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Neumann v. Vidal, 710 F.2d 856, 228 U.S. App. D.C. 345, 1983 U.S. App. LEXIS 26562, 1983-1 Trade Cas. (CCH) P65455 (1983)

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SHEPARD'S SUMMARY

Unrestricted *Shepard's* Summary

No negative subsequent
 appellate history.

Citing References:

- Warning Analyses: **Abrogated as stated in (1), Overruled (1)**
- Cautionary Analyses: Criticized (1), Distinguished (4), Not Followed (1)
- Positive Analyses: Followed (1)
- Other Sources: Law Reviews (3), Treatises (5), Court Documents (17)

LexisNexis Headnotes: HN1 (2), HN2 (1), HN3 (7), HN4 (7)

PRIOR HISTORY (1 citing reference)

1. *Neumann v. Vidal*, 1982 U.S. Dist. LEXIS 9516, 1982-2 Trade Cas. (CCH) P64762 (D.D.C. May 27, 1982)

Reversed by (CITATION YOU ENTERED):

Neumann v. Vidal, 710 F.2d 856, 228 U.S. App. D.C. 345, 1983 U.S. App. LEXIS 26562, 1983-1 Trade Cas. (CCH) P65455 (1983)

SUBSEQUENT APPELLATE HISTORY (3 citing references)

2. **On remand at:**
Neumann v. Reinforced Earth Co., 594 F. Supp. 139, 1984 U.S. Dist. LEXIS 15196, 1984-2 Trade Cas. (CCH) P66171 (D.D.C. 1984)
3. **Affirmed by:**
Neumann v. Reinforced Earth Co., 786 F.2d 424, 252 U.S. App. D.C. 11, 1986 U.S. App. LEXIS 23093, 1986-1 Trade Cas. (CCH) P67002, 229 U.S.P.Q. (BNA) 383 (1986)
4. **Writ of certiorari denied:**
Neumann v. Reinforced Earth Co., 479 U.S. 851, 107 S. Ct. 181, 93 L. Ed. 2d 116, 1986 U.S. LEXIS 3861, 55 U.S.L.W. 3235 (1986)

CITING DECISIONS (20 citing decisions)

1ST CIRCUIT - COURT OF APPEALS

5. **Cited by:**
Poduska v. Ward, 895 F.2d 854, 1990 U.S. App. LEXIS 1668 (1st Cir. Mass. 1990) **LexisNexis Headnotes HN3**
895 F.2d 854 p.856

7TH CIRCUIT - U.S. DISTRICT COURTS

6. **Distinguished by:**
Grip-Pak, Inc. v. Illinois Tool Works, Inc., 651 F. Supp. 1482, 1986 U.S. Dist. LEXIS 20971, 1986-2 Trade Cas. (CCH) P67295 (N.D. Ill. 1986)
651 F. Supp. 1482 p.1502

9TH CIRCUIT - U.S. DISTRICT COURTS

7. **Cited by:**
Program Engineering, Inc. v. California Jockey Club, 1984 U.S. Dist. LEXIS 20199, 1984-1 Trade Cas. (CCH) P65828 (N.D. Cal. Jan. 20, 1984)

10TH CIRCUIT - U.S. DISTRICT COURTS

8. **Cited by:**
In re Independent Serv. Orgs. Antitrust Litig., 964 F. Supp. 1454, 1997 U.S. Dist. LEXIS 6671 (D. Kan. 1997) **LexisNexis Headnotes HN2**
964 F. Supp. 1454 p.1467

11TH CIRCUIT - U.S. DISTRICT COURTS

9. **Cited by:**
Coachmen Indus. v. Royal Surplus Lines Ins. Co., 2007 U.S. Dist. LEXIS 46134 (M.D. Fla. June 25, 2007) **LexisNexis Headnotes HN4**
2007 U.S. Dist. LEXIS 46134

D.C. CIRCUIT - COURT OF APPEALS

10. **Cited by:**
Halstead v. Gov't Empl. Ins. Co., 2009 U.S. App. LEXIS 27955 (D.C. Cir. Dec. 17, 2009) **LexisNexis Headnotes HN3**
2009 U.S. App. LEXIS 27955
11. **Distinguished by:**
Scott v. District of Columbia, 101 F.3d 748, 322 U.S. App. D.C. 75, 1996 U.S. App. LEXIS 31236 (1996) **LexisNexis Headnotes HN1**
101 F.3d 748 p.756
322 U.S. App. D.C. 75 p.83
12. **Cited by:**
Whelan v. Abell, 953 F.2d 663, 293 U.S. App. D.C. 267, 1992 U.S. App. LEXIS 417, 21 Fed. R. Serv. 3d (Callaghan) 1273 (1992)
953 F.2d 663 p.670

953 F.2d 663 p.671
293 U.S. App. D.C. 267 p.274
293 U.S. App. D.C. 267 p.275

13. **Cited by:**
Neumann v. Reinforced Earth Co., 786 F.2d 424, 252 U.S. App. D.C. 11, 1986 U.S. App. LEXIS 23093, 1986-1 Trade Cas. (CCH) P67002, 229 U.S.P.Q. (BNA) 383 (1986) **LexisNexis Headnotes HN4**

D.C. CIRCUIT - U.S. DISTRICT COURT

14. **Followed by:**
E. Sav. Bank, FSB v. Papageorge, 31 F. Supp. 3d 1, 2014 U.S. Dist. LEXIS 30777 (D.D.C. 2014) **LexisNexis Headnotes HN3, HN4**
31 F. Supp. 3d 1 p.19
15. **Abrogated as stated in:**
Houlahan v. World Wide Ass'n of Specialty Programs & Sch., 677 F. Supp. 2d 195, 2010 U.S. Dist. LEXIS 546, 38 Media L. Rep. (BNA) 1279 (D.D.C. 2010) **LexisNexis Headnotes HN3, HN4**
677 F. Supp. 2d 195 p.199
16. **Overruled as stated in:**
Nader v. Democratic Nat'l Comm., 555 F. Supp. 2d 137, 2008 U.S. Dist. LEXIS 41209 (D.D.C. 2008) **LexisNexis Headnotes HN3**
555 F. Supp. 2d 137 p.160
17. **Cited by:**
Bannum, Inc. v. Citizens for a Safe Ward Five, Inc., 383 F. Supp. 2d 32, 2005 U.S. Dist. LEXIS 16338 (D.D.C. 2005) **LexisNexis Headnotes HN4**
383 F. Supp. 2d 32 p.46
18. **Cited by:**
Wise v. Glickman, 257 F. Supp. 2d 123, 2003 U.S. Dist. LEXIS 5033 (D.D.C. 2003)
257 F. Supp. 2d 123 p.129
19. **Not followed by:**
Harrison v. Howard Univ., 846 F. Supp. 1, 1993 U.S. Dist. LEXIS 19478 (D.D.C. 1993) **LexisNexis Headnotes HN4**
20. **Cited by:**
Doe v. Di Genova, 642 F. Supp. 624, 1986 U.S. Dist. LEXIS 22139 (D.D.C. 1986) **LexisNexis Headnotes HN3**
642 F. Supp. 624 p.631
21. **Distinguished by:**
Edwards v. Consolidated Rail Corp., 567 F. Supp. 1087, 1983 U.S. Dist. LEXIS 15609, 13 Fed. R. Evid. Serv. (CBC) 1678 (D.D.C. 1983) **LexisNexis Headnotes HN1**
567 F. Supp. 1087 p.1113

D.C. CIRCUIT - U.S. BANKRUPTCY COURTS

22. **Cited by:**
Rothenberg v. Ralph D. Kaiser Co. (In re Rothenberg), 173 B.R. 4, 1994 Bankr. LEXIS 1435 (Bankr. D.D.C. 1994) **LexisNexis Headnotes HN3**
 173 B.R. 4 p.9

FEDERAL CIRCUIT - COURT OF APPEALS

23. **Criticized by:**
Abbott Laboratories v. Brennan, 952 F.2d 1346, 1991 U.S. App. LEXIS 29978, 1991-2 Trade Cas. (CCH) P69664, 21 U.S.P.Q.2d (BNA) 1192 (Fed. Cir. 1991) **LexisNexis Headnotes HN4**
 952 F.2d 1346 p.1356

OTHER PENNSYLVANIA DECISIONS

24. **Distinguished by:**
High Concrete Structures v. Nat'l Union Fire Ins. Co., 2004 Pa. Dist. & Cnty. Dec. LEXIS 192, 65 Pa. D. & C.4th 143 (2004)
 65 Pa. D. & C.4th 143 p.147

LAW REVIEWS AND PERIODICALS (3 Citing References)

25. *ARTICLE: ANTITRUST POLICY AFTER CHICAGO.*, 84 Mich. L. Rev. 213 (1985)
 84 Mich. L. Rev. 213 p.263
26. *ARTICLE: Medical Method Patents and the Fifth Amendment: Do the New Limits on Enforceability Effect a Taking?*, 4 U. Balt. Intell. Prop. L.J. 147 (1996)
27. *ARTICLE: "SPECULATIVE" ANTITRUST DAMAGES*, 70 Wash. L. Rev. 423 (1995)

TREATISE CITATIONS (5 Citing Sources)

28. *2-10 Antitrust Laws and Trade Regulation: Desk Edition @ 10.02*
29. *8-161 Antitrust Laws and Trade Regulation, 2nd Edition @ 161.02*
30. *3A-10 Chisum on Patents @ 10.09*
31. *12A-III. Chisum on Patents 4500*
32. *2-SEC 4000 Patent Law Digest 4500*

BRIEFS (6 Citing Briefs)

33. *HALSTEAD v. Government Emples. Ins. Co.*, 2010 U.S. Briefs 186, 2010 U.S. S. Ct. Briefs LEXIS 5692 (U.S. Aug. 5, 2010)
34. *PETROCHEM v. MT. HAWLEY INS. CO.*, 2003 U.S. 9th Cir. Briefs 56345, 2004 U.S. 9th Cir. Briefs LEXIS 112 (9th Cir. Jan. 15, 2004)

35. *PETROCHEM v. MT. HAWLEY INS. CO., an Illinois corp.*, 2003 U.S. 9th Cir. Briefs 56345, 2003 U.S. 9th Cir. Briefs LEXIS 105 (9th Cir. Nov. 17, 2003)
36. *PACIFIC GREAT LAKES CORP. v. BESSEMER & LAKE ERIE R.R. CO.*, 1998 OH App. Ct. Briefs 70394, 1997 OH App. Ct. Briefs LEXIS 3 (Ohio Ct. App., Cuyahoga County Apr. 11, 1997)
37. *PACIFIC GREAT LAKES CORP. v. BESSEMER & LAKE ERIE R.R. CO.*, 1998 OH App. Ct. Briefs 70394, 1997 OH App. Ct. Briefs LEXIS 1 (Ohio Ct. App., Cuyahoga County Jan. 30, 1997)
38. *PACIFIC GREAT LAKES CORP. v. BESSEMER & LAKE ERIE R.R. CO.*, 1998 OH App. Ct. Briefs 70394, 1996 OH App. Ct. Briefs LEXIS 1 (Ohio Ct. App., Cuyahoga County Nov. 4, 1996)

MOTIONS (11 Citing Motions)

39. *HOULAHAN v. WORLD WIDE ASS'N OF SPECIALTY PROGRAM SCHS.*, 2004 U.S. Dist. Ct. Motions 678061, 2009 U.S. Dist. Ct. Motions LEXIS 50613 (D.D.C. Nov. 16, 2009)
40. *HOULAHAN v. WORLD WIDE ASS'N OF SPECIALTY PROGRAMS & SCHS.*, 2004 U.S. Dist. Ct. Motions 678061, 2009 U.S. Dist. Ct. Motions LEXIS 50615 (D.D.C. Oct. 14, 2009)
41. *NADER v. DEMOCRATIC NAT'L COMM.*, 2007 U.S. Dist. Ct. Motions 728663, 2008 U.S. Dist. Ct. Motions LEXIS 6256 (D.D.C. Mar. 31, 2008)
42. *NADER v. DEMOCRATIC NAT'L COMM.*, 2007 U.S. Dist. Ct. Motions 728663, 2008 U.S. Dist. Ct. Motions LEXIS 6260 (D.D.C. Feb. 4, 2008)
43. *HORNBECK OFFSHORE TRANSP. v. UNITED STATES*, 2007 U.S. Dist. Ct. Motions 1030, 2007 U.S. Dist. Ct. Motions LEXIS 74488 (D.D.C. Dec. 10, 2007)
44. *TRI-STATE HOSP. SUPPLY CORP. v. UNITED STATES*, 2000 U.S. Dist. Ct. Motions 61517, 2007 U.S. Dist. Ct. Motions LEXIS 90608 (D.D.C. Mar. 30, 2007)
45. *TRI-STATE HOSP. SUPPLY CORP. v. UNITED STATES*, 2000 U.S. Dist. Ct. Motions 61517, 2007 U.S. Dist. Ct. Motions LEXIS 90606 (D.D.C. Feb. 5, 2007)
46. *AB INITIO SOFTWARE CORP. v. INCHINGOLO*, 2006 U.S. Dist. Ct. Motions 10922, 2006 U.S. Dist. Ct. Motions LEXIS 67490 (D. Mass. Sept. 20, 2006)
47. *HOULAHAN v. WORLD WIDE ASS'N OF SPECIALTY PROGRAM SCHS.*, 2004 U.S. Dist. Ct. Motions 1161, 2006 U.S. Dist. Ct. Motions LEXIS 36040 (D.D.C. Mar. 6, 2006)
48. *HOULAHAN v. WORLD WIDE ASS'N OF SPECIALTY PROGRAMS SCHS.*, 2004 U.S. Dist. Ct. Motions 523418, 2005 U.S. Dist. Ct. Motions LEXIS 66314 (D.D.C. May 13, 2005)
49. *In re ZIAD AKL*, 2007 U.S. Bankr. Ct. Motions 10026, 2008 U.S. Bankr. Ct. Motions LEXIS 8293 (Bankr. D.D.C. May 5, 2008)