

Mansfield lawyers settle suit against major airlines

By Lou Whitmire

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MANSFIELD - A Mansfield law office is among several law firms which settled out of court this week a class action suit against four major airlines over price-fixing.

The lawsuit alleged the airlines used the Airline Tariff Publishing Co., a computerized clearinghouse for ticket prices, to fix fares.

The settlement of the price-fixing suit may be just the beginning of a long wait for ticket buyers eligible for discounts, according to officials.

Delta, American, United and USAir agreed to pay a combined \$44 million in cash and issue \$368.5 million in coupons to consumers allegedly hurt by price-fixing over the past 4 1/2 years. The airlines denied any wrongdoing.

Under the settlement, ticket purchasers would receive coupons for 10 percent discounts on future travel if they bought tickets between Jan. 1, 1988 and June 30, 1992. Travelers also must have passed through one of 34 specific airports.

An attorney with Calhoun, Benzin, Kademnos & Heichel, 6 W. Third St. said in August 1991 the firm started working on the suit on behalf of clients who were business travelers.

"I have been concerned about this for years, just as a person who travels, I started to worry about why are (airline) prices going up at the same time? Why is this the lowest price I can get out of this hub?" Fleischauer said.

The Mansfield firm, after investigating, found some problems in the industry, he said. The case was ultimately filed in Atlanta, Ga. and certified as a class ac-

tion suit in August 1991.

"It was particularly difficult in this case. It was one of the largest class action suits ever filed," he said, noting the class-action involved more than 12.5 million people.

"While the damages are not huge for the individual ticket buyer - for the whole class together are massive. That was the genesis of the lawsuit and we're very pleased that the matter has been solved."

An attorney said the lawsuit was extremely complex and unusual.

"From an attorney's standpoint it was extremely exciting but very difficult and expensive and consequently not many attorneys mess with them because they are so hard to bring and it is so difficult to prevail."