



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

**Issued by the Department of Transportation  
on the 24<sup>th</sup> day of October 2018**

**Third-party Complaints of**

**Bryan and Renee Jackson and Bridgitte  
Prince**

**v.**

**American Airlines, Inc.**

**Violations of 49 U.S.C. §§ 40127, 41310,  
41702, and 41712 and 14 CFR Parts 250 and  
253**

**Served: October 24, 2018**

**Docket DOT-OST-2017-0083**

**ORDER OF DISMISSAL**

This order concerns two third-party complaints filed by Bryan and Renee Jackson and Bridgitte Prince (the Complainants) against American Airlines, Inc. (American), consolidated in one docket. For the reasons set forth below, we dismiss these complaints.

**Background**

On June 18, 2017, Bryan and Renee Jackson filed a third-party complaint with the Department's Office of Aviation Enforcement and Proceedings (Enforcement Office) against American. The complaint alleged that on April 9, 2015, the Complainants were involuntarily denied boarding on American flight 2497, scheduled from Dallas/Ft. Worth International Airport to Los Angeles International Airport, and were not paid denied boarding compensation by American, in violation of 14 CFR sections 250.5, 250.9, 250.11, and 253.4. In response, American stated that the Complainants were not present for boarding within 15 minutes of scheduled departure time, in accordance with the check-in time requirements stated in its Conditions of Carriage, and therefore were not entitled to denied boarding compensation. Additionally, American stated that the Complainants were not entitled to denied boarding compensation because the flight was not oversold.

On May 23, 2018, Ms. Prince filed a third-party complaint alleging the same violations, and also alleging that American's failure to pay denied boarding compensation to the Complainants, while readily providing compensation to passengers of other races, is evidence of its racially

discriminatory<sup>1</sup> customer service practices. American denied that its failure to pay the Complainants denied boarding compensation was discriminatory, stating that flight 2497 was not oversold and no passenger on that flight was paid denied boarding compensation.<sup>2</sup> On June 1, 2018, American informed the Enforcement Office that it reached a settlement agreement with the Complainants by which the Complainants would withdraw their respective third-party complaints. On June 6, 2018, the Complainants filed a notice of withdrawal of their third-party complaints.<sup>3</sup>

### **Analysis and Decision**

With regard to the issue of denied boarding compensation, the Enforcement Office reviewed American's data for flight 2497 showing that the flight departed with a number of empty seats. Accordingly, the Enforcement Office finds that the flight was not oversold, and concludes that there was no violation by American as alleged.<sup>4</sup>

Regarding the allegation of racial discrimination, American responded that there was no racially disparate treatment with regard to the Complainants because the flight was not oversold and no passenger on that flight was paid denied boarding compensation. Ms. Prince's third-party complaint contains no new evidence. Therefore, the Enforcement Office concludes that there was no violation by American as alleged.

ACCORDINGLY, we dismiss the complaints filed in Docket DOT-OST-2017-0083. Pursuant to 14 CFR 302.406(b), this order shall become effective as a final order of the Department thirty (30) days after service of this order.

This order is issued under the authority contained in 49 CFR Part 1.

**BY:**

**BLANE A. WORKIE**  
**Assistant General Counsel for Aviation**  
**Enforcement and Proceedings**

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<sup>1</sup> The Department has authority under various laws, including 49 U.S.C. §§ 40127, 41310, and 41702, to investigate allegations of unlawful discrimination.

<sup>2</sup> American provided this statement in response to a previous informal discrimination complaint concerning the same facts.

<sup>3</sup> The Enforcement Office's review of all of the available facts, including the parties' filings, information provided by the airline, and any other available information, is wholly independent of any private resolution by the parties. Accordingly, our determination is based on the facts before us and applicable law and is unrelated to any settlement reached by the parties.

<sup>4</sup> The Jacksons previously filed an informal complaint concerning the same facts and allegations, regarding which the Enforcement Office reached the same conclusion.