

1 Marty Harper (#003416)  
mharper@polsinelli.com  
2 Kelly J. Flood (#019772)  
kflood@polsinelli.com  
3 Andrew S. Jacob (#022516)  
ajacob@polsinelli.com  
4 Katherine V. Brown (#026546)  
kvbrown@polsinelli.com  
5 **POLSINELLI SHUGHART PC**  
Security Title Plaza  
6 3636 N. Central Ave., Suite 1200  
Phoenix, AZ 85012  
7 Phone: (602) 650-2000  
Fax: (602) 264-7033  
8 *Attorneys for Plaintiffs*

9 **IN THE UNITED STATES DISTRICT COURT**

10 **FOR THE DISTRICT OF ARIZONA**

11 Don ADDINGTON, *et al.*,

12 Plaintiffs,

13 vs.

14 US AIRLINE PILOTS ASSN., *et al.*,

15 Defendants.

CASE NO. 2:08-CV-1633-PHX-NVW

(Consolidated)

**MOTION IN LIMINE #8: NO  
EVIDENCE OR ARGUMENT RE  
GRIEVANCES OR JURISDICTION**

16 Don ADDINGTON, *et al.*,

17 Plaintiffs,

18 vs.

19 Steven H. BRADFORD, *et al.*,

20 Defendants.

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

21 USAPA may attempt to introduce evidence or argument regarding  
22 grievances pending or heard by a System Board of Adjustment. USAPA has  
23 argued that this Court lacks jurisdiction, or that the case is not ripe because  
24 administrative remedies have not been exhausted. None of those issues  
25 have anything to do with this case and should be precluded as irrelevant  
26 and confusing to the jury. Plaintiffs, therefore, ask the Court to order, *in*  
27 *limine*, that USAPA not present any exhibits identified in the attached  
28

1 Exhibit A or any other evidence of the grievances pending or previously  
2 heard by the System Board of Adjustment as well as any argument relating  
3 to these grievances or this Court's lack of jurisdiction.

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated this 7<sup>th</sup> day of April, 2009

POLSINELLI SHUGHART PC

KATIE V. BROWN

By: \_\_\_\_\_  
Katherine V. Brown  
Security Title Plaza  
3636 N. Central Ave., Suite 1200  
Phoenix, AZ 85012

**CERTIFICATE OF SERVICE**

I hereby certify that on April 7, 2009, I electronically transmitted the foregoing document to the U.S. District Court Clerk's Office by using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrant(s).

I further certify that on April 7, 2009, I delivered a paper courtesy copy of the foregoing document and the Notice of Electronic Filing to the assigned Judge:

s/ KATIE V. BROWN

**EXHIBIT A**

**Grievances**

**Exhibit No.**

1099  
1100  
1101  
1102  
1103  
1104  
1105  
1107  
1108  
1109  
1111  
1332  
1366