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

US Airways, Inc., a Delaware Corporation,

Plaintiff,

vs.

Don Addington, an individual, *et al*

and

US Airline Pilots Association,

Defendants.

Case No. 2:10-CV-01570-PHX-ROS

**DECLARATION OF
NICHOLAS PAUL GRANATH
IN SUPPORT OF USAPA'S
MOTION TO STAY ALL FURTHER
PROCEEDINGS**

I, Nicholas Paul Granath, Esq., declare as follows:

1. I make this Declaration of my own free will and based on my personal, first-hand knowledge, unless otherwise specifically indicated.
2. This Declaration is in support of USAPA's motion to stay all further proceedings, pending final disposition of *Addington v. USAPA, et al.*
3. I am counsel of record for USAPA in this action as well as in the pending action in the Ninth Circuit Court of Appeals.
4. Attached, marked, and labeled **Exhibit A** is a true and correct copy of the decision in *Addington et al v. US Airline Pilots Ass'n, US Airways Inc.*, 606 F.3d 1174 (9th Cir. 2010), *reh'g denied*, (July 14, 2010).

1 5. Attached, marked, and labeled **Exhibit B** is a true and correct copy of the
2 Addington party's pending motion to stay the mandate of the Ninth Circuit Court
3 of Appeals.

4 6. Attached, marked, and labeled **Exhibit C** is a true and correct copy of the Ninth
5 Circuit's denial of the Addington party's request for an en banc rehearing.

6 7. Attached, marked, and labeled **Exhibit D** is a true and correct copy of a transcript
7 of a US Airways quarterly earnings call dated April 24, 2008.

8 8. Attached, marked, and labeled **Exhibit E** is a true and correct copy of a transcript
9 of a US Airways quarterly earnings call dated July 22, 2010.

10
11 Further your Declarant sayeth not.

12 Pursuant to 29 U.S.C. § 1746, I declare under penalty of perjury that the foregoing
13 is true and correct.

14 Executed on: July 30, 2010

15 /s/ Nicholas Paul Granath
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