

1 Karen Gillen
2 US Airways, Inc.
3 111 West Rio Salado Parkway
4 Tempe, AZ 85281
5 State Bar No. 018008
6 Facsimile: (480) 693-5932
7 karen.gillen@usairways.com
8 Telephone: (480) 693-0800

9 Robert A. Siegel (*pro hac vice*)
10 Chris A. Hollinger (*pro hac vice*)
11 Mark W. Robertson (*pro hac vice*)
12 Ryan W. Rutledge (*pro hac vice*)
13 O'Melveny & Myers LLP
14 400 South Hope Street
15 Los Angeles, CA 90071-2899
16 Facsimile: (213) 430-6407
17 rsiegel@omm.com
18 rrutledge@omm.com
19 Telephone: (213) 430-6000

20 Attorneys for Plaintiff
21 US Airways, Inc.

22 **UNITED STATES DISTRICT COURT**
23 **DISTRICT OF ARIZONA**

24 US Airways, Inc., a Delaware
25 Corporation,

26 Plaintiff,

27 v.

28 Don Addington, an individual; John
Bostic, an individual; Mark Burman, an
individual; Afshin Iranpour, an
individual; Roger Velez, an individual;
and Steve Wargoeki, an individual, on
behalf of themselves and all other
similarly-situated individuals,

and

US Airline Pilots Association, an
unincorporated association,

Defendants.

Case No. CV-10-1570-PHX-ROS

**STIPULATION REGARDING:
SERVICE OF COMPLAINT, TIME TO
ANSWER OR OTHERWISE
RESPOND, AND TIME TO REPLY
(First Request)**

1 This stipulation, entered into by and between Plaintiff US Airways, Inc. (“US
2 Airways”), defendants Don Addington, John Bostic, Mark Burman, Afshin Iranpour,
3 Roger Velez, and Steve Wargocki (the “Addington Defendants”), and defendant US
4 Airline Pilots Association (“USAPA”), is made with reference to the following facts and
5 recitals:

6 WHEREAS, Plaintiff US Airways filed its Complaint in this Action on July 26,
7 2010;

8 WHEREAS, US Airways contacted the attorneys for defendants to inquire whether
9 they would accept service of the Complaint on their clients’ behalf;

10 WHEREAS, Marty Harper, Esq., of Polsinelli Shughart PC, agreed to accept
11 service on behalf of his clients, the Addington Defendants;

12 WHEREAS, Nicholas J. Enoch, Esq., of Lubin & Enoch, P.C. and Lee Seham,
13 Esq., of Seham, Seham, Meltz & Petersen, LLP, agreed to accept service on behalf of
14 their client, defendant USAPA;

15 WHEREAS, all parties to the action, in agreeing to the manner and timing of
16 service of the Complaint, desired to agree to a set schedule for responding to the
17 Complaint and for briefing any motion filed in response to the Complaint that would
18 permit the parties adequate time to address any issues raised by the pleadings; and

19 WHEREAS, there have been no previous extensions of the time for Defendants to
20 respond to the Complaint or of the time for US Airways to respond to any motion filed in
21 response to the Complaint;

22 NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE
23 PARTIES AND REQUESTED THAT THE COURT ENTER AN ORDER THAT:

24 (1) The Addington Defendants and USAPA have been validly served, by their
25 consent, through their respective counsel, effective as of July 26, 2010;

26 (2) The Addington Defendants and USAPA shall have 40 days from service on
27 their counsel on July 26, 2010 in which to answer or otherwise respond to the Complaint;
28 and

1 (3) If the Addington Defendants and/or USAPA respond to the Complaint by
2 filing by filing a Rule 12 motion, US Airways shall have 30 days from service of said
3 motion in which to file an opposition or other response thereto.

4 This stipulation shall be without prejudice to any party seeking further extensions
5 of time from the Court. The parties agree that this stipulation may be executed in
6 counterparts.

7 Dated: August 5, 2010

O'Melveny & Myers LLP

8 By: /s/ Ryan Rutledge
9 Robert A. Siegel (*pro hac vice*)
10 Chris A. Hollinger (*pro hac vice*)
11 Mark W. Robertson (*pro hac vice*)
12 Ryan W. Rutledge (*pro hac vice*)
13 400 South Hope Street, Suite 1500
14 Los Angeles, CA 90071-2899

15 Karen Gillen, State Bar No. 018008
16 US Airways, Inc.
17 111 West Rio Salado Parkway
18 Tempe, AZ 85281

Attorneys for Plaintiff US Airways, Inc.

19 Dated: August 4, 2010

Polsinelli Shughart PC

20 By: /s/ Marty Harper (with permission)
21 Marty Harper, State Bar No. 003416
22 Security Title Plaza
23 3636 N. Central Ave., Suite 1200
24 Phoenix, AZ 85012

25 Attorneys for Defendants Don Addington,
26 John Bostic, Mark Burman, Afshin Iranpour,
27 Roger Velez, and Steve Wargoeki
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: August 4, 2010

Seham, Seham, Meltz & Petersen, LLP



/s/ Nicholas P. Granath

By: _____

Nicholas P. Granath (*pro hac vice*)

Lucas K. Middlebrook (*pro hac vice*)

Seham, Seham, Meltz & Petersen, LLP

445 Hamilton Avenue, Suite 1204

White Plains, NY 10601

Nicholas J. Enoch, State Bar No. 016473

Lubin & Enoch, P.C.

349 North 4th Avenue

Phoenix, AZ 85003-1505

Attorneys for Defendant US Airline Pilots
Association

NB1:801213.1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2010, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Marty Harper
Polsinelli Shughart PC

Attorneys for Defendants Don Addington, John Bostic, Mark Burman, Afshin Iranpour, Roger Velez, and Steve Wargocki

Nicholas P. Granath (pro hac vice)
Lucas K. Middlebrook (pro hac vice)
Seham, Seham, Meltz & Petersen, LLP

Nicholas J. Enoch
Lubin & Enoch, P.C.

Attorneys for Defendant US Airline Pilots Association

s/ Teresa Ryan
Teresa Ryan