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SUPREME COURT OF TEXAS
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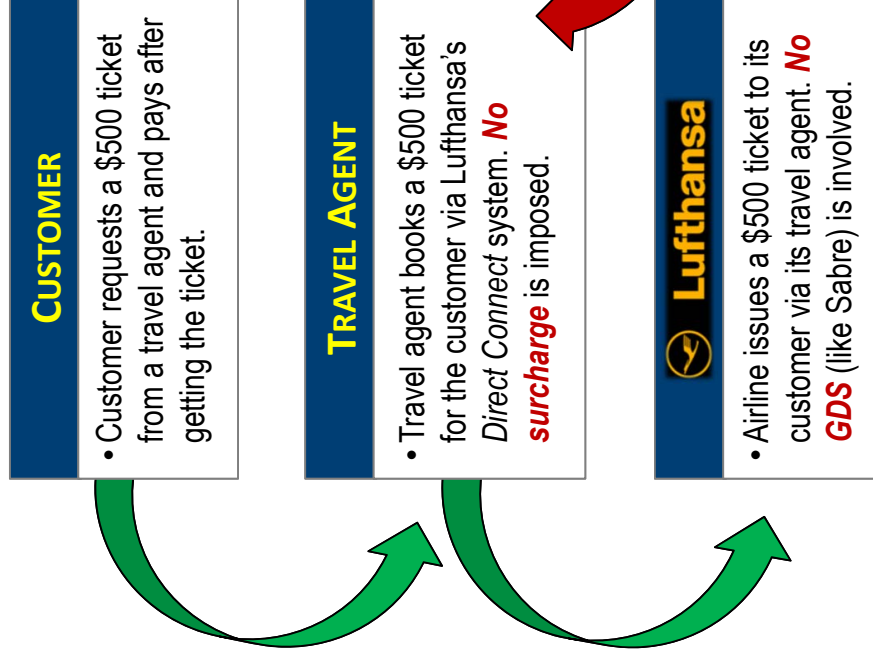
ORAL ARGUMENT EXHIBITS BY RESPONDENTS

IN CASE NO. 17-0538

SABRE TRAVEL INT'L LTD. V. DEUTSCHE LUFTHANSA

RESPONDENTS: NOT RELATED TO **RATES** OF AN AIRLINE

“Direct Connect” Ticket Sales



Alleged Tortious Interference



- **After** the ticket is sold, Sabre induces the travel agent to breach its Lufthansa contract by making a “passive” booking in Sabre’s GDS for this *Direct Connect* ticket.
- Sabre charges a passive booking fee to Lufthansa for a ticket already sold and issued **outside** of the Sabre GDS system.
- Lufthansa pays Sabre’s fee under protest, adding to the airline’s **costs** but not affecting its customer’s \$500 ticket price.

RESPONDENTS: NO RE-REGULATION OF AN AIR CARRIER

“States may not seek to impose their own public policies or theories of *competition* or *regulation* on the operations of an air carrier.” (Wolens)

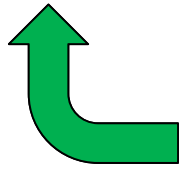


Lufthansa



Requiring Sabre to respect the airlines' contracts with their travel agents will not re-regulate the operations of any air carrier

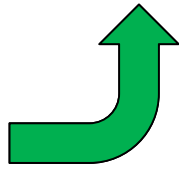
RESPONDENTS: ENFORCING AN AIR CARRIER'S **CONTRACTS**



Travel Agents



Lufthansa Group



Sabre



Lufthansa has valid contracts with its travel agents and Sabre which are not preempted by the ADA. If Lufthansa cannot protect its valid contracts from interference, such as by Sabre, the contracts are less valuable.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded on this 29th day of October, 2018 via electronic service through Texas.gov and email to Petitioner's counsel:

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