

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA, *et al.*

Plaintiffs,

v.

US AIRWAYS GROUP, INC., *et al.*,

Defendants.

Civil Action No. 13-cv-1236 (CKK)

ORDER

(October 1, 2013)

Currently before the Court is Plaintiff the United States of America's [92] Motion for a Stay of Litigation in Light of Lapse of Appropriations. Plaintiff has requested a stay due to the lapse of appropriations to the Department of Justice, stating that absent an appropriation, Department of Justice attorneys and employees are generally prohibited from working, except in very limited circumstances, including "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342. Defendants have opposed Plaintiff's motion for a stay.

The Court concludes that a stay would be inappropriate here for a number of reasons. This case involves a pending merger agreement between two major airlines, with a deadline for completion of January 18, 2014. The closing of this merger has been delayed by the affirmative actions of Plaintiffs in filing this case and seeking injunctive relief to block the merger. In light of these considerations, and the amount of money at stake in this merger, this case is clearly significant for both sides. Furthermore, the resolution of Defendant American Airline's pending bankruptcy proceedings hinges on the proceedings in this case. In addition, various amici –

