

1 US Airways, Inc.  
2 SARAH ASTA, State Bar No. 013471  
3 KAREN GILLEN, State Bar No. 018008  
4 sarah.asta@usairways.com  
5 karen.gillen@usairways.com  
6 111 W. Rio Salado Parkway  
7 Tempe, AZ 85281  
8 Telephone: 480-693-0800  
9 Facsimile: 480-693-5932

7 O'Melveny & Myers LLP  
8 ROBERT A. SIEGEL (*pro hac vice*)  
9 rsiegel@omm.com  
10 400 South Hope Street  
11 Los Angeles, CA 90071-2899  
12 Telephone: 213-430-6000  
13 Facsimile: 213-430-6407

11 Attorneys for Defendant  
12 US AIRWAYS, INC.

13 **UNITED STATES DISTRICT COURT**  
14 **FOR THE DISTRICT OF ARIZONA**

15 Don Addington, *et al.*;

16 Plaintiffs,

17 v.

18 US Airline Pilots Association and US  
19 Airways, Inc.,

20 Defendants.

Case No. 2:08-cv-01633-PHX-NVW

**DECLARATION OF E. ALLEN  
HEMENWAY IN SUPPORT OF US  
AIRWAYS' OBJECTION TO SECOND  
ISSUE OF LAW IN FINAL PRETRIAL  
ORDER FOR BENCH TRIAL**

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1 I, E. ALLEN HEMENWAY, pursuant to 28 U.S.C. § 1746, declare and state as follows:

2 1. I am the Vice President, Labor Relations, of US Airways, Inc. ("US Airways"),  
3 with responsibility for US Airways' labor relations with each of its collective bargaining units. In  
4 my current position, I participate in negotiations with the pilots' union for a single collective  
5 bargaining agreement applicable to all pilots of US Airways. In my previous position as Vice  
6 President of Labor Relations for the pre-merger US Airways, I participated in negotiations for the  
7 Transition Agreement on behalf of US Airways. If called and sworn as a witness, I could and  
8 would testify competently thereto.

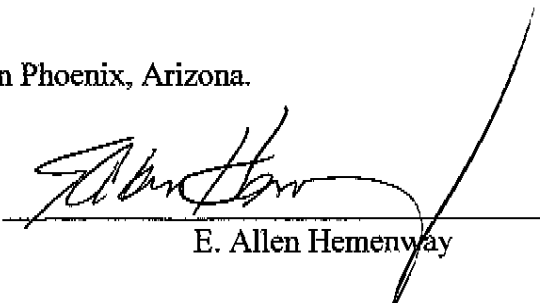
9 2. Attached hereto as Exhibit A is a true and correct copy of the Transition  
10 Agreement between America West Holdings Corporation; America West Airline, Inc.; US  
11 Airways Group, Inc.; US Airways, Inc.; and the Air Line Pilots in the service of America West  
12 and US Airways, respectively, as represented by the Air Line Pilots Association (the "Transition  
13 Agreement"). Section V of the Transition Agreement sets forth the parties' agreement to use one  
14 of five named mediators to assist in the negotiation of a collective bargaining agreement.

15 3. Attached hereto as Exhibit B is a true and correct copy of my April 24, 2009 letter  
16 to the US Airline Pilots Association, in which US Airways invoked its rights to use the services  
17 of one of the mediators listed in Section V of the Transition Agreement.

18 I declare under penalty of perjury under the laws of the United States of America that the  
19 foregoing is true and correct.

20 Executed this 5th day of May, 2009 in Phoenix, Arizona.

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E. Allen Hemenway