

**BEFORE THE
U.S. DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, DC**

Richard Gouin

v.

JetBlue Airways Corporation

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) Docket DOT-OST-2020-0141
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**MOTION OF JETBLUE AIRWAYS CORPORATION
FOR EXTENSION OF TIME TO FILE AN ANSWER**

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Counsel for JetBlue Airways

August 28, 2020

**BEFORE THE
U.S. DEPARTMENT OF TRANSPORTATION
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Richard Gouin)	
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v.)	Docket DOT-OST-2020-0141
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**MOTION OF JETBLUE AIRWAYS CORPORATION
FOR EXTENSION OF TIME TO FILE AN ANSWER**

Pursuant to 14 C.F.R. § 302.405(a), JetBlue Airways Corporation (“JetBlue”) respectfully requests an extension of time until Friday, September 25, 2020, to answer the complaint filed by Richard Gouin (“Complainant”) in the above-captioned docket due to the failure of the Complainant to properly serve the complaint upon JetBlue. Counsel for JetBlue has reached out to the Complainant to request this extension, but has not received a response.

Any formal complaint about a violation of the economic regulatory provisions of 49 U.S.C. Subtitle VII or of the Department's rules, regulations, orders, or other requirements is required to be served on the party “complained of.”¹ This service may be accomplished via electronic mail.² The respondent then has fifteen (15) days to file an answer after the formal complaint is properly served.³

The formal complaint is dated August 4, 2020 on the cover page, August 15, 2020 on the service list, and was not posted to www.Regulations.gov until August 17, 2020. Notably, the

¹ See 14 C.F.R. § 302.404(e)

² See 14 C.F.R. § 302.7(b).

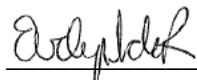
³ See 14 C.F.R. § 302.405(a).

service list did not include a representative for JetBlue. As such, JetBlue did not become aware of the complaint until www.Regulations.gov processed and posted the complaint on August 17, 2020.

Service deficiencies aside, JetBlue submits that good cause exists for the Department to grant this motion for a short extension of time. Allowing the requested brief extension will permit JetBlue to fully investigate and respond to the allegations brought by the Complainant. In addition, JetBlue's motion is in the public interest, as the extension sought herein will allow JetBlue to address all of the issues outlined in the complaint, thereby assisting the Department in its review of the matter at issue. Finally, the requested extension will not unduly delay this proceeding, and there is ample precedent for the Department's granting of the requested extension.⁴

WHEREFORE, JetBlue respectfully requests that the Department extend to September 25, 2020, the deadline for answering the above-captioned complaint.

Respectfully submitted,



Evelyn D. Sahr
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ECKERT SEAMANS CHERIN
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Counsel for JetBlue Airways Corporation

⁴ See, e.g., DOT Granting Extension Request of Sri Lankan Airlines, Docket DOT-OST-2014-0230 (January 5, 2015); DOT Granting Motion of Alitalia for Extension, Docket DOT-OST-2015-0189 (September 25, 2015); DOT Granting Extension of Time to File an Answer of United Airlines, Docket DOT-OST-2020-0048 (June 4, 2020).

CERTIFICATE OF SERVICE

I hereby certify that I have on this date electronically served a copy of the foregoing Motion on the following persons:

Richard Gouin
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Blane Workie
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Kim Graber
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Rob Gorman
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August 28, 2020

A handwritten signature in black ink, appearing to be 'Drew M. Derco', written over a horizontal line.

Drew M. Derco