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DEPT. OF TRANSPORTATION

May 24, 2000

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CERTIFIED MAIL

Document Services Division
United States Department of Transportation
400 7th Street, S. W.
Washington, DC 20590

To Whom It May Concern:

SUBJECT: LINDA G. COOK & EMMA P. DUGGAN, COMPLAINANTS V.
NORTHWEST AIRLINES, INC., RESPONDENT; COMPLAINANTS' MOTION
TO QUASH RESPONDENT'S MEMORANDUM OF OPPOSITION

REF: FORMAL COMPLAINT, DOCUMENT OST-2000-6951-3

The subject motion is filed with the DOT decisionmaker; Mr. A. Bradley Mims, Deputy Assistant Secretary for Aviation and International Affairs.

Filer: Linda G. Cook, 4326 Rabbit Foot Lane, Richmond, VA 23236-1153. Telephone number: (804) 745-7788.

Enclosed is the executed original of the subject motion and five (5) copies, as required by 14 CFR 302. The filing includes: a cover letter of three (3) pages, dated May 23, 2000, transmitting the motion to the relevant parties along with a table of contents for the motion; the motion consisting of sixteen (16) double spaced pages and five (5) pages of photocopies of the exhibits, A through C (pages E-1 through E-5); and, a certificate of service, dated May 24, 2000.

Please contact me if further information is needed.

Thank you for your consideration in this matter.

Sincerely,



Linda G. Cook

Enclosures (1 - executed original & 5 - copies)

ORIGINAL

Linda G. Cook, 4326 Rabbit Foot Lane, Richmond, Virginia 23236-1153

Via Certified U. S. Mail and U. S. Mail

COMM-FBI 3:16

May 23, 2000

Mr. A. Bradley Mims (via Certified U. S. Mail)
Deputy Assistant Secretary for Aviation
and International Affairs
Office of the Assistant Secretary for
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U. S. Department of Transportation
400 Seventh Street, S. W.
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Mr. Samuel Podberesky (via Certified U. S. Mail)
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Mr. Stanley S. Sandiford (via Certified U. S. Mail)
Corporate Counsel
Department Number A1180
Northwest Airlines, Inc.
5101 Northwest Drive
St. Paul, MN 55111-3034

Re: Complainants' Motion to Quash Respondent's Memorandum of Opposition, May 22, 2000, in Linda G. Cook and Emma P. Duggan, Complainants, v. Northwest Airlines, Inc., Respondent; Violation of Air Carrier Access Act (Formal Complaint, February 4, 2000; Document OST-2000-6951-1)

Dear Mr. Mims:

Pursuant to 14 CFR 302, Rule 18, I hereby respectfully submit a motion to the DOT decisionmaker in the above referenced complaint. In the enclosed motion the Complainants seek your order to quash the Respondent's Memorandum of Opposition, dated March 31, 2000 (Re: Document OST-2000-6951-2), and relief by having final summary judgement

rendered against Northwest Airlines, Inc., for violation of the Air Carrier Access Act (ACAA). The order and relief are sought because the Respondent has requested dismissal of the complaint using arguments that are tainted. By motion the Complainants hereby request quashing the Respondent's arguments that contain false or misleading information, that are counter to the legislative intent of Congress (Re: Preamble to 14 CFR 382, 55 FR 8008, March 6, 1990), and/or are inconsistent with the DOT Responses found in the Preamble to 14 CFR 382 (Re: 55 FR 8008, March 6, 1990). The contents and page references of Complainants' motion are as follows:

Introduction	Page 2
Argument.....	Page 2
1. The Complainants have standing under 14 CFR 382.5(d)(3).....	Page 2
2. The Complainants did not receive wheelchair service; therefore, a violation of the ACAA occurred.....	Page 4
3. Northwest Airlines' supervisor takes adverse action immediately after Complainants voice dissatisfaction with lack of wheelchair service.....	Page 5
4. The Respondent bases argument on a weather event (i.e., Hurricane Irene) that has no basis in fact to justify flight delay and denial of accommodations	Page 8
5. Northwest Airlines did not make a CRO available.....	Page 9
6. Respondent falsely characterizes call to 1-800#.....	Page 10
7. Respondent again bases argument on information that has no basis in fact (i.e., Hurricane Irene and "28 minutes late") to deny adverse action taken against the Complainants.....	Page 11
8. Respondent misleadingly characterizes no rebooking fee; based on fictitious weather delays (i.e., Hurricane Irene).....	Page 12
9. Respondent argues that no adverse action was taken against Complainants because of their fare status and a non-relevant weather event (i.e., Hurricane Irene).....	Page 13
10. Respondent's "first come first serve" policy violates the intent of the ACAA.....	Page 13

11. Respondent's inconsistencies and reliance on false statements
indicates need for training under 14 CFR 382.61.....Page 14

Remedy Sought.....Page 15

Signatures and Exhibits Referenced.....Page 16

Exhibit A - Northwest E-Ticket.....Page E-1

Exhibit B - Preliminary Report, Hurricane Irene (First 2 pages only).....Page E-2

Exhibit C - OAJ On-Time Database Basic Search, On-Time Statistics,
Office of Airline Information.....Page E-4

The weaknesses of Northwest Airlines in complying with the Air Carrier Access Act may constitute an ongoing threat to the health and well-being of numerous disabled passengers. Therefore, the DOT decisionmaker is hereby respectfully requested to pass upon this motion, whereby enforcement action is sought and the maximum civil penalties are levied.

The complainants thank the Department for consideration of its requests in the present motion.

Sincerely,


Linda G. Cook

cc: Mrs. Emma P. Duggan (via U. S. Mail only)
106 Lee Highway
Roanoke, VA 24019