

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff,</i>)	
)	Civil Action No.: 99-1180-JTM
v.)	
)	
AMR CORPORATION,)	
AMERICAN AIRLINES, INC., and)	
AMR EAGLE HOLDING)	
CORPORATION,)	
)	
<i>Defendants.</i>)	
)	

UNITED STATES’ OPPOSITION TO DEFENDANTS’ MOTION TO COMPEL

Plaintiff United States opposes the motion of defendants AMR Corporation, American Airlines, Inc., and AMR Eagle Holding Corporation (“defendants” or “American”) for an order compelling an answer to Interrogatory No. 2 of Defendants’ First Set of Interrogatories, and responds as follows in conjunction with its accompanying Memorandum of Law.

Relying largely on a recent decision from the United States District Court for the District of Delaware, U.S. v. Dentsply Int’l, Inc., 187 F.R.D. 152 (D. Del. 1999), American propounded Interrogatory No. 2, which calls for a recitation of the facts the government obtained in each interview it conducted in law enforcement investigations that are relevant to its claims against American. With the exception of the Dentsply decision, the law is clear that what facts an attorney learned in a particular oral interview conducted in anticipation of litigation is protected by the work-product doctrine. Moreover, a party cannot discover protected work-product contained in documents through interrogatories or

