

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

Phoenix Division

CV08-1633-PHX-NVW DATE: October 29, 2008

Year Case No. Dft #

HON: NEIL V. WAKE Judge # 7032

Caption: Addington, et. al. v. US Airline Pilots Association, et. al.

Deputy Clerk: Sandi Fredlund Crt Rptr/ECR: Laurie Adams

Plaintiffs' counsel: Marty Harper, Don Stevens, Kelly Flood, and Andrew Jacob

Defendant US Airline Pilots Association's ("USAPA") counsel: Lee Seham, Nicholas Granath, Lucas Middlebrook, and Stanley Lubin

Defendant US Airways Inc's ("Company") counsel: Robert Siegel and Tom Jerman

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10:08 a.m. This is the time set for hearing on Motion for Preliminary Injunction [doc. 12] and Motion to Dismiss Case filed by the Company Defendants [doc. 30] and the Motion to Dismiss Case filed by USAPA Defendants [doc. 35]. Discussion held. 11:05 a.m. Recess.

11:20 a.m. Court reconvenes. Further discussion held regarding the Motions to Dismiss. Counsel to confer during lunch recess regarding exhibits. 12:06 p.m. Recess.

1:20 p.m. Court reconvenes. Record made regarding plaintiff's exhibits. Counsel will submit a final stipulated statement of facts by Monday, November 3, 2008. Plaintiffs do not object to USAPA's exhibits and they are admitted (#101-#117). Injunction hearing held.

Defendant USAPA's case: Randal E. Mowrey is sworn and testifies. Plaintiffs' cross-examination. USAPA's redirect. 2:40 p.m. Recess.

2:55 p.m. Court reconvenes. Plaintiff's closing argument. Company's closing argument. USAPA's closing argument. Plaintiffs' rebuttal. Company's rebuttal. USAPA's rebuttal. All pending motions [docs. 12, 30, and 35] are taken under advisement. 4:20 p.m. Hearing adjourned.

Time in Court: 4 hrs, 28 mins.