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16 US AIRWAYS, INC.

17 **IN THE UNITED STATES DISTRICT COURT**  
18 **FOR THE DISTRICT OF ARIZONA**

19 Don Addington, *et al.*;

20 Plaintiffs,

21 v.

22 US Airline Pilots Association and US  
23 Airways, Inc.,

24 Defendants.

Case No. 2:08-cv-01633-PHX-NW

**SUPPLEMENTAL DECLARATION OF E.  
ALLEN HEMENWAY IN OPPOSITION TO  
APPLICATION TO PRELIMINARY  
INJUNCTION AND IN SUPPORT OF US  
AIRWAYS, INC.'S MOTION TO DISMISS  
(Dkt. No. 30)**

25  
26 I, E. ALLEN HEMENWAY, pursuant to 28 U.S.C. § 1746, declare and state as follows:

27 1. I am the Vice President, Labor Relations of US Airways, Inc. ("US Airways" or  
28 the "Company"). Except where otherwise indicated below, I have personal knowledge of the

1 facts set forth in this Declaration. If called and sworn as a witness, I could and would testify  
2 competently thereto.

3 2. The Transition Agreement establishes a five-person Board of Adjustment,  
4 composed of two Company-appointed members, two-union appointed members and a neutral  
5 arbitrator to hear and determine issues of interpretation or application of the Transition  
6 Agreement.

7 3. The Company is willing to process any currently filed grievances, such as the  
8 McIlvenna Grievance attached as Exhibit 2 to my initial Declaration in support of the Company's  
9 Motion to Dismiss (Dkt. No. 31), and any future grievances filed by Plaintiffs or other individual  
10 pilots that relate to the issues in dispute in this litigation, to the Board of Adjustment sitting with  
11 only the single neutral arbitrator designated under the Transition Agreement, for hearing and  
12 determining those grievances in a final and binding arbitration.

13 4. The Company believes that a hearing before a single neutral arbitrator would fully  
14 resolve any questions regarding the alleged futility of Board of Adjustment proceedings as  
15 alleged by the plaintiffs in this matter.

16 I declare under penalty of perjury under the laws of the United States of America that the  
17 foregoing is true and correct.  
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19  
20 Dated: October 28, 2008

21 By: 

22 E. Allen Hemenway  
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