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

10 Don ADDINGTON, *et al.*,
11 *Plaintiffs,*
12
13 vs.
14 US AIRLINE PILOTS ASSN., and
US AIRWAYS, INC.,
15 *Defendants.*

16 Don ADDINGTON, *et al.*,
17 *Plaintiffs,*
18 vs.
19 Steven H. BRADFORD, *et al.*,
20 *Defendants.*

CONSOLIDATED CASES NO.
2:08-CV-1633-PHX-NVW;
2:08-CV-1728-PHX-NVW

JOINT REPORT
RE:
NOTICE OF RESOLUTION
OF
DISCOVERY DISPUTE

21
22 The Parties, through counsel, and pursuant to the Court's Order, hereby
23 give notice that the matters set forth in Plaintiff's Motion for Protective
24 Order have been resolved on the following terms and agreements.

25 1. Defendants have disclosed that contact was made with two West class
26 members re this case, Ted Phipps and Frank Helton. USAPA wishes to
27 communicate with Frank Helton, Mark Krebs and David Fallon, and may wish to
28 contact other West class members. USAPA will promptly provide Plaintiffs' counsel

1 with a summary of the interviews with Mr. Phipps and Mr. Helton, including any
2 audio or digital recordings of such interviews.

3 2. USAPA agrees that as to any future contact with West class members,
4 pertaining to this litigation, USAPA will give Plaintiffs' counsel reasonable advance
5 notice of any proposed interview, and Plaintiffs' counsel shall have the right to
6 participate in the interview.

7 3. Other than as expressly provided in Paragraphs 1 and 2, Seham, Seham,
8 Meltz & Petersen, LLP ("SSMP") will not contact members of the West class about
9 the subject litigation. SSMP agrees not to contact any of the six
10 plaintiffs concerning the May arbitration. SSMP shall continue to represent the
11 union in its regular functions and duties as pertains to the interests of all
12 represented pilots, East and West. The parties agree that as to any other
13 interviews, information or communications that SSMP conducts or has with any
14 West Class member under this paragraph shall not be admissible in either the
15 current litigation or as to the six in the May arbitration for any reason.
16

17 Dated this 26th day of March, 2009.

18
19 Seham, Seham, Meltz & Petersen **Polsinelli Shughart, P.C.**

20 By: /s/ **Don Stevens** for Nicholas By: /s/ **Don Stevens**
21 Granath, with permission Don Stevens
22 3636 N. Central Ave., Suite 1200
23 Phoenix, AZ 85012
24 *Attorneys for Plaintiffs*

25 **CERTIFICATE OF SERVICE**

26 I hereby certify that on March 26th, 2009, I electronically transmitted the
27 foregoing document to the U.S. District Court Clerk's Office by using the
28 CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

s/ **Don Stevens**