

1 get to fully participate. The current USAPA proposal provides a major windfall to East
2 pilots at the expense of West pilots.

3 11. Additionally, the following items demonstrate that USAPA's motive to
4 benefit only the East to the detriment of the West continues, despite USAPA's
5 representations to this Court that it will try to "protect" the West pilots.
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7 12. The current proposal is materially equivalent to what was presented at the
8 "Phoenix Road Show" on or about March, 2008.

9 13. The current proposal places the vast majority of West pilots on the bottom
10 of seniority list.
11

12 14. The June 2008 "snapshot" date does not meet unmerged expectations – it
13 is three years after the merger.

14 15. Section VII. Furloughs are based on DOH, superseding West protections.
15 This means that East pilots taking West jobs will be unrestricted in down turns.
16

17 16. The Nicolau list tends to maintain the status quo while sharing, on a pro
18 rata basis, both company growth and reductions. Since most pilots do not want to cross
19 sides when given an opportunity, a de facto fence already exists. The USAPA proposal
20 will be very complicated to administer. There will likely be many opportunities for
21 grievances.
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23 17. While USAPA says the West can "bid" on East positions, this is illusory
24 because with DOH placing the vast majority of west pilots on the bottom, West pilots
25 are effectively prevented from holding most East positions. Moreover, if West pilots
26 bid into East's domiciles, we are junior to them, which gives them more seniority for
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1 bidding in that domicile. This is absolutely a no-cost item for the East that provides no
2 benefit to the West.

3 18. Additionally, systemwide DOH bidding available essentially guarantees
4 that nearly every East First Officer ("FO") will have the opportunity to
5 upgrade/promote/move on any aircraft prior to over 90% of the current West FO's, and
6 this does not preserve pre-merger career expectations. Pre-merger East furloughed
7 pilots (FO's) included on the USAPA Jan07 list will have promotional opportunities
8 prior to working West pilots who expected to upgrade to Captain prior to the merger
9 announcement 2005. As such, if USAPA's proposal is used, it is likely that West FOs
10 will not become Captain until after 2014-2015, when age 65 retirements have created
11 opportunities.
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14 19. There appear to be inconsistencies between the PowerPoint and the actual
15 language of the C&Rs. For example, item 6 says "Recapture rights to west positions
16 from furlough and displacement positions." To the contrary, the proposal provides in
17 Section VII, furlough and recall shall be accomplished on an integrated seniority list
18 basis and shall supersede protected position provisions. This means that during a
19 reduction, East pilots replace West pilots, and West pilots are jobless with no recapture
20 rights.
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23 20. Additionally, #3 on the PowerPoint provides for readjusting ratios after 12
24 months. Based on the current plans, this favors the East as there will be fewer West
25 pilot positions in 12 months.
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1 lists. There is no anticipated launch of this flying in the west. What this provision
2 REALLY does is guarantee 2/3 of these positions for East pilots, if announced. As
3 such, this gives them a mechanism to enjoy super-seniority out west without a
4 reciprocal agreement, again while trying to make it appear as a benefit to West pilots.

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6 26. Regarding the "Catastrophic Reduction Clause," which states "In the event
7 of a catastrophic reduction in force of 25% or more of the Pilot position count which
8 existed on 1 June 2008, the integrated system seniority list shall govern in all seniority-
9 related matters." (It must be noted that, when then merger occurred, East pilots were
10 already reduced well in excess of that percentage- therefore by their own admission,
11 they were in a "catastrophic" condition at that time, yet claim that their future was
12 bright, that ours was dim.) Importantly, the application of this clause at 25% (where the
13 other of the "West protections" would cease to apply), would result in the following if
14 the list were now in effect: A 25% reduction with the USAPA proposed list and C &
15 R's would result in the loss of 809 West Jobs (senior to Odell), or 54% of West pilots.


16
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18 27. USAPA claims in support of their proposal that it is fair and equitable
19 because it is based upon DOH. ALPA discarded DOH considerations in favor of the
20 current ALPA merger policy to provide merger fairness. DOH is USAPA's cornerstone
21 as it provides the soundest way for those on the East who experienced 2 bankruptcies to
22 get back quickly what they lost at the expense of West pilots.
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28. An illustration of what would happen to West pilots under the current USAPA proposal is attached as Exhibit A.

Executed this 28 day of October, 2008 at Phoenix, Arizona.



Brian Stockdell

SUBSCRIBED AND SWORN TO before me this 28th day of October, 2008.



Notary Public

My commission expires:



Affidavit of Stockdell

EXHIBIT A

AWA Stand Alone Seniority as of Jul 2008

Identifier	Name	Number	Relative Position
P0005	BAUER	1	0.00%
P0521	CAFARELLI	178	10.00%
P1046	BUTLER	356	20.00%
P1336	MORRIS	533	30.00%
P1728	NEAL	711	40.00%
P2022	JACKSON	888	50.00%
P2278	EYDE	1066	60.00%
P2529	STEFANISKO	1243	70.00%
P2766	FRANK	1421	80.00%
P2972	AUSTERMAN	1598	90.00%
P3173	ODELL	1776	100.00%

Per Nicolau Award out of 4769 non-furloughed pilots at merger

Name	Number	Relative Position	Relative Gain/Loss
BAUER	520	10.90%	-10.90%
CAFARELLI	999	20.95%	-10.95%
BUTLER	1385	29.04%	-9.04%
MORRIS	1801	37.76%	-7.76%
NEAL	2169	45.48%	-5.48%
JACKSON	2575	53.99%	-3.99%
EYDE	3079	64.56%	-4.56%
STEFANISKO	3493	73.24%	-3.24%
FRANK	3910	81.99%	-1.99%
AUSTERMAN	4323	90.65%	-0.65%
ODELL	4769	100.00%	0.00%

USAPA Proposed Date-of-Hire (out of 5175 pre-merger pilots)

Name	Number	Relative Position	Relative Gain/Loss
BAUER	719	13.89%	-13.89%
CAFARELLI	2191	42.34%	-32.34%
BUTLER	3104	59.98%	-39.98%
MORRIS	3524	68.10%	-38.10%
NEAL	3700	71.50%	-31.50%
JACKSON	3877	74.92%	-24.92%
EYDE	4077	78.78%	-18.78%
STEFANISKO	4582	88.54%	-18.54%
FRANK	4763	92.04%	-12.04%
AUSTERMAN	4936	95.38%	-5.38%
ODELL	5175	100.00%	0.00%

AWA Stand Alone Seniority as of Jul 2008

Identifier	Name	Number	Relative Position
P0005	BAUER	1	0.00%
P0521	CAFARELLI	178	10.00%
P1046	BUTLER	356	20.00%
P1336	MORRIS	533	30.00%
P1728	NEAL	711	40.00%
P2022	JACKSON	888	50.00%
P2278	EYDE	1066	60.00%
P2529	STEFANISKO	1243	70.00%
P2766	FRANK	1421	80.00%
P2972	AUSTERMAN	1598	90.00%
P3173	ODELL	1776	100.00%

Per Nicolau out of 6520 total (including 1751 furloughed East)

Name	Number	Relative Position	Relative Gain/Loss
BAUER	520	7.98%	-7.98%
CAFARELLI	999	15.32%	-5.32%
BUTLER	1385	21.24%	-1.24%
MORRIS	1801	27.62%	2.38%
NEAL	2169	33.27%	6.73%
JACKSON	2575	39.49%	10.51%
EYDE	3079	47.22%	12.78%
STEFANISKO	3493	53.57%	16.43%
FRANK	3910	59.97%	20.03%
AUSTERMAN	4323	66.30%	23.70%
ODELL	4769	73.14%	26.86%

USAPA Proposed out of 5275 Total Pilots (including new-hires)

Name	Number	Relative Position	Loss vs. Nicolau
BAUER	719	13.63%	-5.65%
CAFARELLI	2191	41.54%	-26.21%
BUTLER	3104	58.84%	-37.60%
MORRIS	3524	66.81%	-39.18%
NEAL	3700	70.14%	-36.88%
JACKSON	3877	73.50%	-34.00%
EYDE	4077	77.29%	-30.07%
STEFANISKO	4582	86.86%	-33.29%
FRANK	4763	90.29%	-30.32%
AUSTERMAN	4936	93.57%	-27.27%
ODELL	5175	98.10%	-24.96%