

1 LEE SEHAM, Esq. *pro hac vice*
STANLEY J. SILVERSTONE, Esq. *pro hac vice*
2 LUCAS K. MIDDLEBROOK, Esq. *pro hac vice*
NICHOLAS P. GRANATH, Esq., *pro hac vice*
3 SEHAM, SEHAM, MELTZ & PETERSEN, LLP
445 Hamilton Avenue, Suite 1204
4 White Plains, NY 10601
Tel: 914 997-1346; Fax: 914 997-7125

5 STANLEY LUBIN, Esq., State Bar No. 003076
6 stan@lubinandenoach.com
LUBIN & ENOCH, PC
7 349 North 4th Avenue
Phoenix, AZ 85003-1505
8 Tel: 602 234-0008; Fax: 602 626 3586

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,
16 US AIRWAYS, INC.,
Defendants,

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

DECLARATION OF
NICHOLAS P. GRANATH, ESQ.

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

19 Plaintiffs,

20 vs.

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

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 opposition to
7 Plaintiffs' Motion for Order Compelling USAPA Officers to Appear for Trial.

8 3. Attached, and marked and labeled **Attachment 1**, is a true and correct copy
9 of an e-mail dated April 14, 2009, that I received from plaintiffs' counsel Don Stevens.

10 4. Attached, and marked and labeled **Attachment 2**, is a true and correct copy
11 of an e-mail dated April 14, 2009, that I sent to plaintiffs' counsel Don Stevens in
12 response to Attachment 1.

13 5. Attached, and marked and labeled **Attachment 3**, is a true and correct copy
14 of an e-mail dated April 18, 2009, that I sent to plaintiffs' counsel Don Stevens.

15 Further your Declarant sayeth not.

16 Pursuant to 29 USC § 1746, I declare under penalty of perjury that the foregoing is
17 true and correct.
18

19 Executed on: April 22, 2009

20 /s/ NICHOLAS PAUL GRANATH