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

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

12 Plaintiffs,

13 vs.

14 US AIRLINE PILOTS ASSOCIATION,  
US AIRWAYS, INC.,

15 Defendants,

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

18 Plaintiffs,

19 vs.

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

21 Defendants.  
22

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

**DEFENDANT USAPA'S  
PROPOSED VERDICT FORM**

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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

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

Plaintiffs,

vs.

**SPECIAL VERDICT FORM**

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

From a preponderance of the evidence, please answer:

1. While bargaining with the employer, did the Defendant fail to consider any interests of the Plaintiffs?

Answer: Yes \_\_\_ or No \_\_\_

If you answered "No" to question No. 1 you need not answer any remaining questions; if you answered "Yes" go to question No. 2.

2. While bargaining with the employer, did the Defendant act in bad faith towards Plaintiffs?

Answer: Yes \_\_\_ or No \_\_\_

If you answered "No" to question No. 2 you need not answer any remaining questions; if you answered "Yes" go to question No. 3.

3. Did Defendant breach its duty of fair representation owed to the Plaintiffs?

Answer: Yes \_\_\_ or No \_\_\_

If you answered "No" to question No. 3 you need not answer any remaining questions; if you answered "Yes" go to question No. 4.

1 4. Did Defendant's breach cause any damages to Plaintiffs?

2 Answer: Yes \_\_\_ or No \_\_\_

3 If you answered "No" to question No. 4 you need not answer any remaining questions;  
4 if you answer "Yes" go to question No. 5.

5 5. Plaintiffs should be awarded \$ \_\_\_\_\_ as the damages.

6 SO SAY WE ALL.

7 \_\_\_\_\_  
Foreperson

8 DATED: \_\_\_\_\_

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Respectfully Submitted,

Dated: April 16, 2009

By: /s/ Nicholas P. Granath, Esq.

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**CERTIFICATE OF SERVICE**

This is to certify that on the date indicated herein below true and accurate copies of the foregoing documents and their attachments, *to wit*,

- Defendant USAPA’s Proposed Special Verdict Form
- Certificate of Service

were electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all admitted counsel who have registered with the ECF system, including but not limited, to:

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Further, I certify that paper hard copies shall be provided to The Honorable Neil V. Wake, District Court Judge, 401 W. Washington Street, SPC 52, Phoenix, AZ 85003.

On April 16 2009, by:

**/s/ Nicholas Paul Granath, Esq.**