

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
CIVIL MINUTES

Phoenix Division

CV08-1633-PHX-NVW DATE: July 7, 2009

Year Case No. Dft #

HON: NEIL V. WAKE Judge # 7032

Caption: Addington, et. al. v. US Airline Pilots Association, et. al.

Deputy Clerk: Sandi Fredlund Crt Rptr/ECR: Laurie Adams

Plaintiffs' counsel: Don Stevens, II, Katherine Brown, Marty Harper, and Andrew Jacob

Defendant US Airline Pilots Association's ("USAPA") counsel: Lucas Middlebrook, Nicholas Granath, and Stanley Silverstone (all telephonic)

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In addition to counsel, also present are Plaintiffs Mark Burman, John Bostic and Roger Velez.

2:07 p.m. Motion hearing on the pending Motion for Summary Judgment, document 487, held. Counsel present argument.

Defendant's Motion to Strike [**doc. 516**] the supplemental Reply is **GRANTED**. Document 515 is ordered stricken but is to remain imaged in the electronic records of the Court.

The Court will allow Plaintiffs to amend their Complaint as discussed.

The Motion for Summary Judgment [**doc. 487**] is denied as premature in light of the inadequate discovery. The motion is denied without prejudice to re-urge it after the Complaint is amended and further discovery. 3:20 p.m. Recess.

3:35 p.m. Hearing resumes. Discovery disputes [docs. 549-553] are discussed. The Court directs counsel to confer regarding the scope of the discovery referenced in doc. 549. Document 550 is resolved/withdrawn. Regarding Document 551, counsel are directed to confer on the remaining points of disagreement. Regarding Document 552, counsel are directed to confer. Regarding Document 553, counsel are directed to confer. Counsel may either submit stipulated orders, if they deem necessary, or separate memoranda if they need the Court's ruling and written orders. Form of injunction is discussed. 5:02 p.m. Hearing adjourned.

Time in Court:. 2 hrs, 40 mins.