 189, 205
		101-650 .....	37
		104-63, § 2 .....	36A
		105-26, § 2(1) .....	36A

TABLE OF LAWS AND RULES

**CODE OF FEDERAL REGULATIONS**

<b>C.F.R. Sec.</b>	<b>Sec.</b>	<b>16 C.F.R. Sec.</b>	<b>Sec.</b>
1.7 et seq.....	208	2.51 .....	211
<b>7 C.F.R. Sec.</b>	<b>Sec.</b>	3.21 et seq.....	211
967.130ff.....	27	3.33 .....	209
<b>16 C.F.R. Sec.</b>	<b>Sec.</b>	3.34 .....	209
1.1 et seq.....	121	3.43(c) .....	209
1.4 .....	209	3.61 et seq.....	211
1.7 et seq.....	209	214.....	207
1.13(d)(6) .....	206, 209	801.1 et seq. ....	110, 110A, 206, 208
2.1 et seq.....	211	801.1 to 801.90 .....	110A
2.6 .....	207	801.1 .....	110A
2.7 .....	209	801.2 .....	110A
2.11 et seq.....	208	802.21(b) .....	110A
2.31 et seq.....	211	<b>37 C.F.R. Sec.</b>	<b>Sec.</b>
		202.20(b)(4) .....	162

**FEDERAL RULES OF APPELLATE PROCEDURE**

<b>Rule</b>	<b>Sec.</b>
38 .....	200

**FEDERAL RULES OF CIVIL PROCEDURE**

<b>Rule</b>	<b>Sec.</b>	<b>Rule</b>	<b>Sec.</b>
Form 18 .....	156	23(b)(3) .....	174
8(c) .....	33	23(e).....	187A
12(b)(6) .....	33A	26(c) .....	170
17(b) .....	164	41(b) .....	42
19 .....	162	54(d) .....	200
23 .....	187A	56(c)(e).....	181

**FEDERAL RULES OF CRIMINAL PROCEDURE**

<b>Rule</b>	<b>Sec.</b>	<b>Rule</b>	<b>Sec.</b>
6(e) .....	164	6(g) .....	205
6(e)(3)(C)(i) .....	207		

FEDERAL CONTROL OF BUSINESS

**FEDERAL REGISTER**

<b>55 Fed. Reg.</b>	<b>Sec.</b>	<b>67 Fed. Reg.</b>	<b>Sec.</b>
11840 .....	112	11904.....	110A
<b>59 Fed. Reg.</b>	<b>Sec.</b>	<b>78 Fed. Reg.</b>	<b>Sec.</b>
41339 .....	146	68705-01 .....	110A
<b>67 Fed. Reg.</b>	<b>Sec.</b>		
11898.....	110A		

**FLORIDA STATUTES**

<b>Sec.</b>	<b>Sec.</b>
366.051 .....	33

**MASSACHUSETTS GENERAL LAWS**

<b>Ch</b>	<b>Sec.</b>
266, § 30(4) .....	22

**NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW**

<b>Sec.</b>	<b>Sec.</b>
101-b.....	33, 41

**UNIFORM COMMERCIAL CODE**

<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>	<b>Sec.</b>
9-504.....	208	9-505.....	208

**RESTATEMENT SECOND, CONTRACTS**

<b>Sec.</b>	<b>Sec.</b>
188 .....	4

## Table of Cases

### A

- A-Abart Elec. Supply, Inc. v. Emerson Elec. Co., 956 F.2d 1399, 22 Fed. R. Serv. 3d 53 (7th Cir. 1992)—§ 86
- A-1 Ambulance Service, Inc. v. County of Monterey, 90 F.3d 333 (9th Cir. 1996)—§ 33
- AAA Liquors, Inc. v. Joseph E. Seagram and Sons, Inc., 705 F.2d 1203 (10th Cir. 1982)—§ 42
- A & E Pacific Const. Co. v. Saipan Stevedore Co., Inc., 888 F.2d 68 (9th Cir. 1989)—§§ 27, 37
- A & M Records, Inc. v. A.L.W., Ltd., 855 F.2d 368 (7th Cir. 1988)—§ 162
- A & M Records, Inc. v. M.V.C. Distributing Corp., 574 F.2d 312 (6th Cir. 1978)—§ 19
- A.A. Poultry Farms, Inc. v. Rose Acre Farms, Inc., 881 F.2d 1396 (7th Cir. 1989)—§§ 44, 127, 131
- A.A. Poultry Farms, Inc. v. Rose Acre Farms, Inc., 683 F. Supp. 680 (S.D. Ind. 1988)—§ 127
- Abadir & Co. v. First Mississippi Corp., 651 F.2d 422 (5th Cir. 1981)—§§ 44, 88
- ABA Distributors, Inc. v. Adolph Coors Co., 661 F.2d 712 (8th Cir. 1981)—§ 176
- Abbott Laboratories v. Brennan, 952 F.2d 1346 (Fed. Cir. 1991)—§ 52
- Abbott Laboratories v. Cordis Corp., 710 F.3d 1318 (Fed. Cir. 2013)—§ 142
- Abbott Laboratories v. Gardner, 387 U.S. 136, 87 S. Ct. 1507, 18 L. Ed. 2d 681 (1967)—§ 121
- Abbott Laboratories v. Portland Retail Druggists Ass'n, Inc., 425 U.S. 1, 96 S. Ct. 1305, 47 L. Ed. 2d 537 (1976)—§§ 31, 124
- Abercrombie & Fitch Co. v. Hunting World, Inc., 537 F.2d 4 (2d Cir. 1976)—§ 12
- Able Sales Co., Inc. v. Compania de Azucar de Puerto Rico, 406 F.3d 56, 33 A.L.R. Fed. 2d 711 (1st Cir. 2005)—§§ 125, 126, 135
- Abraham v. Intermountain Health Care Inc., 461 F.3d 1249 (10th Cir. 2006)—§§ 28, 46, 52, 67, 84, 187
- Abraham & Veneklasen Joint Venture v. American Quarter Horse Ass'n, 776 F.3d 321 (5th Cir. 2015)—§§ 41A, 47
- ABS Global, Inc. v. Inguran, LLC, 914 F.3d 1054 (7th Cir. 2019)—§ 167
- Accenture Global Services, GmbH v. Guidewire Software, Inc., 728 F.3d 1336 (Fed. Cir. 2013)—§§ 143, 144
- Access Telecom, Inc. v. MCI Telecommunications Corp., 197 F.3d 694, 45 Fed. R. Serv. 3d 1089 (5th Cir. 1999)—§ 171
- Accurate Control Systems v. Neopost, Inc., 2002-2 Trade Cas.

- (CCH) ¶ 73751, 2002 WL 1379132 (N.D. Ill. 2002)—§ 131
- ACEMLA v. Copyright Royalty Tribunal, 763 F.2d 101 (2d Cir. 1985)—§ 162
- Ackerman-Chillingworth, Division of Marsh & McLennan, Inc. v. Pacific Elec. Contractors Ass'n, 579 F.2d 484 (9th Cir. 1978)—§ 86
- Acme Precision Products, Inc. v. American Alloys Corp., 484 F.2d 1237 (8th Cir. 1973)—§§ 54, 158, 200
- Acosta v. Campbell, 309 Fed. Appx. 315 (11th Cir. 2009)—§ 37
- Acquaire v. Canada Dry Bottling Co. of New York, Inc., 24 F.3d 401 (2d Cir. 1994)—§§ 89, 176
- ACT, Inc. v. Sylvan Learning Systems, Inc., 296 F.3d 657 (8th Cir. 2002)—§ 47
- Action Embroidery Corp. v. Atlantic Embroidery, Inc., 368 F.3d 1174 (9th Cir. 2004)—§ 167
- Active Disposal, Inc. v. City of Darien, 635 F.3d 883 (7th Cir. 2011)—§ 33
- ActiveVideo Networks, Inc. v. Verizon Communications, Inc., 694 F.3d 1312 (Fed. Cir. 2012)—§§ 156, 160
- ACTOS Direct Purchaser Antitrust Litigation, In re, 414 F. Supp. 3d 635 (S.D. N.Y. 2019)—§ 156A
- Acumed LLC v. Advanced Surgical Services, Inc., 561 F.3d 199 (3d Cir. 2009)—§ 17
- Ad-Vantage Telephone Directory Consultants, Inc. v. GTE Directories Corp., 849 F.2d 1336 (11th Cir. 1987)—§ 3
- Adams v Pan American World Airways, Inc. (1987) 264 App DC 174, 828 F.2d 24, 1987-2 CCH Trade Cases ¶ 67686—§ 187
- Adaptive Power Solutions, LLC v. Hughes Missile Systems Co., 141 F.3d 947 (9th Cir. 1998)—§§ 40, 86, 181
- A.D. Bedell Wholesale Co., Inc. v. Philip Morris Inc., 263 F.3d 239 (3d Cir. 2001)—§ 33
- Addamax Corp. v. Open Software Foundation, Inc., 152 F.3d 48 (1st Cir. 1998)—§§ 40, 196
- Adderall XR (Amphetamine/Dextroamphetamine) Marketing, Sales Practices and Antitrust Litigation, In re., 968 F. Supp. 2d 1343 (U.S.J.P.M.L. 2013)—§ 166
- Addrisi v. Equitable Life Assur. Soc. of U. S., 503 F.2d 725 (9th Cir. 1974)—§ 36
- Adjusters Replace-A-Car, Inc. v. Agency Rent-A-Car, Inc., 735 F.2d 884, 15 Fed. R. Evid. Serv. 1956 (5th Cir. 1984)—§§ 47, 52
- Adkins v. Cagle Foods JV, LLC, 411 F.3d 1320 (11th Cir. 2005)—§ 37
- A.D.M. Corp. v. Sigma Instruments, Inc., 628 F.2d 753 (1st Cir. 1980)—§§ 27, 40, 187
- Admiral Theatre Corp. v. Douglas Theatre Co., 585 F.2d 877, 26 Fed. R. Serv. 2d 1129 (8th Cir. 1978)—§§ 42, 44, 196
- Adolph Coors Co. v. A & S Wholesalers, Inc., 561 F.2d 807 (10th Cir. 1977)—§§ 33, 87, 202
- Adolph Coors Co. v. F. T. C., 497 F.2d 1178, 30 A.L.R. Fed. 1

TABLE OF CASES

- (10th Cir. 1974)—§§ 42, 85, 87, 212
- ADT LLC v. NorthStar Alarm Services, LLC, 853 F.3d 1348, 97 Fed. R. Serv. 3d 515 (11th Cir. 2017)—§ 175
- Advanced Health-Care Services, Inc. v. Radford Community Hosp., 910 F.2d 139 (4th Cir. 1990)—§§ 47, 119
- Advanced Office Systems v. Accounting Systems Co., 442 F. Supp. 418 (D.S.C. 1977)—§ 129
- Advanced Oral Technologies, L.L.C. v. Nutres Research, Inc., 2011 WL 198029 (D.N.J. 2011)—§ 25
- Ad Visor, Inc. v. Pacific Tel. and Tel. Co., 640 F.2d 1107 (9th Cir. 1981)—§ 33
- Advo, Inc. v. Philadelphia Newspapers, Inc., 51 F.3d 1191 (3d Cir. 1995)—§§ 47, 48
- Aerotec International, Inc. v. Honeywell International, Inc., 836 F.3d 1171 (9th Cir. 2016)—§§ 83, 85, 127
- Affiliated Capital Corp. v. City of Houston, 735 F.2d 1555 (5th Cir. 1984)—§ 33
- Affiliated Capital Corp. v. City of Houston, 700 F.2d 226 (5th Cir. 1983)—§ 87
- Affiliated Hospital Products, Inc. v. Merdel Game Mfg. Co., 513 F.2d 1183 (2d Cir. 1975)—§ 162
- Affinity LLC v. GfK Mediamark Research & Intelligence, LLC, 547 Fed. Appx. 54 (2d Cir. 2013)—§ 52A
- A Fisherman’s Best, Inc. v. Recreational Fishing Alliance, 310 F.3d 183 (4th Cir. 2002)—§ 33
- AFMS LLC v. United Parcel Service Co., 105 F. Supp. 3d 1061 (C.D. Cal. 2015)—§ 54
- Ag-Chem Equipment Co., Inc. v. Hahn, Inc., 480 F.2d 482 (8th Cir. 1973)—§ 131
- Agency Development, Inc. v. Med America Ins. Co., 310 F. Supp. 2d 538 (W.D. N.Y. 2004)—§ 187
- Agency Holding Corp. v. Malley-Duff & Associates, Inc., 479 U.S. 983, 107 S. Ct. 569, 93 L. Ed. 2d 573 (1986)—§ 177
- Agere Systems Guardian Corp. v. Proxim, Inc., 190 F. Supp. 2d 726 (D. Del. 2002)—§ 158
- Agfa Corp. v. United Marketing Group, Inc., 2003 WL 21555087 (S.D. N.Y. 2003)—§ 33
- Aggrenox Antitrust Litigation, In re, 94 F. Supp. 3d 224 (D. Conn. 2015)—§ 156A
- Agnew v. National Collegiate Athletic Ass’n, 683 F.3d 328 (7th Cir. 2012)—§§ 28, 39, 40, 40A, 41, 44, 54
- Agrashell, Inc. v. Hammons Products Co., 479 F.2d 269 (8th Cir. 1973)—§§ 41, 46, 146, 156, 158, 192
- A. H. Cox & Co. v. Star Machinery Co., 653 F.2d 1302 (9th Cir. 1981)—§ 85
- A.I. Root Co. v. Computer/Dynamics, Inc., 806 F.2d 673 (6th Cir. 1986)—§ 84
- Airtex Corp. v. Shelley Radiant Ceiling Co., 536 F.2d 145, 25 Fed. R. Serv. 2d 796 (7th Cir. 1976)—§ 156
- Airweld, Inc. v. Airco, Inc., 742

- F.2d 1184 (9th Cir. 1984)—  
§§ 52, 128
- Akron, Canton & Youngstown R.  
Co. v. U. S., 586 F.2d 29 (7th  
Cir. 1978)—§ 27
- Akron Presform Mold Co. v. Mc-  
Neil Corp., 496 F.2d 230 (6th  
Cir. 1974)—§ 177
- Akzo N.V. v. U.S. Intern. Trade  
Com'n, 5 Fed. Cir. (T) 52, 808  
F.2d 1471 (1986)—§§ 42, 54, 164
- Al-Sharif v. U.S., 296 Fed. Appx.  
740 (11th Cir. 2008)—§ 37
- A.L. Adams Const. Co. v. Georgia  
Power Co., 733 F.2d 853 (11th  
Cir. 1984)—§ 34
- Aladdin Oil Co. v. Texaco, Inc., 603  
F.2d 1107 (5th Cir. 1979)—  
§§ 85, 181
- Alan's of Atlanta, Inc. v. Minolta  
Corp., 903 F.2d 1414 (11th Cir.  
1990)—§§ 127, 138
- Alarm Detection Systems, Inc. v.  
Orland Fire Protection Dis-  
trict, 194 F. Supp. 3d 706  
(N.D. Ill. 2016)—§ 55
- Alarm Detection Systems, Incorpo-  
rated v. Orland Fire Protection  
District, 929 F.3d 865 (7th Cir.  
2019)—§ 83
- Alaska, State of v. Chevron Chemi-  
cal Co., 669 F.2d 1299 (9th Cir.  
1982)—§ 187
- Al Barnett & Son, Inc. v. Outboard  
Marine Corp., 611 F.2d 32, 28  
Fed. R. Serv. 2d 802 (3d Cir.  
1979)—§ 164
- Alberta Gas Chemicals Ltd. v. E.I.  
Du Pont De nemours and Co.,  
826 F.2d 1235 (3d Cir. 1987)—  
§§ 100, 181, 187
- Alberto-Culver Co. v. Andrea Du-  
mon, Inc., 466 F.2d 705 (7th  
Cir. 1972)—§ 162
- Albion Engineering Co v. Hartford  
Fire Insurance Co, 779 Fed.  
Appx. 85 (3d Cir. 2019)—§ 26
- Albrecht v. Herald Co., 390 U.S.  
145, 88 S. Ct. 869, 19 L. Ed.  
2d 998 (1968)—§§ 41, 42, 85
- Alcatel USA, Inc. v. DGI Technolo-  
gies, Inc., 166 F.3d 772, 42  
Fed. R. Serv. 3d 1097, 185  
A.L.R. Fed. 645 (5th Cir.  
1999)—§§ 84, 163
- Alders v. Afa Corp. of Florida, 353  
F. Supp. 654 (S.D. Fla. 1973)—  
§§ 4, 40
- Alexander v. National Farmers Or-  
ganization, 687 F.2d 1173 (8th  
Cir. 1982)—§§ 33, 35, 54, 67
- Alexsam, Inc. v. IDT Corp., 715  
F.3d 1336, 85 Fed. R. Serv. 3d  
907 (Fed. Cir. 2013)—§ 146
- Alexx, Inc. v. Charm Zone, Inc.,  
484 Fed. Appx. 476 (Fed. Cir.  
2012)—§ 156A
- Alfred Dunhill Ltd. v. Interstate  
Cigar Co., Inc., 499 F.2d 232  
(2d Cir. 1974)—§ 17
- All-Tag Corp. v. Checkpoint Sys-  
tems, Inc., 408 F. Supp. 3d  
1347, 104 Fed. R. Serv. 3d  
1338 (S.D. Fla. 2019)—§ 37A
- All Care Nursing Service, Inc. v.  
High Tech Staffing Services,  
Inc., 135 F.3d 740 (11th Cir.  
1998)—§§ 42, 86
- Allegheny General Hosp. v. Philip  
Morris, Inc., 228 F.3d 429 (3d  
Cir. 2000)—§§ 187, 187A
- Allegheny Pepsi-Cola Bottling Co.  
v. Mid-Atlantic Coca-Cola Bot-  
tling Co., Inc., 690 F.2d 411  
(4th Cir. 1982)—§ 196

TABLE OF CASES

- Allen-Myland, Inc. v. International Business Machines Corp., 33 F.3d 194 (3d Cir. 1994)—§§ 54, 84
- Allen v. W. H. Brady Co., 508 F.2d 64 (7th Cir. 1974)—§ 143
- Allen Archery, Inc. v. Browning Mfg. Co., 819 F.2d 1087 (Fed. Cir. 1987)—§ 156
- Allen Pen Co., Inc. v. Springfield Photo Mount Co., Inc., 653 F.2d 17 (1st Cir. 1981)—§§ 125, 126, 137, 138
- Allianz Global Investors GmbH v. Bank of America Corporation, 463 F. Supp. 3d 409 (S.D. N.Y. 2020)—§§ 32A, 178
- Allied Accessories and Auto Parts Co., Inc. v. General Motors Corp., 901 F.2d 1322 (6th Cir. 1990)—§§ 127, 131, 188
- Allied Artists Picture Corp. v. Rhodes, 679 F.2d 656 (6th Cir. 1982)—§§ 17, 33, 162
- Allied Chemical Corp. v. Daiflon, Inc., 449 U.S. 33, 101 S. Ct. 188, 66 L. Ed. 2d 193, 30 Fed. R. Serv. 2d 653 (1980)—§ 179
- Allied International, Inc. v. International Longshoremen's Assn. (1981, CA1 Mass) 40 F.2d 1368—§ 34
- Allied Intern., Inc. v. International Longshoremen's Ass'n, AFL-CIO, 640 F.2d 1368 (1st Cir. 1981)—§ 86
- Allied Orthopedic Appliances Inc. v. Tyco Health Care Group LP, 592 F.3d 991 (9th Cir. 2010)—§§ 46, 83
- Allied Tube & Conduit Corp. v. Indian Head, Inc., 486 U.S. 492, 108 S. Ct. 1931, 100 L. Ed. 2d 497 (1988)—§§ 33, 40, 57, 86
- Alloy Intern. Co. v. Hoover-NSK Bearing Co., Inc., 635 F.2d 1222 (7th Cir. 1980)—§§ 42, 85
- Allright Colorado, Inc. v. City and County of Denver, 937 F.2d 1502 (10th Cir. 1991)—§ 33
- All Stainless, Inc. v. Colby, 364 Mass. 773, 308 N.E.2d 481 (1974)—§ 4
- Allsup, Inc. v. Advantage 2000 Consultants Inc., 428 F.3d 1135 (8th Cir. 2005)—§ 37
- Almeda Mall, Inc. v. Houston Lighting & Power Co., 615 F.2d 343 (5th Cir. 1980)—§ 40
- Aloha Airlines, Inc. v. Hawaiian Airlines, Inc., 349 F. Supp. 1064 (D. Haw. 1972)—§§ 33, 169
- Alpert's Newspaper Delivery Inc. v. The New York Times Co., 876 F.2d 266 (2d Cir. 1989)—§ 182
- Alpharma, Inc. v. Pennfield Oil Co., 411 F.3d 934 (8th Cir. 2005)—§ 37
- Alpha Shoe Service v. Fleming Companies, Inc., 849 F.2d 352 (8th Cir. 1988)—§ 187
- Alphin v. Henson, 552 F.2d 1033, 22 Fed. R. Serv. 2d 1488 (4th Cir. 1977)—§ 200
- Alphin v. Henson, 538 F.2d 85 (4th Cir. 1976)—§ 200
- Alpine Pharmacy, Inc. v. Chas. Pfizer & Co., Inc., 481 F.2d 1045 (2d Cir. 1973)—§ 200
- Al's Service Center v. BP Products North America, Inc., 599 F.3d 720 (7th Cir. 2010)—§ 37
- Altomose Const. Co. v. Atlantic,

FEDERAL CONTROL OF BUSINESS

- Cape May and Parts of Burlington, Ocean and Cumberland Counties Bldg. Trades Council, 493 F. Supp. 1181 (D.N.J. 1980)—§ 32
- Altemose Const. Co. v. Building & Const. Trades Council of Philadelphia and Vicinity, 751 F.2d 653 (3d Cir. 1985)—§ 34
- Alterman Foods, Inc. v. F. T. C., 497 F.2d 993 (5th Cir. 1974)—§ 123
- Altria Group, Inc. v. Good, 555 U.S. 70, 129 S. Ct. 538, 172 L. Ed. 2d 398 (2008)—§ 37
- Aluminum Co. of America v. U.S. Dept. of Justice, Antitrust Division, 444 F. Supp. 1342 (D.D.C. 1978)—§ 214
- Aluminum Warehousing Antitrust Litigation, In re, 336 F.R.D. 5 (S.D. N.Y. 2020)—§ 174
- Aluminum Warehousing Antitrust Litigation, In re, 95 F. Supp. 3d 419 (S.D. N.Y. 2015)—§ 42
- Aluminum Warehousing Antitrust Litigation, In re, 90 F. Supp. 3d 219 (S.D. N.Y. 2015)—§ 167
- Aluminum Warehousing Antitrust Litigation, In re:, 988 F. Supp. 2d 1362 (U.S.J.P.M.L. 2013)—§ 166
- Alvarez v. Chevron Corp., 656 F.3d 925, 75 U.C.C. Rep. Serv. 2d 545 (9th Cir. 2011)—§ 25
- Alvord-Polk, Inc. v. F. Schumacher & Co., 37 F.3d 996 (3d Cir. 1994)—§§ 64, 68
- ALW, Inc. v. United Air Lines, Inc., 510 F.2d 52, 19 Fed. R. Serv. 2d 1217 (9th Cir. 1975)—§ 84
- Alyeska Pipeline Service Co. v. Wilderness Society, 421 U.S. 240, 95 S. Ct. 1612, 44 L. Ed. 2d 141 (1975)—§ 200
- Amalgamated Meat Cutters & Butchers Workmen of North America, Local Union No. 576 v. Wetterau Foods, Inc., 597 F.2d 133 (8th Cir. 1979)—§ 34
- Amateur Softball Ass'n of America v. U. S., 467 F.2d 312 (10th Cir. 1972)—§ 32
- Ambook Enterprises v. Time Inc., 612 F.2d 604 (2d Cir. 1979)—§§ 69, 129, 181
- Ambook Enterprises v. Time Inc., 464 F. Supp. 1127 (S.D. N.Y. 1979)—§ 69
- Ambulance Service of Reno, Inc. v. Nevada Ambulance Service, Inc., 819 F.2d 910 (9th Cir. 1987)—§ 33
- American Academic Suppliers, Inc. v. Beckley-Cardy, Inc., 922 F.2d 1317, 65 Ed. Law Rep. 92 (7th Cir. 1991)—§§ 52, 127, 131
- American Agriculture Movement, Inc. v. Board of Trade of City of Chicago, 977 F.2d 1147 (7th Cir. 1992)—§ 27
- Americana Industries, Inc. v. Wometco de Puerto Rico, Inc., 556 F.2d 625 (1st Cir. 1977)—§ 42
- American Airlines v. Christensen, 967 F.2d 410 (10th Cir. 1992)—§ 86
- American Ass'n. of Orthodontists v. Yellow Book USA, Inc., 434 F.3d 1100 (8th Cir. 2006)—§ 37
- American Banana Co., Inc. v. J. Bonafede Co., Inc., 407 Fed. Appx. 520 (2d Cir. 2010)—§ 51
- American Bearing Co., Inc. v. Litton Industries, Inc., 729 F.2d 943 (3d Cir. 1984)—§ 54

TABLE OF CASES

- American Canoe Ass'n, Inc. v. City of Louisa, 683 F. Supp. 2d 480 (E.D. Ky. 2010)—§ 37
- American Cent. Eastern Texas Gas Co. v. Union Pacific Resources Group, Inc., 93 Fed. Appx. 1 (5th Cir. 2004)—§ 203A
- American Chiropractic Ass'n v. Trigon Healthcare, Inc., 367 F.3d 212 (4th Cir. 2004)—§§ 41A, 67
- American Contractors Supply, LLC v. HD Supply Construction Supply, Ltd., 989 F.3d 1224 (11th Cir. 2021)—§§ 47, 85, 181
- American Council of Certified Podiatric Physicians and Surgeons v. American Bd. of Podiatric Surgery, Inc., 323 F.3d 366, 2003 FED App. 0074P (6th Cir. 2003)—§§ 46, 62, 65, 66
- American Exp. Co. v. Italian Colors Restaurant, 570 U.S. 228, 133 S. Ct. 2304, 186 L. Ed. 2d 417 (2013)—§ 203A
- American Exp. Merchants' Litigation, In re, 667 F.3d 204 (2d Cir. 2012)—§ 84
- American Express Anti-Steering Rules Antitrust Litigation, In re, 433 F. Supp. 3d 395 (E.D. N.Y. 2020)—§§ 174, 187
- American Express Anti-Steering Rules Antitrust Litigation, In re, 361 F. Supp. 3d 324 (E.D. N.Y. 2019)—§§ 54, 54A, 181
- American Family Life Assur. Co. of Columbus v. Blue Cross of Florida, Inc., 486 F.2d 225 (5th Cir. 1973)—§ 40
- American Family Mut. Ins. Co. v. Roth, 485 F.3d 930 (7th Cir. 2007)—§§ 22, 23
- American Financial Services Ass'n v. F.T.C., 767 F.2d 957 (D.C. Cir. 1985)—§§ 121, 208
- American General Ins. Co. v. Federal Trade Commission, 496 F.2d 197 (5th Cir. 1974)—§§ 36, 206
- American General Ins. Co. v. F.T.C., 589 F.2d 462 (9th Cir. 1979)—§§ 206, 213
- American Heritage Life Ins. Co. v. Heritage Life Ins. Co., 494 F.2d 3 (5th Cir. 1974)—§ 13
- American Hoist & Derrick Co. v. Sowa & Sons, Inc., 725 F.2d 1350 (Fed. Cir. 1984)—§ 158
- American Home Products Corp. v. F.T.C., 695 F.2d 681 (3d Cir. 1982)—§§ 25, 121
- American Home Products Corp. v. Johnson and Johnson, 577 F.2d 160 (2d Cir. 1978)—§ 25
- American Home Products Corp. v. Johnson and Johnson, 436 F. Supp. 785 (S.D. N.Y. 1977)—§ 26
- American Hospital Supply Corp. v. Roy Lapidus, Inc., 493 F. Supp. 1076 (D. Mass. 1980)—§ 46
- American Intern. Pictures, Inc. v. Foreman, 576 F.2d 661 (5th Cir. 1978)—§ 162
- American Italian Pasta Co. v. New World Pasta Co., 371 F.3d 387 (8th Cir. 2004)—§ 25
- American Key Corp. v. Cole Nat. Corp., 762 F.2d 1569, 18 Fed. R. Evid. Serv. 458, 2 Fed. R. Serv. 3d 614 (11th Cir. 1985)—§§ 54, 55
- American Mail Line, Ltd. v. Federal Maritime Com. (1974) 164

FEDERAL CONTROL OF BUSINESS

- App DC 66, 503 F.2d 157—  
§§ 95, 110
- American Medical Ass'n v. F.T.C.,  
638 F.2d 443 (2d Cir. 1980)—  
§ 121
- American Motor Inns, Inc. v. Holi-  
day Inns, Inc., 521 F.2d 1230  
(3d Cir. 1975)—§§ 40, 87
- American Motors Corp. v. F.T.C.,  
601 F.2d 1329 (6th Cir. 1979)—  
§ 207
- American Needle, Inc. v. National  
Football League, 560 U.S. 183,  
130 S. Ct. 2201, 176 L. Ed. 2d  
947, 79 A.L.R. Fed. 2d 591  
(2010)—§§ 40, 41
- American Needle Inc. v. National  
Football League, 538 F.3d 736  
(7th Cir. 2008)—§ 28
- American Oil Co. v. McMullin, 508  
F.2d 1345 (10th Cir. 1975)—  
§§ 82, 131
- American Original Corp. v. Jen-  
kins Food Corp., 696 F.2d 1053  
(4th Cir. 1982)—§ 145
- American Passage Media Corp. v.  
Cass Communications, Inc.,  
750 F.2d 1470 (9th Cir. 1985)—  
§ 176
- American Pharmaceutical Ass'n v.  
U. S. Dept. of Justice, Anti-  
trust Division, 344 F. Supp. 9  
(E.D. Mich. 1971)—§ 214
- American Pipe & Const. Co. v.  
Utah, 414 U.S. 538, 94 S. Ct.  
756, 38 L. Ed. 2d 713, 18 Fed.  
R. Serv. 2d 1 (1974)—§ 178
- American Precast Corp. v. Maurice  
Concrete Products, Inc., 360 F.  
Supp. 859 (D. Mass. 1973)—  
§§ 17, 143
- American Republic Ins. Co. v.  
Union Fidelity Life Ins. Co.,  
470 F.2d 820 (9th Cir. 1972)—  
§§ 2, 23
- American Scientific Chemical, Inc.  
v. American Hosp. Supply  
Corp., 690 F.2d 791 (9th Cir.  
1982)—§ 9
- American Soc. of Mechanical Engi-  
neers, Inc. v. Hydrolevel Corp.,  
456 U.S. 556, 102 S. Ct. 1935,  
72 L. Ed. 2d 330 (1982)—§§ 67,  
164, 188, 200
- American Steel Erectors, Inc. v.  
Local Union No. 7, Intern.  
Ass'n of Bridge, Structural,  
Ornamental & Reinforcing  
Iron Workers, 536 F.3d 68 (1st  
Cir. 2008)—§§ 28, 34
- American Tel. & Tel. Co. v. Eastern  
Pay Phones, Inc., 767 F. Supp.  
1335 (E.D. Va. 1991)—§ 187
- Amerifirst Properties, Inc. v.  
F.D.I.C., 880 F.2d 821 (5th Cir.  
1989)—§ 37
- Amey, Inc. v. Gulf Abstract & Title,  
Inc., 758 F.2d 1486 (11th Cir.  
1985)—§§ 83, 84, 187
- AMF Inc. v. International Fiber-  
glass Co., Inc., 469 F.2d 1063  
(1st Cir. 1972)—§ 9
- Amicus, Inc. v. American Cable  
Co., Inc., 660 F. Supp. 161  
(E.D. La. 1987)—§ 145
- Amphastar Pharmaceuticals Inc.  
v. Momenta Pharmaceuticals,  
Inc., 850 F.3d 52 (1st Cir.  
2017)—§ 37A
- AMP Inc. v. Foy, 540 F.2d 1181 (4th  
Cir. 1976)—§ 11
- AMR Corporation, In re, 625 B.R.  
215 (Bankr. S.D. N.Y. 2021)—  
§ 104
- Amstar Corp. v. Domino's Pizza,  
Inc., 615 F.2d 252, 29 Fed. R.

TABLE OF CASES

- Serv. 2d 1528 (5th Cir. 1980)—  
§ 9
- Amusement and Music Operators  
Ass’n v. Copyright Royalty  
Tribunal, 676 F.2d 1144 (7th  
Cir. 1982)—§ 162
- Anaheim, City of v. Southern Cali-  
fornia Edison Co., 955 F.2d  
1373 (9th Cir. 1992)—§ 49
- Analogic Corp. v Data Translation,  
Inc. (1976, Mass) 1976 Adv  
Sheets 2972, 358 NE2d 804—  
§ 22
- Anaren Microwave, Inc. v. Loral  
Corp., 49 F.3d 62 (2d Cir.  
1995)—§ 196
- Anchondo v. Anderson, Crenshaw  
& Associates, L.L.C., 616 F.3d  
1098 (10th Cir. 2010)—§ 37
- Andela v. American Ass’n For Can-  
cer Research, 389 Fed. Appx.  
137 (3d Cir. 2010)—§§ 45A, 55
- Anderson v. Liberty Lobby, Inc.,  
477 U.S. 242, 106 S. Ct. 2505,  
91 L. Ed. 2d 202, 4 Fed. R.  
Serv. 3d 1041 (1986)—§ 181
- Anderson Foreign Motors, Inc. v.  
New England Toyota Distribu-  
tor, Inc., 492 F. Supp. 1383 (D.  
Mass. 1980)—§ 127
- Anderson News, L.L.C. v. Ameri-  
can Media, Inc., 899 F.3d 87  
(2d Cir. 2018)—§ 86
- Anderson News, L.L.C. v. Ameri-  
can Media, Inc., 123 F. Supp.  
3d 478 (S.D. N.Y. 2015)—§ 70
- Anderson News, L.L.C. v. Ameri-  
can Media, Inc., 680 F.3d 162  
(2d Cir. 2012)—§§ 40A, 41, 67,  
86
- Andrea Theatres, Inc. v. Theatre  
Confections, Inc., 787 F.2d 59  
(2d Cir. 1986)—§ 177
- Andrews v. U.S. Industries, Inc.,  
456 F. Supp. 582 (E.D. N.Y.  
1978)—§ 85
- AndroGel Antitrust Litigation (No.  
II), In re, 888 F. Supp. 2d 1336  
(N.D. Ga. 2012)—§ 37A
- Andrx Pharmaceuticals, Inc. v.  
Biovail Corp. Intern., 256 F.3d  
799 (D.C. Cir. 2001)—§ 187
- Andrx Pharmaceuticals, Inc. v.  
Elan Corp., PLC, 421 F.3d  
1227 (11th Cir. 2005)—§§ 37A,  
48, 52, 156A
- Angelico v. Lehigh Valley Hosp.,  
Inc., 184 F.3d 268 (3d Cir.  
1999)—§ 187
- Animal Science Products, Inc. v.  
China Minmetals Corp., 34 F.  
Supp. 3d 465 (D.N.J. 2014)—  
§ 187
- Animal Science Products, Inc. v.  
China Minmetals Corp., 654  
F.3d 462 (3d Cir. 2011)—§§ 27,  
32A, 167
- Animal Science Products, Inc. v.  
Hebei Welcome Pharmaceuti-  
cal Co. Ltd., 138 S. Ct. 1865,  
201 L. Ed. 2d 225, 100 Fed. R.  
Serv. 3d 1269 (2018)—§ 29
- Anti-Defamation League of B’Nai  
B’Rith v. National Mexican  
Am. Anti-Defamation Commit-  
tee, Inc., 510 F.2d 1246 (D.C.  
Cir. 1975)—§ 12
- Anti-Monopoly, Inc. v. General  
Mills Fun Group, 611 F.2d  
296, 55 A.L.R. Fed. 223 (9th  
Cir. 1979)—§ 11
- Antor Media Corp., In re, 689 F.3d  
1282 (Fed. Cir. 2012)—§ 143
- A 1 Electronics, Inc. v. Chang, 342  
Fed. Appx. 293 (9th Cir.  
2009)—§ 23

- A. O. Smith Corp. v. F. T. C., 530 F.2d 515 (3d Cir. 1976)—§§ 164, 176
- Apani Southwest, Inc. v. Coca-Cola Enterprises, Inc., 300 F.3d 620 (5th Cir. 2002)—§ 83
- Apex Oil Co. v. DiMauro, 822 F.2d 246 (2d Cir. 1987)—§ 68
- A.P. Hopkins Corp. v. Studebaker Corp., Onan Division, 355 F. Supp. 816 (E.D. Mich. 1972)—§§ 67, 69, 86, 87
- Apotex, Inc. v. Cephalon, Inc., 321 F.R.D. 220 (E.D. Pa. 2017)—§ 194
- Apperson v. Fleet Carrier Corp., 879 F.2d 1344 (6th Cir. 1989)—§ 187
- Apple, Inc. v. Motorola Mobility, Inc., 886 F. Supp. 2d 1061 (W.D. Wis. 2012)—§ 37A
- Apple Inc. v. Pepper, 139 S. Ct. 1514, 203 L. Ed. 2d 802 (2019)—§ 187
- Apple Inc. v. Samsung Electronics Co., Ltd., 735 F.3d 1352 (Fed. Cir. 2013)—§ 160
- Apple Inc. v. Samsung Electronics Co., Ltd., 727 F.3d 1214 (Fed. Cir. 2013)—§ 21
- Apple, Inc. v. U.S., 577 U.S. 1193, 136 S. Ct. 1376, 194 L. Ed. 2d 360 (2016)—§ 42
- Apple iPhone Antitrust Litigation, In re, 846 F.3d 313, 96 Fed. R. Serv. 3d 824 (9th Cir. 2017)—§ 187
- Applera Corp. v. MJ Research Inc., 363 F. Supp. 2d 270 (D. Conn. 2005)—§ 146
- Applera Corp. v. MJ Research, Inc., 349 F. Supp. 2d 338 (D. Conn. 2004)—§§ 51, 52B, 156
- Applera Corp. v. MJ Research Inc., 303 F. Supp. 2d 130 (D. Conn. 2004)—§ 156
- Appliance Recycling Centers of America, Inc. v. JACO Environmental, Inc., 378 Fed. Appx. 652 (9th Cir. 2010)—§ 25
- Applied Materials, Inc., In re, 692 F.3d 1289 (Fed. Cir. 2012)—§ 143
- Aquachem Co., Inc. v. Olin Corp., 699 F.2d 516 (11th Cir. 1983)—§ 85
- Aqua Flame, Inc. v. Imperial Fountains, Inc., 463 F. Supp. 736 (N.D. Tex. 1979)—§ 151
- Arandell Corp. v. Centerpoint Energy Services, Inc., 900 F.3d 623 (9th Cir. 2018)—§ 117
- Arco Industries Corp. v. Chemcast Corp., 633 F.2d 435 (6th Cir. 1980)—§ 21
- Arden Architectural Specialties, Inc. v. Washington Mills Electro Minerals Corp., 2002-2 Trade Cas. (CCH) ¶ 73818, 2002 WL 31421915 (W.D. N.Y. 2002)—§ 174
- Argus Inc. v. Eastman Kodak Co., 801 F.2d 38 (2d Cir. 1986)—§ 196
- Ariix, LLC v. NutriSearch Corporation, 985 F.3d 1107 (9th Cir. 2021)—§ 25
- Ariosa Diagnostics, Inc. v. Sequenom, Inc., 19 F. Supp. 3d 938 (N.D. Cal. 2013)—§ 143
- Aristocrat Technologies Australia Pty Ltd. v. International Game Technology, 709 F.3d 1348 (Fed. Cir. 2013)—§ 145
- Ariz., State of v. Maricopa County

TABLE OF CASES

- Medical Soc., 643 F.2d 553 (9th Cir. 1980)—§ 42
- Ariz., State of v. Shamrock Foods Co., 729 F.2d 1208 (9th Cir. 1984)—§§ 182, 201
- Arizona v. Maricopa County Medical Soc., 457 U.S. 332, 102 S. Ct. 2466, 73 L. Ed. 2d 48 (1982)—§§ 41, 42, 43
- Arkansas Carpenters Health and Welfare Fund v. Bayer AG, 604 F.3d 98 (2d Cir. 2010)—§§ 40, 45A
- Ark Dental Supply Co. v. Cavitron Corp., 461 F.2d 1093 (3d Cir. 1972)—§ 85
- Ark Dental Supply Co. v. Cavitron Corp., 323 F. Supp. 1145 (E.D. Pa. 1971)—§ 119
- Arkla Air Conditioning Co. v. Famous Supply Co. of Cleveland, Inc., 551 F.2d 125 (6th Cir. 1977)—§ 164
- Armco Steel Corp. v. United Mine Workers of America, 505 F.2d 1129 (4th Cir. 1974)—§ 34
- Armstrong Surgical Center, Inc. v. Armstrong County Memorial Hosp., 185 F.3d 154 (3d Cir. 1999)—§ 33
- Arnold Pontiac-GMC, Inc. v. Budd Baer, Inc., 826 F.2d 1335 (3d Cir. 1987)—§§ 67, 181
- Arnold Pontiac-GMC, Inc. v. General Motors Corp., 786 F.2d 564 (3d Cir. 1986)—§ 67
- Arnott v. American Oil Co., 609 F.2d 873 (8th Cir. 1979)—§§ 42, 80, 193
- Aronson v. Quick Point Pencil Co., 440 U.S. 257, 99 S. Ct. 1096, 59 L. Ed. 2d 296 (1979)—§§ 146, 163A
- Arroyo-Melecio v. Puerto Rican American Ins. Co., 398 F.3d 56 (1st Cir. 2005)—§§ 32, 33, 33A, 36, 51, 187
- Arthur S. Langenderfer, Inc. v. S.E. Johnson Co., 917 F.2d 1413 (6th Cir. 1990)—§ 32
- Arthur S. Langenderfer, Inc. v. S.E. Johnson Co., 729 F.2d 1050 (6th Cir. 1984)—§§ 32, 47, 92, 184
- Artman v. International Harvester Co., 355 F. Supp. 476, 17 Fed. R. Serv. 2d 50 (W.D. Pa. 1972)—§§ 87, 177
- Asa Accugrade, Inc. v. American Numismatic Ass'n, 370 F. Supp. 2d 213 (D.D.C. 2005)—§§ 45A, 51, 67
- Asacol Antitrust Litigation, In re, 233 F. Supp. 3d 247 (D. Mass. 2017)—§§ 48, 51, 52
- Asahi Glass Co., Ltd. v. Pentech Pharmaceuticals, Inc., 289 F. Supp. 2d 986 (N.D. Ill. 2003)—§§ 156, 156A
- ASAP Paging Inc. v. CenturyTel of San Marcos Inc., 137 Fed. Appx. 694 (5th Cir. 2005)—§ 85
- Ash Grove Cement Co. v. F. T. C., 577 F.2d 1368 (9th Cir. 1978)—§ 207
- Ashley Creek Phosphate Co. v. Chevron USA, Inc., 315 F.3d 1245 (10th Cir. 2003)—§ 187
- Askew v. DCH Regional Health Care Authority, 995 F.2d 1033 (11th Cir. 1993)—§ 33
- Aspartame Antitrust Litigation, In re, 416 Fed. Appx. 208 (3d Cir. 2011)—§§ 177, 178
- Aspen Highlands Skiing Corp. v. Aspen Skiing Co., 738 F.2d

- 1509, 17 Fed. R. Evid. Serv. 600 (10th Cir. 1984)—§ 51
- Aspen Skiing Co. v. Aspen Highlands Skiing Corp., 472 U.S. 585, 105 S. Ct. 2847, 86 L. Ed. 2d 467 (1985)—§§ 51, 85
- Aspex Eyewear, Inc. v. Marchon Eyewear, Inc., 672 F.3d 1335 (Fed. Cir. 2012)—§§ 156, 156A
- Asset Marketing Systems, Inc. v. Gagnon, 542 F.3d 748 (9th Cir. 2008)—§ 22
- Associated Container Transp. (Australia) Ltd. v. U.S., 705 F.2d 53 (2d Cir. 1983)—§§ 33, 214
- Associated General Contractors of California, Inc. v. California State Council of Carpenters, 459 U.S. 519, 103 S. Ct. 897, 74 L. Ed. 2d 723 (1983)—§§ 34, 187, 190
- Associated General Contractors of California, Inc. v. California State Council of Carpenters (1983) 450 US 519, 74 L Ed 2d 723, 103 S Ct 897—§ 187
- Associated General Contractors of North Dakota v. Otter Tail Power Co., 611 F.2d 684 (8th Cir. 1979)—§ 187
- Associated Radio Service Co. v. Page Airways, Inc., 624 F.2d 1342, 6 Fed. R. Evid. Serv. 922 (5th Cir. 1980)—§§ 27, 40
- Associated Radio Service Co. v. Page Airways, Inc., 414 F. Supp. 1088 (N.D. Tex. 1976)—§ 33
- Association for Intercollegiate Athletics for Women v National Collegiate Athletic Asso. (1984) 236 App DC 311, 735 F2d 577—§ 47
- Association for Molecular Pathology v. Myriad Genetics, Inc., 569 U.S. 576, 133 S. Ct. 2107, 186 L. Ed. 2d 124 (2013)—§ 143
- Association of Nat. Advertisers, Inc. v. F.T.C., 617 F.2d 611 (D.C. Cir. 1979)—§§ 121, 206
- Association of Nat. Advertisers, Inc. v. F. T. C., 565 F.2d 237 (2d Cir. 1977)—§ 179
- Association of Washington Public Hosp. Districts v. Philip Morris Inc., 241 F.3d 696 (9th Cir. 2001)—§ 187
- Astra Media Group, LLC v. Clear Channel Taxi Media, LLC, 414 Fed. Appx. 334 (2d Cir. 2011)—§ 52A
- Astro-Med, Inc. v. Nihon Kohden America, Inc., 591 F.3d 1 (1st Cir. 2009)—§ 19
- A. Stucki Co. v. Worthington Industries, Inc., 849 F.2d 593 (Fed. Cir. 1988)—§§ 160, 164
- AT & T Corp. v. Iowa Utilities Bd., 525 U.S. 366, 119 S. Ct. 721, 142 L. Ed. 2d 835 (1999)—§ 37
- AT & T Corp. v. JMC Telecom, LLC, 470 F.3d 525 (3d Cir. 2006)—§§ 28, 40
- Atari Games Corp. v. Nintendo of America, Inc., 897 F.2d 1572 (Fed. Cir. 1990)—§§ 156, 176
- Atari Games Corp. v. Oman, 888 F.2d 878 (D.C. Cir. 1989)—§ 162
- Atari, Inc. v. North American Philips Consumer Electronics Corp., 672 F.2d 607 (7th Cir. 1982)—§ 162
- Atchison, Topeka & Santa Fe Ry.

TABLE OF CASES

- Co. v. U.S., 597 F.2d 593 (7th Cir. 1979)—§§ 27, 37
- Ateliers de la Haute-Garonne v. Broetje Automation USA Inc., 717 F.3d 1351 (Fed. Cir. 2013)—§ 144
- Atlantic Coast Airlines Holdings, Inc. v. Mesa Air Group, Inc., 295 F. Supp. 2d 75 (D.D.C. 2003)—§§ 176, 187
- Atlantic Richfield Co. v. F.T.C., 546 F.2d 646 (5th Cir. 1977)—§ 209
- Atlantic Richfield Co. v. Malco Petroleum, Inc., 471 F.2d 1258 (6th Cir. 1972)—§ 167
- Atlantic Richfield Co. v. USA Petroleum Co., 495 U.S. 328, 110 S. Ct. 1884, 109 L. Ed. 2d 333 (1990)—§§ 88, 186, 196
- Atlantigas Corp. v. Nisource, Inc., 290 F. Supp. 2d 34 (D.D.C. 2003)—§ 171
- Attrezzzi, LLC v. Maytag Corp., 436 F.3d 32 (1st Cir. 2006)—§ 37
- Auburn News Co., Inc. v. Providence Journal Co., 659 F.2d 273 (1st Cir. 1981)—§§ 53, 85, 176, 188, 197
- Auburn News Co., Inc. v. Providence Journal Co., 504 F. Supp. 292 (D.R.I. 1980)—§§ 176, 188, 197
- Augusta News Co. v. Hudson News Co., 269 F.3d 41 (1st Cir. 2001)—§ 137
- Auraria Student Housing at the Regency, LLC v. Campus Village Apartments, LLC, 843 F.3d 1225, 338 Ed. Law Rep. 25 (10th Cir. 2016)—§§ 33, 54, 55, 205
- Auraria Student Housing at the Regency, LLC v. Campus Village Apartments, LLC, 703 F.3d 1147 (10th Cir. 2013)—§ 33
- Aurora Enterprises, Inc. v. National Broadcasting Co., Inc., 688 F.2d 689 (9th Cir. 1982)—§§ 84, 177, 187
- Austin v. Blue Cross and Blue Shield of Alabama, 903 F.2d 1385 (11th Cir. 1990)—§§ 187, 197
- Austin Mun. Securities, Inc. v. National Ass'n of Securities Dealers, Inc., 757 F.2d 676, 2 Fed. R. Serv. 3d 93 (5th Cir. 1985)—§§ 27, 45
- Automated Marketing Systems, Inc. v. Martin, 467 F.2d 1181 (10th Cir. 1972)—§ 22
- Automated Salvage Transport, Inc. v. Wheelabrator Environmental Systems, Inc., 155 F.3d 59 (2d Cir. 1998)—§ 33
- Automotive Alignment & Body Service, Inc. v. State Farm Mutual Automobile Insurance Company, 953 F.3d 707, 106 Fed. R. Serv. 3d 20 (11th Cir. 2020)—§ 86
- Automotive Parts Antitrust Litigation, In re, 29 F. Supp. 3d 982 (E.D. Mich. 2014)—§ 166
- Automotive Refinishing Paint Antitrust Litigation, In re, 358 F.3d 288 (3d Cir. 2004)—§§ 165, 171
- Auton v. Dade City, Fla., 783 F.2d 1009 (11th Cir. 1986)—§ 33
- Auwood v. Harry Brandt Booking Office, Inc., 850 F.2d 884 (2d Cir. 1988)—§ 188
- Avaya Inc., RP v. Telecom Labs, Inc., 838 F.3d 354 (3d Cir. 2016)—§§ 17, 52, 84

- A.V.E.L.A., Inc. v. Estate of Marilyn Monroe, LLC, 241 F. Supp. 3d 461 (S.D. N.Y. 2017)—§§ 52, 54, 55
- Aviation Charter, Inc. v. Aviation Research Group/US, 416 F.3d 864 (8th Cir. 2005)—§ 37
- Aviation Specialties, Inc. v. United Technologies Corp., 568 F.2d 1186 (5th Cir. 1978)—§§ 69, 85, 129, 139
- AvidAir Helicopter Supply, Inc. v. Rolls-Royce Corp., 663 F.3d 966 (8th Cir. 2011)—§§ 3, 21, 22, 37A
- Avnet, Inc. v. F. T. C., 511 F.2d 70 (7th Cir. 1975)—§ 210
- Axis, S.p.A. v. Micafil, Inc., 870 F.2d 1105 (6th Cir. 1989)—§ 186
- Axon Enterprise, Inc. v. Federal Trade Commission, 986 F.3d 1173 (9th Cir. 2021)—§ 206
- Aydin Corp. v. Loral Corp., 718 F.2d 897 (9th Cir. 1983)—§§ 3, 40
- Azizian v. Federated Dept. Stores, Inc., 499 F.3d 950 (9th Cir. 2007)—§ 200
- B**
- B-S Steel Of Kansas, Inc. v. Texas Industries, Inc., 439 F.3d 653 (10th Cir. 2006)—§§ 127, 175, 187
- B-S Steel of Kansas, Inc. v. Texas Industries, Inc., 229 F. Supp. 2d 1209 (D. Kan. 2002)—§ 171
- Babcock & Wilcox Co. v. United Technologies Corp., 435 F. Supp. 1249 (N.D. Ohio 1977)—§ 96
- Baby Buddies, Inc. v. Toys R Us, Inc., 611 F.3d 1308 (11th Cir. 2010)—§ 25
- Baby Food Antitrust Litigation, In re, 166 F.3d 112 (3d Cir. 1999)—§ 68
- Baby Products Antitrust Litigation, In re, 708 F.3d 163, 84 Fed. R. Serv. 3d 1324 (3d Cir. 2013)—§ 174
- Bacchus Imports, Ltd. v. Dias, 468 U.S. 263, 104 S. Ct. 3049, 82 L. Ed. 2d 200 (1984)—§ 42
- Bacon v. Texaco, Inc., 503 F.2d 946 (5th Cir. 1974)—§ 126
- Baden Sports, Inc. v. Molten USA, Inc., 556 F.3d 1300 (Fed. Cir. 2009)—§ 25
- Bailey v. Allgas, Inc., 284 F.3d 1237 (11th Cir. 2002)—§ 131
- Bailey Employment System, Inc. v. Hahn, 655 F.2d 473 (2d Cir. 1981)—§ 17
- Bailey's, Inc. v. Windsor America, Inc., 948 F.2d 1018 (6th Cir. 1991)—§ 42
- Balaklaw v. Lovell, 14 F.3d 793 (2d Cir. 1994)—§ 187
- Ballard v. Blue Shield of Southern West Virginia, Inc., 543 F.2d 1075, 22 Fed. R. Serv. 2d 460 (4th Cir. 1976)—§§ 32, 36, 171
- Ball Memorial Hosp., Inc. v. Mutual Hosp. Ins., Inc., 784 F.2d 1325 (7th Cir. 1986)—§ 47
- Balmoral Cinema, Inc. v. Allied Artists Pictures Corp., 885 F.2d 313 (6th Cir. 1989)—§ 86
- Baltimore Orioles, Inc. v. Major League Baseball Players Ass'n, 805 F.2d 663 (7th Cir. 1986)—§ 162
- Baltimore Scrap Corp. v. David J.

TABLE OF CASES

- Joseph Co., 237 F.3d 394, 193 A.L.R. Fed. 745 (4th Cir. 2001)—§ 33
- B & H Medical, L.L.C. v. ABP Admin., Inc., 526 F.3d 257, 70 Fed. R. Serv. 3d 748 (6th Cir. 2008)—§ 87
- Bangor Punta Operations, Inc. v. Bangor & A. R. Co., 417 U.S. 703, 94 S. Ct. 2578, 41 L. Ed. 2d 418 (1974)—§§ 112, 117, 187, 191
- Bangor Punta Operations, Inc. v. Universal Marine Co., Ltd., 543 F.2d 1107 (5th Cir. 1976)—§ 22
- Bankamerica Corp. v. U.S., 462 U.S. 122, 103 S. Ct. 2266, 76 L. Ed. 2d 456 (1983)—§ 112
- Bankers Ins. Co. v. Florida Residential Property and Cas. Joint Underwriting Ass'n, 137 F.3d 1293 (11th Cir. 1998)—§ 33
- Banks v. National Collegiate Athletic Ass'n, 977 F.2d 1081 (7th Cir. 1992)—§ 4
- Barany-Snyder v. Weiner, 539 F.3d 327 (6th Cir. 2008)—§ 37
- Bard Peripheral Vascular, Inc. v. W.L. Gore & Associates, Inc., 682 F.3d 1003 (Fed. Cir. 2012)—§ 156
- Bargain Car Wash, Inc. v. Standard Oil Co. (Ind.), 466 F.2d 1163 (7th Cir. 1972)—§§ 79, 127, 136
- Barnes v. Arden Mayfair, Inc., 759 F.2d 676 (9th Cir. 1985)—§ 27
- Barnett Bank of Marion County, N.A. v. Nelson, 517 U.S. 25, 116 S. Ct. 1103, 134 L. Ed. 2d 237 (1996)—§ 36
- Barnosky Oils, Inc. v. Union Oil Co. of California, 665 F.2d 74 (6th Cir. 1981)—§§ 41, 83, 128, 177
- Barry v. Blue Cross of California, 805 F.2d 866 (9th Cir. 1986)—§§ 42, 69
- Barry v. St. Paul Fire & Marine Ins. Co., 555 F.2d 3 (1st Cir. 1977)—§ 36
- Barry Wright Corp. v. ITT Grinnell Corp., 724 F.2d 227 (1st Cir. 1983)—§§ 47, 83, 127
- Bartholomew v. Virginia Chiropractors Ass'n, Inc., 612 F.2d 812 (4th Cir. 1979)—§§ 36, 171
- Barton & Pittinos, Inc. v. Smith-Kline Beecham Corp., 118 F.3d 178 (3d Cir. 1997)—§§ 54, 187
- Barton's Disposal Service, Inc. v. Tiger Corp., 886 F.2d 1430 (5th Cir. 1989)—§ 33
- Bassett v. National Collegiate Athletic Ass'n, 528 F.3d 426, 233 Ed. Law Rep. 65 (6th Cir. 2008)—§§ 28, 40, 196A
- Bates v. State Bar of Arizona, 433 U.S. 350, 97 S. Ct. 2691, 53 L. Ed. 2d 810 (1977)—§ 33
- Bathke v. Casey's General Stores, Inc., 64 F.3d 340 (8th Cir. 1995)—§§ 55, 131
- Battipaglia v. New York State Liquor Authority, 745 F.2d 166 (2d Cir. 1984)—§§ 33, 41
- Battle v. Liberty Nat. Life Ins. Co., 493 F.2d 39 (5th Cir. 1974)—§§ 32, 36, 41, 117, 183, 187
- Battle v. Lubrizol Corp., 673 F.2d 984, 9 Fed. R. Evid. Serv. 1683 (8th Cir. 1982)—§ 85
- Battle v. Watson, 712 F.2d 1238 (8th Cir. 1983)—§ 86

- Baughman v. Wilson Freight Forwarding Co., 583 F.2d 1208 (3d Cir. 1978)—§ 200
- Baum v. Great Western Cities, Inc., of New Mexico, 703 F.2d 1197, 12 Fed. R. Evid. Serv. 1220 (10th Cir. 1983)—§§ 210, 213
- Baxley-DeLamar Monuments, Inc. v. American Cemetery Ass'n, 938 F.2d 846 (8th Cir. 1991)—§ 84
- Baxley-DeLamar Monuments, Inc. v. American Cemetery Ass'n, 843 F.2d 1154, 10 Fed. R. Serv. 3d 1344 (8th Cir. 1988)—§§ 52, 67, 84
- Baxter Intern., Inc. v. Abbott Laboratories, 315 F.3d 829 (7th Cir. 2003)—§ 203A
- Bay Guardian Co. v. Chronicle Pub. Co., 344 F. Supp. 1155 (N.D. Cal. 1972)—§ 109
- Bayou Bottling, Inc. v. Dr. Pepper Co., 725 F.2d 300 (5th Cir. 1984)—§§ 188, 196
- Bayou Fleet, Inc. v. Alexander, 234 F.3d 852, 177 A.L.R. Fed. 745 (5th Cir. 2000)—§ 33
- BBD Transp. Co., Inc. v. Southern Pac. Transp. Co., 627 F.2d 170 (9th Cir. 1980)—§ 177
- BCB Anesthesia Care, Ltd. v. Pas-savant Memorial Area Hosp. Ass'n, 36 F.3d 664 (7th Cir. 1994)—§ 195
- BCE Emergis Corp. v. Community Health Solutions of America, Inc., 148 Fed. Appx. 204 (5th Cir. 2005)—§ 22
- B. C. Recreational Industries v. First Nat. Bank of Boston, 639 F.2d 828 (1st Cir. 1981)—§ 84
- BDT Products, Inc. v. Lexmark Intern., Inc., 602 F.3d 742 (6th Cir. 2010)—§ 21
- Beach v. Viking Sewing Mach. Co., Inc., 784 F.2d 746 (6th Cir. 1986)—§§ 67, 85
- Beard v. Parkview Hosp., 912 F.2d 138 (6th Cir. 1990)—§§ 48, 84
- Bearden v. Ballard Health, 967 F.3d 513 (6th Cir. 2020)—§ 104
- Bear, Stearns Funding, Inc. v. Interface Group-Nevada, Inc., 361 F. Supp. 2d 283 (S.D. N.Y. 2005)—§ 21
- Beatrice Foods Co. v. F.T.C., 540 F.2d 303 (7th Cir. 1976)—§§ 102, 108
- Beaudry v. TeleCheck Services, Inc., 579 F.3d 702 (6th Cir. 2009)—§ 37
- Becker v. Egypt News Co., Inc., 713 F.2d 363 (8th Cir. 1983)—§ 85
- Beckers v. International Snowmobile Industry Ass'n, 581 F.2d 1308, 25 Fed. R. Serv. 2d 1513 (8th Cir. 1978)—§ 181
- Beckman v. Walter Kidde & Co., 316 F. Supp. 1321 (E.D. N.Y. 1970)—§ 119
- Beech Cinema, Inc. v. Twentieth Century-Fox Film Corp., 622 F.2d 1106, 6 Fed. R. Evid. Serv. 214 (2d Cir. 1980)—§ 85
- Beef Industry Antitrust Litigation--MDL Docket No. 248, In re, 710 F.2d 216 (5th Cir. 1983)—§ 201
- Beef Industry Antitrust Litigation MDL Docket No. 248, In re, 907 F.2d 510 (5th Cir. 1990)—§§ 43, 68
- Beef Industry Antitrust Litigation,

TABLE OF CASES

- MDL Docket No. 248, In re, 600 F.2d 1148, 28 Fed. R. Serv. 2d 39 (5th Cir. 1979)—§ 201
- Beefy Trail, Inc. v. Beefy King Intern., Inc., 348 F. Supp. 799 (M.D. Fla. 1972)—§ 84
- Been v. O.K. Industries, Inc., 398 Fed. Appx. 382 (10th Cir. 2010)—§ 37
- Been v. O.K. Industries, Inc., 495 F.3d 1217 (10th Cir. 2007)—§ 37
- Beer Nuts, Inc. v. King Nut Co., 477 F.2d 326, 17 Fed. R. Serv. 2d 760 (6th Cir. 1973)—§ 12
- Behagen v. Amateur Basketball Ass'n of U.S., 884 F.2d 524 (10th Cir. 1989)—§ 37
- Behrend v. Comcast Corp., 655 F.3d 182, 80 Fed. R. Serv. 3d 394 (3d Cir. 2011)—§§ 55, 174
- Belcher Oil Co. v. Florida Fuels, Inc., 749 F. Supp. 1104 (S.D. Fla. 1990)—§ 187
- Belfiore v. New York Times Co., 826 F.2d 177 (2d Cir. 1987)—§§ 53, 54
- Belfiore v. New York Times Co., 654 F. Supp. 842 (D. Conn. 1986)—§ 46
- Bell v. Cherokee Aviation Corp., 660 F.2d 1123 (6th Cir. 1981)—§ 84
- Bell v. Dow Chemical Co., 847 F.2d 1179 (5th Cir. 1988)—§§ 85, 187
- Bell v. Fur Breeders Agricultural Co-op., 348 F.3d 1224 (10th Cir. 2003)—§§ 35, 118
- Bell v. Pro Arts, Inc., 511 F.2d 451 (6th Cir. 1975)—§ 162
- Bell Atlantic Corp. v. AT&T Corp., 339 F.3d 294, 56 Fed. R. Serv. 3d 30 (5th Cir. 2003)—§§ 174, 188
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 127 S. Ct. 1955, 167 L. Ed. 2d 929, 68 Fed. R. Serv. 3d 661 (2007)—§§ 28, 40, 67, 68, 69, 70
- Bellfort Enterprises Inc. v. Petro-Tex Fuels Inc., 339 Fed. Appx. 416 (5th Cir. 2009)—§ 27
- Beltronics, Inc. v. Eberline Instrument Corp., 509 F.2d 1316 (10th Cir. 1974)—§ 85
- Beltz Travel Service, Inc. v. International Air Transport Ass'n, 620 F.2d 1360 (9th Cir. 1980)—§§ 67, 181
- Bender v. Southland Corp., 749 F.2d 1205 (6th Cir. 1984)—§§ 42, 80, 84
- Bendix Corp. v. Balax, Inc., 471 F.2d 149 (7th Cir. 1972)—§§ 54, 156, 159, 198
- Beneficial Corp. v. F.T.C., 542 F.2d 611, 37 A.L.R. Fed. 62 (3d Cir. 1976)—§ 30
- Bennett Marine, Inc. v. Lenco Marine, Inc., 549 Fed. Appx. 947 (Fed. Cir. 2013)—§ 145
- Benson v. Arizona State Bd. of Dental Examiners, 673 F.2d 272 (9th Cir. 1982)—§ 33
- Benson v. St. Joseph Regional Health Center, 575 F.3d 542, 73 Fed. R. Serv. 3d 1764 (5th Cir. 2009)—§ 40
- Benton, Benton & Benton v. Louisiana Public Facilities Authority, 897 F.2d 198 (5th Cir. 1990)—§ 33
- Berardinelli v. Castle & Cooke Inc., 587 F.2d 37 (9th Cir. 1978)—§ 32

- Berger v. Cuyahoga County Bar Ass'n, 983 F.2d 718 (6th Cir. 1993)—§ 33
- Bergstrom v. Sears, Roebuck and Co., 599 F.2d 62 (8th Cir. 1979)—§ 143
- Beriont v. GTE Laboratories, Inc., 535 Fed. Appx. 919 (Fed. Cir. 2013)—§ 156
- Berkey Photo, Inc. v Eastman Kodak Co. (1979, CA2 NY) 1979-1 CCH Trade Cas ¶ 62718—§§ 40, 51, 120, 192
- Berkey Photo, Inc. v. Eastman Kodak Co., 603 F.2d 263, 53 A.L.R. Fed. 768 (2d Cir. 1979)—§§ 47, 49, 51, 53, 54, 120, 177, 192
- Berlyn, Inc. v. Gazette Newspapers, Inc., 223 F. Supp. 2d 718 (D. Md. 2002)—§§ 102, 103
- Berlyn, Inc. v. The Gazette Newspapers, Inc., 157 F. Supp. 2d 609 (D. Md. 2001)—§§ 48, 52, 67, 129, 138, 181, 190
- Berman Enterprises Inc. v. Local 333, United Marine Division, Intern. Longshoremen's Ass'n, 644 F.2d 930, 8 Fed. R. Evid. Serv. 68 (2d Cir. 1981)—§ 34
- Berning v. Gooding, 820 F.2d 1550 (9th Cir. 1987)—§§ 37, 42
- Bernstein v. Universal Pictures, Inc., 517 F.2d 976 (2d Cir. 1975)—§§ 162, 181, 202
- Berry v. Dillon, 291 Fed. Appx. 792 (9th Cir. 2008)—§ 22
- Bessemer Trust Co., N.A. v. Brannin, 618 F.3d 76 (2d Cir. 2010)—§ 4
- Best Brands Beverage, Inc. v. Falstaff Brewing Corp., 842 F.2d 578, 10 Fed. R. Serv. 3d 357 (2d Cir. 1987)—§ 131
- Betaseed, Inc. v. U and I Inc., 681 F.2d 1203, 69 A.L.R. Fed. 284 (9th Cir. 1982)—§§ 26, 45, 84
- Betkerur v. Aultman Hosp. Ass'n, 78 F.3d 1079, 1996 FED App. 0092P (6th Cir. 1996)—§§ 53, 54, 86
- Better Business Bureau of Metropolitan Houston, Inc. v. Medical Directors, Inc., 681 F.2d 397 (5th Cir. 1982)—§ 25
- Beverage Systems of the Carolinas, LLC v. Associated Beverage Repair, LLC, 368 N.C. 693, 784 S.E.2d 457 (2016)—§ 4
- BFI Waste System of North America v. Dekalb County, Georgia, 303 F. Supp. 2d 1335 (N.D. Ga. 2004)—§ 33
- Bhan v. NME Hospitals, Inc., 772 F.2d 1467 (9th Cir. 1985)—§§ 102, 187
- Big Apple BMW, Inc. v. BMW of North America, Inc., 974 F.2d 1358, 36 Fed. R. Evid. Serv. 319 (3d Cir. 1992)—§ 67
- Big Bear Lodging Ass'n v. Snow Summit, Inc., 182 F.3d 1096 (9th Cir. 1999)—§§ 42, 86, 187
- Big River Industries, Inc. v. Headwaters Resources, Inc., 971 F. Supp. 2d 609 (M.D. La. 2013)—§§ 55, 127
- Bill Beasley Farms, Inc. v. Hubbard Farms, 695 F.2d 1341 (11th Cir. 1983)—§ 54
- Billing v. Credit Suisse First Boston Ltd., 426 F.3d 130 (2d Cir. 2005)—§§ 27, 37A, 53
- Bill of Lading Transmission and

TABLE OF CASES

- Processing System Patent Litigation, *In re*, 681 F.3d 1323, 82 Fed. R. Serv. 3d 890 (Fed. Cir. 2012)—§§ 156, 157
- Bio-Rad Laboratories, Inc. v. 10X Genomics, Inc., 483 F. Supp. 3d 38 (D. Mass. 2020)—§ 146
- Biocad JSC v. F. Hoffmann-La Roche, 942 F.3d 88 (2d Cir. 2019)—§ 32A
- Bio Technology General Corp. v. Genentech, Inc., 267 F.3d 1325 (Fed. Cir. 2001)—§ 156
- Birdsong v. Apple, Inc., 590 F.3d 955, 71 U.C.C. Rep. Serv. 2d 976 (9th Cir. 2009)—§ 37
- Birnbaum v. U.S., 588 F.2d 319, 47 A.L.R. Fed. 259 (2d Cir. 1978)—§ 162
- Bisel v. Matco Tools, 715 F. Supp. 316 (D. Kan. 1989)—§§ 127, 131
- Black v. Acme Markets, Inc., 564 F.2d 681 (5th Cir. 1977)—§§ 165, 171
- Black Bear Sports Group, Inc. v. Amateur Hockey Association of Illinois, Inc., 962 F.3d 968 (7th Cir. 2020)—§§ 46, 187
- Blackburn v. Crum & Forster, 611 F.2d 102 (5th Cir. 1980)—§ 36
- Blackburn v. Sweeney, 53 F.3d 825 (7th Cir. 1995)—§§ 44, 186
- Black Gold, Ltd. v. Rockwool Industries, Inc., 729 F.2d 676 (10th Cir. 1984)—§§ 40, 86, 126, 131
- Blackwelder Furniture Co. of Statesville, Inc. v. Seilig Mfg. Co., Inc., 550 F.2d 189 (4th Cir. 1977)—§ 176
- Blades v. Monsanto Co., 400 F.3d 562 (8th Cir. 2005)—§ 67
- Blair Foods, Inc. v. Ranchers Cotton Oil, 610 F.2d 665 (9th Cir. 1980)—§ 48
- Blalock v. Ladies Professional Golf Ass'n, 359 F. Supp. 1260 (N.D. Ga. 1973)—§§ 32, 86
- Blankenship v. Herzfeld, 721 F.2d 306 (10th Cir. 1983)—§ 117
- Blankenship v. Herzfeld, 661 F.2d 840 (10th Cir. 1981)—§§ 85, 117
- Blanton v. Mobil Oil Corp., 721 F.2d 1207 (9th Cir. 1983)—§§ 54, 84
- Blessing v. Sirius XM Radio Inc., 507 Fed. Appx. 1 (2d Cir. 2012)—§ 200
- Blizzard Entertainment Inc. v. Ceiling Fan Software LLC, 941 F. Supp. 2d 1227 (C.D. Cal. 2013)—§ 54
- Blohm & Voss AG v. Prudential-Grace Lines, Inc., 346 F. Supp. 1116 (D. Md. 1972)—§ 156
- Blomkest Fertilizer, Inc. v. Potash Corp. of Saskatchewan, 203 F.3d 1028 (8th Cir. 2000)—§§ 69, 70
- Blood Reagents Antitrust Litigation, *In re*, 266 F. Supp. 3d 750 (E.D. Pa. 2017)—§§ 40, 178
- Blood Reagents Antitrust Litigation, *In re*, 283 F.R.D. 222 (E.D. Pa. 2012)—§ 203A
- Blough v. Holland Realty, Inc, 574 F.3d 1084 (9th Cir. 2009)—§ 84
- Blount Financial Services, Inc. v. Walter E. Heller and Co., 819 F.2d 151 (6th Cir. 1987)—§ 40
- Blue Cross and Blue Shield United of Wisconsin v. Marshfield Clinic, 152 F.3d 588 (7th Cir. 1998)—§§ 175, 200
- Blue Cross Blue Shield Antitrust

- Litigation, In re, 308 F. Supp. 3d 1241 (N.D. Ala. 2018)—§ 120
- Blue Cross Blue Shield Antitrust Litigation, In re, 225 F. Supp. 3d 1269 (N.D. Ala. 2016)—§§ 165, 171
- Blue Cross Blue Shield Antitrust Litigation, In re, 26 F. Supp. 3d 1172 (N.D. Ala. 2014)—§ 166
- Blue Dot Energy Co., Inc. v. U.S., 61 Fed. Cl. 548 (2004)—§ 33
- Blue Pearl Music Corp. v. Bradford, 728 F.2d 603 (3d Cir. 1984)—§ 162
- Blue Ribbon Quality Meats, Inc. v. F.T.C., 560 F.2d 874 (8th Cir. 1977)—§§ 207, 209
- Blue Ribbon Quality Meats, Inc. v. F.T.C., 434 F. Supp. 159 (W.D. Mo. 1976)—§ 209
- Blue Shield of Virginia v. McCready, 457 U.S. 465, 102 S. Ct. 2540, 73 L. Ed. 2d 149 (1982)—§§ 186, 187, 196
- Blue Tree Hotels Inv. (Canada), Ltd. v. Starwood Hotels & Resorts Worldwide, Inc., 369 F.3d 212 (2d Cir. 2004)—§§ 131, 137
- Boardman v. Pacific Seafood Group, 822 F.3d 1011 (9th Cir. 2016)—§ 203A
- Board of County Com'rs of Custer County v. Wilshire Oil Co. of Texas, 523 F.2d 125 (10th Cir. 1975)—§ 171
- Board of Forensic Document Examiners, Inc. v. American Bar Association, 922 F.3d 827 (7th Cir. 2019)—§ 37
- Boating Industry Associations v. Moore, 474 U.S. 895, 106 S. Ct. 218, 88 L. Ed. 2d 218 (1985)—§§ 43, 66, 68, 86
- Bob Layne Contractor, Inc. v. Bartel, 504 F.2d 1293 (7th Cir. 1974)—§ 33
- Bob Maxfield, Inc. v. American Motors Corp., 637 F.2d 1033, 7 Fed. R. Evid. Serv. 1188 (5th Cir. 1981)—§ 84
- BOC Intern., Ltd. v. F. T. C., 557 F.2d 24 (2d Cir. 1977)—§ 99
- Bocobo v. Radiology Consultants of South Jersey, P.A., 477 Fed. Appx. 890 (3d Cir. 2012)—§ 187
- Bocobo v. Radiology Consultants of South Jersey, P.A., 305 F. Supp. 2d 422 (D.N.J. 2004)—§ 187
- Boczar v. Manatee Hospitals & Health Systems, Inc., 993 F.2d 1514 (11th Cir. 1993)—§ 70
- Boddicker v. Arizona State Dental Ass'n, 680 F.2d 66 (9th Cir. 1982)—§ 84
- Boddicker v. Arizona State Dental Ass'n, 549 F.2d 626, 39 A.L.R. Fed. 761 (9th Cir. 1977)—§§ 32, 41
- Bodie-Rickett and Associates v. Mars, Inc., 957 F.2d 287 (6th Cir. 1992)—§§ 86, 187
- Bodine Produce, Inc. v. United Farm Workers Organizing Committee, 494 F.2d 541 (9th Cir. 1974)—§ 34
- Bogan v. Hodgkins, 166 F.3d 509 (2d Cir. 1999)—§§ 54, 86
- Bogosian v. Gulf Oil Corp., 561 F.2d 434, 23 Fed. R. Serv. 2d 1050 (3d Cir. 1977)—§§ 69, 84, 174, 187
- Bogus v. American Speech and

TABLE OF CASES

- Hearing Ass'n, 582 F.2d 277, 25 Fed. R. Serv. 2d 1431 (3d Cir. 1978)—§§ 84, 187
- Bohack Corp. v. Iowa Beef Processors, Inc., 715 F.2d 703, 13 Fed. R. Evid. Serv. 1799 (2d Cir. 1983)—§ 196
- Boise Cascade Corp. v. FTC (1988) 267 App DC 124, 837 F.2d 1127, 1988-1 CCH Trade Cases ¶ 67870—§§ 131, 135
- Boise Cascade Corp. v. F.T.C., 637 F.2d 573 (9th Cir. 1980)—§§ 72, 121
- Bolt v. Halifax Hosp. Medical Center, 980 F.2d 1381 (11th Cir. 1993)—§ 33
- Bolt v. Halifax Hosp. Medical Center, 891 F.2d 810 (11th Cir. 1990)—§§ 33, 70, 118
- Bolt v. Halifax Hosp. Medical Center, 851 F.2d 1273, 26 Fed. R. Evid. Serv. 780 (11th Cir. 1988)—§§ 33, 70
- BondPro Corp. v. Siemens Power Generation, Inc., 463 F.3d 702 (7th Cir. 2006)—§ 22
- Boneta v. Rolex Watch USA, Inc., 232 F. Supp. 3d 354 (S.D. N.Y. 2017)—§§ 41A, 54
- Bonito Boats, Inc. v. Thunder Craft Boats, Inc., 489 U.S. 141, 109 S. Ct. 971, 103 L. Ed. 2d 118 (1989)—§ 163A
- Bonjorno v. Kaiser Aluminum & Chemical Corp., 752 F.2d 802 (3d Cir. 1984)—§§ 48, 117
- Bookhouse of Stuyvesant Plaza, Inc. v. Amazon.com, Inc., 985 F. Supp. 2d 612 (S.D. N.Y. 2013)—§ 44
- Boone v. Redevelopment Agency of City of San Jose, 841 F.2d 886 (9th Cir. 1988)—§ 33
- Booth Bottling Co., Inc. v. Beverages Intern., Inc., 361 F. Supp. 340 (E.D. Pa. 1973)—§§ 87, 95
- Borden, Inc. v. F. T. C., 674 F.2d 498 (6th Cir. 1982)—§§ 47, 54, 121, 136
- Borden, Inc. v. F.T.C., 495 F.2d 785 (7th Cir. 1974)—§§ 206, 207
- Borg-Warner Corp. v. F.T.C., 746 F.2d 108 (2d Cir. 1984)—§§ 112, 212
- Borger v. Yamaha Intern. Corp., 625 F.2d 390 (2d Cir. 1980)—§ 86
- Borschow Hosp. and Medical Supplies, Inc. v. Cesar Castillo Inc., 96 F.3d 10 (1st Cir. 1996)—§§ 84, 195
- Bose Corp. v. Linear Design Labs, Inc., 467 F.2d 304 (2d Cir. 1972)—§ 160
- Bosse v. Crowell Collier and Macmillan, 565 F.2d 602, 23 U.C.C. Rep. Serv. 830 (9th Cir. 1977)—§ 191
- Bostick Oil Co., Inc. v. Michelin Tire Corp., Commercial Div., 702 F.2d 1207, 12 Fed. R. Evid. Serv. 1652 (4th Cir. 1983)—§ 86
- Boston Professional Hockey Ass'n, Inc. v. Dallas Cap & Emblem Mfg., Inc., 510 F.2d 1004 (5th Cir. 1975)—§ 11
- Bouchat v. Baltimore Ravens Ltd. Partnership, 737 F.3d 932 (4th Cir. 2013)—§ 141
- Bouldis v. U.S. Suzuki Motor Corp., 711 F.2d 1319 (6th Cir. 1983)—§§ 84, 127, 138
- Bourns, Inc. v. Allen-Bradley Co.,

- 480 F.2d 123 (7th Cir. 1973)—  
§ 161
- Bourns, Inc. v. Raychem Corp., 331  
F.3d 704 (9th Cir. 2003)—  
§§ 148, 156
- Bowman v. Monsanto Co., 569 U.S.  
278, 133 S. Ct. 1761, 185 L.  
Ed. 2d 931 (2013)—§ 141
- Boyertown Burial Casket Co. v.  
Walco Nat. Corp., 344 F. Supp.  
1357 (E.D. Pa. 1972)—§§ 97,  
103, 176
- BP Products North America, Inc.  
v. Stanley, 669 F.3d 184 (4th  
Cir. 2012)—§ 4
- BP Products North America Inc. v.  
U.S., 34 Ct. Int'l Trade 676,  
716 F. Supp. 2d 1291 (2010)—  
§ 25
- BP West Coast Products LLC v.  
May, 447 F.3d 658 (9th Cir.  
2006)—§ 37
- Brader v. Allegheny General Hosp.,  
64 F.3d 869 (3d Cir. 1995)—  
§§ 32, 54
- Bradford v. New York Times Co.,  
501 F.2d 51 (2d Cir. 1974)—§ 4
- Bramsen v. Hardin, 346 F. Supp.  
934 (S.D. Fla. 1972)—§ 27
- Brand Name Prescription Drugs  
Antitrust Litigation, In re, 288  
F.3d 1028 (7th Cir. 2002)—§ 42
- Brand Name Prescription Drugs  
Antitrust Litigation, In re, 186  
F.3d 781 (7th Cir. 1999)—§§ 33,  
42
- Brand Name Prescription Drugs  
Antitrust Litigation, In re, 123  
F.3d 599 (7th Cir. 1997)—§ 128
- Brantley v. NBC Universal, Inc.,  
675 F.3d 1192 (9th Cir. 2012)—  
§§ 40, 40A, 41, 84, 89
- Brattleboro Auto Sales, Inc. v.  
Subaru of New England, Inc.,  
633 F.2d 649, 30 U.C.C. Rep.  
Serv. 804 (2d Cir. 1980)—§ 86
- Bravman v. Bassett Furniture In-  
dustries, Inc., 552 F.2d 90 (3d  
Cir. 1977)—§ 187
- Breckenridge Pharmaceutical, Inc.  
v. Metabolite Laboratories,  
Inc., 444 F.3d 1356 (Fed. Cir.  
2006)—§ 17
- Breen Air Freight, Ltd. v. Air  
Cargo, Inc., 470 F.2d 767 (2d  
Cir. 1972)—§ 169
- Breiding v. Eversource Energy, 344  
F. Supp. 3d 433 (D. Mass.  
2018)—§ 187
- Brennan v. Concord EFS, Inc., 369  
F. Supp. 2d 1127 (N.D. Cal.  
2005)—§ 42
- Brenner v. World Boxing Council,  
675 F.2d 445 (2d Cir. 1982)—  
§ 86
- Breslow, Application of, 616 F.2d  
516 (C.C.P.A. 1980)—§ 143
- Brett v. First Federal Sav. & Loan  
Ass'n, 461 F.2d 1155 (5th Cir.  
1972)—§§ 32, 67
- Bridgeport Music, Inc. v. Justin  
Combs Pub., 507 F.3d 470 (6th  
Cir. 2007)—§§ 17, 163
- Brillhart v. Mutual Medical Ins.,  
Inc., 768 F.2d 196 (7th Cir.  
1985)—§§ 40, 42
- Brisson v. Ford Motor Co., 349  
Fed. Appx. 433 (11th Cir.  
2009)—§ 37
- Bristol-Myers Co. v. F. T. C., 469  
F.2d 1116 (2d Cir. 1972)—  
§§ 206, 209, 211
- Bristol Locknut Co. v. SPS Tech-  
nologies, Inc., 677 F.2d 1277  
(9th Cir. 1982)—§ 160
- Bristol Steel & Iron Works v. Beth-

TABLE OF CASES

- lehem Steel Corp., 41 F.3d 182, 41 Fed. R. Evid. Serv. 691, 30 Fed. R. Serv. 3d 1460 (4th Cir. 1994)—§ 133
- Broadcast Music, Inc. v. Columbia Broadcasting System, Inc., 441 U.S. 1, 99 S. Ct. 1551, 60 L. Ed. 2d 1 (1979)—§§ 42, 163
- Broadcast Music, Inc. v. U.S. Shoe Corp., 678 F.2d 816 (9th Cir. 1982)—§ 162
- Broadcom Corp. v. Emulex Corp., 732 F.3d 1325 (Fed. Cir. 2013)—§ 160
- Broadcom Corp. v. Qualcomm Inc., 501 F.3d 297 (3d Cir. 2007)—§§ 28, 37A, 46, 47, 51, 52, 54, 92, 146, 175, 187
- Broadway Delivery Corp. v. United Parcel Service of America, Inc., 651 F.2d 122 (2d Cir. 1981)—§ 50
- Broiler Chicken Antitrust Litigation, In re, 290 F. Supp. 3d 772 (N.D. Ill. 2017)—§§ 42, 175, 177
- Brooke Group Ltd. v. Brown & Williamson Tobacco Corp., 509 U.S. 209, 113 S. Ct. 2578, 125 L. Ed. 2d 168 (1993)—§§ 125, 131
- Brooke Group, Ltd. v. Brown & Williamson Tobacco Corp. (1993) 509 US 9, 125 L Ed 2d 168, 113 S Ct 2578—§ 190
- Brookins v. International Motor Contest Ass'n, 219 F.3d 849 (8th Cir. 2000)—§§ 62, 66
- Brooks v. Citibank (South Dakota), N.A., 345 Fed. Appx. 260 (9th Cir. 2009)—§ 37
- Brown v. Brown & Williamson Tobacco Corp., 479 F.3d 383 (5th Cir. 2007)—§ 37
- Brown v. Donco Enterprises, Inc., 783 F.2d 644 (6th Cir. 1986)—§§ 67, 118
- Brown v. Electronic Arts, Inc., 724 F.3d 1235 (9th Cir. 2013)—§ 25
- Brown v. Hansen Publications, Inc., 556 F.2d 969 (9th Cir. 1977)—§§ 48, 87, 128
- Brown v. Pro Football, Inc., 518 U.S. 231, 116 S. Ct. 2116, 135 L. Ed. 2d 521 (1996)—§ 34
- Brown v. Stackler, 612 F.2d 1057 (7th Cir. 1980)—§ 200
- Brown v. Tabb, 714 F.2d 1088 (11th Cir. 1983)—§ 162
- Brown & Williamson Tobacco Corp. v. F.T.C., 710 F.2d 1165 (6th Cir. 1983)—§ 207
- Browning-Ferris Industries of Vermont, Inc. v. Kelco Disposal, Inc., 492 U.S. 257, 109 S. Ct. 2909, 106 L. Ed. 2d 219 (1989)—§ 188
- Bruce v. First Federal Sav. and Loan Ass'n of Conroe, Inc., 837 F.2d 712 (5th Cir. 1988)—§ 37
- Bruce Drug, Inc. v. Hollister, Inc., 688 F.2d 853 (1st Cir. 1982)—§§ 85, 176
- Brulotte v. Thys Co., 379 U.S. 29, 85 S. Ct. 176, 13 L. Ed. 2d 99, 3 A.L.R.3d 761 (1964)—§ 151
- Brumfield Towing Service, Inc. v. City of Baton Rouge, 911 F. Supp. 212 (M.D. La. 1996)—§§ 32, 54, 85
- Brunson Communications, Inc. v. Arbitron, Inc., 239 F. Supp. 2d 550 (E.D. Pa. 2002)—§ 86
- Brunswick Beacon, Inc. v. Schock-Hopchas Pub. Co., 810 F.2d 410 (4th Cir. 1987)—§ 162
- Brunswick Corp. v. Pueblo Bowl-

FEDERAL CONTROL OF BUSINESS

- O-Mat, Inc., 429 U.S. 477, 97 S. Ct. 690, 50 L. Ed. 2d 701 (1977)—§§ 32, 96, 175, 184, 186, 187, 188, 196
- Brunswick Corp. v. Riegel Textile Corp., 752 F.2d 261 (7th Cir. 1984)—§§ 158, 178
- Bryan v. Stillwater Bd. of Realtors, 578 F.2d 1319, 44 A.L.R. Fed. 732 (10th Cir. 1977)—§§ 32, 164
- Bubar v. Ampco Foods, Inc., 752 F.2d 445 (9th Cir. 1985)—§ 187
- Bubis v. Blanton, 885 F.2d 317 (6th Cir. 1989)—§ 187
- Buccaneer Energy (USA) Inc. v. Gunnison Energy Corporation, 846 F.3d 1297 (10th Cir. 2017)—§§ 40, 40A, 47, 54
- Bucher v. Shumway, 452 F. Supp. 1288 (S.D. N.Y. 1978)—§ 39
- Buckley Const., Inc. v. Shawnee Civic & Cultural Development Authority, 933 F.2d 853 (10th Cir. 1991)—§ 33
- Buckley Towers Condominium, Inc. v. Buchwald, 533 F.2d 934 (5th Cir. 1976)—§ 187
- Buetow v. A.L.S. Enterprises, Inc., 650 F.3d 1178 (8th Cir. 2011)—§ 25
- Buffalo Broadcasting Co., Inc. v. American Soc. of Composers, Authors and Publishers, 744 F.2d 917 (2d Cir. 1984)—§§ 42, 163
- Buffalo Courier-Express, Inc. v. Buffalo Evening News, Inc., 601 F.2d 48 (2d Cir. 1979)—§ 176
- Buffalo Courier-Express, Inc. v. Buffalo Evening News, Inc., 441 F. Supp. 628 (W.D. N.Y. 1977)—§ 52
- Building Officials & Code Adm. v. Code Technology, Inc., 628 F.2d 730 (1st Cir. 1980)—§§ 162, 176
- Bunker Ramo Corp. v. Cywan, 511 F. Supp. 531 (N.D. Ill. 1981)—§ 137
- Bunker Ramo Corp. v. United Business Forms, Inc., 713 F.2d 1272 (7th Cir. 1983)—§ 182
- Burch v. Goodyear Tire & Rubber Co., 554 F.2d 633 (4th Cir. 1977)—§§ 175, 187
- Burdett Sound, Inc. v. Altec Corp., 515 F.2d 1245 (5th Cir. 1975)—§ 85
- Burke v. 401 N. Wabash Venture, LLC, 714 F.3d 501 (7th Cir. 2013)—§ 37
- Burke v. National Broadcasting Co., Inc., 598 F.2d 688 (1st Cir. 1979)—§ 162
- Burlington Coat Factory Warehouse Corp. v. Esprit De Corp., 769 F.2d 919, 3 Fed. R. Serv. 3d 585 (2d Cir. 1985)—§§ 67, 85
- Burlington Industries v. Milliken & Co., 690 F.2d 380, 35 Fed. R. Serv. 2d 780 (4th Cir. 1982)—§§ 143, 156, 164, 191, 194, 202
- Burlington Northern, Inc., In re, 822 F.2d 518, 8 Fed. R. Serv. 3d 545 (5th Cir. 1987)—§§ 33, 164, 187, 200
- Burroughs Corp. v. Cimasky, 346 F. Supp. 1398 (E.D. Pa. 1972)—§ 4
- Burtch v. Milberg Factors, Inc., 662 F.3d 212 (3d Cir. 2011)—§§ 28, 40, 42, 69, 86
- Bushnell v. Bedford County, 432 Fed. Appx. 472 (6th Cir. 2011)—§ 40

TABLE OF CASES

- Business Aides, Inc. v. Chesapeake & Potomac Tel. Co. of Virginia, 480 F.2d 754 (4th Cir. 1973)—§ 33
- Business Electronics Corp. v Sharp Electronics Corp., (1988) 488 US 717, 99 L Ed 2d 808, 108 S Ct 1515—§ 85
- Business Electronics Corp. v. Sharp Electronics Corp., 485 U.S. 717, 108 S. Ct. 1515, 99 L. Ed. 2d 808 (1988)—§§ 40, 84, 85, 86, 87, 89
- Business Electronics Corp. v. Sharp Electronics Corp., 780 F.2d 1212, 19 Fed. R. Evid. Serv. 1252 (5th Cir. 1986)—§ 85
- Business Equipment Center, Ltd. v. DeJur-Amsco, Corp., 465 F. Supp. 775 (D.D.C. 1978)—§ 85
- Buspirone Patent Litigation, In re, 210 F.R.D. 43 (S.D. N.Y. 2002)—§ 174
- Buspirone Patent Litigation, In re, 185 F. Supp. 2d 363 (S.D. N.Y. 2002)—§ 156
- Butamax(TM) Advanced Biofuels LLC v. Gevo, Inc., 746 F.3d 1302 (Fed. Cir. 2014)—§ 144
- Butera v. Sun Oil Co., Inc., 496 F.2d 434 (1st Cir. 1974)—§ 88
- Butler v. Jimmy John's Franchise, LLC, 331 F. Supp. 3d 786 (S.D. Ill. 2018)—§§ 40A, 53
- Buzzelli v. Minnesota Min. & Mfg. Co., 521 F.2d 1162 (6th Cir. 1975)—§§ 145, 160
- Buzzelli v. Minnesota Mining & Mfg. Co., 480 F.2d 541 (6th Cir. 1973)—§ 143
- Byars v. Bluff City News Co., Inc., 683 F.2d 981 (6th Cir. 1982)—§§ 49, 85
- Byars v. Bluff City News Co., Inc., 609 F.2d 843 (6th Cir. 1979)—§§ 49, 85

C

- Cable Holdings of Georgia, Inc. v. Home Video, Inc., 825 F.2d 1559 (11th Cir. 1987)—§§ 41, 102
- Cackling Acres, Inc. v. Olson Farms, Inc., 541 F.2d 242 (10th Cir. 1976)—§ 70
- Cadence Industries Corp. v. Ringer, 450 F. Supp. 59 (S.D. N.Y. 1978)—§ 162
- Cadigan v. Texaco, Inc., 492 F.2d 383 (9th Cir. 1974)—§§ 136, 139
- CAE Inc. v. Gulfstream Aerospace Corporation, 203 F. Supp. 3d 447 (D. Del. 2016)—§ 67
- Cain v. Air Cargo, Inc., 599 F.2d 316 (9th Cir. 1979)—§ 27
- Cal., State of v. American Stores Co., 872 F.2d 837 (9th Cir. 1989)—§§ 97, 176
- Caldwell v. American Basketball Ass'n, Inc., 66 F.3d 523 (2d Cir. 1995)—§ 34
- Cal. ex rel. Christensen, State of v. F.T.C., 549 F.2d 1321 (9th Cir. 1977)—§§ 33, 206
- Caliber Automotive Liquidators, Inc. v. Premier Chrysler, Jeep, Dodge, LLC, 605 F.3d 931 (11th Cir. 2010)—§ 37
- California v. American Stores Co., 495 U.S. 271, 110 S. Ct. 1853, 109 L. Ed. 2d 240 (1990)—§§ 97, 176, 184, 185
- California v. American Stores Co., 493 U.S. 916, 110 S. Ct. 275,

- 107 L. Ed. 2d 256 (1989)—  
§ 184
- California v. ARC America Corp.,  
490 U.S. 93, 109 S. Ct. 1661,  
104 L. Ed. 2d 86 (1989)—  
§§ 163A, 187, 201
- California v. Federal Power Com-  
mission, 369 U.S. 482, 82 S.  
Ct. 901, 8 L. Ed. 2d 54 (1962)—  
§ 27
- California, People of v. Powerex  
Corp., 274 Fed. Appx. 574 (9th  
Cir. 2008)—§ 27
- California Aviation, Inc. v. City of  
Santa Monica, 806 F.2d 905  
(9th Cir. 1986)—§ 33
- California CNG, Inc. v. Southern  
California Gas Co., 19 Fed.  
Appx. 500 (9th Cir. 2001)—§ 54
- California CNG, Inc. v. Southern  
California Gas Co., 96 F.3d  
1193 (9th Cir. 1996)—§ 33
- California Computer Products,  
Inc. v. International Business  
Machines Corp. (1979, CA9  
Cal) 1979-1 CCH Trade Cas  
¶ 62713—§§ 51, 181
- California Computer Products,  
Inc. v. International Business  
Machines Corp., 613 F.2d 727,  
52 A.L.R. Fed. 702 (9th Cir.  
1979)—§§ 47, 51, 181
- California Dental Ass'n v. F.T.C.,  
224 F.3d 942 (9th Cir. 2000)—  
§§ 64, 121
- California Dental Ass'n v. F.T.C.,  
526 U.S. 756, 119 S. Ct. 1604,  
143 L. Ed. 2d 935 (1999)—  
§§ 56, 121
- California Dental Ass'n v. F.T.C.,  
128 F.3d 720 (9th Cir. 1997)—  
§§ 56, 60, 66, 121
- California Dump Truck Owners  
Assn., Inc. v. Associated Gen-  
eral Contractors of America,  
San Diego Chapter, Inc., 562  
F.2d 607 (9th Cir. 1977)—§ 34
- California Eastern Laboratories,  
Inc. v. Gould, 896 F.2d 400  
(9th Cir. 1990)—§§ 49, 148, 158
- California ex rel. Harris v. Safe-  
way, Inc., 651 F.3d 1118, 76  
A.L.R. Fed. 2d 773 (9th Cir.  
2011)—§§ 28, 34, 37A, 40, 40A,  
41, 44
- California ex rel. Lockyer v. Safe-  
way, Inc., 371 F. Supp. 2d 1179  
(C.D. Cal. 2005)—§ 37A
- California ex rel. Lockyer v. Sem-  
pra Energy Trading, 292 Fed.  
Appx. 676 (9th Cir. 2008)—  
§§ 27, 33A
- California Motor Transport Co. v.  
Trucking Unlimited, 404 U.S.  
508, 92 S. Ct. 609, 30 L. Ed.  
2d 642 (1972)—§ 33
- California Retail Liquor Dealers  
Ass'n v. Midcal Aluminum,  
Inc., 445 U.S. 97, 100 S. Ct.  
937, 63 L. Ed. 2d 233 (1980)—  
§§ 33, 89
- California State Council of Car-  
penters v. Associated General  
Contractors of California, Inc.,  
648 F.2d 527 (9th Cir. 1980)—  
§ 34
- California Steel and Tube v. Kai-  
ser Steel Corp., 650 F.2d 1001  
(9th Cir. 1981)—§ 181
- Call Carl, Inc. v. BP Oil Corp., 554  
F.2d 623, 23 Fed. R. Serv. 2d  
628, 41 A.L.R. Fed. 841 (4th  
Cir. 1977)—§ 85
- Calnetics Corp. v. Volkswagen of  
America, Inc., 532 F.2d 674  
(9th Cir. 1976)—§§ 24, 29, 137,  
184, 200

TABLE OF CASES

- Calnetics Corp. v. Volkswagen of America, Inc., 353 F. Supp. 1219 (C.D. Cal. 1973)—§§ 29, 184, 200
- Camacho v. Bridgeport Financial, Inc., 523 F.3d 973 (9th Cir. 2008)—§ 37
- Camarda v. Snapple Distributors, Inc., 346 Fed. Appx. 690 (2d Cir. 2009)—§ 131
- Cambridge Toxicology Group, Inc. v. Exnicios, 495 F.3d 169 (5th Cir. 2007)—§ 17
- Campbell v. PMI Food Equipment Group, Inc., 509 F.3d 776 (6th Cir. 2007)—§ 37A
- Campbell v. Wells Fargo Bank, N.A., 781 F.2d 440 (5th Cir. 1986)—§ 84
- Campfield v. State Farm Mut. Auto. Ins. Co., 532 F.3d 1111 (10th Cir. 2008)—§§ 28, 40, 46, 47, 54, 55
- Campos v. Ticketmaster Corp., 140 F.3d 1166 (8th Cir. 1998)—§§ 171, 175, 187
- Campuzano-Burgos v. Midland Credit Management, Inc., 550 F.3d 294 (3d Cir. 2008)—§ 37
- Canadian American Oil Co. v. Union Oil Co. of California, 577 F.2d 468 (9th Cir. 1978)—§ 32
- Canadian American Oil Co. v. Union Oil Co. of California, 447 F. Supp. 473 (N.D. Cal. 1976)—§ 32
- Canadian Import Antitrust Litigation, In re, 470 F.3d 785 (8th Cir. 2006)—§ 187
- Canfield v. Ponchatoula Times, 759 F.2d 493, 91 A.L.R. Fed. 319 (5th Cir. 1985)—§ 162
- Cantor v. Detroit Edison Co., 428 U.S. 579, 96 S. Ct. 3110, 49 L. Ed. 2d 1141 (1976)—§§ 28, 33
- Capacitors Antitrust Litigation, In re, 106 F. Supp. 3d 1051 (N.D. Cal. 2015)—§ 42
- Capacitors Antitrust Litigation (No. III), In re, 285 F. Supp. 3d 1353 (U.S.J.P.M.L. 2017)—§ 166
- Capital Currency Exchange, N.V. v. National Westminster Bank PLC, 155 F.3d 603 (2d Cir. 1998)—§ 171
- Capital Films Corp. v. Charles Fries Productions, Inc., 628 F.2d 387 (5th Cir. 1980)—§§ 17, 181
- Capital Freight Services, Inc. v. Trailer Marine Transport Corp., 704 F. Supp. 1190 (S.D. N.Y. 1988)—§ 37
- Capital Imaging Associates, P.C. v. Mohawk Valley Medical Associates, Inc., 996 F.2d 537 (2d Cir. 1993)—§§ 41, 181
- Capital Telephone Co., Inc. v. New York Telephone Co., 750 F.2d 1154 (2d Cir. 1984)—§ 33
- Capital Temporaries, Inc. of Hartford v. Olsten Corp., 506 F.2d 658 (2d Cir. 1974)—§ 84
- Capitol Body Shop, Inc. v. State Farm Mutual Automobile Insurance Company, 163 F. Supp. 3d 1229 (M.D. Fla. 2016)—§ 42
- Card v. National Life Ins. Co., 603 F.2d 828, 52 A.L.R. Fed. 245 (10th Cir. 1979)—§§ 36, 118, 120
- Cardizem CD Antitrust Litigation, In re, 332 F.3d 896, 2003 FED

- App. 0195P (6th Cir. 2003)—  
§§ 39, 195, 196, 196A
- Cardizem CD Antitrust Litigation,  
In re, 218 F.R.D. 508 (E.D.  
Mich. 2003)—§ 187A
- Care Heating & Cooling, Inc. v.  
American Standard, Inc., 427  
F.3d 1008, 2005 FED App.  
0434P (6th Cir. 2005)—§§ 40,  
40A, 41
- Carey & Associates, P.A. v. Sheriffs  
and Counties of Cumberland,  
320 F. Supp. 3d 226 (D. Me.  
2018)—§ 33
- Cargill, Inc. v. Monfort of Colorado,  
Inc., 479 U.S. 104, 107 S. Ct.  
484, 93 L. Ed. 2d 427 (1986)—  
§§ 92, 175, 181, 187
- Caribbean Broadcasting System,  
Ltd. v. Cable & Wireless  
P.L.C., 148 F.3d 1080, 41 Fed.  
R. Serv. 3d 49 (D.C. Cir.  
1998)—§§ 52, 169
- Caribe BMW, Inc. v. Bayerische  
Motoren Werke Aktiengesell-  
schaft, 19 F.3d 745 (1st Cir.  
1994)—§ 127
- Carlo C. Gelardi Corp. v. Miller  
Brewing Co., 502 F. Supp. 637  
(D.N.J. 1980)—§§ 127, 138
- Carlock v. Pillsbury Co., 719 F.  
Supp. 791 (D. Minn. 1989)—  
§§ 128, 131
- Carl Sandburg Village Condomin-  
ium Ass'n No. 1 v. First Con-  
dominium Development Co.,  
758 F.2d 203 (7th Cir. 1985)—  
§ 84
- Carlson v. Coca-Cola Co., 483 F.2d  
279 (9th Cir. 1973)—§ 186
- Carlson Companies, Inc. v. Sperry  
& Hutchinson Co., 507 F.2d  
959 (8th Cir. 1974)—§ 186
- Carlson Mach. Tools, Inc. v. Ameri-  
can Tool, Inc., 678 F.2d 1253  
(5th Cir. 1982)—§ 85
- Carpa, Inc. v. Ward Foods, Inc.,  
536 F.2d 39 (5th Cir. 1976)—  
§§ 80, 84, 194, 200
- Carpenters Dist. Council of Ma-  
honing and Trumbull Coun-  
ties, Ohio and Mercer County,  
Pennsylvania v. United Con-  
tractors Ass'n of Ohio, Inc.,  
484 F.2d 119 (6th Cir. 1973)—  
§§ 34, 169
- Carpet Group Intern. v. Oriental  
Rug Importers Ass'n, Inc., 227  
F.3d 62 (3d Cir. 2000)—§§ 37,  
86, 167, 187
- Carpet Seaming Tape Licensing  
Corp. v. Best Seam Inc., 616  
F.2d 1133 (9th Cir. 1980)—  
§§ 156, 158
- Carr Electronics Corp. v. Sony  
Corp. of America, 472 F. Supp.  
9 (N.D. Cal. 1979)—§ 85
- Carrier Corp. v. Outokumpu Oyj,  
673 F.3d 430 (6th Cir. 2012)—  
§§ 28, 42, 165, 167
- Carroll v. Protection Maritime Ins.  
Co., Ltd., 512 F.2d 4 (1st Cir.  
1975)—§§ 34, 127
- Carroll Touch, Inc. v. Electro Me-  
chanical Systems, Inc., 15 F.3d  
1573 (Fed. Cir. 1993)—§ 33
- Caruana v. General Motors Corp.,  
204 Fed. Appx. 511, 2006 FED  
App. 0741N (6th Cir. 2006)—  
§ 187
- Caruso Management Company  
Ltd. v. International Council  
of Shopping Centers, 403 F.  
Supp. 3d 191 (S.D. N.Y.  
2019)—§ 181
- Casas Office Machines, Inc. v. Mita

TABLE OF CASES

- Copystar America, Inc., 42 F.3d 668, 31 Fed. R. Serv. 3d 1272 (1st Cir. 1994)—§§ 83, 181
- Cascade Cabinet Co. v. Western Cabinet & Millwork Inc., 710 F.2d 1366 (9th Cir. 1983)—§ 86
- Cascade Health Solutions v. Peace-Health, 515 F.3d 883 (9th Cir. 2008)—§§ 27, 28, 48, 49, 52, 84, 188, 200
- Cascade Natural Gas Corp. v. El Paso Natural Gas Co., 386 U.S. 129, 87 S. Ct. 932, 17 L. Ed. 2d 814, 10 Fed. R. Serv. 2d 718 (1967)—§§ 99, 183
- Case-Swayne Co., Inc. v. Sunkist Growers, Inc., 355 F. Supp. 408, 20 A.L.R. Fed. 913 (C.D. Cal. 1971)—§ 35
- Casey v. Diet Center, Inc., 590 F. Supp. 1561 (N.D. Cal. 1984)—§§ 84, 127
- Casey v. F.D.I.C., 583 F.3d 586 (8th Cir. 2009)—§ 27
- Casey v. F.T.C., 578 F.2d 793 (9th Cir. 1978)—§§ 207, 209
- Cash & Henderson Drugs, Inc. v. Johnson & Johnson, 799 F.3d 202 (2d Cir. 2015)—§ 135
- Cass Student Advertising, Inc. v. National Educational Advertising Service, Inc., 516 F.2d 1092 (7th Cir. 1975)—§ 54
- Cass Student Advertising, Inc. v. National Educational Advertising Services, Inc., 537 F.2d 282 (7th Cir. 1976)—§§ 49, 54
- Castro v. Collecto, Inc., 668 F. Supp. 2d 950 (W.D. Tex. 2009)—§ 37
- Castro v. Sanofi Pasteur Inc., 134 F. Supp. 3d 820 (D.N.J. 2015)—§ 174
- Casual Corner Associates, Inc. v. Casual Stores of Nevada, Inc., 493 F.2d 709 (9th Cir. 1974)—§ 13
- Catalano, Inc. v. Target Sales, Inc., 446 U.S. 643, 100 S. Ct. 1925, 64 L. Ed. 2d 580 (1980)—§ 42
- Catalina Cablevision Associates v. City of Tucson, 745 F.2d 1266 (9th Cir. 1984)—§ 33
- Cathedral Trading, LLC v. Chicago Bd. Options Exchange, 199 F. Supp. 2d 851 (N.D. Ill. 2002)—§§ 66, 86
- Cathode Ray Tube (CRT) Antitrust Litigation, In re, 301 F.R.D. 449 (N.D. Cal. 2014)—§ 42
- Cathode Ray Tube (CRT) Antitrust Litigation, In re, 27 F. Supp. 3d 1002 (N.D. Cal. 2014)—§ 167
- Cathode Ray Tube (CRT) Antitrust Litigation, In re:, 911 F. Supp. 2d 857 (N.D. Cal. 2012)—§ 187
- C.A.T. Indus. Disposal, Inc. v. Browning-Ferris Industries, Inc., 884 F.2d 209 (5th Cir. 1989)—§ 48
- Catlin v. Washington Energy Co., 791 F.2d 1343 (9th Cir. 1986)—§§ 51, 196
- Cavalier Telephone, LLC. v. Verizon Virginia, Inc., 330 F.3d 176 (4th Cir. 2003)—§§ 27, 85
- Cavalier Telephone, LLC v. Verizon Virginia Inc., 208 F. Supp. 2d 608 (E.D. Va. 2002)—§ 27
- Cayman Exploration Corp. v. United Gas Pipe Line Co., 873 F.2d 1357, 13 Fed. R. Serv. 3d 723 (10th Cir. 1989)—§ 42
- CBC Companies, Inc. v. Equifax, Inc., 561 F.3d 569 (6th Cir. 2009)—§§ 46, 195

- C.B. Trucking, Inc. v. Waste Management, Inc., 137 F.3d 41, 39 Fed. R. Serv. 3d 1117 (1st Cir. 1998)—§ 47
- CCBN.Com, Inc. v. Thomson Financial, Inc., 270 F. Supp. 2d 146 (D. Mass. 2003)—§§ 52, 84
- CDC Technologies, Inc. v. IDEXX Laboratories, Inc., 186 F.3d 74 (2d Cir. 1999)—§ 83
- CDI Energy Services v. West River Pumps, Inc., 567 F.3d 398 (8th Cir. 2009)—§ 22
- Cellco Partnership v. Hope, 469 Fed. Appx. 575 (9th Cir. 2012)—§ 176
- Celotex Corp. v. Catrett, 477 U.S. 317, 106 S. Ct. 2548, 91 L. Ed. 2d 265, 4 Fed. R. Serv. 3d 1024 (1986)—§§ 111, 181
- Cemar, Inc. v. Nissan Motor Corp. in U.S.A., 678 F. Supp. 1091 (D. Del. 1988)—§§ 127, 131
- Cement and Concrete Antitrust Litigation, In re, 817 F.2d 1435 (9th Cir. 1987)—§ 174
- Cenedella v. Metropolitan Museum of Art, 348 F. Supp. 3d 346 (S.D. N.Y. 2018)—§ 55
- Center Video Indus. Co., Inc. v. United Media, Inc., 995 F.2d 735 (7th Cir. 1993)—§ 85
- Central Bank of Clayton v. Clayton Bank, 424 F. Supp. 163 (E.D. Mo. 1976)—§ 33
- Central Iowa Refuse Systems, Inc. v. Des Moines Metropolitan Solid Waste Agency, 715 F.2d 419 (8th Cir. 1983)—§ 33
- Central Nat. Bank v. Rainbolt, 720 F.2d 1183 (10th Cir. 1983)—§ 187
- Central Power & Light Co. v. Federal Energy Regulatory Commission, 575 F.2d 937 (D.C. Cir. 1978)—§ 37
- Central Telecommunications, Inc. v. TCI Cablevision, Inc., 800 F.2d 711 (8th Cir. 1986)—§ 33
- Century Aluminum of South Carolina, Inc. v. South Carolina Public Service Authority, 278 F. Supp. 3d 877 (D.S.C. 2017)—§ 33
- Century Oil Tool, Inc. v. Production Specialties, Inc., 737 F.2d 1316 (5th Cir. 1984)—§§ 117, 119
- Cephalon, Inc. v. Watson Pharmaceuticals, Inc., 707 F.3d 1330 (Fed. Cir. 2013)—§§ 144, 145, 156
- Cernuto, Inc. v. United Cabinet Corp., 595 F.2d 164 (3d Cir. 1979)—§ 85
- Cernuto, Inc. v. United Cabinet Corp., 448 F. Supp. 1332 (W.D. Pa. 1978)—§ 85
- Cha-Car, Inc. v. Calder Race Course, Inc., 752 F.2d 609 (11th Cir. 1985)—§ 86
- Chadda v. Burcke, 180 Fed. Appx. 370 (3d Cir. 2006)—§ 195
- Chakrabarty, Application of, 571 F.2d 40 (C.C.P.A. 1978)—§ 143
- Chamberlain Group, Inc. v. Skylink Technologies, Inc., 381 F.3d 1178 (Fed. Cir. 2004)—§ 37
- Chamber of Commerce of the United States of America v. City of Seattle, 890 F.3d 769 (9th Cir. 2018)—§ 33
- Chamber of Commerce of United States v. City of Seattle, 274

TABLE OF CASES

- F. Supp. 3d 1155 (W.D. Wash. 2017)—§ 33
- Chambless v. Masters, Mates & Pilots Pension Plan*, 772 F.2d 1032 (2d Cir. 1985)—§ 194
- Champagne Metals v. Ken-Mac Metals, Inc.*, 458 F.3d 1073, 70 Fed. R. Evid. Serv. 938 (10th Cir. 2006)—§§ 28, 40, 177
- Champion Oil Service Co. v. Sinclair Refining Co.*, 502 F.2d 709 (6th Cir. 1974)—§ 41
- Chandler v. Phoenix Services*, 419 F. Supp. 3d 972 (N.D. Tex. 2019)—§ 52
- Chandler Supply Co. v. GAF Corp.*, 650 F.2d 983, 30 Fed. R. Serv. 2d 258 (9th Cir. 1980)—§ 85
- Chanute, City of v. Kansas Gas and Elec. Co.*, 754 F.2d 310 (10th Cir. 1985)—§ 176
- Chanute, Kan., City of v. Williams Natural Gas Co.*, 31 F.3d 1041, 30 Fed. R. Serv. 3d 281 (10th Cir. 1994)—§ 200
- Chanute, Kan., City of v. Williams Natural Gas Co.*, 955 F.2d 641 (10th Cir. 1992)—§§ 49, 83, 84
- Chanute, Kansas, City of v Williams Natural Gas Co.* (1992, CA10 Kansas) 955 F.2d 6641—§ 187
- Chapman v. New York State Div. for Youth*, 546 F.3d 230 (2d Cir. 2008)—§ 54
- Charles Mach. Works, Inc. v. Vermeer Mfg. Co.*, 723 F.3d 1376, 86 Fed. R. Serv. 3d 82 (Fed. Cir. 2013)—§ 145
- Charley's Taxi Radio Dispatch Corp. v. SIDA of Hawaii, Inc.*, 810 F.2d 869 (9th Cir. 1987)—§ 33
- Charlottesville Music Center, Inc. v. Magnepan, Inc.*, 655 F.2d 38 (4th Cir. 1981)—§ 26
- Charlotte Telecasters, Inc. v. Jefferson-Pilot Corp.*, 546 F.2d 570 (4th Cir. 1976)—§ 177
- Charlton v Federal Trade Com.* (1976) 177 App DC 418, 543 F.2d 903—§ 206
- Chart House, Inc. v. Bornstein*, 636 F.2d 9 (1st Cir. 1980)—§ 11
- Chatfield, Application of*, 545 F.2d 152 (C.C.P.A. 1976)—§ 143
- Chatham Brass Co., Inc. v. Honeywell Inc.*, 512 F. Supp. 108 (S.D. N.Y. 1981)—§§ 124, 125, 128, 177
- Chatham Condominium Associations v. Century Village, Inc.*, 597 F.2d 1002 (5th Cir. 1979)—§ 32
- Chavez v. Blue Sky Natural Beverage Co.*, 340 Fed. Appx. 359 (9th Cir. 2009)—§§ 17, 25
- Checkpoint Systems, Inc. v. All-Tag Sec. S.A.*, 711 F.3d 1341 (Fed. Cir. 2013)—§ 160
- Cheese Systems, Inc. v. Tetra Pak Cheese and Powder Systems, Inc.*, 725 F.3d 1341 (Fed. Cir. 2013)—§ 145
- Chelson v. Oregonian Pub. Co.*, 715 F.2d 1368 (9th Cir. 1983)—§§ 187, 190
- Chemi SpA v. GlaxoSmithKline*, 356 F. Supp. 2d 495 (E.D. Pa. 2005)—§ 187
- Cheney v Automatic Sprinkler Corp.* (1979, Mass) 1979 Adv Sheets 179, 385 NE2d 961—§ 4
- Chevron U.S.A. Inc. v. M & M Pe-*

- troleum Services, Inc., 658 F.3d 948 (9th Cir. 2011)—§ 200  
 Chevron U.S.A., Inc. v. Roxen Service, Inc., 813 F.2d 26 (2d Cir. 1987)—§ 4  
 Chiang v. Verizon New England Inc., 595 F.3d 26 (1st Cir. 2010)—§ 37  
 Chicago Bridge & Iron Co. N.V. v. F.T.C., 534 F.3d 410 (5th Cir. 2008)—§§ 30, 97, 99, 100, 104, 107, 110, 121, 184, 206, 210  
 Chicago Bridge & Iron Co., N.V. v. F.T.C., 515 F.3d 447 (5th Cir. 2008)—§§ 95, 104, 121, 164, 206  
 Chicago Lock Co. v. Fanberg, 676 F.2d 400 (9th Cir. 1982)—§ 22  
 Chicago Professional Sports Ltd. Partnership v. National Basketball Ass'n, 961 F.2d 667 (7th Cir. 1992)—§ 87  
 Chicago Studio Rental, Incorporated v. Illinois Department of Commerce, 940 F.3d 971 (7th Cir. 2019)—§ 45A  
 Chiglaides Farm, Ltd. v. Butz, 485 F.2d 1125 (5th Cir. 1973)—§§ 27, 37  
 Chillicothe Sand & Gravel Co. v. Martin Marietta Corp., 615 F.2d 427 (7th Cir. 1980)—§ 47  
 Chipanno v. Champion Intern. Corp., 702 F.2d 827, 36 Fed. R. Serv. 2d 931 (9th Cir. 1983)—§ 178  
 Chiropractic Co-op. Ass'n of Michigan v. American Medical Ass'n, 867 F.2d 270 (6th Cir. 1989)—§ 177  
 Chisholm Bros. Farm Equipment Co. v. International Harvester Co., 498 F.2d 1137 (9th Cir. 1974)—§ 181  
 Chocolate Confectionary Antitrust Litigation, In re, 801 F.3d 383 (3d Cir. 2015)—§ 42  
 Chocolate Confectionary Antitrust Litigation, In re, 999 F. Supp. 2d 777 (M.D. Pa. 2014)—§ 42  
 Chocolate Confectionary Antitrust Litigation, In re, 289 F.R.D. 200, 90 Fed. R. Evid. Serv. 36 (M.D. Pa. 2012)—§ 174  
 ChoiceParts, LLC v. General Motors Corp., 203 F. Supp. 2d 905 (N.D. Ill. 2002)—§ 176  
 Chow v. Chak Yam Chau, 555 Fed. Appx. 842 (11th Cir. 2014)—§ 25  
 Christensen, Application of, 478 F.2d 1392 (C.C.P.A. 1973)—§ 143  
 Christian Schmidt Brewing Co. v. G. Heileman Brewing Co., Inc., 753 F.2d 1354 (6th Cir. 1985)—§ 187  
 Christianson v. Colt Industries Operating Corp., 486 U.S. 800, 108 S. Ct. 2166, 100 L. Ed. 2d 811, 11 Fed. R. Serv. 3d 452 (1988)—§§ 160, 169  
 Christofferson Dairy, Inc. v. MMM Sales, Inc., 849 F.2d 1168 (9th Cir. 1988)—§ 40  
 Chris' Wrecker Service, Inc. v. Town of Fairfield, 619 F. Supp. 480 (D. Conn. 1985)—§ 37  
 Chroma Lighting v GTE Products Corp. (1997 CA9 Cal) 111 F3d 2666—§ 131  
 Chromium Industries, Inc. v. Mirror Polishing & Plating Co., Inc., 448 F. Supp. 544 (N.D. Ill. 1978)—§§ 156, 171  
 Chronister v. Atlantic Richfield

TABLE OF CASES

- Co., 653 F. Supp. 1576 (M.D. Pa. 1987)—§§ 41, 86
- Chrysler Corp. v. Fedders Corp., 643 F.2d 1229 (6th Cir. 1981)—§ 187
- Chrysler Credit Corp. v. J. Truett Payne Co., Inc., 670 F.2d 575 (5th Cir. 1982)—§§ 127, 188, 196
- Cia. Petrolera Caribe, Inc. v. Arco Caribbean, Inc., 754 F.2d 404, 1 Fed. R. Serv. 3d 70, 77 A.L.R. Fed. 465 (1st Cir. 1985)—§§ 184, 187
- Cia. Petrolera Caribe, Inc. v. Avis Rental Car Corp., 735 F.2d 636 (1st Cir. 1984)—§ 84
- Cine 42nd Street Theater Corp. v. Nederlander Organization, Inc., 790 F.2d 1032 (2d Cir. 1986)—§§ 33, 92
- Cinema-Tex Enterprises, Inc. v. Santikos Theaters, Inc., 535 F.2d 932 (5th Cir. 1976)—§§ 44, 83, 196
- Cipro Cases I & II, In re, 61 Cal. 4th 116, 187 Cal. Rptr. 3d 632, 348 P.3d 845 (2015)—§ 156A
- Ciprofloxacin Hydrochloride Antitrust Litigation, In re, 544 F.3d 1323 (Fed. Cir. 2008)—§§ 28, 40, 148, 156A, 158
- Ciprofloxacin Hydrochloride Antitrust Litigation, In re, 363 F. Supp. 2d 514 (E.D. N.Y. 2005)—§§ 54, 156A
- Ciprofloxacin Hydrochloride Antitrust Litigation, In re, 261 F. Supp. 2d 188 (E.D. N.Y. 2003)—§§ 33, 39
- Cities of Anaheim, Riverside, Banning, Colton, and Azusa, Cal. v. F.E.R.C., 941 F.2d 1234 (D.C. Cir. 1991)—§ 37
- Cities Service Oil Co. v. Coleman Oil Co., Inc., 470 F.2d 925 (1st Cir. 1972)—§ 83
- Citric Acid Litigation, In re, 191 F.3d 1090 (9th Cir. 1999)—§§ 56, 69, 181
- City Communications, Inc. v. City of Detroit, 888 F.2d 1081 (6th Cir. 1989)—§ 187
- Clairol, Inc. v. Boston Discount Center of Berkley, Inc., 608 F.2d 1114 (6th Cir. 1979)—§§ 17, 85
- Clamp-All Corp. v. Cast Iron Soil Pipe Institute, 851 F.2d 478 (1st Cir. 1988)—§§ 62, 68, 75
- Clarett v. National Football League, 369 F.3d 124 (2d Cir. 2004)—§ 34
- Clark v. United Bank of Denver Nat. Ass'n, 480 F.2d 235 (10th Cir. 1973)—§§ 84, 85, 96, 99
- Clark & Reid Co., Inc. v. U.S., 851 F.2d 1468 (D.C. Cir. 1988)—§ 37
- Clark Memorials of Alabama Inc. v. SCI Alabama Funeral Services LLC, 991 F. Supp. 2d 1151 (N.D. Ala. 2014)—§ 55
- Clarkwestern Dietrich Building Systems, L.L.C. v. Certified Steel Stud Association, Inc., 2017-Ohio-1091, 87 N.E.3d 629 (Ohio Ct. App. 12th Dist. Butler County 2017)—§ 57
- Classic Film Museum, Inc. v. Warner Bros., Inc., 597 F.2d 13 (1st Cir. 1979)—§ 162
- Cleaning Authority, Inc. v. Neubert, 739 F. Supp. 2d 807 (D. Md. 2010)—§ 45A
- Cleary v Chalk (1973) 159 App DC 415, 488 F.2d 1315—§§ 112, 116

- Cleary v. National Distillers & Chemical Corp., 505 F.2d 695 (9th Cir. 1974)—§ 86
- Clemens v. DaimlerChrysler Corp., 534 F.3d 1017, 66 U.C.C. Rep. Serv. 2d 688 (9th Cir. 2008)—§ 37
- Cleveland, City of v. Cleveland Elec. Illuminating Co., 734 F.2d 1157, 15 Fed. R. Evid. Serv. 1386 (6th Cir. 1984)—§§ 33, 37, 182
- Cleveland, Ohio, City of v. U.S. Nuclear Regulatory Com'n, 68 F.3d 1361 (D.C. Cir. 1995)—§ 37
- Clinton, Ark., City of v. Pilgrim's Pride Corp., 632 F.3d 148 (5th Cir. 2010)—§ 17
- Clipper Exxpress v. Rocky Mountain Motor Tariff Bureau, Inc., 674 F.2d 1252 (9th Cir. 1982)—§§ 33, 194
- Clock Spring, L.P. v. Wrapmaster, Inc., 560 F.3d 1317 (Fed. Cir. 2009)—§ 37
- Clorox Co. v. Sterling Winthrop, Inc., 117 F.3d 50 (2d Cir. 1997)—§§ 12, 42, 51
- CLS Bank Intern. v. Alice Corp. Pty. Ltd., 717 F.3d 1269 (Fed. Cir. 2013)—§ 143
- CMS Software Design Systems, Inc. v. Info Designs, Inc., 785 F.2d 1246, 4 Fed. R. Serv. 3d 974 (5th Cir. 1986)—§ 162
- Coalition for ICANN Transparency, Inc. v. VeriSign, Inc., 567 F.3d 1084 (9th Cir. 2009)—§§ 37A, 46, 48, 54, 67
- Coastal Fuels of Puerto Rico, Inc. v. Caribbean Petroleum Corp., 79 F.3d 182, 34 Fed. R. Serv. 3d 622 (1st Cir. 1996)—§§ 51, 55, 126
- Coastal Neuro-Psychiatric Associates, P.A. v. Onslow Memorial Hosp., Inc., 795 F.2d 340 (4th Cir. 1986)—§ 33
- Coastal States Marketing, Inc. v. Hunt, 694 F.2d 1358 (5th Cir. 1983)—§ 33
- Coastal Transfer Co. v. Toyota Motor Sales, U.S.A., 833 F.2d 208 (9th Cir. 1987)—§ 83
- Cobb Theatres III, LLC v. AMC Entertainment Holdings, Inc., 101 F. Supp. 3d 1319 (N.D. Ga. 2015)—§ 47
- Coca-Cola Co. v. F.T.C., 642 F.2d 1387 (D.C. Cir. 1981)—§ 121
- Coca-Cola Co. v. F. T. C., 475 F.2d 299 (5th Cir. 1973)—§ 213
- Coffey v. Healthtrust, Inc., 955 F.2d 1388, 22 Fed. R. Serv. 3d 161 (10th Cir. 1992)—§ 86
- Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 69 S. Ct. 1221, 93 L. Ed. 1528 (1949)—§§ 33, 177
- Cohen v. Primerica Corp., 709 F. Supp. 63 (E.D. N.Y. 1989)—§ 117
- Cohlma v. St. John Medical Center, 693 F.3d 1269 (10th Cir. 2012)—§§ 27, 41, 46, 187
- Cold Stone Creamery, Inc. v. Lenora Foods I, LLC, 332 Fed. Appx. 565 (11th Cir. 2009)—§ 17
- Coleman Motor Co. v. Chrysler Corp., 525 F.2d 1338 (3d Cir. 1975)—§§ 40, 119, 197
- Cole's Wexford Hotel, Inc. v. UPMC, 127 F. Supp. 3d 387 (W.D. Pa. 2015)—§ 67

TABLE OF CASES

- Coll v. First American Title Ins. Co., 642 F.3d 876, 79 Fed. R. Serv. 3d 455 (10th Cir. 2011)—§ 37A
- CollegeNet, Inc. v. Common Application, Inc., 355 F. Supp. 3d 926 (D. Or. 2018)—§ 84
- Collins v. Associated Pathologists, Ltd., 844 F.2d 473 (7th Cir. 1988)—§§ 84, 87, 94, 181
- Collins v. International Dairy Queen, Inc., 980 F. Supp. 1252 (M.D. Ga. 1997)—§§ 48, 51, 54
- Collins & Aikman Corp. v. Stratton Industries, Inc., 728 F. Supp. 1570 (N.D. Ga. 1989)—§§ 33, 156
- Collins Inkjet Corp. v. Eastman Kodak Co., 781 F.3d 264 (6th Cir. 2015)—§§ 84, 176
- Collins Oil Co. v. Tenneco, Inc., 556 F.2d 1274 (5th Cir. 1977)—§ 128
- Colomar v. Mercy Hosp., Inc., 335 Fed. Appx. 29 (11th Cir. 2009)—§ 17
- Colonial Medical Group, Inc. v. Catholic Health Care West, 444 Fed. Appx. 937 (9th Cir. 2011)—§ 54
- Colorado Interstate Gas Co. v. Natural Gas Pipeline Co. of America, 885 F.2d 683 (10th Cir. 1989)—§ 52
- Colorado Interstate Gas Co. v. Natural Gas Pipeline Co. of America, 661 F. Supp. 1448, 4 U.C.C. Rep. Serv. 2d 668 (D. Wyo. 1987)—§ 48
- Colorado Pump & Supply Co. v. Febco, Inc., 472 F.2d 637 (10th Cir. 1973)—§§ 84, 87, 134
- Colsa Corp. v. Martin Marietta Services, Inc., 133 F.3d 853 (11th Cir. 1998)—§ 52
- Columbia, City of v. Omni Outdoor Advertising, Inc., 499 U.S. 365, 111 S. Ct. 1344, 113 L. Ed. 2d 382 (1991)—§ 33
- Columbia Broadcasting System, Inc. v. American Soc. of Composers, Authors and Publishers, 620 F.2d 930 (2d Cir. 1980)—§§ 42, 163
- Columbia Broadcasting System, Inc. v. American Soc. of Composers, Authors and Publishers, 562 F.2d 130 (2d Cir. 1977)—§§ 42, 163
- Columbia Metal Culvert Co., Inc. v. Kaiser Aluminum & Chemical Corp., 579 F.2d 20 (3d Cir. 1978)—§§ 54, 119
- Columbia Pictures Industries, Inc. v. American Broadcasting Companies, Inc., 501 F.2d 894 (2d Cir. 1974)—§ 176
- Columbia Pictures Industries, Inc. v. Redd Horne, Inc., 749 F.2d 154 (3d Cir. 1984)—§§ 84, 163
- Columbia Pictures Industries, Inc. v. Redd Horne Inc., 568 F. Supp. 494 (W.D. Pa. 1983)—§ 162
- Columbia River People's Utility Dist. v. Portland General Elec. Co., 217 F.3d 1187 (9th Cir. 2000)—§§ 14, 33
- Columbia S. S. Co., Inc. v. American Mail Line, Ltd., 510 F.2d 29 (9th Cir. 1975)—§ 51
- Columbia Steel Casting Co., Inc. v. Portland General Elec. Co., 60 F.3d 1390 (9th Cir. 1995)—§ 33
- Com-Tel, Inc. v. DuKane, Corp.,

- 669 F.2d 404 (6th Cir. 1982)—  
§ 86
- Comcast Corp. v. Behrend, 569  
U.S. 27, 133 S. Ct. 1426, 185  
L. Ed. 2d 515, 85 Fed. R. Serv.  
3d 118 (2013)—§ 174
- Comcoa, Inc. v. NEC Telephones,  
Inc., 931 F.2d 655, 19 Fed. R.  
Serv. 3d 1237 (10th Cir.  
1991)—§§ 127, 131, 132
- Comey v. Hill, 387 Mass. 11, 438  
N.E.2d 811 (1982)—§ 2
- Comfort Trane Air Conditioning  
Co. v. Trane Co., 592 F.2d  
1373, 26 U.C.C. Rep. Serv. 581  
(5th Cir. 1979)—§ 196
- Commander Leasing Co. v. Trans-  
america Title Ins. Co., 477  
F.2d 77 (10th Cir. 1973)—§ 36
- Commerce Nat. Ins. Services, Inc.  
v. Commerce Ins. Agency, Inc.,  
214 F.3d 432 (3d Cir. 2000)—  
§ 12
- Commerce Tankers Corp. v. National  
Maritime Union of  
America, AFL-CIO, 553 F.2d  
793, 50 A.L.R. Fed. 557 (2d  
Cir. 1977)—§ 164
- Commercial Data Servers, Inc. v.  
International Business Ma-  
chines Corp., 262 F. Supp. 2d  
50 (S.D. N.Y. 2003)—§ 83
- Commil USA, LLC v. Cisco Sys-  
tems, Inc., 720 F.3d 1361 (Fed.  
Cir. 2013)—§ 145
- Committee for an Independent P-I  
v. Hearst Corp., 704 F.2d 467  
(9th Cir. 1983)—§ 109
- Commodity Exchange, Inc., In re,  
213 F. Supp. 3d 631 (S.D. N.Y.  
2016)—§ 42
- Community Builders, Inc. v. City  
of Phoenix, 652 F.2d 823 (9th  
Cir. 1981)—§ 32
- Community Communications Co.,  
Inc. v. City of Boulder, Colo.,  
455 U.S. 40, 102 S. Ct. 835, 70  
L. Ed. 2d 810 (1982)—§ 33
- Community Communications Co.,  
Inc. v. City of Boulder, Colo.,  
630 F.2d 704 (10th Cir. 1980)—  
§§ 33, 176
- Community Elec. Service of Los  
Angeles, Inc. v. National Elec.  
Contractors Ass'n, Inc., 869  
F.2d 1235, 13 Fed. R. Serv. 3d  
743 (9th Cir. 1989)—§ 164
- Community for Creative Non-  
Violence v. Reid, 490 U.S. 730,  
109 S. Ct. 2166, 104 L. Ed. 2d  
811 (1989)—§ 162
- Commuter Transp. Systems, Inc.  
v. Hillsborough County Avia-  
tion Authority, 801 F.2d 1286  
(11th Cir. 1986)—§§ 33, 177
- Compact Disc Minimum Adver-  
tised Price Antitrust Litiga-  
tion, In re, 216 F.R.D. 197 (D.  
Me. 2003)—§§ 174, 187A
- Compco Corp. v. Day-Brite Light-  
ing, Inc., 376 U.S. 234, 84 S.  
Ct. 779, 11 L. Ed. 2d 669  
(1964)—§ 163A
- Comprelli v. Town of Harrison, 465  
Fed. Appx. 146 (3d Cir. 2012)—  
§ 33
- CompuCredit Corp. v. Greenwood,  
565 U.S. 95, 132 S. Ct. 665,  
181 L. Ed. 2d 586 (2012)—§ 37
- CompuCredit Holdings Corp. v.  
Akanthos Capital Manage-  
ment, LLC, 661 F.3d 1312  
(11th Cir. 2011)—§ 45
- Computer Automation Systems,  
Inc. v. Intelutions, 998 F.

TABLE OF CASES

- Supp. 2d 3 (D.P.R. 2014)—  
§ 187
- Computer Identics Corp. v. Southern Pacific Co., 756 F.2d 200 (1st Cir. 1985)—§ 67
- Computer Statistics, Inc. v. Blair, 418 F. Supp. 1339 (S.D. Tex. 1976)—§§ 137, 200
- Compuware Corp. v. International Business Machines Corp., 366 F. Supp. 2d 475 (E.D. Mich. 2005)—§§ 51, 52, 52A, 84
- Concord Associates, L.P. v. Entertainment Properties Trust, 817 F.3d 46 (2d Cir. 2016)—  
§ 54
- Concord Boat Corp. v. Brunswick Corp., 309 F.3d 494, 53 Fed. R. Serv. 3d 1248 (8th Cir. 2002)—  
§ 200
- Concord Boat Corp. v. Brunswick Corp., 207 F.3d 1039, 57 Fed. R. Evid. Serv. 774 (8th Cir. 2000)—§§ 49, 177
- Concord, Mass., Town of v. Boston Edison Co., 676 F. Supp. 396 (D. Mass. 1988)—§ 129
- Concrete Unlimited Inc. v. Cementcraft, Inc., 776 F.2d 1537 (Fed. Cir. 1985)—§§ 143, 156
- Confederated Tribes of Siletz Indians of Or. v. Weyerhaeuser Co., 411 F.3d 1030 (9th Cir. 2005)—§§ 48, 51, 52, 52A, 192
- Coniglio v. Highwood Services, Inc., 495 F.2d 1286 (2d Cir. 1974)—§ 84
- Connecticut ex rel. v Wyco New Haven, Inc. (1990, DC Conn) 1990-1 CCH Trade Cases ¶ 69024—§ 97
- Connecticut ex rel. Riddle v Wyco New Haven, Inc. (1990, DC Conn) 1990-1 CCH Trade Cases ¶ 69024—§ 41
- Connecticut Fine Wine and Spirits, LLC v. Seagull, 932 F.3d 22 (2d Cir. 2019)—§ 69
- Connecticut Fine Wine and Spirits, LLC v. Seagull, 916 F.3d 160 (2d Cir. 2019)—§ 53
- Connecticut Ironworkers Employers' Association v. New England Regional Council of Carpenters, 324 F. Supp. 3d 293 (D. Conn. 2018)—§§ 56, 181
- Connell Const. Co., Inc. v. Plumbers and Steamfitters Local Union No. 100, 421 U.S. 616, 95 S. Ct. 1830, 44 L. Ed. 2d 418 (1975)—§§ 34, 163A
- Conoco Inc. v. Inman Oil Co., Inc., 774 F.2d 895, 41 U.C.C. Rep. Serv. 1602 (8th Cir. 1985)—  
§§ 3, 47, 127, 131
- Conseco Finance Servicing Corp. v. North American Mortgage Co., 381 F.3d 811 (8th Cir. 2004)—  
§§ 21, 23
- Consolidated Aluminum Corp. v. Foseco Intern. Ltd., 716 F. Supp. 316 (N.D. Ill. 1989)—  
§ 156
- Consolidated Exp., Inc. v. New York Shipping Ass'n, Inc., 602 F.2d 494 (3d Cir. 1979)—§§ 34, 86, 182
- Consolidated Gas Co. of Florida, Inc. v. City Gas Co. of Florida, 880 F.2d 297 (11th Cir. 1989)—  
§§ 27, 33, 52, 87
- Consolidated Gold Fields PLC v. Minorco, S.A., 871 F.2d 252 (2d Cir. 1989)—§ 187
- Consolidated Metal Products, Inc. v. American Petroleum Insti-

- tute, 846 F.2d 284 (5th Cir. 1988)—§§ 40, 56, 85
- Consolidated Television Cable Service, Inc. v. City of Frankfort, Ky., 857 F.2d 354 (6th Cir. 1988)—§§ 33, 164, 182
- Construction Aggregate Transport, Inc. v. Florida Rock Industries, Inc., 710 F.2d 752 (11th Cir. 1983)—§§ 86, 187
- Consul, Ltd. v. Transco Energy Co., 805 F.2d 490 (4th Cir. 1986)—§ 55
- Consultants & Designers, Inc. v. Butler Service Group, Inc., 720 F.2d 1553 (11th Cir. 1983)—§ 4
- Consumer Energy Council of America v. Federal Energy Regulatory Commission, 673 F.2d 425 (D.C. Cir. 1982)—§ 208
- Consumers Union of United States, Inc. v. General Signal Corp., 724 F.2d 1044 (2d Cir. 1983)—§ 162
- Consumers Union of U. S., Inc. v. Rogers, 352 F. Supp. 1319 (D.D.C. 1973)—§ 29
- Continental Airlines, Inc. v. United Airlines, Inc., 277 F.3d 499 (4th Cir. 2002)—§§ 40, 53, 181
- Continental Automotive Systems, Inc. v. Avanci, LLC, 485 F. Supp. 3d 712 (N.D. Tex. 2020)—§§ 32A, 146, 187
- Continental Baking Co. v. Old Homestead Bread Co., 476 F.2d 97 (10th Cir. 1973)—§§ 126, 127, 131, 136, 192, 194
- Continental Cablevision of Ohio, Inc. v. American Elec. Power Co., 715 F.2d 1115 (6th Cir. 1983)—§§ 42, 60
- Continental Coatings Corp. v. Metco, Inc., 464 F.2d 1375 (7th Cir. 1972)—§ 160
- Continental Maritime of San Francisco, Inc. v. Pacific Coast Metal Trades Dist. Council, Metal Trades Dept., AFL-CIO, 817 F.2d 1391, 7 Fed. R. Serv. 3d 1398 (9th Cir. 1987)—§ 34
- Continental Trend Resources, Inc. v. OXY USA Inc., 44 F.3d 1465 (10th Cir. 1995)—§§ 67, 84
- Continental T.V., Inc. v. G.T.E. Sylvania Inc., 694 F.2d 1132 (9th Cir. 1982)—§§ 44, 82, 85, 87, 89
- Continental T. V., Inc. v. GTE Sylvania Inc., 433 U.S. 36, 97 S. Ct. 2549, 53 L. Ed. 2d 568 (1977)—§§ 44, 82, 85, 87, 89
- Contour Design, Inc. v. Chance Mold Steel Co., Ltd., 693 F.3d 102 (1st Cir. 2012)—§§ 22, 163A
- Contreras v. Grower Shipper Vegetable Ass'n of Central California, 484 F.2d 1346 (9th Cir. 1973)—§ 187
- Control Components, Inc. v. Atlantic Richfield Co., 439 F. Supp. 654, 24 Fed. R. Serv. 2d 791 (C.D. Cal. 1977)—§ 160
- Convolve, Inc. v. Compaq Computer Corp., 527 Fed. Appx. 910 (Fed. Cir. 2013)—§ 21
- Conwood Co., L.P. v. U.S. Tobacco Co., 290 F.3d 768, 58 Fed. R. Evid. Serv. 1566, 2002 FED App. 0171P (6th Cir. 2002)—§§ 47, 195, 196
- Cool Wind Ventilation Corp. v. Sheet Metal Workers Intern' Ass'n., Local Union No. 28, 216 F. Supp. 2d 81 (E.D. N.Y. 2002)—§ 173

TABLE OF CASES

- Cooper v. Forsyth County Hosp. Authority, Inc., 789 F.2d 278 (4th Cir. 1986)—§§ 41, 67
- Coordinated Pretrial Proceedings in Petroleum Products Antitrust Litigation, In re, 906 F.2d 432, 30 Fed. R. Evid. Serv. 1069 (9th Cir. 1990)—§ 68
- Coordinated Pretrial Proceedings in Petroleum Products Antitrust Litigation, In re, 691 F.2d 1335, 35 Fed. R. Serv. 2d 881 (9th Cir. 1982)—§ 201
- Coordinated Pretrial Proceedings in Petroleum Products Antitrust Litigation, In re, 669 F.2d 620, 33 Fed. R. Serv. 2d 717 (10th Cir. 1982)—§ 166
- Copper Liquor, Inc. v. Adolph Coors Co., 624 F.2d 575 (5th Cir. 1980)—§§ 196, 200
- Copper Liquor, Inc. v. Adolph Coors Co., 509 F.2d 758 (5th Cir. 1975)—§ 192
- Copper Liquor, Inc. v. Adolph Coors Co., 506 F.2d 934 (5th Cir. 1975)—§§ 87, 192
- Copper Valley Coal Co., Inc. v. United Mine Workers of America, Intern. Union, 753 F. Supp. 580 (W.D. Pa. 1990)—§§ 34, 181
- Copperweld Corp. v. Independence Tube Corp., 467 U.S. 752, 104 S. Ct. 2731, 81 L. Ed. 2d 628 (1984)—§§ 1, 117, 128, 163A
- Copy-Data Systems, Inc. v. Toshiba America, Inc., 663 F.2d 405 (2d Cir. 1981)—§ 87
- Corey v. Look, 641 F.2d 32 (1st Cir. 1981)—§§ 33, 86
- Corner Pocket of Sioux Falls, Inc. v. Video Lottery Technologies, Inc., 123 F.3d 1107 (8th Cir. 1997)—§ 42
- Corning Glass Works v. Ann & Hope, Inc. of Danvers, 363 Mass. 409, 294 N.E.2d 354 (1973)—§ 91
- Corning Glass Works v. F. T. C., 509 F.2d 293 (7th Cir. 1975)—§§ 91, 212
- Corrugated Container Antitrust Litigation, In re, 756 F.2d 411, 17 Fed. R. Evid. Serv. 1049 (5th Cir. 1985)—§ 164
- Corrugated Container Antitrust Litigation, In re, 687 F.2d 52, 11 Fed. R. Evid. Serv. 1176, 34 Fed. R. Serv. 2d 1312 (5th Cir. 1982)—§ 164
- Corrugated Container Antitrust Litigation, In re, 643 F.2d 195, 31 Fed. R. Serv. 2d 632 (5th Cir. 1981)—§ 164
- Corr Wireless Communications, L.L.C. v. AT & T, Inc., 893 F. Supp. 2d 789 (N.D. Miss. 2012)—§ 41
- Cosmetic Gallery, Inc. v. Schoeneman Corp., 495 F.3d 46 (3d Cir. 2007)—§§ 68, 70
- Costco Wholesale Corp. v. Maleng, 522 F.3d 874, 41 A.L.R.6th 585 (9th Cir. 2008)—§§ 28, 33, 40, 67, 72
- Costco Wholesale Corp. v. Maleng, 514 F.3d 915 (9th Cir. 2008)—§§ 28, 33, 40, 67
- Costello Pub. Co. v. Rotelle, 670 F.2d 1035, 32 Fed. R. Serv. 2d 1053 (D.C. Cir. 1981)—§§ 27, 162
- Costner v. Blount Nat. Bank of Maryville, Tennessee, 578 F.2d 1192 (6th Cir. 1978)—§ 84

- Coughlin v. Capitol Cement Co., 571 F.2d 290, 3 Fed. R. Evid. Serv. 490 (5th Cir. 1978)—§ 70
- Council for Employment and Economic Energy Use v. WHDH Corp., 580 F.2d 9 (1st Cir. 1978)—§§ 28, 33
- Courtesy Oldsmobile, Inc. v. General Motors Corp., 329 Fed. Appx. 73 (9th Cir. 2009)—§ 17
- Covad Communications Co. v. Bell Atlantic Corp., 407 F.3d 1220 (D.C. Cir. 2005)—§ 46
- Covad Communications Co. v. Bell Atlantic Corp., 398 F.3d 666 (D.C. Cir. 2005)—§§ 33, 45A, 47, 52, 85, 156
- Covad Communications Co. v. Bell-South Corp., 374 F.3d 1044 (11th Cir. 2004)—§§ 37A, 51, 52A, 85
- Covad Communications Co. v. Bell-South Corp., 299 F.3d 1272 (11th Cir. 2002)—§§ 27, 51
- Cowan v. Corley, 814 F.2d 223 (5th Cir. 1987)—§ 32
- Cowley v. Braden Industries, Inc., 613 F.2d 751 (9th Cir. 1980)—§ 87
- Cox v. Hilco Receivables, L.L.C., 726 F. Supp. 2d 659 (N.D. Tex. 2010)—§ 37
- Cox Enterprises, Inc., In re:, 871 F.3d 1093 (10th Cir. 2017)—§§ 39, 84
- Cox Enterprises, Inc. Set-top Cable Television Box Antitrust Litigation, In re, 790 F.3d 1112 (10th Cir. 2015)—§ 203A
- CQ, Inc. v. TXU Min. Co., L.P., 565 F.3d 268 (5th Cir. 2009)—§§ 19, 22
- CQ Intern. Co., Inc. v. Rochem Intern., Inc., USA, 659 F.3d 53, 80 Fed. R. Serv. 3d 788 (1st Cir. 2011)—§ 2
- Craftsmen Limousine, Inc. v. Ford Motor Co., 491 F.3d 380, 73 Fed. R. Evid. Serv. 1070 (8th Cir. 2007)—§§ 28, 44, 67
- Craftsmen Limousine, Inc. v. Ford Motor Co., 363 F.3d 761, 64 Fed. R. Evid. Serv. 454 (8th Cir. 2004)—§§ 39, 40A
- Craig Outdoor Advertising, Inc. v. Viacom Outdoor, Inc., 528 F.3d 1001 (8th Cir. 2008)—§ 21
- Crane & Shovel Sales Corp. v. Bucyrus-Erie Co., 854 F.2d 802 (6th Cir. 1988)—§ 164
- Crawford v. American Title Ins. Co., 518 F.2d 217 (5th Cir. 1975)—§ 36
- Credit Bureau Reports, Inc. v. Retail Credit Co., 476 F.2d 989 (5th Cir. 1973)—§§ 175, 202
- Credit Suisse Securities (USA) LLC v. Billing, 551 U.S. 264, 127 S. Ct. 2383, 168 L. Ed. 2d 145 (2007)—§ 27
- Crimmins v. American Stock Exchange, Inc., 346 F. Supp. 1256 (S.D. N.Y. 1972)—§ 45
- Crimpers Promotions Inc. v. Home Box Office, Inc., 724 F.2d 290 (2d Cir. 1983)—§ 187
- Crocs, Inc. v. Effervescent, Inc., 248 F. Supp. 3d 1040 (D. Colo. 2017)—§ 83
- Cromar Co. v. Nuclear Materials & Equipment Corp., 543 F.2d 501 (3d Cir. 1976)—§§ 119, 187
- Crompton Corp. v. Clariant Corp., 221 F. Supp. 2d 683 (M.D. La. 2002)—§ 171

TABLE OF CASES

- Crompton Corporation v. Clariant Corp., 220 F. Supp. 2d 569 (M.D. La. 2002)—§ 32A
- Crosby v. Hospital Authority of Valdosta and Lowndes County, 93 F.3d 1515 (11th Cir. 1996)—§ 33
- Crown Beverage Co., Inc. v. Cerveceria Moctezuma, S.A., 663 F.2d 886 (9th Cir. 1981)—§ 85
- Crucible, Inc. v. Stora Kopparbergs Bergslags AB, 701 F. Supp. 1157 (W.D. Pa. 1988)—§§ 54, 96, 148
- Crude Oil Commodity Futures Litigation, In re, 913 F. Supp. 2d 41 (S.D. N.Y. 2012)—§ 47
- Culberson, Inc. v. Interstate Elec. Co., Inc., 821 F.2d 1092 (5th Cir. 1987)—§ 67
- Cullum Elec. & Mechanical, Inc. v. Mechanical Contractors Ass'n of South Carolina, 569 F.2d 821 (4th Cir. 1978)—§§ 43, 86
- Cung Le v. Zuffa, LLC, 108 F. Supp. 3d 768 (N.D. Cal. 2015)—§ 173
- Cupp v. Alberto-Culver USA, Inc., 310 F. Supp. 2d 963 (W.D. Tenn. 2004)—§ 54
- Curtis v. Campbell-Taggart, Inc., 687 F.2d 336 (10th Cir. 1982)—§§ 177, 187
- Cushman v. GC Services, L.P., 397 Fed. Appx. 24 (5th Cir. 2010)—§ 37
- Cyntegra, Inc. v. IDEXX Laboratories, Inc., 322 Fed. Appx. 569 (9th Cir. 2009)—§ 187
- Czajkowski v. State of Ill., 460 F. Supp. 1265 (N.D. Ill. 1977)—§ 163A
- D**
- Dagher v. Saudi Refining, Inc., 369 F.3d 1108 (9th Cir. 2004)—§§ 42, 187
- Dahl v. Bain Capital Partners, LLC, 963 F. Supp. 2d 38 (D. Mass. 2013)—§ 67
- Dahl v. Bain Capital Partners, LLC, 937 F. Supp. 2d 119 (D. Mass. 2013)—§ 42
- Daiflon, Inc. v. Allied Chemical Corp., 534 F.2d 221, 21 Fed. R. Serv. 2d 785 (10th Cir. 1976)—§ 164
- Dairy Farmers of America, Inc., In re, 80 F. Supp. 3d 838 (N.D. Ill. 2015)—§ 200
- Dairy Farmers of America, Inc. Cheese Antitrust Litigation, In re, 801 F.3d 758 (7th Cir. 2015)—§ 42
- Dairy Farmers of America, Inc., Cheese Antitrust Litigation, In re, Comm. Fut. L. Rep. (CCH) P 33228, 2014-2 Trade Cas. (CCH) ¶ 78873, 2014 WL 4083938 (N.D. Ill. 2014)—§ 42
- Dairymen, Inc. v. F. T. C., 684 F.2d 376 (6th Cir. 1982)—§ 206
- Dakota Industries, Inc. v. Ever Best Ltd., 28 F.3d 910 (8th Cir. 1994)—§ 11
- Dakota Territory Tours ACC v. Sedona-Oak Creek Airport Authority Incorporated, 383 F. Supp. 3d 885 (D. Ariz. 2019)—§ 33
- Dakota Wholesale Liquor, Inc. v. State of Minn., 584 F.2d 847 (8th Cir. 1978)—§ 176
- Damiani v. Rhode Island Hosp., 704 F.2d 12, 36 Fed. R. Serv. 2d 40 (1st Cir. 1983)—§ 164

- Dana Corp., *In re*, 574 F.3d 129 (2d Cir. 2009)—§ 22
- Daniel v. American Bd. of Emergency Medicine, 428 F.3d 408 (2d Cir. 2005)—§§ 167, 171, 187
- Daniel v. American Bd. of Emergency Medicine, 269 F. Supp. 2d 159 (W.D. N.Y. 2003)—§§ 86, 187
- Daniel v. American Bd. of Emergency Medicine, 237 F. Supp. 2d 336 (W.D. N.Y. 2002)—§ 33
- Daniel v. American Bd. of Emergency Medicine, 235 F. Supp. 2d 194 (W.D. N.Y. 2002)—§ 33
- Daniel v. American Bd. of Emergency Medicine, 212 F.R.D. 134 (W.D. N.Y. 2002)—§ 179
- Daniel v. American Bd. of Emergency Medicine, 988 F. Supp. 127, 124 Ed. Law Rep. 175 (W.D. N.Y. 1997)—§ 33
- Dann v. Johnston, 425 U.S. 219, 96 S. Ct. 1393, 47 L. Ed. 2d 692 (1976)—§ 143
- Danner Const. Co., Inc. v. Hillsborough County, Fla., 608 F.3d 809 (11th Cir. 2010)—§ 33
- Danning v. Brunswick Corp., 466 F.2d 1010 (9th Cir. 1972)—§ 85
- Danny Kresky Enterprises Corp. v. Magid, 716 F.2d 215 (3d Cir. 1983)—§ 200
- Danny Kresky Enterprises Corp. v. Magid, 716 F.2d 206, 37 Fed. R. Serv. 2d 874 (3d Cir. 1983)—§ 175
- Danvers Motor Co., Inc. v. Ford Motor Co., 432 F.3d 286 (3d Cir. 2005)—§ 187
- Dart Industries, Inc. v. E. I. Du Pont De Nemours & Co., 489 F.2d 1359 (7th Cir. 1973)—§ 143
- Dart Industries, Inc. v. Plunkett Co. of Oklahoma, Inc., 704 F.2d 496 (10th Cir. 1983)—§ 131
- Dass v. Tosco Corp., 136 Fed. Appx. 21 (9th Cir. 2005)—§ 37
- Datagate, Inc. v. Hewlett-Packard Co., 60 F.3d 1421 (9th Cir. 1995)—§ 84
- Data General Corp. v. Grumman Systems Support Corp., 36 F.3d 1147 (1st Cir. 1994)—§§ 51, 84, 146
- Dataphase Systems, Inc. v. C L Systems, Inc., 640 F.2d 109 (8th Cir. 1981)—§ 176
- Data Research and Handling, Inc. v. Vongphachanh, 278 F. Supp. 3d 1066 (N.D. Ind. 2017)—§ 41
- Dave Grossman Designs, Inc. v. Bortin, 347 F. Supp. 1150 (N.D. Ill. 1972)—§ 162
- David R. McGeorge Car Co., Inc. v. Leyland Motor Sales, Inc., 504 F.2d 52 (4th Cir. 1974)—§§ 84, 138
- Davis-Watkins Co. v. Service Merchandise, 686 F.2d 1190, 11 Fed. R. Evid. Serv. 1234 (6th Cir. 1982)—§ 86
- Davis v. HSBC Bank Nevada, N.A., 691 F.3d 1152 (9th Cir. 2012)—§ 30
- Davis v. Marathon Oil Co., 528 F.2d 395, 22 Fed. R. Serv. 2d 342 (6th Cir. 1975)—§ 122
- Davis v. Sebring Forest Industries, Inc., 588 F. Supp. 688 (S.D. Ohio 1984)—§ 83
- Dawson Chemical Co. v. Rohm and Haas Co., 448 U.S. 176, 100 S.

TABLE OF CASES

- Ct. 2601, 65 L. Ed. 2d 696 (1980)—§§ 156, 157
- Day v. Taylor, 400 F.3d 1272 (11th Cir. 2005)—§§ 88, 89
- Dayco Corp. v. Goodyear Tire & Rubber Co., 523 F.2d 389, 20 Fed. R. Serv. 2d 1122 (6th Cir. 1975)—§ 178
- DC Comics Inc. v. Reel Fantasy, Inc., 696 F.2d 24 (2d Cir. 1982)—§§ 9, 162, 181
- (DC Conn) 349 F Supp 22, affd 410 US 919, 35 L Ed 2d 582, 93 S Ct 1363—§§ 98, 101, 105, 176
- DDAVP Direct Purchaser Antitrust Litigation, In re, 585 F.3d 677 (2d Cir. 2009)—§§ 37A, 141, 187
- DDAVP Indirect Purchaser Antitrust Litigation, In re, 903 F. Supp. 2d 198 (S.D. N.Y. 2012)—§§ 175, 190
- Deak-Perera Hawaii, Inc. v. Department of Transp., 745 F.2d 1281 (9th Cir. 1984)—§ 33
- Deaktor v. Fox Grocery Co., 475 F.2d 1112, 17 Fed. R. Serv. 2d 258 (3d Cir. 1973)—§§ 191, 192
- Dealer Management Systems Antitrust Litigation, In re, 362 F. Supp. 3d 510 (N.D. Ill. 2019)—§ 187
- Dealer Management Systems Antitrust Litigation, In re, 362 F. Supp. 3d 477 (N.D. Ill. 2019)—§§ 53, 54
- Dealer Management Systems Antitrust Litigation, In re, 313 F. Supp. 3d 931 (N.D. Ill. 2018)—§ 83
- Dean Foods Co. v. Food Lion, LLC, 574 U.S. 1011, 135 S. Ct. 676, 190 L. Ed. 2d 389 (2014)—§ 181
- Deauville Corp. v. Federated Dept. Stores, Inc., 756 F.2d 1183 (5th Cir. 1985)—§ 51
- Deborah Heart & Lung Center v. Virtua Health, Inc., 833 F.3d 399 (3d Cir. 2016)—§ 83
- De Castelet, Application of, 562 F.2d 1236 (C.C.P.A. 1977)—§ 143
- Decca Ltd. v. U. S., 210 Ct. Cl. 546, 544 F.2d 1070 (1976)—§ 160
- Dedication and Everlasting Love to Animals v. Humane Soc. of U.S., Inc., 50 F.3d 710 (9th Cir. 1995)—§ 35
- Dee-K Enterprises, Inc. v. Heveafil Sdn. Bhd, 299 F.3d 281 (4th Cir. 2002)—§ 29
- De Filippo v. Ford Motor Co., 516 F.2d 1313, 16 U.C.C. Rep. Serv. 1199 (3d Cir. 1975)—§ 86
- DeHoog v. Anheuser-Busch InBev SA/NV, 899 F.3d 758 (9th Cir. 2018)—§ 104
- De Jesus v. Sears, Roebuck & Co., Inc., 87 F.3d 65 (2d Cir. 1996)—§ 84
- Delano Farms Co. v. California Table Grape Com'n, 655 F.3d 1337 (Fed. Cir. 2011)—§ 54
- Delaware & Hudson Ry. Co. v. Consolidated Rail Corp., 902 F.2d 174 (2d Cir. 1990)—§ 51
- Delaware Valley Surgical Supply Inc. v. Johnson & Johnson, 523 F.3d 1116 (9th Cir. 2008)—§ 187
- Del Madera Properties v. Rhodes and Gardner, Inc., 820 F.2d 973 (9th Cir. 1987)—§ 162
- Del Mar Engineering Laboratories v. Physio-Tronics, Inc., 642

- F.2d 1167 (9th Cir. 1981)—  
§ 143
- DeLong Corp. v. Raymond Intern.,  
Inc., 622 F.2d 1135, 29 Fed. R.  
Serv. 2d 461 (3d Cir. 1980)—  
§ 158
- DeLong Equipment Co. v. Wash-  
ington Mills Abrasive Co., 887  
F.2d 1499 (11th Cir. 1989)—  
§§ 42, 89, 129
- Delong Equipment Co. v. Washing-  
ton Mills Abrasive Co., 840  
F.2d 843 (11th Cir. 1988)—  
§§ 165, 167, 171
- DeLong Equipment Co. v. Wash-  
ington Mills Electro Minerals  
Corp., 990 F.2d 1186 (11th Cir.  
1993)—§§ 89, 193
- Delta Air Lines, In re, 310 F.3d  
953, 54 Fed. R. Serv. 3d 785,  
2002 FED App. 0403P (6th  
Cir. 2002)—§ 179
- Delta/Airtran Baggage Fee Anti-  
trust Litigation, In re, 245 F.  
Supp. 3d 1343, 102 Fed. R.  
Evid. Serv. 1369 (N.D. Ga.  
2017)—§ 42
- Delta/AirTran Baggage Fee Anti-  
trust Litigation, In re, 846 F.  
Supp. 2d 1335 (N.D. Ga.  
2012)—§ 214
- Delta Dental Antitrust Litigation,  
In re, 484 F. Supp. 3d 627  
(N.D. Ill. 2020)—§§ 36, 44
- Deltak, Inc. v. Advanced Systems,  
Inc., 767 F.2d 357 (7th Cir.  
1985)—§ 162
- Delta Marina, Inc. v. Plaquemine  
Oil Sales, Inc., 644 F.2d 455  
(5th Cir. 1981)—§§ 124, 126,  
127, 164
- De Modena v. Kaiser Foundation  
Health Plan, Inc., 743 F.2d  
1388 (9th Cir. 1984)—§ 124
- Demodulation, Inc. v. U.S., 103  
Fed. Cl. 794 (2012)—§ 22
- Denison Mines, Ltd. v. Michigan  
Chemical Corp., 469 F.2d 1301  
(7th Cir. 1972)—§ 164
- Dennis v. JPMorgan Chase & Co.,  
343 F. Supp. 3d 122 (S.D. N.Y.  
2018)—§§ 32A, 171
- Den Norske Stats Oljeselskap As  
v. HeereMac Vof, 241 F.3d 420  
(5th Cir. 2001)—§ 32A
- Denny's Marina, Inc. v. Renfro  
Productions, Inc., 8 F.3d 1217  
(7th Cir. 1993)—§ 42
- Deppe v. National Collegiate Ath-  
letic Association, 893 F.3d 498,  
355 Ed. Law Rep. 667 (7th Cir.  
2018)—§ 41
- Derish v. San Mateo-Burlingame  
Bd. of Realtors, 724 F.2d 1347  
(9th Cir. 1983)—§ 182
- D.E. Rogers Associates, Inc. v.  
Gardner-Denver Co., 718 F.2d  
1431 (6th Cir. 1983)—§ 127
- Detroit, City of v. Grinnell Corp.,  
495 F.2d 448, 18 Fed. R. Serv.  
2d 637 (2d Cir. 1974)—§§ 174,  
200
- Deutscher Tennis Bund v. ATP  
Tour, Inc., 610 F.3d 820 (3d  
Cir. 2010)—§§ 40, 40A, 54
- DeVoto v. Pacific Fidelity Life Ins.  
Co., 618 F.2d 1340 (9th Cir.  
1980)—§§ 2, 45
- DeVoto v. Pacific Fidelity Life Ins.  
Co., 516 F.2d 1 (9th Cir.  
1975)—§§ 32, 36, 85
- DeVoto v. Pacific Fidelity Life Ins.  
Co., 354 F. Supp. 874 (N.D.  
Cal. 1973)—§§ 32, 36, 85
- Dexter v. Equitable Life Assur.  
Soc. of U. S., 527 F.2d 233, 33

TABLE OF CASES

- A.L.R. Fed. 601 (2d Cir. 1975)—§ 36
- DFW Metro Line Services v. Southwestern Bell Telephone Co., 901 F.2d 1267 (5th Cir. 1990)—§ 176
- Dial A Car, Inc. v. Transportation, Inc., 82 F.3d 484 (D.C. Cir. 1996)—§§ 47, 195
- Dial Corporation v. News Corporation, 317 F.R.D. 426 (S.D. N.Y. 2016)—§ 174
- Diamond v. Am-Law Pub. Corp., 745 F.2d 142 (2d Cir. 1984)—§ 162
- Diamond v. Chakrabarty, 447 U.S. 303, 100 S. Ct. 2204, 65 L. Ed. 2d 144 (1980)—§ 143
- Diamond v. Diehr, 450 U.S. 175, 101 S. Ct. 1048, 67 L. Ed. 2d 155 (1981)—§ 143
- Diamond v. World News Corp., 542 F. Supp. 887 (S.D. N.Y. 1982)—§ 129
- Diaz v. Farley, 215 F.3d 1175 (10th Cir. 2000)—§ 86
- Diaz Aviation Corp. v. Airport Aviation Services, Inc., 716 F.3d 256, 85 Fed. R. Serv. 3d 993 (1st Cir. 2013)—§§ 40, 41, 47, 52, 54
- Dickson v. Microsoft Corp., 309 F.3d 193 (4th Cir. 2002)—§ 67
- Diehl & Sons, Inc. v. International Harvester Co., 445 F. Supp. 282 (E.D. N.Y. 1978)—§§ 26, 138
- Diehl & Sons, Inc. v. International Harvester Co., 426 F. Supp. 110 (E.D. N.Y. 1976)—§§ 52, 119, 128, 129, 138
- Digidyne Corp. v. Data General Corp., 734 F.2d 1336 (9th Cir. 1984)—§ 84
- Digital Equipment Corp. v. Uniq Digital Technologies, Inc., 73 F.3d 756 (7th Cir. 1996)—§ 84
- Digitronics Corp. v. New York Racing Ass'n, Inc., 553 F.2d 740 (2d Cir. 1977)—§ 143
- Dillon Materials Handling, Inc. v. Albion Industries, Division of King-Seeley Thermos Co., 567 F.2d 1299 (5th Cir. 1978)—§ 81
- Dimidowich v. Bell & Howell, 803 F.2d 1473 (9th Cir. 1986)—§§ 67, 85
- Dimmitt Agri Industries, Inc. v. CPC Intern. Inc., 679 F.2d 516 (5th Cir. 1982)—§§ 33, 49, 52
- DiPietro v. New Jersey Family Support Payment Center, 375 Fed. Appx. 202 (3d Cir. 2010)—§ 37
- Dippin' Dots, Inc. v. Mosey, 476 F.3d 1337 (Fed. Cir. 2007)—§§ 37A, 158
- Dippin' Dots Patent Litigation, In re, 249 F. Supp. 2d 1346 (N.D. Ga. 2003)—§ 145
- Discon, Inc. v. NYNEX Corp., 93 F.3d 1055 (2d Cir. 1996)—§ 67
- Disposable Contact Lens Antitrust, In re, 329 F.R.D. 336 (M.D. Fla. 2018)—§ 174
- Diverse Power, Inc. v. City of LaGrange, Georgia, 934 F.3d 1270 (11th Cir. 2019)—§ 33
- DM Research, Inc. v. College of American Pathologists, 170 F.3d 53 (1st Cir. 1999)—§ 181
- Dobyns v. U.S., 91 Fed. Cl. 412 (2010)—§§ 27, 33, 67
- Doctor's Hospital of Jefferson, Inc. v. Southeast Medical Alliance, Inc., 123 F.3d 301 (5th Cir. 1997)—§ 86

FEDERAL CONTROL OF BUSINESS

- Doctors, Inc. v. Blue Cross of Greater Philadelphia, 557 F.2d 1001 (3d Cir. 1976)—§ 36
- Doctors, Inc. v. Blue Cross of Greater Philadelphia, 490 F.2d 48 (3d Cir. 1973)—§ 32
- Dodge Data & Analytics LLC v. iSqFt, Inc., 183 F. Supp. 3d 855 (S.D. Ohio 2016)—§§ 48, 52A
- Doe on Behalf of Doe v. St. Joseph's Hosp. of Fort Wayne, 788 F.2d 411 (7th Cir. 1986)—§§ 32, 33
- Dolphin Tours, Inc. v. Pacifico Creative Service, Inc., 773 F.2d 1506 (9th Cir. 1985)—§ 196
- D.O. McComb & Sons, Inc. v. Memory Gardens Management Corp., Inc., 736 F. Supp. 952 (N.D. Ind. 1990)—§ 84
- Domed Stadium Hotel, Inc. v. Holiday Inns, Inc., 732 F.2d 480 (5th Cir. 1984)—§§ 49, 67, 97, 119
- Domestic Airline Travel Antitrust Litigation, In re, 221 F. Supp. 3d 46 (D.D.C. 2016)—§§ 56, 68
- Domestic Drywall Antitrust Litigation, In re, 163 F. Supp. 3d 175 (E.D. Pa. 2016)—§§ 69, 70
- Dominguez v. UAL Corp., 666 F.3d 1359 (D.C. Cir. 2012)—§ 187
- Donald B. Rice Tire Co. v. Michelin Tire Corp., 638 F.2d 15 (4th Cir. 1981)—§ 40
- Donald Frederick Evans and Associates, Inc. v. Continental Homes, Inc., 785 F.2d 897 (11th Cir. 1986)—§ 162
- Donnelly v. Boston College, 558 F.2d 634 (1st Cir. 1977)—§ 41
- Donohue v. Quick Collect, Inc., 592 F.3d 1027 (9th Cir. 2010)—§ 37
- Donovan Const. Co. of Minn. v. Florida Telephone Corp., 564 F.2d 1191 (5th Cir. 1977)—§ 187
- Dos Santos v. Columbus-Cuneo-Cabrini Medical Center, 684 F.2d 1346 (7th Cir. 1982)—§§ 83, 176
- Double H Plastics, Inc. v. Sonoco Products Co., 732 F.2d 351 (3d Cir. 1984)—§§ 127, 131
- Douglas Dynamics, LLC v. Buyers Products Co., 717 F.3d 1336 (Fed. Cir. 2013)—§ 160
- Douglas Oil Co. of California v. Petrol Stops Northwest, 441 U.S. 211, 99 S. Ct. 1667, 60 L. Ed. 2d 156, 27 Fed. R. Serv. 2d 269 (1979)—§§ 164, 205
- Dow Chemical Co. v. U.S., 476 U.S. 227, 106 S. Ct. 1819, 90 L. Ed. 2d 226 (1986)—§ 21
- Dowling v. Litton Loan Servicing LP, 320 Fed. Appx. 442 (6th Cir. 2009)—§ 37
- Downtown Music Publishing LLC v. Peloton Interactive, Inc., 436 F. Supp. 3d 754 (S.D. N.Y. 2020)—§ 41
- Drayer v. Krasner, 572 F.2d 348 (2d Cir. 1978)—§ 86
- Dreibus v. Wilson, 529 F.2d 170, 41 A.L.R. Fed. 166 (9th Cir. 1975)—§ 85
- Dreiling v. Peugeot Motors of America, Inc., 850 F.2d 1373 (10th Cir. 1988)—§§ 40, 51, 97, 181
- Dreisbach v. Murphy, 658 F.2d 720 (9th Cir. 1981)—§§ 37, 121, 164
- Dresser Industries, Inc. v. Sandvick, 732 F.2d 783 (10th Cir. 1984)—§ 4

TABLE OF CASES

- Dresses for Less, Inc. v. CIT Group/Commercial Services, Inc., 2002-2 Trade Cas. (CCH) ¶ 73828, 2002 WL 31164482 (S.D. N.Y. 2002)—§§ 42, 51, 86, 187
- Drinkwine v. Federated Publications, Inc., 780 F.2d 735 (9th Cir. 1985)—§ 47
- Dr. Miles Medical Co. v. John D. Park & Sons Co., 220 U.S. 373, 31 S. Ct. 376, 55 L. Ed. 502 (1911)—§ 89
- Droke House Publishers, Inc. v. Aladdin Distributing Corp., 360 F. Supp. 311 (N.D. Ga. 1973)—§ 162
- Dr. Pepper/Seven-Up Companies, Inc. v. F.T.C., 991 F.2d 859 (D.C. Cir. 1993)—§ 109
- Drug Mart Pharmacy v. American Home Products, 296 F. Supp. 2d 423 (E.D. N.Y. 2003)—§ 194
- Drug Mart Pharmacy Corp. v. American Home Products Corp., 2002-2 Trade Cas. (CCH) ¶ 73850, 2002 WL 31528625 (E.D. N.Y. 2002)—§ 187
- Drury Inn-Colorado Springs v. Olive Co., 878 F.2d 340 (10th Cir. 1989)—§§ 41, 43
- DSM Desotech Inc. v. 3D Systems Corp., 749 F.3d 1332 (Fed. Cir. 2014)—§§ 39, 40, 54, 54A
- Dual-Deck Video Cassette Recorder Antitrust Litigation, In re, 11 F.3d 1460 (9th Cir. 1993)—§§ 182, 187
- Dumas v. Gommerman, 865 F.2d 1093 (9th Cir. 1989)—§ 162
- Dungan v. Morgan Drive-Away, Inc., 570 F.2d 867 (9th Cir. 1978)—§ 178
- Dunlop Holdings Ltd. v. Ram Golf Corp., 524 F.2d 33 (7th Cir. 1975)—§ 143
- Dunn v. Phoenix Newspapers, Inc., 735 F.2d 1184 (9th Cir. 1984)—§ 85
- Dunn & Mavis, Inc. v. Nu-Car Driveaway, Inc., 691 F.2d 241 (6th Cir. 1982)—§ 85
- Dunnivant v. Bi-State Auto Parts, 851 F.2d 1575 (11th Cir. 1988)—§§ 67, 68, 85, 181
- Duplan Corp. v. Deering Milliken Inc., 594 F.2d 979 (4th Cir. 1979)—§§ 143, 156, 164
- Duplan Corp. v. Deering Milliken, Inc., 444 F. Supp. 648 (D.S.C. 1977)—§§ 143, 156, 164
- Duplan Corp. v. Deering Milliken, Inc., 540 F.2d 1215 (4th Cir. 1976)—§§ 156, 164
- Duplan Corp. v. Deering Milliken, Inc., 353 F. Supp. 826 (D.S.C. 1973)—§ 143
- Durham Industries, Inc. v. Tomy Corp., 630 F.2d 905 (2d Cir. 1980)—§ 162
- Dussouy v. Gulf Coast Inv. Corp., 660 F.2d 594, 32 Fed. R. Serv. 2d 1272 (5th Cir. 1981)—§ 3
- Dynamic Random Access Memory (DRAM) Antitrust Litigation, In re, 546 F.3d 981 (9th Cir. 2008)—§ 32A
- Dynamic Random Access Memory (DRAM) Antitrust Litigation, In re, 228 F. Supp. 2d 1379 (J.P.M.L. 2002)—§ 166
- Dynamic Random Access Memory Indirect Purchaser Litigation,

- In re, 2020 WL 8459279 (N.D. Cal. 2020)—§§ 56, 174
- Dyegy Marketing and Trade v. Multiut Corp., 648 F.3d 506 (7th Cir. 2011)—§§ 127, 131
- E**
- Eagle v. Star-Kist Foods, Inc., 812 F.2d 538 (9th Cir. 1987)—§§ 174, 187
- E. A. McQuade Tours, Inc. v. Consolidated Air Tour Manual Committee, 467 F.2d 178 (5th Cir. 1972)—§§ 86, 187, 195
- E. & J. Gallo Winery v. EnCana Corp., 503 F.3d 1027 (9th Cir. 2007)—§ 27
- E & L Consulting, Ltd. v. Doman Industries Ltd., 472 F.3d 23 (2d Cir. 2006)—§§ 28, 40, 41, 67, 80, 83, 84, 87, 124, 127, 131, 196A, 197
- E&L Consulting, Ltd. v. Doman Industries Ltd., 360 F. Supp. 2d 465 (E.D. N.Y. 2005)—§§ 45A, 54
- Earles v. State Bd. of Certified Public Accountants of Louisiana, 139 F.3d 1033 (5th Cir. 1998)—§ 33
- Eastern Food Services, Inc. v. Pontifical Catholic University Services Ass'n, Inc., 357 F.3d 1, 184 Ed. Law Rep. 727 (1st Cir. 2004)—§ 83
- Eastern Microwave, Inc. v. Doubleday Sports, Inc., 691 F.2d 125, 66 A.L.R. Fed. 918 (2d Cir. 1982)—§ 162
- Eastern Pub. and Advertising, Inc. v. Chesapeake Pub. and Advertising, Inc., 831 F.2d 488 (4th Cir. 1987)—§ 162
- Eastern R. R. Presidents Conference v. Noerr Motor Freight, Inc., 365 U.S. 127, 81 S. Ct. 523, 5 L. Ed. 2d 464 (1961)—§ 33
- Eastern Scientific Co. v. Wild Heerbrugg Instruments, Inc., 572 F.2d 883 (1st Cir. 1978)—§§ 42, 87
- Easter Seal Soc. for Crippled Children and Adults of Louisiana, Inc. v. Playboy Enterprises, 815 F.2d 323 (5th Cir. 1987)—§ 162
- Eastex Aviation, Inc. v. Sperry & Hutchinson Co., 522 F.2d 1299 (5th Cir. 1975)—§§ 87, 121
- Eastin-Phelan Corp. v. Hal Roach Studios, Inc., 350 F. Supp. 1328 (S.D. N.Y. 1972)—§ 162
- Eastman Chemical Co. v. Plasti-pure, Inc., 775 F.3d 230 (5th Cir. 2014)—§ 25
- Eastman Kodak Co. v. Image Technical Services, Inc., 504 U.S. 451, 112 S. Ct. 2072, 119 L. Ed. 2d 265 (1992)—§§ 49, 84
- Eastway Const. Corp. v. City of New York, 762 F.2d 243, 1 Fed. R. Serv. 3d 849 (2d Cir. 1985)—§ 195
- Eaton v. Newport Bd. of Educ., 975 F.2d 292, 77 Ed. Law Rep. 681 (6th Cir. 1992)—§ 33
- Eatoni Ergonomics, Inc. v. Research in Motion Corp., 486 Fed. Appx. 186 (2d Cir. 2012)—§ 51
- eBay Seller Antitrust Litigation, In re, 433 Fed. Appx. 504 (9th Cir. 2011)—§ 45A
- E. B. E., Inc. v. Dunkin' Donuts of America, Inc., 387 F. Supp. 737 (E.D. Mich. 1974)—§ 84

TABLE OF CASES

- Echo, Inc. v. Timberland Machines & Irr., Inc., 661 F.3d 959 (7th Cir. 2011)—§ 2
- ECOS Electronics Corp. v. Underwriters Laboratories, 743 F.2d 498 (7th Cir. 1984)—§§ 32, 67
- Eden Hannon & Co. v. Sumitomo Trust & Banking Co., 914 F.2d 556 (4th Cir. 1990)—§ 33
- Edinboro College Park Apartments v. Edinboro University Foundation, 850 F.3d 567, 341 Ed. Law Rep. 23 (3d Cir. 2017)—§ 33
- Edison Bros. Stores, Inc. v. Broadcast Music, Inc., 760 F. Supp. 767 (E.D. Mo. 1991)—§ 162
- Edmisten, State ex rel. v. P.I.A. Asheville, Inc., 722 F.2d 59 (4th Cir. 1983)—§ 27
- Educational Testing Services v. Katzman, 793 F.2d 533, 33 Ed. Law Rep. 89 (3d Cir. 1986)—§ 162
- Edward B. Marks Music Corp. v. Colorado Magnetics, Inc., 497 F.2d 285 (10th Cir. 1974)—§§ 162, 163
- Edward J. Sweeney & Sons, Inc. v. Texaco, Inc., 637 F.2d 105 (3d Cir. 1980)—§§ 41, 54, 72, 127
- Edwards v. Niagara Credit Solutions, Inc., 584 F.3d 1350 (11th Cir. 2009)—§ 37
- Edwin K. Williams & Co., Inc. v. Edwin K. Williams & Co.-East, 542 F.2d 1053 (9th Cir. 1976)—§ 12
- Ehredt Underground, Inc. v. Commonwealth Edison Co., 90 F.3d 238 (7th Cir. 1996)—§ 34
- Eiberger v. Sony Corp. of America, 622 F.2d 1068 (2d Cir. 1980)—§ 88
- Eichman v. Fotomat Corp., 880 F.2d 149 (9th Cir. 1989)—§§ 52, 78
- Eichman v. Fotomat Corp., 871 F.2d 784 (9th Cir. 1989)—§§ 52, 178
- E. I. du Pont de Nemours & Co. v. Berkley and Co., Inc., 620 F.2d 1247, 65 A.L.R. Fed. 369 (8th Cir. 1980)—§ 143
- E.I. du Pont de Nemours & Co. v. F.T.C., 729 F.2d 128 (2d Cir. 1984)—§ 121
- E.I. du Pont de Nemours and Co. v. Kolon Industries, Inc., 637 F.3d 435 (4th Cir. 2011)—§§ 46, 47, 52, 55, 83
- Eisai, Inc. v. Sanofi Aventis U.S., LLC, 821 F.3d 394 (3d Cir. 2016)—§§ 52A, 83
- Eisen v. Carlisle and Jacquelin, 417 U.S. 156, 94 S. Ct. 2140, 40 L. Ed. 2d 732, 18 Fed. R. Serv. 2d 877 (1974)—§§ 174, 179
- E. J. Delaney Corp. v. Bonne Bell, Inc., 525 F.2d 296 (10th Cir. 1975)—§§ 48, 51, 67
- El Aguila Food Products, Inc. v. Gruma Corp., 301 F. Supp. 2d 612 (S.D. Tex. 2003)—§ 187
- Elco Corp. v. Microdot Inc., 360 F. Supp. 741 (D. Del. 1973)—§§ 97, 102, 176
- Electrical Inspectors, Inc. v. Village of East Hills, 320 F.3d 110 (2d Cir. 2003)—§§ 33, 182
- Electronic Books Antitrust Litigation, In re, 639 Fed. Appx. 724 (2d Cir. 2016)—§ 42
- Electronic Books Antitrust Litiga-

- tion, In re, 14 F. Supp. 3d 525, 88 Fed. R. Serv. 3d 618 (S.D. N.Y. 2014)—§ 187A
- Electronic Books Antitrust Litigation, In re, 859 F. Supp. 2d 671 (S.D. N.Y. 2012)—§ 42
- Electronic Trading Group, LLC v. Banc of America Securities LLC, 588 F.3d 128 (2d Cir. 2009)—§ 27
- Elevator Antitrust Litigation, In re, 502 F.3d 47 (2d Cir. 2007)—§ 40
- Eleven Line, Inc. v. North Texas State Soccer Ass'n, Inc., 213 F.3d 198 (5th Cir. 2000)—§§ 32, 35, 37, 86, 193
- Eliason Corp. v. National Sanitation Foundation, 614 F.2d 126 (6th Cir. 1980)—§ 86
- Eli Lilly and Co. v. Medtronic, Inc., 915 F.2d 670 (Fed. Cir. 1990)—§ 156
- Elite Rodeo Association v. Professional Rodeo Cowboys Association, Inc., 159 F. Supp. 3d 738 (N.D. Tex. 2016)—§§ 56, 176
- Elizabeth Arden Sales Corp. v. Gus Blass Co., 150 F.2d 988, 161 A.L.R. 370 (C.C.A. 8th Cir. 1945)—§ 138
- Elliott v. United Center, 126 F.3d 1003 (7th Cir. 1997)—§§ 54, 55
- Elliott Industries Ltd. Partnership v. BP America Production Co., 407 F.3d 1091, 49 A.L.R. Fed. 2d 617 (10th Cir. 2005)—§§ 45A, 84, 187, 190
- Ellis v. Salt River Project Agricultural Improvement and Power District, 432 F. Supp. 3d 1070 (D. Ariz. 2020)—§ 33
- Ellis v. Solomon and Solomon, P.C., 591 F.3d 130 (2d Cir. 2010)—§ 37
- Ellwood City, Pa., Borough of v. Pennsylvania Power Co., 570 F. Supp. 553 (W.D. Pa. 1983)—§§ 126, 129
- El Paso, City of v. Darbyshire Steel Co., Inc., 575 F.2d 521 (5th Cir. 1978)—§ 178
- Elsmere Music, Inc. v. National Broadcasting Co., 623 F.2d 252 (2d Cir. 1980)—§ 163
- Eltra Corp. v. Ringer, 579 F.2d 294 (4th Cir. 1978)—§ 162
- Embry-Riddle Aeronautical University v. Ross Aviation, Inc., 504 F.2d 896 (5th Cir. 1974)—§ 34
- Empagran S.A. v. F. Hoffman-LaRoche, Ltd., 315 F.3d 338 (D.C. Cir. 2003)—§§ 32A, 187
- Empagran S.A. v. F. Hoffmann-LaRoche, Ltd., 417 F.3d 1267 (D.C. Cir. 2005)—§§ 195, 196
- Encana Oil & Gas (USA) Inc. v. Zaremba Family Farms, Inc., 736 Fed. Appx. 557 (6th Cir. 2018)—§ 42
- Encyclopaedia Britannica, Inc. v. F. T. C., 605 F.2d 964 (7th Cir. 1979)—§ 206
- Endsley v. City of Chicago, 230 F.3d 276 (7th Cir. 2000)—§§ 48, 51
- Energex Lighting Industries, Inc. v. North American Philips Lighting Corp., 765 F. Supp. 93 (S.D. N.Y. 1991)—§ 51
- Energex Lighting Industries, Inc. v. North American Philips Lighting Corp., 656 F. Supp. 914 (S.D. N.Y. 1987)—§ 128
- Energy Conservation, Inc. v. Helio-

TABLE OF CASES

- dyne, Inc., 698 F.2d 386 (9th Cir. 1983)—§§ 33, 181
- Engineering Network Intern., Inc. v. Lucent Technologies, Inc., 178 Fed. Appx. 721 (9th Cir. 2006)—§ 22
- Engine Specialties, Inc. v. Bombardier Limited, 454 F.2d 527 (1st Cir. 1972)—§ 176
- Engine Specialties, Inc. v. Bombardier Ltd., 605 F.2d 1 (1st Cir. 1979)—§§ 2, 83, 85, 120, 187
- England v. Chrysler Corp., 493 F.2d 269 (9th Cir. 1974)—§§ 128, 138
- Englert v. City of McKeesport, 872 F.2d 1144 (3d Cir. 1989)—§§ 41, 48, 83
- Environmental Tectonics v. W.S. Kirkpatrick, Inc., 847 F.2d 1052, 25 Fed. R. Evid. Serv. 1021 (3d Cir. 1988)—§§ 37, 137, 187
- Epic Games, Inc. v. Apple Inc., 493 F. Supp. 3d 817 (N.D. Cal. 2020)—§§ 54, 54A, 84, 175, 176
- Epoch Producing Corp. v. Killiam Shows, Inc., 522 F.2d 737 (2d Cir. 1975)—§ 162
- Equifax, Inc. v. F.T.C., 618 F.2d 63 (9th Cir. 1980)—§§ 54, 102
- Equipment Distributors' Coalition, Inc. v FCC (1987) 263 App DC 217, 824 F2d 1197—§ 27
- ERBE Elektromedizin GmbH v. Canady Technology LLC, 629 F.3d 1278 (Fed. Cir. 2010)—§§ 37A, 156
- Ernest W. Hahn, Inc. v. Coddling, 615 F.2d 830 (9th Cir. 1980)—§§ 33, 47
- Ernest W. Hahn, Inc. v. Coddling, 423 F. Supp. 913 (N.D. Cal. 1976)—§§ 33, 129
- ESCO Corporation v. Cashman Equipment Company, 158 F. Supp. 3d 1051 (D. Nev. 2016)—§ 37A
- ES Development, Inc. v. RWM Enterprises, Inc., 939 F.2d 547 (8th Cir. 1991)—§§ 41, 86
- Esquire, Inc. v. Ringer, 591 F.2d 796 (D.C. Cir. 1978)—§ 162
- Esso Standard Oil Co. (Puerto Rico) v. Monroig-Zayas, 445 F.3d 13 (1st Cir. 2006)—§ 37
- Estey & Associates, Inc. v. McCulloch Corp., 663 F. Supp. 167 (D. Or. 1986)—§§ 125, 128
- Ethypharm S.A. France v. Abbott Laboratories, 707 F.3d 223 (3d Cir. 2013)—§§ 186, 187
- Euromodas, Inc. v. Zanella, Ltd., 368 F.3d 11 (1st Cir. 2004)—§ 41
- Euster v. Eagle Downs Racing Ass'n, 677 F.2d 992 (3d Cir. 1982)—§ 33
- Evans v. S. S. Kresge Co., 544 F.2d 1184 (3d Cir. 1976)—§§ 32, 40, 42, 80
- Evans Newton Inc. v. Chicago Systems Software, 793 F.2d 889 (7th Cir. 1986)—§ 162
- Evergreen Partnering Group, Inc. v. Pactiv Corp., 116 F. Supp. 3d 1 (D. Mass. 2015)—§§ 56, 70
- Evergreen Partnering Group, Inc. v. Pactiv Corp., 720 F.3d 33 (1st Cir. 2013)—§§ 41, 67
- Evergreen Partnering Group, Inc. v. Pactiv Corporation, 832 F.3d 1 (1st Cir. 2016)—§ 64
- EVIC Class Action Litigation, In re, 2002 WL 1766554 (S.D. N.Y. 2002)—§§ 100, 187
- Evory v. RJM Acquisitions Fund-

- ing L.L.C., 505 F.3d 769 (7th Cir. 2007)—§ 37
- Ewald Bros., Inc. v. Mid-America Dairymen, Inc., 877 F.2d 1384 (8th Cir. 1989)—§ 35
- E.W. French & Sons, Inc. v. General Portland Inc., 885 F.2d 1392, 28 Fed. R. Evid. Serv. 1089, 14 Fed. R. Serv. 3d 509 (9th Cir. 1989)—§§ 40, 71, 177
- Excelsior College v. Frye, 345 Fed. Appx. 241 (9th Cir. 2009)—§ 19
- Executive Town & Country Services, Inc. v. City of Atlanta, 789 F.2d 1523 (11th Cir. 1986)—§ 33
- Exhibitors' Service, Inc. v. American Multi-Cinema, Inc., 788 F.2d 574 (9th Cir. 1986)—§ 187
- Eximco, Inc. v. Trane Co., 737 F.2d 505 (5th Cir. 1984)—§ 128
- Expert Masonry, Inc. v. Boone County, Ky., 440 F.3d 336, 2006 FED App. 0088P (6th Cir. 2006)—§§ 28, 33, 40, 41, 53, 190, 195, 201
- Export Liquor Sales, Inc. v. Ammex Warehouse Co., 426 F.2d 251 (6th Cir. 1970)—§ 138
- Exxon Corp. v. F.T.C., 665 F.2d 1274 (D.C. Cir. 1981)—§§ 207, 209
- Exxon Corp. v. Governor of Maryland, 437 U.S. 117, 98 S. Ct. 2207, 57 L. Ed. 2d 91 (1978)—§§ 40, 136, 163A
- Ezpeleta v. Sisters of Mercy Health Corp., 800 F.2d 119 (7th Cir. 1986)—§§ 33, 84
- Ezzo's Investments, Inc. v. Royal Beauty Supply, Inc., 243 F.3d 980, 2001 FED App. 0075P (6th Cir. 2001)—§§ 85, 86, 187, 190
- F**
- Fabrica Inc. v. El Dorado Corp., 697 F.2d 890 (9th Cir. 1983)—§§ 18, 162
- Facenda v. N.F.L. Films, Inc., 542 F.3d 1007 (3d Cir. 2008)—§ 37
- Fairdale Farms, Inc. v. Yankee Milk, Inc., 715 F.2d 30 (2d Cir. 1983)—§ 35
- Fairdale Farms, Inc. v. Yankee Milk, Inc., 635 F.2d 1037 (2d Cir. 1980)—§ 35
- Fairfax, City of v. Fairfax Hosp. Ass'n, 562 F.2d 280 (4th Cir. 1977)—§ 33
- Fair Isaac Corp. v. Experian Information Solutions, Inc., 650 F.3d 1139 (8th Cir. 2011)—§§ 25, 31, 175, 186, 187, 190
- Faiveley Transport USA, Inc. v. Wabtec Corp., 511 Fed. Appx. 54 (2d Cir. 2013)—§ 22
- Fallis v. Pendleton Woolen Mills, Inc., 866 F.2d 209 (6th Cir. 1989)—§ 187
- Falls Chase Special Taxing Dist. v. City of Tallahassee, 788 F.2d 711 (11th Cir. 1986)—§ 33
- Falls Church Bratwursthaus, Inc. v. Bratwursthaus Management Corp., 354 F. Supp. 1237 (E.D. Va. 1973)—§ 84
- Falls City Industries, Inc. v. Vanco Beverage, Inc., 460 U.S. 428, 103 S. Ct. 1282, 75 L. Ed. 2d 174 (1983)—§§ 131, 136
- FAMM Steel, Inc. v. Sovereign Bank, 571 F.3d 93 (1st Cir. 2009)—§ 17
- Famous Brands, Inc. v. David

TABLE OF CASES

- Sherman Corp., 814 F.2d 517, 4 U.C.C. Rep. Serv. 2d 68 (8th Cir. 1987)—§ 85
- Famous Horse Inc. v. 5th Ave. Photo Inc., 624 F.3d 106 (2d Cir. 2010)—§ 37
- F. & M. Schaefer Corp. v. C. Schmidt & Sons, Inc., 597 F.2d 814 (2d Cir. 1979)—§§ 96, 103, 109
- Fantastic Fakes, Inc. v. Pickwick Intern., Inc., 661 F.2d 479 (5th Cir. 1981)—§ 162
- Fantasy, Inc. v. Fogerty, 654 F. Supp. 1129 (N.D. Cal. 1987)—§ 162
- Farah v. Esquire Magazine, 736 F.3d 528 (D.C. Cir. 2013)—§ 25
- Farley Transp. Co., Inc. v. Santa Fe Trail Transp. Co., 786 F.2d 1342, 4 Fed. R. Serv. 3d 1134 (9th Cir. 1985)—§§ 40, 47
- Farley Transp. Co., Inc. v. Santa Fe Trail Transp. Co., 777 F.2d 472 (9th Cir. 1985)—§§ 42, 47, 188, 196
- Farmers Co-op Co. v. Senske & Son Transfer Co., 572 F.3d 492 (8th Cir. 2009)—§ 37
- Farnell v. Albuquerque Pub. Co., 589 F.2d 497 (10th Cir. 1978)—§ 196
- Faulkner v. Baldwin Piano & Organ Co., 561 F.2d 677 (7th Cir. 1977)—§ 143
- Faulkner Advertising Associates, Inc. v. Nissan Motor Corp. in U.S.A., 905 F.2d 769 (4th Cir. 1990)—§ 84
- Fazli v. ConocoPhillips Co., 241 Fed. Appx. 362 (9th Cir. 2007)—§ 37
- F.C.C. v. National Citizens Com-  
mittee for Broadcasting, 436 U.S. 775, 98 S. Ct. 2096, 56 L. Ed. 2d 697 (1978)—§§ 206, 208
- Feather v. United Mine Workers of America, 711 F.2d 530 (3d Cir. 1983)—§ 34
- Federal Maritime Com'n v. Seatrain Lines, Inc., 411 U.S. 726, 93 S. Ct. 1773, 36 L. Ed. 2d 620 (1973)—§§ 27, 110, 169
- Federal Prescription Service, Inc. v. American Pharmaceutical Ass'n, 663 F.2d 253 (D.C. Cir. 1981)—§§ 33, 67
- Federal Screw Works v. Interface Systems, Inc., 569 F. Supp. 1562 (E.D. Mich. 1983)—§ 4
- Federal Trade Com. v Anderson (1979) 203 App DC 159, 631 F.2d 741—§ 209
- Federal Trade Com. v Brigadier Industries Corp. (1979) 198 App DC 377, 613 F.2d 1110—§§ 206, 209
- Federal Trade Com. v Lonning (1976) 176 App DC 200, 539 F.2d 202—§ 164
- Federal Trade Com. v Owens-Corning Fiberglas Corp. (1980) 200 App DC 102, 626 F.2d 966—§ 207
- Federal Trade Com. v Texaco, Inc. (1975) 170 App DC 323, 517 F.2d 137—§ 209
- Federal Trade Com. v TRW, Inc. (1980) 202 App DC 207, 628 F.2d 207—§ 209
- Federal Trade Commission v AbbVie Inc, 976 F.3d 327 (3d Cir. 2020)—§§ 37A, 54
- Federal Trade Commission v Advocate Health Care Network,

FEDERAL CONTROL OF BUSINESS

- 841 F.3d 460 (7th Cir. 2016)—  
§§ 102, 103
- Federal Trade Commission v. AT &  
T Mobility LLC, 835 F.3d 993  
(9th Cir. 2016)—§ 121
- Federal Trade Commission v.  
Boehringer Ingelheim Phar-  
maceuticals, Inc., 180 F. Supp.  
3d 1, 95 Fed. R. Serv. 3d 1293  
(D.D.C. 2016)—§ 209
- Federal Trade Commission v. Edu-  
care Centre Services, Inc., 433  
F. Supp. 3d 1008 (W.D. Tex.  
2020)—§ 121
- Federal Trade Commission v.  
LeadClick Media, LLC, 838  
F.3d 158 (2d Cir. 2016)—§ 121
- Federal Trade Commission v. Mor-  
ton Salt Co., 334 U.S. 37, 68  
S. Ct. 822, 92 L. Ed. 1196, 1  
A.L.R.2d 260 (1948)—§§ 131,  
135
- Federal Trade Commission v. Pea-  
body Energy Corporation, 492  
F. Supp. 3d 865 (E.D. Mo.  
2020)—§ 206
- Federal Trade Commission v. Penn  
State Hershey Medical Center,  
914 F.3d 193 (3d Cir. 2019)—  
§ 200
- Federal Trade Commission v. Penn  
State Hershey Medical Center,  
838 F.3d 327 (3d Cir. 2016)—  
§ 103
- Federal Trade Commission v. Qual-  
comm Incorporated, 969 F.3d  
974 (9th Cir. 2020)—§§ 28, 47,  
54, 83, 146
- Federal Trade Commission v. Qual-  
comm Incorporated, 411 F.  
Supp. 3d 658 (N.D. Cal.  
2019)—§§ 83, 175
- Federal Trade Commission v.  
Quincy Bioscience Holding  
Company, Inc., 485 F. Supp.  
3d 419 (S.D. N.Y. 2020)—§ 121
- Federal Trade Commission v. RAG-  
Stiftung, 436 F. Supp. 3d 278  
(D.D.C. 2020)—§§ 102, 103
- Federal Trade Commission v. San-  
ford Health, 926 F.3d 959 (8th  
Cir. 2019)—§§ 102, 176
- Federal Trade Commission v.  
Simple Health Plans LLC, 379  
F. Supp. 3d 1346 (S.D. Fla.  
2019)—§ 121
- Federal Trade Commission v.  
Staples, Inc., 190 F. Supp. 3d  
100 (D.D.C. 2016)—§§ 101, 176
- Federal Trade Commission v. Sure-  
scripts, LLC, 424 F. Supp. 3d  
92 (D.D.C. 2020)—§ 83
- Federal Trade Commission v. Sysco  
Corporation, 308 F.R.D. 19  
(D.D.C. 2015)—§ 214
- Federal Trade Commission v. Sysco  
Corporation, 113 F. Supp. 3d 1  
(D.D.C. 2015)—§ 176
- Federal Trade Commission v. Sysco  
Corporation, 83 F. Supp. 3d  
271, 91 Fed. R. Serv. 3d 40  
(D.D.C. 2015)—§ 214
- Federal Trade Commission v. Sysco  
Corporation, 83 F. Supp. 3d 1  
(D.D.C. 2015)—§ 96
- Federal Trade Commission v.  
Thomas Jefferson University,  
2020-2 Trade Cas. (CCH) ¶  
81469, 2020 WL 7227250 (E.D.  
Pa. 2020)—§§ 101, 103, 206
- Federal Trade Commission v.  
Tronox Limited, 332 F. Supp.  
3d 187 (D.D.C. 2018)—§ 176
- Federal Trade Commission v. Wilh.  
Wilhelmsen Holding ASA, 341

TABLE OF CASES

- F. Supp. 3d 27 (D.D.C. 2018)—  
§§ 54A, 102, 104
- Federal Trade Com'n v. John Beck  
Amazing Profits LLC, 888 F.  
Supp. 2d 1006 (C.D. Cal.  
2012)—§ 175
- Federal Trade Com'n v. Owens-  
Corning Fiberglas Corp., 853  
F.2d 458, 12 Fed. R. Serv. 3d  
83 (6th Cir. 1988)—§§ 121, 206,  
211
- Federal Trade Com'n v. Steris  
Corp., 133 F. Supp. 3d 962  
(N.D. Ohio 2015)—§ 176
- Federated Dept. Stores, Inc. v.  
Moitie, 452 U.S. 394, 101 S.  
Ct. 2424, 69 L. Ed. 2d 103  
(1981)—§§ 164, 182
- Feeney v. Chamberlain Mfg. Corp.,  
831 F.2d 93 (5th Cir. 1987)—  
§§ 128, 131, 187
- Feesers, Inc. v. Michael Foods,  
Inc., 591 F.3d 191 (3d Cir.  
2010)—§§ 127, 128
- Feesers, Inc. v. Michael Foods,  
Inc., 498 F.3d 206 (3d Cir.  
2007)—§§ 31, 127
- Feinstein v. Nettleship Co. of Los  
Angeles, 714 F.2d 928 (9th Cir.  
1983)—§ 36
- Felder's Collision Parts, Inc. v. All  
Star Advertising Agency, Inc.,  
777 F.3d 756 (5th Cir. 2015)—  
§ 52A
- Felder's Collision Parts, Inc. v.  
General Motors Co., 960 F.  
Supp. 2d 617 (M.D. La.  
2013)—§ 52
- Feldman v. American Dawn, Inc.,  
849 F.3d 1333 (11th Cir.  
2017)—§ 187
- Feldman v. Gardner, 661 F.2d 1295  
(D.C. Cir. 1981)—§ 33
- F. E. L. Publications, Ltd. v. Cath-  
olic Bishop of Chicago, 506 F.  
Supp. 1127 (N.D. Ill. 1981)—  
§§ 163, 168
- Feminist Women's Health Center,  
Inc. v. Mohammad, 586 F.2d  
530 (5th Cir. 1978)—§§ 32, 33
- Ferguson v. National Broadcasting  
Co., Inc., 584 F.2d 111 (5th Cir.  
1978)—§ 162
- Ferring Pharmaceuticals, Inc. v.  
Watson Pharmaceuticals, Inc.,  
765 F.3d 205 (3d Cir. 2014)—  
§ 25
- F. Hoffmann-La Roche Ltd. v. Em-  
pagran S.A., 542 U.S. 155, 124  
S. Ct. 2359, 159 L. Ed. 2d 226  
(2004)—§ 32A
- Fido's Fences, Inc. v. Radio Sys-  
tems Corp., 999 F. Supp. 2d  
442 (E.D. N.Y. 2014)—§ 187
- Fieldturf, Inc. v. Southwest Recre-  
ational Industries, Inc., 235 F.  
Supp. 2d 708 (E.D. Ky. 2002)—  
§§ 52, 157
- FieldTurf Intern., Inc. v. Sprinturf,  
Inc., 433 F.3d 1366 (Fed. Cir.  
2006)—§ 145
- FilmTec Corp. v. Hydranautics, 67  
F.3d 931, 32 Fed. R. Serv. 3d  
1199 (Fed. Cir. 1995)—§ 33
- Financial Information, Inc. v.  
Moody's Investors Service,  
Inc., 808 F.2d 204, 88 A.L.R.  
Fed. 141 (2d Cir. 1986)—§ 162
- Fineman v. Armstrong World In-  
dustries, Inc., 980 F.2d 171, 24  
Fed. R. Serv. 3d 162 (3d Cir.  
1992)—§§ 50, 51, 67
- Fine Paper Antitrust Litigation, In  
re, 617 F.2d 22, 28 Fed. R.  
Serv. 2d 1140 (3d Cir. 1980)—  
§ 179

- Fink v. Time Warner Cable, 714 F.3d 739 (2d Cir. 2013)—§ 25
- Finnegan v. Campeau Corp., 722 F. Supp. 1114 (S.D. N.Y. 1989)—§§ 27, 38
- Fiore v. Kelly Run Sanitation, Inc., 609 F. Supp. 909 (W.D. Pa. 1985)—§ 125
- Fire & Police Pension Association of Colorado v. Bank of Montreal, 368 F. Supp. 3d 681 (S.D. N.Y. 2019)—§ 178
- Firestone Tire & Rubber Co. v. F. T. C., 481 F.2d 246 (6th Cir. 1973)—§ 30
- First American Title Co. v. Devaugh, 480 F.3d 438, 2007 FED App. 0073P (6th Cir. 2007)—§ 33
- First American Title Co. of South Dakota v. South Dakota Land Title Ass'n, 714 F.2d 1439 (8th Cir. 1983)—§ 33
- First Beverages, Inc. of Las Vegas v. Royal Crown Cola Co., 612 F.2d 1164 (9th Cir. 1980)—§§ 87, 202
- First Comics, Inc. v. World Color Press, Inc., 884 F.2d 1033 (7th Cir. 1989)—§ 130
- First Comics, Inc. v. World Color Press, Inc., 672 F. Supp. 1064 (N.D. Ill. 1987)—§ 129
- First Databank Antitrust Litigation, In re, 209 F. Supp. 2d 96 (D.D.C. 2002)—§ 200
- First Midland Bank & Trust Co. v. Chemical Financial Corp., 441 F. Supp. 414 (W.D. Mich. 1977)—§ 110
- Fischer v. CF & I Steel Corp., 657 F. Supp. 1195 (S.D. N.Y. 1987)—§ 113
- Fischer v. NWA, Inc., 883 F.2d 594 (8th Cir. 1989)—§ 187
- Fisher v. City of Berkeley, Cal., 475 U.S. 260, 106 S. Ct. 1045, 89 L. Ed. 2d 206 (1986)—§§ 1, 33, 163A
- Fisher v. City of Berkeley, California, 471 U.S. 1124, 105 S. Ct. 2653, 86 L. Ed. 2d 270 (1985)—§§ 1, 163A
- Fisher v. Dees, 794 F.2d 432 (9th Cir. 1986)—§ 162
- Fisher v. First Nat. Bank of Omaha, 548 F.2d 255, 38 A.L.R. Fed. 792 (8th Cir. 1977)—§ 40
- Fisher Stoves, Inc. v. All Nighter Stove Works, Inc., 626 F.2d 193 (1st Cir. 1980)—§§ 22, 141
- Fisher Tool Co., Inc. v. Gillet Outillage, 530 F.3d 1063 (9th Cir. 2008)—§§ 37, 37A, 156
- Fishkin v. Susquehanna Partners, G.P., 340 Fed. Appx. 110 (3d Cir. 2009)—§§ 21, 22
- Fishman v. Estate of Wirtz, 807 F.2d 520 (7th Cir. 1986)—§§ 41, 51, 52, 54, 188
- Fisichelli v. Town of Methuen, 653 F. Supp. 1494 (D. Mass. 1987)—§§ 32, 188
- Fisons Horticulture, Inc. v. Vigoro Industries, Inc., 30 F.3d 466 (3d Cir. 1994)—§ 11
- Fitzgerald v. General Dairies, Inc., 590 F.2d 874 (10th Cir. 1979)—§ 177
- Flagship Theatres of Palm Desert, LLC v. Century Theatres, Inc., 55 Cal. App. 5th 381, 269 Cal. Rptr. 3d 446 (2d Dist. 2020)—§§ 40, 44
- Flamingo Industries (USA) Ltd. v.

TABLE OF CASES

- U.S. Postal Service, 302 F.3d 985 (9th Cir. 2002)—§ 171
- Flash Electronics, Inc. v. Universal Music & Video Distribution Corp., 312 F. Supp. 2d 379 (E.D. N.Y. 2004)—§ 83
- Flat Glass Antitrust Litigation, In re, 385 F.3d 350, 65 Fed. R. Evid. Serv. 530 (3d Cir. 2004)—§ 70
- Fleer Corp. v. Topps Chewing Gum, Inc., 658 F.2d 139 (3d Cir. 1981)—§ 40
- Fleming v. Pickard, 581 F.3d 922 (9th Cir. 2009)—§ 37
- Flip Side Productions, Inc. v. Jam Productions, Ltd., 843 F.2d 1024, 10 Fed. R. Serv. 3d 1070 (7th Cir. 1988)—§ 51
- FLM Collision Parts, Inc. v. Ford Motor Co., 543 F.2d 1019 (2d Cir. 1976)—§§ 127, 128
- Floersheim v. Engman, 494 F.2d 949 (D.C. Cir. 1973)—§ 210
- Floersheim v. Weinburger, 346 F. Supp. 950 (D.D.C. 1972)—§ 213
- Flonase Antitrust Litigation, In re, 907 F. Supp. 2d 637 (E.D. Pa. 2012)—§ 37A
- Florida Cement and Concrete Antitrust Litigation, In re, 278 F.R.D. 674 (S.D. Fla. 2012)—§ 203A
- Florida Seed Co., Inc. v. Monsanto Co., 105 F.3d 1372 (11th Cir. 1997)—§ 187
- Flovac, Inc. v. Airvac, Inc., 817 F.3d 849 (1st Cir. 2016)—§ 54
- Flowers Industries v. F.T.C., 849 F.2d 551 (11th Cir. 1988)—§ 210
- Flying J, Inc. v. Van Hollen, 621 F.3d 658 (7th Cir. 2010)—§ 33
- FMC Corp. v. Manitowoc Co., Inc., 835 F.2d 1411 (Fed. Cir. 1987)—§ 158
- Focus Products Group International, LLC v. Kartri Sales Company, Inc., 454 F. Supp. 3d 229 (S.D. N.Y. 2020)—§ 156
- Foley v. Alabama State Bar, 648 F.2d 355 (5th Cir. 1981)—§ 33
- Followay Productions, Inc. v. Maurer, 603 F.2d 72, 28 Fed. R. Serv. 2d 479 (9th Cir. 1979)—§ 162
- Fontana Aviation, Inc. v. Cessna Aircraft Co., 617 F.2d 478 (7th Cir. 1980)—§ 201
- Forbro Design Corp. v. Raytheon Co., 532 F.2d 758 (1st Cir. 1976)—§ 160
- Ford Motor Co. v Federal Trade Com. (1981, CA9) 654 F2d 599—§ 208
- Ford Motor Co. v. F. T. C., 673 F.2d 1008, 32 U.C.C. Rep. Serv. 1 (9th Cir. 1981)—§ 208
- Ford Motor Co. v. F. T. C., 547 F.2d 954 (6th Cir. 1976)—§ 211
- Ford Wholesale Co. Inc. of San Jose v. Fibreboard Paper Products Corp., 344 F. Supp. 1323 (N.D. Cal. 1972)—§ 32
- Foreign Exchange Benchmark Rates Antitrust Litigation, In re, 407 F. Supp. 3d 422 (S.D. N.Y. 2019)—§ 174
- Foreign Exchange Benchmark Rates Antitrust Litigation, In re, 74 F. Supp. 3d 581 (S.D. N.Y. 2015)—§ 42
- Foremost-McKesson, Inc. v. Instrumentation Laboratory, Inc., 527 F.2d 417 (5th Cir. 1976)—§ 196

- Foremost Intern. Tours, Inc. v. Qantas Airways Ltd., 525 F.2d 281 (9th Cir. 1975)—§§ 27, 169
- Foremost Pro Color, Inc. v. Eastman Kodak Co., 703 F.2d 534, 35 U.C.C. Rep. Serv. 1087 (9th Cir. 1983)—§§ 47, 84, 131, 138
- Forrest v. Capital Bldg. and Loan Ass'n, 504 F.2d 891 (5th Cir. 1974)—§ 84
- Forro Precision, Inc. v. International Business Machines Corp., 673 F.2d 1045, 10 Fed. R. Evid. Serv. 671, 33 Fed. R. Serv. 2d 1645 (9th Cir. 1982)—§ 33
- Forry, Inc. v. Neundorfer, Inc., 837 F.2d 259, 113 A.L.R. Fed. 857 (6th Cir. 1988)—§ 162
- Forsyth v. Humana, Inc., 114 F.3d 1467 (9th Cir. 1997)—§§ 54, 84, 181, 190
- Fortner Enterprises, Inc. v. U.S. Steel Corp., 523 F.2d 961 (6th Cir. 1975)—§ 84
- Fortner Enterprises, Inc. v. U.S. Steel Corp., 452 F.2d 1095 (6th Cir. 1971)—§§ 84, 119
- Fort Worth Nat. Corp. v. Federal Sav. & Loan Ins. Corp., 469 F.2d 47 (5th Cir. 1972)—§§ 102, 110
- 42nd Parallel North v. E Street Denim Co., 286 F.3d 401 (7th Cir. 2002)—§ 41
- Foster v. American Mach. & Foundry Co., 492 F.2d 1317 (2d Cir. 1974)—§ 160
- Foster v. Maryland State Sav. & Loan Asso. (1978) 191 App DC 226, 590 F.2d 928—§§ 41, 84
- Foster Wheeler Corp. v. Babcock & Wilcox Co., 440 F. Supp. 897, 24 Fed. R. Serv. 2d 508 (S.D. N.Y. 1977)—§ 158
- Fount-Wip, Inc. v. Reddi-Wip, Inc., 568 F.2d 1296 (9th Cir. 1978)—§ 54
- Four Corners Nephrology Associates, P.C. v. Mercy Medical Center of Durango, 582 F.3d 1216 (10th Cir. 2009)—§§ 28, 46, 49, 52
- 465 US, at 764, 79 L Ed 775, 104 S Ct 1464—§ 181
- Four T's, Inc. v. Little Rock Mun. Airport Com'n, 108 F.3d 909 (8th Cir. 1997)—§ 33
- Fox Valley Harvestore, Inc. v. A. O. Smith Harvestore Products, Inc., 545 F.2d 1096 (7th Cir. 1976)—§ 176
- Fragale & Sons Beverage Co. v. Dill, 760 F.2d 469 (3d Cir. 1985)—§ 41
- Franchise Realty Interstate Corp. v. San Francisco Local Joint Executive Bd. of Culinary Workers, 542 F.2d 1076 (9th Cir. 1976)—§ 33
- Frank Coulson, Inc.-Buick v. General Motors Corp., 488 F.2d 202 (5th Cir. 1974)—§ 2
- Frankford Hospital v. Blue Cross of Greater Philadelphia, 554 F.2d 1253 (3d Cir. 1977)—§ 36
- Franklin Mint Corp. v. Franklin Mint, Ltd., 360 F. Supp. 478 (E.D. Pa. 1973)—§ 10
- Franklin Mint Corp. v. National Wildlife Art Exchange, Inc., 575 F.2d 62 (3d Cir. 1978)—§ 162
- Franklin Music Co. v. American Broadcasting Companies, Inc.,

TABLE OF CASES

- 616 F.2d 528 (3d Cir. 1979)—  
§§ 19, 67
- Franulovic v. Coca Cola Co., 390  
Fed. Appx. 125 (3d Cir. 2010)—  
§ 17
- Fran Welch Real Estate Sales, Inc.  
v. Seabrook Island Co., Inc.,  
809 F.2d 1030 (4th Cir. 1987)—  
§ 40
- Fraser v. Major League Soccer,  
L.L.C., 284 F.3d 47, 59 Fed. R.  
Evid. Serv. 418 (1st Cir.  
2002)—§§ 54, 101
- Fray Chevrolet Sales, Inc. v. Gen-  
eral Motors Corp., 536 F.2d  
683 (6th Cir. 1976)—§§ 85, 86
- Freedom Holdings, Inc. v. Cuomo,  
624 F.3d 38 (2d Cir. 2010)—  
§ 33
- Freedom Holdings, Inc. v. Spitzer,  
363 F.3d 149 (2d Cir. 2004)—  
§ 33
- Freedom Holdings, Inc. v. Spitzer,  
357 F.3d 205 (2d Cir. 2004)—  
§ 33
- Freedom Watch, Inc. v. Google Inc.,  
816 Fed. Appx. 497 (D.C. Cir.  
2020)—§ 187
- Freedom Watch Inc. v. Judicial  
Watch, Inc., 289 F. Supp. 3d  
1270 (S.D. Fla. 2018)—§§ 41,  
173
- Freedom Watch, Inc. v. Organiza-  
tion of Petroleum Exporting  
Countries, 107 F. Supp. 3d 134  
(D.D.C. 2015)—§ 165
- Freedom Watch, Inc. v. Organiza-  
tion of Petroleum Exporting  
Countries, 288 F.R.D. 230, 84  
Fed. R. Serv. 3d 550 (D.D.C.  
2013)—§ 165
- Freedom Watch, Inc. v. Organiza-  
tion of the Petroleum Export-  
ing Countries, 766 F.3d 74, 89  
Fed. R. Serv. 3d 1171 (D.C.  
Cir. 2014)—§ 165
- Freeman v. Chicago Title & Trust  
Co., 505 F.2d 527 (7th Cir.  
1974)—§ 137
- Freeman v. Lasky, Haas & Cohler,  
410 F.3d 1180 (9th Cir. 2005)—  
§§ 33, 37A
- Freeman v. San Diego Ass’n of  
Realtors, 322 F.3d 1133 (9th  
Cir. 2003)—§§ 32, 39, 42, 89,  
120, 182, 187
- Freier v. New York Life Ins. Co.,  
679 F.2d 780 (9th Cir. 1982)—  
§ 36
- Freightliner of Knoxville, Inc. v.  
DaimlerChrysler Vans, LLC,  
484 F.3d 865 (6th Cir. 2007)—  
§§ 128, 138
- Fresh and Process Potatoes Anti-  
trust Litigation, In re, 834 F.  
Supp. 2d 1141 (D. Idaho  
2011)—§ 35
- Friedman v. Rogers, 440 U.S. 1, 99  
S. Ct. 887, 59 L. Ed. 2d 100  
(1979)—§ 9
- Friedman v. Salomon/Smith Bar-  
ney, Inc., 313 F.3d 796 (2d Cir.  
2002)—§ 27
- Frito-Lay, Inc. v. So Good Potato  
Chip Co., 540 F.2d 927 (8th  
Cir. 1976)—§ 18
- Fruehauf Corp. v. F. T. C., 603 F.2d  
345 (2d Cir. 1979)—§ 96
- Fry v. John Hancock Mut. Life Ins.  
Co., 355 F. Supp. 1151 (N.D.  
Tex. 1973)—§§ 36, 84
- Frybarger v. International Busi-  
ness Machines Corp., 812 F.2d  
525 (9th Cir. 1987)—§ 162
- F.T.C. v. AbbVie Inc., 107 F. Supp.  
3d 428 (E.D. Pa. 2015)—§ 156A

FEDERAL CONTROL OF BUSINESS

- F.T.C. v. Accusearch Inc., 570 F.3d 1187 (10th Cir. 2009)—§§ 32, 121
- F.T.C. v. Actavis, Inc., 570 U.S. 136, 133 S. Ct. 2223, 186 L. Ed. 2d 343 (2013)—§§ 40, 141, 156A
- F.T.C. v. Amy Travel Service, Inc., 875 F.2d 564, 27 Fed. R. Evid. Serv. 1214, 13 Fed. R. Serv. 3d 1088 (7th Cir. 1989)—§§ 200, 206
- F.T.C. v. Anderson, 442 F. Supp. 1118 (D.D.C. 1977)—§ 209
- F.T.C. v. Atlantex Associates, 872 F.2d 966 (11th Cir. 1989)—§ 164
- F.T.C. v. Atlantic Richfield Co., 567 F.2d 96 (D.C. Cir. 1977)—§ 209
- F.T.C. v. Atlantic Richfield Co., 549 F.2d 289, 44 A.L.R. Fed. 395 (4th Cir. 1977)—§§ 99, 176
- F.T.C. v. Bay Area Business Council, Inc., 423 F.3d 627 (7th Cir. 2005)—§ 121
- F.T.C. v. Bishop, 425 Fed. Appx. 796 (11th Cir. 2011)—§ 210
- F.T.C. v. Boehringer Ingelheim Pharmaceuticals, Inc., 898 F. Supp. 2d 171 (D.D.C. 2012)—§ 209
- F. T. C. v. British Oxygen Co., Ltd., 529 F.2d 196 (3d Cir. 1976)—§ 206
- F.T.C. v. Bronson Partners, LLC, 654 F.3d 359 (2d Cir. 2011)—§ 175
- FTC v Brown & Williamson Tobacco Corp. (1985) 250 App DC 162, 778 F.2d 35—§ 25
- F.T.C. v. Carter, 636 F.2d 781, 31 Fed. R. Serv. 2d 392 (D.C. Cir. 1980)—§ 209
- F.T.C. v. Chapman, 714 F.3d 1211 (10th Cir. 2013)—§ 121
- F.T.C. v. Check Investors, Inc., 502 F.3d 159 (3d Cir. 2007)—§ 121
- F.T.C. v. Church & Dwight Co., Inc., 665 F.3d 1312 (D.C. Cir. 2011)—§ 209
- F.T.C. v. Commerce Planet, Inc., 815 F.3d 593 (9th Cir. 2016)—§ 213
- F.T.C. v. Compagnie De Saint-Gobain-Pont-a-Mousson, 636 F.2d 1300 (D.C. Cir. 1980)—§ 209
- F.T.C. v. Cyberspace.Com LLC, 453 F.3d 1196 (9th Cir. 2006)—§ 121
- F.T.C. v. Direct Marketing Concepts, Inc., 624 F.3d 1 (1st Cir. 2010)—§ 121
- F.T.C. v. EDebitPay, LLC, 695 F.3d 938 (9th Cir. 2012)—§ 30
- F.T.C. v. Elders Grain, Inc., 868 F.2d 901 (7th Cir. 1989)—§§ 92, 97, 110A, 206
- F.T.C. v. E.M.A. Nationwide, Inc., 767 F.3d 611, 89 Fed. R. Serv. 3d 637 (6th Cir. 2014)—§ 121
- F.T.C. v. Exxon Corp., 636 F.2d 1336 (D.C. Cir. 1980)—§§ 176, 213
- F.T.C. v. Feldman, 532 F.2d 1092 (7th Cir. 1976)—§§ 32, 52, 105, 115, 117, 119, 120, 209
- F.T.C. v. Food Town Stores, Inc., 539 F.2d 1339 (4th Cir. 1976)—§§ 176, 179A, 206
- F.T.C. v. Freecom Communications, Inc., 401 F.3d 1192 (10th Cir. 2005)—§§ 121, 164, 175
- F.T.C. v. Freeman Hosp., 69 F.3d 260 (8th Cir. 1995)—§§ 101, 121, 176, 210

TABLE OF CASES

- F.T.C. v. Garden of Life, Inc., 516 Fed. Appx. 852 (11th Cir. 2013)—§ 175
- F.T.C. v. Gibson Products of San Antonio, Inc., 569 F.2d 900 (5th Cir. 1978)—§ 209
- F.T.C. v. GlaxoSmithKline, 294 F.3d 141, 58 Fed. R. Evid. Serv. 1443, 53 Fed. R. Serv. 3d 98 (D.C. Cir. 2002)—§ 209
- F.T.C. v. H.J. Heinz Co., 246 F.3d 708 (D.C. Cir. 2001)—§§ 176, 210
- F.T.C. v. H. N. Singer, Inc., 668 F.2d 1107 (9th Cir. 1982)—§ 210
- F.T.C. v. Hospital Bd. of Directors of Lee County, 38 F.3d 1184 (11th Cir. 1994)—§ 33
- F.T.C. v. IAB Marketing Associates, LP, 746 F.3d 1228 (11th Cir. 2014)—§§ 36, 121
- F.T.C. v. Indiana Federation of Dentists, 476 U.S. 447, 106 S. Ct. 2009, 90 L. Ed. 2d 445 (1986)—§§ 40, 86, 121
- F.T.C. v. Jim Walter Corp., 651 F.2d 251 (5th Cir. 1981)—§ 209
- F.T.C. v. Lalonde, 545 Fed. Appx. 825 (11th Cir. 2013)—§§ 30, 175
- F. T. C. v. Lancaster Colony Corp., Inc., 434 F. Supp. 1088 (S.D. N.Y. 1977)—§ 102
- F.T.C. v. Libbey, Inc., 211 F. Supp. 2d 34 (D.D.C. 2002)—§§ 97, 210
- F.T.C. v. LoanPointe, LLC, 525 Fed. Appx. 696 (10th Cir. 2013)—§§ 30, 194
- F.T.C. v. Lukens Steel Co., 454 F. Supp. 1182 (D.D.C. 1978)—§ 210
- F.T.C. v. Lundbeck, Inc., 650 F.3d 1236 (8th Cir. 2011)—§ 54
- F.T.C. v. MacArthur, 532 F.2d 1135 (7th Cir. 1976)—§ 209
- F.T.C. v. Magazine Solutions, LLC, 432 Fed. Appx. 155 (3d Cir. 2011)—§ 121
- F.T.C. v. Manufacturers Hanover Consumer Services, Inc., 567 F. Supp. 992 (E.D. Pa. 1983)—§ 36
- F.T.C. v. Miller, 549 F.2d 452 (7th Cir. 1977)—§§ 207, 209
- F.T.C. v. Monahan, 832 F.2d 688 (1st Cir. 1987)—§§ 33, 209
- FTC v Morton Salt Co. (1948) 334 US 726, 89 L Ed 1320, 68 S Ct 822—§ 127
- F.T.C. v. National Tea Co., 603 F.2d 694 (8th Cir. 1979)—§§ 97, 99
- F.T.C. v. Neovi, Inc., 604 F.3d 1150, 70 A.L.R. Fed. 2d 699 (9th Cir. 2010)—§§ 121, 175
- F.T.C. v. Network Services Depot, Inc., 617 F.3d 1127 (9th Cir. 2010)—§ 121
- F.T.C. v. Peoples Credit First, LLC, 244 Fed. Appx. 942 (11th Cir. 2007)—§ 121
- F.T.C. v. PepsiCo, Inc., 477 F.2d 24 (2d Cir. 1973)—§ 176
- F.T.C. v. Phoebe Putney Health System, Inc., 13 Cal. Daily Op. Serv. 1873 (U.S. 2013)—§ 33
- F.T.C. v. Phoebe Putney Health System, Inc., 663 F.3d 1369 (11th Cir. 2011)—§ 33
- FTC v PPG Industries, Inc. (1986) 255 App DC 69, 798 F2d 1500—§§ 97, 102, 176
- F.T.C. v. Publishers Business Services, Inc., 540 Fed. Appx. 555 (9th Cir. 2013)—§ 194
- F.T.C. v. Publishing Clearing

FEDERAL CONTROL OF BUSINESS

- House, Inc., 104 F.3d 1168 (9th Cir. 1997)—§ 121
- F.T.C. v. QT, Inc., 512 F.3d 858 (7th Cir. 2008)—§ 121
- F.T.C. v. Rockefeller, 591 F.2d 182 (2d Cir. 1979)—§§ 207, 209
- F. T. C. v. Rockefeller, 441 F. Supp. 234 (S.D. N.Y. 1977)—§ 209
- F.T.C. v. Ross, 743 F.3d 886, 93 Fed. R. Evid. Serv. 1031 (4th Cir. 2014)—§§ 30, 175
- F.T.C. v. Simplicity Pattern Co., 360 U.S. 55, 79 S. Ct. 1005, 3 L. Ed. 2d 1079 (1959)—§ 138
- F.T.C. v. Southwest Sunsites, Inc., 665 F.2d 711 (5th Cir. 1982)—§§ 176, 210
- F.T.C. v. Sperry & Hutchinson Co., 405 U.S. 233, 92 S. Ct. 898, 31 L. Ed. 2d 170 (1972)—§ 121
- F.T.C. v. Standard Oil Co. of California, 449 U.S. 232, 101 S. Ct. 488, 66 L. Ed. 2d 416 (1980)—§§ 121, 178
- F.T.C. v. Staples, Inc., 970 F. Supp. 1066 (D.D.C. 1997)—§ 210
- F.T.C. v. Stefanichik, 559 F.3d 924 (9th Cir. 2009)—§ 121
- F.T.C. v. Strano, 528 Fed. Appx. 47 (2d Cir. 2013)—§ 175
- F.T.C. v. Superior Court Trial Lawyers Ass'n, 493 U.S. 411, 110 S. Ct. 768, 107 L. Ed. 2d 851 (1990)—§§ 40, 53, 56, 86
- F.T.C. v. Swanson, 560 F.2d 1 (1st Cir. 1977)—§ 209
- F.T.C. v. Tarriff, 584 F.3d 1088 (D.C. Cir. 2009)—§ 207
- F.T.C. v. Texaco, Inc., 555 F.2d 862 (D.C. Cir. 1977)—§ 209
- F.T.C. v. Trudeau, 662 F.3d 947 (7th Cir. 2011)—§ 210
- F.T.C. v. Trudeau, 579 F.3d 754 (7th Cir. 2009)—§ 121
- F.T.C. v. University Health, Inc., 938 F.2d 1206 (11th Cir. 1991)—§§ 95, 121, 176, 206
- F.T.C. v. USA Financial, LLC, 415 Fed. Appx. 970 (11th Cir. 2011)—§§ 121, 175, 176
- F.T.C. v. Verity Intern., Ltd., 443 F.3d 48 (2d Cir. 2006)—§§ 121, 206
- F.T.C. v. Warner Communications Inc., 742 F.2d 1156, 17 Fed. R. Evid. Serv. 1203, 39 Fed. R. Serv. 2d 1335 (9th Cir. 1984)—§§ 105, 176
- F.T.C. v. Washington Data Resources, Inc., 704 F.3d 1323 (11th Cir. 2013)—§ 194
- F.T.C. v. Watson Pharmaceuticals, Inc., 677 F.3d 1298 (11th Cir. 2012)—§ 156
- F.T.C. v. Watson Pharmaceuticals, Inc., 568 U.S. 1066, 133 S. Ct. 787, 184 L. Ed. 2d 527 (2012)—§ 156
- F.T.C. v. Wells, 385 Fed. Appx. 712 (9th Cir. 2010)—§§ 121, 175, 194
- F.T.C. v. Weyerhaeuser Co., 665 F.2d 1072 (D.C. Cir. 1981)—§ 176
- F.T.C. v. Weyerhaeuser Co., 648 F.2d 739 (D.C. Cir. 1981)—§ 176
- F.T.C. v. Whole Foods Market, Inc., 548 F.3d 1028 (D.C. Cir. 2008)—§§ 54, 54A, 164, 176, 184
- F.T.C. v. World Media Brokers, 415 F.3d 758 (7th Cir. 2005)—§ 121
- F.T.C. v. World Travel Vacation Brokers, Inc., 861 F.2d 1020, 12 Fed. R. Serv. 3d 1034 (7th Cir. 1988)—§§ 121, 176, 210

TABLE OF CASES

- FTC Corporate Patterns Report Litigation, In re, 432 F. Supp. 291 (D.D.C. 1977)—§ 207
- FTC Line of Business Report Litigation, Appeal of, 595 F.2d 685 (D.C. Cir. 1978)—§ 207
- Fuchs v. Rural Elec. Convenience Co-op. Inc., 858 F.2d 1210 (7th Cir. 1988)—§ 33
- Fuchs Sugars & Syrups, Inc. v. Amstar Corp., 602 F.2d 1025 (2d Cir. 1979)—§ 85
- Fuchs Sugars & Syrups, Inc. v. Amstar Corp., 447 F. Supp. 867 (S.D. N.Y. 1978)—§§ 85, 137, 196
- Fuentes v. South Hills Cardiology, 946 F.2d 196 (3d Cir. 1991)—§ 86
- Full Draw Productions v. Easton Sports, Inc., 182 F.3d 745 (10th Cir. 1999)—§§ 86, 187
- Fulton v. Hecht, 580 F.2d 1243 (5th Cir. 1978)—§§ 1, 51, 85
- Funeral Consumers Alliance, Inc. v. Service Corp. Intern., 695 F.3d 330, 83 Fed. R. Serv. 3d 890 (5th Cir. 2012)—§§ 175, 200
- Fusco v. Xerox Corp., 676 F.2d 332 (8th Cir. 1982)—§ 128
- G**
- Ga., State of v. Evans, 316 U.S. 159, 62 S. Ct. 972, 86 L. Ed. 1346 (1942)—§ 190
- GAF Corp. v. Circle Floor Co., 463 F.2d 752 (2d Cir. 1972)—§ 190
- GAF Corp. v. Circle Floor Co., Inc., 413 U.S. 901, 93 S. Ct. 3058, 37 L. Ed. 2d 1045 (1973)—§ 187
- Gaines v. Carrollton Tobacco Bd. of Trade, Inc., 386 F.2d 757 (6th Cir. 1967)—§ 188
- Gainesville, City of v. Florida Power & Light Co., 488 F. Supp. 1258 (S.D. Fla. 1980)—§ 129
- Gainesville Utilities Dept. v. Florida Power & Light Co., 573 F.2d 292 (5th Cir. 1978)—§§ 44, 68
- Gal-Or v. United States, 113 Fed. Cl. 540 (2013)—§ 22
- Gallagher Benefit Services, Inc. v. De La Torre, 283 Fed. Appx. 543 (9th Cir. 2008)—§§ 21, 22
- Gambrel v. Kentucky Bd. of Dentistry, 689 F.2d 612 (6th Cir. 1982)—§ 33
- Gamm v. Sanderson Farms, Inc., 944 F.3d 455 (2d Cir. 2019)—§ 68
- G & G Fremont, LLC v. City of Las Vegas, 202 F. Supp. 3d 1175 (D. Nev. 2016)—§ 33
- Garber v. Office of the Com'r of Baseball, 120 F. Supp. 3d 334 (S.D. N.Y. 2014)—§ 179
- Garcia v. BP Products North America, Inc., 341 Fed. Appx. 217 (7th Cir. 2009)—§ 37
- Garment Dist., Inc. v. Belk Stores Services, Inc., 799 F.2d 905 (4th Cir. 1986)—§§ 85, 89
- Garrison v. Oracle Corporation, 159 F. Supp. 3d 1044 (N.D. Cal. 2016)—§ 177
- Garshman v. Universal Resources Holding Inc., 824 F.2d 223 (3d Cir. 1987)—§§ 41, 46
- Gastineau v. Wright, 592 F.3d 747 (7th Cir. 2010)—§ 37
- Gas Utilities Co. of Alabama, Inc. v. Southern Natural Gas Co., 996 F.2d 282 (11th Cir. 1993)—§ 187

- Gatt Communications, Inc. v. PMC Associates, L.L.C., 711 F.3d 68 (2d Cir. 2013)—§§ 40, 45A, 186
- Gay Toys, Inc. v. Buddy L Corp., 703 F.2d 970 (6th Cir. 1983)—§ 162
- Gburek v. Litton Loan Servicing LP, 614 F.3d 380 (7th Cir. 2010)—§ 37
- GEICO Corporation v. Autoliv, Inc., 345 F. Supp. 3d 799 (E.D. Mich. 2018)—§ 187
- Gemco Latinoamerica, Inc. v. Seiko Time Corp., 685 F. Supp. 400 (S.D. N.Y. 1988)—§ 119
- Gemini Supply Corp. v. Zeitlin, 590 F. Supp. 153 (E.D. N.Y. 1984)—§ 135
- General Beverage Sales Co. v. East-Side Winery, 568 F.2d 1147 (7th Cir. 1978)—§ 87
- General Business Systems v. North American Philips Corp., 699 F.2d 965 (9th Cir. 1983)—§§ 40, 83
- General Chemicals, Inc. v. Exxon Chemical Co., USA, 625 F.2d 1231 (5th Cir. 1980)—§§ 85, 130
- General Cigar Holdings, Inc. v. Altadis, S.A., 205 F. Supp. 2d 1335 (S.D. Fla. 2002)—§ 84
- General Cinema Corp. v. Buena Vista Distribution Co., Inc., 681 F.2d 594 (9th Cir. 1982)—§ 42
- General Elec. Co. v. Latin American Imports, S.A., d/b/a LATAM, 2002 WL 1603093 (W.D. Ky. 2002)—§ 196
- General Elec. Co. v. U. S., 228 Ct. Cl. 192, 654 F.2d 55 (1981)—§ 143
- General Finance Corp. v. F.T.C., 700 F.2d 366 (7th Cir. 1983)—§ 207
- General Leaseways, Inc. v. National Truck Leasing Ass'n, 744 F.2d 588 (7th Cir. 1984)—§§ 64, 87
- General United Co. v. American Honda Motor Co., Inc., 618 F. Supp. 1452 (W.D. N.C. 1985)—§ 127
- Generic Pharmaceuticals Pricing Antitrust Litigation, In re, 338 F. Supp. 3d 404 (E.D. Pa. 2018)—§ 64
- Genetic Technologies Limited v. Agilent Technologies, Inc., 24 F. Supp. 3d 922 (N.D. Cal. 2014)—§ 143
- Geneva Pharmaceuticals Technology Corp. v. Barr Laboratories Inc., 386 F.3d 485 (2d Cir. 2004)—§§ 54, 54A, 106
- Geneva Pharmaceuticals Technology Corp. v. Barr Laboratories, Inc., 2002-2 Trade Cas. (CCH) ¶ 73832, 2002 WL 31159048 (S.D. N.Y. 2002)—§ 179
- Geneva Pharmaceuticals Technology Corp. v. Barr Laboratories, Inc., 201 F. Supp. 2d 236 (S.D. N.Y. 2002)—§§ 51, 100, 119
- Genex Corp. v. G.D. Searle & Co., 666 F. Supp. 755 (D. Md. 1987)—§ 156
- Gentry v. Harborage Cottages-Stuart, LLLP, 654 F.3d 1247 (11th Cir. 2011)—§ 37
- George C. Frey Ready-Mixed Concrete, Inc. v. Pine Hill Concrete Mix Corp., 554 F.2d 551, 23 Fed. R. Serv. 2d 711 (2d Cir. 1977)—§ 181
- George Haug Co., Inc. v. Rolls

TABLE OF CASES

- Royce Motor Cars Inc., 148 F.3d 136 (2d Cir. 1998)—§§ 127, 129, 131, 138
- George Lussier Enterprises, Inc. v. Subaru of New England, Inc., 286 F. Supp. 2d 86, 2003 DNH 160 (D.N.H. 2003)—§ 84
- George R. Whitten, Jr., Inc. v. Pad-dock Pool Builders, Inc., 508 F.2d 547 (1st Cir. 1974)—§§ 40, 52, 54, 117
- George R. Whitten, Jr., Inc. v Pad-dock Pool Builders, Inc., cited in the parent volume p. 79, n. 48, was affirmed at (1974, CA1 Mass) 508 F.2d 547, cert den (US) 44 L Ed 2d 673, 95 S Ct 2407—§ 33
- Ger-Ro-Mar, Inc. v. F. T. C., 518 F.2d 33 (2d Cir. 1975)—§§ 30, 211
- Gerlinger v. Amazon.Com, Inc., 311 F. Supp. 2d 838 (N.D. Cal. 2004)—§§ 42, 100, 105A
- Gerlinger v. Amazon.com Inc., Borders Group, Inc., 526 F.3d 1253 (9th Cir. 2008)—§ 187
- GF Gaming Corp. v. City of Black Hawk, Colo., 405 F.3d 876 (10th Cir. 2005)—§§ 33, 37, 37A
- Gianetti v. Blue Cross & Blue Shield of CT., Inc., 351 Fed. Appx. 520 (2d Cir. 2009)—§ 17
- Gibson v. F. T. C., 682 F.2d 554 (5th Cir. 1982)—§§ 86, 126, 137
- Gibson v. Greater Park City Co., 818 F.2d 722, 8 Fed. R. Serv. 3d 369 (10th Cir. 1987)—§ 181
- Gifford-Hill & Co. v Federal Trade Com. (1975) 173 App DC 135, 523 F.2d 730—§§ 176, 213
- Gilbuilt Homes, Inc. v. Continental Homes of New England, a Di- vision of Wylain, Inc., 667 F.2d 209 (1st Cir. 1981)—§ 85
- Gilchrist v. State Farm Mut. Auto. Ins. Co., 390 F.3d 1327 (11th Cir. 2004)—§ 36
- Gillette Co. v. S.C. Johnson & Son, Inc., 919 F.2d 720 (Fed. Cir. 1990)—§ 143
- Gilliam v. American Broadcasting Companies, Inc., 538 F.2d 14 (2d Cir. 1976)—§ 162
- Gilliam v. National Com'n for Cer-tification of Physician Assis-tants, Inc., 727 F. Supp. 1512 (E.D. Pa. 1989)—§ 187
- Ginsburg v. InBev NV/SA, 623 F.3d 1229 (8th Cir. 2010)—§ 184
- Giuffrida, In re, 527 Fed. Appx. 981 (Fed. Cir. 2013)—§ 144
- G.K.A. Beverage Corp. v. Honick-man, 55 F.3d 762 (2d Cir. 1995)—§ 187
- Glaverbel Societe Anonyme v. Northlake Marketing & Sup- ply, Inc., 45 F.3d 1550 (Fed. Cir. 1995)—§ 33
- GlaxoSmithKline Consumer Healthcare, L.P. v. Merix Pharmaceutical Corp., 197 Fed. Appx. 120 (3d Cir. 2006)—§ 37
- GlaxoSmithKline LLC v. Banner Pharmacaps, Inc., 744 F.3d 725 (Fed. Cir. 2014)—§ 144
- Glen Eden Hosp., Inc. v. Blue Cross and Blue Shield of Mich- igan, Inc., 740 F.2d 423 (6th Cir. 1984)—§ 67
- Glen Holly Entertainment, Inc. v. Tektronix, Inc., 352 F.3d 367 (9th Cir. 2003)—§ 187
- Global Naps, Inc. v. Bell Atlantic-

- New Jersey, Inc., 287 F. Supp. 2d 532 (D.N.J. 2003)—§ 33
- Global Protein Products, Inc. v. Le, 42 Cal. App. 5th 352, 255 Cal. Rptr. 3d 310 (6th Dist. 2019)—§ 22
- Glowacki v. Borden, Inc., 420 F. Supp. 348 (N.D. Ill. 1976)—§§ 126, 127, 138
- Glumetza Antitrust Litigation, In re, 2020-1 Trade Cas. (CCH) ¶ 81122, 2020 WL 1066934 (N.D. Cal. 2020)—§ 177
- Go-Video, Inc. v. Akai Elec. Co., Ltd., 885 F.2d 1406 (9th Cir. 1989)—§§ 167, 171
- Godfrey v. Pulitzer Pub. Co., 276 F.3d 405 (8th Cir. 2002)—§ 131
- Golan v. Pingel Enterprise, Inc., 310 F.3d 1360 (Fed. Cir. 2002)—§§ 156, 168
- Gold Cross Ambulance and Transfer v. City of Kansas City, 705 F.2d 1005 (8th Cir. 1983)—§ 33
- Golden v. Kentile Floors, Inc., 512 F.2d 838 (5th Cir. 1975)—§ 39
- Golden v. Kentile Floors, Inc., 475 F.2d 288 (5th Cir. 1973)—§§ 41, 67
- Golden Bridge Technology, Inc. v. Motorola, Inc., 547 F.3d 266 (5th Cir. 2008)—§§ 28, 40, 41, 67, 68, 70
- Golden Gate Acceptance Corp. v. General Motors Corp., 597 F.2d 676, 50 A.L.R. Fed. 236 (9th Cir. 1979)—§ 85
- Golden Grain Macaroni Co. v. F. T. C., 472 F.2d 882 (9th Cir. 1972)—§§ 109, 164, 213
- Golden State Transit Corp. v. City of Los Angeles, 726 F.2d 1430 (9th Cir. 1984)—§ 33
- Goldfarb v. Virginia State Bar, 421 U.S. 773, 95 S. Ct. 2004, 44 L. Ed. 2d 572 (1975)—§§ 32, 33, 43
- Gold Medal LLC v. USA Track & Field, 899 F.3d 712 (9th Cir. 2018)—§ 37A
- Gold Medal LLC v. USA Track & Field, 187 F. Supp. 3d 1219 (D. Or. 2016)—§ 37A
- Goldstein v. California, 412 U.S. 546, 93 S. Ct. 2303, 37 L. Ed. 2d 163 (1973)—§§ 18, 162, 163A
- Goldwasser v. Ameritech Corp., 222 F.3d 390 (7th Cir. 2000)—§§ 33, 33A, 37
- Golf City, Inc. v. Wilson Sporting Goods, Co., Inc., 555 F.2d 426, 23 Fed. R. Serv. 2d 1176 (5th Cir. 1977)—§ 188
- Gonzales v. Arrow Financial Services, LLC, 660 F.3d 1055 (9th Cir. 2011)—§ 37
- Gonzalez-Maldonado v. MMM Healthcare, Inc., 693 F.3d 244 (1st Cir. 2012)—§§ 85, 119
- Gonzalez v. Kay, 577 F.3d 600 (5th Cir. 2009)—§ 37
- Gonzalez v. St. Margaret's House Housing Development Fund Corp., 880 F.2d 1514 (2d Cir. 1989)—§ 84
- Good v. Altria Group, Inc., 501 F.3d 29 (1st Cir. 2007)—§ 37
- Goodman v. Lee, 815 F.2d 1030 (5th Cir. 1987)—§ 162
- Goodman, Application of, 476 F.2d 1365 (C.C.P.A. 1973)—§ 143
- Gordon v. Lewistown Hosp., 423 F.3d 184 (3d Cir. 2005)—§§ 28, 40A, 41, 47, 52, 55, 84
- Gordon v. Lewistown Hosp., 272 F. Supp. 2d 393 (M.D. Pa. 2003)—§§ 52, 55, 84, 196

TABLE OF CASES

- Gordon v. New York Stock Exchange, Inc., 422 U.S. 659, 95 S. Ct. 2598, 45 L. Ed. 2d 463 (1975)—§ 27
- Gordon v. Virtumundo, Inc., 575 F.3d 1040 (9th Cir. 2009)—§ 27
- Gorlick Distribution Centers, LLC v. Car Sound Exhaust System, Inc., 723 F.3d 1019 (9th Cir. 2013)—§§ 27, 28, 40, 44, 124, 125, 128
- Goss v. Memorial Hosp. System, 789 F.2d 353 (5th Cir. 1986)—§ 86
- Gottschalk v. Benson, 409 U.S. 63, 93 S. Ct. 253, 34 L. Ed. 2d 273 (1972)—§ 143
- Gough v. Rossmoor Corp., 585 F.2d 381 (9th Cir. 1978)—§§ 40, 52, 86
- Gough v. Rossmoor Corp., 487 F.2d 373 (9th Cir. 1973)—§ 32
- Gould v. Control Laser Corp., 462 F. Supp. 685, 26 Fed. R. Serv. 2d 916 (M.D. Fla. 1978)—§ 86
- Grace v. E. J. Kozin Co., 538 F.2d 170 (7th Cir. 1976)—§§ 24, 137
- Gracen v. Bradford Exchange, 698 F.2d 300 (7th Cir. 1983)—§ 162
- Granddad Bread, Inc. v. Continental Baking Co., 612 F.2d 1105 (9th Cir. 1979)—§ 34
- Grand Jury Investigation of Cuisinarts, Inc., In re, 665 F.2d 24 (2d Cir. 1981)—§§ 164, 187A
- Grand Jury Proceedings, Miscellaneous No. 1331, In re, 712 F.2d 973 (5th Cir. 1983)—§§ 164, 205
- Grand Light & Supply Co., Inc. v. Honeywell, Inc., 771 F.2d 672, 41 U.C.C. Rep. Serv. 1610 (2d Cir. 1985)—§ 47
- Grand River Enterprises Six Nations, Ltd. v. Beebe, 574 F.3d 929 (8th Cir. 2009)—§§ 27, 33
- Grand River Enterprises Six Nations, Ltd. v. Pryor, 2003 WL 22232974 (S.D. N.Y. 2003)—§ 33
- Graphicana Corp. v. Baia Corp., 472 F.2d 1202 (6th Cir. 1973)—§ 160
- Graphic Products Distributors, Inc. v. ITEK Corp., 717 F.2d 1560 (11th Cir. 1983)—§ 87
- Gray v. Shell Oil Co., 469 F.2d 742 (9th Cir. 1972)—§§ 43, 68, 89, 122
- Grden v. Leikin, Ingber & Winters, P.C., 2010 WL 199947 (E.D. Mich. 2010)—§ 37
- Great Atlantic & Pacific Tea Co., Inc. v. F.T.C., 440 U.S. 69, 99 S. Ct. 925, 59 L. Ed. 2d 153 (1979)—§§ 126, 139
- Great Atlantic & Pacific Tea Co., Inc. v. F. T. C., 557 F.2d 971 (2d Cir. 1977)—§§ 126, 139
- Greater Rockford Energy and Technology Corp. v. Shell Oil Co., 998 F.2d 391 (7th Cir. 1993)—§§ 175, 190
- Great Escape, Inc. v. Union City Body Co., Inc., 791 F.2d 532 (7th Cir. 1986)—§§ 3, 84, 98
- Great Western Directories, Inc. v. Southwestern Bell Telephone Co., 74 F.3d 613 (5th Cir. 1996)—§ 199
- Great Western Directories, Inc. v. Southwestern Bell Telephone Co., 63 F.3d 1378 (5th Cir. 1995)—§§ 49, 51, 52, 193
- Green v. Associated Milk Produc-

- ers, Inc., 692 F.2d 1153 (8th Cir. 1982)—§§ 35, 117
- Green v. Peoples Energy Corp., 2003-1 Trade Cas. (CCH) ¶ 73999, 2003 WL 1712566 (N.D. Ill. 2003)—§ 33A
- Green v. State Bar of Texas, 27 F.3d 1083 (5th Cir. 1994)—§ 195
- Greenberger v. GEICO General Ins. Co., 631 F.3d 392 (7th Cir. 2011)—§ 17
- Greene v. General Foods Corp., 517 F.2d 635 (5th Cir. 1975)—§§ 42, 89, 192, 202
- Greenhaw v. Lubbock County Beverage Ass'n, 721 F.2d 1019, 38 Fed. R. Serv. 2d 115 (5th Cir. 1983)—§§ 174, 200
- Greensboro Lumber Co. v. Georgia Power Co., 844 F.2d 1538 (11th Cir. 1988)—§ 37
- Green Solutions Recycling, LLC v. Reno Disposal Company, Inc., 814 Fed. Appx. 218 (9th Cir. 2020)—§ 33
- Green Solutions Recycling, LLC v. Reno Disposal Company, Inc., 359 F. Supp. 3d 960 (D. Nev. 2019)—§§ 33, 167
- Greenville Pub. Co., Inc. v. Daily Reflector, Inc., 496 F.2d 391 (4th Cir. 1974)—§§ 32, 52
- Greenwood Utilities Com'n v. Mississippi Power Co., 751 F.2d 1484, 17 Fed. R. Evid. Serv. 790 (5th Cir. 1985)—§ 33
- Gregory v. Fort Bridger Rendezvous Ass'n, 448 F.3d 1195 (10th Cir. 2006)—§§ 28, 35, 37A, 40, 41, 41A, 46, 67, 86
- Gregory Marketing Corp. v. Wakefern Food Corp., 787 F.2d 92 (3d Cir. 1986)—§§ 131, 187
- Grendel's Den, Inc. v. Goodwin, 662 F.2d 88 (1st Cir. 1981)—§ 33
- Greyhound Computer Corp., Inc. v. International Business Machines Corp., 559 F.2d 488 (9th Cir. 1977)—§§ 51, 52, 54
- Greyhound Corp. v. Mt. Hood Stages, Inc., 437 U.S. 322, 98 S. Ct. 2370, 57 L. Ed. 2d 239 (1978)—§ 178
- Greyhound Rent-A-Car, Inc. v. City of Pensacola, 676 F.2d 1380 (11th Cir. 1982)—§ 41
- Griffith v. Health Care Authority of City of Huntsville, 705 F. Supp. 1489 (N.D. Ala. 1989)—§§ 33, 37
- Grip-Pak, Inc. v. Illinois Tool Works, Inc., 651 F. Supp. 1482 (N.D. Ill. 1986)—§ 158
- Grip-Pak, Inc. v. Illinois Tool Works, Inc., 694 F.2d 466 (7th Cir. 1982)—§ 33
- Grolier Inc. v. F.T.C., 699 F.2d 983 (9th Cir. 1983)—§§ 206, 212
- Grolier Inc. v. F.T.C., 615 F.2d 1215, 53 A.L.R. Fed. 711 (9th Cir. 1980)—§ 213
- Gross v. University of Tennessee, 448 F. Supp. 245 (W.D. Tenn. 1978)—§ 41
- Gross v. Wright, 185 F. Supp. 3d 39 (D.D.C. 2016)—§ 48
- Groton, City of v. Connecticut Light & Power Co., 662 F.2d 921 (2d Cir. 1981)—§ 33
- Groton, City of v. Connecticut Light & Power Co., 497 F. Supp. 1040 (D. Conn. 1980)—§ 129

TABLE OF CASES

- Group Asso. Plans, Inc. v Colquhoun (1972) 151 App DC 298, 466 F.2d 469—§ 23
- Groupe SEB USA, Inc. v. Euro-Pro Operating LLC, 774 F.3d 192 (3d Cir. 2014)—§ 25
- Group Life & Health Ins. Co. v. Royal Drug Co., 440 U.S. 205, 99 S. Ct. 1067, 59 L. Ed. 2d 261 (1979)—§ 36
- Grueninger Intern. Travel, Inc. v. Air Transport Ass’n of America, 551 F.2d 1324 (D.C. Cir. 1977)—§§ 37, 169
- Grumman Corp. v. LTV Corp., 665 F.2d 10 (2d Cir. 1981)—§§ 97, 102
- Grunin v. International House of Pancakes, 513 F.2d 114, 19 Fed. R. Serv. 2d 1245 (8th Cir. 1975)—§§ 84, 174, 200
- Grynberg v. ENI S.P.A., 503 Fed. Appx. 42 (2d Cir. 2012)—§ 22
- GSE Bonds Antitrust Litigation, In re, 396 F. Supp. 3d 354 (S.D. N.Y. 2019)—§ 178
- GTE New Media Services Inc. v. BellSouth Corp., 199 F.3d 1343 (D.C. Cir. 2000)—§ 171
- GTE Service Corp. v. FCC (1986) 251 App DC 181, 782 F.2d 263—§ 200
- GTE Service Corp. v. F.C.C., 474 F.2d 724 (2d Cir. 1973)—§§ 27, 164
- Gulf & Western Industries, Inc. v. Great Atlantic & Pac. Tea Co., Inc., 476 F.2d 687 (2d Cir. 1973)—§ 175
- Gulf Coast Hotel-Motel Ass’n v. Mississippi Gulf Coast Golf Course Ass’n, 658 F.3d 500 (5th Cir. 2011)—§§ 28, 167
- Gulf Oil Corp. v. Copp Paving Co., Inc., 419 U.S. 186, 95 S. Ct. 392, 42 L. Ed. 2d 378 (1974)—§§ 32, 83, 92, 126
- Gulf States Reorganization Group, Inc. v. Nucor Corp., 721 F.3d 1281 (11th Cir. 2013)—§§ 52, 54
- Gulf States Reorganization Group, Inc. v. Nucor Corp., 466 F.3d 961 (11th Cir. 2006)—§§ 92, 101, 187, 196
- Gulf States Utilities Co. v. Federal Power Commission, 411 U.S. 747, 93 S. Ct. 1870, 36 L. Ed. 2d 635 (1973)—§ 27
- Gulfstream III Associates, Inc. v. Gulfstream Aerospace Corp., 995 F.2d 425 (3d Cir. 1993)—§§ 187, 200
- Gulfstream Park Racing Ass’n, Inc. v. Tampa Bay Downs, Inc., 479 F.3d 1310 (11th Cir. 2007)—§ 54
- Gulfstream Park Racing Ass’n, Inc. v. Tampa Bay Downs, Inc., 294 F. Supp. 2d 1291 (M.D. Fla. 2003)—§ 54
- Gunter Harz Sports, Inc. v. U. S. Tennis Ass’n, Inc., 665 F.2d 222 (8th Cir. 1981)—§§ 32, 40
- Gutor Intern. AG v. Raymond Packer Co., Inc., 493 F.2d 938, 18 Fed. R. Serv. 2d 689, 14 U.C.C. Rep. Serv. 567 (1st Cir. 1974)—§ 164
- Guzik v. State Bar of Texas, 659 F.2d 528 (5th Cir. 1981)—§§ 43, 187

**H**

- H. A. Artists & Associates, Inc. v. Actors’ Equity Ass’n, 451 U.S. 704, 101 S. Ct. 2102, 68 L. Ed. 2d 558 (1981)—§ 34

- H. A. Artists & Associates, Inc. v. Actors Equity Ass'n, 622 F.2d 647 (2d Cir. 1980)—§ 34
- Haddad v. Crosby Corp., 533 F.2d 1247 (D.C. Cir. 1976)—§ 27
- Haden Co., Inc. v. Johns-Manville Sales Corp., 459 F. Supp. 1250 (N.D. Tex. 1978)—§ 131
- Hahn v. Oregon Physicians' Service, 860 F.2d 1501 (9th Cir. 1988)—§ 36
- Hahn v. Oregon Physicians Service, 689 F.2d 840 (9th Cir. 1982)—§ 36
- Hairston v. Pacific 10 Conference, 101 F.3d 1315, 114 Ed. Law Rep. 771 (9th Cir. 1996)—§§ 40, 41
- Hall v. Bed Bath & Beyond, Inc., 705 F.3d 1357 (Fed. Cir. 2013)—§ 25
- Hall v. United Air Lines, Inc., 296 F. Supp. 2d 652 (E.D. N.C. 2003)—§§ 64, 70
- Hallie, Town of v. City of Eau Claire, 471 U.S. 34, 105 S. Ct. 1713, 85 L. Ed. 2d 24 (1985)—§ 33
- Hallie, Town of v. City of Eau Claire, 700 F.2d 376 (7th Cir. 1983)—§ 33
- Hamilton Chapter of Alpha Delta Phi, Inc. v. Hamilton College, 128 F.3d 59, 121 Ed. Law Rep. 956 (2d Cir. 1997)—§ 167
- Hammes v. AAMCO Transmissions, Inc., 33 F.3d 774 (7th Cir. 1994)—§ 167
- Hampton v. Graff Vending Co., 516 F.2d 100 (5th Cir. 1975)—§§ 126, 131, 136
- Hampton v. Graff Vending Co., 478 F.2d 527 (5th Cir. 1973)—§§ 131, 136
- Hamro v. Shell Oil Co., 674 F.2d 784 (9th Cir. 1982)—§ 83
- Hancock Paper Co. v. Champion Intern. Corp., 424 F. Supp. 285, 21 U.C.C. Rep. Serv. 132 (E.D. Pa. 1976)—§ 135
- Hand v. Central Transport, Inc., 779 F.2d 8 (6th Cir. 1985)—§§ 84, 181
- H&C Animal Health, LLC v. Ceva Animal Health, LLC, 499 F. Supp. 3d 920 (D. Kan. 2020)—§§ 85, 125, 127, 131
- Handgards, Inc. v. Ethicon, Inc., 743 F.2d 1282 (9th Cir. 1984)—§ 156
- Handgards, Inc. v. Ethicon, Inc., 601 F.2d 986, 62 A.L.R. Fed. 183 (9th Cir. 1979)—§ 156
- Hanover Shoe, Inc. v. United Shoe Machinery Corp., 392 U.S. 481, 88 S. Ct. 2224, 20 L. Ed. 2d 1231 (1968)—§§ 187, 201
- Hanover 3201 Realty, LLC v. Village Supermarkets, Inc., 806 F.3d 162 (3d Cir. 2015)—§§ 37A, 187
- Hanson v. Pittsburgh Plate Glass Industries, Inc., 482 F.2d 220 (5th Cir. 1973)—§§ 131, 132, 136
- Harbor Banana Distributors, Inc. v. F.T.C., 499 F.2d 395 (5th Cir. 1974)—§ 139
- Harbour v. Farquhar, 245 Fed. Appx. 582 (9th Cir. 2007)—§ 37
- Hardin v. Houston Chronicle Pub. Co., 572 F.2d 1106 (5th Cir. 1978)—§ 176
- Harding v. American Stock Exchange, Inc., 527 F.2d 1366 (5th Cir. 1976)—§ 27

TABLE OF CASES

- Hardwick v. Nu-Way Oil Co., 443 F. Supp. 940 (S.D. Tex. 1978)—§ 82
- Hardwick v. Nu-Way Oil Co., Inc., 589 F.2d 806 (5th Cir. 1979)—§ 82
- Hardy v. City Optical Inc., 39 F.3d 765, 30 Fed. R. Serv. 3d 1059 (7th Cir. 1994)—§ 33
- Harkins Amusement Enterprises, Inc. v. General Cinema Corp., 850 F.2d 477, 12 Fed. R. Serv. 3d 486 (9th Cir. 1988)—§§ 42, 85
- Harold Friedman, Inc. v. Kroger Co., 581 F.2d 1068 (3d Cir. 1978)—§§ 41, 52
- Harold Friedman Inc. v. Thorofare Markets Inc., 587 F.2d 127 (3d Cir. 1978)—§§ 32, 40, 87, 177
- Harold H. Huggins Realty, Inc. v. FNC, Inc., 634 F.3d 787 (5th Cir. 2011)—§ 187
- Harper v. Colorado State Bd. of Land Comm'rs, 248 Fed. Appx. 4 (10th Cir. 2007)—§ 28
- Harper & Row Publishers, Inc. v. Nation Enterprises, 471 U.S. 539, 105 S. Ct. 2218, 85 L. Ed. 2d 588 (1985)—§ 162
- Harper & Row Publishers, Inc. v. Nation Enterprises, 723 F.2d 195 (2d Cir. 1983)—§ 162
- Harper Plastics, Inc. v. Amoco Chemicals Corp., 617 F.2d 468, 28 U.C.C. Rep. Serv. 985 (7th Cir. 1980)—§ 138
- Harrington Mfg. Co., Inc. v. White, 475 F.2d 788 (5th Cir. 1973)—§§ 142, 143
- Harris v. Emus Records Corp., 734 F.2d 1329 (9th Cir. 1984)—§ 162
- Harrison Aire, Inc. v. Aerostar Intern., Inc., 423 F.3d 374 (3d Cir. 2005)—§§ 47, 51, 54, 84
- Harry v. Total Gas & Power North America, Inc., 244 F. Supp. 3d 402 (S.D. N.Y. 2017)—§ 187
- Harry and Bryant Co. v. F.T.C., 726 F.2d 993 (4th Cir. 1984)—§ 206
- Hart-Carter Co. v. J.P. Burroughs & Son, Inc., 654 F. Supp. 23 (E.D. Mich. 1986)—§ 158
- Hart-Carter Co. v. J.P. Burroughs & Son, Inc., 605 F. Supp. 1327 (E.D. Mich. 1985)—§§ 156, 200
- Hartford Fire Ins. Co. v. California, 509 U.S. 764, 113 S. Ct. 2891, 125 L. Ed. 2d 612 (1993)—§§ 32A, 36
- Hartig Drug Company Inc. v. Senju Pharmaceutical Co. Ltd., 836 F.3d 261 (3d Cir. 2016)—§ 187
- Hartman v. Great Seneca Financial Corp., 569 F.3d 606 (6th Cir. 2009)—§ 37
- Harvey v. Fearless Farris Wholesale, Inc., 589 F.2d 451, 25 U.C.C. Rep. Serv. 993 (9th Cir. 1979)—§ 119
- Harwell v. Growth Program, Inc., 459 F.2d 461 (5th Cir. 1972)—§ 27
- Hasbrouck v. Texaco, Inc., 879 F.2d 632 (9th Cir. 1989)—§ 200
- Hasbrouck v. Texaco, Inc., 830 F.2d 1513 (9th Cir. 1987)—§ 127
- Hass v. Oregon State Bar, 883 F.2d 1453 (9th Cir. 1989)—§ 33
- Hatley v. American Quarter Horse Ass'n, 552 F.2d 646 (5th Cir. 1977)—§§ 46, 49, 86
- Havoco of America, Ltd. v. Shell

- Oil Co., 626 F.2d 549 (7th Cir. 1980)—§ 40
- Hawaiian Airlines, Inc., v. Aloha Airlines, Inc., 417 U.S. 913, 94 S. Ct. 2612, 41 L. Ed. 2d 217 (1974)—§ 169
- Hawaiian and Guamanian Cabotage Antitrust Litigation, In re, 450 Fed. Appx. 685 (9th Cir. 2011)—§ 33A
- Hawkeye Foodservice Distribution Inc. v. Martin Bros. Distributing Co., Inc., 854 F. Supp. 2d 646, 283 Ed. Law Rep. 334 (S.D. Iowa 2012)—§ 35
- Hawkins v. Holiday Inns, Inc., 634 F.2d 342 (6th Cir. 1980)—§ 85
- Hayden Pub. Co., Inc. v. Cox Broadcasting Corp., 730 F.2d 64 (2d Cir. 1984)—§ 181
- Hayes v. Solomon, 597 F.2d 958 (5th Cir. 1979)—§ 187
- Hays v. Sony Corp. of America, 847 F.2d 412, 11 Fed. R. Serv. 3d 15 (7th Cir. 1988)—§ 162
- HDC Medical, Inc. v. Minntech Corp., 474 F.3d 543 (8th Cir. 2007)—§§ 46, 47, 48, 52, 54, 55
- Healthamerica Pennsylvania, Inc. v. Susquehanna Health System, 278 F. Supp. 2d 423 (M.D. Pa. 2003)—§§ 115, 117, 187
- Health Care Equalization Committee of Iowa Chiropractic Soc. v. Iowa Medical Soc., 501 F. Supp. 970 (S.D. Iowa 1980)—§§ 33, 164, 170, 187
- Health Care Equalization Committee of the Iowa Chiropractic Soc. v. Iowa Medical Soc., 851 F.2d 1020, 11 Fed. R. Serv. 3d 647 (8th Cir. 1988)—§§ 33, 36
- Healy v. Beer Institute, Inc., 491 U.S. 324, 109 S. Ct. 2491, 105 L. Ed. 2d 275 (1989)—§§ 33, 37
- Heary Bros. Lightning Protection Co., Inc. v. Lightning Protection Institute, 287 F. Supp. 2d 1038 (D. Ariz. 2003)—§§ 33, 188
- Heater v. F.T.C., 503 F.2d 321 (9th Cir. 1974)—§§ 121, 212
- Heattransfer Corp. v. Volkswagenwerk, A. G., 553 F.2d 964 (5th Cir. 1977)—§§ 54, 84, 102
- Hecht v. Pro-Football, Inc., 570 F.2d 982, 2 Fed. R. Evid. Serv. 1218 (D.C. Cir. 1977)—§§ 33, 48, 55, 187
- Heerwagen v. Clear Channel Communications, 435 F.3d 219 (2d Cir. 2006)—§§ 48, 52, 54, 55
- Hefner v. Alexander, 779 F.2d 277 (5th Cir. 1985)—§ 33
- Heheman v. E. W. Scripps Co., 661 F.2d 1115 (6th Cir. 1981)—§ 2
- Heilman v. Bell, 583 F.2d 373 (7th Cir. 1978)—§ 162
- Heilman v. Bell, 434 F. Supp. 564 (E.D. Wis. 1977)—§ 162
- Helicopter Support Systems, Inc. v. Hughes Helicopter, Inc., 818 F.2d 1530 (11th Cir. 1987)—§ 85
- Helix Milling Co. v. Terminal Flour Mills Co., 523 F.2d 1317 (9th Cir. 1975)—§§ 41, 186
- Helsinn Healthcare S.A. v. Teva Pharmaceuticals USA, Inc., 139 S. Ct. 628, 202 L. Ed. 2d 551 (2019)—§ 156
- Henderson Broadcasting Corp. v. Houston Sports Ass'n, Inc., 659 F. Supp. 109 (S.D. Tex. 1987)—§ 54
- Henke Enterprises, Inc. v. Hy-Vee

TABLE OF CASES

- Food Stores, Inc., 749 F.2d 488 (8th Cir. 1984)—§ 187
- Hennegan v. Pacifico Creative Service, Inc., 674 F. Supp. 303 (D. Guam 1987)—§ 137
- Hennessey v. National Collegiate Athletic Ass’n, 564 F.2d 1136 (5th Cir. 1977)—§§ 2, 32, 33, 86
- Hennessy Industries Inc. v. FMC Corp., 779 F.2d 402 (7th Cir. 1985)—§ 40
- Henry v. Chloride, Inc., 809 F.2d 1334 (8th Cir. 1987)—§§ 54, 125, 131
- Herrejon v. Ocwen Loan Servicing, LLC, 980 F. Supp. 2d 1186 (E.D. Cal. 2013)—§ 41
- Herrlein v. Kanakis, 526 F.2d 252, 21 Fed. R. Serv. 2d 254 (7th Cir. 1975)—§ 175
- Hershman v. Unumprovident Corp., 660 F. Supp. 2d 527 (S.D. N.Y. 2009)—§ 17
- Hertz v. Luzenac Group, 576 F.3d 1103 (10th Cir. 2009)—§ 22
- Hertz Corp. v. City of New York, 1 F.3d 121 (2d Cir. 1993)—§ 33
- Hess v. Kanoski & Associates, 668 F.3d 446 (7th Cir. 2012)—§ 2
- Hester v. Graham, Bright & Smith, P.C., 289 Fed. Appx. 35 (5th Cir. 2008)—§ 37
- Hester v. Martindale-Hubbell, Inc., 659 F.2d 433 (4th Cir. 1981)—§§ 41, 85
- Hewlett-Packard Co. v. Bausch & Lomb, Inc., 882 F.2d 1556 (Fed. Cir. 1989)—§ 145
- Hewlett-Packard Company v. Quanta Storage, Incorporated, 961 F.3d 731, 112 Fed. R. Evid. Serv. 1054 (5th Cir. 2020)—§ 32A
- Hexcel Corp. v. Ineos Polymers, Inc., 681 F.3d 1055 (9th Cir. 2012)—§ 178
- Hiatt Grain & Feed, Inc. v. Bergland, 446 F. Supp. 457 (D. Kan. 1978)—§ 35
- Hicks v. PGA Tour, Inc., 897 F.3d 1109 (9th Cir. 2018)—§ 54
- High Fructose Corn Syrup Antitrust Litigation, In re, 295 F.3d 651, 58 Fed. R. Evid. Serv. 933 (7th Cir. 2002)—§ 181
- Highland Capital, Inc. v. Franklin Nat. Bank, 350 F.3d 558, 2003 FED App. 0417P (6th Cir. 2003)—§ 84
- Highmark, Inc. v. Allcare Health Management Systems, Inc., 687 F.3d 1300 (Fed. Cir. 2012)—§ 160
- High Technology Careers v. San Jose Mercury News, 996 F.2d 987 (9th Cir. 1993)—§ 51
- Hill v. A-T-O, Inc., 535 F.2d 1349 (2d Cir. 1976)—§ 84
- Hill & Range Songs, Inc. v. Fred Rose Music, Inc., 570 F.2d 554 (6th Cir. 1978)—§ 162
- Hill Dermaceuticals, Inc. v. Anthem, Inc., 228 F. Supp. 3d 1292 (M.D. Fla. 2017)—§ 41
- Hillman Flying Service, Inc. v. City of Roanoke, 652 F. Supp. 1142 (W.D. Va. 1987)—§ 188
- Hinkleman v. Shell Oil Co., 962 F.2d 372 (4th Cir. 1992)—§ 138
- Hip Hop Beverage Corporation v. Monster Energy Company, 733 Fed. Appx. 380 (9th Cir. 2018)—§ 45A
- hiQ Labs, Inc. v. LinkedIn Corpo-

- ration, 485 F. Supp. 3d 1137 (N.D. Cal. 2020)—§ 84
- Hirsh v. Martindale-Hubbell, Inc., 674 F.2d 1343 (9th Cir. 1982)—§ 84
- H.J., Inc. v. International Tel. & Tel. Corp., 867 F.2d 1531 (8th Cir. 1989)—§§ 47, 54
- H.J. Inc. v. Northwestern Bell Telephone Co., 954 F.2d 485 (8th Cir. 1992)—§ 33A
- H.L. Hayden Co. of New York, Inc. v. Siemens Medical Systems, Inc., 879 F.2d 1005 (2d Cir. 1989)—§§ 46, 181
- H.L. Hayden Co. of New York, Inc. v. Siemens Medical Systems, Inc., 672 F. Supp. 724 (S.D. N.Y. 1987)—§§ 131, 188, 196
- H. L. Moore Drug Exchange v. Eli Lilly and Co., 662 F.2d 935 (2d Cir. 1981)—§§ 85, 86
- Hobart Bros. Co. v. Malcolm T. Gililand, Inc., 471 F.2d 894 (5th Cir. 1973)—§§ 67, 87, 167, 192
- Hodges v. WSM, Inc., 26 F.3d 36, 1994 FED App. 0199P (6th Cir. 1994)—§ 190
- Hodosh v. Block Drug Co., Inc., 833 F.2d 1575 (Fed. Cir. 1987)—§ 156
- Hoehling v. Universal City Studios, Inc., 618 F.2d 972 (2d Cir. 1980)—§ 162
- Holiday Inns, Inc. v. Airport Holiday Corp., 493 F. Supp. 1025 (N.D. Tex. 1980)—§ 12
- Holiday Inns, Inc. v. Holiday Out In America, 481 F.2d 445 (5th Cir. 1973)—§ 11
- Holleb & Co. v. Produce Terminal Cold Storage Co., 532 F.2d 29 (7th Cir. 1976)—§§ 84, 127
- Hollingsworth Solderless Terminal Co. v. Turley, 622 F.2d 1324 (9th Cir. 1980)—§§ 3, 21, 23
- Holloway v Bristol-Myers Corp. (1973) 158 App DC 207, 485 F.2d 986—§§ 30, 121, 164
- Holly Sugar Corp. v. Goshen County Co-op. Beet Growers Ass'n, 725 F.2d 564 (10th Cir. 1984)—§ 35
- Holmes Group, Inc. v. Vornado Air Circulation Systems, Inc., 535 U.S. 826, 122 S. Ct. 1889, 153 L. Ed. 2d 13 (2002)—§ 168
- Homefinders of America, Inc. v. Providence Journal Co., 621 F.2d 441 (1st Cir. 1980)—§ 85
- Home Placement Service, Inc. v. Providence Journal Co., 819 F.2d 1199, 8 Fed. R. Serv. 3d 45 (1st Cir. 1987)—§§ 54, 55, 67, 85
- Home Placement Service, Inc. v. Providence Journal Co., 739 F.2d 671 (1st Cir. 1984)—§§ 54, 55, 67
- Home Placement Service, Inc. v. Providence Journal Co., 682 F.2d 274 (1st Cir. 1982)—§§ 54, 55, 67, 85
- Honeywell, Inc. v. Metz Apparatewerke, 509 F.2d 1137 (7th Cir. 1975)—§ 160
- Honeywell, Inc., Application of, 532 F.2d 180 (C.C.P.A. 1976)—§ 12
- Honeywell Intern. Inc. v. Universal Avionics Systems Corp., 488 F.3d 982 (Fed. Cir. 2007)—§ 156
- Hood v. Tenneco Texas Life Ins. Co., 739 F.2d 1012 (5th Cir. 1984)—§ 117

TABLE OF CASES

- Hoover v. Ronwin, 466 U.S. 558, 104 S. Ct. 1989, 80 L. Ed. 2d 590 (1984)—§ 33
- Hoover Color Corp. v. Bayer Corp., 199 F.3d 160, 164 A.L.R. Fed. 819 (4th Cir. 1999)—§ 136
- Hornsby Oil Co., Inc. v. Champion Spark Plug Co., Inc., 714 F.2d 1384 (5th Cir. 1983)—§ 83
- Horror Inc. v. Miller, 335 F. Supp. 3d 273 (D. Conn. 2018)—§ 34
- Hospital Authority of Metropolitan Government of Nashville v. Momenta Pharmaceuticals, Inc., 244 F. Supp. 3d 705 (M.D. Tenn. 2017)—§§ 171, 173
- Hospital Bldg. Co. v. Trustees of Rex Hosp., 791 F.2d 288, 20 Fed. R. Evid. Serv. 890 (4th Cir. 1986)—§§ 28, 32, 33, 40, 52
- Hospital Bldg. Co. v. Trustees of Rex Hosp., 691 F.2d 678, 71 A.L.R. Fed. 704 (4th Cir. 1982)—§§ 33, 40, 52
- Hospital Bldg. Co. v. Trustees of Rex Hosp., 511 F.2d 678 (4th Cir. 1975)—§ 32
- Hospital Bldg. Co. v. Trustees of Rex Hospital, 425 U.S. 738, 96 S. Ct. 1848, 48 L. Ed. 2d 338, 21 Fed. R. Serv. 2d 845 (1976)—§§ 28, 32
- Hoste v. Radio Corp. of America, 654 F.2d 11 (6th Cir. 1981)—§§ 162, 177
- Hot-Hed Inc., In re, 477 F.3d 320 (5th Cir. 2007)—§ 17
- Hotel Telephone Charges, In re, 500 F.2d 86, 18 Fed. R. Serv. 2d 1313 (9th Cir. 1974)—§ 174
- Household Goods Carriers' Bureau v. Terrell, 417 F.2d 47 (5th Cir. 1969)—§ 33
- Houser v. Fox Theatres Management Corp., 845 F.2d 1225 (3d Cir. 1988)—§§ 41, 51, 67
- Howard Hess Dental Laboratories Inc. v. Dentsply Intern., Inc., 602 F.3d 237 (3d Cir. 2010)—§§ 41, 46, 48, 53, 67, 175, 182, 190
- Howard Hess Dental Laboratories Inc. v. Dentsply Intern., Inc., 424 F.3d 363 (3d Cir. 2005)—§§ 187, 190
- Howes Leather Co., Inc. v. Golden, 681 F. Supp. 6 (D.D.C. 1987)—§ 28
- HP Inkjet Printer Litigation, In re, 716 F.3d 1173 (9th Cir. 2013)—§ 200
- H. S. Crocker Company, Inc. v. Ostrofe, 460 U.S. 1007, 103 S. Ct. 1244, 75 L. Ed. 2d 475 (1983)—§ 187
- Hu v. Huey, 325 Fed. Appx. 436 (7th Cir. 2009)—§ 28
- Huckshold v. HSSL, L.L.C., 344 F. Supp. 2d 1203 (E.D. Mo. 2004)—§ 163A
- Hudson Valley Asbestos Corp. v. Tougher Heating & Plumbing Co., Inc., 510 F.2d 1140 (2d Cir. 1975)—§§ 84, 120, 196
- Hufsmith v. Weaver, 817 F.2d 455 (8th Cir. 1987)—§§ 33, 182
- Hugh Chalmers Motors, Inc. v. Toyota Motor Sales U.S.A., Inc., 184 F.3d 761 (8th Cir. 1999)—§§ 177, 181
- Hughes v. Novi American, Inc., 724 F.2d 122 (Fed. Cir. 1984)—§ 200
- Hughes v. Tobacco Institute, Inc., 278 F.3d 417 (5th Cir. 2001)—§ 187
- Hughes Tool Co. v. Trans World

- Airlines, Inc., 409 U.S. 363, 93 S. Ct. 647, 34 L. Ed. 2d 577 (1973)—§§ 27, 200
- Hull v. Brunswick Corp., 704 F.2d 1195 (10th Cir. 1983)—§ 146
- Humira (Adalimumab) Antitrust Litigation, In re, 465 F. Supp. 3d 811 (N.D. Ill. 2020)—§ 40A
- Hunt-Wesson Foods, Inc. v. Ragu Foods, Inc., 627 F.2d 919 (9th Cir. 1980)—§§ 48, 52, 117, 127
- Hunt v. Mobil Oil Corp., 550 F.2d 68 (2d Cir. 1977)—§§ 29, 164
- Huntsman Chemical Corp. v. Holland Plastics Co., 208 F.3d 226 (10th Cir. 2000)—§ 193
- Huron Valley Hosp., Inc. v. City of Pontiac, 792 F.2d 563 (6th Cir. 1986)—§ 33
- Huron Valley Hospital, Inc. v. City of Pontiac, 466 F. Supp. 1301 (E.D. Mich. 1979)—§ 33
- Hybud Equipment Corp. v. City of Akron, Ohio, 742 F.2d 949 (6th Cir. 1984)—§ 33
- Hyde v. Jefferson Parish Hosp. Dist. No. 2, 686 F.2d 286 (5th Cir. 1982)—§ 84
- Hydril Co. LP v. Grant Prideco LP, 474 F.3d 1344 (Fed. Cir. 2007)—§ 158
- Hydro-Tech Corp. v. Sundstrand Corp., 673 F.2d 1171 (10th Cir. 1982)—§ 33
- Hydrogen Peroxide Antitrust Litigation, In re, 552 F.3d 305 (3d Cir. 2008)—§§ 31, 174
- Hydrolevel Corp. v. American Soc. of Mechanical Engineers, Inc., 635 F.2d 118, 7 Fed. R. Evid. Serv. 845 (2d Cir. 1980)—§§ 67, 188, 200
- Hyland v. HomeServices of America, Inc., 771 F.3d 310 (6th Cir. 2014)—§§ 39, 40, 67, 70
- Hypodermic Products Antitrust Litigation, In re, 484 Fed. Appx. 669 (3d Cir. 2012)—§ 190
- HyPoint Technology, Inc. v. Hewlett-Packard Co., 949 F.2d 874 (6th Cir. 1991)—§§ 49, 187

## I

- Ice Cream Liquidation, Inc. v. Land O'Lakes, Inc., 253 F. Supp. 2d 262 (D. Conn. 2003)—§ 33A
- Ideal Dairy Farms, Inc. v. John Labatt, Ltd., 90 F.3d 737 (3d Cir. 1996)—§§ 51, 85
- Ideal Industries, Inc. v. Gardner Bender, Inc., 612 F.2d 1018, 56 A.L.R. Fed. 216 (7th Cir. 1979)—§ 12
- Ideal Plumbing Co. v. Benco, Inc., 529 F.2d 972, 42 A.L.R. Fed. 266 (8th Cir. 1976)—§ 137
- Ideal Toy Corp. v. Kenner Products Division of General Mills Fun Group, Inc., 443 F. Supp. 291 (S.D. N.Y. 1977)—§ 17
- IGT v. Alliance Gaming Corp., 702 F.3d 1338 (Fed. Cir. 2012)—§§ 54, 54A
- ILC Peripherals Leasing Corp. v. International Business Machines Corp., 448 F. Supp. 228 (N.D. Cal. 1978)—§ 84
- Ill., State of v. Associated Milk Producers, Inc., 351 F. Supp. 436 (N.D. Ill. 1972)—§§ 174, 187
- Ill., State of v. F.E. Moran, Inc., 740 F.2d 533, 39 Fed. R. Serv. 2d 860 (7th Cir. 1984)—§ 164

TABLE OF CASES

- Ill., State of v. General Paving Co., 590 F.2d 680 (7th Cir. 1979)—§ 182
- Ill., State of v. Huckaba & Sons Const. Co., 442 F. Supp. 56 (S.D. Ill. 1977)—§§ 180, 182
- Ill., State of v. Sangamo Const. Co., 657 F.2d 855, 32 Fed. R. Serv. 2d 379 (7th Cir. 1981)—§ 200
- Ill., State of v. Sarbaugh, 552 F.2d 768, 23 Fed. R. Serv. 2d 834 (7th Cir. 1977)—§ 164
- Ill. ex rel. Hartigan, State of v. Panhandle Eastern Pipe Line Co., 852 F.2d 891 (7th Cir. 1988)—§ 201
- Ill. ex rel. Hartigan, State of v. Panhandle Eastern Pipe Line Co., 839 F.2d 1206 (7th Cir. 1988)—§ 201
- Illinois v. Abbott & Associates, Inc., 460 U.S. 557, 103 S. Ct. 1356, 75 L. Ed. 2d 281 (1983)—§§ 164, 205
- Illinois v Bristol-Myers Co. (1972) 152 App DC 367, 470 F.2d 1276—§§ 174, 187
- Illinois Bell Telephone Co. v. Haines and Co., Inc., 932 F.2d 610 (7th Cir. 1991)—§ 162
- Illinois Brick Co. v. Illinois, 431 U.S. 720, 97 S. Ct. 2061, 52 L. Ed. 2d 707 (1977)—§§ 187, 201
- Illinois Corporate Travel, Inc. v. American Airlines, Inc., 889 F.2d 751 (7th Cir. 1989)—§ 42
- Illinois Tool Works, Inc. v. Foster Grant Co., Inc., 547 F.2d 1300 (7th Cir. 1976)—§ 161
- Illinois Tool Works Inc. v. Independent Ink, Inc., 547 U.S. 28, 126 S. Ct. 1281, 164 L. Ed. 2d 26 (2006)—§§ 40, 84, 142, 151
- Image Technical Service, Inc. v. Eastman Kodak Co., 903 F.2d 612 (9th Cir. 1990)—§§ 48, 84
- Image Technical Services, Inc. v. Eastman Kodak Co., 125 F.3d 1195 (9th Cir. 1997)—§§ 142, 146
- Imaging Center, Inc. v. Western Maryland Health Systems, Inc., 158 Fed. Appx. 413 (4th Cir. 2005)—§ 40
- Imperial Point Colonnades Condominium, Inc. v. Mangurian, 549 F.2d 1029 (5th Cir. 1977)—§§ 84, 177
- Impro Products, Inc. v. Herrick, 715 F.2d 1267 (8th Cir. 1983)—§ 67
- Incuse Inc. v. Timex Corp., 488 F.3d 46 (1st Cir. 2007)—§ 22
- Income Realty & Mortg., Inc. v. Denver Bd. of Realtors, 578 F.2d 1326 (10th Cir. 1978)—§§ 32, 164
- Independence Tube Corp. v. Copperweld Corp., 691 F.2d 310 (7th Cir. 1982)—§§ 2, 67, 119
- Independent Ink, Inc. v. Illinois Tool Works, Inc., 396 F.3d 1342 (Fed. Cir. 2005)—§§ 55, 151
- Independent Ink, Inc. v. Trident, Inc., 210 F. Supp. 2d 1155 (C.D. Cal. 2002)—§§ 84, 151
- Independent Service Organizations Antitrust Litigation, In re, 203 F.3d 1322 (Fed. Cir. 2000)—§§ 142, 146, 156, 163
- Independent Taxicab Drivers' Employees v. Greater Houston Transp. Co., 760 F.2d 607 (5th Cir. 1985)—§ 33

- Indiana Federation of Dentists v. F.T.C., 745 F.2d 1124 (7th Cir. 1984)—§§ 66, 86, 121
- Indiana Grocery Co., Inc. v. Super Valu Stores, Inc., 684 F. Supp. 561 (S.D. Ind. 1988)—§ 3
- Indiana Grocery Co., Inc. v. Super Valu Stores, Inc., 647 F. Supp. 254 (S.D. Ind. 1986)—§ 126
- Indiana Grocery, Inc. v. Super Valu Stores, Inc., 864 F.2d 1409 (7th Cir. 1989)—§§ 40, 187
- Indian Coffee Corp. v. Procter & Gamble Co., 752 F.2d 891, 17 Fed. R. Evid. Serv. 319 (3d Cir. 1985)—§§ 126, 138
- Indian Head, Inc. v. Allied Tube & Conduit Corp., 817 F.2d 938 (2d Cir. 1987)—§ 33
- Indium Corp. of America v. Semi-Alloys, Inc., 781 F.2d 879 (Fed. Cir. 1985)—§§ 156, 187
- Indium Corp. of America v. Semi-Alloys, Inc., 591 F. Supp. 608 (N.D. N.Y. 1984)—§ 156
- Industrial Communications Systems, Inc. v. Pacific Tel. & Tel. Co., 505 F.2d 152 (9th Cir. 1974)—§§ 169, 175
- Industrial Gas Antitrust Litigation, In re, 681 F.2d 514 (7th Cir. 1982)—§ 187
- Industrial Inv. Development Corp. v. Mitsui & Co., Ltd., 855 F.2d 222 (5th Cir. 1988)—§§ 44, 47, 67, 120, 181
- Industrial Inv. Development Corp. v. Mitsui & Co., Ltd., 704 F.2d 785 (5th Cir. 1983)—§ 187
- Industrial Inv. Development Corp. v. Mitsui & Co., Ltd., 671 F.2d 876 (5th Cir. 1982)—§§ 29, 32, 187
- Industrial Inv. Development Corp. v. Mitsui & Co., Ltd., 594 F.2d 48 (5th Cir. 1979)—§§ 27, 29
- Information Exchange Systems, Inc. v. First Bank Nat. Ass'n, 994 F.2d 478 (8th Cir. 1993)—§ 178
- Information Resources, Inc. v. Dun and Bradstreet Corp., 294 F.3d 447, 52 Fed. R. Serv. 3d 905 (2d Cir. 2002)—§ 179
- Infusion Resources, Inc. v. Minimed, Inc., 351 F.3d 688 (5th Cir. 2003)—§ 131
- Initial Public Offering Antitrust Litigation, In re, 287 F. Supp. 2d 497 (S.D. N.Y. 2003)—§ 37A
- Inline Packaging, LLC v. Graphic Packaging International, Inc., 164 F. Supp. 3d 1117 (D. Minn. 2016)—§ 37A
- Inline Packaging, LLC v. Graphic Packaging International, LLC, 962 F.3d 1015 (8th Cir. 2020)—§§ 83, 84, 158
- Inline Packaging, LLC v. Graphic Packaging International, LLC, 351 F. Supp. 3d 1187 (D. Minn. 2018)—§ 84
- Innomed Labs, LLC v. ALZA Corp., 368 F.3d 148 (2d Cir. 2004)—§§ 125, 131
- Innomed Labs, LLC v. Alza Corp., 2002-2 Trade Cas. (CCH) ¶ 73876, 2002 WL 31521084 (S.D. N.Y. 2002)—§§ 125, 181
- Innovation Ventures, LLC v. Custom Nutrition Laboratories, LLC, 912 F.3d 316 (6th Cir. 2018)—§ 85
- Innovation Ventures, LLC v. N.V.E., Inc., 694 F.3d 723 (6th Cir. 2012)—§§ 46, 47

TABLE OF CASES

- In Porters, S.A., The v. Hanes Printables, Inc., 663 F. Supp. 494 (M.D. N.C. 1987)—§ 29
- I.N.S. v. Chadha, 462 U.S. 919, 103 S. Ct. 2764, 77 L. Ed. 2d 317 (1983)—§ 208
- Ins. Brokerage Antitrust Litigation, In re, 579 F.3d 241 (3d Cir. 2009)—§§ 67, 187
- Inserra Supermarkets, Inc. v. Stop & Shop Supermarket Co., LLC, 240 F. Supp. 3d 299 (D.N.J. 2017)—§§ 51, 177
- Institut Pasteur & Universite Pierre Et Marie Curie v. Focardino, 738 F.3d 1337 (Fed. Cir. 2013)—§ 145
- Instructional Systems Development Corp. v. Aetna Cas. and Sur. Co., 817 F.2d 639 (10th Cir. 1987)—§§ 33, 44, 47, 48, 67, 120, 181
- Instructional Systems Development Corp. v. Aetna Cas. & Sur. Co., 787 F.2d 1395 (10th Cir. 1986)—§§ 44, 47, 67, 120, 181
- Insurance Brokerage Antitrust Litigation, In re, 618 F.3d 300 (3d Cir. 2010)—§§ 36, 69
- Integrated Technology Corp. v. Rudolph Technologies, Inc., 734 F.3d 1352 (Fed. Cir. 2013)—§ 160
- Intel Corporation v. Fortress Investment Group LLC, 2021-1 Trade Cas. (CCH) ¶ 81507, 2021 WL 51727 (N.D. Cal. 2021)—§ 156
- Intellectual Ventures I LLC v. Capital One Financial Corp., 280 F. Supp. 3d 691 (D. Md. 2017)—§ 37A
- Intellectual Ventures I LLC v. Capital One Financial Corp., 99 F. Supp. 3d 610 (D. Md. 2015)—§ 45A
- Intellectual Ventures I LLC v. Capital One Financial Corporation, 937 F.3d 1359 (Fed. Cir. 2019)—§ 37A
- Inter-City Tire and Auto Center, Inc. v. Uniroyal, Inc., 701 F. Supp. 1120 (D.N.J. 1988)—§ 128
- Interactive Motorsports and Entertainment Corp. v. Dolphin Direct Equity Partners, LP, 419 Fed. Appx. 60 (2d Cir. 2011)—§§ 4, 6
- Intercollegiate Athletics for Women v National Collegiate Athletic Asso. (1984) 236 App DC 311, 735 F.2d 577—§ 52
- Interest Rate Swaps Antitrust Litigation, In re, 351 F. Supp. 3d 698 (S.D. N.Y. 2018)—§ 166
- Interest Rate Swaps Antitrust Litigation, In re, 261 F. Supp. 3d 430 (S.D. N.Y. 2017)—§ 42
- Interface Group, Inc. v. Massachusetts Port Authority, 816 F.2d 9 (1st Cir. 1987)—§§ 33, 41
- Intergraph Corp. v. Intel Corp., 195 F.3d 1346, 40 U.C.C. Rep. Serv. 2d 107 (Fed. Cir. 1999)—§§ 51, 86, 142, 151, 163, 176
- International Air Industries, Inc. v. American Excelsior Co., 517 F.2d 714 (5th Cir. 1975)—§ 131
- International Ass'n of Heat and Frost Insulators and Asbestos Workers, etc. v. United Contractors Ass'n, Inc. of Pittsburgh, Pa., 483 F.2d 384 (3d Cir. 1973)—§§ 34, 169, 187, 190

- International Association of Machinists and Aerospace Workers, AFL-CIO, Local Lodge No. 1821 v. Verso Corporation, 153 F. Supp. 3d 419 (D. Me. 2015)—§ 175
- International Audiotext Network, Inc. v. American Tel. and Tel. Co., 62 F.3d 69 (2d Cir. 1995)—§§ 51, 83
- International Broth. of Teamsters, Local 734 Health and Welfare Trust Fund v. Philip Morris Inc., 196 F.3d 818 (7th Cir. 1999)—§§ 169, 187, 196
- International Business Machines Corp. v. U.S., 480 F.2d 293 (2d Cir. 1973)—§ 179
- International Business Machines Corp. v. U.S., 471 F.2d 507, 16 Fed. R. Serv. 2d 1217 (2d Cir. 1972)—§ 179
- International Distribution Centers, Inc. v. Walsh Trucking Co., Inc., 812 F.2d 786 (2d Cir. 1987)—§§ 41, 52, 67
- International Healthcare Management v. Hawaii Coalition For Health, 332 F.3d 600 (9th Cir. 2003)—§§ 39, 40
- International Logistics Group, Ltd. v. Chrysler Corp., 884 F.2d 904 (6th Cir. 1989)—§§ 42, 44, 48, 55
- International Longshore and Warehouse Union v. ICTSI Oregon, Inc., 863 F.3d 1178, 98 Fed. R. Serv. 3d 222 (9th Cir. 2017)—§ 34
- International Luggage Registry v. Avery Products Corp., 541 F.2d 830 (9th Cir. 1976)—§ 162
- International Railways of Central America v. United Brands Co., 532 F.2d 231 (2d Cir. 1976)—§§ 48, 85, 94
- International Raw Materials, Inc. v. Stauffer Chemical Co., 767 F. Supp. 687 (E.D. Pa. 1991)—§ 27
- International Raw Materials, Ltd. v. Stauffer Chemical Co., 716 F. Supp. 188 (E.D. Pa. 1989)—§ 29
- International Technologies Consultants, Inc. v. Pilkington PLC, 137 F.3d 1382 (9th Cir. 1998)—§ 183
- International Tel. & Tel. Corp. v. American Tel. & Tel. Co., 444 F. Supp. 1148 (S.D. N.Y. 1978)—§§ 93, 94, 182
- International Tel. & Tel. Corp. v. General Telephone & Electronics Corp., 449 F. Supp. 1158 (D. Haw. 1978)—§§ 28, 41, 117, 169
- International Tel. & Tel. Corp. v. General Telephone & Electronics Corp., 518 F.2d 913 (9th Cir. 1975)—§§ 33, 94, 101, 102, 103, 169, 175, 177, 178, 184
- International Tel. & Tel. Corp. v. General Telephone & Electronics Corp., 351 F. Supp. 1153 (D. Haw. 1972)—§§ 102, 169, 175, 184
- International Tel. & Tel. Corp. v. Raychem Corp., 538 F.2d 453 (1st Cir. 1976)—§ 143
- International Travel Arrangers v. NWA, Inc., 991 F.2d 1389 (8th Cir. 1993)—§ 47
- International Travel Arrangers, Inc. v. Western Airlines, Inc., 623 F.2d 1255 (8th Cir. 1980)—§§ 40, 41, 200

TABLE OF CASES

- International Wood Processors v. Power Dry, Inc., 792 F.2d 416 (4th Cir. 1986)—§ 156
- InterVest, Inc. v. Bloomberg, L.P., 340 F.3d 144 (3d Cir. 2003)—§§ 69, 70
- In Town Hotels Ltd. Partnership v. Marriott Intern., Inc., 246 F. Supp. 2d 469 (S.D. W. Va. 2003)—§ 137
- Intra Corp. v. Hamar Laser Instruments, Inc., 662 F. Supp. 1420 (E.D. Mich. 1987)—§ 145
- Intuniv Antitrust Litigation, In re, 496 F. Supp. 3d 639 (D. Mass. 2020)—§§ 40, 181
- Inverness Corp. v. Whitehall Laboratories, 819 F.2d 48, 7 Fed. R. Serv. 3d 1427 (2d Cir. 1987)—§ 18
- Investment Partners, L.P. v. Glamour Shots Licensing, Inc., 298 F.3d 314 (5th Cir. 2002)—§ 203A
- Inwood Laboratories, Inc. v. Ives Laboratories, Inc., 456 U.S. 844, 102 S. Ct. 2182, 72 L. Ed. 2d 606, 34 Fed. R. Serv. 2d 1101 (1982)—§ 9
- Iodice v. Calabrese, 345 F. Supp. 248, 16 Fed. R. Serv. 2d 207 (S.D. N.Y. 1972)—§ 34
- Iowa Public Employees' Retirement System v. Merrill Lynch, Pierce, Fenner & Smith Inc., 340 F. Supp. 3d 285 (S.D. N.Y. 2018)—§§ 120, 177
- Iowa State University Research Foundation, Inc. v. American Broadcasting Companies, Inc., 621 F.2d 57 (2d Cir. 1980)—§ 162
- IQ Dental Supply, Inc. v. Henry Schein, Inc., 924 F.3d 57 (2d Cir. 2019)—§ 86
- Irvin Industries, Inc. v. Goodyear Aerospace Corp., 974 F.2d 241 (2d Cir. 1992)—§ 47
- Isaksen v. Vermont Castings, Inc., 825 F.2d 1158 (7th Cir. 1987)—§ 88
- Isostatic Graphite Antitrust Litigation, In re, 2002-2 Trade Cas. (CCH) ¶ 73827, 2002 WL 31421920 (E.D. Pa. 2002)—§ 171
- Israel v Baxter Laboratories, Inc. (1972) 151 App DC 101, 466 F.2d 272, 17 ALR Fed 630—§§ 33, 169
- Israel Travel Advisory Service, Inc. v. Israel Identity Tours, Inc., 61 F.3d 1250 (7th Cir. 1995)—§§ 42, 44, 47, 54
- Issuer Plaintiff Initial Public Offering Antitrust Litigation, In re, 2002-2 Trade Cas. (CCH) ¶ 73838, 2002 WL 31132906 (S.D. N.Y. 2002)—§ 178
- ITCO Corp. v. Michelin Tire Corp., Commercial Div., 722 F.2d 42 (4th Cir. 1983)—§§ 121, 182
- It's My Party, Inc. v. Live Nation, Inc., 811 F.3d 676 (4th Cir. 2016)—§§ 55, 84
- ITT Continental Baking Co., Inc. v. F.T.C., 532 F.2d 207, 45 A.L.R. Fed. 587 (2d Cir. 1976)—§ 30
- Ivision Intern. of Puerto Rico, Inc. v. Davila-Garcia, 364 F. Supp. 2d 166 (D.P.R. 2005)—§§ 167, 187
- Iwahashi, In re, 888 F.2d 1370 (Fed. Cir. 1989)—§ 143

## J

- J-B Weld Company, LLC v. Gorilla Glue Company, 978 F.3d 778 (11th Cir. 2020)—§ 25
- Jack Faucett Associates, Inc. v. American Tel. & Tel. Co. (1984) 240 App DC 103, 744 F.2d 118—§ 182
- Jack Kahn Music Co., Inc. v. Baldwin Piano & Organ Co., 604 F.2d 755 (2d Cir. 1979)—§ 176
- Jack Russell Terrier Network of Northern Ca. v. American Kennel Club, Inc., 407 F.3d 1027 (9th Cir. 2005)—§§ 37, 40, 41, 117, 187
- Jackson, Tennessee Hosp. Co., LLC v. West Tennessee Healthcare, Inc., 414 F.3d 608, 2005 FED App. 0292P (6th Cir. 2005)—§ 33
- Jack Walters & Sons Corp. v. Morton Bldg., Inc., 737 F.2d 698, 39 Fed. R. Serv. 2d 504 (7th Cir. 1984)—§ 84
- Jacobi v. Bache & Co., Inc., 520 F.2d 1231 (2d Cir. 1975)—§§ 27, 40, 169
- Jacobs v. Tempur-Pedic Intern., Inc., 626 F.3d 1327, 78 Fed. R. Serv. 3d 41 (11th Cir. 2010)—§§ 40, 42, 54, 89
- Jacobson & Co., Inc. v. Armstrong Cork Co., 548 F.2d 438 (2d Cir. 1977)—§ 176
- Jacobs, Visconsi & Jacobs, Co. v. City of Lawrence, Kan., 927 F.2d 1111, 109 A.L.R. Fed. 737 (10th Cir. 1991)—§ 33
- James Burrough Ltd. v. Sign of Beefeater, Inc., 540 F.2d 266 (7th Cir. 1976)—§ 11
- James R. Snyder Co., Inc. v. Associated General Contractors of America, Detroit Chapter, Inc., 677 F.2d 1111, 10 Fed. R. Evid. Serv. 879 (6th Cir. 1982)—§ 34
- James R. Snyder Co., Inc. v. Edward Rose & Sons, Inc., 546 F.2d 206 (6th Cir. 1976)—§§ 34, 67
- Janda v. T-Mobile USA, Inc., 378 Fed. Appx. 705 (9th Cir. 2010)—§ 25
- J. & B. & S. Restaurant Corp., Inc. v. Henry's Drive-In, Inc., 353 F. Supp. 389 (W.D. N.Y. 1973)—§§ 165, 171
- Jang v. Boston Scientific Scimed, Inc., 729 F.3d 357 (3d Cir. 2013)—§ 146
- Janich Bros., Inc. v. American Distilling Co., 570 F.2d 848 (9th Cir. 1977)—§§ 52, 54
- Jartech, Inc. v. Clancy, 666 F.2d 403 (9th Cir. 1982)—§ 162
- Jaso v. Coca Cola Co., 537 Fed. Appx. 557 (5th Cir. 2013)—§ 178A
- Javelin Corp. v. Uniroyal, Inc., 546 F.2d 276 (9th Cir. 1976)—§ 202
- Javelin Corp. v. Uniroyal, Inc., 360 F. Supp. 251 (N.D. Cal. 1973)—§ 171
- Jayco Systems, Inc. v. Savin Business Machines Corp., 777 F.2d 306 (5th Cir. 1985)—§ 187
- Jaymar-Ruby, Inc. v. F.T.C., 651 F.2d 506 (7th Cir. 1981)—§§ 206, 207
- Jay Norris, Inc. v. F. T. C., 598 F.2d 1244 (2d Cir. 1979)—§ 210
- Jays Foods, Inc. v. Frito-Lay, Inc., 614 F. Supp. 1073 (N.D. Ill. 1985)—§ 47

TABLE OF CASES

- J.B.D.L. Corp. v. Wyeth-Ayerst Laboratories, Inc., 485 F.3d 880 (6th Cir. 2007)—§ 47
- JBL Enterprises, Inc. v. Jhirmack Enterprises, Inc., 698 F.2d 1011 (9th Cir. 1983)—§§ 44, 85
- JBL Enterprises, Inc. v. Jhirmack Enterprises, Inc., 509 F. Supp. 357 (N.D. Cal. 1981)—§§ 81, 84
- J.D. Fields & Co., Inc. v. Nucor-Yamato Steel, 976 F. Supp. 2d 1051 (E.D. Ark. 2013)—§§ 125, 127, 131
- Jeanery, Inc., The v. James Jeans, Inc., 849 F.2d 1148 (9th Cir. 1988)—§§ 67, 85
- Jebaco, Inc. v. Harrah's Operating Co., Inc., 587 F.3d 314 (5th Cir. 2009)—§§ 28, 53, 84, 85, 175, 195
- Jefferson County Pharmaceutical Ass'n, Inc. v. Abbott Laboratories, 460 U.S. 150, 103 S. Ct. 1011, 74 L. Ed. 2d 882 (1983)—§ 124
- Jefferson Parish Hosp. Dist. No. 2 v. Hyde, 466 U.S. 2, 104 S. Ct. 1551, 80 L. Ed. 2d 2 (1984)—§§ 33, 84
- Jeffrey v. Southwestern Bell, 518 F.2d 1129 (5th Cir. 1975)—§§ 33, 187
- Jensen Enterprises, Inc. v. Oldcastle Precast, Inc., 375 Fed. Appx. 730 (9th Cir. 2010)—§ 45A
- Jerman v. Carlisle, McNellie, Rini, Kramer & Ulrich LPA, 559 U.S. 573, 130 S. Ct. 1605, 176 L. Ed. 2d 519 (2010)—§ 37
- Jerman v. Carlisle, McNellie, Rini, Kramer & Ulrich LPA, 538 F.3d 469 (6th Cir. 2008)—§ 37
- Jes Properties, Inc. v. USA Equestrian, Inc., 458 F.3d 1224 (11th Cir. 2006)—§§ 37A, 187
- Jet Courier Services, Inc. v. Federal Reserve Bank of Atlanta, 713 F.2d 1221 (6th Cir. 1983)—§ 37
- Jet Spray Cooler, Inc. v. Crampton, 361 Mass. 835, 282 N.E.2d 921 (1972)—§ 21
- Jewel Companies v. F.T.C., 479 F.2d 1323 (7th Cir. 1973)—§ 213
- Jewish Hospital Ass'n of Louisville, Ky., Inc. v. Stewart Mechanical Enterprises, Inc., 628 F.2d 971 (6th Cir. 1980)—§ 201
- J.F. Feeser, Inc. v. Serv-A-Portion, Inc., 909 F.2d 1524 (3d Cir. 1990)—§§ 131, 168
- Ji v. Bose Corp., 626 F.3d 116 (1st Cir. 2010)—§ 37
- Jicarilla Apache Tribe v. Supron Energy Corp., 728 F.2d 1555 (10th Cir. 1984)—§ 112
- J. I. Case Co. v. Borak, 377 U.S. 426, 84 S. Ct. 1555, 12 L. Ed. 2d 423 (1964)—§§ 30, 121, 164
- Jimico Enterprises, Inc. v. Lehigh Gas Corp., 708 F.3d 106 (2d Cir. 2013)—§§ 37, 200
- Jim Walter Corp. v. F.T.C., 625 F.2d 676 (5th Cir. 1980)—§§ 32, 103
- Joe Regueira, Inc. v. American Distilling Co., Inc., 642 F.2d 826 (5th Cir. 1981)—§ 85
- John B. Hull, Inc. v. Waterbury Petroleum Products, Inc., 588 F.2d 24, 4 Fed. R. Evid. Serv. 313, 47 A.L.R. Fed. 835 (2d Cir. 1978)—§§ 127, 131
- John Doe 1 v. Abbott Laboratories,

- 571 F.3d 930 (9th Cir. 2009)—  
§§ 46, 47, 53
- John Lenore & Co. v. Olympia  
Brewing Co., 550 F.2d 495  
(9th Cir. 1977)—§ 187
- John L. Perry Studio, Inc. v. Wer-  
nick, 597 F.2d 1308 (9th Cir.  
1979)—§ 162
- John Peterson Motors, Inc. v. Gen-  
eral Motors Corp., 613 F.  
Supp. 887 (D. Minn. 1985)—  
§§ 138, 187
- Johnson v. Commission on Presi-  
dential Debates, 869 F.3d 976  
(D.C. Cir. 2017)—§ 45A
- Johnson v. Commission on Presi-  
dential Debates, 202 F. Supp.  
3d 159 (D.D.C. 2016)—§ 28
- Johnson v. Nationwide Industries,  
Inc., 715 F.2d 1233 (7th Cir.  
1983)—§ 84
- Johnson v. Orr, 551 F.3d 564 (7th  
Cir. 2008)—§ 37
- Johnson & Dix, Inc. v. Springfield  
Fuels, Inc., 131 Vt. 156, 303  
A.2d 151 (1973)—§ 4
- Johnson & Johnson v. Carter-  
Wallace, Inc., 631 F.2d 186 (2d  
Cir. 1980)—§ 25
- Johnson Products Co. v. F. T. C.,  
549 F.2d 35 (7th Cir. 1977)—  
§ 211
- John Zink Co. v. National Airoil  
Burner Co., Inc., 613 F.2d 547  
(5th Cir. 1980)—§ 156
- Jondora Music Pub. Co. v. Melody  
Recordings, Inc., 506 F.2d 392  
(3d Cir. 1974)—§ 162
- Jones v. Ford Motor Co., 599 F.2d  
394 (10th Cir. 1979)—§ 187
- Jones v. GNC Franchising, Inc.,  
211 F.3d 495 (9th Cir. 2000)—  
§ 173
- Jones v. City of McMinnville, 244  
Fed. Appx. 755 (9th Cir.  
2007)—§ 33
- Jones v. Micron Technology Inc.,  
400 F. Supp. 3d 897 (N.D. Cal.  
2019)—§ 174
- Joseph v. Amazon.com, Inc., 46 F.  
Supp. 3d 1095 (W.D. Wash.  
2014)—§ 84
- Joseph v. Sasafrasnet, LLC, 734  
F.3d 745 (7th Cir. 2013)—§ 176
- Jot-Em-Down Store (JEDS) Inc. v.  
Cotter and Co., 651 F.2d 245  
(5th Cir. 1981)—§ 164
- Jou-Jou Designs, Inc. v. Interna-  
tional Ladies Garment Work-  
ers Union, AFL-CIO, 643 F.2d  
905 (2d Cir. 1981)—§ 34
- Joyce v. Ritchie Tower Properties,  
417 F. Supp. 53 (N.D. Ill.  
1976)—§ 84
- Joy MM Delaware, Inc. v. Cincin-  
nati Mine Machinery, Co., 497  
Fed. Appx. 970 (Fed. Cir.  
2012)—§ 144
- J. P. Mascaro & Sons, Inc. v. Wil-  
liam J. O'Hara, Inc., 565 F.2d  
264 (3d Cir. 1977)—§ 32
- JSP Agency, Inc. v. American Sugar  
Refining Co. of New York, 752  
F.2d 56 (2d Cir. 1985)—§ 37
- JTC Petroleum Co. v. Piasa Motor  
Fuels, Inc., 190 F.3d 775 (7th  
Cir. 1999)—§§ 46, 86, 181
- J.T. Gibbons, Inc. v. Crawford Fit-  
ting Co., 790 F.2d 1193, 4 Fed.  
R. Serv. 3d 748 (5th Cir.  
1986)—§ 200
- J.T. Gibbons, Inc. v. Crawford Fit-  
ting Co., 704 F.2d 787 (5th Cir.  
1983)—§ 188
- J. Truett Payne Co., Inc. v.

TABLE OF CASES

- Chrysler Motors Corp., 451 U.S. 557, 101 S. Ct. 1923, 68 L. Ed. 2d 442 (1981)—§§ 127, 164, 188, 196
- Judkins v. HT Window Fashion Corp., 529 F.3d 1334 (Fed. Cir. 2008)—§§ 37, 160
- JumpSport, Inc. v. Jumpking, Inc., 191 Fed. Appx. 926 (Fed. Cir. 2006)—§ 25
- Juneau Square Corp. v First Wisconsin Nat. Bank (1977, DC Wis) 435 F Supp 1037—§ 197
- Juneau Square Corp. v. First Wisconsin Nat. Bank of Milwaukee, 624 F.2d 798, 6 Fed. R. Evid. Serv. 426 (7th Cir. 1980)—§§ 40, 197
- Juneau Square Corp. v. First Wisconsin Nat. Bank of Milwaukee, 445 F. Supp. 965 (E.D. Wis. 1978)—§ 197
- Jung v. Association of American Medical Colleges, 184 Fed. Appx. 9 (D.C. Cir. 2006)—§ 37A
- Jung v. Association of American Medical Colleges, 300 F. Supp. 2d 119 (D.D.C. 2004)—§ 171
- Jursich v. J. I. Case Co., 350 F. Supp. 1125 (N.D. Ill. 1972)—§ 143
- Juster Associates v. City of Rutland, Vt., 901 F.2d 266 (2d Cir. 1990)—§§ 33, 195
- Justice v. Town of Cicero, 577 F.3d 768 (7th Cir. 2009)—§ 33
- JustMed, Inc. v. Byce, 600 F.3d 1118 (9th Cir. 2010)—§ 162
- Just New Homes, Inc. v. Beazer Homes, 293 Fed. Appx. 931 (3d Cir. 2008)—§ 86
- J. W. Burress, Inc. v. JLG Industries, Inc., 491 F. Supp. 15, 60 A.L.R. Fed. 867 (W.D. Va. 1980)—§ 128
- K**
- K-Dur Antitrust Litigation, In re, 2016-1 Trade Cas. (CCH) ¶ 79573, 2016 WL 755623 (D.N.J. 2016)—§ 40
- K-Dur Antitrust Litigation, In re, 686 F.3d 197 (3d Cir. 2012)—§§ 39, 40, 40A, 156A
- K-Flex, Inc. v. Armacell, Inc., 299 F. Supp. 3d 730 (E.D. N.C. 2017)—§ 83
- K-TEC, Inc. v. Vita-Mix Corp., 696 F.3d 1364 (Fed. Cir. 2012)—§ 156
- K-2 Ski Co. v. Head Ski Co., 467 F.2d 1087 (9th Cir. 1972)—§§ 21, 176
- K-2 Ski Co. v. Head Ski Co., Inc., 506 F.2d 471, 19 Fed. R. Serv. 2d 1418 (9th Cir. 1974)—§ 21
- Kaiser Aluminum & Chemical Corp. v. F.T.C., 652 F.2d 1324 (7th Cir. 1981)—§ 107
- Kaiser Aluminum & Chemical Sales, Inc. v. Avondale Shipyards, Inc., 677 F.2d 1045 (5th Cir. 1982)—§§ 164, 178
- Kaiser Foundation Health Plan, Inc. v. Abbott Laboratories, Inc., 552 F.3d 1033 (9th Cir. 2009)—§§ 37A, 46, 48, 145, 158
- Kallen v. Nexus Corp., 353 F. Supp. 33 (N.D. Ill. 1973)—§ 32
- Kalmanovitz v. G. Heileman Brewing Co., Inc., 769 F.2d 152 (3d Cir. 1985)—§ 28
- Kalvar Corp. v. Xidex Corp., 556 F.2d 966 (9th Cir. 1977)—§ 143
- Kamar Intern., Inc. v. Russ Berrie and Co., 657 F.2d 1059 (9th Cir. 1981)—§ 162

- K&D LLC v. Trump Old Post Office LLC, 951 F.3d 503 (D.C. Cir. 2020)—§ 17
- Kansas v. UtiliCorp United, Inc., 497 U.S. 199, 110 S. Ct. 2807, 111 L. Ed. 2d 169 (1990)—§§ 187, 187A, 197, 214
- Kantrovitz v Academy of Physical & Social Development Corp. (1976, Mass) 1976 Adv Sheets 1207, 346 NE2d 910—§ 17
- Kaplan v. Burroughs Corp., 611 F.2d 286 (9th Cir. 1979)—§ 40
- Kaplan v. Clear Lake City Water Authority, 794 F.2d 1059 (5th Cir. 1986)—§§ 33, 37
- Kapp v. National Football League, 586 F.2d 644 (9th Cir. 1978)—§ 195
- Kartell v. Blue Shield of Massachusetts, Inc., 749 F.2d 922 (1st Cir. 1984)—§§ 42, 47, 187
- Kartell v. Blue Shield of Massachusetts, Inc., 592 F.2d 1191 (1st Cir. 1979)—§ 33
- Katharine Gibbs School (Inc.) v. F.T.C., 612 F.2d 658 (2d Cir. 1979)—§§ 207, 208
- Katz v. Fidelity Nat. Title Ins. Co., 685 F.3d 588 (6th Cir. 2012)—§§ 33A, 36
- Kaufman v. Time Warner, 836 F.3d 137 (2d Cir. 2016)—§ 84
- Kaye v. Orkin Exterminating Co., Inc., 472 F.2d 1213 (5th Cir. 1973)—§ 4
- Kay Elec. Co-op. v. City of Newkirk, Okla., 647 F.3d 1039 (10th Cir. 2011)—§ 33
- Kazmaier v. Wooten, 761 F.2d 46 (1st Cir. 1985)—§§ 9, 19
- Keane v. General Motors Corp., 481 F.2d 132 (9th Cir. 1973)—§ 187
- Kearney & Trecker Corp. v. Cincinnati Milacron Inc., 562 F.2d 365 (6th Cir. 1977)—§ 158
- Kearns v. Ford Motor Co., 567 F.3d 1120, 73 Fed. R. Serv. 3d 1168 (9th Cir. 2009)—§ 17
- Keene Corp. v. Paraflex Industries, Inc., 653 F.2d 822 (3d Cir. 1981)—§ 18
- Kehm Oil Co. v. Texaco, Inc., 537 F.3d 290 (3d Cir. 2008)—§§ 27, 37
- Kelco Disposal, Inc. v. Browning-Ferris Industries of Vermont, Inc., 845 F.2d 404 (2d Cir. 1988)—§§ 52, 188
- Kell v. American Capital Strategies, Ltd., 278 F. Supp. 2d 156 (D.P.R. 2003)—§ 84
- Kelly v. General Motors Corp., 425 F. Supp. 13 (E.D. Pa. 1976)—§§ 128, 174
- Kelsey K. v. NFL Enterprises, LLC, 254 F. Supp. 3d 1140 (N.D. Cal. 2017)—§ 42
- Kemin Foods, L.C. v. Pigmentos Vegetales Del Centro S.A. de C.V., 464 F.3d 1339 (Fed. Cir. 2006)—§ 37
- Kendall Elevator Co., Inc. v. LBC&W Associates of South Carolina, Inc., 350 F. Supp. 75 (D.S.C. 1972)—§ 85
- Kennecott Copper Corp. v. Curtiss-Wright Corp., 584 F.2d 1195 (2d Cir. 1978)—§ 112
- Kennecott Copper Corp. v. Curtiss-Wright Corp., 449 F. Supp. 951 (S.D. N.Y. 1978)—§§ 95, 115
- Kennecott Copper Corp. v. F.T.C.,

TABLE OF CASES

- 467 F.2d 67 (10th Cir. 1972)—  
§§ 99, 102, 103, 106, 108
- Kentmaster Mfg. Co. v. Jarvis  
Products Corp., 146 F.3d 691  
(9th Cir. 1998)—§ 47
- Kentucky v. Marathon Petroleum  
Company LP, 464 F. Supp. 3d  
880 (W.D. Ky. 2020)—§ 181
- Kentucky, Commonwealth of v.  
Marathon Petroleum Com-  
pany, LP, 191 F. Supp. 3d 694  
(W.D. Ky. 2016)—§ 51
- Kentucky Fried Chicken Corp. v.  
Diversified Packaging Corp.,  
549 F.2d 368 (5th Cir. 1977)—  
§ 84
- Kentucky Household Goods Carri-  
ers Ass’n., Inc. v. F.T.C., 199  
Fed. Appx. 410, 2006 FED  
App. 0615N (6th Cir. 2006)—  
§ 33
- Kentucky Speedway, LLC v. Na-  
tional Ass’n of Stock Car Auto  
Racing, Inc., 588 F.3d 908 (6th  
Cir. 2009)—§§ 28, 54, 67, 195
- Kenworth of Boston, Inc. v. Paccar  
Financial Corp., 735 F.2d 622  
(1st Cir. 1984)—§ 84
- Keogh v. Chicago & N.W. Ry. Co.,  
260 U.S. 156, 43 S. Ct. 47, 67  
L. Ed. 183 (1922)—§§ 33A, 37,  
42
- Kerasotes Michigan Theatres, Inc.  
v. National Amusements, Inc.,  
854 F.2d 135, 11 Fed. R. Serv.  
3d 1545 (6th Cir. 1988)—§ 49
- Kerasotes Michigan Theatres, Inc.  
v. National Amusements, Inc.,  
658 F. Supp. 1514 (E.D. Mich.  
1987)—§§ 47, 54
- Kern-Tulare Water Dist. v. City of  
Bakersfield, 828 F.2d 514 (9th  
Cir. 1987)—§ 33
- Kestenbaum v. Falstaff Brewing  
Corp., 575 F.2d 564, 3 Fed. R.  
Evid. Serv. 1082, 25 Fed. R.  
Serv. 2d 1111 (5th Cir. 1978)—  
§§ 40, 192
- Kestenbaum v. Falstaff Brewing  
Corp., 514 F.2d 690 (5th Cir.  
1975)—§§ 42, 197
- Keurig Green Mountain Single-  
Serve Coffee Antitrust Litiga-  
tion, In re, 383 F. Supp. 3d 187  
(S.D. N.Y. 2019)—§ 47
- Kevorkyan v. Texaco Refining and  
Marketing, Inc., 185 Fed.  
Appx. 592 (9th Cir. 2006)—§ 37
- Kewanee Oil Co. v. Bicorn Corp.,  
416 U.S. 470, 94 S. Ct. 1879,  
40 L. Ed. 2d 315 (1974)—  
§ 163A
- Key Enterprises of Delaware, Inc.  
v. Venice Hosp., 919 F.2d 1550  
(11th Cir. 1990)—§§ 45, 52, 68,  
98
- Key Financial Planning Corp. v.  
ITT Life Ins. Corp., 828 F.2d  
635 (10th Cir. 1987)—§§ 41, 54
- Keystone Fruit Marketing, Inc. v.  
Brownfield, 352 Fed. Appx.  
169 (9th Cir. 2009)—§ 23
- Keystone Tobacco Co., Inc v. U.S.  
Tobacco Co., 238 F. Supp. 2d  
151 (D.D.C. 2002)—§ 174
- Kieselstein-Cord v. Accessories by  
Pearl, Inc., 632 F.2d 989 (2d  
Cir. 1980)—§ 162
- Kilopass Technology, Inc. v.  
Sidense Corp., 738 F.3d 1302  
(Fed. Cir. 2013)—§ 160
- Kimble v. Marvel Enterprises Inc.,  
727 F.3d 856 (9th Cir. 2013)—  
§ 146
- Kimble v. Marvel Entertainment,  
LLC, 576 U.S. 446, 135 S. Ct.

- 2401, 192 L. Ed. 2d 463 (2015)—§§ 28, 40
- King v. Idaho Funeral Service Ass'n, 862 F.2d 744, 12 Fed. R. Serv. 3d 1078 (9th Cir. 1988)—§ 200
- King v. PA Consulting Group, Inc., 485 F.3d 577 (10th Cir. 2007)—§ 37
- King & King Enterprises v. Champlin Petroleum Co., 657 F.2d 1147, 8 Fed. R. Evid. Serv. 1206, 32 Fed. R. Serv. 2d 311 (10th Cir. 1981)—§§ 42, 178
- King Drug Co. of Florence, Inc. v. Cephalon, Inc., 88 F. Supp. 3d 402 (E.D. Pa. 2015)—§ 40
- King Drug Co. of Florence, Inc. v. Smithkline Beecham Corp., 791 F.3d 388 (3d Cir. 2015)—§ 40
- King Instrument Corp. v. Otari Corp., 767 F.2d 853 (Fed. Cir. 1985)—§ 143
- Kingsport Motors, Inc. v. Chrysler Motors Corp., 644 F.2d 566 (6th Cir. 1981)—§ 84
- Kippen v. Pack, 491 Fed. Appx. 187 (Fed. Cir. 2012)—§ 146
- Kirby v. P. R. Mallory & Co., Inc., 489 F.2d 904, 18 Fed. R. Serv. 2d 33 (7th Cir. 1973)—§§ 131, 138
- Kirkwood, City of v. Union Elec. Co., 671 F.2d 1173 (8th Cir. 1982)—§§ 33, 129
- Klamath-Lake Pharmaceutical Ass'n v. Klamath Medical Service Bureau, 701 F.2d 1276, 36 Fed. R. Serv. 2d 472 (9th Cir. 1983)—§§ 36, 84, 164
- Kleen Products LLC v. Georgia-Pacific LLC, 910 F.3d 927 (7th Cir. 2018)—§ 181
- Kleen Products LLC v. International Paper, 276 F. Supp. 3d 811 (N.D. Ill. 2017)—§ 64
- Kleen Products LLC v. International Paper, 306 F.R.D. 585 (N.D. Ill. 2015)—§ 174
- Klein v. American Land Title Ass'n, 926 F. Supp. 2d 193 (D.D.C. 2013)—§ 187
- Klein v. Northwestern Mut. Life Ins. Co., 337 Fed. Appx. 4 (2d Cir. 2009)—§ 17
- Kline v. Coldwell, Banker & Co., 508 F.2d 226, 19 Fed. R. Serv. 2d 819 (9th Cir. 1974)—§§ 66, 174
- Kloth v. Microsoft Corp., 444 F.3d 312 (4th Cir. 2006)—§ 187
- K Mart Corp. v. Cartier, Inc., 486 U.S. 281, 108 S. Ct. 1811, 100 L. Ed. 2d 313 (1988)—§ 29
- K Mart Corp. v. Cartier, Inc., 485 U.S. 176, 108 S. Ct. 950, 99 L. Ed. 2d 151 (1988)—§ 9
- KM Enterprises, Inc. v. Global Traffic Technologies, Inc., 725 F.3d 718 (7th Cir. 2013)—§§ 167, 171
- Knology, Inc. v. Insight Communications Co., 393 F.3d 656, 2004 FED App. 0440P (6th Cir. 2004)—§ 33
- Knology, Inc. v. Insight Communications Co., L.P., 460 F.3d 722, 2006 FED App. 0310P (6th Cir. 2006)—§ 200
- Knuth v. Erie-Crawford Dairy Coop. Ass'n, 463 F.2d 470, 16 Fed. R. Serv. 2d 697 (3d Cir. 1972)—§ 42
- Knutson v. Daily Review, Inc., 468 F. Supp. 226 (N.D. Cal. 1979)—§§ 52, 85, 87, 119, 193

TABLE OF CASES

- Knutson v. Daily Review, Inc., 548 F.2d 795 (9th Cir. 1976)—§§ 52, 85, 87, 119
- Koby v. ARS National Services, Inc., 2010 WL 5249834 (S.D. Cal. 2010)—§ 37
- Kochert v. Greater Lafayette Health Services, Inc., 463 F.3d 710 (7th Cir. 2006)—§ 187
- Kock v. Quaker Oats Co., 681 F.2d 649 (9th Cir. 1982)—§ 143
- Kodekey Electronics, Inc. v. Mechanex Corp., 486 F.2d 449 (10th Cir. 1973)—§ 21
- Kolon Industries Inc. v. E.I. DuPont de Nemours & Co., 748 F.3d 160 (4th Cir. 2014)—§ 47
- Konik v. Champlain Valley Physicians Hosp. Medical Center, 733 F.2d 1007 (2d Cir. 1984)—§§ 42, 83, 84
- Korea Kumho Petrochemical Co., Ltd. v. Flexsys America LP, 370 Fed. Appx. 875 (9th Cir. 2010)—§ 45A
- Korean Air Lines Co., Ltd., In re, 642 F.3d 685 (9th Cir. 2011)—§ 37
- Korean Ramen Antitrust Litigation, In re, 281 F. Supp. 3d 892 (N.D. Cal. 2017)—§§ 178, 181
- Kotam Electronics, Inc. v. JBL Consumer Products, Inc., 93 F.3d 724 (11th Cir. 1996)—§§ 139, 203A
- Kottle v. Northwest Kidney Centers, 146 F.3d 1056 (9th Cir. 1998)—§ 33
- Kraly v. National Distillers & Chemical Corp., 502 F.2d 1366 (7th Cir. 1974)—§§ 156, 159
- Krehl v. Baskin-Robbins Ice Cream Co., 664 F.2d 1348 (9th Cir. 1982)—§§ 42, 84, 87
- Krempp v. Dobbs, 775 F.2d 1319 (5th Cir. 1985)—§ 42
- Kreuzer v. American Academy of Periodontology, 735 F.2d 1479 (D.C. Cir. 1984)—§ 66
- Kristian v. Comcast Corp., 446 F.3d 25 (1st Cir. 2006)—§ 164
- Kruman v. Christie's Intern. PLC, 284 F.3d 384 (2d Cir. 2002)—§ 32A
- Krutsinger v. Mead Foods, Inc., 546 F.2d 328 (10th Cir. 1976)—§ 90
- KT.& G Corp v. Attorney General of State of Okla., 535 F.3d 1114 (10th Cir. 2008)—§ 27
- Kundrat v. Chicago Board Options Exchange, Fed. Sec. L. Rep. (CCH) ¶ 92217, 2002-2 Trade Cas. (CCH) ¶ 73888, 2002 WL 31017808 (N.D. Ill. 2002)—§ 129
- Kurek v. Pleasure Driveway and Park Dist. of Peoria, Ill., 557 F.2d 580 (7th Cir. 1977)—§ 33
- Kypta v. McDonald's Corp., 671 F.2d 1282 (11th Cir. 1982)—§§ 84, 195

**L**

- LabMD, Inc. v. Federal Trade Commission, 894 F.3d 1221 (11th Cir. 2018)—§ 212
- Ladd v. Law & Technology Press, 762 F.2d 809 (9th Cir. 1985)—§ 162
- L.A. Draper & Son v. Wheelabrator-Frye, Inc., 735 F.2d 414, 39 Fed. R. Serv. 2d 733 (11th Cir. 1984)—§§ 40, 55
- LaFaro v. New York Cardiothoracic

- Group, PLLC, 570 F.3d 471 (2d Cir. 2009)—§§ 33, 37A
- Lafayette, La., City of v. Louisiana Power & Light Co., 435 U.S. 389, 98 S. Ct. 1123, 55 L. Ed. 2d 364 (1978)—§§ 33, 164, 189, 190
- Lafayette, Louisiana, City of v. Louisiana Power & Light Co., 532 F.2d 431 (5th Cir. 1976)—§ 33
- Laidlaw Waste Systems, Inc. v. City of Fort Smith, Ark., 742 F. Supp. 540 (W.D. Ark. 1990)—§§ 37, 126
- Laitram Machinery, Inc. v. Carnitech A/S, 901 F. Supp. 1155 (E.D. La. 1995)—§ 33
- Lake Communications, Inc. v. ICC Corp., 738 F.2d 1473 (9th Cir. 1984)—§§ 117, 119, 131, 164
- Lakeland Regional Medical Center, Inc. v. Astellas US, LLC, 763 F.3d 1280, 89 Fed. R. Serv. 3d 728 (11th Cir. 2014)—§ 194
- Laker Airways Ltd. v. Sabena, Belgian World Airlines, 731 F.2d 909, 78 A.L.R. Fed. 751 (D.C. Cir. 1984)—§ 176
- Lamb Enterprises, Inc. v. Toledo Blade Co., 461 F.2d 506 (6th Cir. 1972)—§§ 33, 46, 197
- Lamb's Patio Theatre, Inc. v. Universal Film Exchanges, Inc., 582 F.2d 1068, 47 A.L.R. Fed. 200 (7th Cir. 1978)—§ 85
- Lamp Liquors, Inc. v. Adolph Coors Co., 563 F.2d 425 (10th Cir. 1977)—§§ 87, 163A
- Lamson v. United States, 110 Fed. Cl. 691 (2013)—§§ 144, 156
- Lancaster Community Hosp. v. Antelope Valley Hosp. Dist., 940 F.2d 397, 20 Fed. R. Serv. 3d 728 (9th Cir. 1991)—§ 33
- Lancaster Community Hosp. v. Antelope Valley Hosp. Dist., 923 F.2d 1378 (9th Cir. 1991)—§ 33
- L & H Investments, Ltd. v. Belvey Corp., 444 F. Supp. 1321 (W.D. N.C. 1978)—§ 187
- L & H Sanitation, Inc. v. Lake City Sanitation, Inc., 769 F.2d 517 (8th Cir. 1985)—§ 33
- L & J Crew Station, LLC v. Banco Popular de Puerto Rico, 278 F. Supp. 2d 547 (D.V.I. 2003)—§§ 67, 81
- L. & J.G. Stickley, Inc. v. Cosser, 255 Fed. Appx. 541 (2d Cir. 2007)—§ 37
- L & L Oil Co., Inc. v. Murphy Oil Corp., 674 F.2d 1113 (5th Cir. 1982)—§§ 128, 138
- Landmark Development Corp. v. Chambers Corp., 752 F.2d 369, 40 Fed. R. Serv. 2d 1300 (9th Cir. 1985)—§ 85
- Landmarks Holding Corp. v. Bermant, 664 F.2d 891 (2d Cir. 1981)—§ 33
- Lanier Business Products v. Graymar Co., 355 F. Supp. 524 (D. Md. 1973)—§ 202
- Lansdale, Borough of v. Philadelphia Elec. Co., 692 F.2d 307 (3d Cir. 1982)—§ 55
- Lantec, Inc. v. Novell, Inc., 306 F.3d 1003, 59 Fed. R. Evid. Serv. 1251, 49 U.C.C. Rep. Serv. 2d 147 (10th Cir. 2002)—§§ 47, 55
- Lantus Direct Purchaser Antitrust Litigation, In re, 950 F.3d 1 (1st Cir. 2020)—§ 187

TABLE OF CASES

- L.A.P.D., Inc. v. General Elec. Corp., 132 F.3d 402 (7th Cir. 1997)—§ 86
- La Resolana Architects, PA v. Reno, Inc., 555 F.3d 1171 (10th Cir. 2009)—§§ 37, 162
- Larry R. George Sales Co. v. Cool Attic Corp., 587 F.2d 266 (5th Cir. 1979)—§§ 137, 197
- Larry V. Muko, Inc. v. Southwestern Pennsylvania Bldg. and Const. Trades Council, 670 F.2d 421 (3d Cir. 1982)—§ 86
- Larry V. Muko, Inc. v. Southwestern Pennsylvania Bldg. and Const. Trades Council, 609 F.2d 1368 (3d Cir. 1979)—§ 34
- LaSalle Nat. Bank of Chicago v. DuPage County, 777 F.2d 377 (7th Cir. 1985)—§ 33
- LaSalvia v. United Dairymen of Arizona, 804 F.2d 1113, 6 Fed. R. Serv. 3d 639 (9th Cir. 1986)—§§ 35, 85, 177
- Lasercomb America, Inc. v. Reynolds, 911 F.2d 970, 18 Fed. R. Serv. 3d 130 (4th Cir. 1990)—§§ 156, 162
- LaserDynamics, Inc. v. Quanta Computer, Inc., 694 F.3d 51, 89 Fed. R. Evid. Serv. 348 (Fed. Cir. 2012)—§ 146
- Las Vegas Sun, Inc. v. Summa Corp., 610 F.2d 614, 28 Fed. R. Serv. 2d 859 (9th Cir. 1979)—§§ 86, 112, 117
- Latin America/Pacific Coast S.S. Conference v Federal Maritime Com. (1972) 150 App DC 362, 465 F2d 542—§ 27
- Latuszewski v. VALIC Financial Advisors, Inc., 393 Fed. Appx. 962 (3d Cir. 2010)—§ 4
- Laughlin v. Wells, 446 F. Supp. 48 (C.D. Cal. 1978)—§ 187
- Laumann v. National Hockey League, 105 F. Supp. 3d 384 (S.D. N.Y. 2015)—§ 174
- Laumann v. National Hockey League, 56 F. Supp. 3d 280 (S.D. N.Y. 2014)—§ 37A
- Laumann v. National Hockey League, 907 F. Supp. 2d 465 (S.D. N.Y. 2012)—§ 55
- Laurel Sand & Gravel, Inc. v. CSX Transp., Inc., 704 F. Supp. 1309 (D. Md. 1989)—§ 51
- Laurel Sand & Gravel, Inc. v CSX Transportation, Inc., affirming, see (1991, CA4 Md) 924 F2d 539, 1991-1 CCH Trade Cases ¶ 69312, reh, en banc, den (CA4) 1991 US App LEXIS 4299 and cert den (US) 116 L Ed 2d 39, 112 S Ct 64—§ 51
- Laveson v. Trans World Airlines, 471 F.2d 76 (3d Cir. 1972)—§ 169
- Law v. National Collegiate Athletic Ass'n, 134 F.3d 1010, 123 Ed. Law Rep. 510 (10th Cir. 1998)—§§ 40, 42
- Lawyers Title Co. of Missouri v. St. Paul Title Ins. Corp., 526 F.2d 795 (8th Cir. 1975)—§ 36
- L. Batlin & Son, Inc. v. Snyder, 536 F.2d 486 (2d Cir. 1976)—§ 162
- Le v. Zuffa, LLC, 2016 WL 2770522 (D. Nev. 2016)—§ 54
- Learning Systems, Inc. v. Levin, 351 F. Supp. 532 (E.D. Mo. 1972)—§ 171
- Lear Siegler, Inc. v. Ark-Ell Springs, Inc., 569 F.2d 286 (5th Cir. 1978)—§ 22

- Lease Lights, Inc. v. Public Service Co. of Oklahoma, 849 F.2d 1330 (10th Cir. 1988)—§ 33
- Lease Lights Inc. v. Public Service Co. of Oklahoma, 701 F.2d 794 (10th Cir. 1983)—§ 32
- LeBlanc v. Unifund CCR Partners, 601 F.3d 1185 (11th Cir. 2010)—§ 37
- Lechoslaw v. Bank of America, N.A., 618 F.3d 49 (1st Cir. 2010)—§ 17
- Lee-Moore Oil Co. v. Union Oil Co. of California, 599 F.2d 1299 (4th Cir. 1979)—§ 85
- Lee v Federal Trade Com. (1980) 220 App DC 87, 679 F.2d 905—§ 212
- Lee v. Flintkote Co., 593 F.2d 1275 (D.C. Cir. 1979)—§ 2
- Lee v. Life Ins. Co. of North America, 23 F.3d 14, 91 Ed. Law Rep. 74 (1st Cir. 1994)—§ 84
- Lee v. Ply\*Gem Industries, Inc., 593 F.2d 1266 (D.C. Cir. 1979)—§§ 164, 171
- Leegin Creative Leather Products, Inc. v. PSKS, Inc., 551 U.S. 877, 127 S. Ct. 2705, 168 L. Ed. 2d 623, 35 A.L.R. Fed. 2d 631 (2007)—§§ 28, 40, 70
- Lee Klinger Volkswagen, Inc. v. Chrysler Corp., 583 F.2d 910 (7th Cir. 1978)—§ 40
- Legal Economic Evaluations, Inc. v. Metropolitan Life Ins. Co., 39 F.3d 951 (9th Cir. 1994)—§ 190
- Lehrman v. Gulf Oil Corp., 500 F.2d 659 (5th Cir. 1974)—§§ 188, 193
- Lehrman v. Gulf Oil Corp., 464 F.2d 26 (5th Cir. 1972)—§§ 32, 194, 199
- Leist v. Union Oil Co. of California, 470 F. Supp. 246 (E.D. Wis. 1979)—§§ 128, 177
- Lektro-Vend Corp. v. Vendo Corp., 500 F. Supp. 332 (N.D. Ill. 1980)—§ 175
- Lenox MacLaren Surgical Corp. v. Medtronic, Inc., 762 F.3d 1114 (10th Cir. 2014)—§ 54
- Lenox MacLaren Surgical Corporation v. Medtronic, Inc., 847 F.3d 1221 (10th Cir. 2017)—§§ 41A, 46, 47, 52
- Leopoldo Fontanillas, Inc. v. Luis Ayala Colon Sucesores, Inc., 283 F. Supp. 2d 579 (D.P.R. 2003)—§§ 33, 84
- LePage's Inc. v. 3M, 324 F.3d 141, 61 Fed. R. Evid. Serv. 60 (3d Cir. 2003)—§ 46
- Lepore v. New York News Inc., 346 F. Supp. 755 (S.D. N.Y. 1972)—§§ 43, 176
- Les Shockley Racing, Inc. v. National Hot Rod Ass'n, 884 F.2d 504 (9th Cir. 1989)—§§ 40, 193
- Lessig v. Tidewater Oil Co., 327 F.2d 459 (9th Cir. 1964)—§§ 52, 54, 84
- Levine v. Bellsouth Corp., 302 F. Supp. 2d 1358 (S.D. Fla. 2004)—§§ 51, 84, 187
- Levine v. Central Florida Medical Affiliates, Inc., 72 F.3d 1538 (11th Cir. 1996)—§§ 40, 51, 85, 188
- Levitin v. Northwest Community Hospital, 64 F. Supp. 3d 1107 (N.D. Ill. 2014)—§ 45A
- Levitt Corp. v. Levitt, 593 F.2d 463 (2d Cir. 1979)—§ 9

TABLE OF CASES

- Lewis v. Philip Morris Inc., 355 F.3d 515 (6th Cir. 2004)—§§ 128, 187
- Lewis Service Center, Inc. v. Mack Trucks, Inc., 714 F.2d 842 (8th Cir. 1983)—§§ 40, 42
- Liberty Glass Co., Inc. v. Allstate Ins. Co., 607 F.2d 135 (5th Cir. 1979)—§ 36
- Liberty Lake Investments, Inc. v. Magnuson, 12 F.3d 155 (9th Cir. 1993)—§ 33
- Liberty Lincoln-Mercury v. Ford Motor Co., 134 F.3d 557, 170 A.L.R. Fed. 727 (3d Cir. 1998)—§ 127
- LIBOR-Based Financial Instruments Antitrust Litigation, In re, 935 F. Supp. 2d 666 (S.D. N.Y. 2013)—§ 187
- LIBOR-Based Financial Instruments Antitrust Litigation, In re, Comm. Fut. L. Rep. (CCH) P 33586, 2015 WL 6243526 (S.D. N.Y. 2015)—§ 42
- LifeWatch Services, Inc. v. Highmark, Inc., 2020-2 Trade Cas. (CCH) ¶ 81498, 2020 WL 7690179 (E.D. Pa. 2020)—§ 36
- Lifewatch Services Inc. v. Highmark Inc., 902 F.3d 323 (3d Cir. 2018)—§§ 40A, 56
- Liggett & Myers, Inc. v. F.T.C., 567 F.2d 1273 (4th Cir. 1977)—§ 102
- Liggett Group, Inc. v. Brown & Williamson Tobacco Corp., 748 F. Supp. 344 (M.D. N.C. 1990)—§ 125
- Limeco, Inc. v. Division of Lime of Mississippi Dept. of Agriculture & Commerce, 778 F.2d 1086 (5th Cir. 1985)—§ 33
- Lindy Bros. Builders, Inc. of Phila. v. American Radiator & Standard Sanitary Corp., 487 F.2d 161 (3d Cir. 1973)—§ 200
- Linerboard Antitrust Litigation, In re, 305 F.3d 145, 53 Fed. R. Serv. 3d 999 (3d Cir. 2002)—§ 174
- Link v. Mercedes-Benz of North America, Inc., 788 F.2d 918, 20 Fed. R. Evid. Serv. 701 (3d Cir. 1986)—§§ 42, 67
- linkLine Communications, Inc. v. SBC California, Inc., 503 F.3d 876 (9th Cir. 2007)—§ 52A
- Linseman v. World Hockey Ass'n, 439 F. Supp. 1315 (D. Conn. 1977)—§ 32
- Lipitor Antitrust Litigation, In re, 868 F.3d 231 (3d Cir. 2017)—§§ 37A, 46
- Lipton Industries, Inc. v. Ralston Purina Co., 670 F.2d 1024 (C.C.P.A. 1982)—§ 10
- Little v. KPMG LLP, 575 F.3d 533 (5th Cir. 2009)—§ 37
- Littlejohn v. Shell Oil Co., 483 F.2d 1140, 17 Fed. R. Serv. 2d 1442 (5th Cir. 1973)—§§ 126, 131
- Little Rock Cardiology Clinic PA v. Baptist Health, 591 F.3d 591 (8th Cir. 2009)—§§ 28, 55, 85
- Litton Industries, Inc. v. F.T.C., 676 F.2d 364 (9th Cir. 1982)—§§ 25, 212
- Litton Systems, Inc. v. American Tel. and Tel. Co., 700 F.2d 785, 12 Fed. R. Evid. Serv. 1426 (2d Cir. 1983)—§ 200
- Litton Systems, Inc. v. Southwestern Bell Tel. Co., 539 F.2d 418 (5th Cir. 1976)—§§ 33, 164
- Live Concert Antitrust Litigation,

- In re, 863 F. Supp. 2d 966 (C.D. Cal. 2012)—§ 54
- LiveUniverse, Inc. v. MySpace, Inc., 304 Fed. Appx. 554 (9th Cir. 2008)—§§ 16, 197
- Livingston Downs Racing Ass'n, Inc. v. Jefferson Downs Corp., 257 F. Supp. 2d 819 (M.D. La. 2002)—§ 119
- Llacua v. Western Range Association, 930 F.3d 1161, 104 Fed. R. Serv. 3d 283 (10th Cir. 2019)—§ 57
- Llewellyn v. Crothers, 765 F.2d 769 (9th Cir. 1985)—§ 33
- LLM Bar Exam, LLC v. Barbri, Inc., 271 F. Supp. 3d 547 (S.D. N.Y. 2017)—§§ 42, 54, 55
- Local Beauty Supply, Inc. v. Lamaur Inc., 787 F.2d 1197 (7th Cir. 1986)—§§ 175, 187
- Local 210, Laborers' Intern. Union of North America v. Labor Relations Div. Associated General Contractors of America, N.Y.S. Chapter, Inc., 844 F.2d 69 (2d Cir. 1988)—§ 34
- Loctite Corp. v. Ultraseal Ltd., 781 F.2d 861 (Fed. Cir. 1985)—§ 156
- Loeb Industries, Inc. v. Sumitomo Corp., 306 F.3d 469 (7th Cir. 2002)—§§ 42, 190
- Loestrin 24 Fe Antitrust Litigation, In re, 433 F. Supp. 3d 274 (D.R.I. 2019)—§ 181
- Loestrin 24 FE Antitrust Litigation, In re, 410 F. Supp. 3d 352, 104 Fed. R. Serv. 3d 1460 (D.R.I. 2019)—§ 174
- Loestrin 24 Fe Antitrust Litigation, In re, 261 F. Supp. 3d 307 (D.R.I. 2017)—§ 52
- Loestrin 24 Fe Antitrust Litigation, In re, 814 F.3d 538 (1st Cir. 2016)—§ 156A
- Lomar Wholesale Grocery, Inc. v. Dieter's Gourmet Foods, Inc., 824 F.2d 582 (8th Cir. 1987)—§§ 131, 137, 177, 187
- Lombard's, Inc. v. Prince Mfg., Inc., 753 F.2d 974, 40 Fed. R. Serv. 2d 1453 (11th Cir. 1985)—§ 164
- London v. Fieldale Farms Corp., 410 F.3d 1295 (11th Cir. 2005)—§ 37
- London Silver Fixing, Ltd., Antitrust Litigation, In re, 332 F. Supp. 3d 885 (S.D. N.Y. 2018)—§ 187
- London Silver Fixing, Ltd., Antitrust Litigation., In re, 213 F. Supp. 3d 530 (S.D. N.Y. 2016)—§ 174
- Long v. Merrifield Town Center Ltd. Partnership, 611 F.3d 240 (4th Cir. 2010)—§ 37
- Long Beach, City of v. Standard Oil Co. of California, 46 F.3d 929, 41 Fed. R. Evid. Serv. 587 (9th Cir. 1995)—§§ 42, 67
- Long Beach, City of v. Standard Oil Co. of California, 872 F.2d 1401 (9th Cir. 1989)—§ 42
- Long Beach, City of v. Total Gas & Power North America, Inc., 465 F. Supp. 3d 416 (S.D. N.Y. 2020)—§ 52A
- Lorain Journal Co. v. U.S., 342 U.S. 143, 72 S. Ct. 181, 96 L. Ed. 162 (1951)—§ 51
- Lorazepam & Clorazepate Antitrust Litigation, In re, 289 F.3d 98, 52 Fed. R. Serv. 3d 930 (D.C. Cir. 2002)—§ 174

TABLE OF CASES

- Lorrie's Travel & Tours, Inc. v. SFO Airporter, Inc., 753 F.2d 790 (9th Cir. 1985)—§ 33
- Los Angeles Memorial Coliseum Commission v. National Football League, 634 F.2d 1197 (9th Cir. 1980)—§ 176
- Los Angeles Memorial Coliseum Com'n v. National Football League, 791 F.2d 1356 (9th Cir. 1986)—§§ 187, 190, 196
- Los Angeles Memorial Coliseum Com'n v. National Football League, 726 F.2d 1381 (9th Cir. 1984)—§§ 40, 41, 117
- Lottie Joplin Thomas Trust v. Crown Publishers, Inc., 592 F.2d 651 (2d Cir. 1978)—§ 164
- Louisiana ex rel. Caldwell v. Allstate Ins. Co., 536 F.3d 418 (5th Cir. 2008)—§§ 164, 174
- Louisiana Power & Light Co. v. Kellstrom, 50 F.3d 319, 31 Fed. R. Serv. 3d 369 (5th Cir. 1995)—§ 200
- Louisiana Real Estate Appraisers Board v. Federal Trade Commission, 917 F.3d 389 (5th Cir. 2019)—§ 213
- Louisiana Real Estate Appraisers Board v. United States Federal Trade Commission, 976 F.3d 597 (5th Cir. 2020)—§§ 33, 206
- Love Terminal Partners v. U.S., 97 Fed. Cl. 355 (2011)—§ 37A
- Lovett v. General Motors Corp., 998 F.2d 575 (8th Cir. 1993)—§ 85
- Lovett v. General Motors Corp., 975 F.2d 518 (8th Cir. 1992)—§ 187
- Lowell v. American Cyanamid Co., 177 F.3d 1228 (11th Cir. 1999)—§§ 181, 187, 201
- Lower Lake Erie Iron Ore Antitrust Litigation, In re (1993, CA3 Pa) 998 F.2d 1184—§ 37
- Lower Lake Erie Iron Ore Antitrust Litigation, In re, 998 F.2d 1144 (3d Cir. 1993)—§§ 177, 178, 187
- Lubrizol Corp. v. Train, 547 F.2d 310 (6th Cir. 1976)—§ 121
- Lucas v. Bechtel Corp., 800 F.2d 839 (9th Cir. 1986)—§§ 175, 187, 190
- Lucas v. Bechtel Corp., 633 F.2d 757, 30 Fed. R. Serv. 2d 1124 (9th Cir. 1980)—§ 34
- Lucas v. Citizens Communications Co., 244 Fed. Appx. 774 (9th Cir. 2007)—§§ 52, 52A, 127
- Lucas Automotive Engineering, Inc. v. Bridgestone/Firestone, Inc., 275 F.3d 762 (9th Cir. 2001)—§§ 54, 181
- Lucas Automotive Engineering, Inc. v. Bridgestone/Firestone, Inc., 140 F.3d 1228 (9th Cir. 1998)—§ 187
- Lucas Hoist & Equipment Co. v. Eaton Corp., 414 F. Supp. 1123 (W.D. Pa. 1976)—§ 187
- Lum v. Bank of America, 361 F.3d 217 (3d Cir. 2004)—§ 67
- Lumley v. Wagner (1852) 42 Eng Rep 687—§ 162
- Lupia v. Stella D'Oro Biscuit Co., Inc., 586 F.2d 1163 (7th Cir. 1978)—§§ 131, 137, 181
- Luria Steel & Trading Corp. v. Ogden Corp., 484 F.2d 1016 (3d Cir. 1973)—§ 178
- Lycon Inc. v. Juenke, 250 F.3d 285 (5th Cir. 2001)—§ 131

- Lyons v. Philip Morris Inc., 225 F.3d 909 (8th Cir. 2000)—§ 187
- M**
- MacDermid Printing Solutions LLC v. Cortron Corporation, 833 F.3d 172 (2d Cir. 2016)—§§ 40, 45A
- Mackey v. National Football League, 543 F.2d 606 (8th Cir. 1976)—§§ 34, 40
- Mackey v. Nationwide Ins. Companies, 724 F.2d 419, 73 A.L.R. Fed. 885 (4th Cir. 1984)—§ 36
- MacMillan Bloedel Ltd. v. Flintkote Co., 760 F.2d 580, 18 Fed. R. Evid. Serv. 278 (5th Cir. 1985)—§§ 164, 188
- Macomb Interceptor Drain Drainage Dist. v. Kilpatrick, 896 F. Supp. 2d 650 (E.D. Mich. 2012)—§ 190
- Mac's Shell Service, Inc. v. Shell Oil Products Co. LLC, 559 U.S. 175, 130 S. Ct. 1251, 176 L. Ed. 2d 36 (2010)—§ 37
- Madison Square Garden, L.P. v. National Hockey League, 270 Fed. Appx. 56 (2d Cir. 2008)—§ 176
- Magnetic Audiotape Antitrust Litigation, In re, 334 F.3d 204, 55 Fed. R. Serv. 3d 1178 (2d Cir. 2003)—§ 167
- Magnus Petroleum Co., Inc. v. Skelly Oil Co., 599 F.2d 196 (7th Cir. 1979)—§ 83
- Magnus Petroleum Co., Inc. v. Skelly Oil Co., 446 F. Supp. 874 (E.D. Wis. 1978)—§ 80
- Mahone v. Addicks Utility Dist. of Harris County, 836 F.2d 921 (5th Cir. 1988)—§ 187
- Maier-Schule GMC, Inc. v. General Motors Corp. (GMC Truck & Bus Group), 768 F. Supp. 987 (W.D. N.Y. 1991)—§ 128
- Main Street at Woolwich, LLC v. Ammons Supermarket, Inc., 451 N.J. Super. 135, 165 A.3d 821 (App. Div. 2017)—§ 37A
- Main Street Publishers, Inc. v. Landmark Communications, Inc., 701 F. Supp. 1289 (N.D. Miss. 1988)—§ 47
- Major League Baseball v. Crist, 331 F.3d 1177 (11th Cir. 2003)—§ 37A
- Major League Baseball Properties, Inc. v. Salvino, Inc., 542 F.3d 290 (2d Cir. 2008)—§§ 28, 40
- Malamud v. Sinclair Oil Corp., 521 F.2d 1142 (6th Cir. 1975)—§ 187
- Malaney v. UAL Corp., 552 Fed. Appx. 698 (9th Cir. 2014)—§ 97
- Malaney v. UAL Corp., 434 Fed. Appx. 620 (9th Cir. 2011)—§ 176
- Malcolm v. Marathon Oil Co., 642 F.2d 845 (5th Cir. 1981)—§§ 41, 67, 85, 193
- Malley-Duff & Associates, Inc. v. Crown Life Ins. Co., 734 F.2d 133 (3d Cir. 1984)—§§ 36, 86
- M & H Tire Co., Inc. v. Hoosier Racing Tire Corp., 733 F.2d 973 (1st Cir. 1984)—§§ 42, 86
- M & M Medical Supplies and Service, Inc. v. Pleasant Valley Hosp., Inc., 981 F.2d 160, 24 Fed. R. Serv. 3d 438 (4th Cir. 1992)—§ 47
- Manego v. Orleans Board of Trade, 773 F.2d 1, 82 A.L.R. Fed. 815 (1st Cir. 1985)—§ 182

TABLE OF CASES

- Mann v Princeton Community Hospital Association 1992-1 CCH Trade Cases ¶ 69738—§ 86
- Mannington Mills, Inc. v. Congoleum Corp., 595 F.2d 1287 (3d Cir. 1979)—§ 29
- Mannington Mills, Inc. v. Congoleum Industries, Inc., 610 F.2d 1059 (3d Cir. 1979)—§§ 146, 150, 156
- Manor Drug Stores v. Blue Chip Stamps, 492 F.2d 136 (9th Cir. 1973)—§ 187
- Mans v. Sunray DX Oil Co., 352 F. Supp. 1095 (N.D. Okla. 1971)—§§ 50, 187
- Manufacturing Research Corp. v. Greenlee Tool Co., 693 F.2d 1037 (11th Cir. 1982)—§§ 26, 52
- M.A.P. Oil Co., Inc. v. Texaco Inc., 691 F.2d 1303, 11 Fed. R. Evid. Serv. 1602 (9th Cir. 1982)—§ 54
- Marathon Oil Co. v. Mobil Corp., 669 F.2d 378 (6th Cir. 1981)—§§ 100, 175
- Marchon Eyewear, Inc. v. Tura LP, 2002-2 Trade Cas. (CCH) ¶ 73849, 2002 WL 31253199 (E.D. N.Y. 2002)—§§ 33, 195
- Marcinkowska v. IMG Worldwide, Inc., 342 Fed. Appx. 632 (Fed. Cir. 2009)—§ 37
- Marcoux v. Shell Oil Products Co. LLC, 524 F.3d 33, 65 U.C.C. Rep. Serv. 2d 676 (1st Cir. 2008)—§ 37
- Marcus v. Rowley, 695 F.2d 1171, 8 Ed. Law Rep. 258 (9th Cir. 1983)—§ 162
- Mariana v. Fisher, 338 F.3d 189 (3d Cir. 2003)—§ 33
- Maricultura Del Norte v. World Business Capital, Inc., 159 F. Supp. 3d 368 (S.D. N.Y. 2015)—§ 29
- Marine Firemen’s Union v. Owens-Corning Fiberglas Corp., 503 F.2d 246 (9th Cir. 1974)—§ 178
- Marine Polymer Technologies, Inc. v. HemCon, Inc., 672 F.3d 1350 (Fed. Cir. 2012)—§ 160
- Marion Healthcare, LLC v. Becton Dickinson & Company, 952 F.3d 832 (7th Cir. 2020)—§ 187
- Maris Distributing Co. v. Anheuser-Busch, Inc., 302 F.3d 1207 (11th Cir. 2002)—§§ 53, 54
- Mark Aero, Inc. v. Trans World Airlines, Inc., 580 F.2d 288 (8th Cir. 1978)—§ 33
- Market Force Inc. v. Wauwatosa Realty Co., 906 F.2d 1167 (7th Cir. 1990)—§§ 68, 181
- Market Force, Inc. v. Wauwatosa Realty Co., 706 F. Supp. 1387 (E.D. Wis. 1989)—§ 69
- Marrese v. American Academy of Orthopaedic Surgeons, 470 U.S. 373, 105 S. Ct. 1327, 84 L. Ed. 2d 274 (1985)—§ 164
- Marrese v. American Academy of Orthopaedic Surgeons, 726 F.2d 1150, 14 Fed. R. Evid. Serv. 1185, 38 Fed. R. Serv. 2d 205 (7th Cir. 1984)—§§ 167, 182
- Marrese v. Interqual, Inc., 748 F.2d 373 (7th Cir. 1984)—§ 33
- Marsann Co. v. Brammall, Inc., 788 F.2d 611 (9th Cir. 1986)—§ 47
- Martin-Trigona v. Federal Reserve Bd., 509 F.2d 363 (D.C. Cir. 1974)—§§ 37, 187

- Martin v. Memorial Hosp. at Gulfport*, 86 F.3d 1391 (5th Cir. 1996)—§ 33
- Martin v. Morgan Drive Away, Inc.*, 665 F.2d 598 (5th Cir. 1982)—§ 187
- Martin v. Stites*, 203 F. Supp. 2d 1237 (D. Kan. 2002)—§ 33
- Martin B. Glauser Dodge Co. v. Chrysler Corp.*, 570 F.2d 72 (3d Cir. 1977)—§ 40
- Marts v. Xerox, Inc.*, 77 F.3d 1109 (8th Cir. 1996)—§ 84
- Marucci Sports, L.L.C. v. National Collegiate Athletic Ass'n*, 751 F.3d 368 (5th Cir. 2014)—§§ 39, 40, 41
- Marx v. General Revenue Corp.*, 668 F.3d 1174, 81 Fed. R. Serv. 3d 479 (10th Cir. 2011)—§§ 37, 200
- Masco Contractor Services East, Inc. v. Beals*, 279 F. Supp. 2d 699 (E.D. Va. 2003)—§§ 52A, 67
- Masimo Corp. v. Tyco Health Care Group, L.P.*, 350 Fed. Appx. 95 (9th Cir. 2009)—§ 199
- Massachusetts v. Microsoft Corp.*, 373 F.3d 1199 (D.C. Cir. 2004)—§ 164
- Massachusetts Food Ass'n v. Massachusetts Alcoholic Beverages Control Com'n*, 197 F.3d 560, 45 Fed. R. Serv. 3d 1270 (1st Cir. 1999)—§§ 33, 170
- Massachusetts Furniture & Piano Movers Ass'n, Inc. v. F.T.C.*, 773 F.2d 391 (1st Cir. 1985)—§ 33
- Massachusetts School of Law at Andover, Inc. v. U.S.*, 118 F.3d 776, 120 Ed. Law Rep. 43, 38 Fed. R. Serv. 3d 44 (D.C. Cir. 1997)—§§ 170, 183
- Masters v. Wilhelmina Model Agency, Inc.*, 2003 WL 1990262 (S.D. N.Y. 2003)—§ 178
- Mathew Enterprise, Inc. v. Chrysler Group LLC*, 250 F. Supp. 3d 409 (N.D. Cal. 2017)—§ 135
- Matrix Essentials, Inc. v. Emporium Drug Mart, Inc., of Lafayette*, 988 F.2d 587 (5th Cir. 1993)—§ 5
- Matsushita Elec. Indus. Co., Ltd. v. Zenith Radio Corp.*, 475 U.S. 574, 106 S. Ct. 1348, 89 L. Ed. 2d 538, 4 Fed. R. Serv. 3d 368 (1986)—§§ 28, 42, 47, 85, 181
- Matsushita Elec. Indust. Co., Ltd. v. Cinram Intern., Inc.*, 299 F. Supp. 2d 370 (D. Del. 2004)—§ 153
- Matthews Intern. Corp. v. Biosafe Engineering, LLC*, 695 F.3d 1322 (Fed. Cir. 2012)—§ 163A
- Maxon Hyundai Mazda, et al. v. Carfax, Inc.*, 726 Fed. Appx. 66 (2d Cir. 2018)—§ 83
- May Dept. Store v. Graphic Process Co.*, 637 F.2d 1211 (9th Cir. 1980)—§§ 24, 129
- May Dept. Stores Co. v. First Hartford Corp.*, 435 F. Supp. 849 (D. Conn. 1977)—§ 211
- Mayer v. Belichick*, 605 F.3d 223 (3d Cir. 2010)—§ 2
- Mayer Hoffman McCann, P.C. v. Barton*, 614 F.3d 893 (8th Cir. 2010)—§ 4
- Mayer Paving & Asphalt Co. v. General Dynamics Corp.*, 486 F.2d 763 (7th Cir. 1973)—§ 126
- Maykuth v. Adolph Coors Co.*, 690 F.2d 689 (9th Cir. 1982)—§ 87

TABLE OF CASES

- Maynard v. Cannon, 401 Fed. Appx. 389 (10th Cir. 2010)—§ 37
- Mayo Collaborative Services v. Prometheus Laboratories, Inc., 566 U.S. 66, 132 S. Ct. 1289, 182 L. Ed. 2d 321, 90 A.L.R. Fed. 2d 685 (2012)—§ 143
- Mayor and City Council of Baltimore, Md. v. Citigroup, Inc., 709 F.3d 129 (2d Cir. 2013)—§§ 41, 67, 69, 174
- Mayview Corp. v. Rodstein, 480 F.2d 714 (9th Cir. 1973)—§ 160
- McCarthy v. Middle Tennessee Elec. Membership Corp., 466 F.3d 399, 2006 FED App. 0378P (6th Cir. 2006)—§§ 33, 37A
- McCaskill v. Texaco, Inc., 351 F. Supp. 1332 (S.D. Ala. 1972)—§ 136
- McClure v. Undersea Industries, Inc., 685 F.2d 1309 (11th Cir. 1982)—§ 195
- McClure v. Undersea Industries, Inc., 671 F.2d 1287 (11th Cir. 1982)—§ 195
- McCormack v. National Collegiate Athletic Ass'n, 845 F.2d 1338, 46 Ed. Law Rep. 562 (5th Cir. 1988)—§ 187
- McCourt v. California Sports, Inc., 600 F.2d 1193 (6th Cir. 1979)—§ 34
- McCoy v. Iberdrola Renewables, Inc., 760 F.3d 674 (7th Cir. 2014)—§ 41A
- McCray v. Fidelity Nat. Title Ins. Co., 682 F.3d 229 (3d Cir. 2012)—§§ 33, 33A, 36
- McCready v. Blue Shield of Virginia, 649 F.2d 228 (4th Cir. 1981)—§ 187
- McCullough v. Zimmer, Inc., 382 Fed. Appx. 225 (3d Cir. 2010)—§ 45A
- McDonald v. Johnson & Johnson, 722 F.2d 1370 (8th Cir. 1983)—§§ 4, 187
- McDonnell v. Michigan Chapter No. 10, American Institute of Real Estate Appraisers of Nat. Ass'n of Realtors, 587 F.2d 7 (6th Cir. 1978)—§§ 45, 86, 181
- McGahee v. Northern Propane Gas Co., 858 F.2d 1487 (11th Cir. 1988)—§§ 47, 131
- McGahee v. Northern Propane Gas Co., 658 F. Supp. 189 (N.D. Ga. 1987)—§§ 47, 131
- McGary v. Williamsport Regional Medical Center, 775 Fed. Appx. 723 (3d Cir. 2019)—§ 52
- McGee v. First Federal Sav. & Loan Ass'n of Brunswick, 761 F.2d 647 (11th Cir. 1985)—§ 117
- McGlinchy v. Shell Chemical Co., 845 F.2d 802, 25 Fed. R. Evid. Serv. 813 (9th Cir. 1988)—§§ 29, 37
- McGoffin v. Sun Oil Co., 539 F.2d 1245 (10th Cir. 1976)—§ 126
- McGuire v. Singer Co., 14 V.I. 447, 441 F. Supp. 210 (D.V.I. 1977)—§ 171
- McGuire Oil Co. v. Mapco Petroleum, Inc., 763 F. Supp. 1103 (S.D. Ala. 1991)—§§ 124, 187
- MCI Communications Corp. v. American Tel. & Tel. Co., 462 F. Supp. 1072 (N.D. Ill. 1978)—§ 169
- McKenzie v. Mercy Hosp. of Inde-

- pendence, Kansas., 854 F.2d 365 (10th Cir. 1988)—§§ 51, 85
- McKinney v. Cadleway Properties, Inc., 548 F.3d 496 (7th Cir. 2008)—§ 37
- McLain v. Real Estate Bd. of New Orleans, Inc., 444 U.S. 232, 100 S. Ct. 502, 62 L. Ed. 2d 441 (1980)—§§ 28, 32
- McLain v. Real Estate Bd. of New Orleans, Inc., 583 F.2d 1315 (5th Cir. 1978)—§ 32
- McLeran v. El Paso Natural Gas Co., 357 F. Supp. 329 (S.D. Tex. 1972)—§ 167
- McMackin v. Schwinn Bicycle Co., 354 F. Supp. 1154 (N.D. Ill. 1973)—§§ 84, 181
- M. C. Mfg. Co., Inc. v. Texas Foundries, Inc., 517 F.2d 1059 (5th Cir. 1975)—§§ 125, 127, 131, 196
- MCM Partners, Inc. v. Andrews-Bartlett & Associates, Inc., 62 F.3d 967 (7th Cir. 1995)—§§ 54, 67, 83
- McNeilus Truck and Mfg., Inc. v. Ohio ex rel. Montgomery, 226 F.3d 429, 2000 FED App. 0291P (6th Cir. 2000)—§§ 33, 86
- McNulty v. Borden, Inc., 542 F. Supp. 655, 10 Fed. R. Evid. Serv. 1618 (E.D. Pa. 1982)—§§ 125, 187
- McTamney v. Stolt Tankers and Terminals (Holdings), S.A., 678 F. Supp. 118 (E.D. Pa. 1987)—§ 96
- McWane, Inc. v. F.T.C., 783 F.3d 814 (11th Cir. 2015)—§ 121
- MDC Data Centers, Inc. v. International Business Machines Corp., 352 F. Supp. 63 (E.D. Pa. 1972)—§ 84
- M.D. Mark, Inc. v. Kerr-McGee Corp., 565 F.3d 753 (10th Cir. 2009)—§ 19
- MDS (Canada) Inc. v. Rad Source Technologies, Inc., 720 F.3d 833 (11th Cir. 2013)—§§ 145, 146
- Medic Air Corp. v. Air Ambulance Authority, 843 F.2d 1187 (9th Cir. 1988)—§ 33
- Medical Arts Pharmacy of Stamford, Inc. v. Blue Cross & Blue Shield of Connecticut, Inc., 675 F.2d 502 (2d Cir. 1982)—§§ 36, 42
- Medical Center at Elizabeth Place, LLC v. Atrium Health System, 922 F.3d 713 (6th Cir. 2019)—§ 120
- Medical Center at Elizabeth Place, LLC v. Atrium Health System, 817 F.3d 934, 99 Fed. R. Evid. Serv. 1388 (6th Cir. 2016)—§ 41
- Medical Supply Chain, Inc. v. General Elec. Co., 144 Fed. Appx. 708 (10th Cir. 2005)—§ 124
- Medimmune, Inc. v. Genentech, Inc., 427 F.3d 958 (Fed. Cir. 2005)—§§ 142, 156A
- Medinol Ltd. v. Boston Scientific Corp., 346 F. Supp. 2d 575 (S.D. N.Y. 2004)—§ 22
- Medtronic Inc. v. Boston Scientific Corp., 695 F.3d 1266 (Fed. Cir. 2012)—§ 160
- Medtronic, Inc. v. Mirowski Family Ventures, LLC, 571 U.S. 191, 134 S. Ct. 843, 187 L. Ed. 2d 703 (2014)—§ 143
- Medusa Corp. v. Gordon, 496 F.2d 249 (6th Cir. 1974)—§ 164

TABLE OF CASES

- Meehan v. PPG Industries, Inc., 802 F.2d 881 (7th Cir. 1986)—§ 146
- Meeropol v. Nizer, 560 F.2d 1061 (2d Cir. 1977)—§ 162
- Meicler v. Aetna Cas. & Sur. Co., 506 F.2d 732 (5th Cir. 1975)—§ 36
- Memorex Corp. v. International Business Machines Corp., 555 F.2d 1379 (9th Cir. 1977)—§ 202
- Menasha Corp. v. News America Marketing In-Store, Inc., 354 F.3d 661 (7th Cir. 2004)—§ 54
- Menasha Corp. v. News America Marketing In-Store, Inc., 238 F. Supp. 2d 1024 (N.D. Ill. 2003)—§§ 39, 54
- Mendelovitz v. Adolph Coors Co., 693 F.2d 570, 12 Fed. R. Evid. Serv. 321 (5th Cir. 1982)—§§ 86, 87
- Meng, Application of, 492 F.2d 843 (C.C.P.A. 1974)—§ 143
- Menley and James Laboratories Ltd. v. Approved Pharmaceutical Corp., 438 F. Supp. 1061 (N.D. N.Y. 1977)—§ 17
- Menominee Rubber Co. v. Gould, Inc., 657 F.2d 164 (7th Cir. 1981)—§ 176
- Mercantile Texas Corp. v. Board of Governors of Federal Reserve System, 638 F.2d 1255 (5th Cir. 1981)—§ 110
- Mercatus Group, LLC v. Lake Forest Hosp., 641 F.3d 834 (7th Cir. 2011)—§§ 28, 37A, 46, 47, 52, 86
- Mercedes-Benz Anti-Trust Litigation, In re, 364 F. Supp. 2d 468 (D.N.J. 2005)—§ 187
- Mercedes-Benz Antitrust Litigation, In re, 213 F.R.D. 180, 60 Fed. R. Evid. Serv. 1530 (D.N.J. 2003)—§ 174
- Merced Irrigation District v. Barclays Bank PLC, 220 F. Supp. 3d 412 (S.D. N.Y. 2016)—§ 51
- Merced Irrigation District v. Barclays Bank PLC, 165 F. Supp. 3d 122 (S.D. N.Y. 2016)—§ 51
- Merck & Co., Inc. v. Louisiana Wholesale Drug Co., Inc., 570 U.S. 913, 133 S. Ct. 2849, 186 L. Ed. 2d 904 (2013)—§ 156A
- Merck Eprova AG v. Gnosis S.p.A., 760 F.3d 247 (2d Cir. 2014)—§ 25
- Mercy-Peninsula Ambulance, Inc. v. San Mateo County, 791 F.2d 755 (9th Cir. 1986)—§§ 33, 51
- Meredith Corp. v. SESAC LLC, 1 F. Supp. 3d 180 (S.D. N.Y. 2014)—§ 39
- Merial Ltd. v. Cipla Ltd., 681 F.3d 1283, 82 Fed. R. Serv. 3d 959 (Fed. Cir. 2012)—§ 156
- Merican, Inc. v. Caterpillar Tractor Co., 713 F.2d 958 (3d Cir. 1983)—§ 187
- Merit Motors, Inc. v. Chrysler Corp., 569 F.2d 666, 2 Fed. R. Evid. Serv. 1212 (D.C. Cir. 1977)—§ 181
- Merit Motors, Inc. v. Chrysler Corp., 417 F. Supp. 263 (D.D.C. 1976)—§ 131
- Merola v. Atlantic Richfield Co., 515 F.2d 165 (3d Cir. 1975)—§ 200
- Merola v. Atlantic Richfield Co., 493 F.2d 292 (3d Cir. 1974)—§ 200
- Meron Technology Distribution

- Corp. v. Discreet Industries Corp., 189 Fed. Appx. 3 (2d Cir. 2006)—§ 37
- Mesirow v. Pepperidge Farm, Inc., 703 F.2d 339, 35 Fed. R. Serv. 2d 1349 (9th Cir. 1983)—§ 82
- Messner v. Northshore University HealthSystem, 669 F.3d 802 (7th Cir. 2012)—§§ 174, 186
- Metallgesellschaft AG v. Sumitomo Corp. of America, 325 F.3d 836 (7th Cir. 2003)—§ 32A
- Methionine Antitrust Litigation, In re, 2003 WL 22048232 (N.D. Cal. 2003)—§ 174
- Methodist Health Services Corp. v. OSF Healthcare System, 859 F.3d 408 (7th Cir. 2017)—§ 83
- Metrix Warehouse, Inc. v. Daimler-Benz Aktiengesellschaft, 828 F.2d 1033 (4th Cir. 1987)—§ 84
- Metrix Warehouse, Inc. v. Daimler-Benz Aktiengesellschaft, 716 F.2d 245 (4th Cir. 1983)—§ 137
- Metro-Goldwyn-Mayer Studios Inc. v. Grokster, Ltd., 269 F. Supp. 2d 1213 (C.D. Cal. 2003)—§ 187
- Metro Communications Co. v. Ameritech Mobile Communications, Inc., 984 F.2d 739 (6th Cir. 1993)—§ 129
- Metro Industries, Inc. v. Sammi Corp., 82 F.3d 839 (9th Cir. 1996)—§§ 40, 44, 87
- Metro Mobile CTS, Inc. v. NewVector Communications, Inc., 892 F.2d 62 (9th Cir. 1989)—§ 49
- MetroNet Services Corp. v. Qwest Corp., 383 F.3d 1124 (9th Cir. 2004)—§§ 46, 51, 85
- MetroNet Services Corp. v. U.S. West Communications, 329 F.3d 986 (9th Cir. 2003)—§§ 27, 181
- Meyer Goldberg, Inc. of Lorain v. Goldberg, 717 F.2d 290, 37 Fed. R. Serv. 2d 826 (6th Cir. 1983)—§ 187
- Meyer Intellectual Properties Ltd. v. Bodum, Inc., 690 F.3d 1354, 83 Fed. R. Serv. 3d 609 (Fed. Cir. 2012)—§ 156
- M.G.B. Homes, Inc. v. Ameron Homes, Inc., 903 F.2d 1486, 16 Fed. R. Serv. 3d 1441 (11th Cir. 1990)—§ 162
- MGE UPS Systems, Inc. v. GE Consumer and Indus., Inc., 622 F.3d 361 (5th Cir. 2010)—§ 37
- Miami Products & Chemical Co. v. Olin Corporation, 449 F. Supp. 3d 136 (W.D. N.Y. 2020)—§ 69
- Michelman v. Clark-Schwebel Fiber Glass Corp., 534 F.2d 1036 (2d Cir. 1976)—§§ 41, 43
- Michelson v. Merrill Lynch Pierce, Fenner & Smith, Inc., 619 F. Supp. 727 (S.D. N.Y. 1985)—§ 129
- Michigan Citizens for an Independent Press v. Thornburgh, 868 F.2d 1285 (D.C. Cir. 1989)—§ 109
- Michigan Division-Monument Builders of North America v. Michigan Cemetery Ass'n, 524 F.3d 726, 70 Fed. R. Serv. 3d 639 (6th Cir. 2008)—§§ 28, 54, 55, 84
- Michigan Paytel Joint Venture v. City of Detroit, 287 F.3d 527, 2002 FED App. 0139P (6th Cir. 2002)—§ 33

TABLE OF CASES

- Microsoft Corp. Antitrust Litigation, In re, 237 F. Supp. 2d 639 (D. Md. 2002)—§ 176
- Microsoft Corporation Antitrust Litigation, In re, 333 F.3d 517 (4th Cir. 2003)—§ 176
- Mid-America Regional Bargaining Ass'n v. Will County Carpenters Dist. Council, 675 F.2d 881 (7th Cir. 1982)—§ 34
- Mid-List Press v. Nora, 374 F.3d 690 (8th Cir. 2004)—§ 175
- Mid-South Grizzlies v. National Football League, 720 F.2d 772 (3d Cir. 1983)—§ 41
- Mid-Texas Communications Systems, Inc. v. American Tel. and Tel. Co., 615 F.2d 1372, 59 A.L.R. Fed. 211 (5th Cir. 1980)—§§ 33, 51
- Mid-West Paper Products Co. v. Continental Group, Inc., 596 F.2d 573 (3d Cir. 1979)—§ 187
- Midland Funding LLC v. Brent, 644 F. Supp. 2d 961 (N.D. Ohio 2009)—§ 37
- Midland Telecasting Co. v. Midessa Television Co., Inc., 617 F.2d 1141 (5th Cir. 1980)—§ 27
- Midway Mfg. Co. v. Artic Intern., Inc., 704 F.2d 1009 (7th Cir. 1983)—§ 162
- Midwest Communications v. Minnesota Twins, Inc., 779 F.2d 444 (8th Cir. 1985)—§ 187
- Midwestern Machinery Co., Inc. v. Northwest Airlines, Inc., 392 F.3d 265 (8th Cir. 2004)—§§ 177, 178, 178A
- Midwestern Motor Coach Co. v. General Elec. Co., 289 Fed. Appx. 958 (8th Cir. 2008)—§ 37
- Midwestern Waffles, Inc. v. Waffle House, Inc., 734 F.2d 705 (11th Cir. 1984)—§§ 80, 84, 87
- Midwest Gas Services, Inc. v. Indiana Gas Co., Inc., 317 F.3d 703 (7th Cir. 2003)—§ 187
- Midwest Milk Monopolization Litigation, In re, 730 F.2d 528, 38 Fed. R. Serv. 2d 1411 (8th Cir. 1984)—§ 201
- Midwest Radio Co., Inc. v. Forum Pub. Co., 942 F.2d 1294 (8th Cir. 1991)—§ 47
- Midwest Underground Storage, Inc. v. Porter, 717 F.2d 493 (10th Cir. 1983)—§ 40
- Migra v. Warren City School Dist. Bd. of Educ., 465 U.S. 75, 104 S. Ct. 892, 79 L. Ed. 2d 56, 15 Ed. Law Rep. 23 (1984)—§ 164
- Mike's Train House, Inc. v. Lionel, L.L.C., 472 F.3d 398, 71 Fed. R. Evid. Serv. 1231, 2006 FED App. 0457P (6th Cir. 2006)—§ 21
- Miles v. Coca-Cola Bottling Co., 360 F. Supp. 869 (E.D. Wis. 1973)—§§ 117, 126
- Miles Distributors, Inc. v. Specialty Const. Brands, Inc., 476 F.3d 442 (7th Cir. 2007)—§§ 28, 40, 67, 86
- Military Services Realty, Inc. v. Realty Consultants of Virginia, Ltd., 823 F.2d 829 (4th Cir. 1987)—§ 40
- Miller v. Granados, 529 F.2d 393 (5th Cir. 1976)—§§ 84, 167
- Miller v. Hedlund, 813 F.2d 1344 (9th Cir. 1987)—§§ 33, 42
- Miller v. Herman, 600 F.3d 726 (7th Cir. 2010)—§ 30
- Miller v. Indiana Hosp., 843 F.2d 139 (3d Cir. 1988)—§ 181

- Miller v. Javitch, Block & Rathbone, 561 F.3d 588 (6th Cir. 2009)—§ 37
- Miller v. Oregon Liquor Control Com'n, 688 F.2d 1222 (9th Cir. 1982)—§ 33
- Miller v. Universal City Studios, Inc., 650 F.2d 1365, 8 Fed. R. Evid. Serv. 1217 (5th Cir. 1981)—§ 162
- Miller Brewing Co. v. Oland's Breweries (1971) Ltd., 548 F.2d 349 (C.C.P.A. 1976)—§ 13
- Miller Insituform, Inc. v. Insituform of North America, Inc., 830 F.2d 606 (6th Cir. 1987)—§ 156
- Mills Music, Inc. v. Snyder, 469 U.S. 153, 105 S. Ct. 638, 83 L. Ed. 2d 556 (1985)—§ 162
- Mims v. Cagle Foods JV, LLC, 148 Fed. Appx. 762 (11th Cir. 2005)—§ 37
- MiniFrame Ltd. v. Microsoft Corp., 551 Fed. Appx. 1 (2d Cir. 2013)—§ 52A
- Minn-Chem, Inc. v. Agrium, Inc., 683 F.3d 845 (7th Cir. 2012)—§§ 28, 32A
- Minnesota Ass'n of Nurse Anesthetists v. Unity Hosp., 208 F.3d 655 (8th Cir. 2000)—§§ 85, 86
- Minnesota Bearing Co. v. White Motor Corp., 470 F.2d 1323 (8th Cir. 1973)—§§ 119, 176, 181
- Mintz v. Dietz & Watson, Inc., 679 F.3d 1372 (Fed. Cir. 2012)—§ 143
- Miracle Mile Associates v. City of Rochester, 617 F.2d 18 (2d Cir. 1980)—§§ 33, 200
- Miranda v. Selig, 860 F.3d 1237 (9th Cir. 2017)—§ 37A
- Mirror Worlds, LLC v. Apple Inc., 692 F.3d 1351 (Fed. Cir. 2012)—§ 156
- Misco, Inc. v. U.S. Steel Corp., 784 F.2d 198, 4 Fed. R. Serv. 3d 221 (6th Cir. 1986)—§§ 126, 138
- Mishawaka, Ind., City of v. American Elec. Power Co., Inc., 616 F.2d 976 (7th Cir. 1980)—§§ 33, 48
- Mishawaka, Ind., City of v. American Elec. Power Co., Inc., 465 F. Supp. 1320 (N.D. Ind. 1979)—§ 48
- Mishawaka, Ind., City of v. Indiana & Michigan Elec. Co., 560 F.2d 1314 (7th Cir. 1977)—§§ 33, 169
- Mishler v. St. Anthony's Hosp. Systems, 694 F.2d 1225 (10th Cir. 1981)—§ 32
- Mississippi Power & Light Co. v. United Gas Pipeline Co., 532 F.2d 412 (5th Cir. 1976)—§ 169
- Missouri v. Jenkins by Agyei, 491 U.S. 274, 109 S. Ct. 2463, 105 L. Ed. 2d 229, 54 Ed. Law Rep. 16 (1989)—§ 200
- Missouri Portland Cement Co. v. Cargill, Inc., 498 F.2d 851 (2d Cir. 1974)—§§ 96, 176
- Mitchael v. Intracorp, Inc., 179 F.3d 847 (10th Cir. 1999)—§§ 68, 117
- Mitchell v. Forsyth, 472 U.S. 511, 105 S. Ct. 2806, 86 L. Ed. 2d 411, 2 Fed. R. Serv. 3d 221 (1985)—§§ 33, 177
- Mitchell Bros. Film Group v. Cinema Adult Theater, 604 F.2d 852, 50 A.L.R. Fed. 786 (5th Cir. 1979)—§ 162
- Mitsubishi Motors Corp. v. Soler

TABLE OF CASES

- Chrysler-Plymouth, Inc., 473 U.S. 614, 105 S. Ct. 3346, 87 L. Ed. 2d 444 (1985)—§ 164
- Mitsubishi Motors Corp. v. Soler Chrysler-Plymouth, Inc., 723 F.2d 155 (1st Cir. 1983)—§ 164
- M. Kramer Mfg. Co., Inc. v. Andrews, 783 F.2d 421 (4th Cir. 1986)—§ 162
- M. Leff Radio Parts, Inc. v. Mattel, Inc., 706 F. Supp. 387 (W.D. Pa. 1988)—§§ 128, 131
- M. M. Business Forms Corp. v. Uarco, Inc., 472 F.2d 1137 (6th Cir. 1973)—§ 162
- MM Global Services, Inc. v. Dow Chemical Co., 283 F. Supp. 2d 689 (D. Conn. 2003)—§ 32A
- MM Steel, L.P. v. JSW Steel (USA) Inc., 806 F.3d 835 (5th Cir. 2015)—§ 53
- Mo., State of v. National Organization for Women, Inc., 467 F. Supp. 289 (W.D. Mo. 1979)—§§ 3, 86, 187
- Mobile Anesthesiologists Chicago, LLC v. Anesthesia Associates of Houston Metroplex, P.A., 623 F.3d 440 (7th Cir. 2010)—§ 45A
- Mobile Home Exp., Ltd. v. U.S., 354 F. Supp. 701 (W.D. Okla. 1973)—§ 169
- Mobilfone of Northeastern Pennsylvania, Inc. v. Commonwealth Tel. Co., 571 F.2d 141 (3d Cir. 1978)—§ 33
- Mobil Oil Corp. v. F. T. C., 562 F.2d 170 (2d Cir. 1977)—§ 206
- Modern Home Institute, Inc. v. Hartford Acc. & Indem. Co., 513 F.2d 102 (2d Cir. 1975)—§§ 41, 85
- Modesto Irrigation Dist. v. Pacific Gas and Elec. Co., 309 F. Supp. 2d 1156 (N.D. Cal. 2004)—§ 187
- Modrey v. American Gage & Mach. Co., 478 F.2d 470 (2d Cir. 1973)—§ 146
- Moehrl v. National Association of Realtors, 492 F. Supp. 3d 768 (N.D. Ill. 2020)—§ 45
- Monahan's Marine, Inc. v. Boston Whaler, Inc., 866 F.2d 525 (1st Cir. 1989)—§§ 41, 124, 125, 131
- Monahan's Marine, Inc. v. Boston Whaler, Inc., 676 F. Supp. 379 (D. Mass. 1987)—§§ 41, 127
- Monell v. Department of Social Services of City of New York, 436 U.S. 658, 98 S. Ct. 2018, 56 L. Ed. 2d 611 (1978)—§§ 164, 182
- Monfort of Colorado, Inc. v. Cargill, Inc., 761 F.2d 570 (10th Cir. 1985)—§§ 99, 101, 187
- Mono-Therm Industries, Inc. v. F.T.C., 653 F.2d 1373 (10th Cir. 1981)—§ 208
- Monosodium Glutamate Antitrust Litigation, In re, 477 F.3d 535 (8th Cir. 2007)—§§ 29, 32A
- Monsanto Co. v. McFarling, 363 F.3d 1336 (Fed. Cir. 2004)—§ 151
- Monsanto Co. v. McFarling, 302 F.3d 1291 (Fed. Cir. 2002)—§ 151
- Monsanto Co. v. Scruggs, 459 F.3d 1328 (Fed. Cir. 2006)—§§ 46, 84, 142, 150, 151
- Monsanto Co. v. Spray-Rite Service Corp., 465 U.S. 752, 104 S. Ct. 1464, 79 L. Ed. 2d 775 (1984)—§§ 67, 85, 86, 88, 89

- Monsanto Co. v Spray Rite Service Corp. (1984) 465 US 742, 79 L Ed 2d 775, 104 S Ct 1464—§ 85
- Montauk-Caribbean Airways, Inc. v. Hope, 784 F.2d 91 (2d Cir. 1986)—§§ 27, 33, 37
- Montgomery Ward & Co., Inc. v. F.T.C., 691 F.2d 1322 (9th Cir. 1982)—§ 213
- Montreal Trading Ltd. v. Amax Inc., 661 F.2d 864 (10th Cir. 1981)—§§ 29, 167, 187
- Monument Builders of Greater Kansas City, Inc. v. American Cemetery Assn. of Kansas, 891 F.2d 1473 (10th Cir. 1989)—§§ 52, 70, 171
- Monument Builders of Pennsylvania, Inc. v. American Cemetery Ass'n, 2002-2 Trade Cas. (CCH) ¶ 73820, 2002 WL 1738583 (E.D. Pa. 2002)—§ 200
- Moore v. Boating Industry Associations, 819 F.2d 693 (7th Cir. 1987)—§§ 43, 66, 68, 86
- Moore v. Boating Industry Associations, 754 F.2d 698, 40 Fed. R. Serv. 2d 1263 (7th Cir. 1985)—§§ 43, 66, 86
- Moore v. Curtis 1000, Inc., 640 F.2d 920 (8th Cir. 1981)—§§ 4, 176
- Moore v. James H. Matthews & Co., 682 F.2d 830 (9th Cir. 1982)—§§ 68, 84, 181
- Moore v. James H. Matthews & Co., 550 F.2d 1207, 46 A.L.R. Fed. 497 (9th Cir. 1977)—§ 84
- Moore v. James H. Matthews & Co., 473 F.2d 328 (9th Cir. 1972)—§§ 68, 181
- Moore v. Matthew's Book Co., Inc., 597 F.2d 645 (8th Cir. 1979)—§ 187
- Moraine Products v. ICI America, Inc., 538 F.2d 134 (7th Cir. 1976)—§§ 146, 150
- Morgan v. Division of Liquor Control, Dept. of Business Regulation, State of Conn., 664 F.2d 353 (2d Cir. 1981)—§ 33
- Morgan v. Ponder, 892 F.2d 1355 (8th Cir. 1989)—§ 44
- Morgan, Strand, Wheeler & Biggs v. Radiology, Ltd., 924 F.2d 1484 (9th Cir. 1991)—§ 54
- Morgenstern v. Wilson, 29 F.3d 1291 (8th Cir. 1994)—§ 55
- Morning Pioneer, Inc. v. Bismarck Tribune Co., 493 F.2d 383, 27 A.L.R. Fed. 750 (8th Cir. 1974)—§§ 52, 131, 192
- Morning Star Packing Company v. Los Gatos Tomato Products, 839 Fed. Appx. 116 (9th Cir. 2020)—§ 181
- Morris Communications Corp. v. PGA Tour, Inc., 364 F.3d 1288 (11th Cir. 2004)—§§ 85, 202A
- Morris Electronics of Syracuse, Inc. v. Mattel, Inc., 595 F. Supp. 56 (N.D. N.Y. 1984)—§§ 128, 138, 187
- Morrison v. Murray Biscuit Co., 797 F.2d 1430 (7th Cir. 1986)—§§ 40, 82, 87
- Morrison v. Nissan Co., Ltd., 601 F.2d 139 (4th Cir. 1979)—§§ 42, 181
- Morrison v. Solomons, 494 F. Supp. 218 (S.D. N.Y. 1980)—§ 162
- Morseburg v. Balyon, 621 F.2d 972 (9th Cir. 1980)—§ 162
- Mortensen v. First Federal Sav. and Loan Ass'n, 549 F.2d 884,

TABLE OF CASES

- 22 Fed. R. Serv. 2d 1089 (3d Cir. 1977)—§ 32
- Morton Bldgs. of Nebraska, Inc. v. Morton Bldgs., Inc., 531 F.2d 910 (8th Cir. 1976)—§§ 52, 118
- Morton’s Market, Inc. v. Gustafson’s Dairy, Inc., 198 F.3d 823 (11th Cir. 1999)—§§ 67, 177, 178
- Mothershed v. Justices of Supreme Court, 410 F.3d 602 (9th Cir. 2005)—§ 33
- Motive Parts Warehouse v. Facet Enterprises, 774 F.2d 380 (10th Cir. 1985)—§§ 49, 119, 128
- Moton v. Nathan & Nathan, P.C., 297 Fed. Appx. 930 (11th Cir. 2008)—§ 37
- Motorola Mobility LLC v. AU Optronics Corp., 775 F.3d 816 (7th Cir. 2015)—§ 32A
- Mount v. Book-of-the-Month Club, Inc., 555 F.2d 1108 (2d Cir. 1977)—§ 162
- Mountain Crest SRL, LLC v. Anheuser-Busch InBev SA/NV, 937 F.3d 1067 (7th Cir. 2019)—§ 33
- Mountain View Pharmacy v. Abbott Laboratories, 630 F.2d 1383, 30 Fed. R. Serv. 2d 361 (10th Cir. 1980)—§ 164
- Move, Inc. v. Real Estate Alliance Ltd., 709 F.3d 1117 (Fed. Cir. 2013)—§ 145
- Movie Systems, Inc. v. Heller, 710 F.2d 492 (8th Cir. 1983)—§ 84
- Mozart Co. v. Mercedes-Benz of North America, Inc., 833 F.2d 1342 (9th Cir. 1987)—§§ 11, 47, 84
- Mr. Furniture Warehouse, Inc. v. Barclays American/Commercial Inc., 919 F.2d 1517 (11th Cir. 1990)—§ 181
- MSTG, Inc., In re, 675 F.3d 1337, 88 Fed. R. Evid. Serv. 128 (Fed. Cir. 2012)—§ 156A
- Mt. Hood Stages, Inc. v. Greyhound Corp., 616 F.2d 394 (9th Cir. 1980)—§§ 27, 178
- Mt. Hood Stages, Inc. v. Greyhound Corp., 555 F.2d 687 (9th Cir. 1977)—§§ 27, 178
- Mt. Pleasant, Iowa, City of v. Associated Elec. Co-op., Inc., 838 F.2d 268 (8th Cir. 1988)—§§ 51, 117, 128
- Mueller Brass Co. v. Reading Industries, Inc., 352 F. Supp. 1357 (E.D. Pa. 1972)—§§ 146, 158, 160
- Mueller Co. v. F.T.C., 323 F.2d 44 (7th Cir. 1963)—§ 139
- Mueller Co. v. U.S. Pipe & Foundry Co., 351 F. Supp. 2d 1, 2005 DNH 05 (D.N.H. 2005)—§ 25
- Muenster Butane, Inc. v. Stewart Co., 651 F.2d 292 (5th Cir. 1981)—§ 88
- Mugworld Inc. v. G.G. Marck And Associates Inc., 351 Fed. Appx. 885 (5th Cir. 2009)—§ 37
- Muhammad v. HSBC Bank USA, N.A., 399 Fed. Appx. 460 (11th Cir. 2010)—§ 37
- Muir v. Navy Federal Credit Union, 529 F.3d 1100 (D.C. Cir. 2008)—§ 37
- Mullins v. Kaiser Steel Corp., 642 F.2d 1302 (D.C. Cir. 1980)—§ 164
- Mullins v. Kaiser Steel Corp., 466 F. Supp. 911 (D.D.C. 1979)—§ 164
- Mullis v. Arco Petroleum Corp.,

- 502 F.2d 290 (7th Cir. 1974)—  
§§ 46, 124
- Multidistrict Vehicle Air Pollution,  
In re, 538 F.2d 231 (9th Cir.  
1976)—§§ 175, 187
- Multidistrict Vehicle Air Pollution  
M.D.L. No. 31, In re, 481 F.2d  
122 (9th Cir. 1973)—§ 187
- Multiflex, Inc. v. Samuel Moore &  
Co., 709 F.2d 980, 13 Fed. R.  
Evid. Serv. 1876 (5th Cir.  
1983)—§§ 52, 67, 188
- Multistate Legal Studies, Inc. v.  
Harcourt Brace Jovanovich  
Legal and Professional Publi-  
cations, Inc., 63 F.3d 1540  
(10th Cir. 1995)—§§ 44, 47, 52,  
67, 69, 84
- Municipal Bond Reporting Anti-  
trust Litigation, In re, 672  
F.2d 436 (5th Cir. 1982)—§ 54
- Municipal Bond Reporting Anti-  
trust Litigation, In re, 672  
F.2d 433 (5th Cir. 1982)—§ 187
- Municipal Utilities Bd. of Albert-  
ville v. Alabama Power Co., 21  
F.3d 384 (11th Cir. 1994)—§ 33
- Munsif v. Cassel, 331 Fed. Appx.  
954 (3d Cir. 2009)—§ 52
- Murdaugh Volkswagen, Inc. v.  
First Nat. Bank of South Car-  
olina, 639 F.2d 1073 (4th Cir.  
1981)—§ 41
- Murphy v. Business Cards Tomor-  
row, Inc., 854 F.2d 1202 (9th  
Cir. 1988)—§§ 84, 87
- Murray v. Gelderman, 566 F.2d  
1307 (5th Cir. 1978)—§ 162
- Murray v. Toyota Motor Distribu-  
tors, Inc., 664 F.2d 1377, 9  
Fed. R. Evid. Serv. 1128 (9th  
Cir. 1982)—§ 117
- Murrow Furniture Galleries, Inc.  
v. Thomasville Furniture In-  
dustries, Inc., 889 F.2d 524  
(4th Cir. 1989)—§§ 40, 53
- Murungi v. Texas Guaranteed, 402  
Fed. Appx. 849 (5th Cir.  
2010)—§ 37
- Mushroom Direct Purchaser Anti-  
trust Litigation, In re, 319  
F.R.D. 158 (E.D. Pa. 2016)—  
§§ 40, 174
- Mushroom Direct Purchaser Anti-  
trust Litigation, In re, 54 F.  
Supp. 3d 382 (E.D. Pa. 2014)—  
§ 35
- Mushroom Direct Purchaser Anti-  
trust Litigation, In re, 655  
F.3d 158 (3d Cir. 2011)—§§ 35,  
37A
- Musical Instruments and Equip-  
ment Antitrust Litigation, In  
re, 798 F.3d 1186 (9th Cir.  
2015)—§ 69
- Mustang Marketing, Inc. v. Chev-  
ron Products Co., 406 F.3d 600  
(9th Cir. 2005)—§ 37
- Musto v. Meyer, 434 F. Supp. 32  
(S.D. N.Y. 1977)—§ 162
- Mutual Fund Investors, Inc. v.  
Putnam Management Co.,  
Inc., 553 F.2d 620 (9th Cir.  
1977)—§§ 52, 117
- Muzikowski v. Paramount Pictures  
Corp., 477 F.3d 899 (7th Cir.  
2007)—§ 37
- Muzquiz v. W.A. Foote Memorial  
Hosp., Inc., 70 F.3d 422, 1995  
FED App. 0332P (6th Cir.  
1995)—§ 67
- Myers v. American Dental Ass'n,  
695 F.2d 716, 35 Fed. R. Serv.  
2d 744 (3d Cir. 1982)—§ 171
- Myers v. Pension Fund, Local One  
Amalgamated Lithographers

TABLE OF CASES

- of America, 704 F. Supp. 343 (E.D. N.Y. 1989)—§ 27
- Mylan Inc. v. SmithKline Beecham Corp., 723 F.3d 413 (3d Cir. 2013)—§ 146
- Mylan Pharmaceuticals Inc. v. Warner Chilcott Public Limited Company, 838 F.3d 421 (3d Cir. 2016)—§§ 51, 54
- N**
- Naber, Application of, 503 F.2d 1059 (C.C.P.A. 1974)—§ 160
- Naify v. McClatchy Newspapers, 599 F.2d 335 (9th Cir. 1979)—§ 85
- Namenda Direct Purchaser Antitrust Litigation, In re, 462 F. Supp. 3d 307, 106 Fed. R. Serv. 3d 1676 (S.D. N.Y. 2020)—§ 174
- Namenda Direct Purchaser Antitrust Litigation, In re, 331 F. Supp. 3d 152, 107 Fed. R. Evid. Serv. 215 (S.D. N.Y. 2018)—§§ 45A, 156A
- Name.Space, Inc. v. Network Solutions, Inc., 202 F.3d 573 (2d Cir. 2000)—§§ 33, 37
- Nanavati v. Burdette Tomlin Memorial Hosp., 857 F.2d 96, 12 Fed. R. Serv. 3d 146 (3d Cir. 1988)—§ 41
- Napleton's Arlington Heights Motors, Inc. v. FCA US LLC, R.I.C.O. Bus. Disp. Guide (CCH) P 12786, 2016 WL 5792402 (N.D. Ill. 2016)—§ 127
- Napster, Inc. Copyright Litigation, In re, 354 F. Supp. 2d 1113 (N.D. Cal. 2005)—§ 187
- Narell v. Freeman, 872 F.2d 907 (9th Cir. 1989)—§ 162
- Nassau County Ass'n of Ins. Agents, Inc. v. Aetna Life & Cas. Co., 497 F.2d 1151, 18 Fed. R. Serv. 2d 1147 (2d Cir. 1974)—§§ 164, 187
- National Ass'n of Broadcast Emp. and Technicians, A.F.L.-C.I.O., C.L.C. v. International Alliance of Theatrical Stage Emp., 488 F.2d 124 (9th Cir. 1973)—§ 34
- National Ass'n of Pharmaceutical Mfrs., Inc. v. Ayerst Laboratories, Div. of/and American Home Products Corp., 850 F.2d 904, 11 Fed. R. Serv. 3d 547 (2d Cir. 1988)—§§ 52, 187
- National Ass'n of Recycling Industries, Inc. v. American Mail Line, Ltd., 720 F.2d 618 (9th Cir. 1983)—§ 37
- National Ass'n of Review Appraisers and Mortg. Underwriters, Inc. v. Appraisal Foundation, 64 F.3d 1130 (8th Cir. 1995)—§ 66
- National Ass'n of Women's & Children's Apparel Salesmen, Inc. v. F.T.C., 479 F.2d 139 (5th Cir. 1973)—§ 34
- National Asso. of Broadcasters v Copyright Royalty Tribunal (1985) 249 App DC 4, 772 F2d 922—§ 162
- National Asso. of Broadcasters v Copyright Royalty Tribunal (1982, App DC) 675 F2d 368, 214 USPQ 161—§ 162
- National Asso. of Regulatory Utility Comrs. v Federal Communications Com. (1976) 173 App DC 413, 525 F2d 630—§ 169

FEDERAL CONTROL OF BUSINESS

- National Auto Brokers Corp. v. General Motors Corp., 572 F.2d 953 (2d Cir. 1978)—§ 40
- National Bancard Corp. (NaBanco) v. VISA U.S.A., Inc., 779 F.2d 592 (11th Cir. 1986)—§§ 40, 42
- National Basketball Ass'n v. SDC Basketball Club, Inc., 815 F.2d 562 (9th Cir. 1987)—§§ 4, 181
- National Basketball Ass'n v. Williams, 45 F.3d 684 (2d Cir. 1995)—§ 34
- National Broadcasting Co., Inc. v. Copyright Royalty Tribunal, 848 F.2d 1289 (D.C. Cir. 1988)—§ 162
- National Broiler Marketing Ass'n v. U. S., 436 U.S. 816, 98 S. Ct. 2122, 56 L. Ed. 2d 728 (1978)—§ 35
- National Business Development Services, Inc. v. American Credit Educ. and Consulting Inc., 299 Fed. Appx. 509 (6th Cir. 2008)—§ 37
- National Collegiate Athletic Ass'n v. Board of Regents of University of Oklahoma, 468 U.S. 85, 104 S. Ct. 2948, 82 L. Ed. 2d 70, 18 Ed. Law Rep. 50 (1984)—§§ 32, 40, 41, 43, 66
- National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation, In re, 958 F.3d 1239, 377 Ed. Law Rep. 12 (9th Cir. 2020)—§§ 40, 175
- National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation, In re, 375 F. Supp. 3d 1058, 366 Ed. Law Rep. 309 (N.D. Cal. 2019)—§ 40
- National Commission On Egg Nutrition v. F.T.C., 570 F.2d 157, 50 A.L.R. Fed. 1 (7th Cir. 1977)—§ 30
- National Conference of Bar Examiners v. Multistate Legal Studies, Inc., 692 F.2d 478 (7th Cir. 1982)—§§ 12, 162
- National Distillers and Chemical Corp. v. Brad's Mach. Products, Inc., 666 F.2d 492, 33 Fed. R. Serv. 2d 487 (11th Cir. 1982)—§ 131
- National Distributing Co. v United States Treasury Dept., Bureau of Alcohol, Tobacco & Firearms (1980) 200 App DC 133, 626 F.2d 997—§ 140
- National Dynamics Corp. v. F.T.C., 492 F.2d 1333 (2d Cir. 1974)—§ 212
- National Elec. Contractors Ass'n, Inc. v. National Constructors Ass'n, 678 F.2d 492 (4th Cir. 1982)—§ 42
- National Farmers' Organization, Inc. v. Associated Milk Producers, Inc., 850 F.2d 1286 (8th Cir. 1988)—§ 188
- National Football League v. Governor of State of Del., 435 F. Supp. 1372 (D. Del. 1977)—§ 19
- National Football League's Sunday Ticket Antitrust Litigation, In re, 933 F.3d 1136 (9th Cir. 2019)—§§ 37A, 45A
- National Gerimedical Hospital and Gerontology Center v. Blue Cross of Kansas City, 452 U.S. 378, 101 S. Ct. 2415, 69 L. Ed. 2d 89 (1981)—§§ 27, 36
- National Gerimedical Hospital and

TABLE OF CASES

- Gerontology Center v. Blue Cross of Kansas City, 628 F.2d 1050 (8th Cir. 1980)—§ 36
- National Hockey League Players Ass’n v. Plymouth Whalers Hockey Club, 419 F.3d 462, 2005 FED App. 0344P (6th Cir. 2005)—§§ 28, 34, 40, 54, 195
- National Hockey League Players’ Ass’n v. Plymouth Whalers Hockey Club, 325 F.3d 712, 2003 FED App. 0099P (6th Cir. 2003)—§§ 40, 44
- National Independent Theatre Exhibitors, Inc. v. Buena Vista Distribution Co., 748 F.2d 602, 40 Fed. R. Serv. 2d 954 (11th Cir. 1984)—§ 196
- National Independent Theatre Exhibitors, Inc. v. Charter Financial Group, Inc., 747 F.2d 1396, 40 Fed. R. Serv. 2d 979 (11th Cir. 1984)—§ 187
- National Information Services, Inc. v. TRW, Inc., 51 F.3d 1470, 32 Fed. R. Serv. 3d 292 (9th Cir. 1995)—§ 200
- National Marine Electronic Distributors, Inc. v. Raytheon Co., 778 F.2d 190 (4th Cir. 1985)—§ 85
- National Organization for Women, Inc. v. Scheidler, 968 F.2d 612 (7th Cir. 1992)—§ 86
- National Petroleum Refiners Assn. v Federal Trade Com. (1973) 157 App DC 83, 482 F.2d 672—§ 208
- National Reporting Co. v. Alderson Reporting Co., Inc., 763 F.2d 1020 (8th Cir. 1985)—§§ 47, 54, 55
- National Reporting Co. v. Alderson Reporting Co., Inc., 567 F. Supp. 1011 (E.D. Mo. 1983)—§ 46
- National Soc. of Professional Engineers v. U. S., 435 U.S. 679, 98 S. Ct. 1355, 55 L. Ed. 2d 637 (1978)—§§ 40, 57
- National Tire Wholesale, Inc. v. Washington Post Co., 441 F. Supp. 81 (D.D.C. 1977)—§§ 41, 129
- National Union Elec. Corp. v. Matsushita Elec. Indus. Co., Ltd., 498 F. Supp. 991 (E.D. Pa. 1980)—§§ 117, 187, 191
- Native American Distributing v. Seneca-Cayuga Tobacco Co., 546 F.3d 1288 (10th Cir. 2008)—§ 205
- Navajo Terminals, Inc. v. U.S., 620 F.2d 594, 55 A.L.R. Fed. 308 (7th Cir. 1979)—§§ 37, 110
- NBO Industries Treadway Companies, Inc. v. Brunswick Corp., 523 F.2d 262 (3d Cir. 1975)—§§ 32, 96, 184, 186, 196
- N.C., State of v. Charles Pfizer & Co., Inc., 537 F.2d 67 (4th Cir. 1976)—§§ 159, 182
- NCAA Student-Athlete Name & Likeness Licensing Litigation, In re, 990 F. Supp. 2d 996 (N.D. Cal. 2013)—§ 67
- N.C. ex rel. Edmisten, State of v. P.I.A. Asheville, Inc., 740 F.2d 274 (4th Cir. 1984)—§§ 27, 33
- NCH Corp. v. Broyles, 749 F.2d 247 (5th Cir. 1985)—§ 23
- NCR Corp. v. Korala Associates, Ltd., 512 F.3d 807 (6th Cir. 2008)—§ 17
- N.D., State of v. Merchants Nat. Bank and Trust Co., Fargo,

FEDERAL CONTROL OF BUSINESS

- N.D., 634 F.2d 368, 30 Fed. R. Serv. 2d 398 (8th Cir. 1980)—§ 9
- Neeld v. National Hockey League, 594 F.2d 1297 (9th Cir. 1979)—§ 86
- Nelson v. Monroe Regional Medical Center, 925 F.2d 1555 (7th Cir. 1991)—§ 32
- Neo Gen Screening, Inc. v. New England Newborn Screening Program, 187 F.3d 24, 137 Ed. Law Rep. 498 (1st Cir. 1999)—§ 33
- Net Results, Inc. v. United States, 112 Fed. Cl. 133 (2013)—§ 144
- Network Project v. F.C.C., 511 F.2d 786 (D.C. Cir. 1975)—§ 53
- Neumann v. Reinforced Earth Co., 786 F.2d 424 (D.C. Cir. 1986)—§§ 33, 47, 52
- Neurontin Antitrust Litigation, In re, 217 F. Supp. 2d 1380 (J.P.M.L. 2002)—§ 166
- New Albany Tractor, Inc. v. Louisville Tractor, Inc., 650 F.3d 1046, 79 Fed. R. Serv. 3d 1362 (6th Cir. 2011)—§§ 124, 127, 128, 135
- Newberry v. Washington Post Co., 438 F. Supp. 470 (D.D.C. 1977)—§§ 42, 85, 87, 131
- Newburger, Loeb & Co., Inc. v. Gross, 563 F.2d 1057, 24 Fed. R. Serv. 2d 42 (2d Cir. 1977)—§ 4
- Newcal Industries, Inc. v. Ikon Office Solution, 513 F.3d 1038 (9th Cir. 2008)—§§ 28, 37, 51, 54, 54A, 85
- Newell Puerto Rico, Ltd. v. Rubbermaid Inc., 20 F.3d 15, 40 Fed. R. Evid. Serv. 815, 28 Fed. R. Serv. 3d 477 (1st Cir. 1994)—§ 83
- New England Canteen Service, Inc. v Ashley (1977, Mass) 1977 Adv Sheets 1186, 363 NE2d 526—§ 4
- New England Motor Rate Bureau, Inc. v. F.T.C., 908 F.2d 1064 (1st Cir. 1990)—§ 33
- New Jersey Title Ins. Litigation, In re, 683 F.3d 451 (3d Cir. 2012)—§§ 175, 187
- Newman v. Ormond, 396 Fed. Appx. 636 (11th Cir. 2010)—§ 37
- Newman v. Universal Pictures, 813 F.2d 1519 (9th Cir. 1987)—§§ 40, 42
- New Mexico Oncology v. Presbyterian Healthcare Services, 418 F. Supp. 3d 826 (D.N.M. 2019)—§ 85
- New Motor Vehicle Bd. of California v. Orrin W. Fox Co., 439 U.S. 96, 99 S. Ct. 403, 58 L. Ed. 2d 361 (1978)—§ 33
- New Motor Vehicles Canadian Export, In re, 307 F. Supp. 2d 145 (D. Me. 2004)—§ 171
- New Motor Vehicles Canadian Export, In re, 307 F. Supp. 2d 136 (D. Me. 2004)—§ 175
- New Motor Vehicles Canadian Export Antitrust Litigation, In re, 533 F.3d 1 (1st Cir. 2008)—§ 187
- New Motor Vehicles Canadian Export Antitrust Litigation, In re, 522 F.3d 6 (1st Cir. 2008)—§ 175
- Newspaper Guild v Levi (1976) 176 App DC 276, 539 F2d 755—§ 109

TABLE OF CASES

- New West Corp. v. NYM Co. of California, Inc., 595 F.2d 1194 (9th Cir. 1979)—§ 10
- New York v. Deutsche Telekom AG, 439 F. Supp. 3d 179 (S.D. N.Y. 2020)—§§ 102, 103
- New York v. Microsoft, 231 F. Supp. 2d 203 (D.D.C. 2002)—§ 183
- New York v. Microsoft Corp., 224 F. Supp. 2d 76 (D.D.C. 2002)—§§ 175, 184
- New York v. Microsoft Corp., 209 F. Supp. 2d 132 (D.D.C. 2002)—§ 187A
- New York v. Salton, Inc., 265 F. Supp. 2d 310 (S.D. N.Y. 2003)—§ 187A
- New York, City of v. Group Health Inc., 649 F.3d 151 (2d Cir. 2011)—§§ 54, 101
- New York v. Julius Nasso Concrete Corp., 202 F.3d 82 (2d Cir. 2000)—§§ 182, 194
- New York State Elec. & Gas Corp. v. Federal Energy Regulatory Commission, 638 F.2d 388 (2d Cir. 1980)—§ 33
- Nexium Antitrust Litigation, In re, 777 F.3d 9, 90 Fed. R. Serv. 3d 1100 (1st Cir. 2015)—§ 174
- Nexium (Esomeprazole) Antitrust Litigation, In re, 845 F.3d 470, 96 Fed. R. Serv. 3d 838 (1st Cir. 2017)—§ 175
- Nexium (Esomeprazole) Antitrust Litigation, In re, 42 F. Supp. 3d 231 (D. Mass. 2014)—§ 181
- Nexium (Esomeprazole) Antitrust Litigation, In re, 968 F. Supp. 2d 367 (D. Mass. 2013)—§ 40
- Ni-Q, LLC v. Prolacta Bioscience, Inc., 407 F. Supp. 3d 1153 (D. Or. 2019)—§ 52
- Niagara Frontier Tariff Bureau, Inc. v. U.S., 826 F.2d 1186 (2d Cir. 1987)—§ 27
- Niaspan Antitrust Litigation, In re, 464 F. Supp. 3d 678, 112 Fed. R. Evid. Serv. 951 (E.D. Pa. 2020)—§ 201
- Niaspan Antitrust Litigation, In re, 397 F. Supp. 3d 668 (E.D. Pa. 2019)—§ 174
- NIBCO Inc. v. Viega LLC, 354 F. Supp. 3d 566 (M.D. Pa. 2018)—§§ 54, 55
- Nicholas v. Nationwide Credit, Inc., 2010 WL 503071 (S.D. Fla. 2010)—§ 37
- Nichols v. Mobile Bd. of Realtors, Inc., 675 F.2d 671, 34 Fed. R. Serv. 2d 358 (5th Cir. 1982)—§ 174
- Nickell v. Beau View of Biloxi, L.L.C., 636 F.3d 752 (5th Cir. 2011)—§ 37
- Nicosia v. Wells Fargo Bank, 2010 WL 2720946 (N.D. Cal. 2010)—§ 37
- NicSand, Inc. v. 3M Co., 507 F.3d 442 (6th Cir. 2007)—§§ 27, 45A, 46, 51, 52A, 83, 187, 196
- Niemi v. NHK Spring Co., Ltd., 543 F.3d 294 (6th Cir. 2008)—§ 22
- Nifty Foods Corp. v. Great Atlantic & Pac. Tea Co., Inc., 614 F.2d 832 (2d Cir. 1980)—§§ 2, 3, 52, 54
- Nightingale Home Healthcare, Inc. v. Anodyne Therapy, LLC, 626 F.3d 958 (7th Cir. 2010)—§ 160
- Nilavar v. Mercy Health System-Western Ohio, 244 Fed. Appx. 690 (6th Cir. 2007)—§§ 45A, 83
- Nissan Antitrust Litigation, In re,

- 577 F.2d 910 (5th Cir. 1978)—  
§§ 40, 42, 200
- Nitro Distributing, Inc. v. Alticor,  
Inc., 565 F.3d 417 (8th Cir.  
2009)—§§ 28, 67, 70
- Nitsch v. Dreamworks Animation  
SKG Inc., 315 F.R.D. 270, 94  
Fed. R. Serv. 3d 1676 (N.D.  
Cal. 2016)—§ 174
- N. M., State of v. American Petro-  
fina, Inc., 501 F.2d 363 (9th  
Cir. 1974)—§§ 33, 164
- Nobelpharma AB v. Implant In-  
novations, Inc., 129 F.3d 1463,  
39 Fed. R. Serv. 3d 402 (Fed.  
Cir. 1997)—§§ 156, 158
- Noble v. McClatchy Newspapers,  
533 F.2d 1081, 1 Fed. R. Evid.  
Serv. 570 (9th Cir. 1975)—  
§§ 83, 87
- Noll v. O. M. Scott & Sons Co., 467  
F.2d 295 (6th Cir. 1972)—§ 156
- Norman M. Morris Corp. v. Wein-  
stein, 466 F.2d 137 (5th Cir.  
1972)—§§ 17, 83
- Norris v. Hearst Trust, 500 F.3d  
454 (5th Cir. 2007)—§ 187
- North American Medical Corp. v.  
Axiom Worldwide, Inc., 522  
F.3d 1211 (11th Cir. 2008)—  
§§ 25, 37
- North American Soccer League v.  
National Football League, 670  
F.2d 1249 (2d Cir. 1982)—§ 41
- North American Soccer League,  
LLC v. United States Soccer  
Federation, Inc., 883 F.3d 32  
(2d Cir. 2018)—§§ 39, 40, 176
- North American Soccer League,  
LLC v. United States Soccer  
Federation, Inc., 296 F. Supp.  
3d 442 (E.D. N.Y. 2017)—§ 40A
- North Carolina Electric Member-  
ship Corp. v. Carolina Power  
& Light Co., 666 F.2d 50, 32  
Fed. R. Serv. 2d 1645 (4th Cir.  
1981)—§ 33
- North Carolina State Bd. of Dental  
Examiners v. F.T.C., 574 U.S.  
494, 135 S. Ct. 1101, 191 L.  
Ed. 2d 35 (2015)—§ 33
- North Carolina State Bd. of Dental  
Examiners v. F.T.C., 717 F.3d  
359 (4th Cir. 2013)—§§ 30, 33,  
39, 40, 40A, 41
- Northeastern Tel. Co. v. American  
Tel. and Tel. Co., 651 F.2d 76  
(2d Cir. 1981)—§§ 27, 47
- Northeast Utilities Service Co. v.  
F.E.R.C., 993 F.2d 937 (1st Cir.  
1993)—§ 110
- Northern v. McGraw-Edison Co.,  
542 F.2d 1336 (8th Cir. 1976)—  
§ 84
- Northern California Supermar-  
kets, Inc. v. Central California  
Lettuce Producers Co-op., 413  
F. Supp. 984 (N.D. Cal.  
1976)—§ 35
- Northern Highlands I, II, LLC v.  
Comerica Bank, 328 Fed.  
Appx. 358 (9th Cir. 2009)—  
§ 187
- Northern Petrochemical Co. v.  
Tomlinson, 484 F.2d 1057 (7th  
Cir. 1973)—§ 22
- North Mississippi Communica-  
tions, Inc. v. Jones, 792 F.2d  
1330 (5th Cir. 1986)—§§ 51, 67
- North Olmsted, Ohio, City of v.  
Greater Cleveland Regional  
Transit Authority, 722 F.2d  
1284 (6th Cir. 1983)—§ 33
- North Penn Oil & Tire Co. v. Phil-  
lips Petroleum Co., 358 F.  
Supp. 908 (E.D. Pa. 1973)—  
§ 69

TABLE OF CASES

- Northrop Corp. v. McDonnell Douglas Corp., 705 F.2d 1030, 36 Fed. R. Serv. 2d 102 (9th Cir. 1983)—§§ 41, 157
- Northrop Corp. v McDonnell Douglas Corp. (1983, CA9 Cal) 700 F2d 506—§§ 32, 44
- North Texas Specialty Physicians v. F.T.C., 528 F.3d 346 (5th Cir. 2008)—§§ 28, 40, 40A, 67, 121, 206
- Northwest Airlines Corp., In re, 208 F.R.D. 174 (E.D. Mich. 2002)—§ 68
- Northwest Power Products, Inc. v. Omark Industries, Inc., 576 F.2d 83 (5th Cir. 1978)—§§ 27, 40
- Northwest Publications, Inc. v. Crumb, 752 F.2d 473 (9th Cir. 1985)—§§ 42, 196
- Northwest Wholesale Stationers, Inc. v. Pacific Stationery and Printing Co., 472 U.S. 284, 105 S. Ct. 2613, 86 L. Ed. 2d 202 (1985)—§§ 35, 43, 66, 68, 86, 124, 134
- Norton Co. v. Carborundum Co., 530 F.2d 435 (1st Cir. 1976)—§ 158
- Norton Tire Co., Inc. v. Tire Kingdom Co., Inc., 858 F.2d 1533, 12 Fed. R. Serv. 3d 803 (11th Cir. 1988)—§ 200
- Norwood, Mass., Town of v. New England Power Co., 202 F.3d 408, 45 Fed. R. Serv. 3d 1029 (1st Cir. 2000)—§§ 33, 37
- Nova Chemicals, Inc. v. Sekisui Plastics Co., Ltd., 579 F.3d 319 (3d Cir. 2009)—§ 22
- Nova Consulting Group, Inc. v. Engineering Consulting Services, Ltd., 290 Fed. Appx. 727 (5th Cir. 2008)—§§ 21, 22, 23
- Nova Designs, Inc. v. Scuba Retailers Ass'n, 202 F.3d 1088 (9th Cir. 2000)—§ 86
- Novell, Inc. v. Microsoft Corp., 731 F.3d 1064 (10th Cir. 2013)—§§ 47, 51, 52A
- Novell, Inc. v. Microsoft Corp., 505 F.3d 302 (4th Cir. 2007)—§§ 48, 52, 187, 196
- Novelty Textile Mills, Inc. v. Joan Fabrics Corp., 558 F.2d 1090 (2d Cir. 1977)—§ 162
- Novozymes A/S v. DuPont Nutrition Biosciences APS, 723 F.3d 1336 (Fed. Cir. 2013)—§§ 142, 144
- nSight, Inc. v. PeopleSoft, Inc., 296 Fed. Appx. 555 (9th Cir. 2008)—§§ 22, 37, 48
- Nucap Industries, Inc. v. Robert Bosch LLC, 273 F. Supp. 3d 986 (N.D. Ill. 2017)—§ 54
- N. W. Controls, Inc. v. Outboard Marine Corp., 349 F. Supp. 1254 (D. Del. 1972)—§ 175
- N.Y., State of v. Hendrickson Bros., Inc., 840 F.2d 1065, 24 Fed. R. Evid. Serv. 1041 (2d Cir. 1988)—§§ 164, 178
- NYNEX Corp. v. Discon, Inc., 525 U.S. 128, 119 S. Ct. 493, 142 L. Ed. 2d 510 (1998)—§ 86

○

- Oahu Gas Service, Inc. v. Pacific Resources, Inc., 838 F.2d 360 (9th Cir. 1988)—§§ 27, 47
- Oahu Gas Service, Inc. v. Pacific Resources Inc., 829 F.2d 1471 (9th Cir. 1987)—§§ 47, 49
- Oahu Gas Service, Inc. v. Pacific

- Resources, Inc., 460 F. Supp. 1359 (D. Haw. 1978)—§ 27
- Oakland, City of v. Oakland Raiders, 445 F. Supp. 3d 587 (N.D. Cal. 2020)—§§ 40, 45A
- Oakland, County of v. City of Detroit, 866 F.2d 839 (6th Cir. 1989)—§ 187
- O'Bannon v. National Collegiate Athletic Ass'n, 137 S. Ct. 277, 196 L. Ed. 2d 33 (2016)—§ 40
- O'Bannon v. National Collegiate Athletic Ass'n, 802 F.3d 1049, 322 Ed. Law Rep. 659 (9th Cir. 2015)—§§ 40, 42, 187
- O'Bannon v. National Collegiate Athletic Association, 739 Fed. Appx. 890, 359 Ed. Law Rep. 74 (9th Cir. 2018)—§ 200
- O'Bannon v. National Collegiate Athletic Association, 114 F. Supp. 3d 819 (N.D. Cal. 2015)—§ 200
- Oberndorf v. City and County of Denver, 900 F.2d 1434 (10th Cir. 1990)—§ 33
- Oboler v. Goldin, 714 F.2d 211 (2d Cir. 1983)—§ 162
- Obron v. Union Camp Corp., 355 F. Supp. 902 (E.D. Mich. 1972)—§§ 179, 201
- O'Byrne v. Cheker Oil Co., 727 F.2d 159 (7th Cir. 1984)—§§ 117, 127
- Ocean State Physicians Health Plan, Inc. v. Blue Cross & Blue Shield of Rhode Island, 883 F.2d 1101 (1st Cir. 1989)—§ 36
- Octane Fitness, LLC v. ICON Health & Fitness, Inc., 572 U.S. 545, 134 S. Ct. 1749, 188 L. Ed. 2d 816 (2014)—§ 33
- Oddo v. Ries, 743 F.2d 630 (9th Cir. 1984)—§ 163
- Odishelidze v. Aetna Life & Cas Co., 853 F.2d 21, 11 Fed. R. Serv. 3d 1410 (1st Cir. 1988)—§ 117
- O.E.M. Glass Network, Inc. v. Mygrant Glass Company, Inc., 436 F. Supp. 3d 576 (E.D. N.Y. 2020)—§ 177
- Oestreicher v. Alienware Corp., 322 Fed. Appx. 489 (9th Cir. 2009)—§ 17
- Oetiker v. Jurid Werke GmbH, 671 F.2d 596 (D.C. Cir. 1982)—§ 158
- Official Airline Guides, Inc. v. F. T. C., 630 F.2d 920 (2d Cir. 1980)—§§ 121, 167
- Official Publications, Inc. v. Kable News Co., 884 F.2d 664, 14 Fed. R. Serv. 3d 1156 (2d Cir. 1989)—§ 187
- Ogden v. Little Caesar Enterprises, Inc., 393 F. Supp. 3d 622 (E.D. Mich. 2019)—§ 40A
- Ogden Food Service Corp. v. Mitchell, 614 F.2d 1001 (5th Cir. 1980)—§ 84
- Ogilvie v. Fotomat Corp., 641 F.2d 581 (8th Cir. 1981)—§§ 84, 117, 200
- Ohio-Sealy Mattress Mfg. Co. v. Kaplan, 745 F.2d 441 (7th Cir. 1984)—§ 182
- Ohio-Sealy Mattress Mfg. Co. v. Sealy Inc., 776 F.2d 646 (7th Cir. 1985)—§§ 84, 87, 175, 185, 188, 199, 200
- Ohio-Sealy Mattress Mfg. Co. v. Sealy, Inc., 669 F.2d 490 (7th Cir. 1982)—§§ 84, 87, 175, 184, 188, 199

TABLE OF CASES

- Ohio-Sealy Mattress Mfg. Co. v. Sealy, Inc., 585 F.2d 821, 26 Fed. R. Serv. 2d 410 (7th Cir. 1978)—§§ 84, 87, 188
- Ohio v. American Express Co., 138 S. Ct. 2274, 201 L. Ed. 2d 678 (2018)—§§ 40, 54
- Ohio Bell Telephone Co. v. Core-Comm Newco, Inc., 214 F. Supp. 2d 810 (N.D. Ohio 2002)—§ 51
- O. Hommel Co. v. Ferro Corp., 659 F.2d 340, 32 Fed. R. Serv. 2d 717 (3d Cir. 1981)—§§ 131, 135
- O. Hommel Co. v. Ferro Corp., 472 F. Supp. 793 (W.D. Pa. 1979)—§§ 47, 126
- O.K. Sand & Gravel, Inc. v. Martin Marietta Technologies, Inc., 36 F.3d 565, 30 Fed. R. Serv. 3d 20 (7th Cir. 1994)—§ 196
- Oksanen v. Page Memorial Hosp., 912 F.2d 73 (4th Cir. 1990)—§ 41
- Oksanen v. Page Memorial Hospital 1991-2 CCH Trade Cases ¶ 69562—§ 49
- Old Dutch Foods, Inc. v. Dan Dee Pretzel & Potato Chip Co., 477 F.2d 150 (6th Cir. 1973)—§ 13
- Olin Corp. v. F.T.C., 986 F.2d 1295 (9th Cir. 1993)—§ 121
- Oliver v. SD-3C LLC, 751 F.3d 1081 (9th Cir. 2014)—§§ 175, 178A
- Olsen v. Progressive Music Supply, Inc., 703 F.2d 432 (10th Cir. 1983)—§ 86
- Olson Farms, Inc. v. Safeway Stores, Inc., 649 F.2d 1370 (10th Cir. 1979)—§ 164
- Oltz v. St. Peter's Community Hosp., 861 F.2d 1440 (9th Cir. 1988)—§§ 54, 55, 118
- Olympia Co., Inc. v. Celotex Corp., 597 F. Supp. 285 (E.D. La. 1984)—§ 128
- Omega Environmental, Inc. v. Gilbarco, Inc., 127 F.3d 1157 (9th Cir. 1997)—§§ 81, 83
- Omnicare, Inc. v. UnitedHealth Group, Inc., 629 F.3d 697 (7th Cir. 2011)—§ 42
- Omni Outdoor Advertising, Inc. v. Columbia Outdoor Advertising, Inc., 891 F.2d 1127 (4th Cir. 1989)—§§ 33, 54, 67
- On-Line Tech. v. Bodenseewerk Perkin-Elmer, 386 F.3d 1133 (Fed. Cir. 2004)—§§ 21, 22
- 116 L Ed 2d 317, 1991-2 CCH Trade Cases ¶ 69622—§§ 51, 179, 183
- 116 L Ed 2d 29, 112 S Ct 51—§§ 47, 92, 184
- Online DVD-Rental Antitrust Litigation, In re, 779 F.3d 914 (9th Cir. 2015)—§ 45A
- Online Travel Co. (OTC) Hotel Booking Antitrust Litigation, In re, 997 F. Supp. 2d 526 (N.D. Tex. 2014)—§ 42
- ONY, Inc. v. Cornerstone Therapeutics, Inc., 720 F.3d 490 (2d Cir. 2013)—§ 25
- Opdyke Inv. Co. v. City of Detroit, 883 F.2d 1265 (6th Cir. 1989)—§§ 33, 37
- Oppenheim v. I.C. System, Inc., 627 F.3d 833 (11th Cir. 2010)—§ 37
- Oppong v. First Union Mortg. Corp., 326 Fed. Appx. 663 (3d Cir. 2009)—§ 37
- Optical Disk Drive Antitrust Liti-

- gation, *In re*, 303 F.R.D. 311 (N.D. Cal. 2014)—§ 174
- Optimum Technologies, Inc. v. Henkel Consumer Adhesives, Inc., 496 F.3d 1231 (11th Cir. 2007)—§ 37
- Optivus Technology, Inc. v. Ion Beam Applications S.A., 469 F.3d 978 (Fed. Cir. 2006)—§ 17
- Optronic Technologies, Inc v. Ningbo Sunny Electronic Co., Ltd., 2020-1 Trade Cas. (CCH) ¶ 81159, 2020 WL 1667435 (N.D. Cal. 2020)—§§ 52, 101, 200
- Optronic Technologies, Inc. v. Ningbo Sunny Electronic Co., Ltd., 414 F. Supp. 3d 1256 (N.D. Cal. 2019)—§ 181
- Orange, County of v. Sullivan Highway Products, Inc., 752 F. Supp. 643 (S.D. N.Y. 1990)—§§ 67, 194
- Orchard Supply Hardware LLC v. Home Depot USA, Inc., 967 F. Supp. 2d 1347 (N.D. Cal. 2013)—§ 86
- Oreck Corp. v. Whirlpool Corp., 639 F.2d 75, 7 Fed. R. Evid. Serv. 207 (2d Cir. 1980)—§§ 85, 86
- Oreck Corp. v. Whirlpool Corp., 579 F.2d 126 (2d Cir. 1978)—§ 86
- Oreck Corp. v. Whirlpool Corp., 563 F.2d 54 (2d Cir. 1977)—§ 85
- O'Regan v. Arbitration Forums, Inc., 121 F.3d 1060 (7th Cir. 1997)—§ 187
- O'Reilly v. Connecticut Light & Power Co., 375 Fed. Appx. 44 (2d Cir. 2010)—§ 37
- Oreman Sales, Inc. v. Matsushita Elec. Corp. of America, 768 F. Supp. 1174 (E.D. La. 1991)—§ 131
- Organon Inc. v. Mylan Pharmaceuticals, Inc., 293 F. Supp. 2d 453 (D.N.J. 2003)—§§ 33, 156
- Organon, Inc. v. Teva Pharmaceuticals, Inc., 244 F. Supp. 2d 370 (D.N.J. 2002)—§ 157
- Original Appalachian Artworks, Inc. v. Granada Electronics, Inc., 816 F.2d 68 (2d Cir. 1987)—§§ 10, 33, 156, 187
- Orion Pictures Distribution Corp. v. Syufy Enterprises, 829 F.2d 946 (9th Cir. 1987)—§ 195
- O'Riordan v. Long Island Bd. of Realtors, Inc., 707 F. Supp. 111 (E.D. N.Y. 1988)—§ 86
- Orson, Inc. v. Miramax Film Corp., 79 F.3d 1358 (3d Cir. 1996)—§§ 5, 40, 85, 87
- Orthokinetics, Inc. v. Safety Travel Chairs, Inc., 806 F.2d 1565 (Fed. Cir. 1986)—§ 156
- Ortloff Corp. v. Gulsby Engineering, Inc., 706 F. Supp. 1295 (S.D. Tex. 1988)—§ 156
- Osborn v. Visa Inc., 797 F.3d 1057 (D.C. Cir. 2015)—§§ 67, 187
- Oscar Insurance Company of Florida v. Blue Cross and Blue Shield of Florida, Inc., 360 F. Supp. 3d 1278 (M.D. Fla. 2019)—§ 176
- O.S.C. Corp. v. Apple Computer, Inc., 792 F.2d 1464 (9th Cir. 1986)—§ 85
- O. S. C. Corp. v. Toshiba America, Inc., 491 F.2d 1064 (9th Cir. 1974)—§ 171
- Osmose, Inc. v. Viance, LLC, 612

TABLE OF CASES

- F.3d 1298 (11th Cir. 2010)—  
§ 25
- OSRAM Sylvania, Inc. v. American  
Induction Technologies, Inc.,  
701 F.3d 698 (Fed. Cir. 2012)—  
§ 143
- Ostrofe v. H.S. Crocker Co., Inc.,  
740 F.2d 739 (9th Cir. 1984)—  
§ 187
- Ostrofe v. H. S. Crocker Co., Inc.,  
670 F.2d 1378 (9th Cir. 1982)—  
§ 187
- Ostrzenski v. Columbia Hosp. for  
Women Foundation, Inc., 158  
F.3d 1289 (D.C. Cir. 1998)—  
§§ 86, 181
- Otsuka Pharmaceutical Co., Ltd.  
v. Torrent Pharmaceuticals  
Ltd., Inc., 118 F. Supp. 3d 646  
(D.N.J. 2015)—§§ 156, 187
- Ottensmeyer v. Chesapeake & Po-  
tomac Telephone Co. of Mary-  
land, 756 F.2d 986 (4th Cir.  
1985)—§ 33
- Otter Tail Power Co. v. U.S., 410  
U.S. 366, 93 S. Ct. 1022, 35 L.  
Ed. 2d 359 (1973)—§§ 27, 33,  
52, 87, 169
- Outboard Marine Corp. v. Pezetel,  
461 F. Supp. 384 (D. Del.  
1978)—§ 29
- Out Front Productions, Inc. v.  
Magid, 748 F.2d 166 (3d Cir.  
1984)—§ 196
- Owen v. I.C. System, Inc., 629 F.3d  
1263 (11th Cir. 2011)—§ 37
- Owens v. Aetna Life & Cas. Co.,  
654 F.2d 218 (3d Cir. 1981)—  
§ 36
- Owens, In re, 710 F.3d 1362 (Fed.  
Cir. 2013)—§ 144
- Oxbow Carbon & Minerals LLC v.  
Union Pacific Railroad Com-  
pany, 81 F. Supp. 3d 1 (D.D.C.  
2015)—§ 52A
- Oxbow Carbon & Minerals LLC v.  
Union Pacific R. Co., 926 F.  
Supp. 2d 36 (D.D.C. 2013)—  
§ 44
- Ozark Heartland Electronics, Inc.  
v. Radio Shack, A Division of  
Tandy Corp., 278 F.3d 759 (8th  
Cir. 2002)—§ 88
- Ozee v. American Council on Gift  
Annuities, Inc., 110 F.3d 1082,  
37 Fed. R. Serv. 3d 908 (5th  
Cir. 1997)—§ 36A

**P**

- Pa., Com. of v. Mid-Atlantic Toyota  
Distributors, Inc., 704 F.2d  
125 (4th Cir. 1983)—§ 187A
- Paceco, Inc. v. Ishikawajima-  
Harima Heavy Industries Co.,  
Ltd., 468 F. Supp. 256 (N.D.  
Cal. 1979)—§§ 126, 128
- Pace Electronics, Inc. v. Canon  
Computer Systems, Inc., 213  
F.3d 118 (3d Cir. 2000)—§§ 42,  
187
- Pachmayr Gun Works, Inc. v. Olin  
Mathieson Chemical Corp.,  
Winchester Western Division,  
502 F.2d 802 (9th Cir. 1974)—  
§ 22
- Pacific and Southern Co., Inc. v.  
Duncan, 744 F.2d 1490 (11th  
Cir. 1984)—§ 162
- Pacific Coast Agr. Export Ass'n v.  
Sunkist Growers, Inc., 526  
F.2d 1196 (9th Cir. 1975)—  
§§ 29, 35, 52, 54, 85, 185, 187
- Pacific Coast European Conference  
v. Federal Maritime Commis-  
sion, 537 F.2d 333 (9th Cir.  
1976)—§§ 27, 37

- Pacific Coast Marine Windshields Ltd. v. Malibu Boats, LLC, 739 F.3d 694 (Fed. Cir. 2014)—§ 145
- Pacific Engineering & Production Co. of Nevada v. Kerr-McGee Corp., 551 F.2d 790 (10th Cir. 1977)—§§ 47, 131
- Pacific Exp., Inc. v. United Airlines, Inc., 959 F.2d 814 (9th Cir. 1992)—§ 52
- Pacific Gas & Electric Company, Inc. re, 295 B.R. 635 (Bankr. N.D. Cal. 2003)—§§ 33A, 52
- Pacific Recovery Solutions v. United Behavioral Health, 481 F. Supp. 3d 1011 (N.D. Cal. 2020)—§ 187
- Pacific Stationery & Printing Co. v. Northwest Wholesale Stationers, Inc., 715 F.2d 1393 (9th Cir. 1983)—§§ 35, 45, 86, 124
- Packaged Seafood Products Antitrust Litigation, In re, 338 F. Supp. 3d 1079 (S.D. Cal. 2018)—§ 187A
- Paco Rabanne Parfums, S.A. v. Norco Enterprises, Inc., 680 F.2d 891 (2d Cir. 1982)—§ 18
- Paddock Publications, Inc. v. Chicago Tribune Co., 103 F.3d 42 (7th Cir. 1996)—§§ 85, 86
- Pa. ex rel. Zimmerman, Com. of v. PepsiCo, Inc., 836 F.2d 173 (3d Cir. 1988)—§§ 37, 86
- Pa. ex rel. Zimmerman, Com. of v. Pepsico, Inc., 658 F. Supp. 816 (M.D. Pa. 1987)—§§ 28, 37
- Paint Products Co. v. Minwax Co., Inc., 448 F. Supp. 656 (D. Conn. 1978)—§§ 2, 3, 125
- Paladin Associates, Inc. v. Montana Power Co., 328 F.3d 1145, 56 Fed. R. Serv. 3d 1201 (9th Cir. 2003)—§§ 51, 84, 86, 195
- Palazzo v. Gulf Oil Corp., 764 F.2d 1381 (11th Cir. 1985)—§ 164
- Palmer v. BRG of Georgia, Inc., 498 U.S. 46, 111 S. Ct. 401, 112 L. Ed. 2d 349 (1990)—§ 87
- Palmyra Park Hosp. Inc. v. Phoebe Putney Memorial Hosp., 604 F.3d 1291 (11th Cir. 2010)—§§ 84, 187
- Pan-Islamic Trade Corp. v. Exxon Corp., 632 F.2d 539, 7 Fed. R. Evid. Serv. 693 (5th Cir. 1980)—§ 69
- Pan Am. World Airways, Inc. v. U.S., 371 U.S. 296, 83 S. Ct. 476, 9 L. Ed. 2d 325 (1963)—§ 27
- Papercraft Corp. v. F. T. C., 472 F.2d 927 (7th Cir. 1973)—§§ 184, 209
- Paper Systems Inc. v. Nippon Paper Industries Co., Ltd., 281 F.3d 629 (7th Cir. 2002)—§§ 67, 188
- Paramount Media Group, Inc. v. Village of Bellwood, 929 F.3d 914 (7th Cir. 2019)—§ 33
- Park v. El Paso Bd. of Realtors, 764 F.2d 1053, 19 Fed. R. Evid. Serv. 486 (5th Cir. 1985)—§§ 42, 85
- Parker v. Brown, 317 U.S. 341, 63 S. Ct. 307, 87 L. Ed. 315 (1943)—§ 33
- Parker v. Flook, 437 U.S. 584, 98 S. Ct. 2522, 57 L. Ed. 2d 451 (1978)—§ 143
- Parker v. Google, Inc., 242 Fed. Appx. 833 (3d Cir. 2007)—§ 37
- Parker Auto Body Inc v. State Farm Mutual Automobile In-

TABLE OF CASES

- urance Company, 171 F. Supp. 3d 1274 (M.D. Fla. 2016)—§ 70
- Park Irmat Drug Corp. v. Express Scripts Holding Company, 911 F.3d 505, 102 Fed. R. Serv. 3d 702 (8th Cir. 2018)—§ 54
- Park Irmat Drug Corp. v. Express Scripts Holding Company, 310 F. Supp. 3d 1002 (E.D. Mo. 2018)—§ 86
- Park ‘N Fly, Inc. v. Dollar Park and Fly, Inc., 469 U.S. 189, 105 S. Ct. 658, 83 L. Ed. 2d 582 (1985)—§ 9
- Parks v. ABC, Inc., 341 Fed. Appx. 737 (2d Cir. 2009)—§ 163
- Parks v. Watson, 716 F.2d 646 (9th Cir. 1983)—§§ 33, 187
- Parkway Gallery Furniture, Inc. v. Kittinger/Pennsylvania House Group, Inc., 878 F.2d 801 (4th Cir. 1989)—§§ 67, 87
- Parrish v. Cox, 586 F.2d 9 (6th Cir. 1978)—§§ 82, 126, 128
- Parsons v. Ford Motor Co., 669 F.2d 308 (5th Cir. 1982)—§ 67
- Partner & Partner, Inc. v. Exxon-Mobil Oil Corp., 326 Fed. Appx. 892 (6th Cir. 2009)—§ 28
- Parts and Elec. Motors, Inc. v. Sterling Elec., Inc., 826 F.2d 712 (7th Cir. 1987)—§ 84
- PartyLite Gifts, Inc. v. Swiss Colony Occasions, 246 Fed. Appx. 969 (6th Cir. 2007)—§ 17
- Paschall v. Kansas City Star Co., 727 F.2d 692 (8th Cir. 1984)—§§ 49, 53, 85, 175, 176, 187
- Paschall v. Kansas City Star Co., 695 F.2d 322 (8th Cir. 1982)—§§ 53, 85, 175, 187, 200
- Paschall v. Kansas City Star Co., 605 F.2d 403 (8th Cir. 1979)—§§ 49, 85
- Paschall v. Kansas City Star Co., 441 F. Supp. 349 (W.D. Mo. 1977)—§§ 49, 85, 176
- Pastore v. Bell Telephone Co. of Pennsylvania, 24 F.3d 508, 29 Fed. R. Serv. 3d 344 (3d Cir. 1994)—§ 52
- Patel v. Midland Memorial Hosp. and Medical Center, 298 F.3d 333 (5th Cir. 2002)—§ 195
- Patel v. Scotland Memorial Hosp., 91 F.3d 132 (4th Cir. 1996)—§ 41
- Patrick v. Burget, 486 U.S. 94, 108 S. Ct. 1658, 100 L. Ed. 2d 83 (1988)—§§ 27, 33
- Patrick v. Burget, 800 F.2d 1498 (9th Cir. 1986)—§ 33
- Paul Kadair, Inc. v. Sony Corp. of America, 694 F.2d 1017, 35 Fed. R. Serv. 2d 716 (5th Cir. 1983)—§ 181
- Paycom Billing Services, Inc. v. Mastercard Intern., Inc., 467 F.3d 283 (2d Cir. 2006)—§§ 40, 187
- Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, In re, 330 F.R.D. 11 (E.D. N.Y. 2019)—§ 174
- Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, In re, 827 F.3d 223 (2d Cir. 2016)—§ 174
- Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, In re, 991 F. Supp. 2d 437 (E.D. N.Y. 2014)—§ 200
- PCR Golf Ball Co., Inc. v. Chemold

- Corp., 361 F. Supp. 187 (E.D. N.Y. 1973)—§ 161
- P. Daussa Corp. v. Sutton Cosmetics (P.R.) Inc.*, 462 F.2d 134 (2d Cir. 1972)—§ 13
- Pearl Music Co., Inc. v. Recording Industry Ass'n of America, Inc.*, 460 F. Supp. 1060 (C.D. Cal. 1978)—§ 187
- Peck v. General Motors Corp.*, 894 F.2d 844 (6th Cir. 1990)—§§ 177, 187
- Penn Galvanizing Co. v. Lukens Steel Co.*, 468 F.2d 1021 (3d Cir. 1972)—§ 84
- Penn Intern. Industries v. Pennington Corp.*, 583 F.2d 1078 (9th Cir. 1978)—§ 143
- Pennsylvania Dental Ass'n v. Medical Service Ass'n of Pennsylvania*, 815 F.2d 270 (3d Cir. 1987)—§§ 40, 187
- Pennsylvania Dental Ass'n v. Medical Service Ass'n of Pennsylvania*, 745 F.2d 248, 16 Fed. R. Evid. Serv. 1263 (3d Cir. 1984)—§§ 42, 52, 86
- Pennsylvania Employees Ben. Trust Fund v. Zeneca Inc.*, 499 F.3d 239 (3d Cir. 2007)—§ 37
- Pennsylvania Funeral Directors Ass'n, Inc. v. F.T.C.*, 41 F.3d 81 (3d Cir. 1994)—§ 17
- Penthouse Intern. Ltd., Application of*, 565 F.2d 679 (C.C.P.A. 1977)—§ 13
- PepsiCo, Inc. v. Coca-Cola Co.*, 315 F.3d 101 (2d Cir. 2002)—§§ 51, 54, 83
- PepsiCo, Inc. v. F. T. C.*, 472 F.2d 179 (2d Cir. 1972)—§§ 170, 179, 213
- Perceptron, Inc. v. Sensor Adaptive Machines, Inc.*, 221 F.3d 913, 2000 FED App. 0247P (6th Cir. 2000)—§§ 3, 4, 192
- Perez v. State Farm Auto. Ins. Co.*, 391 Fed. Appx. 653 (9th Cir. 2010)—§ 17
- Perez v. State Farm Mut. Auto. Ins. Co.*, 319 Fed. Appx. 615 (9th Cir. 2009)—§ 187
- Perfect Fit Industries, Inc. v. Acme Quilting Co., Inc.*, 646 F.2d 800, 31 Fed. R. Serv. 2d 882 (2d Cir. 1981)—§ 175
- Performance Marketers, Inc. v. Edelbrock Corp.*, 516 F. Supp. 936 (N.D. Tex. 1981)—§ 86
- Perington Wholesale, Inc. v. Burger King Corp.*, 631 F.2d 1369, 28 Fed. R. Serv. 2d 1027 (10th Cir. 1979)—§ 85
- Perkin-Elmer Corp. v. Westinghouse Elec. Corp.*, 822 F.2d 1528 (Fed. Cir. 1987)—§ 141
- Perkins v. Standard Oil Co. of California*, 474 F.2d 549 (9th Cir. 1973)—§ 200
- Perma Life Mufflers, Inc. v. International Parts Corp.*, 392 U.S. 134, 88 S. Ct. 1981, 20 L. Ed. 2d 982 (1968)—§ 202
- Pernod Ricard USA, LLC v. Bacardi U.S.A., Inc.*, 653 F.3d 241 (3d Cir. 2011)—§ 25
- Person v. Google, Inc.*, 346 Fed. Appx. 230 (9th Cir. 2009)—§ 46
- Petroleum for Contractors, Inc. v. Mobil Oil Corp.*, 493 F. Supp. 320 (S.D. N.Y. 1980)—§ 127
- Petrol Stops Northwest v. Continental Oil Co.*, 647 F.2d 1005, 31 Fed. R. Serv. 2d 1165 (9th Cir. 1981)—§§ 164, 205

TABLE OF CASES

- Petrol Stops Northwest v. U.S.*, 571 F.2d 1127 (9th Cir. 1978)—§ 187
- Petruzzi's IGA Supermarkets, Inc. v. Darling-Delaware Co., Inc.*, 998 F.2d 1224, 39 Fed. R. Evid. Serv. 234 (3d Cir. 1993)—§ 69
- Pfizer, Inc. v. Government of India*, 434 U.S. 308, 98 S. Ct. 584, 54 L. Ed. 2d 563 (1978)—§ 190
- Pfizer, Inc. v. Government of India*, 550 F.2d 396 (8th Cir. 1976)—§§ 187, 188, 190
- Pharmacia Corp. v. Par Pharmaceutical, Inc.*, 417 F.3d 1369 (Fed. Cir. 2005)—§ 145
- Pharmacy Benefit Managers Antitrust Litigation, In re*, 582 F.3d 432 (3d Cir. 2009)—§§ 28, 53
- Pharmacy Ben. Managers Antitrust Litigation, In re*, 700 F.3d 109 (3d Cir. 2012)—§ 203A
- Pharmastem Therapeutics, Inc. v. Viacell, Inc.*, 2002 WL 1477380 (D. Del. 2002)—§ 157
- Philadelphia, City of v. Bank of America Corporation*, 498 F. Supp. 3d 516 (S.D. N.Y. 2020)—§ 67
- Philadelphia Taxi Association, Inc v. Uber Technologies, Inc.*, 886 F.3d 332 (3d Cir. 2018)—§§ 27, 52, 52A, 187
- Philadelphia Taxi Association, Inc. v. Uber Technologies, Inc.*, 218 F. Supp. 3d 389 (E.D. Pa. 2016)—§ 187
- Philadelphia World Hockey Club, Inc. v. Philadelphia Hockey Club, Inc.*, 351 F. Supp. 462 (E.D. Pa. 1972)—§§ 46, 54, 55, 176
- Phillips v. Crown Central Petroleum Corp.*, 602 F.2d 616 (4th Cir. 1979)—§ 84
- Phillips v. Vandygriff*, 711 F.2d 1217 (5th Cir. 1983)—§ 86
- Phil Tolkan Datsun, Inc. v. Greater Milwaukee Datsun Dealers' Advertising Ass'n, Inc.*, 672 F.2d 1280 (7th Cir. 1982)—§§ 66, 86
- Phoenix of Broward, Inc. v. McDonald's Corp.*, 489 F.3d 1156 (11th Cir. 2007)—§ 37
- Phoenix Renovation Corporation v. Rodriguez*, 2007 Copr. L. Dec. P 29487, 2007 WL 4443328 (4th Cir. 2007)—§§ 22, 23
- Phone Directories Co., Inc. v. Clark*, 209 Fed. Appx. 808 (10th Cir. 2006)—§ 37
- Phonetele, Inc. v. American Tel. & Tel. Co.*, 889 F.2d 224 (9th Cir. 1989)—§§ 27, 84
- Phonetele, Inc. v. American Tel. and Tel. Co.*, 664 F.2d 716 (9th Cir. 1981)—§§ 27, 84
- Phototron Corp. v. Eastman Kodak Co.*, 842 F.2d 95 (5th Cir. 1988)—§§ 100, 181, 187
- Pickett v. Tyson Fresh Meats, Inc.*, 420 F.3d 1272 (11th Cir. 2005)—§ 37
- Pick Mfg. Co. v. General Motors Corp.*, 299 U.S. 3, 57 S. Ct. 1, 81 L. Ed. 4 (1936)—§ 84
- Piedmont Label Co. v. Sun Garden Packing Co.*, 598 F.2d 491 (9th Cir. 1979)—§ 171
- Pierce v. Commercial Warehouse, Div. of Thompson Automotive Warehouse, Inc.*, 876 F.2d 86 (11th Cir. 1989)—§ 128
- Pierce v. Ramsey Winch Co.*, 753

- F.2d 416, 20 Fed. R. Evid. Serv. 494, 1 Fed. R. Serv. 3d 356 (5th Cir. 1985)—§ 85
- Pilgrim's Pride Corp., *In re*, 728 F.3d 457 (5th Cir. 2013)—§§ 27, 40, 41
- Pinhas v. Summit Health, Ltd., 894 F.2d 1024 (9th Cir. 1989)—§§ 27, 32, 118
- Pinhas v. Summit Health, Ltd., 880 F.2d 1108 (9th Cir. 1989)—§§ 32, 33, 67
- Pinney Dock and Transport Co. v. Penn Cent. Corp., 838 F.2d 1445 (6th Cir. 1988)—§§ 37, 177, 187
- Pinto Trucking Service, Inc. v. Motor Dispatch, Inc., 649 F.2d 530 (7th Cir. 1981)—§ 182
- Pioneer Hi-Bred Intern., Inc. v. Ottawa Plant Food, Inc., 283 F. Supp. 2d 1018, 51 U.C.C. Rep. Serv. 2d 659 (N.D. Iowa 2003)—§§ 148, 150
- Pirelli Armstrong Tire Corp. Retiree Medical Benefits Trust v. Walgreen Co., 631 F.3d 436, 78 Fed. R. Serv. 3d 771 (7th Cir. 2011)—§ 17
- Pireno v. New York State Chiropractic Ass'n, 650 F.2d 387 (2d Cir. 1981)—§ 36
- Pitchford v. PEPI, Inc., 531 F.2d 92 (3d Cir. 1975)—§§ 87, 187, 200
- Pitchford Scientific Instruments Corp. v. PEPI, Inc., 440 F. Supp. 1175 (W.D. Pa. 1977)—§ 200
- Pittsburg County Rural Water Dist. No. 7 v. City of McAlester, 358 F.3d 694 (10th Cir. 2004)—§ 51
- Pittsburgh, City of v. West Penn Power Co., 147 F.3d 256 (3d Cir. 1998)—§ 187
- Planetarium Travel, Inc. v. Altour Intern., Inc., 97 F. Supp. 3d 424 (S.D. N.Y. 2015)—§ 54
- Platinum and Palladium Antitrust Litigation, *In re*, Comm. Fut. L. Rep. (CCH) P 34677, 2020-1 Trade Cas. (CCH) ¶ 81136, 2020 WL 1503538 (S.D. N.Y. 2020)—§ 187
- Ploss v. Kraft Foods Group, Inc., 197 F. Supp. 3d 1037 (N.D. Ill. 2016)—§§ 37, 47, 48, 52A, 54
- Plueckhahn v. Farmers Ins. Exchange, 749 F.2d 241 (5th Cir. 1985)—§ 86
- Plum Tree, Inc. v. N. K. Winston Corp., 351 F. Supp. 80 (S.D. N.Y. 1972)—§§ 32, 129
- Plywood Antitrust Litigation, *In re*, 655 F.2d 627, 8 Fed. R. Evid. Serv. 1639, 32 Fed. R. Serv. 2d 675 (5th Cir. 1981)—§§ 68, 73, 164, 194, 206
- PMP Associates, Inc. v. Globe Newspaper Co. (1975, Mass) 1975 Adv Sheets 11, 321 NE2d 915—§ 17
- Pocahontas Supreme Coal Co., Inc. v. Bethlehem Steel Corp., 828 F.2d 211 (4th Cir. 1987)—§§ 111, 178
- Podiatrist Ass'n, Inc. v. La Cruz Azul De Puerto Rico, Inc., 332 F.3d 6 (1st Cir. 2003)—§ 118
- Pogue v. International Industries, Inc., 524 F.2d 342 (6th Cir. 1975)—§ 82
- Polaroid Corp. v. Eastman Kodak Co., 789 F.2d 1556 (Fed. Cir. 1986)—§ 143
- Polygram Holding, Inc. v. F.T.C.,

TABLE OF CASES

- 416 F.3d 29 (D.C. Cir. 2005)—  
§§ 121, 201
- Polypore Intern., Inc. v. F.T.C., 686  
F.3d 1208 (11th Cir. 2012)—  
§§ 30, 102, 104, 121, 184, 206
- Polysius Corp. v. Fuller Co., 709 F.  
Supp. 560 (E.D. Pa. 1989)—  
§ 163
- POM Wonderful, LLC v. F.T.C.,  
777 F.3d 478 (D.C. Cir. 2015)—  
§ 121
- Pom Wonderful LLC v. Purely  
Juice, Inc., 277 Fed. Appx. 744  
(9th Cir. 2008)—§§ 37, 160
- Pool Products Distribution Market  
Antitrust Litigation, In re, 158  
F. Supp. 3d 544 (E.D. La.  
2016)—§§ 53, 70
- Pool Products Distribution Market  
Antitrust Litigation, In re, 940  
F. Supp. 2d 367 (E.D. La.  
2013)—§ 52
- Pool Water Products v. Olin Corp.,  
258 F.3d 1024 (9th Cir. 2001)—  
§§ 182, 187
- Pope v. Mississippi Real Estate  
Com'n, 872 F.2d 127, 13 Fed.  
R. Serv. 3d 694 (5th Cir.  
1989)—§ 40
- Port Dock & Stone Corp. v. Old-  
castle Northeast, Inc., 507  
F.3d 117 (2d Cir. 2007)—§§ 27,  
53, 85, 187
- Porter Testing Laboratory v. Board  
of Regents for Oklahoma Agri-  
culture and Mechanical Col-  
leges, 993 F.2d 768, 83 Ed.  
Law Rep. 57 (10th Cir. 1993)—  
§ 33
- Portfolio Recovery Associates, LLC  
v. Dixon, 52 Kan. App. 2d 365,  
366 P.3d 245 (2016)—§ 203A
- Portland Retail Druggists Ass'n v.  
Kaiser Foundation Health  
Plan, 662 F.2d 641 (9th Cir.  
1981)—§§ 84, 181
- Portland Retail Druggists Ass'n,  
Inc. v. Abbott Laboratories,  
510 F.2d 486 (9th Cir. 1974)—  
§§ 31, 35, 124
- Portland 76 Auto/Truck Plaza, Inc.  
v. Union Oil Co. of California,  
153 F.3d 938 (9th Cir. 1998)—  
§ 138
- Postal Instant Press v. Jackson,  
658 F. Supp. 739 (D. Colo.  
1987)—§ 175
- Potash Antitrust Litigation, In re,  
667 F. Supp. 2d 907 (N.D. Ill.  
2009)—§ 67
- Potters Medical Center v. City  
Hosp. Ass'n, 800 F.2d 568 (6th  
Cir. 1986)—§§ 54, 118
- Pounds Photographic Labs, Inc. v.  
Noritsu America Corp., 818  
F.2d 1219 (5th Cir. 1987)—§ 27
- Powell v. National Football  
League, 888 F.2d 559 (8th Cir.  
1989)—§ 34
- Powell v. Shelton, 386 F. Supp. 3d  
842 (W.D. Ky. 2019)—§ 32
- Power Integrations, Inc. v. Fair-  
child Semiconductor Intern.,  
Inc., 711 F.3d 1348 (Fed. Cir.  
2013)—§ 160
- Power Test Petroleum Distribu-  
tors, Inc. v. Calcu Gas, Inc.,  
754 F.2d 91 (2d Cir. 1985)—  
§ 84
- Praxair, Inc. v. Florida Power &  
Light Co., 64 F.3d 609 (11th  
Cir. 1995)—§ 33
- Pre-Filled Propane Tank Antitrust  
Litigation, In re, 893 F.3d  
1047 (8th Cir. 2018)—§ 175
- Pre-Filled Propane Tank Antitrust

- Litigation, *In re*, 860 F.3d 1059 (8th Cir. 2017)—§§ 42, 177
- Preferred Communications, Inc. v. City of Los Angeles, Cal., 754 F.2d 1396 (9th Cir. 1985)—§ 33
- Pregis Corp. v. Kappos, 700 F.3d 1348 (Fed. Cir. 2012)—§ 156
- Premier Comp Solutions LLC v. UPMC, 377 F. Supp. 3d 506 (W.D. Pa. 2019)—§ 187
- Premiere Digital Access, Inc. v. Central Telephone Co., 360 F. Supp. 2d 1161 (D. Nev. 2005)—§ 51
- Premier Elec. Const. Co. v. National Elec. Contractors Ass'n, Inc., 814 F.2d 358, 7 Fed. R. Serv. 3d 142 (7th Cir. 1987)—§§ 33, 200
- Premium Mortg. Corp. v. Equifax, Inc., 583 F.3d 103 (2d Cir. 2009)—§ 19
- President and Trustees of Colby College v. Colby College-New Hampshire, 508 F.2d 804 (1st Cir. 1975)—§ 12
- Presque Isle Colon and Rectal Surgery v. Highmark Health, 391 F. Supp. 3d 485 (W.D. Pa. 2019)—§ 33
- Pressure Sensitive Labelstock Antitrust Litigation, *In re*, 356 F. Supp. 2d 484 (M.D. Pa. 2005)—§§ 67, 69, 70
- Pressure Sensitive Labelstock Antitrust Litigation, *In re*, 226 F.R.D. 492 (M.D. Pa. 2005)—§ 174
- Price v. Trans World Airlines, Inc., 481 F.2d 844 (9th Cir. 1973)—§ 169
- Primetime 24 Joint Venture v. National Broadcasting, Co., Inc., 219 F.3d 92 (2d Cir. 2000)—§§ 33, 86
- Princeton Community Phone Book, Inc. v. Bate, 582 F.2d 706 (3d Cir. 1978)—§ 33
- Principe v. McDonald's Corp., 631 F.2d 303 (4th Cir. 1980)—§§ 80, 84
- Princo Corp. v. International Trade Com'n, 616 F.3d 1318 (Fed. Cir. 2010)—§ 146
- Princo Corp. v. International Trade Com'n, 563 F.3d 1301 (Fed. Cir. 2009)—§ 148
- Procaps S.A. v. Patheon, Inc., 845 F.3d 1072 (11th Cir. 2016)—§§ 40, 40A, 48
- Procaps S.A. v. Patheon Inc., 36 F. Supp. 3d 1306 (S.D. Fla. 2014)—§ 40
- Processed Egg Products Antitrust Litigation, *In re*, 962 F.3d 719 (3d Cir. 2020)—§ 40
- Processed Egg Products Antitrust Litigation, *In re*, 392 F. Supp. 3d 498 (E.D. Pa. 2019)—§§ 181, 190
- Processed Egg Products Antitrust Litigation, *In re*, 881 F.3d 262 (3d Cir. 2018)—§§ 187, 194
- Processed Egg Products Antitrust Litigation, *In re*, 322 F. Supp. 3d 599 (E.D. Pa. 2018)—§ 35
- Processed Egg Products Antitrust Litigation, *In re*, 321 F.R.D. 555 (E.D. Pa. 2017)—§ 174
- Processed Egg Products Antitrust Litigation, *In re*, 206 F. Supp. 3d 1033 (E.D. Pa. 2016)—§ 40
- Processed Egg Products Antitrust Litigation, *In re*, 312 F.R.D. 171 (E.D. Pa. 2015)—§ 174
- Proctor v. General Conference of

TABLE OF CASES

- Seventh-Day Adventists, 651 F. Supp. 1505 (N.D. Ill. 1986)—§§ 127, 194
- Proctor v. State Farm Mut. Auto. Ins. Co., 440 U.S. 942, 99 S. Ct. 1417, 59 L. Ed. 2d 631 (1979)—§ 36
- Proctor v State Farm Mut. Auto. Ins. Co. (1977) 182 App DC 264, 561 F.2d 262—§ 36
- Products Liability Ins. Agency, Inc. v. Crum & Forster Ins. Companies, 682 F.2d 660 (7th Cir. 1982)—§ 86
- Professional Baseball Schools and Clubs, Inc. v. Kuhn, 693 F.2d 1085 (11th Cir. 1982)—§ 32
- Professional Beauty Supply, Inc. v. National Beauty Supply, Inc., 594 F.2d 1179, 47 A.L.R. Fed. 694 (8th Cir. 1979)—§§ 164, 188
- Professional Real Estate Investors, Inc. v. Columbia Pictures Industries, Inc., 508 U.S. 49, 113 S. Ct. 1920, 123 L. Ed. 2d 611 (1993)—§ 33
- Professional Sound Services, Inc. v. Guzzi, 349 F. Supp. 2d 722 (S.D. N.Y. 2004)—§ 26
- Program Engineering, Inc. v. Triangle Publications, Inc., 634 F.2d 1188 (9th Cir. 1980)—§ 181
- ProMedica Health System, Inc. v. F.T.C., 749 F.3d 559 (6th Cir. 2014)—§§ 97, 101, 102, 184
- Propranolol Antitrust Litigation, In re, 249 F. Supp. 3d 712 (S.D. N.Y. 2017)—§ 42
- Propulsion Technologies, Inc. v. Atwood Corp., 369 F.3d 896, 53 U.C.C. Rep. Serv. 2d 466 (5th Cir. 2004)—§ 22
- Protectoseal Co. v. Barancik, 484 F.2d 585 (7th Cir. 1973)—§§ 115, 175, 187, 200
- Province v. Cleveland Press Pub. Co., 787 F.2d 1047 (6th Cir. 1986)—§§ 168, 187
- PSI Repair Services, Inc. v. Honeywell, Inc., 104 F.3d 811, 1997 FED App. 0008P (6th Cir. 1997)—§§ 51, 52, 84
- PSKS, Inc. v. Leegin Creative Leather Products, Inc., 615 F.3d 412 (5th Cir. 2010)—§§ 40, 88
- PSKS, Inc. v. Leegin Creative Leather Products, Inc., 171 Fed. Appx. 464 (5th Cir. 2006)—§§ 28, 195
- Publication Paper Antitrust Litigation, In re, 690 F.3d 51 (2d Cir. 2012)—§§ 39, 41, 42, 68
- Pueblo Aircraft Service, Inc. v. City of Pueblo, Colo., 679 F.2d 805 (10th Cir. 1982)—§ 33
- Puerto Rico, Government of v. Carpenter Company, 442 F. Supp. 3d 464 (D.P.R. 2020)—§§ 178, 178A
- Puerto Rico Pharmaceutical, Inc. v. Pfizer Corp., 296 F. Supp. 2d 69 (D.P.R. 2003)—§ 119
- Puerto Rico Telephone Company, Inc. v. San Juan Cable LLC, 874 F.3d 767 (1st Cir. 2017)—§ 37A
- Pugliese v. Pukka Development, Inc., 550 F.3d 1299 (11th Cir. 2008)—§ 37
- Pumps and Power Co. v. Southern States Industries, Inc., 787 F.2d 1252 (8th Cir. 1986)—§§ 68, 86
- Purdue Pharma L.P. v. Endo Phar-

- maceuticals Inc., 438 F.3d 1123 (Fed. Cir. 2006)—§ 145
- Purdy Mobile Homes, Inc. v. Champion Home Builders Co., 594 F.2d 1313 (9th Cir. 1979)—§ 138
- Purex Corp. v. Procter & Gamble Co., 596 F.2d 881 (9th Cir. 1979)—§§ 96, 186, 196
- Purex Corp., Ltd. v. Procter & Gamble Co., 419 F. Supp. 931 (C.D. Cal. 1976)—§ 96
- Purnell v. Arrow Financial Services, LLC, 303 Fed. Appx. 297, 2008 FED App. 0761N (6th Cir. 2008)—§ 37
- Pye v. Mitchell, 574 F.2d 476 (9th Cir. 1978)—§ 162
- Q**
- Q-Pharma, Inc. v. Andrew Jergens Co., 360 F.3d 1295, 58 Fed. R. Serv. 3d 206 (Fed. Cir. 2004)—§ 156
- Qualcomm Antitrust Litigation, In re, 328 F.R.D. 280, 101 Fed. R. Serv. 3d 1662 (N.D. Cal. 2018)—§ 174
- Quality Auto Body, Inc. v. Allstate Ins. Co., 660 F.2d 1195 (7th Cir. 1981)—§§ 41, 42
- Quality Auto Painting Center of Roselle, Inc. v. State Farm Indemnity Company, 917 F.3d 1249 (11th Cir. 2019)—§ 86
- Quality Mercury, Inc. v. Ford Motor Co., 542 F.2d 466 (8th Cir. 1976)—§ 87
- Queen City Pizza, Inc. v. Domino's Pizza, Inc., 124 F.3d 430 (3d Cir. 1997)—§§ 54, 84
- Quinonez v. National Ass'n of Securities Dealers, Inc., 540 F.2d 824 (5th Cir. 1976)—§§ 86, 190
- Qwest Communications Corporation v. Free Conferencing Corporation, 837 F.3d 889 (8th Cir. 2016)—§ 17
- R**
- Racetech, LLC v. Kentucky Downs, LLC, 169 F. Supp. 3d 709 (W.D. Ky. 2016)—§ 37A
- Race Tires America, Inc. v. Hoosier Racing Tire Corp., 674 F.3d 158 (3d Cir. 2012)—§ 200
- Race Tires America, Inc. v. Hoosier Racing Tire Corp., 614 F.3d 57 (3d Cir. 2010)—§§ 41, 52
- Raceway Properties, Inc. v. Emprise Corp., 613 F.2d 656, 29 Fed. R. Serv. 2d 181 (6th Cir. 1980)—§ 54
- Rafferty v. NYNEX Corp., 60 F.3d 844, 32 Fed. R. Serv. 3d 448 (D.C. Cir. 1995)—§ 183
- Ragner Technology Corp. v. Berardi, 324 F. Supp. 3d 491 (D.N.J. 2018)—§ 158
- Rail Freight Fuel Surcharge Antitrust Litigation, In re, 292 F. Supp. 3d 14, 99 Fed. R. Serv. 3d 223 (D.D.C. 2017)—§ 174
- Raitport v. Chase Manhattan Capital Corp., 388 F. Supp. 1095 (S.D. N.Y. 1975)—§ 69
- Ralph C. Wilson Industries, Inc. v. Chronicle Broadcasting Co., 794 F.2d 1359 (9th Cir. 1986)—§ 69
- Rambus Inc. v. F.T.C., 522 F.3d 456 (D.C. Cir. 2008)—§§ 46, 197
- Ramsey v. United Mine Workers of America, 481 F.2d 742 (6th Cir. 1973)—§ 34
- Ramsey v. United Mine Workers of America, 344 F. Supp. 1029 (E.D. Tenn. 1972)—§ 34

TABLE OF CASES

- Ransburg Electro-Coating Corp. v. Lansdale Finishers, Inc., 484 F.2d 1037 (3d Cir. 1973)—§ 182
- Ransomes America Corp. v. Spartan Distributors, Inc., 914 F. Supp. 183 (W.D. Mich. 1996)—§ 84
- Rao v. BP Products North America, Inc., 589 F.3d 389 (7th Cir. 2009)—§ 37
- Rasmussen v. American Dairy Ass'n, 472 F.2d 517 (9th Cir. 1972)—§ 32
- Rates Technology Inc. v. Speakeasy, Inc., 685 F.3d 163 (2d Cir. 2012)—§§ 156A, 159
- Ratino v. Medical Service of Dist. of Columbia (Blue Shield), 718 F.2d 1260 (4th Cir. 1983)—§ 36
- Rawoof v. Texor Petroleum Co., Inc., 521 F.3d 750 (7th Cir. 2008)—§ 37
- Raxton Corp. v. Anania Associates, Inc., 635 F.2d 924 (1st Cir. 1980)—§ 9
- Ray v. Indiana & Michigan Elec. Co., 758 F.2d 1148 (7th Cir. 1985)—§ 182
- Rayman v. American Charter Federal Sav. & Loan Ass'n, 75 F.3d 349 (8th Cir. 1996)—§ 37
- Razorback Ready Mix Concrete Co., Inc. v. Weaver, 761 F.2d 484 (8th Cir. 1985)—§§ 33, 181
- R.C. Bigelow, Inc. v. Unilever N.V., 867 F.2d 102 (2d Cir. 1989)—§§ 186, 187
- R.C. Dick Geothermal Corp. v. Thermogenics, Inc., 890 F.2d 139 (9th Cir. 1989)—§ 187
- RCM Supply Co., Inc. v. Hunter Douglas, Inc., 686 F.2d 1074 (4th Cir. 1982)—§ 55
- Rea v. Ford Motor Co., 355 F. Supp. 842 (W.D. Pa. 1972)—§§ 41, 42, 46, 119, 127, 129, 138
- Read v. Medical X-Ray Center, P.C., 110 F.3d 543 (8th Cir. 1997)—§ 196
- Reading Industries, Inc. v. Kennecott Copper Corp., 631 F.2d 10 (2d Cir. 1980)—§ 187
- Reading Intern., Inc. v. Oaktree Capital Management LLC, 2004-1 Trade Cas. (CCH) P 74267, 2003 WL 22928728 (S.D. N.Y. 2003)—§ 104
- REA Exp., Inc. v. Alabama Great Southern R. Co., 343 F. Supp. 851 (S.D. N.Y. 1972)—§§ 27, 113
- Realcomp II, Ltd. v. F.T.C., 635 F.3d 815 (6th Cir. 2011)—§§ 40, 40A, 121, 206
- Realtime Data, LLC v. Morgan Stanley, 554 Fed. Appx. 923 (Fed. Cir. 2014)—§ 144
- Reazin v. Blue Cross and Blue Shield of Kansas, Inc., 899 F.2d 951 (10th Cir. 1990)—§ 70
- Rebel Oil Co., Inc. v. Atlantic Richfield Co., 146 F.3d 1088, 49 Fed. R. Evid. Serv. 1412, 171 A.L.R. Fed. 783 (9th Cir. 1998)—§§ 42, 127
- Rebel Oil Co., Inc. v. Atlantic Richfield Co., 51 F.3d 1421 (9th Cir. 1995)—§§ 51, 52, 54, 131
- Re Boise Cascade Corp., (1969) DKT 9133, 50 ATTR 335—§ 139
- Reborn Enterprises, Inc. v. Fine Child, Inc., 590 F. Supp. 1423 (S.D. N.Y. 1984)—§ 134
- Recetas Por Menos, Inc. v. Five Development Corp., 368 F.

- Supp. 2d 124 (D.P.R. 2005)—  
§§ 40, 55
- Recording Industry Ass'n of America v. Copyright Royalty Tribunal, 662 F.2d 1 (D.C. Cir. 1981)—§ 162
- Rectrix Aerodrome Centers, Inc. v. Barnstable Mun. Airport Com'n, 610 F.3d 8 (1st Cir. 2010)—§ 33
- Redd v. Nolan, 663 F.3d 287 (7th Cir. 2011)—§ 3
- Redd v. Shell Oil Co., 524 F.2d 1054 (10th Cir. 1975)—§§ 84, 87
- Redmond v. Atlantic Coast Football League, 359 F. Supp. 666 (S.D. Ind. 1973)—§ 171
- Redwing Carriers, Inc. v. McKenzie Tank Lines, Inc., 443 F. Supp. 639 (N.D. Fla. 1977)—  
§ 44
- Reed Bros., Inc. v. Monsanto Co., 525 F.2d 486 (8th Cir. 1975)—  
§§ 85, 87
- Reeder-Simco GMC, Inc. v. Volvo GM Heavy Truck Corp., 374 F.3d 701 (8th Cir. 2004)—  
§§ 127, 128, 129, 131, 135
- Refrigerant Compressors Antitrust Litigation, In re, 92 F. Supp. 3d 652 (E.D. Mich. 2015)—  
§ 178
- Re General Foods Corp. (1984) Docket No. 9085, 46 BNA-Antitrust 888—§§ 52, 131
- Regents of University of California v. American Broadcasting Companies, Inc., 747 F.2d 511 (9th Cir. 1984)—§ 176
- Regional Multiple Listing Service of Minnesota, Inc. v. American Home Realty Network, Inc., 960 F. Supp. 2d 958 (D. Minn. 2013)—§ 86
- Reibert v. Atlantic Richfield Co., 471 F.2d 727 (10th Cir. 1973)—  
§§ 187, 190, 195, 196
- Reichert v. National Credit Systems, Inc., 531 F.3d 1002 (9th Cir. 2008)—§ 37
- Reid Bros. Logging Co. v. Ketchikan Pulp Co., 699 F.2d 1292, 12 Fed. R. Evid. Serv. 1179, 36 Fed. R. Serv. 2d 89 (9th Cir. 1983)—§ 67
- Reifert v. South Cent. Wisconsin MLS Corp., 450 F.3d 312 (7th Cir. 2006)—§§ 28, 40, 84, 86
- Reinke Mfg. Co., Inc. v. Sidney Mfg. Corp., 446 F. Supp. 1056 (D. Neb. 1978)—§ 156
- Re International Tel. & Tel. Corp., (1984) 47 BNA-AT 283—§§ 121, 123, 127, 131
- Reiter v. Sonotone Corp., 442 U.S. 330, 99 S. Ct. 2326, 60 L. Ed. 2d 931, 27 Fed. R. Serv. 2d 653 (1979)—§§ 174, 187
- Reiter v. Sonotone Corp., 435 F. Supp. 933 (D. Minn. 1977)—  
§ 187
- Relafen Antitrust Litigation, In re, 360 F. Supp. 2d 166 (D. Mass. 2005)—§ 187
- Relafen Antitrust Litigation, In re, 218 F.R.D. 337 (D. Mass. 2003)—§ 194
- Reliable Tire Distributors, Inc. v. Kelly Springfield Tire Co., 592 F. Supp. 127 (E.D. Pa. 1984)—  
§§ 127, 139
- Re/Max Intern., Inc. v. Smythe, Cramer Co., 265 F. Supp. 2d 882 (N.D. Ohio 2003)—§ 118
- Remeron Direct Purchaser Antitrust Litigation, In re, 367 F. Supp. 2d 675 (D.N.J. 2005)—  
§ 51

TABLE OF CASES

- Remicade Antitrust Litigation, In re, 345 F. Supp. 3d 566 (E.D. Pa. 2018)—§ 85
- Removatron Intern. Corp. v. F.T.C., 884 F.2d 1489 (1st Cir. 1989)—§§ 25, 30
- Republic Tobacco Co. v. North Atlantic Trading Co., Inc., 381 F.3d 717 (7th Cir. 2004)—§ 55
- Resco Products, Inc. v. Bosai Minerals Group Co., Ltd., 158 F. Supp. 3d 406 (W.D. Pa. 2016)—§§ 69, 70, 181
- Response of Carolina, Inc. v. Leasco Response, Inc., 537 F.2d 1307, 22 Fed. R. Serv. 2d 377 (5th Cir. 1976)—§§ 84, 87, 195
- Retail Imaging Management Group, LLC v. Fujifilm North America Corp., 841 F. Supp. 2d 1189 (D. Or. 2012)—§ 176
- Retail Service Associates v. Con-Agra Pet Products Co., 759 F. Supp. 976 (D. Conn. 1991)—§ 139
- Retina Associates, P.A. v. Southern Baptist Hosp. of Florida, Inc., 105 F.3d 1376 (11th Cir. 1997)—§§ 48, 51, 52, 86
- Retractable Technologies, Incorporated v. Becton Dickinson & Company, 842 F.3d 883 (5th Cir. 2016)—§§ 27, 52
- Return on Inv. Systems v. Translogic Corp., 702 F. Supp. 677 (N.D. Ill. 1988)—§ 187
- Reveal Chat Holdco, LLC v. Facebook, Inc., 471 F. Supp. 3d 981 (N.D. Cal. 2020)—§§ 53, 178
- Rex Chainbelt Inc. v. Borg-Warner Corp., 477 F.2d 481 (7th Cir. 1973)—§ 143
- Rex Chainbelt Inc. v. Harco Products, Inc., 512 F.2d 993 (9th Cir. 1975)—§§ 151, 160
- Rex Systems, Inc. v. Holiday, 814 F.2d 994 (4th Cir. 1987)—§§ 189, 190
- Reyn's Pasta Bella, LLC v. Visa U.S.A., 259 F. Supp. 2d 992 (N.D. Cal. 2003)—§ 100
- RFD Publications, Inc. v. Oregonian Pub. Co., 749 F.2d 1327 (9th Cir. 1984)—§ 47
- Rhone Poulenc Agro, S.A. v. DeKalb Genetics Corp., 284 F.3d 1323, 47 U.C.C. Rep. Serv. 2d 582 (Fed. Cir. 2002)—§§ 146, 158
- Ricci v. Chicago Mercantile Exchange, 409 U.S. 289, 93 S. Ct. 573, 34 L. Ed. 2d 525 (1973)—§§ 27, 169
- Rice v. Norman Williams Co., 458 U.S. 654, 102 S. Ct. 3294, 73 L. Ed. 2d 1042 (1982)—§§ 1, 163A
- Richard Short Oil Co., Inc. v. Texaco, Inc., 799 F.2d 415, 2 U.C.C. Rep. Serv. 2d 98 (8th Cir. 1986)—§§ 3, 127, 131
- Richter Concrete Corp. v. Hilltop Concrete Corp., 691 F.2d 818 (6th Cir. 1982)—§§ 47, 52
- Rick-Mik Enterprises, Inc. v. Equilon Enterprises LLC, 532 F.3d 963 (9th Cir. 2008)—§ 84
- Rickards v. Canine Eye Registration Foundation, 783 F.2d 1329 (9th Cir. 1986)—§§ 3, 33, 85, 188, 192
- Rickards v. Canine Eye Registration Foundation, Inc., 704 F.2d 1449 (9th Cir. 1983)—§§ 3, 85, 188

- Right Field Rooftops, LLC v. Chicago Cubs Baseball Club, LLC, 870 F.3d 682 (7th Cir. 2017)—§ 37A
- Riker Laboratories, Inc. v. Gist-Brocades N. V., 636 F.2d 772 (D.C. Cir. 1980)—§ 156
- Ring & Pinion Service Inc. v. ARB Corp. Ltd., 743 F.3d 831 (Fed. Cir. 2014)—§ 156
- Rittmann v. Amazon.com, Inc., 971 F.3d 904 (9th Cir. 2020)—§ 95
- Rittmiller v. Blex Oil, Inc., 624 F.2d 857 (8th Cir. 1980)—§ 176
- Ritz Camera & Image, LLC v. Sand-Disk Corp., 700 F.3d 503 (Fed. Cir. 2012)—§§ 158, 160, 187
- Riverview Investments, Inc. v. Ottawa Community Imp. Corp., 899 F.2d 474, 16 Fed. R. Serv. 3d 38 (6th Cir. 1990)—§§ 33, 187
- Riverview Investments, Inc. v. Ottawa Community Imp. Corp., 769 F.2d 324 (6th Cir. 1985)—§§ 33, 187
- Riverview Inv., Inc. v. Ottawa Community Imp. Corp., 774 F.2d 162 (6th Cir. 1985)—§§ 33, 187
- R.J. Reynolds Tobacco Co. v. Cigarettes Cheaper!, 462 F.3d 690 (7th Cir. 2006)—§§ 47, 124, 127, 135
- R. J. Reynolds Tobacco Co. v. Philip Morris Inc., 199 F. Supp. 2d 362 (M.D. N.C. 2002)—§ 51
- Robb v. Connecticut Board of Veterinary Medicine, 157 F. Supp. 3d 130 (D. Conn. 2016)—§§ 33, 187
- Robbins Co. v. Lawrence Mfg. Co., 482 F.2d 426, 25 A.L.R. Fed. 473 (9th Cir. 1973)—§ 143
- Robbins Flooring, Inc. v. Federal Floors, Inc., 445 F. Supp. 4 (E.D. Pa. 1977)—§§ 84, 127, 138, 174
- Robert Bruce, Inc. v. Sears, Roebuck & Co., 343 F. Supp. 1333 (E.D. Pa. 1972)—§ 12
- Robert F. Booth Trust v. Crowley, 2012 Trade Cases P 77,931 (7th Cir. 2012)—§ 187
- Robert F. Booth Trust v. Crowley, 687 F.3d 314, 82 Fed. R. Serv. 3d 1017 (7th Cir. 2012)—§ 112
- Roberts v. Sears, Roebuck and Co., 617 F.2d 460 (7th Cir. 1980)—§ 160
- Robertson v. Sea Pines Real Estate Companies, Inc., 679 F.3d 278 (4th Cir. 2012)—§§ 40, 41, 41A, 66, 67, 115
- Robert Stigwood Group Ltd. v. O'Reilly, 530 F.2d 1096 (2d Cir. 1976)—§ 161
- Robert's Waikiki U-Drive, Inc. v. Budget Rent-a-Car Systems, Inc., 732 F.2d 1403, 15 Fed. R. Evid. Serv. 1293 (9th Cir. 1984)—§ 84
- Robinson v. Magovern, 456 F. Supp. 1000 (W.D. Pa. 1978)—§ 85
- Robinson v. Texas Auto. Dealers Ass'n, 387 F.3d 416, 59 Fed. R. Serv. 3d 957 (5th Cir. 2004)—§ 42
- Robintech, Inc. v. Chemidus Wavin, Ltd. (1980) 202 App DC 142, 628 F.2d 142, 205 USPQ 873—§ 156
- Rock v. National Collegiate Athletic Ass'n, 928 F. Supp. 2d 1010, 295 Ed. Law Rep. 1130 (S.D. Ind. 2013)—§ 44

TABLE OF CASES

- Rockford, City of v. Mallinckrodt  
ARD, Inc., 360 F. Supp. 3d 730  
(N.D. Ill. 2019)—§ 187
- Rod Baxter Imports, Inc. v. Saab-  
Scania of America, Inc., 489 F.  
Supp. 245 (D. Minn. 1980)—  
§§ 131, 135
- Rodgers v. Louisiana Board of  
Nursing, 665 Fed. Appx. 326  
(5th Cir. 2016)—§ 33
- Rodriguez v. BA Eola, LLC, 404  
Fed. Appx. 418 (11th Cir.  
2010)—§ 37
- Roesch, Inc. v. Star Cooler Corp.,  
712 F.2d 1235 (8th Cir. 1983)—  
§ 86
- Roesch, Inc. v. Star Cooler Corp.,  
671 F.2d 1168 (8th Cir. 1982)—  
§ 67
- Rohauer v. Killiam Shows, Inc.,  
551 F.2d 484 (2d Cir. 1977)—  
§ 162
- Rohm and Haas Co. v. Dawson  
Chemical Co., 599 F.2d 685  
(5th Cir. 1979)—§ 157
- Rohnert Park, City of v. Harris,  
601 F.2d 1040 (9th Cir. 1979)—  
§§ 175, 187
- Roho, Inc. v. Marquis, 902 F.2d 356  
(5th Cir. 1990)—§ 19
- Roland Machinery Co. v. Dresser  
Industries, Inc., 749 F.2d 380,  
79 A.L.R. Fed. 1 (7th Cir.  
1984)—§§ 81, 85, 176
- Rome, City of v. Hotels.com, L.P.,  
549 Fed. Appx. 896 (11th Cir.  
2013)—§ 175
- Rome Ambulatory Surgical Center,  
LLC v. Rome Memorial Hosp.,  
Inc., 349 F. Supp. 2d 389 (N.D.  
N.Y. 2004)—§§ 51, 52B, 54, 54A,  
67, 70, 84, 86, 187
- Romero v. Buhimschi, 396 Fed.  
Appx. 224 (6th Cir. 2010)—§ 37
- Ron Tonkin Gran Turismo, Inc. v.  
Fiat Distributors, Inc., 637  
F.2d 1376 (9th Cir. 1981)—  
§§ 54, 84, 86
- Ronwin v State Bar of Arizona  
(1981, CA9 Ariz 663 F2d 914—  
§ 33
- Roorda v. American Oil Co., 446 F.  
Supp. 939, 26 Fed. R. Serv. 2d  
22 (W.D. N.Y. 1978)—§ 126
- Roos v. Honeywell Internat., Inc.,  
241 Cal. App. 4th 1472, 194  
Cal. Rptr. 3d 735 (1st Dist.  
2015)—§ 200
- Rose v. Chase Bank USA, N.A.,  
513 F.3d 1032 (9th Cir. 2008)—  
§ 32
- Rose v. Clark, 478 U.S. 570, 106 S.  
Ct. 3101, 92 L. Ed. 2d 460  
(1986)—§§ 32, 205
- Rose Confections, Inc. v. Ambrosia  
Chocolate Co., a Div. of W.R.  
Grace and Co., 816 F.2d 381  
(8th Cir. 1987)—§§ 125, 127,  
131, 136
- Rosefielde v. Falcon Jet Corp., 701  
F. Supp. 1053 (D.N.J. 1988)—  
§ 43
- Rosemound Sand & Gravel Co. v.  
Lambert Sand & Gravel Co.,  
469 F.2d 416 (5th Cir. 1972)—  
§§ 32, 126
- Rosenau v. Unifund Corp., 539  
F.3d 218 (3d Cir. 2008)—§ 37
- RosenbergHealthcorp Affiliates,  
663 F. Supp. 222 (N.D. Ill.  
1987)—§ 32
- Ross-Hime Designs, Inc. v. United  
States, 109 Fed. Cl. 725  
(2013)—§ 21
- Ross v. American Exp. Co., 35 F.  
Supp. 3d 407 (S.D. N.Y.  
2014)—§ 41

FEDERAL CONTROL OF BUSINESS

- Ross v. Bank of America, N.A.(USA), 524 F.3d 217 (2d Cir. 2008)—§ 187
- Rossi v. Standard Roofing, Inc., 156 F.3d 452 (3d Cir. 1998)—§§ 86, 181
- Rotec Industries, Inc. v. Mitsubishi Corp., 348 F.3d 1116 (9th Cir. 2003)—§ 124
- Rothery Storage & Van Co. v. Atlas Van Lines, Inc., 792 F.2d 210 (D.C. Cir. 1986)—§ 86
- Roto-Rooter Corp. v. O'Neal, 513 F.2d 44 (5th Cir. 1975)—§ 11
- Rowe v. Educational Credit Management Corp., 559 F.3d 1028 (9th Cir. 2009)—§ 37
- Rowe Entertainment, Inc. v. William Morris Agency, Inc., 167 Fed. Appx. 227 (2d Cir. 2005)—§§ 28, 40
- Royal Crown Cola Co. v. Coca-Cola Co., 887 F.2d 1480 (11th Cir. 1989)—§ 200
- Royal Drug Co., Inc. v. Group Life and Health Ins. Co., 737 F.2d 1433, 79 A.L.R. Fed. 857 (5th Cir. 1984)—§§ 36, 42, 86
- Royal Drug Co., Inc. v. Group Life & Health Ins. Co., 556 F.2d 1375 (5th Cir. 1977)—§ 36
- Royal Printing Co. v. Kimberly Clark Corp., 621 F.2d 323 (9th Cir. 1980)—§ 201
- Roy B. Taylor Sales, Inc. v. Holymatic Corp., 28 F.3d 1379 (5th Cir. 1994)—§ 84
- Roy Export Co. Establishment of Vaduz, Liechtenstein v. Columbia Broadcasting System, Inc., 672 F.2d 1095 (2d Cir. 1982)—§§ 19, 162
- RSA Media, Inc. v. AK Media Group, Inc., 260 F.3d 10 (1st Cir. 2001)—§ 187
- R. S. E., Inc. v. Pennsy Supply, Inc., 489 F. Supp. 1227 (M.D. Pa. 1980)—§§ 126, 138
- RSR Corp. v Federal Trade Com. (1981) 211 App DC 129, 656 F2d 718—§ 213
- RSR Corp. v. F. T. C., 602 F.2d 1317 (9th Cir. 1979)—§§ 102, 103, 104
- Rubin v. Boston Magazine Co., 645 F.2d 80 (1st Cir. 1981)—§ 162
- Ruckelshaus v. Monsanto Co., 467 U.S. 986, 104 S. Ct. 2862, 81 L. Ed. 2d 815 (1984)—§ 21
- Rudner v. Abbott Laboratories, Inc., 664 F. Supp. 1100 (N.D. Ohio 1987)—§§ 31, 124
- Ruiz v. Bally Total Fitness Holding Corp., 496 F.3d 1, 48 A.L.R.6th 643 (1st Cir. 2007)—§ 17
- Rural Elec. Co. v. Cheyenne Light, Fuel & Power Co., 762 F.2d 847 (10th Cir. 1985)—§ 33
- Rural Telephone Service Co., Inc. v. Feist Publications, Inc., 663 F. Supp. 214 (D. Kan. 1987)—§ 163
- Russell v. Price, 612 F.2d 1123 (9th Cir. 1979)—§ 162
- Russell v. Price, 448 F. Supp. 303 (C.D. Cal. 1977)—§ 162
- Russell Stover Candies, Inc. v. F.T.C., 718 F.2d 256 (8th Cir. 1983)—§§ 85, 89
- Russ' Kwik Car Wash, Inc. v. Marathon Petroleum Co., 772 F.2d 214 (6th Cir. 1985)—§§ 84, 117, 119, 125, 128
- Ruth v. Triumph Partnerships, 577 F.3d 790 (7th Cir. 2009)—§ 37
- Rutman Wine Co. v. E. & J. Gallo

TABLE OF CASES

- Winery, 829 F.2d 729 (9th Cir. 1987)—§§ 87, 138
- R.W. Beck, Inc. v. E3 Consulting, LLC, 577 F.3d 1133 (10th Cir. 2009)—§ 17
- RxUSA Wholesale Inc. v. Alcon Laboratories, 391 Fed. Appx. 59 (2d Cir. 2010)—§ 46
- Ryan v. Microsoft Corporation, 147 F. Supp. 3d 868 (N.D. Cal. 2015)—§ 178
- Ryko Mfg. Co. v. Eden Services, 823 F.2d 1215, 92 A.L.R. Fed. 387 (8th Cir. 1987)—§§ 82, 83, 84, 87, 88
- S**
- Sabin v. Berglund, 585 F.2d 955 (10th Cir. 1978)—§§ 33, 87
- Sabin v. Butz, 515 F.2d 1061 (10th Cir. 1975)—§ 181
- Sacramento Valley, Chapter of the Nat. Elec. Contractors Ass'n v. International Broth. of Elec. Workers, Local 340, 888 F.2d 604 (9th Cir. 1989)—§§ 34, 187
- Saenz v. University Interscholastic League, 487 F.2d 1026 (5th Cir. 1973)—§ 33
- Saether, Application of, 492 F.2d 849 (C.C.P.A. 1974)—§ 143
- Safe Flight Instrument Corp. v. McDonnell-Douglas Corp., 482 F.2d 1086 (9th Cir. 1973)—§ 161
- Safeway Inc. v. Abbott Laboratories, 2010-11 Trade Cas. (CCH) ¶ 76896, 2010 WL 147988 (N.D. Cal. 2010)—§§ 46, 53
- Saint Alphonsus Medical Center-Nampa Inc. v. St. Luke's Health System, Ltd., 778 F.3d 775 (9th Cir. 2015)—§§ 101, 103, 104, 184
- Saint Consulting Group, Inc. v. Endurance American Specialty Ins. Co., Inc., 699 F.3d 544 (1st Cir. 2012)—§ 37A
- Sakamoto v. Duty Free Shoppers, Ltd., 764 F.2d 1285 (9th Cir. 1985)—§§ 27, 33
- Sakraida v. Ag Pro, Inc., 425 U.S. 273, 96 S. Ct. 1532, 47 L. Ed. 2d 784 (1976)—§ 143
- Salco Corp. v. General Motors Corp., Buick Motor Div., 517 F.2d 567 (10th Cir. 1975)—§ 83
- Salomon S.A. v. Alpina Sports Corp., 737 F. Supp. 720 (D.N.H. 1990)—§ 156
- Salton, Inc. v. Philips Domestic Appliances and Personal Care B.V., 391 F.3d 871 (7th Cir. 2004)—§ 22
- Sanctuary Belize Litigation, In re, 409 F. Supp. 3d 380 (D. Md. 2019)—§ 176
- Sandcrest Outpatient Services, P.A. v. Cumberland County Hosp. System, Inc., 853 F.2d 1139, 11 Fed. R. Serv. 3d 1476 (4th Cir. 1988)—§ 37
- Sanderford v. Duplin Land Development, Inc., 531 Fed. Appx. 358 (4th Cir. 2013)—§ 37
- Sanders v. Brown, 504 F.3d 903 (9th Cir. 2007)—§§ 27, 28, 33, 37A
- Sanders v. Lockyer, 365 F. Supp. 2d 1093 (N.D. Cal. 2005)—§§ 33, 37A
- Sanderson v. Culligan Intern. Co., 415 F.3d 620 (7th Cir. 2005)—§§ 27, 37
- S&M Brands, Inc. v. Caldwell, 614 F.3d 172 (5th Cir. 2010)—§ 33
- S&M Brands, Inc. v. Summers, 228

- Fed. Appx. 560 (6th Cir. 2007)—§§ 27, 28
- S & M Materials Co. v. Southern Stone Co., Inc., 612 F.2d 198 (5th Cir. 1980)—§ 126
- Sandoz Pharmaceuticals Corp. v. Richardson-Vicks, Inc., 902 F.2d 222 (3d Cir. 1990)—§§ 25, 30
- Sandy River Nursing Care v. Aetna Cas., 985 F.2d 1138 (1st Cir. 1993)—§§ 33, 67
- San Francisco Arts & Athletics, Inc. v. U.S. Olympic Committee, 483 U.S. 522, 107 S. Ct. 2971, 97 L. Ed. 2d 427 (1987)—§ 12
- San Francisco, Calif., City and County of v. Sheehan, 575 U.S. 600, 135 S. Ct. 1765, 191 L. Ed. 2d 856 (2015)—§ 67
- Sanger Ins. Agency v. HUB Intern., Ltd., 802 F.3d 732 (5th Cir. 2015)—§ 187
- San Jose, City of v. Office of the Com'r of Baseball, 776 F.3d 686 (9th Cir. 2015)—§ 37A
- Sanjuan v. American Bd. of Psychiatry and Neurology, Inc., 40 F.3d 247 (7th Cir. 1994)—§ 190
- San Juan Racing Ass'n, Inc. v. Asociacion De Jinetes De Puerto Rico, Inc., 590 F.2d 31 (1st Cir. 1979)—§ 85
- Santa Clara Valley Distributing Co., Inc. v. Pabst Brewing Co., 556 F.2d 942, 23 Fed. R. Serv. 2d 1174 (9th Cir. 1977)—§ 42
- Santa Fe-Pomeroy, Inc. v. P & Z Co., Inc., 569 F.2d 1084 (9th Cir. 1978)—§§ 32, 143, 156
- Santana Products, Inc. v. Bobrick Washroom Equipment, Inc., 401 F.3d 123 (3d Cir. 2005)—§ 67
- Santiago-Sepulveda v. Esso Standard Oil Co. (Puerto Rico), Inc., 643 F.3d 1 (1st Cir. 2011)—§ 37
- Santidrian v. Landmark Custom Ranches, Inc., 405 Fed. Appx. 381 (11th Cir. 2010)—§ 37
- SAPC, Inc. v. Lotus Development Corp., 921 F.2d 360 (1st Cir. 1990)—§ 162
- Sapienza v. New York News, Inc., 481 F. Supp. 671 (S.D. N.Y. 1979)—§ 81
- Sargent-Welch Scientific Co. v. Ventron Corp., 567 F.2d 701 (7th Cir. 1977)—§ 49
- Sarin v. Samaritan Health Center, 813 F.2d 755 (6th Cir. 1987)—§§ 32, 33
- SAS of Puerto Rico, Inc. v. Puerto Rico Telephone Co., 48 F.3d 39 (1st Cir. 1995)—§ 187
- Satellite Television & Associated Resources, Inc. v. Continental Cablevision of Virginia, Inc., 714 F.2d 351 (4th Cir. 1983)—§§ 83, 84
- Satnam Distributors LLC v. Commonwealth-Altadis, Inc., 140 F. Supp. 3d 405 (E.D. Pa. 2015)—§§ 31, 54, 131, 139
- Saturday Evening Post Co. v. Rumbleseat Press, Inc., 816 F.2d 1191 (7th Cir. 1987)—§ 162
- Sausalito Pharmacy, Inc. v. Blue Shield of California, 677 F.2d 47 (9th Cir. 1982)—§ 42
- Save Our Cemeteries, Inc. v. Archdiocese of New Orleans, Inc., 568 F.2d 1074 (5th Cir. 1978)—§ 32

TABLE OF CASES

- Scelta v. Boehringer Ingelheim Pharmaceuticals, Inc., 404 Fed. Appx. 92 (8th Cir. 2010)—§ 17
- SCFC ILC, Inc. v. Visa USA, Inc., 36 F.3d 958 (10th Cir. 1994)—§ 40
- Schaben v. Samuel Moore and Co., 462 F. Supp. 1321 (S.D. Iowa 1978)—§§ 128, 131
- Schachar v. American Academy of Ophthalmology, Inc., 870 F.2d 397 (7th Cir. 1989)—§ 43
- Schaefer v. First Nat. Bank of Lincolnwood, 509 F.2d 1287 (7th Cir. 1975)—§ 169
- Scharmer v. Carrollton Mfg. Co., 525 F.2d 95 (6th Cir. 1975)—§ 21
- Scheiber v. Dolby Laboratories, Inc., 293 F.3d 1014 (7th Cir. 2002)—§§ 146, 151
- Schering-Plough Corp. v. F.T.C., 402 F.3d 1056 (11th Cir. 2005)—§ 156A
- Schering-Plough Healthcare Products, Inc. v. Schwarz Pharma, Inc., 586 F.3d 500 (7th Cir. 2009)—§ 37
- Scherk v. Alberto-Culver Co., 417 U.S. 506, 94 S. Ct. 2449, 41 L. Ed. 2d 270 (1974)—§ 164
- Schlacher v. Law Offices of Phillip J. Rotche & Associates, P.C., 574 F.3d 852 (7th Cir. 2009)—§ 37
- Schnadig Corp. v. Gaines Mfg. Co., Inc., 620 F.2d 1166 (6th Cir. 1980)—§§ 142, 162
- Schnapper v. Foley, 667 F.2d 102 (D.C. Cir. 1981)—§ 162
- Schoenhofer v. McClaskey, 861 F.3d 1170 (10th Cir. 2017)—§ 40A
- Schoenkopf v. Brown & Williamson Tobacco Corp., 637 F.2d 205 (3d Cir. 1980)—§ 69
- Schor v. Abbott Laboratories, 457 F.3d 608 (7th Cir. 2006)—§ 28
- Schreiber v. National Collegiate Athletic Ass'n, 916 F. Supp. 1105 (D. Kan. 1996)—§ 175
- Schueller v. Goddard, 631 F.3d 460 (8th Cir. 2011)—§§ 2, 3
- Schulman v. Huck Finn, Inc., 350 F. Supp. 853 (D. Minn. 1972)—§ 168
- Schuylkill Energy Resources, Inc. v. Pennsylvania Power & Light Co., 113 F.3d 405 (3d Cir. 1997)—§§ 85, 196
- Schwartz v. Jamesway Corp., 660 F. Supp. 138 (E.D. N.Y. 1987)—§ 86
- Schwartz v. Sun Co., Inc. (R & M), 276 F.3d 900, 46 U.C.C. Rep. Serv. 2d 615, 2002 FED App. 0020P (6th Cir. 2002)—§ 125
- Schwimmer v. Sony Corp. of America, 677 F.2d 946 (2d Cir. 1982)—§ 187
- Schwimmer v. Sony Corp. of America, 459 U.S. 1007, 103 S. Ct. 362, 74 L. Ed. 2d 398 (1982)—§ 187
- Schwimmer v. Sony Corp. of America, 637 F.2d 41, 70 A.L.R. Fed. 623 (2d Cir. 1980)—§ 187
- Sciambra v. Graham News, 892 F.2d 411, 15 Fed. R. Serv. 3d 945 (5th Cir. 1990)—§§ 144, 188, 200
- Sciambra v. Graham News Co., 841 F.2d 651, 10 Fed. R. Serv.

- 3d 1173 (5th Cir. 1988)—  
§§ 164, 188
- SC Innovations, Inc. v. Uber Technologies, Inc., 434 F. Supp. 3d 782 (N.D. Cal. 2020)—§§ 52, 52A
- SCM Corp. v. F. T. C., 612 F.2d 707 (2d Cir. 1980)—§ 116
- SCM Corp. v. Xerox Corp., 645 F.2d 1195 (2d Cir. 1981)—§§ 47, 85, 94
- SCM Corp. v. Xerox Corp., 507 F.2d 358, 19 Fed. R. Serv. 2d 597 (2d Cir. 1974)—§ 176
- Scooper Dooper, Inc. v. Kraftco Corp., 494 F.2d 840 (3d Cir. 1974)—§ 182
- Scott v. City of Sioux City, Iowa, 736 F.2d 1207 (8th Cir. 1984)—  
§ 33
- Scott v. Snelling and Snelling, Inc., 732 F. Supp. 1034 (N.D. Cal. 1990)—§§ 4, 23
- Scranton Const. Co., Inc. v. Litton Industries Leasing Corp., 494 F.2d 778 (5th Cir. 1974)—§ 126
- Scrap Metal Antitrust Litigation, In re, 527 F.3d 517, 76 Fed. R. Evid. Serv. 606 (6th Cir. 2008)—§§ 174, 188
- Scroggins v. Air Cargo, Inc., 534 F.2d 1124, 22 Fed. R. Serv. 2d 313 (5th Cir. 1976)—§ 27
- S.D., State of v. Kansas City Southern Industries, Inc., 880 F.2d 40 (8th Cir. 1989)—§ 187
- S.D. Collectibles, Inc. v. Plough, Inc., 952 F.2d 211 (8th Cir. 1991)—§ 187
- SD3, LLC v. Black & Decker (U.S.), Inc., 215 F. Supp. 3d 486 (E.D. Va. 2016)—§ 178
- SD3, LLC v. Black & Decker (U.S.) Inc., 801 F.3d 412 (4th Cir. 2015)—§ 69
- Sea-Land Service, Inc. v. Alaska Railroad (1981) 212 App DC 197, 659 F.2d 243—§§ 28, 175, 188
- Seaboard Supply Co. v. Congoleum Corp., 770 F.2d 367 (3d Cir. 1985)—§§ 127, 137, 138, 139
- Seagood Trading Corp. v. Jerrico, Inc., 924 F.2d 1555 (11th Cir. 1991)—§§ 70, 85
- Sealy, Inc. v. Easy Living, Inc., 743 F.2d 1378, 16 Fed. R. Evid. Serv. 1061 (9th Cir. 1984)—  
§ 187
- Sealy Mattress Co. of Michigan, Inc. v. Sealy, Inc., 789 F.2d 582 (7th Cir. 1986)—§§ 5, 44, 87, 183
- Sears, Roebuck and Co. v. F. T. C., 676 F.2d 385 (9th Cir. 1982)—  
§§ 25, 212
- Sears, Roebuck & Co. v. Stiffel Co., 376 U.S. 225, 84 S. Ct. 784, 11 L. Ed. 2d 661 (1964)—§ 163A
- Seasongood v. K and K Ins. Agency, 548 F.2d 729 (8th Cir. 1977)—  
§ 36
- Seatrain International, S. A. v. Federal Maritime Com. (1978) 189 App DC 388, 584 F.2d 546—§ 37
- Seattle Totems Hockey Club, Inc. v. National Hockey League, 783 F.2d 1347 (9th Cir. 1986)—  
§ 46
- Sebastian Intern., Inc. v. Consumer Contacts (PTY) Ltd., 847 F.2d 1093 (3d Cir. 1988)—  
§ 162
- Security Fire Door Co. v. Los Angeles County, 484 F.2d 1028 (9th Cir. 1973)—§ 67

TABLE OF CASES

- SecurityPoint Holdings, Inc. v. United States, 111 Fed. Cl. 1 (2013)—§ 156
- Seeger v. AFNI, Inc., 548 F.3d 1107 (7th Cir. 2008)—§ 37
- Sefa v. Kentucky, 510 Fed. Appx. 435 (6th Cir. 2013)—§ 187
- Seglin v. Esau, 769 F.2d 1274 (7th Cir. 1985)—§ 32
- SEI Global Services, Inc. v. SS&C Advent, 496 F. Supp. 3d 883 (E.D. Pa. 2020)—§§ 52, 55
- Seinfeld v. Austen, 39 F.3d 761 (7th Cir. 1994)—§ 191
- Semiconductor Energy Laboratory Co., Ltd. v. Nagata, 706 F.3d 1365 (Fed. Cir. 2013)—§ 159
- Sensipar (Cinacalcet Hydrochloride Tablets) Antitrust Litigation, In re, 412 F. Supp. 3d 1344 (U.S.J.P.M.L. 2019)—§ 166
- Sentry Data Systems, Inc. v. CVS Health, 361 F. Supp. 3d 1279 (S.D. Fla. 2018)—§ 55
- Senza-Gel Corp. v. Seiffhart, 803 F.2d 661 (Fed. Cir. 1986)—§§ 84, 156
- Serfecz v. Jewel Food Stores, 67 F.3d 591 (7th Cir. 1995)—§§ 70, 187
- Serio-US Industries, Inc. v. Plastic Recovery Technologies Corp., 459 F.3d 1311 (Fed. Cir. 2006)—§ 163A
- Service & Training, Inc. v. Data General Corp., 963 F.2d 680 (4th Cir. 1992)—§ 84
- Service Merchandise Co., Inc. v. Boyd Corp., 722 F.2d 945 (1st Cir. 1983)—§ 199
- Sessions Tank Liners, Inc. v. Joor Mfg., Inc., 17 F.3d 295 (9th Cir. 1994)—§ 33
- Sessions Tank Liners, Inc. v. Joor Mfg., Inc., 827 F.2d 458 (9th Cir. 1987)—§ 33
- Seven-Up Co. v. F.T.C., 478 F.2d 755 (8th Cir. 1973)—§ 213
- 77 L Ed 2d 296, 103 S Ct 2084—§ 33
- Shah v. VHS San Antonio Partners, L.L.C., 985 F.3d 450 (5th Cir. 2021)—§§ 54, 84
- Shahawy v. Harrison, 875 F.2d 1529 (11th Cir. 1989)—§ 32
- Shahawy v. Harrison, 778 F.2d 636 (11th Cir. 1985)—§ 32
- Shames v. California Travel and Tourism Com'n, 626 F.3d 1079 (9th Cir. 2010)—§ 33
- Shared Network Technologies, Inc. v. Taylor, 669 F. Supp. 422 (N.D. Ga. 1987)—§ 137
- Sharif Pharmacy, Inc. v. Prime Therapeutics, LLC, 950 F.3d 911 (7th Cir. 2020)—§§ 45A, 55
- Sharon Steel Corp. v. Chase Manhattan Bank, N.A., 691 F.2d 1039 (2d Cir. 1982)—§ 41
- Shatterproof Glass Corp. v. Guardian Glass Co., 462 F.2d 1115 (6th Cir. 1972)—§ 143
- Shatterproof Glass Corp. v. Libbey-Owens-Ford Co., 482 F.2d 317 (6th Cir. 1973)—§ 146
- Shavrnock v. Clark Oil and Refining Corp., 726 F.2d 291 (6th Cir. 1984)—§ 128
- Shawver & Son, Inc. v. Oklahoma Gas & Elec. Co., 463 F.2d 204 (10th Cir. 1972)—§ 85
- Shayne v. Madison Square Garden Corp., 491 F.2d 397, 18 Fed. R.

- Serv. 2d 73 (2d Cir. 1974)—  
§ 179
- Sheet Metal Workers Local Union  
No. 54, *AFL-CIO v. E.F. Etie  
Sheet Metal Co.*, 1 F.3d 1464  
(5th Cir. 1993)—§ 34
- Shell Co. (Puerto Rico) Ltd., *The v.  
Los Frailes Service Station,  
Inc.*, 605 F.3d 10 (1st Cir.  
2010)—§§ 37, 131, 175, 187
- Shell Oil Co. *v. Younger*, 587 F.2d  
34 (9th Cir. 1978)—§ 136
- Sheridan *v. Marathon Petroleum  
Co. LLC*, 530 F.3d 590 (7th  
Cir. 2008)—§§ 28, 84
- Sherman *v. British Leyland Mo-  
tors, Ltd.*, 601 F.2d 429 (9th  
Cir. 1979)—§§ 44, 84, 87, 181
- Sherr *v. HealthEast Care System*,  
262 F. Supp. 3d 869 (D. Minn.  
2017)—§ 41A
- Shields *v. Federation Internation-  
ale de Natation*, 419 F. Supp.  
3d 1188, 105 Fed. R. Serv. 3d  
820 (N.D. Cal. 2019)—§§ 32A,  
41
- Shires *v. Magnavox Co.*, 432 F.  
Supp. 231 (E.D. Tenn. 1976)—  
§§ 188, 200
- Shire US, Inc. *v. Allergan, Inc.*, 375  
F. Supp. 3d 538 (D.N.J.  
2019)—§ 84
- Shonk *v. Fountain Power Boats*,  
338 Fed. Appx. 282 (4th Cir.  
2009)—§ 17
- Shoppin' Bag of Pueblo, Inc. *v. Dil-  
lon Companies, Inc.*, 783 F.2d  
159 (10th Cir. 1986)—§§ 47, 52
- Shreve Equipment, Inc. *v. Clay  
Equipment Corp.*, 650 F.2d  
101 (6th Cir. 1981)—§ 131
- Shumate & Co., Inc. *v. National  
Ass'n of Securities Dealers,  
Inc.*, 509 F.2d 147, 20 Fed. R.  
Serv. 2d 863 (5th Cir. 1975)—  
§ 118
- Shumate & Co., Inc. *v. New York  
Stock Exchange, Inc.*, 486 F.  
Supp. 1333 (N.D. Tex. 1980)—  
§ 37
- Sibley *v. Federal Land Bank of  
New Orleans*, 597 F.2d 459  
(5th Cir. 1979)—§ 84
- Sicilia Di R. Biebow & Co. *v. Cox*,  
732 F.2d 417 (5th Cir. 1984)—  
§ 18
- Sicor Ltd. *v. Cetus Corp.*, 51 F.3d  
848, 26 U.C.C. Rep. Serv. 2d  
686 (9th Cir. 1995)—§ 53
- Sidewinder Marine, Inc. *v. Star-  
buck Kustom Boats and Prod-  
ucts, Inc.*, 597 F.2d 201 (10th  
Cir. 1979)—§ 143
- Sidibe *v. Sutter Health*, 4 F. Supp.  
3d 1160 (N.D. Cal. 2013)—§ 55
- Siegel Transfer, Inc. *v. Carrier  
Exp., Inc.*, 54 F.3d 1125 (3d  
Cir. 1995)—§§ 117, 118
- Sierra Wine and Liquor Co. *v.  
Heublein, Inc.*, 626 F.2d 129  
(9th Cir. 1980)—§ 85
- Signatory Negotiating Committee  
*v. Local 9, Intern. Union of  
Operating Engineers, AFL-  
CIO*, 447 F. Supp. 1384 (D.  
Colo. 1978)—§ 34
- SI Handling Systems, Inc. *v. Heis-  
ley*, 658 F. Supp. 362 (E.D. Pa.  
1986)—§ 28
- Silvas *v. E\*Trade Mortg. Corp.*,  
514 F.3d 1001 (9th Cir. 2008)—  
§ 32
- Silver *v. New York Stock Ex-  
change*, 373 U.S. 341, 83 S. Ct.  
1246, 10 L. Ed. 2d 389  
(1963)—§§ 27, 43, 66, 68, 86, 124,  
169

TABLE OF CASES

- Simeon Management Corp. v. F. T. C., 579 F.2d 1137, 49 A.L.R. Fed. 1 (9th Cir. 1978)—§ 25
- Simmons v. Roundup Funding, LLC, 622 F.3d 93 (2d Cir. 2010)—§ 37
- Simon v. KeySpan Corp., 694 F.3d 196 (2d Cir. 2012)—§§ 33A, 190
- Simpson v. Union Oil Co. of Cal., 377 U.S. 13, 84 S. Ct. 1051, 12 L. Ed. 2d 98 (1964)—§ 82
- Sims v. Mack Truck Corp., 608 F.2d 87 (3d Cir. 1979)—§§ 7, 143
- Sipe v. Workhorse Custom Chassis, LLC, 572 F.3d 525 (8th Cir. 2009)—§ 37
- Sitkin Smelting & Refining Co., Inc. v. FMC Corp., 575 F.2d 440 (3d Cir. 1978)—§§ 40, 42, 86
- Sitts v. Dairy Farmers of America, Inc., 417 F. Supp. 3d 433 (D. Vt. 2019)—§ 35
- Sitts v. Dairy Farmers of America, Inc., 276 F. Supp. 3d 195 (D. Vt. 2017)—§§ 35, 187
- Siva v. American Board of Radiology, 418 F. Supp. 3d 264 (N.D. Ill. 2019)—§ 84
- Sjolund v. Musland, 847 F.2d 1573 (Fed. Cir. 1988)—§ 143
- Skokie Gold Standard Liquors, Inc. v. Joseph E. Seagram & Sons, Inc., 661 F. Supp. 1311 (N.D. Ill. 1986)—§§ 42, 68
- Sky Angel U.S., LLC v. National Cable Satellite Corp., 947 F. Supp. 2d 88 (D.D.C. 2013)—§ 167
- Skyview Distributing, Inc. v. Miller Brewing Co., 620 F.2d 750 (10th Cir. 1980)—§ 67
- Slagle v. ITT Hartford, 102 F.3d 494 (11th Cir. 1996)—§ 36
- SL Montevideo Technology, Inc. v. Eaton Aerospace, LLC, 491 F.3d 350 (8th Cir. 2007)—§ 22
- Smalley & Co. v. Emerson & Cuming, Inc., 13 F.3d 366 (10th Cir. 1993)—§§ 42, 54
- Smart v. Local 702 Intern. Broth. of Elec. Workers, 562 F.3d 798 (7th Cir. 2009)—§ 27
- Smith v. Argent Mortg. Co., 331 Fed. Appx. 549 (10th Cir. 2009)—§ 37
- Smith v. Burns Clinic Medical Center, P.C., 779 F.2d 1173, 3 Fed. R. Serv. 3d 1057 (6th Cir. 1985)—§§ 47, 118
- Smith v. National Collegiate Athletic Ass'n, 139 F.3d 180, 125 Ed. Law Rep. 32, 40 Fed. R. Serv. 3d 489 (3d Cir. 1998)—§§ 35, 40
- Smith v. Nick's Catering Service, 420 F. Supp. 737 (E.D. Mo. 1976)—§ 86
- Smith v. Northern Michigan Hospitals, Inc., 703 F.2d 942 (6th Cir. 1983)—§ 118
- Smith v. Pro Football, Inc., 593 F.2d 1173 (D.C. Cir. 1978)—§§ 40, 86
- Smith v. Ricks, 31 F.3d 1478, 29 Fed. R. Serv. 3d 1446 (9th Cir. 1994)—§ 37
- Smith & Nephew, Inc. v. Arthrex, Inc., 502 Fed. Appx. 945 (Fed. Cir. 2013)—§ 157
- SmithKline Beecham Corp. v. Apotex Corp., 247 F. Supp. 2d 1011 (N.D. Ill. 2003)—§ 157
- SmithKline Corp. v. Eli Lilly &

- Co., 575 F.2d 1056 (3d Cir. 1978)—§§ 47, 54
- Smith Machinery Co., Inc. v. Heston Corp., 878 F.2d 1290 (10th Cir. 1989)—§§ 81, 84
- Smith Wholesale Co., Inc. v. R.J. Reynolds Tobacco Co., 477 F.3d 854, 2007 FED App. 0082P (6th Cir. 2007)—§§ 127, 129, 135
- Smitty Baker Coal Co., Inc. v. United Mine Workers of America, 620 F.2d 416 (4th Cir. 1980)—§ 34
- SMS Systems Maintenance Services, Inc. v. Digital Equipment Corp., 188 F.3d 11 (1st Cir. 1999)—§§ 54, 84
- Smugglers Notch Homeowners' Ass'n, Inc. v. Smugglers' Notch Management Company, Ltd., 414 Fed. Appx. 372 (2d Cir. 2011)—§§ 55, 84
- Snake River Valley Elec. Ass'n v. PacifiCorp, 357 F.3d 1042 (9th Cir. 2004)—§§ 33, 85, 200
- Snake River Valley Elec. Ass'n v. PacifiCorp, 228 F.3d 972 (9th Cir. 2000)—§ 33
- Snelling & Snelling, Inc. v. Armel, Inc., 360 F. Supp. 1319 (W.D. La. 1973)—§ 162
- Sniado v. Bank Austria AG, 378 F.3d 210 (2d Cir. 2004)—§ 32A
- Snyder v. Howard Johnson's Motor Lodges, Inc., 412 F. Supp. 724 (S.D. Ill. 1976)—§ 128
- Sobrato v. Prudential Ins. Co. of America, 632 F.2d 786 (9th Cir. 1980)—§ 84
- Societe Des Hotels Meridien v. LaSalle Hotel Operating Partnership, L.P., 380 F.3d 126 (2d Cir. 2004)—§ 187
- SolarCity Corporation v. Salt River Project Agricultural Improvement and Power District, 859 F.3d 720 (9th Cir. 2017)—§ 37A
- Solar Fuel Co. v. United Mine Workers of America, 346 F. Supp. 789 (W.D. Pa. 1972)—§ 34
- SOLIDFX, LLC v. Jeppesen Sanderson, Inc., 841 F.3d 827 (10th Cir. 2016)—§ 85
- SolidFX, LLC v. Jeppesen Sanderson, Inc., 935 F. Supp. 2d 1069 (D. Colo. 2013)—§ 84
- Solinger v. A. & M. Records, Inc., 718 F.2d 298 (9th Cir. 1983)—§ 187
- Solinger v. A&M Records, Inc., 586 F.2d 1304 (9th Cir. 1978)—§ 187
- Solomon v. Houston Corrugated Box Co., Inc., 526 F.2d 389 (5th Cir. 1976)—§§ 85, 181
- Solyndra Residual Trust by and through Neilson v. Suntech Power Holdings Co., Ltd., 62 F. Supp. 3d 1027 (N.D. Cal. 2014)—§ 57
- Somers v. Apple, Inc., 729 F.3d 953 (9th Cir. 2013)—§§ 47, 175, 186, 187
- Sonterra Capital Master Fund, Ltd. v. Barclays Bank PLC, 366 F. Supp. 3d 516 (S.D. N.Y. 2018)—§§ 32A, 178
- Sonterra Capital Master Fund Ltd. v. Credit Suisse Group AG, 277 F. Supp. 3d 521 (S.D. N.Y. 2017)—§§ 41A, 187
- Sonterra Capital Master Fund Ltd. v. UBS AG, 954 F.3d 529 (2d Cir. 2020)—§ 45A

TABLE OF CASES

- Sony Corp. of America v. Universal City Studios, Inc., 464 U.S. 417, 104 S. Ct. 774, 78 L. Ed. 2d 574 (1984)—§ 162
- Sony Electronics, Inc. v. Soundview Technologies, Inc., 281 F. Supp. 2d 399 (D. Conn. 2003)—§ 187
- Soptra Fabrics Corp. v. Stafford Knitting Mills, Inc., 490 F.2d 1092, 26 A.L.R. Fed. 402 (2d Cir. 1974)—§ 162
- Sorbates Direct Purchaser Antitrust Litigation, In re, 2002 WL 31655191 (N.D. Cal. 2002)—§ 200
- Sound, Inc. v. American Tel. and Tel. Co., 631 F.2d 1324 (8th Cir. 1980)—§§ 33, 37
- Sound Ship Bldg. Corp. v. Bethlehem Steel Co. (Inc.), 533 F.2d 96, 21 Fed. R. Serv. 2d 232 (3d Cir. 1976)—§§ 181, 196
- SourceOne Dental, Inc. v. Paterson Companies, Inc., 310 F. Supp. 3d 346 (E.D. N.Y. 2018)—§ 181
- South-Western Pub. Co. v. Simons, 651 F.2d 653 (9th Cir. 1981)—§ 162
- South Austin Coalition Community Council v. SBC Communications Inc., 274 F.3d 1168, 51 Fed. R. Serv. 3d 723 (7th Cir. 2001)—§ 110
- Southaven Land Co., Inc. v. Malone & Hyde, Inc., 715 F.2d 1079 (6th Cir. 1983)—§ 187
- South Carolina State Bd. of Dentistry v. F.T.C., 455 F.3d 436 (4th Cir. 2006)—§§ 33, 179
- Southeastern Milk Antitrust Litigation, In re, 739 F.3d 262, 93 Fed. R. Evid. Serv. 302 (6th Cir. 2014)—§§ 39, 40, 40A, 41, 44, 45A, 181, 186, 187
- Southeast Missouri Hosp. v. C.R. Bard, Inc., 642 F.3d 608 (8th Cir. 2011)—§§ 54, 54A
- Southern Bell Tel. and Tel. Co. v. Associated Telephone Directory Publishers, 756 F.2d 801 (11th Cir. 1985)—§ 162
- Southern Collision & Restoration, LLC v. State Farm Mutual Automobile Insurance Company, 173 F. Supp. 3d 1293 (M.D. Fla. 2016)—§ 67
- Southern Concrete Co. v. U.S. Steel Corp., 535 F.2d 313 (5th Cir. 1976)—§ 187
- Southern Disposal, Inc. v. Texas Waste Management, a Div. of Waste Management of Texas, Inc., 161 F.3d 1259 (10th Cir. 1998)—§ 33
- Southern Distributing Co., Inc. v. Southdown, Inc., 574 F.2d 824 (5th Cir. 1978)—§ 85
- Southern Motor Carriers Rate Conference, Inc. v. U.S., 471 U.S. 48, 105 S. Ct. 1721, 85 L. Ed. 2d 36 (1985)—§§ 33, 37
- Southern Pacific Communications Co. v American Tel. & Tel. Co. (1984) 238 App DC 340, 740 F.2d 1011—§ 182
- Southern Pines Chrysler-Plymouth, Inc. v. Chrysler Corp., 826 F.2d 1360, 23 Fed. R. Evid. Serv. 782 (4th Cir. 1987)—§ 84
- Southland Sod Farms v. Stover Seed Co., 108 F.3d 1134, 46 Fed. R. Evid. Serv. 797 (9th Cir. 1997)—§ 121

- Southway Theatres, Inc. v. Georgia Theatre Co., 672 F.2d 485, 33 Fed. R. Serv. 2d 1285 (5th Cir. 1982)—§ 69
- Southwest Airlines Voucher Litigation, In re, 2013 WL 5497275 (N.D. Ill. 2013)—§ 200
- Southwestern Sheet Metal Works, Inc. v. Semco Mfg., Inc., 788 F.2d 1144 (5th Cir. 1986)—§ 195
- Southwest Marine, Inc. v. Campbell Industries, 732 F.2d 744 (9th Cir. 1984)—§§ 118, 176, 200, 202
- Southwest Stainless, LP v. Sappington, 582 F.3d 1176 (10th Cir. 2009)—§§ 19, 21, 22
- Southwest Suburban Bd. of Realtors, Inc. v. Beverly Area Planning Ass'n, 830 F.2d 1374, 89 A.L.R. Fed. 895 (7th Cir. 1987)—§ 175
- Southwest Sunsites, Inc. v. F.T.C., 785 F.2d 1431 (9th Cir. 1986)—§§ 30, 212
- Souza v. Estate of Bishop, 821 F.2d 1332 (9th Cir. 1987)—§§ 51, 68, 84
- Spagnola v. Chubb Corp., 574 F.3d 64 (2d Cir. 2009)—§ 17
- Spanish Broadcasting System, Inc. v. Clear Channel Communications, Inc., 242 F. Supp. 2d 1350 (S.D. Fla. 2003)—§ 190
- Spanish Broadcasting System of Fla., Inc. v. Clear Channel Communications, Inc., 376 F.3d 1065 (11th Cir. 2004)—§§ 52, 53, 67
- Spanson, Inc., In re, 507 Fed. Appx. 125 (3d Cir. 2012)—§ 146
- Spartan Concrete Products, LLC v. Argos USVI, Corp., 71 V.I. 1212, 929 F.3d 107, 104 Fed. R. Serv. 3d 376 (3d Cir. 2019)—§§ 125, 131
- Spartan Grain & Mill Co. v. Ayers, 735 F.2d 1284 (11th Cir. 1984)—§ 84
- Spartan Grain & Mill Co. v. Ayers, 581 F.2d 419 (5th Cir. 1978)—§ 84
- Spec's Family Partners, Limited v. Nettles, 972 F.3d 671 (5th Cir. 2020)—§ 33
- Spectators' Communication Network Inc. v. Colonial Country Club, 231 F.3d 1005 (5th Cir. 2000)—§§ 66, 86
- Spectrofuge Corp. v. Beckman Instruments, Inc., 575 F.2d 256 (5th Cir. 1978)—§ 54
- Spectrum Sports, Inc. v. McQuilgan, 506 U.S. 447, 113 S. Ct. 884, 122 L. Ed. 2d 247 (1993)—§ 52
- Speed Shore Corp. v. Denda, 605 F.2d 469 (9th Cir. 1979)—§ 156
- SPGGC, LLC v. Blumenthal, 505 F.3d 183 (2d Cir. 2007)—§ 32
- Spiegel, Inc. v. F.T.C., 540 F.2d 287 (7th Cir. 1976)—§ 121
- Spiegel, Inc. v. F. T. C., 494 F.2d 59, 26 A.L.R. Fed. 783 (7th Cir. 1974)—§ 210
- Spiegler v. Home Depot USA, Inc., 349 Fed. Appx. 174 (9th Cir. 2009)—§ 17
- Spinner Consulting LLC v. Stone Point Capital LLC, 623 B.R. 671 (D. Conn. 2020)—§ 37A
- Spinner Corp. v. Princeville Development Corp., 849 F.2d 388 (9th Cir. 1988)—§ 17

TABLE OF CASES

- Spirit Airlines, Inc. v. Northwest Airlines, Inc., 431 F.3d 917 (6th Cir. 2005)—§§ 46, 47, 48, 49, 51, 52, 52A, 54, 55
- Spirits Intern., N.V., In re, 563 F.3d 1347 (Fed. Cir. 2009)—§§ 25, 37
- Spirit v. Teachers Ins. and Annuity Ass'n, 691 F.2d 1054, 7 Ed. Law Rep. 269 (2d Cir. 1982)—§ 36
- Spitz v. Buchwald, 551 F.2d 1051 (5th Cir. 1977)—§ 177
- Sports Center, Inc. v. Riddell, Inc., 673 F.2d 786, 10 Fed. R. Evid. Serv. 659 (5th Cir. 1982)—§ 85
- Sports Form, Inc. v. United Press Intern., Inc., 686 F.2d 750 (9th Cir. 1982)—§ 84
- Spray-Rite Service Corp. v. Monsanto Co., 684 F.2d 1226, 11 Fed. R. Evid. Serv. 226, 34 Fed. R. Serv. 2d 698 (7th Cir. 1982)—§§ 86, 87
- Springfield Terminal Ry. Co. v. Canadian Pacific Ltd., 133 F.3d 103 (1st Cir. 1997)—§ 52
- Springs Ambulance Service, Inc. v. City of Rancho Mirage, Cal., 745 F.2d 1270 (9th Cir. 1984)—§ 33
- Sproul v. City of Wooster, 840 F.2d 1267 (6th Cir. 1988)—§ 33
- Square D Co. v. Niagara Frontier Tariff Bureau, Inc., 476 U.S. 409, 106 S. Ct. 1922, 90 L. Ed. 2d 413 (1986)—§§ 33A, 37, 42
- Square D Co. v. Niagara Frontier Tariff Bureau, Inc., 760 F.2d 1347 (2d Cir. 1985)—§§ 27, 175, 188
- SquirtCo. v. Seven-Up Co., 628 F.2d 1086 (8th Cir. 1980)—§§ 2, 3
- S.S. Kresge Co. v. United Factory Outlet, Inc., 634 F.2d 1 (1st Cir. 1980)—§ 9
- Staley v. Gilead Sciences, Inc., 446 F. Supp. 3d 578 (N.D. Cal. 2020)—§§ 54, 120
- Stamincarbone, N.V. v. American Cyanamid Co., 506 F.2d 532 (2d Cir. 1974)—§ 22
- Standard Educators, Inc. v. Federal Trade Com. (1973) 154 App DC 290, 475 F.2d 401—§ 30
- Standard Educators, Inc. v. F.T.C., 475 F.2d 401 (D.C. Cir. 1973)—§ 210
- Standard Industries, Inc. v. Mobil Oil Corp., 475 F.2d 220 (10th Cir. 1973)—§ 188
- Standard Oil Co. of California v. F.T.C., 596 F.2d 1381 (9th Cir. 1979)—§§ 206, 213
- Standard Oil Co. of California v. F. T. C., 577 F.2d 653, 47 A.L.R. Fed. 375 (9th Cir. 1978)—§§ 25, 212
- Standfacts Credit Services v. Experian Information Solutions, Inc., 294 Fed. Appx. 271 (9th Cir. 2008)—§ 195
- Stanislaus, County of v. Pacific Gas and Elec. Co., 114 F.3d 858 (9th Cir. 1997)—§ 33A
- Stanislaus Food Products Co. v. USS-POSCO Industries, 2011-1 Trade Cas. (CCH) ¶ 77397, 2010 WL 3521979 (E.D. Cal. 2010)—§§ 40, 41
- Stanley Works v. F. T. C., 469 F.2d 498 (2d Cir. 1972)—§ 107
- Stark v. Ear Nose & Throat Specialists of Northwestern Pennsylvania, P.C., 185 Fed. Appx.

- 120 (3d Cir. 2006)—§§ 37A, 41A, 45A
- Starr v. Sony BMG Music Entertainment*, 592 F.3d 314 (2d Cir. 2010)—§§ 28, 40, 42, 67
- State v. Deutsche Telekom AG*, 419 F. Supp. 3d 783 (S.D. N.Y. 2019)—§ 97
- State of Ill. Petition to Inspect and Copy Grand Jury Materials, In re*, 659 F.2d 800 (7th Cir. 1981)—§ 164
- State Oil Co. v. Khan*, 522 U.S. 3, 118 S. Ct. 275, 139 L. Ed. 2d 199 (1997)—§§ 42, 89
- Static Control Components, Inc. v. Lexmark Intern., Inc.*, 697 F.3d 387 (6th Cir. 2012)—§§ 37A, 175, 176, 187
- Stavrides v. Mellon Nat. Bank & Trust Co.*, 353 F. Supp. 1072 (W.D. Pa. 1973)—§§ 32, 41, 45, 67, 84
- St. Bernard General Hosp., Inc. v. Hospital Service Ass'n of New Orleans, Inc.*, 712 F.2d 978 (5th Cir. 1983)—§ 42
- St. Bernard General Hospital, Inc. v. Hospital Service Ass'n of New Orleans, Inc.*, 510 F.2d 1121 (5th Cir. 1975)—§ 32
- St. Bernard Hospital v. Hospital Service Ass'n of New Orleans, Inc.*, 618 F.2d 1140 (5th Cir. 1980)—§ 36
- St. Clair v. Citizens Financial Group*, 340 Fed. Appx. 62 (3d Cir. 2009)—§§ 46, 67, 68
- Steamfitters Local Union No. 420 Welfare Fund v. Philip Morris, Inc.*, 171 F.3d 912 (3d Cir. 1999)—§§ 187, 190, 196
- Stearns Airport Equipment Co., Inc. v. FMC Corp.*, 170 F.3d 518, 43 Fed. R. Serv. 3d 971 (5th Cir. 1999)—§ 47
- Steele v. City of Bemidji*, 257 F.3d 902 (8th Cir. 2001)—§§ 86, 187
- Stein v. Paradigm Mirasol, LLC*, 586 F.3d 849 (11th Cir. 2009)—§ 37
- Stein v. United Artists Corp.*, 691 F.2d 885, 35 Fed. R. Serv. 2d 741 (9th Cir. 1982)—§§ 164, 187
- Stelwagon Mfg. Co. v. Tarmac Roofing Systems, Inc.*, 63 F.3d 1267, 42 Fed. R. Evid. Serv. 1113 (3d Cir. 1995)—§ 131
- Stenberg v. Cheker Oil Co.*, 573 F.2d 921 (6th Cir. 1978)—§ 176
- Stephen Jay Photography, Ltd. v. Olan Mills, Inc.*, 903 F.2d 988, 60 Ed. Law Rep. 748 (4th Cir. 1990)—§ 137
- Sterling Drug, Inc. v. F.T.C.*, 741 F.2d 1146 (9th Cir. 1984)—§§ 25, 210
- Sterling Merchandising, Inc. v. Nestle, S.A.*, 656 F.3d 112 (1st Cir. 2011)—§§ 27, 40, 45A, 52, 83, 187, 199
- Stern Electronics, Inc. v. Kaufman*, 669 F.2d 852 (2d Cir. 1982)—§ 162
- Stevens v. Zenith Distributing Corp. of Kansas*, 568 F. Supp. 1200 (W.D. Mo. 1983)—§§ 128, 193
- Stevens Linen Associates, Inc. v. Mastercraft Corp.*, 656 F.2d 11 (2d Cir. 1981)—§ 162
- Steves and Sons, Inc. v. JELD-WEN, Inc.*, 988 F.3d 690, 114 Fed. R. Evid. Serv. 1686 (4th Cir. 2021)—§§ 164, 178A, 184, 187

TABLE OF CASES

- Steves and Sons, Inc. v. JELD-WEN, Inc., 345 F. Supp. 3d 614 (E.D. Va. 2018)—§§ 175, 178A, 184
- Steves and Sons, Inc. v. JELD-WEN, Inc., 292 F. Supp. 3d 656 (E.D. Va. 2018)—§§ 177, 186
- Steves and Sons, Inc. v. JELD-WEN, Inc., 290 F. Supp. 3d 507 (E.D. Va. 2018)—§ 109
- Steward Health Care System, LLC v. Blue Cross & Blue Shield of Rhode Island, 311 F. Supp. 3d 468 (D.R.I. 2018)—§ 33
- Stiefel Laboratories, Inc. v. Brookstone Pharmaceuticals, L.L.C., 535 Fed. Appx. 774 (11th Cir. 2013)—§ 37
- Stitt Spark Plug Co. v. Champion Spark Plug Co., 840 F.2d 1253, 25 Fed. R. Evid. Serv. 530 (5th Cir. 1988)—§§ 47, 131
- St. Joseph's Hosp., Inc. v. Hospital Corp. of America, 795 F.2d 948 (11th Cir. 1986)—§ 33
- St. Louis Convention & Visitors Com'n v. National Football League, 154 F.3d 851 (8th Cir. 1998)—§ 181
- Stock Exchanges Options Trading Antitrust Litigation, In re, 317 F.3d 134 (2d Cir. 2003)—§ 27
- Stop & Shop Supermarket Co. v. Blue Cross & Blue Shield of Rhode Island, 239 F. Supp. 2d 180 (D.R.I. 2003)—§§ 39, 41, 83
- Stop & Shop Supermarket Co. v. Blue Cross & Blue Shield of R.I., 373 F.3d 57 (1st Cir. 2004)—§§ 40, 41, 42, 83
- Stough v. May & Co. of Georgia, Inc., 484 F.2d 22 (5th Cir. 1973)—§ 126
- St. Paul Fire & Marine Ins. Co. v. Barry, 438 U.S. 531, 98 S. Ct. 2923, 57 L. Ed. 2d 932 (1978)—§ 36
- Stratienko v. Chattanooga-Hamilton County Hosp. Authority, 402 Fed. Appx. 990 (6th Cir. 2010)—§ 33
- Stratmore v. Goodbody, 866 F.2d 189 (6th Cir. 1989)—§ 42
- St. Regis Paper Co. v. Royal Industries, 552 F.2d 309 (9th Cir. 1977)—§ 160
- Strobl v. New York Mercantile Exchange, 768 F.2d 22 (2d Cir. 1985)—§ 37
- Stromback v. New Line Cinema, 384 F.3d 283, 2004 FED App. 0314P (6th Cir. 2004)—§§ 22, 163A
- Strout Realty, Inc. v. Country 22 Real Estate Corp., 493 F. Supp. 997 (W.D. Mo. 1980)—§ 162
- Stunfence, Inc. v. Gallagher Security (USA), Inc., 2002-2 Trade Cas. (CCH) ¶ 73789, 2002 WL 1838128 (N.D. Ill. 2002)—§§ 84, 125
- Suboxone (Buprenorphine Hydrochloride and Naloxone) Antitrust Litigation, In re, 64 F. Supp. 3d 665 (E.D. Pa. 2014)—§ 54
- Suboxone (Buprenorphine Hydrochlorine and Naloxone) Antitrust Litigation, In re, 967 F.3d 264, 107 Fed. R. Serv. 3d 201 (3d Cir. 2020)—§ 174
- Subscription Television, Inc. v. Southern California Theatre

- Owners Ass'n, 576 F.2d 230 (9th Cir. 1978)—§ 33
- Suburban Beverages, Inc. v. Pabst Brewing Co., 462 F. Supp. 1301 (E.D. Wis. 1978)—§§ 34, 176
- Suburban Restoration Co., Inc. v. ACMAT Corp., 700 F.2d 98 (2d Cir. 1983)—§ 33
- Sugar Industry Antitrust Litigation, In re, 579 F.2d 13 (3d Cir. 1978)—§§ 119, 201
- Sulfuric Acid Antitrust Litigation, In re, 703 F.3d 1004 (7th Cir. 2012)—§ 40
- Sulfuric Acid Antitrust Litigation, In re, 847 F. Supp. 2d 1079 (N.D. Ill. 2011)—§ 174
- Sullivan v. DB Investments, Inc., 667 F.3d 273, 81 Fed. R. Serv. 2d 580 (3d Cir. 2011)—§§ 175, 187
- Sullivan v. National Football League, 34 F.3d 1091 (1st Cir. 1994)—§§ 40, 41, 190, 196
- Sullivan v. Tagliabue, 25 F.3d 43 (1st Cir. 1994)—§ 187
- Sulmeyer v. Coca Cola Co., 515 F.2d 835 (5th Cir. 1975)—§§ 52, 54, 84, 86
- Summey v. Ford Motor Credit Co., 449 F. Supp. 132 (D.S.C. 1976)—§ 121
- Summit Health, Ltd. v. Pinhas, 500 U.S. 322, 111 S. Ct. 1842, 114 L. Ed. 2d 366 (1991)—§ 32
- Sun-Land Nurseries, Inc. v. Southern California Dist. Council of Laborers, 793 F.2d 1110 (9th Cir. 1986)—§ 34
- Sun-Land Nurseries, Inc. v. Southern California Dist. Council of Laborers, 769 F.2d 1381 (9th Cir. 1985)—§ 34
- Sun Banks of Florida, Inc. v. Sun Federal Sav. and Loan Ass'n, 651 F.2d 311 (5th Cir. 1981)—§ 11
- Sunbeam Television Corp. v. Nielsen Media Research, Inc., 711 F.3d 1264 (11th Cir. 2013)—§§ 186, 187
- Sun Communications, Inc. v. Waters Publications, Inc., 466 F. Supp. 387 (W.D. Mo. 1979)—§§ 109, 126
- Sundance Land Corp. v. Community First Federal Sav. and Loan Ass'n, 840 F.2d 653 (9th Cir. 1988)—§ 37
- Sunflower Elec. Co-op., Inc. v. Kansas Power and Light Co., 603 F.2d 791 (10th Cir. 1979)—§ 169
- Sunrich Food Group, Inc. v. Pacific Food of Oregon, Inc., 207 Fed. Appx. 745 (9th Cir. 2006)—§ 22
- Sunshine Art Studios, Inc. v. F. T. C., 481 F.2d 1171, 25 A.L.R. Fed. 383 (1st Cir. 1973)—§§ 30, 117
- Sunshine Books, Ltd. v. Temple University, 697 F.2d 90, 8 Ed. Law Rep. 600 (3d Cir. 1982)—§ 181
- Superior Bedding Co. v. Serta Associates, Inc., 353 F. Supp. 1143 (N.D. Ill. 1972)—§ 87
- Superior Court Trial Lawyers Asso. v. FTC (1988) 272 App DC 272, 856 F.2d 226—§§ 33, 86
- Superior Industries, LLC v. Thor Global Enterprises Ltd., 700 F.3d 1287, 84 Fed. R. Serv. 3d 348 (Fed. Cir. 2012)—§§ 156, 157

TABLE OF CASES

- Superior Offshore Intern., Inc. v. Bristow Group, Inc., 490 Fed. Appx. 492 (3d Cir. 2012)—§ 70
- Superior Production Partnership v. Gordon Auto Body Parts Co., Ltd., 784 F.3d 311 (6th Cir. 2015)—§§ 52, 52A
- Supermarket of Homes, Inc. v. San Fernando Valley Bd. of Realtors, 786 F.2d 1400 (9th Cir. 1986)—§§ 56, 66, 68, 86
- Supermarket of Marlinton, Inc. v. Meadow Gold Dairies, Inc., 71 F.3d 119, 43 Fed. R. Evid. Serv. 492 (4th Cir. 1995)—§ 187
- SuperTurf, Inc. v. Monsanto Co., 660 F.2d 1275, 32 Fed. R. Serv. 2d 1300 (8th Cir. 1981)—§§ 6, 47, 54
- SuperValu, Inc., In re, 925 F.3d 955, 103 Fed. R. Serv. 3d 1298 (8th Cir. 2019)—§ 121
- Suprema, Inc. v. International Trade Com'n, 742 F.3d 1350 (Fed. Cir. 2013)—§§ 145, 157
- Surgical Care Center of Hammond, L.C. v. Hospital Service Dist. No. 1 of Tangipahoa Parish, 309 F.3d 836 (5th Cir. 2002)—§§ 52, 55, 84
- Surgical Care Center of Hammond, L.C. v. Hospital Service Dist. No. 1 of Tangipahoa Parish, 171 F.3d 231 (5th Cir. 1999)—§ 33
- Surgical Care Center of Hammond, L.C. v. Hospital Service Dist. No. 1 of Tangipahoa Parish, 153 F.3d 220 (5th Cir. 1998)—§ 33
- Suture Express, Inc. v. Owens & Minor Distribution, Inc., 851 F.3d 1029 (10th Cir. 2017)—§§ 84, 187
- Sweeney v. Athens Regional Medical Center, 705 F. Supp. 1556 (M.D. Ga. 1989)—§ 33
- Symbolic Control, Inc. v. International Business Machines Corp., 643 F.2d 1339 (9th Cir. 1980)—§ 196
- Synercom Technology, Inc. v. University Computing Co., 462 F. Supp. 1003 (N.D. Tex. 1978)—§ 162
- Syngenta Seeds, Inc. v. Delta Cotton Co-op., Inc., 457 F.3d 1269 (Fed. Cir. 2006)—§ 37
- SynQor, Inc. v. Artesyn Technologies, Inc., 709 F.3d 1365 (Fed. Cir. 2013)—§§ 145, 157, 160
- Synthes USA, LLC v. Spinal Kinetics, Inc., 734 F.3d 1332 (Fed. Cir. 2013)—§ 160
- Systemcare, Inc. v. Wang Laboratories Corp., 117 F.3d 1137 (10th Cir. 1997)—§ 84
- Systemcare, Inc. v. Wang Laboratories Corp., 85 F.3d 465 (10th Cir. 1996)—§§ 42, 84
- Systemized of New England, Inc. v. SCM, Inc., 732 F.2d 1030, 39 U.C.C. Rep. Serv. 387 (1st Cir. 1984)—§ 84
- System Operations, Inc. v. Scientific Games Development Corp., 555 F.2d 1131, 23 Fed. R. Serv. 2d 647 (3d Cir. 1977)—§ 26
- Syufy Enterprises v. American Multicinema, Inc., 793 F.2d 990 (9th Cir. 1986)—§ 54
- Syufy Enterprises v. American Multicinema, Inc., 783 F.2d 878 (9th Cir. 1986)—§§ 54, 179
- Syverson v. U.S. Dept. of Agricul-

- ture, 666 F.3d 1137 (8th Cir. 2012)—§ 37
- Syverson v. U.S. Dept. of Agriculture, 601 F.3d 793 (8th Cir. 2010)—§ 37
- T**
- Tableware Antitrust Litigation, In re, 363 F. Supp. 2d 1203 (N.D. Cal. 2005)—§ 42
- Taffet v. Southern Co., 967 F.2d 1483 (11th Cir. 1992)—§ 33A
- Taggart v. Rutledge, 657 F. Supp. 1420 (D. Mont. 1987)—§ 126
- T'ai Corp. v. Kalso Systemet, Inc., 568 F.2d 145 (10th Cir. 1977)—§ 85
- Take It Away, Inc. v. Home Depot, Inc., 374 Fed. Appx. 47 (1st Cir. 2010)—§ 21
- Tal v. Hogan, 453 F.3d 1244 (10th Cir. 2006)—§§ 33, 187
- Tambone v. Memorial Hosp. for McHenry County, Inc., 825 F.2d 1132 (7th Cir. 1987)—§ 33
- Tamburo v. Dworkin, 601 F.3d 693 (7th Cir. 2010)—§ 45A
- Tamoxifen Citrate Antitrust Litigation, In re, 466 F.3d 187 (2d Cir. 2006)—§§ 33, 47, 156A
- Tamoxifen Citrate Antitrust Litigation, In re, 429 F.3d 370 (2d Cir. 2005)—§§ 37A, 40, 156A
- Tamoxifen Citrate Antitrust Litigation, In re, 277 F. Supp. 2d 121 (E.D. N.Y. 2003)—§§ 33, 156A
- Tanaka v. University of Southern California, 252 F.3d 1059, 154 Ed. Law Rep. 788 (9th Cir. 2001)—§ 40
- Tank Insulation Intern., Inc. v. Insultherm, Inc., 104 F.3d 83, 36 Fed. R. Serv. 3d 1322 (5th Cir. 1997)—§§ 145, 156
- Tap Pharmaceutical Products, Inc. v. Owl Pharmaceuticals, L.L.C., 419 F.3d 1346 (Fed. Cir. 2005)—§ 145
- Taquino v. Teledyne Monarch Rubber, 893 F.2d 1488 (5th Cir. 1990)—§ 156
- Tarabishi v McAlester Regional Hospital (1991, CA10) 951 F2d 948—§ 33
- Target Industries, Inc., In re, 386 Fed. Appx. 233 (3d Cir. 2010)—§§ 2, 23
- Tarleton v. Meharry Medical College, 717 F.2d 1523 (6th Cir. 1983)—§ 32
- Tarlton v. Henderson, 467 F.2d 200 (5th Cir. 1972)—§ 33
- Tarrant Service Agency, Inc. v. American Standard, Inc., 12 F.3d 609 (6th Cir. 1993)—§§ 54, 86
- Tasty Baking Co. v. Ralston Purina, Inc., 653 F. Supp. 1250 (E.D. Pa. 1987)—§§ 92, 97, 100, 106, 175
- Tate v. Pacific Gas & Elec. Co., 230 F. Supp. 2d 1086 (N.D. Cal. 2002)—§ 85
- Taub, Hummel & Schnall, Inc. v. Atlantic Container Line, Ltd., 894 F.2d 526 (2d Cir. 1990)—§ 37
- Taurus IP, LLC v. DaimlerChrysler Corp., 726 F.3d 1306 (Fed. Cir. 2013)—§ 160
- Tawfilis v. Allergan, Inc., 157 F. Supp. 3d 853 (C.D. Cal. 2015)—§ 187
- Taxi Weekly, Inc. v. Metropolitan

TABLE OF CASES

- Taxicab Bd. of Trade, Inc., 539 F.2d 907 (2d Cir. 1976)—§ 193
- Taylor Drug Stores, Inc. v. Associated Dry Goods Corp., 560 F.2d 211 (6th Cir. 1977)—§ 33
- Taylor Pub. Co. v. Jostens, Inc., 216 F.3d 465, 47 Fed. R. Serv. 3d 26 (5th Cir. 2000)—§§ 47, 52, 127, 187
- TEC Cogeneration Inc. v. Florida Power & Light Co., 76 F.3d 1560 (11th Cir. 1996)—§ 33
- Ted Bates & Co. v Federal Trade Com. (1975) 169 App DC 136, 515 F2d 367—§ 213
- Tekelec, Inc. v. Verint Systems, Inc., 708 F.3d 658 (5th Cir. 2013)—§§ 146, 160
- Tekton, Inc. v. Builders Bid Service of Utah, Inc., 676 F.2d 1352 (10th Cir. 1982)—§ 41
- Tel-Phonic Services, Inc. v. TBS Intern., Inc., 975 F.2d 1134, 24 Fed. R. Serv. 3d 128 (5th Cir. 1992)—§ 127
- Telecomm Technical Services, Inc. v. Siemens Rolm Communications, Inc., 295 F.3d 1249 (Fed. Cir. 2002)—§ 168
- Tele-Communications of Key West, Inc. v. U.S., 757 F.2d 1330, 1 Fed. R. Serv. 3d 960 (D.C. Cir. 1985)—§ 28
- Telebrands Corp. v. F.T.C., 457 F.3d 354 (4th Cir. 2006)—§§ 121, 179, 206
- Telecom Technical Services Inc. v. Rolm Co., 388 F.3d 820 (11th Cir. 2004)—§§ 22, 45A, 85
- Telecor Communications, Inc. v. Southwestern Bell Telephone Co., 305 F.3d 1124 (10th Cir. 2002)—§§ 33, 54
- Telelobe Communications Corp., In re, 493 F.3d 345 (3d Cir. 2007)—§§ 67, 111
- Teleprompter Corp. v. Columbia Broadcasting System, Inc., 415 U.S. 394, 94 S. Ct. 1129, 39 L. Ed. 2d 415 (1974)—§ 162
- Telex Corp. v. International Business Machines Corp., 510 F.2d 894 (10th Cir. 1975)—§§ 21, 47, 54
- Telex Corp. v. International Business Machines Corp., 367 F. Supp. 258 (N.D. Okla. 1973)—§ 51
- Tennant Co. v. Hako Minuteman, Inc., 651 F. Supp. 945 (N.D. Ill. 1986)—§ 156
- Tenneco, Inc. v. F. T. C., 689 F.2d 346 (2d Cir. 1982)—§ 109
- Tennessean Truckstop, Inc. v. NTS, Inc., 875 F.2d 86 (6th Cir. 1989)—§§ 42, 187
- Terazosin Hydrochloride Antitrust Litigation, In re, 352 F. Supp. 2d 1279 (S.D. Fla. 2005)—§ 156A
- Terre Du Lac Ass'n, Inc. v. Terre Du Lac, Inc., 772 F.2d 467 (8th Cir. 1985)—§ 84
- Terrell v. Household Goods Carriers' Bureau, 494 F.2d 16 (5th Cir. 1974)—§ 188
- Terry v. Tyson Farms, Inc., 604 F.3d 272 (6th Cir. 2010)—§ 37
- Terry's Floor Fashions, Inc. v. Burlington Industries, Inc., 763 F.2d 604 (4th Cir. 1985)—§§ 67, 128
- Terry's Floor Fashions, Inc. v. Burlington Industries, Inc., 568 F. Supp. 205 (E.D. N.C. 1983)—§ 128

- Teva Pharmaceuticals USA, Inc. v. Sandoz, Inc., 723 F.3d 1363 (Fed. Cir. 2013)—§ 144
- Tewari De-Ox Systems, Inc. v. Mountain States/Rosen, L.L.C., 637 F.3d 604 (5th Cir. 2011)—§ 22
- Tex., State of v. U.S. Steel Corp., 546 F.2d 626 (5th Cir. 1977)—§ 164
- Texaco Inc. v. Dagher, 547 U.S. 1, 126 S. Ct. 1276, 164 L. Ed. 2d 1 (2006)—§§ 28, 40
- Texaco Inc. v. Hasbrouck, 496 U.S. 543, 110 S. Ct. 2535, 110 L. Ed. 2d 492 (1990)—§§ 127, 200
- Texaco Puerto Rico, Inc. v. Medina, 834 F.2d 242, 9 Fed. R. Serv. 3d 1313 (1st Cir. 1987)—§ 181
- Texas Commercial Energy v. TXU Energy, Inc., 413 F.3d 503 (5th Cir. 2005)—§ 37A
- Texas Industries, Inc. v. Radcliff Materials, Inc., 451 U.S. 630, 101 S. Ct. 2061, 68 L. Ed. 2d 500 (1981)—§§ 164, 188
- Text Messaging Antitrust Litigation, In re, 782 F.3d 867 (7th Cir. 2015)—§§ 42, 56
- Text Messaging Antitrust Litigation, In re, 630 F.3d 622 (7th Cir. 2010)—§ 42
- TFWS, Inc. v. Franchot, 572 F.3d 186 (4th Cir. 2009)—§ 27
- TFWS, Inc. v. Schaefer, 242 F.3d 198 (4th Cir. 2001)—§§ 33, 42
- T. G. I. Friday's, Inc. v. International Restaurant Group, Inc., 569 F.2d 895 (5th Cir. 1978)—§ 17
- Thatcher Enterprises v. Cache County Corp., 902 F.2d 1472 (10th Cir. 1990)—§ 37
- Thee Movies of Tarzana v. Pacific Theatres, Inc., 828 F.2d 1395 (9th Cir. 1987)—§ 40
- Theme Promotions, Inc. v. News America Marketing FSI, 546 F.3d 991 (9th Cir. 2008)—§§ 175, 195
- Theodosakis v. Contract Pharmaceutical Corp., 172 Fed. Appx. 772 (9th Cir. 2006)—§ 162
- Theophil v. Sheller-Globe Corp., 446 F. Supp. 131 (E.D. N.Y. 1978)—§§ 42, 187
- Thermal Engineering Corp. v. Clean Air Systems, Inc., 706 F. Supp. 436 (W.D. N.C. 1987)—§ 158
- THI-Hawaii, Inc. v. First Commerce Financial Corp., 627 F.2d 991, 30 Fed. R. Serv. 2d 617 (9th Cir. 1980)—§§ 181, 202
- Thill Securities Corp. v. New York Stock Exchange, 633 F.2d 65 (7th Cir. 1980)—§§ 31, 45, 171
- Thomas v. Soper, 746 F.2d 1451 (11th Cir. 1984)—§ 84
- Thomas & Betts Corp. v. Richards Mfg. Co., 342 Fed. Appx. 754 (3d Cir. 2009)—§ 22
- Thomason v. Mitsubishi Elec. Sales America, Inc., 701 F. Supp. 1563 (N.D. Ga. 1988)—§ 187
- Thompson v Metropolitan Multi-List, Inc. 1992-1 CCH Trade Cases ¶ 69494—§ 84
- Thompson v Metropolitan Multi-List, Inc. 1991-2 CCH Trade Cases ¶ 69494—§ 187
- Thompson v. New York Life Ins. Co., 644 F.2d 439 (5th Cir. 1981)—§ 36
- Thomsen v. Western Elec. Co., Inc.,

TABLE OF CASES

- 680 F.2d 1263 (9th Cir. 1982)—  
§ 119
- Thornhill Pub. Co., Inc. v. General  
Tel. & Electronics Corp., 594  
F.2d 730 (9th Cir. 1979)—§ 32
- 377 US 913, 12 L Ed 2d 183, 84 S  
Ct 1162—§ 163A
- 324 Liquor Corp. v. Duffy, 479 U.S.  
335, 107 S. Ct. 720, 93 L. Ed.  
2d 667 (1987)—§§ 33, 42, 89
- Thurman Industries, Inc. v. Pay’N  
Pak Stores, Inc., 709 F. Supp.  
985 (W.D. Wash. 1987)—§§ 54,  
126, 133, 137
- Ticketmaster Corp. v. Tickets.com  
Inc., 127 Fed. Appx. 346 (9th  
Cir. 2005)—§ 47
- Ticketmaster Corp. Antitrust Liti-  
gation, In re, 929 F. Supp.  
1272 (E.D. Mo. 1996)—§ 187
- Ticor Title Ins. Co. v. F.T.C., 922  
F.2d 1122 (3d Cir. 1991)—§§ 33,  
121
- Tidmore Oil Co., Inc. v. BP Oil  
Company/Gulf Products Div.,  
a Div. of BP Oil Co., 932 F.2d  
1384 (11th Cir. 1991)—§§ 85, 86
- Tiffany (NJ) Inc. v. eBay Inc., 600  
F.3d 93 (2d Cir. 2010)—§ 25
- Tiftarea Shopper, Inc. v. Georgia  
Shopper, Inc., 786 F.2d 1115  
(11th Cir. 1986)—§ 118
- Tiger Trash v. Browning-Ferris  
Industries, Inc., 560 F.2d 818  
(7th Cir. 1977)—§§ 32, 171
- Timberlane Lumber Co. v. Bank of  
America, N.T. and S.A., 549  
F.2d 597, 40 A.L.R. Fed. 314  
(9th Cir. 1976)—§§ 29, 164
- Timely Products Corp. v. Arron,  
523 F.2d 288 (2d Cir. 1975)—  
§§ 22, 163A
- Time Warner Cable, Inc. v. DI-  
RECTV, Inc., 497 F.3d 144 (2d  
Cir. 2007)—§ 37
- Tinsley v. Integrity Financial Part-  
ners, Inc., 634 F.3d 416 (7th  
Cir. 2011)—§ 37
- Tire Sales Corp. v. Cities Service  
Oil Co., 637 F.2d 467 (7th Cir.  
1980)—§ 84
- Tire Sales Corp. v. Cities Service  
Oil Co. (1980, CA7 Ill) 636 F2d  
467—§ 123
- Tiseo Architects, Inc. v. B & B  
Pools Service and Supply Co.,  
495 F.3d 344 (6th Cir. 2007)—  
§§ 37, 162
- Titanium Dioxide Antitrust Litiga-  
tion, In re, 959 F. Supp. 2d 799  
(D. Md. 2013)—§ 69
- Titanium Dioxide Antitrust Litiga-  
tion, In re, 284 F.R.D. 328 (D.  
Md. 2012)—§ 174
- TJX Companies Retail Sec. Breach  
Litigation, In re, 564 F.3d 489  
(1st Cir. 2009)—§ 17
- TKO Energy Services, LLC v. M-I  
L.L.C., 539 Fed. Appx. 866  
(10th Cir. 2013)—§ 52
- TMT Management Group, LLC v.  
U.S. Bank National Associa-  
tion, 940 N.W.2d 239 (Minn.  
Ct. App. 2020)—§ 137
- Todorov v. DCH Healthcare Au-  
thority, 921 F.2d 1438 (11th  
Cir. 1991)—§ 33
- Tokarz v. LOT Polish Airlines, 258  
Fed. Appx. 377 (2d Cir. 2007)—  
§§ 67, 70
- Toledo Mack Sales & Service, Inc.  
v. Mack Trucks, Inc., 530 F.3d  
204 (3d Cir. 2008)—§§ 28, 40,  
53, 67, 70, 124
- Toma, Application of, 575 F.2d 872  
(C.C.P.A. 1978)—§ 143

- Tom Hudson & Associates, Inc. v. City of Chula Vista, 746 F.2d 1370 (9th Cir. 1984)—§ 33
- Tommy Lee Handbags Mfg. Ltd. v. 1948 Corp., 971 F. Supp. 2d 368 (S.D. N.Y. 2013)—§ 187
- Tondas v. Amateur Hockey Ass'n of U. S., 438 F. Supp. 310 (W.D. N.Y. 1977)—§ 32
- Topolos v. Caldewey, 698 F.2d 991 (9th Cir. 1983)—§ 162
- Tops Markets, Inc. v. Quality Markets, Inc., 142 F.3d 90 (2d Cir. 1998)—§§ 40, 47, 51, 52, 181
- Toscano v. PGA Tour, Inc., 201 F. Supp. 2d 1106 (E.D. Cal. 2002)—§ 194
- Toscano v. Professional Golfers Association, 258 F.3d 978 (9th Cir. 2001)—§§ 41, 67, 85, 181
- Tose v. First Pennsylvania Bank, N.A., 648 F.2d 879 (3d Cir. 1981)—§ 40
- Toshiba Corp. v. Imation Corp., 681 F.3d 1358 (Fed. Cir. 2012)—§§ 156, 157
- Total Benefits Planning Agency, Inc. v. Anthem Blue Cross and Blue Shield, 552 F.3d 430 (6th Cir. 2008)—§ 40
- Total Realty Management, LLC, In re, 706 F.3d 245 (4th Cir. 2013)—§ 37
- Town Sound and Custom Tops, Inc. v. Chrysler Motors Corp., 959 F.2d 468 (3d Cir. 1992)—§ 84
- Toys “R” Us, Inc. v. F.T.C., 221 F.3d 928 (7th Cir. 2000)—§ 86
- Trabert & Hoeffler, Inc. v. Piaget Watch Corp., 633 F.2d 477 (7th Cir. 1980)—§§ 85, 175, 194
- Trace X Chemical, Inc. v. Canadian Industries, Ltd., 738 F.2d 261 (8th Cir. 1984)—§§ 52, 124
- Tracy v. Winfrey, 282 Fed. Appx. 846 (1st Cir. 2008)—§§ 22, 162
- Trading Technologies Intern., Inc. v. Open E Cry, LLC, 728 F.3d 1309 (Fed. Cir. 2013)—§ 144
- TrafficSchool.com, Inc. v. Edriver Inc., 653 F.3d 820 (9th Cir. 2011)—§ 25
- Transaction Holdings Ltd., LLC, In re, 484 Fed. Appx. 469 (Fed. Cir. 2012)—§ 156
- Transamerica Computer Co., Inc. v. International Business Machines Corp., 698 F.2d 1377 (9th Cir. 1983)—§§ 40, 47
- Transmatic, Inc. v. Gulton Industries, Inc., 601 F.2d 904 (6th Cir. 1979)—§ 143
- Transnor (Bermuda) Ltd. v. BP North America Petroleum, 736 F. Supp. 511 (S.D. N.Y. 1990)—§ 192
- Transocean Offshore Deepwater Drilling, Inc. v. Maersk Drilling USA, Inc., 699 F.3d 1340 (Fed. Cir. 2012)—§ 160
- Transource Intern., Inc. v. Trinity Industries, Inc., 725 F.2d 274 (5th Cir. 1984)—§§ 44, 81, 187
- Transpacific Passenger Air Transportation Antitrust Litigation, In re, 69 F. Supp. 3d 940 (N.D. Cal. 2014)—§ 33A
- Transpacific Westbound Rate Agreement v. Federal Maritime Com'n, 938 F.2d 1025 (9th Cir. 1991)—§ 37
- Trans Sport, Inc. v. Starter Sportswear, Inc., 964 F.2d 186 (2d Cir. 1992)—§ 49
- TransWeb, LLC v. 3M Innovative

TABLE OF CASES

- Properties Co., 812 F.3d 1295 (Fed. Cir. 2016)—§§ 160, 200
- Trans World Accounts, Inc. v. F.T.C., 594 F.2d 212 (9th Cir. 1979)—§ 121
- Trans World Airlines, Inc. v. Hughes, 515 F.2d 173, 19 Fed. R. Serv. 2d 1411 (2d Cir. 1975)—§ 200
- Trans World Airlines, Inc. v. Hughes, 359 F. Supp. 783 (S.D. N.Y. 1973)—§ 167
- Trans World Airlines, Inc. v. Mattox, 897 F.2d 773, 16 Fed. R. Serv. 3d 122 (5th Cir. 1990)—§§ 27, 37, 163A
- Travel Agent Com'n Antitrust Litigation, In re, 583 F.3d 896, 74 Fed. R. Serv. 3d 1108 (6th Cir. 2009)—§§ 67, 68
- Travelers Ins. Co. v. Blue Cross of Western Pennsylvania, 481 F.2d 80 (3d Cir. 1973)—§§ 36, 40, 48
- Travis v. Fairmount Foods Co., 346 F. Supp. 679 (E.D. Pa. 1972)—§ 164
- Traweek v. City and County of San Francisco, 920 F.2d 589 (9th Cir. 1990)—§ 33
- Treasure Val. Potato Bargaining Ass'n v. Ore-Ida Foods, Inc., 497 F.2d 203 (9th Cir. 1974)—§ 35
- Tri-Gen Inc. v. International Union of Operating Engineers, Local 150, AFL-CIO, 433 F.3d 1024 (7th Cir. 2006)—§§ 40, 42, 187
- Tri-State Rubbish, Inc. v. Waste Management, Inc., 998 F.2d 1073 (1st Cir. 1993)—§ 33
- Triangle Publications, Inc. v. Knight-Ridder Newspapers, Inc., 445 F. Supp. 875 (S.D. Fla. 1978)—§ 162
- Trigen-Oklahoma City Energy Corp. v. Oklahoma Gas & Electric Co, (2001, CA10 Okla) 244 F3d 1221—§ 33
- Triple M Roofing Corp. v. Tremco, Inc., 753 F.2d 242 (2d Cir. 1985)—§ 52
- Triple Tee Golf, Inc. v. Nike, Inc., 485 F.3d 253 (5th Cir. 2007)—§ 21
- Trist v. First Federal Sav. & Loan Ass'n of Chester, 466 F. Supp. 578 (E.D. Pa. 1979)—§ 64
- Tritent Intern. Corp. v. Commonwealth of KY, 467 F.3d 547, 2006 FED App. 0400P (6th Cir. 2006)—§§ 28, 33
- Trixler Brokerage Co. v. Ralston Purina Co., 505 F.2d 1045 (9th Cir. 1974)—§ 46
- Trone Health Services, Inc. v. Express Scripts Holding Company, 974 F.3d 845 (8th Cir. 2020)—§§ 52, 54
- Truck-Rail Handling, Inc. v. Burlington Northern and Santa Fe Ry. Co., 244 Fed. Appx. 130 (9th Cir. 2007)—§§ 48, 67, 84
- Truck Equipment Service Co. v. Fruehauf Corp., 536 F.2d 1210 (8th Cir. 1976)—§§ 12, 18
- Trudeau v. Federal Trade Com'n, 456 F.3d 178 (D.C. Cir. 2006)—§ 121
- TRW, Inc. v. F.T.C., 647 F.2d 942 (9th Cir. 1981)—§ 112
- Tugboat, Inc. v. Mobile Towing Co., 534 F.2d 1172 (5th Cir. 1976)—§ 187
- Tuli v. Brigham & Women's Hosp., 656 F.3d 33 (1st Cir. 2011)—§ 3

- Tunica Web Advertising v. Tunica Casino Operators Ass'n, Inc., 496 F.3d 403 (5th Cir. 2007)—§§ 28, 40, 67, 70, 86
- Tunis Bros. Co., Inc. v. Ford Motor Co., 823 F.2d 49 (3d Cir. 1987)—§ 67
- Tunis Bros. Co., Inc. v. Ford Motor Co., 763 F.2d 1482 (3d Cir. 1985)—§ 67
- Tuolumne, County of v. Sonora Community Hosp., 236 F.3d 1148 (9th Cir. 2001)—§§ 41, 48, 52, 67, 84
- Turf Paradise, Inc. v. Arizona Downs, 670 F.2d 813 (9th Cir. 1982)—§§ 32, 33, 44, 167
- Turicentro, S.A. v. American Airlines Inc., 303 F.3d 293, 1 A.L.R. Fed. 2d 719 (3d Cir. 2002)—§§ 32A, 187
- Turner v. Virginia Department of Medical Assistance Services, 230 F. Supp. 3d 498 (W.D. Va. 2017)—§ 33
- Turzillo v. P & Z Mergentime, 532 F.2d 1393 (D.C. Cir. 1976)—§§ 144, 158
- TV Communications Network, Inc. v. ESPN, Inc., 767 F. Supp. 1062 (D. Colo. 1991)—§ 129
- TV Communications Network, Inc. v. Turner Network Television, Inc., 964 F.2d 1022 (10th Cir. 1992)—§§ 5, 86
- Tveter v. AB Turn-O-Matic, 633 F.2d 831 (9th Cir. 1980)—§ 18
- TV Signal Co. of Aberdeen v. American Tel. & Tel., 617 F.2d 1302 (8th Cir. 1980)—§§ 54, 187, 194
- TV Signal Co. of Aberdeen v. American Tel. & Tel. Co., 465 F. Supp. 1084 (D.S.D. 1979)—§§ 41, 54
- TV Signal Co. of Aberdeen v. American Tel. & Tel. Co., 462 F.2d 1256 (8th Cir. 1972)—§§ 119, 129
- T.W. Elec. Service, Inc. v. Pacific Elec. Contractors Ass'n, 809 F.2d 626 (9th Cir. 1987)—§ 41
- Twentieth Century-Fox Film Corp. v MCA, Inc. (1983, CA9 Cal) 696 F.2d 689, 217 USPQ 611—§ 162
- Twentieth Century Music Corp. v. Aiken, 422 U.S. 151, 95 S. Ct. 2040, 45 L. Ed. 2d 84 (1975)—§ 162
- Twin City Bakery Workers and Welfare Fund v. Astra Aktiebolag, 207 F. Supp. 2d 221 (S.D. N.Y. 2002)—§ 33
- Twin City Sportservice, Inc. v. Charles O. Finley & Co., Inc., 676 F.2d 1291 (9th Cir. 1982)—§§ 54, 83, 84, 177, 188, 200
- Twin City Sportservice, Inc. v. Charles O. Finley & Co., Inc., 512 F.2d 1264 (9th Cir. 1975)—§§ 54, 83, 84, 177
- Twin Laboratories, Inc. v. Weider Health & Fitness, 900 F.2d 566 (2d Cir. 1990)—§ 51
- Two Brothers Distributing Incorporated v. Valero Marketing and Supply Company, 769 Fed. Appx. 408, 98 U.C.C. Rep. Serv. 2d 844 (9th Cir. 2019)—§ 127
- 2,872.88 Acres of Land v. U S, 376 U.S. 973, 84 S. Ct. 1131, 12 L. Ed. 2d 87 (1964)—§ 163A
- Twombly v. Bell Atlantic Corp., 425 F.3d 99 (2d Cir. 2005)—§§ 41, 69, 70, 181

TABLE OF CASES

- 2660 Woodley Road Joint Venture v. ITT Sheraton Corp., 369 F.3d 732 (3d Cir. 2004)—§ 187
- 2301 M Cinema LLC v. Silver Cinemas Acquisition Co., 342 F. Supp. 3d 126 (D.D.C. 2018)—§ 51
- Tyco Healthcare Group LP v. Mutual Pharmaceutical Co., Inc., 762 F.3d 1338 (Fed. Cir. 2014)—§ 33
- Typhoon Car Wash, Inc. v. Mobil Oil Corp., 770 F.2d 1085 (Temp. Emer. Ct. App. 1985)—§ 133
- Tyson Foods, Inc. Securities Litigation, In re, 275 F. Supp. 3d 970 (W.D. Ark. 2017)—§ 56
- U**
- Ultimax Cement Mfg. Corp. v. CTS Cement Mfg. Corp., 587 F.3d 1339 (Fed. Cir. 2009)—§§ 21, 160
- Ultrasound Imaging Corp. v. American Society of Breast Surgeons, 358 F. Supp. 2d 475 (D. Md. 2005)—§§ 41, 47
- Umdenstock v. American Mortg. & Inv. Co. of Oklahoma City, 495 F.2d 589, 18 Fed. R. Serv. 2d 1075 (10th Cir. 1974)—§ 181
- Ungar v. Dunkin' Donuts of America, Inc., 531 F.2d 1211, 21 Fed. R. Serv. 2d 553 (3d Cir. 1976)—§§ 80, 84, 174
- Unicorn Global, Inc. v. GoLabs, Inc., 447 F. Supp. 3d 535 (N.D. Tex. 2020)—§ 52
- Uniforce Temporary Personnel, Inc. v. National Council on Compensation Ins., Inc., 87 F.3d 1296 (11th Cir. 1996)—§§ 36, 41, 42
- Unigestion Holding, S.A. v. UPM Technology, Inc., 305 F. Supp. 3d 1134 (D. Or. 2018)—§ 32A
- Unigestion Holdings, S.A. v. UPM Technology, Inc., 412 F. Supp. 3d 1273 (D. Or. 2019)—§§ 54, 187
- Unijax, Inc. v. Champion Intern., Inc., 516 F. Supp. 941 (S.D. N.Y. 1981)—§ 84
- Union Carbide Corp. v. Ever-Ready Inc., 531 F.2d 366 (7th Cir. 1976)—§ 9
- Union City Barge Line, Inc. v. Union Carbide Corp., 823 F.2d 129, 8 Fed. R. Serv. 3d 557 (5th Cir. 1987)—§§ 24, 40, 137
- Union Labor Life Ins. Co. v. Pireno, 458 U.S. 119, 102 S. Ct. 3002, 73 L. Ed. 2d 647 (1982)—§ 36
- Uniroyal, Inc. v. Hoff and Thames, Inc., 511 F. Supp. 1060 (S.D. Miss. 1981)—§§ 127, 133
- Uniroyal, Inc. v. Jetco Auto Service, Inc., 461 F. Supp. 350 (S.D. N.Y. 1978)—§§ 85, 131
- Uniservices, Inc., In re, 517 F.2d 492 (7th Cir. 1975)—§ 4
- UniStrip Technologies, LLC v. LifeScan, Inc, 153 F. Supp. 3d 728 (E.D. Pa. 2015)—§§ 52, 83, 85
- United Air Lines, Inc. v. Austin Travel Corp., 867 F.2d 737 (2d Cir. 1989)—§ 51
- United Air Lines, Inc. v. Austin Travel Corp., 681 F. Supp. 176 (S.D. N.Y. 1988)—§ 131
- United Airlines, Inc. v. U.S. Bank N.A., 406 F.3d 918 (7th Cir. 2005)—§§ 27, 33, 41
- United Energy Trading, LLC v. Pacific Gas & Electric Co., 200

- F. Supp. 3d 1012 (N.D. Cal. 2016)—§§ 48, 52, 54
- United Farmers Agents Ass'n, Inc. v. Farmers Ins. Exchange, 89 F.3d 233 (5th Cir. 1996)—§ 84
- United Food and Commercial Workers Local 1776 & Participating Employers Health and Welfare Fund v. Teikoku Pharma USA, 296 F. Supp. 3d 1142 (N.D. Cal. 2017)—§ 40
- United Food and Commercial Workers Unions and Employers Midwest Health Benefits Fund v. Novartis Pharmaceuticals Corporation, 902 F.3d 1 (1st Cir. 2018)—§ 158
- United Magazine Co., Inc. v. Curtis Circulation Co., 279 Fed. Appx. 14 (2d Cir. 2008)—§ 124
- United Mine Workers of America v. Pennington, 381 U.S. 657, 85 S. Ct. 1585, 14 L. Ed. 2d 626 (1965)—§ 33
- United Nat. Maintenance, Inc. v. San Diego Convention Center, Inc., 766 F.3d 1002 (9th Cir. 2014)—§ 33
- United Phosphorus, Ltd. v. Angus Chemical Co., 322 F.3d 942 (7th Cir. 2003)—§ 32A
- United States v. Aetna Inc., 240 F. Supp. 3d 1 (D.D.C. 2017)—§§ 101, 104
- United States v. Aiyer, 470 F. Supp. 3d 383 (S.D. N.Y. 2020)—§§ 181, 205
- United States v. Aiyer, 433 F. Supp. 3d 468, 111 Fed. R. Evid. Serv. 367 (S.D. N.Y. 2020)—§ 205
- United States v. Anthem, Inc., 855 F.3d 345 (D.C. Cir. 2017)—§ 175
- United States v. Anthem, Inc., 236 F. Supp. 3d 171 (D.D.C. 2017)—§§ 101, 102, 103, 104
- United States v. AT&T, Inc., 916 F.3d 1029 (D.C. Cir. 2019)—§ 104
- United States v. AT & T Inc., 310 F. Supp. 3d 161 (D.D.C. 2018)—§ 104
- United States v Baker Hughes, Inc. (1990) 285 App DC 222, 908 F.2d 981, 1990-1 CCH Trade Cases ¶ 69084—§§ 97, 108
- United States v Bates (1980) 200 App DC 296, 627 F.2d 349—§ 207
- United States v Bessemer & L. E. R. Co. (1983) 230 App DC 316, 717 F.2d 593—§ 205
- United States v. Blavatnik, 168 F. Supp. 3d 36 (D.D.C. 2016)—§ 183
- United States v. Charlotte-Mecklenburg Hospital Authority, 248 F. Supp. 3d 720 (W.D. N.C. 2017)—§ 44
- United States v. eBay, Inc., 968 F. Supp. 2d 1030 (N.D. Cal. 2013)—§ 111
- United States v. Energy Solutions, Inc., 265 F. Supp. 3d 415 (D. Del. 2017)—§§ 104, 109
- United States v Federal Maritime Com. (1980) 210 App DC 134, 655 F.2d 247—§ 187
- United States v. Iron Mountain, Inc., 217 F. Supp. 3d 146 (D.D.C. 2016)—§ 110
- United States v. Joyce, 895 F.3d 673 (9th Cir. 2018)—§ 42
- United States v Kanzaki Specialty

TABLE OF CASES

- Papers, Inc. (1994, DC Mass) 63 USLW 2095—§ 88
- United States v. Katakis, 252 F. Supp. 3d 988 (E.D. Cal. 2017)—§ 205
- United States v. Kemp & Associates, Inc., 907 F.3d 1264 (10th Cir. 2018)—§ 205
- United States v. Sabre Corp., 452 F. Supp. 3d 97 (D. Del. 2020)—§§ 101, 102
- United States v. Sinclair Broadcast Group, Inc., 74 F. Supp. 3d 468 (D.D.C. 2014)—§ 184
- United States v. Vega-Martinez, 949 F.3d 43, 111 Fed. R. Evid. Serv. 544 (1st Cir. 2020)—§ 205
- United States v Western Electric Co. (1985) 250 App DC 23, 777 F2d 23—§ 179
- United States Board of Oral Implantology v. American Board of Dental Specialties, 390 F. Supp. 3d 892 (N.D. Ill. 2019)—§§ 47, 57
- United States Lines, Inc. v Federal Maritime Com. (1978) 189 App DC 361, 584 F2d 519—§ 37
- United States v Mobile Materials, Inc., see (1989, CA10 Okla) 881 F2d 866, 1989-2 CCH Trade Cases ¶ 68682, 28 Fed Rules Evid Serv 636, cert den (US) 107 L Ed 2d 833, 110 S Ct 837—§ 205
- Unitherm Food Systems, Inc. v. Swift-Eckrich, Inc., 375 F.3d 1341 (Fed. Cir. 2004)—§§ 54, 158, 187
- Unitrac, LLC v. United States, 113 Fed. Cl. 156 (2013)—§ 145
- Unity Ventures v. Lake County, 841 F.2d 770 (7th Cir. 1988)—§ 33
- Universal Athletic Sales Co. v. American Gym, Recreational & Athletic Equipment Corp., Inc., 546 F.2d 530 (3d Cir. 1976)—§ 145
- Universal Athletic Sales Co. v. Salkeld, 511 F.2d 904 (3d Cir. 1975)—§ 156
- Universal Brands, Inc. v. Philip Morris Inc., 546 F.2d 30 (5th Cir. 1977)—§§ 83, 92, 97, 187
- Universal Furniture Intern., Inc. v. Collezione Europa USA, Inc., 618 F.3d 417 (4th Cir. 2010)—§§ 162, 163
- Universal Instruments Corporation v. Micro Systems Engineering, Inc., 924 F.3d 32 (2d Cir. 2019)—§ 19
- Universal Lite Distributors, Inc. v. Northwest Industries, Inc., 452 F. Supp. 1206 (D. Md. 1978)—§ 131
- Universal Service Fund Telephone Billing Practices Litigation, In re, 300 F. Supp. 2d 1107 (D. Kan. 2003)—§ 69
- University Life Ins. Co. of America v. Unimarc Ltd., 699 F.2d 846 (7th Cir. 1983)—§§ 85, 118, 164, 179
- University of Notre Dame Du Lac v. J.C. Gourmet Food Imports Co., Inc., 703 F.2d 1372, 10 Ed. Law Rep. 88 (Fed. Cir. 1983)—§ 9
- Uranium Antitrust Litigation, In re, 617 F.2d 1248, 28 Fed. R. Serv. 2d 1263 (7th Cir. 1980)—§§ 167, 175, 182, 188
- Urethane Antitrust Litigation, In

- re, 768 F.3d 1245 (10th Cir. 2014)—§§ 67, 190
- Urethane Antitrust Litigation, In re, 913 F. Supp. 2d 1145 (D. Kan. 2012)—§ 42
- U.S. v. Abozid, 257 F.3d 191 (2d Cir. 2001)—§§ 44, 69, 174
- U.S. v. A. Lanoy Alston, D.M.D., P.C., 974 F.2d 1206 (9th Cir. 1992)—§ 67
- U.S. v. Alpine Industries, Inc., 352 F.3d 1017, 2003 FED App. 0449P (6th Cir. 2003)—§ 121
- U.S. v. Aluminum Co. of America, 148 F.2d 416 (C.C.A. 2d Cir. 1945)—§§ 54, 84
- U.S. v. American Airlines, Inc., 743 F.2d 1114 (5th Cir. 1984)—§ 52
- U. S. v. American Bldg. Maintenance Industries, 422 U.S. 271, 95 S. Ct. 2150, 45 L. Ed. 2d 177 (1975)—§§ 32, 95, 121
- U.S. v. American Cyanamid Co., 598 F. Supp. 1516 (S.D. N.Y. 1984)—§ 183
- U.S. v. American Cyanamid Co., 719 F.2d 558, 37 Fed. R. Serv. 2d 1034 (2d Cir. 1983)—§ 183
- U.S. v. American Exp. Co., 88 F. Supp. 3d 143 (E.D. N.Y. 2015)—§ 40
- U.S. v. American Exp. Co., 21 F. Supp. 3d 187 (E.D. N.Y. 2014)—§ 181
- U.S. v. American Service Corp., 580 F.2d 823 (5th Cir. 1978)—§§ 32, 205
- U.S. v. American Soc. of Civil Engineers, 446 F. Supp. 803 (S.D. N.Y. 1977)—§ 183
- U.S. v. AMR Corp., 335 F.3d 1109 (10th Cir. 2003)—§ 52A
- U.S. v. Ancorp Nat. Services, Inc., 516 F.2d 198 (2d Cir. 1975)—§§ 128, 138, 139, 210
- U.S. v. Anderson, 326 F.3d 1319 (11th Cir. 2003)—§ 32A
- U.S. v. Apple, Inc., 791 F.3d 290 (2d Cir. 2015)—§ 42
- U.S. v. Apple Inc., 787 F.3d 131, 91 Fed. R. Serv. 3d 1562 (2d Cir. 2015)—§ 175
- U.S. v. Apple Inc., 992 F. Supp. 2d 263, 87 Fed. R. Serv. 3d 1163 (S.D. N.Y. 2014)—§ 175
- U.S. v. Apple Inc., 952 F. Supp. 2d 638 (S.D. N.Y. 2013)—§ 42
- U.S. v. Apple, Inc., 889 F. Supp. 2d 623 (S.D. N.Y. 2012)—§ 183
- U.S. v. Aquafredda, 834 F.2d 915 (11th Cir. 1987)—§§ 32, 42, 67
- U.S. v. Archer-Daniels-Midland Co., 866 F.2d 242 (8th Cir. 1988)—§§ 54, 102
- U.S. v. Armored Transport, Inc., 629 F.2d 1313 (9th Cir. 1980)—§ 205
- U. S. v. Arnold, Schwinn & Co., 442 F. Supp. 1366 (N.D. Ill. 1977)—§§ 44, 80, 81, 85, 87, 89, 128, 158A
- U.S. v. Atherton, 561 F.2d 747 (9th Cir. 1977)—§ 162
- U.S. v. Azzarelli Const. Co., 612 F.2d 292, 5 Fed. R. Evid. Serv. 749 (7th Cir. 1979)—§§ 28, 32
- U.S. v. Beachner Const. Co., Inc., 729 F.2d 1278 (10th Cir. 1984)—§ 205
- U.S. v. Beatrice Foods Co., 493 F.2d 1259 (8th Cir. 1974)—§ 212
- U.S. v. Beatrice Foods Co., 351 F. Supp. 969 (D. Minn. 1972)—§ 30

TABLE OF CASES

- U.S. v. Beatrice Foods Co., 344 F. Supp. 104 (D. Minn. 1972)—§ 212
- U.S. v. Beaver, 515 F.3d 730 (7th Cir. 2008)—§§ 28, 40, 70
- U.S. v. Bechtel Corp., 648 F.2d 660 (9th Cir. 1981)—§ 183
- U.S. v. Ben M. Hogan Co., Inc., 809 F.2d 480 (8th Cir. 1987)—§§ 32, 205
- U.S. v. B. F. Goodrich Co., 619 F.2d 798 (9th Cir. 1980)—§§ 164, 205
- U.S. v. Bi-Co Pavers, Inc., 741 F.2d 730, 16 Fed. R. Evid. Serv. 421 (5th Cir. 1984)—§ 67
- U.S. v. Blanton, 739 F.2d 209 (6th Cir. 1984)—§ 205
- U.S. v. BNS Inc., 858 F.2d 456 (9th Cir. 1988)—§§ 37, 164, 176, 183
- U. S. v. Brighton Bldg. & Maintenance Co., 598 F.2d 1101, 4 Fed. R. Evid. Serv. 769 (7th Cir. 1979)—§§ 43, 205
- U.S. v. Brighton Bldg. & Maintenance Co., 435 F. Supp. 222 (N.D. Ill. 1977)—§ 42
- U.S. v. Broce, 488 U.S. 563, 109 S. Ct. 757, 102 L. Ed. 2d 927 (1989)—§§ 67, 205
- U.S. v. Brown, 936 F.2d 1042, 33 Fed. R. Evid. Serv. 1165 (9th Cir. 1991)—§ 205
- U.S. v. Browning, 518 F.2d 714 (10th Cir. 1975)—§ 211
- U.S. v. Brown University in Providence in State of R.I., 5 F.3d 658, 85 Ed. Law Rep. 1027 (3d Cir. 1993)—§ 40
- U.S. v. Bullis, 77 F.3d 1553, 107 Ed. Law Rep. 512 (7th Cir. 1996)—§ 205
- U.S. v. Buzzard, 540 F.2d 1383 (10th Cir. 1976)—§ 205
- U.S. v. C. A. B., 511 F.2d 1315 (D.C. Cir. 1975)—§ 27
- U.S. v. Capitol Service, Inc., 756 F.2d 502 (7th Cir. 1985)—§§ 42, 44, 175
- U.S. v. Capitol Service, Inc., 568 F. Supp. 134 (E.D. Wis. 1983)—§ 42
- U.S. v. Cargo Service Stations, Inc., 657 F.2d 676 (5th Cir. 1981)—§§ 42, 205
- U.S. v. Carilion Health System, 707 F. Supp. 840 (W.D. Va. 1989)—§ 41
- U.S. v. Central State Bank, 817 F.2d 22 (6th Cir. 1987)—§§ 41, 54
- U.S. v. Champion Intern. Corp., 557 F.2d 1270, 1 Fed. R. Evid. Serv. 716 (9th Cir. 1977)—§ 43
- U. S. v. Citizens and Southern Nat. Bank, 422 U.S. 86, 95 S. Ct. 2099, 45 L. Ed. 2d 41 (1975)—§ 110
- U.S. v. Coca-Cola Bottling Co. of Los Angeles, 575 F.2d 222 (9th Cir. 1978)—§§ 95, 164
- U.S. v. Colgate & Co., 250 U.S. 300, 39 S. Ct. 465, 63 L. Ed. 992, 7 A.L.R. 443 (1919)—§ 85
- U.S. v. Colonial Chevrolet Corp., 629 F.2d 943 (4th Cir. 1980)—§§ 164, 205
- U.S. v. Columbia Artists Management, Inc., 662 F. Supp. 865 (S.D. N.Y. 1987)—§ 183
- U. S. v. Connecticut Nat. Bank, 418 U.S. 656, 94 S. Ct. 2788, 41 L. Ed. 2d 1016 (1974)—§§ 99, 102, 103
- U.S. v. Consolidated Packaging Corp., 575 F.2d 117 (7th Cir. 1978)—§ 67

FEDERAL CONTROL OF BUSINESS

- U.S. v. Continental Group, Inc., 603 F.2d 444, 4 Fed. R. Evid. Serv. 734 (3d Cir. 1979)—§ 205
- U.S. v. Cooperative Theatres of Ohio, Inc., 845 F.2d 1367 (6th Cir. 1988)—§§ 44, 205
- U.S. v. Cooper Corporation, 312 U.S. 600, 61 S. Ct. 742, 85 L. Ed. 1071 (1941)—§ 190
- U.S. v. County Nat. Bankcorporation, 355 F. Supp. 538 (E.D. Mo. 1972)—§ 103
- U.S. v. Crocker Nat. Corp., 656 F.2d 428 (9th Cir. 1981)—§§ 36, 112, 119
- U.S. v. Cross, 816 F.2d 297, 22 Fed. R. Evid. Serv. 1383 (7th Cir. 1987)—§ 162
- U.S. v. Culbro Corp., 436 F. Supp. 746 (S.D. N.Y. 1977)—§ 176
- U.S. v. Dairy Farmers of America, Inc., 426 F.3d 850, 202 Ed. Law Rep. 531, 2005 FED App. 0424P (6th Cir. 2005)—§ 31
- U.S. v. Dairymen, Inc., 660 F.2d 192 (6th Cir. 1981)—§ 35
- U.S. v. Dentsply Intern., Inc., 399 F.3d 181 (3d Cir. 2005)—§§ 51, 52A, 54
- U.S. v. Dentsply Intern., Inc., 277 F. Supp. 2d 387 (D. Del. 2003)—§ 83
- U.S. v. Drebin, 557 F.2d 1316 (9th Cir. 1977)—§ 162
- U.S. v. Dunham Concrete Products, Inc., 475 F.2d 1241 (5th Cir. 1973)—§ 205
- U.S. v. El Paso Natural Gas Co., 358 F. Supp. 820 (D. Colo. 1972)—§§ 99, 183
- U.S. v. Empire Gas Corp., 537 F.2d 296 (8th Cir. 1976)—§§ 48, 54
- U.S. v. Engelhard Corp., 126 F.3d 1302 (11th Cir. 1997)—§§ 54, 102
- U.S. v. Falstaff Brewing Corp., 383 F. Supp. 1020 (D.R.I. 1974)—§ 99
- U.S. v. Falstaff Brewing Corp., 410 U.S. 526, 93 S. Ct. 1096, 35 L. Ed. 2d 475 (1973)—§ 99
- U.S. v. F.C.C., 652 F.2d 72 (D.C. Cir. 1980)—§§ 31, 37
- U.S. v. Finis P. Ernest, Inc., 509 F.2d 1256 (7th Cir. 1975)—§ 32
- U.S. v. Fischbach and Moore, Inc., 750 F.2d 1183, 17 Fed. R. Evid. Serv. 349 (3d Cir. 1984)—§ 205
- U.S. v. Fitapelli, 786 F.2d 1461 (11th Cir. 1986)—§ 205
- U.S. v. Flom, 558 F.2d 1179, 2 Fed. R. Evid. Serv. 451 (5th Cir. 1977)—§§ 32, 44, 205
- U.S. v. Foley, 598 F.2d 1323, 4 Fed. R. Evid. Serv. 658 (4th Cir. 1979)—§§ 32, 205
- U.S. v. GAF Corp., 596 F.2d 10 (2d Cir. 1979)—§ 214
- U.S. v. GAF Corp., 449 F. Supp. 351 (S.D. N.Y. 1978)—§ 214
- U. S. v. General Dynamics Corp., 415 U.S. 486, 94 S. Ct. 1186, 39 L. Ed. 2d 530 (1974)—§§ 102, 103, 107, 109
- U.S. v. General Elec. Co., 358 F. Supp. 731 (S.D. N.Y. 1973)—§§ 42, 82, 182
- U.S. v. General Electric Co., 272 U.S. 476, 47 S. Ct. 192, 71 L. Ed. 362 (1926)—§ 82
- U.S. v. G. Heileman Brewing Co., 345 F. Supp. 117 (E.D. Mich. 1972)—§§ 103, 109, 176
- U.S. v. Gillen, 599 F.2d 541 (3d Cir. 1979)—§ 205

TABLE OF CASES

- U.S. v. Giordano, 261 F.3d 1134, 57 Fed. R. Evid. Serv. 1336 (11th Cir. 2001)—§ 205
- U.S. v. Glaxo Group Ltd., 410 U.S. 52, 93 S. Ct. 861, 35 L. Ed. 2d 104 (1973)—§§ 158A, 160
- U.S. v. Goodman, 850 F.2d 1473 (11th Cir. 1988)—§§ 44, 205
- U.S. v. Gosselin World Wide Moving, N.V., 411 F.3d 502 (4th Cir. 2005)—§§ 27, 37A, 41, 42
- U.S. v. Gravely, 840 F.2d 1156, 24 Fed. R. Evid. Serv. 1185 (4th Cir. 1988)—§§ 41, 43, 67, 132, 136
- U.S. v. Greater Syracuse Bd. of Realtors, Inc., 449 F. Supp. 887 (N.D. N.Y. 1978)—§ 32
- U.S. v. Green, 592 F.3d 1057, 252 Ed. Law Rep. 608 (9th Cir. 2010)—§§ 28, 40, 205
- U.S. v. Halper, 490 U.S. 435, 109 S. Ct. 1892, 104 L. Ed. 2d 487 (1989)—§ 188
- U.S. v. Heffernan, 43 F.3d 1144 (7th Cir. 1994)—§§ 42, 205
- U.S. v. Heilman, 614 F.2d 1133 (7th Cir. 1980)—§ 162
- U.S. v. Hilton Hotels Corp., 467 F.2d 1000 (9th Cir. 1972)—§§ 48, 86, 205
- U.S. v. Household Finance Corp., 602 F.2d 1255 (7th Cir. 1979)—§ 102
- U.S. v. Hui Hsiung, 778 F.3d 738 (9th Cir. 2015)—§ 28
- U.S. v. Hutcheson, 312 U.S. 219, 61 S. Ct. 463, 85 L. Ed. 788 (1941)—§ 34
- U.S. v. Inryco, Inc., 642 F.2d 290 (9th Cir. 1981)—§ 177
- U.S. v. International Harvester Co., 564 F.2d 769 (7th Cir. 1977)—§§ 102, 107, 109
- U. S. v. International Tel. & Tel. Corp., 349 F. Supp. 22, 16 Fed. R. Serv. 2d 497 (D. Conn. 1972)—§§ 96, 97, 108
- U. S. v. ITT Continental Baking Co., 420 U.S. 223, 95 S. Ct. 926, 43 L. Ed. 2d 148 (1975)—§§ 30, 164, 183, 213
- U.S. v. ITT Continental Baking Co., 462 F.2d 1104 (10th Cir. 1972)—§ 179
- U.S. v. Ivaco, Inc., 704 F. Supp. 1409 (W.D. Mich. 1989)—§§ 96, 99, 102
- U.S. v. J. B. Williams Co., Inc., 498 F.2d 414, 24 A.L.R. Fed. 471 (2d Cir. 1974)—§§ 164, 212
- U.S. v. John Doe, Inc. I, 481 U.S. 102, 107 S. Ct. 1656, 95 L. Ed. 2d 94 (1987)—§§ 164, 205
- U.S. v. Johnson, 541 F.2d 710 (8th Cir. 1976)—§ 212
- U.S. v. JS & A Group, Inc., 716 F.2d 451, 70 A.L.R. Fed. 705 (7th Cir. 1983)—§ 210
- U.S. v. Kahan & Lessin Co., 695 F.2d 1122 (9th Cir. 1982)—§§ 41, 205
- U.S. v. Kelsey-Hayes Co., 476 F.2d 265 (6th Cir. 1973)—§ 179
- U.S. v. Koppers Co., Inc., 652 F.2d 290 (2d Cir. 1981)—§§ 43, 67, 205
- U.S. v. Krasn, 614 F.2d 1229, 6 Fed. R. Evid. Serv. 221 (9th Cir. 1980)—§ 28
- U.S. v. Leggett & Platt, Inc., 542 F.2d 655, 22 Fed. R. Serv. 2d 493 (6th Cir. 1976)—§ 164
- U.S. v. Litton Industries, Inc., 462 F.2d 14 (9th Cir. 1972)—§ 207

FEDERAL CONTROL OF BUSINESS

- U.S. v. Loew's Inc., 882 F.2d 29 (2d Cir. 1989)—§§ 97, 183
- U.S. v. Loew's Inc., 705 F. Supp. 878 (S.D. N.Y. 1988)—§ 183
- U.S. v. Loew's, Inc., 371 U.S. 38, 83 S. Ct. 97, 9 L. Ed. 2d 11 (1962)—§ 84
- U.S. v. Louisiana-Pacific Corp., 654 F. Supp. 962 (D. Or. 1987)—§ 183
- U.S. v. Louisiana-Pacific Corp., 754 F.2d 1445 (9th Cir. 1985)—§§ 210, 212
- U.S. v. LSL Biotechnologies, 379 F.3d 672 (9th Cir. 2004)—§ 32A
- U.S. v. Lyons, 670 F.2d 77 (7th Cir. 1982)—§ 67
- U. S. v. Manufacturers' Ass'n of Relocatable Bldg. Industry, 462 F.2d 49 (9th Cir. 1972)—§§ 42, 205
- U.S. v. Marine Bancorporation, Inc., 418 U.S. 602, 94 S. Ct. 2856, 41 L. Ed. 2d 978 (1974)—§§ 99, 102, 103, 107, 109
- U.S. v. Martin Linen Supply Co., 485 F.2d 1143 (5th Cir. 1973)—§§ 164, 183
- U.S. v. Metropolitan Enterprises, Inc., 728 F.2d 444, 15 Fed. R. Evid. Serv. 370 (10th Cir. 1984)—§ 205
- U. S. v. Michigan Nat. Corp., 419 U.S. 1, 95 S. Ct. 10, 42 L. Ed. 2d 1 (1974)—§§ 110, 169
- U.S. v. Microsoft, 231 F. Supp. 2d 144 (D.D.C. 2002)—§ 183
- U.S. v. Microsoft Corp., 54 Fed. R. Serv. 3d 589 (D.D.C. 2003)—§ 170
- U.S. v. Microsoft Corp., 253 F.3d 34 (D.C. Cir. 2001)—§§ 47, 49, 52, 54, 84, 163, 184
- U.S. v. Microsoft Corp., 87 F. Supp. 2d 30 (D.D.C. 2000)—§§ 83, 84
- U.S. v. Microsoft Corp., 165 F.3d 952, 42 Fed. R. Serv. 3d 1076 (D.C. Cir. 1999)—§§ 37, 170
- U.S. v. Microsoft Corp., 147 F.3d 935, 41 Fed. R. Serv. 3d 216 (D.C. Cir. 1998)—§§ 84, 175, 183
- U.S. v. Microsoft Corp., 56 F.3d 1448 (D.C. Cir. 1995)—§ 183
- U.S. v. Miller, 771 F.2d 1219, 19 Fed. R. Evid. Serv. 647 (9th Cir. 1985)—§ 205
- U.S. v. MMR Corp. (LA), 907 F.2d 489 (5th Cir. 1990)—§ 205
- U.S. v. Mobile Materials, Inc., 871 F.2d 902 (10th Cir. 1989)—§ 205
- U.S. v. Moore, 604 F.2d 1228 (9th Cir. 1979)—§ 162
- U.S. v. Morgan Stanley, 881 F. Supp. 2d 563 (S.D. N.Y. 2012)—§ 183
- U. S. v. Motor Vehicle Mfrs. Ass'n of U. S., Inc., 643 F.2d 644 (9th Cir. 1981)—§ 183
- U. S. v. Mrs. Smith's Pie Co., 440 F. Supp. 220 (E.D. Pa. 1976)—§§ 102, 107
- U. S. v. National Ass'n of Securities Dealers, Inc., 422 U.S. 694, 95 S. Ct. 2427, 45 L. Ed. 2d 486 (1975)—§ 27
- U.S. v. National Broadcasting Co., Inc., 449 F. Supp. 1127 (C.D. Cal. 1978)—§ 183
- U. S. v. National Broiler Marketing Ass'n, 550 F.2d 1380 (5th Cir. 1977)—§§ 31, 35
- U.S. v. National Soc. of Professional Engineers, 555 F.2d 978 (D.C. Cir. 1977)—§ 43

TABLE OF CASES

- U.S. v. Nippon Paper Industries Co., Ltd., 109 F.3d 1 (1st Cir. 1997)—§ 205
- U.S. v. Nu-Phonics, Inc., 433 F. Supp. 1006 (E.D. Mich. 1977)—§§ 28, 42, 205
- U.S. v. Pacific Southwest Airlines, 358 F. Supp. 1224 (C.D. Cal. 1973)—§ 169
- U.S. v. Papercraft Corp., 540 F.2d 131 (3d Cir. 1976)—§§ 164, 210, 212
- U.S. v. Peake, 804 F.3d 81 (1st Cir. 2015)—§§ 42, 205
- U.S. v. Philadelphia Nat. Bank, 374 U.S. 321, 83 S. Ct. 1715, 10 L. Ed. 2d 915 (1963)—§§ 27, 41, 54
- U.S. v. Philip Morris USA Inc., 566 F.3d 1095, 73 Fed. R. Serv. 3d 896 (D.C. Cir. 2009)—§ 37
- U.S. v. Pippin, 903 F.2d 1478 (11th Cir. 1990)—§ 205
- U.S. v. Portac, Inc., 869 F.2d 1288, 27 Fed. R. Evid. Serv. 743 (9th Cir. 1989)—§ 205
- U.S. v. Portsmouth Paving Corp., 694 F.2d 312, 11 Fed. R. Evid. Serv. 1733 (4th Cir. 1982)—§ 70
- U.S. v. Powell, 701 F.2d 70 (8th Cir. 1983)—§ 162
- U. S. v. Reader's Digest Ass'n, Inc., 662 F.2d 955, 32 Fed. R. Serv. 2d 694 (3d Cir. 1981)—§§ 211, 212
- U.S. v. Reicher, 983 F.2d 168 (10th Cir. 1992)—§ 67
- U.S. v. Rockford Memorial Corp., 898 F.2d 1278 (7th Cir. 1990)—§ 40
- U.S. v. Romer, 148 F.3d 359, 49 Fed. R. Evid. Serv. 982 (4th Cir. 1998)—§§ 32, 205
- U.S. v. Rose, 449 F.3d 627 (5th Cir. 2006)—§§ 67, 205
- U.S. v. Sargent Elec. Co., 785 F.2d 1123 (3d Cir. 1986)—§§ 67, 205
- U.S. v. Sealy, Inc., 388 U.S. 350, 87 S. Ct. 1847, 18 L. Ed. 2d 1238 (1967)—§ 87
- U.S. v. Sherman, 576 F.2d 292 (10th Cir. 1978)—§ 162
- U.S. v. Siemens Corp., 621 F.2d 499 (2d Cir. 1980)—§§ 99, 176
- U.S. v. Simmons, 374 F.3d 313 (5th Cir. 2004)—§ 68
- U.S. v. Sindona, 636 F.2d 792, 7 Fed. R. Evid. Serv. 1109 (2d Cir. 1980)—§ 37
- U.S. v. Smith, 686 F.2d 234 (5th Cir. 1982)—§ 162
- U.S. v. Smithfield Foods, Inc., 332 F. Supp. 2d 55, 59 Fed. R. Serv. 3d 675 (D.D.C. 2004)—§ 167
- U.S. v. Society of Independent Gasoline Marketers of America, 624 F.2d 461, 5 Fed. R. Evid. Serv. 628, 6 Fed. R. Evid. Serv. 371 (4th Cir. 1979)—§§ 43, 205
- U.S. v. Southern Motor Carriers Rate Conference, 439 F. Supp. 29 (N.D. Ga. 1977)—§§ 33, 169
- U.S. v. Southern Motor Carriers Rate Conference, Inc., 672 F.2d 469 (5th Cir. 1982)—§ 33
- U.S. v. Studiengesellschaft Kohle, m.b.H., 670 F.2d 1122 (D.C. Cir. 1981)—§ 146
- U.S. v. Suntar Roofing, Inc., 897 F.2d 469, 29 Fed. R. Evid. Serv. 1170 (10th Cir. 1990)—§ 67

FEDERAL CONTROL OF BUSINESS

- U.S. v. Suntar Roofing, Inc., 709 F. Supp. 1526 (D. Kan. 1989)—§§ 32, 44, 67, 205
- U.S. v. Swanson, 618 F. Supp. 1231 (E.D. Mich. 1985)—§ 205
- U.S. v. Syufy Enterprises, 903 F.2d 659 (9th Cir. 1990)—§§ 48, 49, 104
- U.S. v. Taxe, 540 F.2d 961 (9th Cir. 1976)—§ 162
- U.S. v. Tedesco, 441 F. Supp. 1336 (M.D. Pa. 1977)—§ 205
- U.S. v. Therm-All, Inc., 373 F.3d 625 (5th Cir. 2004)—§§ 177, 205
- U.S. v. Title Ins. Rating Bureau of Arizona, Inc., 700 F.2d 1247 (9th Cir. 1983)—§§ 33, 36
- U.S. v. Topco Associates, Inc., 405 U.S. 596, 92 S. Ct. 1126, 31 L. Ed. 2d 515 (1972)—§ 33
- U.S. v. Twentieth Century Fox Film Corp., 882 F.2d 656 (2d Cir. 1989)—§§ 171, 175, 183
- U.S. v. United Foam Corp., 618 F.2d 577 (9th Cir. 1980)—§ 200
- U.S. v. United Foam Corp., 565 F.2d 563 (9th Cir. 1977)—§ 211
- U.S. v. United Technologies Corp., 466 F. Supp. 196 (N.D. N.Y. 1979)—§ 176
- U.S. v. United Virginia Bankshares, Inc., 347 F. Supp. 891 (E.D. Va. 1972)—§ 110
- U.S. v. U.S. Gypsum Co., 600 F.2d 414 (3d Cir. 1979)—§§ 43, 68, 136
- U.S. v. U.S. Gypsum Co., 438 U.S. 422, 98 S. Ct. 2864, 57 L. Ed. 2d 854 (1978)—§§ 43, 68, 136, 205
- U.S. v. U.S. Gypsum Co., 550 F.2d 115 (3d Cir. 1977)—§§ 43, 68, 136
- U.S. v. VandeBrake, 679 F.3d 1030 (8th Cir. 2012)—§ 205
- U.S. v. Visa U.S.A., Inc., 344 F.3d 229 (2d Cir. 2003)—§§ 51, 54
- U.S. v. Visa U.S.A., Inc., 163 F. Supp. 2d 322 (S.D. N.Y. 2001)—§§ 40, 51, 54, 55
- U.S. v. Washington, 879 F.2d 1400 (6th Cir. 1989)—§ 33
- U.S. v. Washita Const. Co., 789 F.2d 809, 20 Fed. R. Evid. Serv. 897 (10th Cir. 1986)—§ 32
- U.S. v. Waste Management, Inc., 743 F.2d 976 (2d Cir. 1984)—§ 99
- U.S. v. Western Elec. Co., 900 F.2d 283 (D.C. Cir. 1990)—§§ 51, 179, 183
- U.S. v. Western Elec. Co., Inc., 846 F.2d 1422 (D.C. Cir. 1988)—§ 51
- U.S. v. Westinghouse Elec. Corp., 648 F.2d 642 (9th Cir. 1981)—§ 146
- U.S. v. W.F. Brinkley & Son Const. Co., Inc., 783 F.2d 1157 (4th Cir. 1986)—§§ 42, 67, 205
- U.S. v. Wise, 550 F.2d 1180 (9th Cir. 1977)—§ 162
- U.S. v. Young Bros., Inc., 728 F.2d 682, 15 Fed. R. Evid. Serv. 484 (5th Cir. 1984)—§§ 42, 67
- US Airways, Inc. v. Sabre Holdings Corporation, 938 F.3d 43 (2d Cir. 2019)—§ 54A
- U.S. Anchor Mfg., Inc. v. Rule Industries, Inc., 27 F.3d 521 (11th Cir. 1994)—§§ 47, 54
- U.S. Anchor Mfg., Inc. v. Rule Industries, Inc., 7 F.3d 986 (11th Cir. 1993)—§§ 47, 54
- USA Petroleum Co. v. Atlantic

TABLE OF CASES

- Richfield Co., 859 F.2d 687 (9th Cir. 1988)—§ 186
- U. S. Dental Institute v. American Ass’n of Orthodontists, 396 F. Supp. 565 (N.D. Ill. 1975)—§§ 32, 33, 165, 171
- U.S. Football League v. National Football League, 887 F.2d 408 (2d Cir. 1989)—§ 200
- U.S. Football League v. National Football League, 842 F.2d 1335, 25 Fed. R. Evid. Serv. 182 (2d Cir. 1988)—§§ 47, 188
- U.S. Futures Exchange, LLC v. Board of Trade of City of Chicago, Inc., 346 F. Supp. 3d 1230 (N.D. Ill. 2018)—§ 47
- U.S. Futures Exchange, L.L.C. v. Board of Trade of the City of Chicago, Inc., 953 F.3d 955 (7th Cir. 2020)—§ 37A
- U.S. Gypsum Co. v. Indiana Gas Co., Inc., 350 F.3d 623 (7th Cir. 2003)—§§ 177, 187
- U.S. Healthcare, Inc. v. Healthsource, Inc., 986 F.2d 589 (1st Cir. 1993)—§§ 54, 83
- USM Corp. v Marson Fastener Corp. (1979, Mass) 1979 Adv Sheets 2315, 393 NE2d 895—§ 22
- USM Corp. v. SPS Technologies, Inc., 694 F.2d 505 (7th Cir. 1982)—§ 156
- U.S. Philips Corp. v. International Trade Com’n, 424 F.3d 1179 (Fed. Cir. 2005)—§§ 40, 146, 148
- U.S. Philips Corp. v. Windmere Corp., 861 F.2d 695 (Fed. Cir. 1988)—§§ 49, 54
- U.S. Postal Service v. Flamingo Industries (USA) Ltd., 540 U.S. 736, 124 S. Ct. 1321, 158 L. Ed. 2d 19 (2004)—§ 33
- USS-POSCO Industries v. Contra Costa County Bldg. & Const. Trades Council, AFL-CIO, 31 F.3d 800 (9th Cir. 1994)—§ 34
- U. S. Steel Corp. v. Fortner Enterprises, Inc., 429 U.S. 610, 97 S. Ct. 861, 51 L. Ed. 2d 80 (1977)—§ 84
- U. S. Steel Corp. v. Fraternal Ass’n of Steel Haulers, 601 F.2d 1269 (3d Cir. 1979)—§§ 34, 175, 179
- U.S. Trotting Ass’n v. Chicago Downs Ass’n, Inc., 665 F.2d 781 (7th Cir. 1981)—§§ 3, 19, 86
- Utah, State of v. American Pipe & Const. Co., 473 F.2d 580, 16 Fed. R. Serv. 2d 1121, 16 Fed. R. Serv. 2d 1514 (9th Cir. 1973)—§ 170
- Utah Pie Co. v. Continental Baking Co., 386 U.S. 685, 87 S. Ct. 1326, 18 L. Ed. 2d 406 (1967)—§ 127
- Utesch v. Dittmer, 947 F.2d 321 (8th Cir. 1991)—§ 42
- Utica Mut. Ins. Co. v. Herbert H. Landy Ins. Agency, Inc., 820 F.3d 36 (1st Cir. 2016)—§ 17
- Utilimax.com, Inc. v. PPL Energy Plus, LLC, 378 F.3d 303 (3d Cir. 2004)—§ 33A
- Utilimax.com, Inc. v. PPL Energy Plus, LLC, 273 F. Supp. 2d 573 (E.D. Pa. 2003)—§ 33A
- Utility Trailer Sales of Kansas City, Inc. v. MAC Trailer Mfg., Inc., 443 Fed. Appx. 337 (10th Cir. 2011)—§ 3

## V

- Valley Disposal, Inc. v. Central Vermont Solid Waste Management Dist., 31 F.3d 89 (2d Cir. 1994)—§ 167
- Valley Drug Co. v. Geneva Pharmaceuticals, Inc., 350 F.3d 1181, 57 Fed. R. Serv. 3d 997 (11th Cir. 2003)—§ 174
- Valley Drug Co. v. Geneva Pharmaceuticals, Inc., 344 F.3d 1294 (11th Cir. 2003)—§§ 39, 156A
- Valley Liquors, Inc. v. Renfield Importers, Ltd., 822 F.2d 656 (7th Cir. 1987)—§ 68
- Valley Liquors, Inc. v. Renfield Importers, Ltd., 678 F.2d 742 (7th Cir. 1982)—§ 85
- Valley Products Co., Inc. v. Landmark, a Div. of Hospitality Franchise Systems, Inc., 128 F.3d 398, 1997 FED App. 0314P (6th Cir. 1997)—§§ 12, 84, 196
- Valspar Corporation v. E.I. Du Pont De Nemours, 152 F. Supp. 3d 234 (D. Del. 2016)—§ 69
- Valspar Corporation v. E.I. Du Pont De Nemours and Company, 873 F.3d 185 (3d Cir. 2017)—§§ 42, 63
- Valuepest.com of Charlotte, Inc. v. Bayer Corp., 561 F.3d 282 (4th Cir. 2009)—§§ 40, 67, 89
- Vanco Beverages, Inc. v. Falls City Industries, Inc., 654 F.2d 1224 (7th Cir. 1981)—§§ 126, 131, 136
- Vandervelde v. Put & Call Brokers & Dealers Ass'n, 344 F. Supp. 118 (S.D. N.Y. 1972)—§§ 43, 86, 200
- Van Dyk Research Corp. v. Xerox Corp., 631 F.2d 251 (3d Cir. 1980)—§ 196
- Vantico Holdings S.A. v. Apollo Management, LP, 247 F. Supp. 2d 437 (S.D. N.Y. 2003)—§ 104
- Varner v. Peterson Farms, 371 F.3d 1011 (8th Cir. 2004)—§ 177
- Vault Corp. v. Quaid Software Ltd., 847 F.2d 255 (5th Cir. 1988)—§ 162
- Vehicle Carrier Services Antitrust Litigation, In re, 846 F.3d 71 (3d Cir. 2017)—§ 37A
- Vendo Co. v. Lektro-Vend Corp., 433 U.S. 623, 97 S. Ct. 2881, 53 L. Ed. 2d 1009 (1977)—§ 175
- Ventas, Inc. v. HCP, Inc., 647 F.3d 291 (6th Cir. 2011)—§ 3
- Venture Technology, Inc. v. National Fuel Gas Co., 685 F.2d 41 (2d Cir. 1982)—§ 67
- Venzie Corp. v. U.S. Mineral Products Co., Inc., 521 F.2d 1309 (3d Cir. 1975)—§§ 68, 84, 85
- Veritext Corp. v. Bonin, 417 F. Supp. 3d 778 (E.D. La. 2019)—§ 33
- Veritext Corporation v. Bonin, 901 F.3d 287 (5th Cir. 2018)—§§ 33, 41
- Verizon Communications Inc. v. Law Offices of Curtis V. Trinko, LLP, 540 U.S. 398, 124 S. Ct. 872, 157 L. Ed. 2d 823 (2004)—§ 85
- Vernon, City of v. Southern California Edison Co., 955 F.2d 1361 (9th Cir. 1992)—§ 86
- Versata Software, Inc. v. SAP America, Inc., 717 F.3d 1255 (Fed. Cir. 2013)—§ 160

TABLE OF CASES

- Verson Wilkins Ltd. v. Allied Products Corp., 723 F. Supp. 1 (N.D. Ill. 1989)—§§ 4, 156
- Vesom v. Atchison Hosp. Ass'n, 279 Fed. Appx. 624 (10th Cir. 2008)—§ 197
- Viacom Intern. Inc. v. Tandem Productions, Inc., 526 F.2d 593 (2d Cir. 1975)—§ 164
- Viamedia, Inc. v. Comcast Corporation, 951 F.3d 429, 111 Fed. R. Evid. Serv. 811 (7th Cir. 2020)—§ 85
- Viamedia, Inc. v. Comcast Corporation, 335 F. Supp. 3d 1036 (N.D. Ill. 2018)—§ 84
- Viazis v. American Ass'n of Orthodontists, 314 F.3d 758, 60 Fed. R. Evid. Serv. 428 (5th Cir. 2002)—§§ 65, 66
- VIBO Corp., Inc. v. Conway, 669 F.3d 675 (6th Cir. 2012)—§§ 33, 37A
- Victorian House, Inc. v. Fisher Camuto Corp., 769 F.2d 466 (8th Cir. 1985)—§ 118
- Video Intern. Production, Inc. v. Warner-Amex Cable Communications, Inc., 858 F.2d 1075 (5th Cir. 1988)—§ 33
- Viking Travel, Inc. v. Air France, 462 F. Supp. 28 (E.D. N.Y. 1978)—§ 169
- Vinci v. Waste Management, Inc., 80 F.3d 1372 (9th Cir. 1996)—§ 187
- Virgin Atlantic Airways Ltd. v. British Airways PLC, 257 F.3d 256 (2d Cir. 2001)—§§ 47, 52, 67, 181
- Virginia Academy of Clinical Psychologists v. Blue Shield of Virginia, 543 F. Supp. 126 (E.D. Va. 1982)—§§ 36, 41, 200
- Virginia Academy of Clinical Psychologists v. Blue Shield of Virginia, 469 F. Supp. 552 (E.D. Va. 1979)—§§ 36, 41
- Virginia Vermiculite, Ltd. v. Historic Green Springs, Inc., 307 F.3d 277 (4th Cir. 2002)—§ 41
- Virginia Vermiculite, Ltd. v. W.R. Grace & Company- Connecticut, 156 F.3d 535 (4th Cir. 1998)—§ 35
- Virtual Maintenance, Inc. v Prime Computer, Inc. (1990, ED Mich) 753 F Supp 231, 1990-1 CCH Trade Cases ¶ 69050—§ 84
- Visa v. Osborn, 137 S. Ct. 289, 196 L. Ed. 2d 396 (2016)—§ 67
- Vitamin C Antitrust Litigation, In re, 904 F. Supp. 2d 310 (E.D. N.Y. 2012)—§ 32A
- Vitamin C Antitrust Litigation, In re, 279 F.R.D. 90, 81 Fed. R. Serv. 3d 851 (E.D. N.Y. 2012)—§ 203A
- Vitamins Antitrust Litigation, In re, 320 F. Supp. 2d 1 (D.D.C. 2004)—§ 67
- Vitamins Antitrust Litigation, In re, 270 F. Supp. 2d 15 (D.D.C. 2003)—§ 171
- Vogel v. American Soc. of Appraisers, 744 F.2d 598 (7th Cir. 1984)—§§ 42, 64, 86
- Volkswagenwerk Aktiengesellschaft v. Wheeler, 814 F.2d 812 (1st Cir. 1987)—§ 9
- Vollrath Co. v. Sammi Corp., 9 F.3d 1455, 27 Fed. R. Serv. 3d 618 (9th Cir. 1993)—§§ 52, 117
- Volvo North America Corp. v.

- Men's Intern. Professional Tennis Council, 857 F.2d 55 (2d Cir. 1988)—§ 187
- Volvo Trucks North America, Inc. v. Reeder-Simco GMC, Inc., 546 U.S. 164, 126 S. Ct. 860, 163 L. Ed. 2d 663 (2006)—§§ 124, 125, 129, 131, 132, 135, 188, 195
- Vuitton et Fils S.A., Matter of, 606 F.2d 1, 27 Fed. R. Serv. 2d 1432 (2d Cir. 1979)—§ 176
- W**
- Wagar v. U.S. Dept. of Justice, 846 F.2d 1040 (6th Cir. 1988)—§ 164
- Wahl v. Midland Credit Management, Inc., 556 F.3d 643 (7th Cir. 2009)—§ 37
- Wainwright Securities, Inc. v. Wall St. Transcript Corp., 558 F.2d 91 (2d Cir. 1977)—§ 163
- Walco Products, Inc. v. Kittay & Blitz, Inc., 354 F. Supp. 121 (S.D. N.Y. 1972)—§ 162
- Wales Home Remodeling Co., Inc. v. Alside Aluminum Corp., 443 F. Supp. 908 (E.D. Wis. 1978)—§§ 128, 137
- Walgreen Co. v. Johnson & Johnson, 950 F.3d 195 (3d Cir. 2020)—§ 187
- Walker v. Providence Journal Co., 493 F.2d 82 (1st Cir. 1974)—§§ 41, 187
- Walker v. U-Haul Co. of Mississippi, 747 F.2d 1011 (5th Cir. 1984)—§§ 187, 195
- Walker v. U-Haul Co. of Mississippi, 734 F.2d 1068 (5th Cir. 1984)—§§ 85, 187
- Walker v. University Books, Inc., 602 F.2d 859 (9th Cir. 1979)—§ 162
- Walker Process Equipment, Inc. v. Food Machinery & Chemical Corp., 382 U.S. 172, 86 S. Ct. 347, 15 L. Ed. 2d 247 (1965)—§§ 49, 148, 158
- Wall v. City of Athens, Ga., 663 F. Supp. 747 (M.D. Ga. 1987)—§ 126
- Wallace v. Bank of Bartlett, 55 F.3d 1166, 1995 FED App. 0165P (6th Cir. 1995)—§§ 42, 70
- Wallace v. International Business Machines Corp., 467 F.3d 1104 (7th Cir. 2006)—§§ 47, 162
- Wallach v. Eaton Corporation, 837 F.3d 356, 95 Fed. R. Serv. 3d 1725 (3d Cir. 2016)—§ 187
- Walt-West Enterprises, Inc. v. Gannett Co., Inc., 695 F.2d 1050 (7th Cir. 1982)—§ 11
- Walt Disney Productions v. Air Pirates, 345 F. Supp. 108 (N.D. Cal. 1972)—§ 162
- Wampler v. Southwestern Bell Telephone Co., 597 F.3d 741 (5th Cir. 2010)—§§ 28, 55
- Wampler v. Southwestern Bell Telephone Co., 49 Communications Reg. (P & F) 755, 2010 WL 597245 (5th Cir. 2010)—§ 67
- Wands, In re, 858 F.2d 731 (Fed. Cir. 1988)—§ 42
- Ware v. Trailer Mart, Inc., 623 F.2d 1150 (6th Cir. 1980)—§§ 84, 187
- Warfarin Sodium Antitrust Litigation, In re, 212 F.R.D. 231 (D. Del. 2002)—§ 200
- Warner-Lambert Co. v Federal Trade Com. (1977) 183 App

TABLE OF CASES

- DC 230, 562 F.2d 749—§§ 25, 212
- Warner Bros. Inc. v. American Broadcasting Companies, Inc., 654 F.2d 204 (2d Cir. 1981)—§ 162
- Warnock v. National Football League, 356 F. Supp. 2d 535 (W.D. Pa. 2005)—§ 187
- Warnock v. National Football League, 154 Fed. Appx. 291 (3d Cir. 2005)—§ 187
- Warren Gen. Hosp. v. Amgen Inc., 643 F.3d 77 (3d Cir. 2011)—§§ 84, 186, 187
- Warriner Hermetics, Inc. v. Copeland Refrigeration Corp., 463 F.2d 1002 (5th Cir. 1972)—§§ 84, 87
- Warrior Sports, Inc. v. National Collegiate Athletic Ass’n, 623 F.3d 281 (6th Cir. 2010)—§ 40
- Washington v. Franciscan Health System, 388 F. Supp. 3d 1296 (W.D. Wash. 2019)—§§ 97, 120
- Washington County Health Care Authority, Inc. v. Baxter International Inc., 328 F. Supp. 3d 824 (N.D. Ill. 2018)—§§ 45A, 69
- Washington Mut. Sav. Bank v. Federal Deposit Ins. Corp., 482 F.2d 459 (9th Cir. 1973)—§ 110
- Washington State Elec. Contractors Ass’n, Inc. v. Forrest, 839 F.2d 547 (9th Cir. 1988)—§ 33
- Water Craft Management LLC v. Mercury Marine, 457 F.3d 484 (5th Cir. 2006)—§§ 124, 127, 136
- Water Technologies Corp. v. Calco, Ltd., 850 F.2d 660 (Fed. Cir. 1988)—§ 17
- Watkins v. Northwestern Ohio Tractor Pullers Ass’n, Inc., 630 F.2d 1155 (6th Cir. 1980)—§ 160
- Watkins & Son Pet Supplies v. Iams Co., 254 F.3d 607, 44 U.C.C. Rep. Serv. 2d 708, 2001 FED App. 0200P (6th Cir. 2001)—§ 81
- Watson Carpet & Floor Covering, Inc. v. Mohawk Industries, Inc., 648 F.3d 452 (6th Cir. 2011)—§§ 67, 85
- WCVB-TV v. Boston Athletic Ass’n, 926 F.2d 42 (1st Cir. 1991)—§ 12
- Wearly v. F.T.C., 616 F.2d 662 (3d Cir. 1980)—§ 175
- Weather Wise Co. v. Aeroquip Corp., 468 F.2d 716 (5th Cir. 1972)—§ 85
- Webb v. Utah Tour Brokers Ass’n, 568 F.2d 670 (10th Cir. 1977)—§§ 33, 86
- Webster v. Dean Guitars, 955 F.3d 1270 (11th Cir. 2020)—§§ 25, 37
- Webster County Memorial Hosp., Inc. v. United Mine Workers of America Welfare and Retirement Fund of 1950, 536 F.2d 419 (D.C. Cir. 1976)—§ 33
- Wee Care Child Center, Inc. v. Lumpkin, 680 F.3d 841 (6th Cir. 2012)—§ 187
- Wegmann v. London, 648 F.2d 1072 (5th Cir. 1981)—§§ 40, 167
- Weisberg v U. S. Dept. of Justice (1980) 203 App DC 242, 631 F.2d 824, 207 USPQ 1080—§ 162
- Weisfeld v. Sun Chemical Corp., 210 F.R.D. 136 (D.N.J. 2002)—§ 174
- Weiss v. York Hosp., 745 F.2d 786,

- 39 Fed. R. Serv. 2d 1444 (3d Cir. 1984)—§§ 41, 49, 86
- Weit v. Continental Illinois Nat. Bank and Trust Co. of Chicago*, 641 F.2d 457 (7th Cir. 1981)—§ 68
- Welchlin v. Tenet Healthcare Corp.*, 366 F. Supp. 2d 338 (D.S.C. 2005)—§ 40
- Wellbutrin SR/Zyban Antitrust Litigation, In re*, 281 F. Supp. 2d 751 (E.D. Pa. 2003)—§§ 175, 196
- Wellbutrin XL Antitrust Litigation, In re*, 308 F.R.D. 134 (E.D. Pa. 2015)—§ 174
- Wellbutrin XL Antitrust Litigation, In re*, 133 F. Supp. 3d 734 (E.D. Pa. 2015)—§ 156A
- Wellbutrin XL Antitrust Litigation Indirect Purchaser Class, In re*, 868 F.3d 132 (3d Cir. 2017)—§ 40
- Wellogix, Inc. v. Accenture, L.L.P.*, 716 F.3d 867, 91 Fed. R. Evid. Serv. 499 (5th Cir. 2013)—§§ 21, 22
- Wells Real Estate, Inc. v. Greater Lowell Bd. of Realtors*, 850 F.2d 803, 12 Fed. R. Serv. 3d 118 (1st Cir. 1988)—§§ 32, 84
- West v. Capitol Federal Sav. and Loan Ass'n*, 558 F.2d 977, 23 Fed. R. Serv. 2d 1092 (10th Cir. 1977)—§ 179
- West Allis Memorial Hosp., Inc. v. Bowen*, 852 F.2d 251 (7th Cir. 1988)—§ 176
- Westborough Mall, Inc. v. City of Cape Girardeau, Mo.*, 693 F.2d 733 (8th Cir. 1982)—§§ 33, 67
- Westchester Radiological Associates, P.C. v. Empire Blue Cross and Blue Shield, Inc.*, 659 F. Supp. 132 (S.D. N.Y. 1987)—§ 187
- West Coast Theater Corp. v. City of Portland*, 897 F.2d 1519, 16 Fed. R. Serv. 3d 1079 (9th Cir. 1990)—§§ 33, 67, 164
- Western Concrete Structures Co., Inc. v. Mitsui & Co. (U.S.A.), Inc.*, 760 F.2d 1013 (9th Cir. 1985)—§§ 40, 41, 46, 47
- Western Convenience Stores, Inc. v. Suncor Energy (U.S.A.) Inc.*, 970 F. Supp. 2d 1162 (D. Colo. 2013)—§§ 126, 131, 136
- Western Elec. Co., Inc. v. Stewart-Warner Corp.*, 631 F.2d 333 (4th Cir. 1980)—§ 156
- WesternGeco LLC v. ION Geophysical Corp.*, 138 S. Ct. 2129, 201 L. Ed. 2d 584 (2018)—§ 160
- Western Geophysical Co. of America, Inc. v. Bolt Associates, Inc.*, 584 F.2d 1164 (2d Cir. 1978)—§§ 146, 187
- Western Liquid Asphalt Cases, In re*, 487 F.2d 202 (9th Cir. 1973)—§ 126
- Western Liquid Asphalt Cases, In re*, 487 F.2d 191 (9th Cir. 1973)—§§ 187, 190, 201
- Western Liquid Asphalt Cases, In re*, 350 F. Supp. 1369 (N.D. Cal. 1972)—§ 201
- Western Parcel Exp. v. United Parcel Service of America, Inc.*, 190 F.3d 974 (9th Cir. 1999)—§ 83
- Western Star Hospital Authority Inc. v. City of Richmond, Virginia*, 986 F.3d 354 (4th Cir. 2021)—§ 33

TABLE OF CASES

- Western Waste Service Systems v. Universal Waste Control, 616 F.2d 1094 (9th Cir. 1980)—§ 32
- Westinghouse Elec. Corp. v. CX Processing Laboratories, Inc., 523 F.2d 668, 18 U.C.C. Rep. Serv. 625 (9th Cir. 1975)—§ 85
- Westman Commission Co. v. Hobart Corp., 461 F. Supp. 627 (D. Colo. 1978)—§ 85
- Westman Com'n Co. v. Hobart Intern., Inc., 796 F.2d 1216 (10th Cir. 1986)—§§ 54, 55
- West Penn Allegheny Health System, Inc. v. UPMC, 627 F.3d 85 (3d Cir. 2010)—§§ 45A, 52
- Westwood Chemical, Inc. v. Molded Fiber Glass Body Co., 498 F.2d 1115 (6th Cir. 1974)—§ 161
- Westwood Chemical, Inc. v. U. S., 207 Ct. Cl. 791, 525 F.2d 1367 (1975)—§§ 160, 182
- Weyerhaeuser Co. v. Ross-Simmons Hardwood Lumber Co., Inc., 549 U.S. 312, 127 S. Ct. 1069, 166 L. Ed. 2d 911 (2007)—§§ 52A, 131, 135
- WGN Continental Broadcasting Co. v. United Video, Inc., 693 F.2d 622 (7th Cir. 1982)—§ 162
- W.H. Brady Co. v. Lem Products, Inc., 659 F. Supp. 1355 (N.D. Ill. 1987)—§§ 33, 125
- Wheat Rail Freight Rate Antitrust Litigation, Matter of, 759 F.2d 1305 (7th Cir. 1985)—§ 33A
- Wheeler v. Pilgrim's Pride Corp., 591 F.3d 355 (5th Cir. 2009)—§ 37
- Wheeler v. Pilgrim's Pride Corp., 536 F.3d 455 (5th Cir. 2008)—§ 160
- Whelan Associates, Inc. v. Jaslow Dental Laboratory, Inc., 797 F.2d 1222, 21 Fed. R. Evid. Serv. 571 (3d Cir. 1986)—§ 162
- White v. Hearst Corp., 669 F.2d 14 (1st Cir. 1982)—§§ 67, 85
- White v. Mar-Bel, Inc., 509 F.2d 287 (5th Cir. 1975)—§ 160
- White v. R.M. Packer Co., Inc., 635 F.3d 571 (1st Cir. 2011)—§§ 42, 67, 68, 69, 70, 181
- White v. Rockingham Radiologists, Ltd., 820 F.2d 98 (4th Cir. 1987)—§§ 54, 68, 84, 187
- White & White, Inc. v. American Hosp. Supply Corp., 786 F.2d 728, 4 Fed. R. Serv. 3d 937 (6th Cir. 1986)—§ 200
- White and White, Inc. v. American Hosp. Supply Corp., 723 F.2d 495 (6th Cir. 1983)—§§ 51, 54, 84
- White Consol. Industries, Inc. v. Whirlpool Corp., 781 F.2d 1224 (6th Cir. 1986)—§§ 41, 67, 100, 102
- White Industries, Inc. v. Cessna Aircraft Co., 845 F.2d 1497 (8th Cir. 1988)—§§ 125, 131
- White Industries, Inc. v. Cessna Aircraft Co., 657 F. Supp. 687 (W.D. Mo. 1986)—§§ 126, 128, 129, 131
- Whitinsville Plaza, Inc. v. Kotseas (1979, Mass) 1979 Adv Sheets 1262, 390 NE2d 243—§ 4
- Whitserve, LLC v. Computer Packages, Inc., 694 F.3d 10 (Fed. Cir. 2012)—§ 160
- Wholesale Alliance, LLC v. Express Scripts, Inc., 366 F. Supp. 3d 1069 (E.D. Mo. 2019)—§§ 84, 85
- Wholesale Grocery Products Anti-

- trust Litigation, In re, 957 F.3d 879 (8th Cir. 2020)—§ 44
- Wholesale Grocery Products Antitrust Litigation, In re, 752 F.3d 728 (8th Cir. 2014)—§ 181
- Wholesale Grocery Products Antitrust Litigation, In re, 707 F.3d 917 (8th Cir. 2013)—§ 203A
- Wick v. Tucson Newspaper, Inc., 598 F. Supp. 1155 (D. Ariz. 1984)—§ 109
- Wigod v. Chicago Mercantile Exchange, 981 F.2d 1510, 24 Fed. R. Serv. 3d 1319 (7th Cir. 1992)—§ 68
- Wilcox v. First Interstate Bank of Oregon, N.A., 815 F.2d 522 (9th Cir. 1987)—§ 66
- Wilcox Development Co. v. First Interstate Bank of Oregon, N.A., 605 F. Supp. 592 (D. Or. 1985)—§ 69
- Wildenauer v. Blue Cross and Blue Shield of Minnesota, 737 F. Supp. 64 (D. Minn. 1989)—§ 67
- Wilden Pump & Engineering Co. v. Pressed & Welded Products Co., 655 F.2d 984 (9th Cir. 1981)—§ 156
- Wilder Enterprises, Inc. v. Allied Artists Pictures Corp., 632 F.2d 1135, 7 Fed. R. Evid. Serv. 193 (4th Cir. 1980)—§§ 69, 86
- Wilk v. American Medical Ass'n, 895 F.2d 352 (7th Cir. 1990)—§§ 33, 66, 86, 175
- Wilk v. American Medical Ass'n, 719 F.2d 207, 14 Fed. R. Evid. Serv. 240 (7th Cir. 1983)—§ 86
- Wilkinson v. Manpower, Inc., 531 F.2d 712 (5th Cir. 1976)—§ 4
- Will v. Comprehensive Accounting Corp., 776 F.2d 665 (7th Cir. 1985)—§ 84
- William Inglis & Sons Baking Co. v. Continental Baking Co., Inc., 942 F.2d 1332 (9th Cir. 1991)—§§ 47, 119, 124, 126, 130, 131, 176
- William Inglis & Sons Baking Co. v. ITT Continental Baking Co. (1981, CA9 Cal) 652 F.2d 917—§§ 47, 119, 124, 131
- William Inglis & Sons Baking Co. v. ITT Continental Baking Co., Inc., 668 F.2d 1014 (9th Cir. 1981)—§§ 47, 119, 126, 130
- William Inglis & Sons Baking Co. v. ITT Continental Baking Co., Inc., 461 F. Supp. 410 (N.D. Cal. 1978)—§§ 131, 176
- William Inglis & Sons Baking Co. v. ITT Continental Baking Co., Inc., 526 F.2d 86 (9th Cir. 1975)—§ 176
- William Morris Endeavor Entertainment, LLC v. Writers Guild of America, West, Inc., 432 F. Supp. 3d 1127 (C.D. Cal. 2020)—§ 34
- William O. Gilley Enterprises, Inc. v. Atlantic Richfield Co., 588 F.3d 659 (9th Cir. 2009)—§ 67
- Williams v. Citigroup Inc., 433 Fed. Appx. 36 (2d Cir. 2011)—§§ 70, 85
- Williams v. Duke Energy Intern., Inc., 681 F.3d 788 (6th Cir. 2012)—§§ 124, 125, 129, 131
- Williams v. I.B. Fischer Nevada, 999 F.2d 445 (9th Cir. 1993)—§ 80
- Williams v. Independent News Co., Inc., 485 F.2d 1099 (3d Cir. 1973)—§ 83

TABLE OF CASES

- Williams v. Independent News Co., Inc., 350 F. Supp. 159 (E.D. Pa. 1972)—§ 87
- Williams v. St. Joseph Hospital, 629 F.2d 448, 29 Fed. R. Serv. 2d 1488 (7th Cir. 1980)—§ 86
- Williams & Wilkins Co. v. U. S., 203 Ct. Cl. 74, 487 F.2d 1345, 21 A.L.R. Fed. 151 (1973)—§ 162
- Williams Elec. Co., Inc. v. Honeywell, Inc., 847 F.2d 741 (11th Cir. 1988)—§ 165
- Williams Electronics, Inc. v. Artic Intern., Inc., 685 F.2d 870, 66 A.L.R. Fed. 476 (3d Cir. 1982)—§ 162
- Williamson Oil Co., Inc. v. Philip Morris USA, 346 F.3d 1287, 62 Fed. R. Evid. Serv. 1241 (11th Cir. 2003)—§ 70
- Willingham v. Star Cutter Co., 555 F.2d 1340, 23 Fed. R. Serv. 2d 447 (6th Cir. 1977)—§ 142
- Willis Electric Co., Ltd. v. Polygroup Macau Limited (BVI), 437 F. Supp. 3d 693 (D. Minn. 2020)—§ 47
- Willman v. Heartland Hosp. East, 34 F.3d 605 (8th Cir. 1994)—§ 118
- Wilson v. I.B.E. Industries, Inc., 510 F.2d 986 (5th Cir. 1975)—§ 85
- Wilson P. Abraham Const. Corp. v. Texas Industries, Inc., 604 F.2d 897 (5th Cir. 1979)—§§ 164, 188
- Windham v. American Brands, Inc., 565 F.2d 59, 24 Fed. R. Serv. 2d 326 (4th Cir. 1977)—§ 174
- Windham v. American Brands, Inc., 539 F.2d 1016 (4th Cir. 1976)—§ 174
- Windsurfing Intern. Inc. v. AMF, Inc., 782 F.2d 995 (Fed. Cir. 1986)—§ 156
- Wine and Spirits Retailers, Inc. v. Rhode Island, 418 F.3d 36 (1st Cir. 2005)—§§ 27, 28
- Winn v. Edna Hibel Corp., 858 F.2d 1517 (11th Cir. 1988)—§ 85
- Winstar Communications, LLC v. Equity Office Properties, Inc., 170 Fed. Appx. 740 (2d Cir. 2006)—§ 187
- Winterland Concessions Co. v. Trela, 735 F.2d 257 (7th Cir. 1984)—§ 33
- Winters v. Ocean Spray Cranberries, Inc., 296 F. Supp. 3d 311 (D. Mass. 2017)—§§ 181, 187
- W.L. Gore & Associates, Inc. v. C.R. Bard, Inc., 761 F. Supp. 376 (D.N.J. 1991)—§§ 160, 183
- Wm. Wrigley Jr. Co. v. Cadbury Adams USA LLC, 683 F.3d 1356 (Fed. Cir. 2012)—§ 156
- Wolf v. Jane Phillips Episcopal Memorial Medical Center, 513 F.2d 684 (10th Cir. 1975)—§ 32
- Wolfe v. City of Anaheim, 305 Fed. Appx. 488 (9th Cir. 2008)—§ 37A
- Woman's Clinic, Inc. v. St. John's Health System, Inc., 252 F. Supp. 2d 857 (W.D. Mo. 2002)—§§ 41, 83
- Wood v. National Basketball Ass'n, 809 F.2d 954 (2d Cir. 1987)—§ 34
- Woodlands Telecommunications Corp. v. American Tel. & Tel. Co., 447 F. Supp. 1261 (S.D. Tex. 1978)—§§ 163, 169

- Woodman's Food Market, Inc. v. Clorox Company, 833 F.3d 743 (7th Cir. 2016)—§§ 121, 128
- Woods v. Resnick, 725 F. Supp. 2d 809 (W.D. Wis. 2010)—§ 162
- Woods Exploration & Producing Co., Inc. v. Aluminum Co. of America, 509 F.2d 784 (5th Cir. 1975)—§§ 33, 51, 54, 55, 86, 177, 182
- Woolen v. Surtran Taxicabs, Inc., 461 F. Supp. 1025 (N.D. Tex. 1978)—§§ 163A, 187
- Workers' Compensation Ins. Antitrust Litigation, In re, 867 F.2d 1552 (8th Cir. 1989)—§ 36
- World of Sleep, Inc. v. La-Z-Boy Chair Co., 756 F.2d 1467, 17 Fed. R. Evid. Serv. 852, 1 Fed. R. Serv. 3d 629 (10th Cir. 1985)—§§ 42, 88, 138
- World of Sleep, Inc. v. Stearns & Foster Co., 525 F.2d 40 (10th Cir. 1975)—§ 87
- World Skating Federation v. International Skating Union, 357 F. Supp. 2d 661 (S.D. N.Y. 2005)—§ 171
- Worldwide Basketball and Sports Tours, Inc. v. National Collegiate Athletic Ass'n, 273 F. Supp. 2d 933, 180 Ed. Law Rep. 647, 62 Fed. R. Evid. Serv. 666 (S.D. Ohio 2003)—§ 40
- Worldwide Basketball and Sport Tours, Inc. v. National Collegiate Athletic Ass'n., 388 F.3d 955, 193 Ed. Law Rep. 365, 2004 FED App. 0395P (6th Cir. 2004)—§§ 40, 54
- Worthen Bank & Trust Co. v. National BankAmericard Inc., 485 F.2d 119 (8th Cir. 1973)—§ 86
- Wortman v. All Nippon Airways, 854 F.3d 606 (9th Cir. 2017)—§ 33A
- Wrist-Rocket Mfg. Co., Inc. v. Saunders Archery Co., 578 F.2d 727 (8th Cir. 1978)—§ 13
- WTWV, Inc. v. National Football League, 678 F.2d 142 (11th Cir. 1982)—§ 37
- WWP, Inc. v. Wounded Warriors Family Support, Inc., 628 F.3d 1032 (8th Cir. 2011)—§ 17
- Wyckoff v. Office of the Commissioner of Baseball, 211 F. Supp. 3d 615 (S.D. N.Y. 2016)—§ 37A
- Wyoming Tight Sands Antitrust Cases, In re, 866 F.2d 1286 (10th Cir. 1989)—§§ 187A, 201

## X

- Xcaliber Intern. Ltd. LLC v. Atty. Gen. State of Louisiana, 612 F.3d 368 (5th Cir. 2010)—§ 33
- Xechem, Inc. v. Bristol-Myers Squibb Co., 372 F.3d 899 (7th Cir. 2004)—§ 177
- Xechem, Inc. v. Bristol-Myers Squibb Co., 274 F. Supp. 2d 937 (N.D. Ill. 2003)—§ 187
- Xeta, Inc. v. Atex, Inc., 852 F.2d 1280 (Fed. Cir. 1988)—§§ 84, 128
- Xitronix Corporation v. KLA-Tencor Corporation, 916 F.3d 429 (5th Cir. 2019)—§ 158

## Y

- Yakima Valley Memorial Hosp. v. Washington State Dept. of Health, 654 F.3d 919 (9th Cir. 2011)—§§ 28, 33, 40

TABLE OF CASES

- Yamaha Motor Co., Ltd. v. F. T. C., 657 F.2d 971 (8th Cir. 1981)—§§ 120, 121, 178, 180
- Yankees Entertainment and Sports Network, LLC v. Cablevision Systems Corp., 224 F. Supp. 2d 657 (S.D. N.Y. 2002)—§ 187
- Yardley, Application of, 493 F.2d 1389 (C.C.P.A. 1974)—§§ 143, 162
- Yarn Processing Patent Validity Litigation, In re, 541 F.2d 1127 (5th Cir. 1976)—§§ 149, 156
- Yarn Processing Patent Validity Litigation, In re, 498 F.2d 271, 19 Fed. R. Serv. 2d 199 (5th Cir. 1974)—§§ 143, 161
- Yarn Processing Patent Validity Litigation, In re, 360 F. Supp. 74 (S.D. Fla. 1973)—§§ 143, 161
- Yeager's Fuel, Inc. v. Pennsylvania Power & Light Co., 22 F.3d 1260 (3d Cir. 1994)—§§ 33, 181
- Yellow Forwarding Co. v. Atlantic Container Line, 668 F.2d 350 (8th Cir. 1981)—§ 37
- Yentsch v. Texaco, Inc., 630 F.2d 46 (2d Cir. 1980)—§§ 84, 85
- Yoder Bros., Inc. v. California-Florida Plant Corp., 537 F.2d 1347 (5th Cir. 1976)—§§ 54, 86, 143, 178, 187
- Z**
- Z Channel Ltd. Partnership v. Home Box Office, Inc., 931 F.2d 1338, 21 Fed. R. Serv. 3d 1239 (9th Cir. 1991)—§ 195
- Zelson v. Phoenix Mut. Life Ins. Co., 549 F.2d 62 (8th Cir. 1977)—§ 36
- Zenith Laboratories, Inc. v. Carter-Wallace, Inc., 530 F.2d 508, 21 Fed. R. Serv. 2d 364 (3d Cir. 1976)—§ 158
- Zenith Radio Corp. v. Hazeltine Research, Inc., 401 U.S. 321, 91 S. Ct. 795, 28 L. Ed. 2d 77, 14 Fed. R. Serv. 2d 1169 (1971)—§ 104
- Zenith Radio Corp. v. Matsushita Elec. Indus. Co., Ltd., 494 F. Supp. 1246 (E.D. Pa. 1980)—§ 201
- Zenith Radio Corp. v. Matsushita Elec. Indus. Co., Ltd., 494 F. Supp. 1190 (E.D. Pa. 1980)—§§ 126, 129
- Zenith Radio Corp. v. Matsushita Elec. Indus. Co., Ltd., 494 F. Supp. 1161 (E.D. Pa. 1980)—§§ 29, 167
- Zenith Vinyl Fabrics Corp. v. Ford Motor Co., 357 F. Supp. 133 (E.D. Mich. 1973)—§§ 48, 54, 85, 181, 186, 187
- Zetia (Ezetimibe) Antitrust Litigation, In re, 400 F. Supp. 3d 418 (E.D. Va. 2019)—§ 40
- ZF Meritor, LLC v. Eaton Corp., 2012-2 Trade Cases P 78,078 (3d Cir. 2012)—§ 188
- ZF Meritor, LLC v. Eaton Corp., 696 F.3d 254 (3d Cir. 2012)—§§ 41, 47, 52A, 81, 83, 85
- Zidell Explorations, Inc. v. Conval Intern., Ltd., 719 F.2d 1465, 37 U.C.C. Rep. Serv. 466 (9th Cir. 1983)—§ 86
- Ziegler v. Phillips Petroleum Co., 483 F.2d 858, 17 Fed. R. Serv. 2d 389 (5th Cir. 1973)—§ 156
- Zimomra v. Alamo Rent-A-Car, Inc., 111 F.3d 1495, 46 Fed. R. Evid. Serv. 1494 (10th Cir. 1997)—§ 33

FEDERAL CONTROL OF BUSINESS

- Zinc Antitrust Litigation, In re, 155 F. Supp. 3d 337 (S.D. N.Y. 2016)—§§ 41A, 51, 53, 55, 187
- Zinser v. Continental Grain Co., 660 F.2d 754 (10th Cir. 1981)—§ 201
- Zinser v. Rose, 868 F.2d 938 (7th Cir. 1989)—§ 43
- Zoslaw v. MCA Distributing Corp., 594 F. Supp. 1022 (N.D. Cal. 1984)—§§ 44, 67, 69, 85, 126
- Zoslaw v. MCA Distributing Corp., 693 F.2d 870 (9th Cir. 1982)—§§ 44, 67, 69, 85, 126, 181
- Zwicker v. J. I. Case Co., 596 F.2d 305 (8th Cir. 1979)—§ 138