

466 F.2d 552

United States Court of Appeals,
Ninth Circuit.

MONARCH TRAVEL SERVICES,
INC., et al., Plaintiffs-Appellees,
v.
ASSOCIATED CULTURAL CLUBS,
INC., et al., Defendants-Appellants.

No. 71-2053.

|

Sept. 15, 1972.

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Rehearing Denied Oct. 16, 1972.

Synopsis

Suit brought by travel agents to enjoin “social club” whose real business was selling tours and air transportation on chartered flights, from arranging flights in claimed violation of the Federal Aviation Act. The United States District Court for the Central District of California, William P. Gray, J., granted a preliminary injunction, and an appeal was taken. The Court of Appeals, Hufstедler, Circuit Judge, held, *inter alia*, that the “social club” was an “indirect air carrier” within meaning of the Federal Aviation Act.

Affirmed.

*552 See publication Words and Phrases for other judicial constructions and definitions.

See publication Words and Phrases for other judicial constructions and definitions.

West Headnotes (4)

[1] **Aviation** 🔑 Persons entitled to seek review or enforcement; parties; standing

Within meaning of Federal Aviation Act section authorizing “any party in interest” to bring suit against a person who violates Act provision requiring air carriers engaging in air

transportation to have in force a certificate issued by the CAB, travel agents who suffered economic loss from the acts of “social club,” whose real business was selling tours and air transportation on chartered aircraft but which had no certificate of public convenience and necessity from the Board, had standing to bring suit for violation of the Act. Federal Aviation Act of 1958, §§ 401(a), 1007(a), 49 U.S.C.A. §§ 1371(a), 1487(a).

9 Cases that cite this headnote

[2] **Aviation** 🔑 Who are carriers

When an organization arranging charter flights operates very much like a carrier, it should be treated as a carrier, regardless of the labels it applies to its business or the existence of incidental features of its program not shared by ordinary carriers. Federal Aviation Act of 1958, § 101 et seq., 49 U.S.C.A. § 1301 et seq.

[3] **Aviation** 🔑 Who are carriers

“Social club” whose real business was selling tours and air transportation on chartered aircraft, was an “indirect air carrier” within meaning of the Federal Aviation Act, and thus was required to have in force a certificate issued by the CAB. Federal Aviation Act of 1958, § 101(3), 49 U.S.C.A. § 1301(3).

8 Cases that cite this headnote

[4] **Aviation** 🔑 Eligibility for and subjects of Constitutional Law 🔑 Freedom of Travel and Movement

Statutes and regulations, which required “social club,” whose real business was selling tours and air transportation on chartered flights and the cost of whose tickets was less than the legal tariff for nonchartered flights, to have in force a certificate issued by the Civil Aeronautics Board authorizing the “club” to engage in air transportation, did not unconstitutionally restrict the right to travel on theory that not everyone can afford to pay the higher fares on regular flights.

Federal Aviation Act of 1958, §§ 101 et seq., 401(a), 49 U.S.C.A. §§ 1301 et seq., 1371(a).

[7 Cases that cite this headnote](#)

Attorneys and Law Firms

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William D. Keller, U.S. Atty., Frederick M. Brosio, Jr., Eugene Kramer, Asst. U.S. Attys., Los Angeles, Cal., Peter E. Edison, Stephen A. Alterman, Attys., C. A.B., Washington, D.C., amicus curiae.

*553 Before BARNES, MERRILL and HUFSTEDLER, Circuit Judges.

Opinion

HUFSTEDLER, Circuit Judge:

Three travel agents sued on behalf of themselves and other Southern California travel agents to enjoin appellants from arranging charter flights in claimed violation of the Federal Aviation Act. (49 U.S.C. § 1301 et seq.) The district court granted a preliminary injunction, and this appeal followed.¹

The corporate and individual appellants are closely associated with one another in the conduct of their business; we will refer to them collectively as “ACCI.” The appellees will be called “Monarch.”

Although ACCI is nominally a social club, its real business is selling to the general public tours and air transportation between Southern California and Europe, on aircraft it charters.² It hires planes from direct air carriers, solicits members of the general public to purchase tickets on the flights it arranges, and consolidates groups of passengers to fill the space it purchases. ACCI does not strictly enforce the rule that passengers on its flights be members of ACCI for six months prior to the flight.³ ACCI makes a substantial profit derived from the excess of the price of the tickets it sells over its cost in hiring the aircraft. The price of the tickets on ACCI flights is less than the legal tariff for nonchartered flights.

ACCI is not an agent for airlines nor for its customers; it is an entrepreneur. It has no certificate of public convenience and necessity from the Civil Aeronautics Board or any exemption from the provisions of the Federal Aviation Act authorizing it to engage in air transportation.

Monarch acts as an agent, not a principal, in booking passage on air carriers and in arranging tours for its clients. Monarch's money is earned from commissions. Monarch lost commissions from clients whose custom was diverted by ACCI's competition.

Three contentions on appeal require discussion: (1) Is Monarch “any party in interest” within the meaning of 49 U.S.C. § 1487(a) and thus endowed with standing to maintain the suit? (2) Is ACCI operating as an “indirect air carrier” within the meaning of 49 U.S.C. § 1301(3) and thus acting in violation of 49 U.S.C. § 1371(a)? (3) Are §§ 1301(3) and 1371(a) and the pertinent CAB regulations defining “charter” unconstitutional restrictions on the right to travel?

[1] Section 1487(a)⁴ authorizes the Civil Aeronautics Board (“CAB”), the *554 Administrator of the Federal Aviation Agency, their agents, or “any party in interest” to bring suit against a person who violates section 1371(a) of the Act. The district court found that Monarch had suffered economic loss from ACCI's acts in violation of section 1371(a) because some clients who otherwise would have patronized Monarch were diverted to ACCI. The finding is not clearly erroneous. Is one who suffers such loss a “party in interest”? We answer affirmatively. (*Northeast Airlines, Inc. v. Nationwide Charters and Conventions, Inc.* (1st Cir. 1969) 413 F.2d 335; *cf. Sierra Club v. Morton* (1972) 405 U.S. 727, 92 S.Ct. 1361, 31 L.Ed.2d 636; *Arnold Tours, Inc. v. Camp* (1970) 400 U.S. 45, 46, 91 S.Ct. 158, 27 L.Ed.2d 179; *Association of Data Processing Service Organizations, Inc. v. Camp* (1970) 397 U.S. 150, 152, 90 S.Ct. 827, 25 L.Ed.2d 184.) Accordingly, Monarch has standing to bring the suit.

ACCI did not have a CAB certificate to engage in air transportation or an exemption. It acted in violation of section 1371(a)⁵ if it is an indirect air carrier. Section 1301(a) defines “air carrier” as used in § 1371(a) as “any citizen of the United States who undertakes, whether directly or indirectly or by a lease or any other arrangement, to engage in air transportation: *Provided*, That the Board may by order relieve air carriers who are not directly engaged in the operation of aircraft in air transportation from the provisions of this chapter to the extent and for such periods as may be in the public interest.”

[2] When an organization arranging charter flights operates very much like a carrier, it should be treated as a carrier, regardless of the labels it applies to its business or the existence of incidental features of its program not shared by ordinary carriers. (Educational Student Exchange Program, Inc. (1971) - CAB-(Order 71-5-39); United European American Club (1971) - CAB-(Order 71-2-33); cf. *Las Vegas Hacienda, Inc. v. C.A.B.* (9th Cir. 1962) 298 F.2d 430; *American Airlines v. C.A.B.* (7th Cir. 1949) 178 F. 2d 903; Hacienda Hotels-U.S.Aircoach, Enforcement Proceeding (1958) 26 CAB 372.)

[3] ACCI was in the transportation business thinly disguised as a club. The district court correctly decided that it was an indirect carrier.

[4] ACCI argues that the statutes and regulations it violated are unconstitutional restrictions on the right to travel because

not everyone can afford to pay the higher fares on regular flights to Europe. No unconstitutional restraints on anyone's right to travel is imposed by the challenged statutes and regulations. The persons regulated are carriers. Of course, higher air tariffs will limit travel of those who cannot pay the price. A rich man can choose to drive a limousine; a poor man may have to walk. The poor man's lack of choice in his mode of travel may be unfortunate, but it is not unconstitutional.

ACCI's remaining contentions do not have sufficient merit to warrant discussion.

Affirmed.

All Citations

466 F.2d 552, 19 A.L.R. Fed. 946

Footnotes

1 The United States filed a brief *amicus curiae* in support of the district court's holding that appellants are indirect air carriers under 49 U.S.C. § 1301(3) and that appellant violated 49 U.S.C. § 1371 (a) by operating as indirect air carriers without Civil Aeronautics Board authorization.

2 Authorized charters are defined by 14 C.F.R. § 208(6)(b) as follows: "Air transportation . . . where the entire capacity of one or more aircraft has been engaged for the movement of persons and/or property. . . . (2)B. By a person (no part of whose business is the formation of groups . . . or the solicitation or sale of transportation services) for the transportation of a group of persons . . . as agent or representative of such group. . . ."

3 14 C.F.R. 207.40(b)(2) requires that passengers on a club charter be members of the club "for a minimum of six months prior to the starting flight date."

4 Section 1487(a) provides:
"If any person violates any provision of this chapter, or any rule, regulation, requirement, or order thereunder, or any term, condition, or limitation of any certificate or permit issued under this chapter, the Board or Administrator, as the case may be, their duly authorized agents, or, in the case of a violation of section 1371(a) of this title, any party in interest, may apply to the district court of the United States, for any district wherein such person carries on his business or wherein the violation occurred, for the enforcement of such provision of this chapter, or of such rule, regulation, requirement, order, term, condition, or limitation; and such court shall have jurisdiction to enforce obedience thereto by a writ of injunction or other process, mandatory or otherwise, restraining such person, his officers, agents, employees, and representatives, from further violation of such provision of this chapter or of such rule, regulation, requirement, order, term, condition, or limitation, and requiring their obedience thereto."


5 49 U.S.C. § 1371(a) provides:
"No air carrier shall engage in any air transportation unless there is in force a certificate issued by the Board authorizing such air carrier to engage in such transportation."

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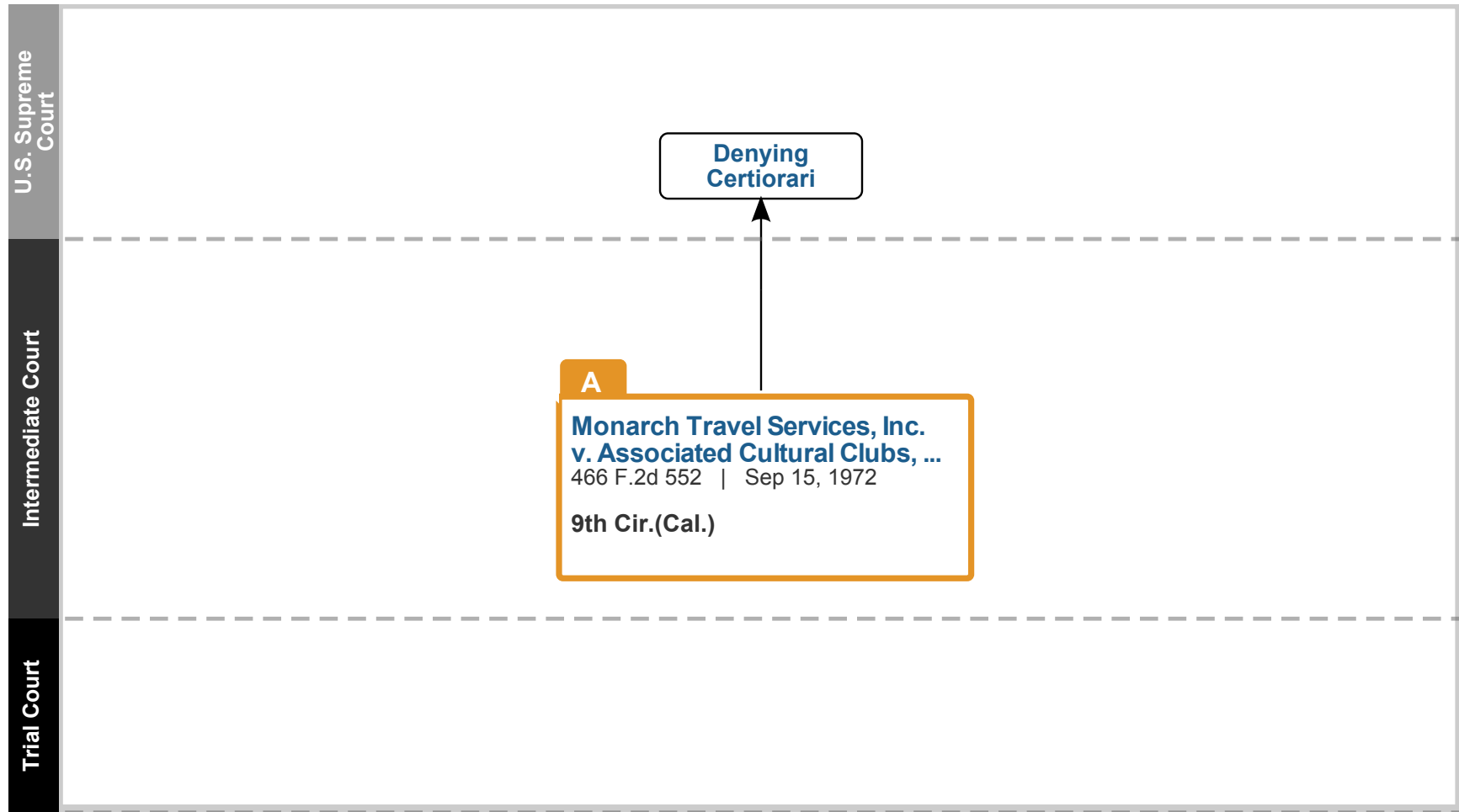
History (2)

Direct History (2)

1. [Monarch Travel Services, Inc. v. Associated Cultural Clubs, Inc.](#) 
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Certiorari Denied by

2. [Associated Cultural Clubs, Inc. v. Monarch Travel Services, Inc.](#)
410 U.S. 967 , U.S.Cal. , Mar. 05, 1973



Citing References (48)

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p>1. TRAVEL GROUP, INC., D/B/A REPUBLIC AIR TRAVEL AND SCOT SPENCER ENFORCEMENT PROCEEDING ¶¶</p> <p>1998 WL 34188520 (D.O.T.), *13+</p> <p>This proceeding arises from a Notice of Enforcement Proceedings and Proposed Assessment of Civil Penalties filed on November 1, 1993 by the Office of Aviation Enforcement...</p>	June 30, 1998	Administrative Decision		<p>1</p> <p>3</p> <p>4</p> <p>F.2d</p>
Cited by	<p>2. C. A. B. v. Aeromatic Travel Corp.</p> <p>489 F.2d 251, 254 , 2nd Cir.(N.Y.)</p> <p>Appeal from an order entered in the Eastern District of New York, Anthony J. Travia, J., 349 F.Supp. 1151, staying a suit by the Civil Aeronautics Board until the Board should...</p>	Dec. 12, 1973	Case		<p>1</p> <p>F.2d</p>
Cited by	<p>3. Pringle v. Majetich</p> <p>369 Fed.Appx. 821, 822 , 9th Cir.(Or.)</p> <p>Eugene Dayton Pringle appeals pro se the district court's order dismissing with prejudice Pringle's 42 U.S.C. § 1983 action alleging constitutional violations arising from a...</p>	Mar. 04, 2010	Case		—
Cited by	<p> 4. Miller v. Reed ¶¶ </p> <p>176 F.3d 1202, 1205 , 9th Cir.(Cal.)</p> <p>After state denied driver's license renewal because of applicant's refusal, on religious grounds, to supply his social security number, applicant brought § 1983 action, seeking...</p>	May 24, 1999	Case		<p>4</p> <p>F.2d</p>
Cited by	<p>5. DHL Corp. v. C. A. B.</p> <p>584 F.2d 914, 915 , 9th Cir.</p> <p>A freight forwarder sought review of an order of the Civil Aeronautics Board dismissing its application for the issuance of a certificate for all-cargo air service. The Court of...</p>	Oct. 26, 1978	Case		<p>1</p> <p>F.2d</p>
Cited by	<p>6. DHL Corp. v. Loomis Courier Service, Inc.</p> <p>522 F.2d 982, 985 , 9th Cir.(Cal.)</p> <p>Corporation appealed from a judgment of the United States District Court for the Northern District of California, Samuel Conti, J., enjoining it from undertaking domestic or...</p>	Aug. 07, 1975	Case		<p>1</p> <p>F.2d</p>
Cited by	<p>7. Insurance Co. of North America v. Seko Air Freight, Inc.</p> <p>1997 WL 413595, *2+ , C.D.Cal.</p> <p>TO INSURANCE COMPANY OF NORTH AMERICA AND SANDS NARWITZ FORGIE LEONARD & LERNER AND TO DEFENDANT AND CROSS-COMPLAINANT SEKO AIR FREIGHT, INC., AND TO THEIR ATTORNEYS BAKER &...</p>	Apr. 04, 1997	Case		<p>1</p> <p>F.2d</p>
Cited by	<p> 8. ABC Charters, Inc. v. Bronson</p> <p>591 F.Supp.2d 1272, 1299 , S.D.Fla.</p> <p>TRANSPORTATION - Injunction. Injunction was warranted against enforcement of Florida's Sellers of Travel Act imposing bonds on certain travel providers.</p>	Oct. 01, 2008	Case		<p>3</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 9. In re West Caribbean Airways, S.A. 619 F.Supp.2d 1299, 1303 , S.D.Fla.</p> <p>INTERNATIONAL LAW - Treaties and Conventions. Text of Montreal Convention clearly permitted application of forum non conveniens.</p>	Sep. 27, 2007	Case		<p>3</p> <p>F.2d</p>
Cited by	<p> 10. John Doe No. 1 v. Georgia Dept. of Public Safety ¶¶ 147 F.Supp.2d 1369, 1375 , N.D.Ga.</p> <p>GOVERNMENT - Licensing. Law restricting issuance of Georgia driver's licenses to illegal aliens was valid.</p>	June 06, 2001	Case		<p>4</p> <p>F.2d</p>
Cited by	<p>11. Tutor v. City of Hailey, Idaho ¶¶ 2004 WL 344437, *7 , D.Idaho</p> <p>Pending before the Court are cross motions for summary judgment by Plaintiffs Ronald N. Tutor and the Tutor-Saliba Corporation, and Defendants City of Hailey, Idaho, and Friedman...</p>	Jan. 20, 2004	Case		<p>4</p> <p>F.2d</p>
Cited by	<p>12. Wilson v. United Air Lines 1995 WL 530653, *2 , N.D.Ill.</p> <p>This matter is before the Court on Defendant International Total Services, Inc.'s Motion to Dismiss Plaintiff Karen E. Wilson's First Amended Complaint for failure to state a claim...</p>	Sep. 07, 1995	Case		<p>4</p> <p>F.2d</p>
Cited by	<p>13. Arkin v. Trans Intern. Airlines, Inc. ¶¶ 568 F.Supp. 11, 13+ , E.D.N.Y.</p> <p>Action was brought arising out of sequence of events leading up to and following emergency landing at airport precipitated by explosion on takeoff of tires affixed to aircraft's...</p>	Dec. 15, 1982	Case		<p>1</p> <p>3</p> <p>4</p> <p>F.2d</p>
Cited by	<p>14. C. A. B. v. Dreyer 501 F.Supp. 905, 910 , E.D.N.Y.</p> <p>In Civil Aeronautics Board enforcement proceedings, the defendant moved to suppress his deposition and to stay the proceedings. The District Court, Bramwell, J., held that: (1)...</p>	Oct. 30, 1980	Case		<p>3</p> <p>F.2d</p>
Cited by	<p>15. GENERAL COUNSEL MEMORANDUM GCM 38113, 38113 , IRS GCM</p> <p>Your memorandum (T:I:WEA:P), dated February 14, 1979, referred a proposed revenue ruling (Control No.: 7901020040) in the subject case to this office for its concurrence or...</p>	Sep. 27, 1979	Administrative Decision		<p>1</p> <p>3</p> <p>4</p> <p>F.2d</p>
Mentioned by	<p> 16. C. A. B. v. Carefree Travel, Inc. ¶¶ 513 F.2d 375, 387 , 2nd Cir.(N.Y.)</p> <p>Civil Aeronautics Board brought action for injunctive relief to prevent alleged violations of the Federal Aviation Act and regulations thereunder relating to "affinity charters"...</p>	Mar. 07, 1975	Case		<p>1</p> <p>3</p> <p>F.2d</p>
Mentioned by	<p> 17. Gilmore v. Gonzales 435 F.3d 1125, 1137 , 9th Cir.(Cal.)</p> <p>TRANSPORTATION - Aviation. Security directive requiring airline passenger to present identification before boarding flight did not violate due process.</p>	Jan. 26, 2006	Case		<p>4</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	18. Raiser v. City of Murrieta 2019 WL 4137610, *1, C.D.Cal. Plaintiff Aaron Raiser seeks a preliminary injunction enjoining Defendant Michael Jacob from "detaining, citing, or arresting [him] for the sole act of driving a car in the City of..."	July 08, 2019	Case		—
Mentioned by	19. U.S. v. Caribbean Ventures, Ltd. 387 F.Supp. 1256, 1260, D.N.J. United States, on behalf of Federal Aviation Administration and Civil Aeronautics Board, sought to enjoin certain defendants from conducting tours by air to the West Indies. On...	Dec. 20, 1974	Case		1 F.2d
Mentioned by	20. Martin Marietta Corp. v. Harper Group 950 F.Supp. 1250, 1256, S.D.N.Y. Shipper brought action against freight forwarder and air carrier, seeking to recover value of sonar equipment damaged during international shipment. Shipper moved to strike...	Jan. 07, 1997	Case		3 F.2d
Mentioned by	21. Pringle v. Majetich 2008 WL 5099738, *1, D.Or. CRIMINAL JUSTICE - Investigatory Stop. Driver's claims alleging that police officers performed an unlawful seizure and violated his constitutional rights during a traffic stop...	Dec. 03, 2008	Case		4 F.2d
Mentioned by	22. Boaz v. Washington 2013 WL 3475470, *2, E.D.Wash. On February 15, 2013, Plaintiff Deloris Boaz filed a pro se civil rights Complaint against three individuals, presumably all of whom are law enforcement officers employed by the...	July 10, 2013	Case		—
Mentioned by	23. Trans Nat. Travel, Inc. v. U.S. 5 Cl.Ct. 648, 651, Cl.Ct. Corporation engaged in furnishing tour services to the public brought suit for refund of tax imposed on amounts paid for wide area telephone service. The Claims Court, Spector,...	July 05, 1984	Case		1 3 F.2d
Mentioned by	24. State v. McGuire 188 P.3d 425, 426, Or.App. CRIMINAL JUSTICE - Driving While Intoxicated. Statute imposing lifetime revocation of driver's license for third DUI conviction did not violate Equal Protection clause.	July 02, 2008	Case		1 3 F.2d
—	25. Construction and application of Federal Aviation Act provision (49 U.S.C.A. sec. 1487(a)) for judicial enforcement by "any party in interest" of provision (49 U.S.C.A. sec. 1371(a)) prohibiting noncertificated carriers from engaging in air transportation 19 A.L.R. Fed. 951 The National Traffic and Motor Vehicle Safety Act of 1966, formerly found at 15 U.S.C.A. §§ 1381 et seq., was repealed by Act July 5, 1994, P.L. 103-272, § 7(b), 108 Stat. 1379...	1974	ALR	—	1 2 3 4 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>26. Regulation of air travel clubs, charter flights, and the like, by the Civil Aeronautics Board 27 A.L.R. Fed. 154</p> <p>This annotation collects and analyzes those federal decisions which examine the validity of, or which construe and apply, that portion of the Federal Aviation Act of 1958 (49...</p>	1976	ALR	—	<p>1 2 3 4</p> <p>F.2d</p>
—	<p>27. Federal Procedural Forms s 7:149, § 7:149. Private right of action to enforce certification requirement</p> <p>Any interested person may bring a civil action in the district court for enforcement in the case of a violation of 49 U.S.C.A. § 41101(a)(1), which provides that no air carrier may...</p>	2022	Other Secondary Source	—	<p>1</p> <p>F.2d</p>
—	<p>28. Federal Procedural Forms s 7:153, § 7:153. Complaint—To enjoin activities of “social club” involving air transportation for failure to obtain certificate—By travel agent as “interested person” [49 U.S.C.A. §§40101, 41101, 46108; 14 C.F.R. §212.5]</p> <p>The above form was adapted from the record in Monarch Travel Services, Inc. v. Associated Cultural Clubs, Inc., 466 F.2d 552, 19 A.L.R. Fed. 946 (9th Cir. 1972), in which defendant...</p>	2022	Other Secondary Source	—	<p>3</p> <p>F.2d</p>
—	<p>29. Federal Procedure, Lawyers Edition s 7:778, § 7:778. Actions by interested persons to enforce certificate requirement against air carrier</p> <p>An interested person may bring a civil action in a district court of the United States against a person to enforce the requirement that an air carrier providing air transportation...</p>	2022	Other Secondary Source	—	<p>1</p> <p>F.2d</p>
—	<p>30. West's A.L.R. Digest 48BK383, # 383. Who are carriers West's A.L.R. Digest</p>	2022	Other Secondary Source	—	<p>1 2 3</p> <p>F.2d</p>
—	<p>31. West's A.L.R. Digest 48BK387, # 387. Eligibility for and subjects of West's A.L.R. Digest</p>	2022	Other Secondary Source	—	<p>1 3 4</p> <p>F.2d</p>
—	<p>32. West's A.L.R. Digest 48BK489, # 489. Persons entitled to seek review or enforcement; parties; standing West's A.L.R. Digest</p>	2022	Other Secondary Source	—	<p>1 3 4</p> <p>F.2d</p>
—	<p>33. West's A.L.R. Digest 92K1280, # 1280. In general West's A.L.R. Digest</p>	2022	Other Secondary Source	—	<p>1 3 4</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>34. Am. Jur. 2d Aviation s 62, § 62. Regulation of charter air carrier operations, air travel clubs, and the like Am. Jur. 2d Aviation</p> <p>In addition to statutory provisions which regulate air carriers generally, further limitations and requirements are imposed on charter air carriers. Statutes and regulations which,...</p>	2022	Other Secondary Source	—	<p>1 3 4</p> <p>F.2d</p>
—	<p>35. Am. Jur. 2d Aviation s 63, § 63. Judicial enforcement of airline certificate requirements by interested persons Am. Jur. 2d Aviation</p> <p>An interested person may bring a civil action in a district court of the United States against a person to enforce the provision prohibiting any air carrier from engaging in air...</p>	2022	Other Secondary Source	—	<p>1</p> <p>F.2d</p>
—	<p>36. FOSSIL FUEL ABOLITION: LEGAL AND SOCIAL ISSUES 41 Colum. J. Envtl. L. 223 , 312+</p> <p>I. Introduction. 225 II. The Scope of the Problem. 227 III. The Case for Fossil Fuel Abolition. 230 A. The Ethical Case: Avoiding Harm. 230 B. The Practical Case: Scientific...</p>	2016	Law Review	—	<p>4</p> <p>F.2d</p>
—	<p>37. ALL THE (AIR) RAGE: LEGAL IMPLICATIONS SURROUNDING AIRLINE AND GOVERNMENT BANS ON UNRULY PASSENGERS IN THE SKY 65 J. Air L. & Com. 857 , 890</p> <p>I. INTRODUCTION. 857 II. THE PROBLEM OF UNRULY PASSENGERS. 859 A. How Bad is the Problem?. 859 B. Reaction by the Airlines and the Federal Government. 861 III. THE CONSTITUTIONAL...</p>	2000	Law Review	—	—
—	<p>38. THE RIGHT TO TRAVEL AND PRIVACY: INTERSECTING FUNDAMENTAL FREEDOMS 30 J. Marshall J. Info. Tech. & Privacy L. 639 , 656+</p> <p>As a fundamental right inherent in American citizenship and the nature of the federal union, the right to travel in the United States is basic to American liberty. The right...</p>	2014	Law Review	—	<p>4</p> <p>F.2d</p>
—	<p>39. SHOULD CALIFORNIA PROHIBIT JUVENILE DRIVING: THE CONSTITUTIONAL AND PRACTICAL CONSIDERATIONS 26 J. Juv. L. 49 , 63</p> <p>On average, fifty teenagers per day become injured in automobile accidents and one teen driver is killed in an automobile accident every other day. Nationwide, nearly forty out of...</p>	2006	Law Review	—	<p>4</p> <p>F.2d</p>
—	<p>40. THE CONSTITUTIONAL RIGHT TO TRAVEL: ARE SOME FORMS OF TRANSPORTATION MORE EQUAL THAN OTHERS? 1 NW J. L. & Soc. Pol'y 213 , 213+</p> <p>"A rich man can choose to drive a limousine; a poor man may have to walk." So declared the Ninth Circuit in 1972, when walking was a common phenomenon in the United States. ...</p>	2006	Law Review	—	<p>4</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>41. AIR AMBULANCE Rescuer or Rescuer? 62-JUL Fed. Law. 66 , 66</p> <p>What air carrier charges more than \$35,000 for a 20-minute trip across town and yet has a growing number of people seeking its services? What operator charges such transportation...</p>	2015	Law Review	—	<p>1 3</p> <p>F.2d</p>
—	<p>42. WHY MS. DAISY WAS NOT ALLOWED TO DRIVE HERSELF: AN EXAMINATION OF THE NEED FOR FEDERALLY MANDATED DRIVER'S LICENSE RENEWAL PROCEDURES FOR ELDERLY DRIVERS 41 Transp. L.J. 45 , 66+</p> <p>I. Introduction. 46 II. Background. 49 A. Evidence Supporting the Federalization of Driving Standards for the Elderly. 49 B. Current Statutory Provisions for Driver's License...</p>	2014	Law Review	—	—
—	<p>43. RED FLAGGING CIVIL LIBERTIES AND DUE PROCESS RIGHTS OF AIRLINE PASSENGERS: WILL A REDESIGNED CAPPS II SYSTEM MEET THE CONSTITUTIONAL CHALLENGE? 61 Wash. & Lee L. Rev. 1385 , 1436</p> <p>Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety. C1-5Table of Contents I. L2-4,T4Introduction 1386 II...</p>	2004	Law Review	—	<p>4</p> <p>F.2d</p>
—	<p>44. SHIFTING AUTOMOTIVE LANDSCAPES: PRIVACY AND THE RIGHT TO TRAVEL IN THE ERA OF AUTONOMOUS MOTOR VEHICLES 50 Wash. U. J.L. & Pol'y 147 , 169</p> <p>"Travel, in the younger sort, is a part of education; in the elder, a part of experience." Time has proven these words, penned by noted English attorney and philosopher Francis...</p>	2016	Law Review	—	<p>4</p> <p>F.2d</p>
—	<p>45. A Aviation Law Reporter</p> <p>A&E Parking v. Detroit Metropolitan Wayne County Airport Authority (MichCtApp 2006) 723 NW2d 223... 31 Avi. 17,946 A & M Flying Service: Texas National Bank of Houston v. (EDArk...</p>	2015	Other Secondary Source	—	—
—	<p>46. M Aviation Law Reporter</p> <p>M & M Enterprises: Alabama v. (AlaCivApp Mar 31, 1976) ... 13 Avi. 18,392 M. Parisi & Son, Inc.: Compagnie Nationale Air France v. (EDNY Apr 10, 1969) ... 10 Avi. 18,356 —Aff'd...</p>	2015	Other Secondary Source	—	—
—	<p>47. IN RE WEST CARIBBEAN AIRWAYS, S.A. , ET AL., DEFENDANTS. Aviation Law Reporter</p> <p>In re WEST CARIBBEAN AIRWAYS, S.A. , et al., Defendants. 32 AVI 15,595. U.S. District Court, S.D. Florida. Case No. 06-22748-CIV-UNGARO . September 26, 2007. Ungaro, District...</p>	2007	Other Secondary Source	—	<p>1 3</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>48. JOHN GILMORE, PLAINTIFF-APPELLANT, V. ALBERTO R. GONZALES, IN HIS OFFICIAL CAPACITY AS ATTORNEY GENERAL OF THE UNITED STATES; ROBERT MUELLER, IN HIS OFFICIAL CAPACITY AS DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION; N Aviation Law Reporter</p> <p>John GILMORE, Plaintiff-Appellant, v. Alberto R. GONZALES, in his official capacity as Attorney General of the United States; Robert Mueller, in his official capacity as Director...</p>	2006	Other Secondary Source	—	<p>4 F.2d</p>

Table of Authorities (6)

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Mentioned	<p>1. American Airlines v. Civil Aeronautics Bd. 178 F.2d 903, 7th Cir., 1949</p> <p>The American Airlines, Inc., and others filed a petition for review of an order of the Civil Aeronautics Board authorizing certain air freight forwarders to engage indirectly in...</p>	Case			554
Mentioned	<p> 2. Arnold Tours, Inc. v. Camp 91 S.Ct. 158, U.S.Mass., 1970</p> <p>Action by travel agents against Comptroller of Currency for declaration that his order authorizing national banks to engage in travel agency business is illegal and for injunctive...</p>	Case			554
Mentioned	<p> 3. Association of Data Processing Service Organizations, Inc. v. Camp 90 S.Ct. 827, U.S.Minn., 1970</p> <p>Action by data processors' association and data processing corporation to review ruling of Comptroller that national banks, including defendant bank, could make data processing...</p>	Case			554
Cited	<p>4. Las Vegas Hacienda, Inc. v. C. A. B. 298 F.2d 430, 9th Cir., 1962</p> <p>Petition for review of a cease and desist order of the Civil Aeronautics Board. The Court of Appeals, Browning, Circuit Judge, held that the record supported the Board's...</p>	Case			554
Cited	<p> 5. Northeast Airlines, Inc. v. Nationwide Charters & Conventions, Inc. 413 F.2d 335, 1st Cir.(Mass.), 1969</p> <p>Suit to enjoin defendants from soliciting passengers for or operating charter flights in the East Coast-Florida market. After judgments in favor of plaintiff, 237 F.Supp. 383,239...</p>	Case			554
Cited	<p> 6. Sierra Club v. Morton 92 S.Ct. 1361, U.S.Cal., 1972</p> <p>Action by membership corporation for declaratory judgment that construction of proposed ski resort and recreation area in national game refuge and forest would contravene federal...</p>	Case			554

Negative Treatment

There are no Negative Treatment results for this citation.

Filings

There are no Filings for this citation.