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December 2, 2010

**VIA ELECTRONIC MAIL  
AND FIRST CLASS MAIL**

Nicholas P. Granath  
SEHAM, SEHAM, MELTZ & PETERSEN, LLP  
2915 Wayzata Blvd.  
Minneapolis, MN 55405

**RE: *Amended Rule 11 Motion for Sanctions against the Addington Defendants for Failure to Withdraw Their Cross Claim***

Dear Nick:

Your *Amended Rule 11 Motion for Sanctions against the Addington Defendants for Failure to Withdraw Their Cross Claim* makes frivolous arguments for improper purposes in violation of Rule 11(b). This letter, therefore, serves to provide notice that we will file the attached motion for sanctions pursuant to Rule 11(c)(2) if you do not withdraw your motion within the 21 days provided by the rules which date is December 24, 2010.

Very truly yours,

A handwritten signature in black ink that reads "Marty Harper".

Marty Harper

MH:kh

c: **VIA ELECTRONIC MAIL  
AND FIRST CLASS MAIL**

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**Exhibit "B" to Reply in Support of Rule 11 Motion**

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8 *Attorneys for Addington Pilots*

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

11 US AIRWAYS, INC., a Delaware  
corporation, *et al.*,

12 *Plaintiff,*

13 vs.

14 Don ADDINGTON; John BOSTIC;  
Mark BURMAN; Afshin IRANPOUR;  
15 Roger VELEZ; and Steve  
WARGOCKI, on behalf of themselves  
16 and all other similarly-situated  
individuals,

17 and

18 US AIRLINE PILOTS ASS'N, an  
unincorporated association,

19 *Defendants.*

CASE NO.  
2:10-cv-01570-PHX-ROS

**ADDINGTON PILOTS' MOTION FOR  
RULE 11 SANCTIONS AGAINST THE  
LAW FIRM OF SEHAM, SEHAM,  
MELTZ & PETERSEN, LLP**

21 Don ADDINGTON; John BOSTIC; Mark BURMAN; Afshin IRANPOUR;  
22 Roger VELEZ; and Steve WARGOCKI (the "Addington Pilots"), on behalf of  
23 themselves and all other similarly-situated individuals, file this *Motion for*  
24 *Rule 11 Sanctions Against the Law Firm of Seham, Seham, Meltz & Petersen,*  
25 *LLP*, (hereinafter "Seham"). Despite the written demand required by Rule 11,  
26 Seham has failed to withdraw "*Defendant USAPA's Amended Rule 11 Motion*  
27 *for Sanctions Against the Addington Defendants for Failure to Withdraw*  
28 *their Cross Claim*" (Doc. #70). Seham's repeated threats to file Rule 11 motions

1 show that it filed its Rule 11 Motion solely as a litigation tactic.<sup>1</sup> Moreover,  
2 Seham's Rule 11 motion is frivolous because any competent attorney would  
3 conclude it is destined to fail. The Court should, therefore, sanction Seham  
4 pursuant to Rule 11(b)(1). This motion is supported by the *Memorandum of*  
5 *Points and Authorities* that follows.

6 Dated this \_\_\_ of \_\_\_\_\_, 2010.

7 POLSINELLI SHUGHART, PC

8 By

9 \_\_\_\_\_  
10 Marty Harper  
11 Kelly J. Flood  
12 Andrew S. Jacob  
13 Katherine V. Brown  
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15 One East Washington St., Ste. 1200  
16 Phoenix, AZ 85004  
17 *Attorneys for Addington Defendants /*  
18 *Cross-claimants*

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20  
21  
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25  
26  
27  
28 \_\_\_\_\_  
<sup>1</sup> References to "Rule" are to the Federal Rules of Civil Procedure.