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

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

13 Plaintiffs,

14 vs.

15 US AIRLINE PILOTS ASSOCIATION,
US AIRWAYS, INC.,
16 Defendants,

Case No. 2:08-cv-1633-PHX-NVW
(Consolidated)

DECLARATION OF
NICHOLAS P. GRANATH, ESQ.
IN SUPPORT OF ORDER TO SHOW
CAUSE FOR STAY OF
PROCEEDINGS PENDING APPEAL

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

19 Plaintiffs,

20 vs.

21 Steven H. BRADFORD, Paul J. DIORIO,
Robert., A. FREAR, Mark. W. KING,
22 Douglas L. MOWERY, and John A.
STEPHAN,
23

Defendants.

Case No. 2:08-cv-1728-PHX-NVW

1 I, Nicholas Paul Granath, Esq., declare as follows:

2 1. I am attorney of record for defendant USAPA in this matter as well as for
3 all named defendants in the matter of Addington *et al* v. Bradford *et al*, Case No. 2:08-
4 cv-01728-NVW. I make this Declaration of my own free will and based on my personal,
5 first-hand knowledge, unless otherwise specifically indicated.

6 2. This Declaration is submitted in support of USAPA's Order to Show Cause
7 For Stay of Proceedings Pending Appeal.

8 3. Attached is a true and correct copy of the "Petition To Immediately Appeal
9 From An Order Granting Class Certification By The United States District Court For The
10 District Of Arizona, No. C08-1633 & C08-1728 (consolidated) NVW Honorable Neil V.
11 Wake, United States District Judge" marked and labeled as Exhibit A.

12 4. Attached is a true and correct copy of the Leonidas, LLC website update
13 dated January 25, 2009 marked and labeled as Exhibit B.

14 Further your Declarant sayeth not.

15 Pursuant to 29 USC § 1746, I declare under penalty of perjury that the foregoing is
16 true and correct.
17

18 Executed on: March 17, 2009

19 /s/ NICHOLAS PAUL GRANATH

1 **CERTIFICATE OF SERVICE**

2 This is to certify that on the date indicated herein below a true and accurate copy
3 of the foregoing pleading, *to wit*,

- 4 • Declaration of Nicholas Paul Granath, Esq. In Support Of Order to Show Cause
5 For Stay of Proceedings Pending Appeal (with attachments);
• Certificate of Service

6 were electronically filed with the Clerk of Court using the CM/ECF system, which will
7 send notification of such filing to the following:

8 Marty Harper
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Kelly J. Flood
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Andrew S. Jacob
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9 Shughart Thompson & Kilroy, P.C.
10 Security Title Plaza, Suite 1200
11 Phoenix, AZ 85012
12 Tel. 602 650-2000
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14 Who are admitted counsel for the Plaintiffs in this matter, and,

15 And further that paper hard copies were hand delivered via messenger to Plaintiffs'
16 counsel at the physical address set forth above; and

17 Robert A. Siegel
rsiegel@omm.com

Rachel S. Janger
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18 O'Melveny & Meyers LLP
19 400 S. Hope St.
20 Ste 177
21 Los Angeles, CA 90071-2899, and,

22 Sarah A. Asta
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Karen Gillen
Karen.gillen@USAirways.com

23 Who are admitted counsel for Defendant US Airways, Inc. in this matter.

And further that paper hard copies were provided to The Honorable Neil V. Wake,
District Court Judge, 401 W. Washington Street, SPC 52, Phoenix, AZ 85003.

1 On March 17, 2009, by:

2 /s/ Lucas K. Middlebrook

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Attorneys for Defendant: US Airline Pilots Association (“USAPA”)