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

9 Don ADDINGTON, *et al.*,
 10 Plaintiffs,
 11 vs.
 12 US AIRLINE PILOTS ASSN., *et al.*,
 13 Defendants.

CASE NOS.
 2:08-CV-1633-PHX-NVW
 2:08-CV-1728-PHX-NVW
 (Consolidated)
**PLAINTIFFS OBJECTIONS TO USAPA
 TRIAL EXHIBITS AND WITNESSES**

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

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 20 USAPA intends to offer certain documents, described in the attached Exhibit A,
 21 on issues that are covered by the Court’s prior ruling on Motions in Limine.
 22 Plaintiffs’ objections are detailed in Exhibit A, but cover three main categories: (a)
 23 AWAPPA documents, barred by the hearsay rule, cumulative evidence, and Rule
 24 401/403 of the Federal Rules of Evidence, (b) documents relating to the “bad acts” or
 25 attitudes of West Pilots towards USAPA or other West Pilots, barred by the specific
 26 Plaintiffs Motions in Limine, barred by hearsay and Rules 401/403 of the Federal
 27 Rules of Evidence, and (c) a variety of hearsay documents for which there is little or
 28

1 no probative value, such as legal pleadings from other litigation, whose marginal
2 relevance is outweighed by the risks enumerated in Rule 403.

3 As of the date of this filing, the Court had dealt with the Exhibits offered by
4 Defendants and Exhibit A is inclusive of all documents that USAPA indicated it
5 intended to offer. USAPA did not offer the full number of documents and Exhibit A
6 is therefore over-inclusive. This Motion is filed in the event that USAPA offers
7 additional documents before the close of all evidence.

8 USAPA indicated that it intended to call Frank Helton. Mr. Helton is the
9 alleged victim of harassment by certain West Pilots. This topic was fully covered by
10 Plaintiffs' Motion in Limine on "bad acts." USAPA should be precluded from calling
11 Mr. Helton since he has no relevant testimony and the risk of prejudice and jury
12 confusion is significant because of the nature of his allegations.

13 Respectfully submitted this 5th day of May, 2009.

14 POLSINELLI SHUGHART PC

15
16 By: /s/

17 *Don Stevens*

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21 **CERTIFICATE OF SERVICE**

22 I hereby certify that on May 5, 2009, I electronically transmitted the
23 foregoing document to the U.S. District Court Clerk's Office by using the
24 CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

25 *s/ Don Stevens*
26 _____
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