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

12  
13 US Airways, Inc., a Delaware Corporation,  
14 Plaintiff,

15 vs.

16 Don Addington, an individual, *et al*

17 and

18 US Airline Pilots Association,

19 Defendants.  
20  
21  
22  
23

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

**DEFENDANT USAPA'S  
MOTION FOR LEAVE TO FILE  
OVER-LENGTH BRIEF**

1 TO : PLAINTIFFS, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD.

2 COMES NOW the Defendant, US Airline Pilots Association (“USAPA”), to  
3 hereby respectfully move the Court, pursuant to Local Rule 7.2, for leave to file the over-  
4 length brief that USAPA separately lodges (Doc. No. \_\_) in support of its Notice Of  
5 Motion And Rule 12(b) Motion To Dismiss (Doc. No. 36).

6 The grounds for this motion are:

7  
8 First, because of the long and complicated history of this matter and its related  
9 litigation, and the scope of legal issues involved, USAPA believes that it will prejudiced  
10 by an arbitrary page length, and further that an over-length brief of not more than 30  
11 pages will be helpful to the Court in resolving USAPA’s motion to dismiss.

12 Second, counsel for USAPA conferred with counsel for US Airways by email on  
13 August 31, 2010. Counsel for US Airways indicated that it did not object to a request  
14 made by USAPA to file an over-length brief of up to 30 pages, provided that USAPA  
15 does not object to the same extension for the Company. USAPA has no objection to any  
16 Company request to file an over-length brief.

17 This motion is based on the pleadings, the undisputed material facts in the record,  
18 and, as well as such other evidence, facts, or materials as the Court may deem  
19 appropriate.

20 WHEREFORE, defendant USAPA respectfully requests leave to file its over-  
21 length brief to be separately lodged in support of this motion.  
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23

1 Respectfully Submitted,

2  
3 Dated: September 7, 2010

By: /s/ Lee Seham

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23  
**CERTIFICATE OF SERVICE**

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

I hereby certify that on this day of September 7, 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.