

1 Nicholas Granath, Esq., *pro hac vice*
ngranath@ssmplaw.com
2 Lucas K. Middlebrook, Esq. *pro hac vice*
lmiddlebrook@ssmplaw.com
3 SEHAM, SEHAM, MELTZ & PETERSEN, LLP
445 Hamilton Avenue, Suite 1204
4 White Plains, NY 10601
Tel: 914 997-1346; Fax: 914 997-7125

5 Nicholas J. Enoch, Esq., State Bar No. 016473
6 nick@lubinandenoch.com
LUBIN & ENOCH, PC
7 349 North 4th Avenue
Phoenix, AZ 85003-1505
8 Tel: 602 234-0008; Fax: 602 626 3586

9
10 **IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

11
12 US Airways, Inc., a Delaware Corporation,

13 Plaintiff,

14 vs.

15 Don Addington, an individual, *et al*

16 and

17 US Airline Pilots Association,

18 Defendants.
19

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

NOTICE OF FILING

20
21
22
23

1 Defendant, the US Airline Pilots Association (“USAPA”), files this Notice that the
2 attached Mandate, marked and labeled Attachment A, issued by the Ninth Circuit Court
3 of Appeals, was filed today, August 10, 2010, in the matter of *Addington v. US Airline*
4 *Pilots Ass’n*, 606 F.3d 1174 (9th Cir. 2010) (Court of Appeals Case No. 09-16564), and
5 as Docket No. 647 in District Court Case No. 2:08-cv-01633-NVW.
6

7 Dated: August 10, 2010

8 By: /s/ Nicholas Paul Granath

9 Lee Seham, Esq. (*pro hac vice*)
10 Lucas K. Middlebrook, Esq. (*pro hac vice*)
11 Stanley J. Silverstone, Esq. (*pro hac vice*)
12 SEHAM, SEHAM, MELTZ & PETERSEN, LLP
13 445 Hamilton Avenue, Suite 1204
14 White Plains, NY 10601
15 Tel. (914) 997-1346; Fax (914) 997-7125

16 Nicholas P. Granath, Esq. (*pro hac vice*)
17 ngranath@ssmplaw.com
18 SEHAM, SEHAM, MELTZ & PETERSEN, LLP
19 2915 Wayzata Blvd.
20 Minneapolis, MN 55405
21 Tel. 612 341-9080; Fax 612 341-9079

22 Nicholas J. Enoch, State Bar No. 016473
23 nick@lubinandenoach.com
Lubin & Enoch, PC
349 North 4th Avenue
Phoenix, AZ 85003-1505

CERTIFICATE OF SERVICE

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

I hereby certify that on this day of August 10, 2010, I electronically transmitted the foregoing document to the U.S District Court Clerk’s Office using the ECF System for filing and transmittal.

By: /s/ Nicholas Paul Granath, Esq.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 10 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

Attachment A

DON ADDINGTON, individual resident of the State of Arizona, formerly employed by America West Airlines, Inc. and presently employed by its successor after merger, US Airways, Inc.; et al.,

Plaintiffs - Appellees,

v.

US AIRLINE PILOTS ASSOCIATION, an unincorporated association representing the pilots in the employment of US Airways, Inc., a Delaware corporation,

Defendant - Appellant,

and

US AIRWAYS, INC., a Delaware corporation; et al.,

Defendants.

No. 09-16564

D.C. No. 2:08-cv-01633-NVW
U.S. District Court for Arizona,
Phoenix

MANDATE

The judgment of this Court, entered June 04, 2010, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Gabriela Van Allen
Deputy Clerk