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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Don Addington; John Bostic; Mark)
Burman; Afshin Iranpour; Roger Velez;)
Steve Wargoeki,

Plaintiffs,

vs.

US Airline Pilots Association; US)
Airways, Inc.,

Defendants.

No. CV 08-1633-PHX-NVW
(consolidated)

ORDER

Don Addington; John Bostic; Mark)
Burman; Afshin Iranpour; Roger Velez;)
Steve Wargoeki, et al.,

Plaintiffs,

vs.

Steven Bradford; Paul Diorio; Robert)
Frear; Mark King; Douglas Mowery; John)
Stephan, et al.,

Defendants.

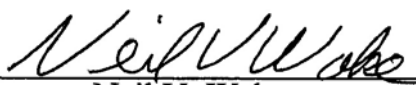
CV08-1728-PHX-NVW

By decision this day the Court of Appeals ruled that this action should be dismissed for lack of ripeness. *Addington v. US Airline Pilots Association*, No. 09-16564 (9th Cir. June 4, 2010). In light of that decision, the pending motions that have been stayed pending that appeal will be denied without prejudice to re-urging the motions by reference to the existing briefing in the event the final mandate of the Court of Appeals differs from today’s decision.

1 IT IS THEREFORE ORDERED that the stay order of February 12, 2010, (doc. # 637)
2 is vacated.

3 IT IS FURTHER ORDERED that Plaintiffs' Motion for Award of Attorneys' Fees
4 (doc. # 600) and Defendants' Motion to Dismiss Second Amended Complaint (doc. # 620)
5 are denied as moot and without prejudice to re-urging the motions by reference to the
6 existing briefing in the event the final mandate of the Court of Appeals differs from today's
7 decision.

8 Dated: June 4, 2010.

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12 _____
13 Neil V. Wake
14 United States District Judge
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