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

Don ADDINGTON; John BOSTIC; Mark
BURMAN; Afshin IRANPOUR; Roger
VELEZ; and Steve WARGOCKI,

Plaintiffs,

vs.

US AIRLINE PILOTS ASSOCIATION, and
US AIRWAYS, INC.,

Defendants.

Case No. 2:08-cv-1633-NVW

**DECLARATION OF TRACY L.
PARRELLA**

12 I, TRACY L. PARRELLA, declare that the following is true and correct:

13 1. I make this Declaration of my own free will, based on my personal, first-hand
14 knowledge, unless otherwise specifically indicated.

15 2. This Declaration is made in support of the motion to dismiss and opposition to
16 plaintiffs' motion for preliminary injunction by the US Airline Pilots Association
17 ("USAPA" or "Association").

18 3. I am currently employed by US Airways as a Pilot. I joined US Airways on June
19 2, 1986.

20 4. I am currently Chairman of the USAPA Board of Pilot Representatives ("BPR")
21 Grievance Committee. My duties and responsibilities in this capacity include but are
22 not limited to the oversight and enforcement of the 2004 Collective Bargaining
23

1 Agreement between US Airways and the former America West Pilots as well as all
2 LOA's, MOU's, grievance settlements and arbitration awards. Oversight and
3 enforcement of the 1998 US Airways Pilots Working Agreement as well as all LOA's,
4 MOU's, grievance settlements and arbitration awards. Prosecution of all contract
5 disputes in accordance with the respective pilot's CBA's, through the grievance and
6 arbitration process.

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8 5. On July 30, 2008, Mr. John McIlvenna filed a Notice of Grievance in a letter
9 addressed to Captain Ken Wood of US Airways and USAPA President Stephen
10 Bradford. (Dkt. No. 37, First Brennan Decl., Ex. A). As part of that grievance, Mr.
11 McIlvenna requested that a "neutral arbitrator only hear" his case. (*Id.* at p. 3).

12 6. By letter dated August 21, 2008, Vice Chairman of the BPR Grievance
13 Committee, Dennis Brennan, with my approval, wrote to Mr. McIlvenna advising him
14 of a September 24, 2008 first-step grievance hearing with Chief Pilot Ken Wood of US
15 Airways. (Dkt. No. 43, Ex. A). Additionally, in response to Mr. McIlvenna's request for
16 a single neutral arbitrator, Mr. Brennan advised Mr. McIlvenna that USAPA
17 "respectfully declines to waive its Board members." (*Id.*)

18 7. Subsequently, and upon further consideration, the USAPA Officers instructed me
19 to accept Mr. McIlvenna's request that his grievance be adjudicated in accordance with
20 the dispute resolution procedures set forth in Section X of the Transition Agreement and
21 furthermore the Union agrees that Mr. McIlvenna's grievance will be presided over and
22 decided by a single neutral arbitrator. The company has agreed to proceed in this
23

1 manner as well. The offer to submit his grievance for final adjudication to a neutral
2 arbitrator was conveyed to Mr. McIlvenna by letter dated October 28, 2008. A true and
3 correct copy of that letter is attached to this Declaration and has been marked and
4 labeled as Exhibit A.

5 Further your Declarant sayeth not.

6 Pursuant to 29 USC § 1746, I declare under penalty of perjury that the foregoing
7 is true and correct.

8 Executed on: October 28, 2008

9
10 /s/ Tracy L. Parrella

11 Tracy L. Parrella
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October 28, 2008 *via* email at 02:30pm Mountain Time

Mr. John McIlvenna
4425 E. Bighorn Ave.
Phoenix, AZ 85044

Subject: Grievance No. 2008 – 70 “Company Duty to Apply Current West Vacancy Bid under Operational Pilot Integration as outlined in the Transition Agreement” (July 30, 2008)

Re. 1) Letter, McIlvenna to Wood & Bradford, 2 Oct. 08
2) Letter, Wood to McIlvenna, 26 Sep. 08

Dear Mr. McIlvenna:

This will respond to your letter (Ref. 1) on behalf of USAPA only.

Please address all future correspondence concerning the above referenced grievance to myself, USAPA Grievance Committee Chairman or the Vice-Chairman of the Grievance Committee, Dennis Brennan, as we are the proper points of contact for the Association.

With respect to your renewed demand for the parties to waive their board members, the Association, for its part, hereby agrees to your proposal and therefore will not appoint or sit any Association board members during an Arbitration conducted under the provisions contained in § X of the Transition Agreement in regard to your Grievance Number 2008-70. The Company has agreed to proceed in this manner as well. The Union agrees to this on non-precedent, non-referral basis while reserving all other rights and privileges.

Lastly, for the record I respectfully reject as unfounded and irrelevant your claims attributing any bad faith on the part of the USAPA in regard to your request to prosecute your grievance. I would point out that USAPA has in fact accepted and processed your grievance and did so despite your lack of cooperation. The Company and the Union have agreed to allow your grievance to proceed to an arbitrator under the Section X process outlined in the Transition Agreement.

In addition, you fail to mention that the Union has, on its own initiative, filed, prosecuted and now scheduled for arbitration a Transition Agreement Dispute No. 9, Furlough Out of Seniority that asserts the same violation as your grievance.

Respectfully,

/s/ Tracy L. Parrella

Captain Tracy Parrella,
Chairman, BPR Grievance Committee, USAPA

cc

USAPA Officers

USAPA Board of Pilot Representatives

F/O Dennis Brennan, USAPA

Captain Jay Milke, USAPA

Mr. Al Hemenway, US Airways

Ms. Beth Holdren, US Airways

Ms. Linda Malone, US Airways

Mr. Mathew Diedrich