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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

**USAPA's MOTION TO STRIKE
DOCKET NOS. 106 & 107**

1 TO : PLAINTIFFS, AND ALL PARTIES, AND THEIR ATTORNEYS OF RECORD.

2 **NOTICE**

3 PLEASE TAKE NOTICE that Defendant US Airline Pilots Association
4 (“USAPA”) will move this Court for an order striking Docket No. 106, i.e. “Plaintiffs’
5 Motion To Compel USAPA To Produce” and Docket No. 107 i.e. “Rule 37 Declaration
6 of Andrew S. Jacob” together with all its exhibits and attachments, pursuant to LRCiv
7 7.2(m)(1), at a time as soon as the Court shall consider the motion without oral argument
8 or if with oral argument, then upon a date set by the Court for hearing.

9 **MOTION**

10 COMES NOW Defendant US Airline Pilots Association and hereby moves this
11 Court for an order striking Docket No. 106, i.e. “Plaintiffs’ Motion To Compel USAPA
12 To Produce” and Docket No. 107 i.e. “Rule 37 Declaration of Andrew S. Jacob” together
13 with all its exhibits and attachments, pursuant to LRCiv 7.2(m)(1).

14 In support of its motion USAPA states the following:

15 The grounds for this motion are separately stated in the “Memorandum In Support
16 Of USAPA’s Motion To Strike Docket Nos. 106 and 107.” In addition to the aforesaid
17 Memorandum, this motion is based upon the pleadings, the undisputed material facts in
18 the record, as well as such other evidence, facts, or materials as the Court may deem
19 appropriate, and oral argument if set.

20 WHEREFORE, defendant USAPA respectfully moves that its motion to strike
21 Docket No. 106, i.e. “Plaintiffs’ Motion To Compel USAPA To Produce” and Docket
22

1 No. 107 i.e. "Rule 37 Declaration of Andrew S. Jacob" together with all its exhibits and
2 attachments

3 GRANTED.

4 Respectfully Submitted,

5 Dated: December 14, 2008

6 By: /s/ Nicholas Paul Granath, Esq.

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