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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 TO CONTINUE DATE
OF ORAL ARGUMENT ON CROSS-
MOTIONS FOR SUMMARY
JUDGMENT
(First Request)**

1 This stipulation, entered into by and between Plaintiff US Airways, Inc. (“US
2 Airways”), defendants Don Addington *et al.* on behalf of themselves and a certified class
3 (the “West Pilots”), and defendant US Airline Pilots Association (“USAPA”), is made
4 with reference to the following facts and recitals:

5 WHEREAS, between January and March 2012, the parties completed briefing on
6 cross-motions for summary judgment by the West Pilots and USAPA;

7 WHEREAS, on September 13, 2012, this Court set oral argument on the cross-
8 motions for summary judgment for September 26, 2012 at 2:00 P.M.;

9 WHEREAS, this year, Yom Kippur falls on September 26;

10 WHEREAS, US Airways requested that the other parties stipulate to a continuance
11 of the September 26 oral argument so that its lead counsel, Robert Siegel, who would
12 participate in the hearing on behalf of US Airways, can observe the religious holiday;

13 WHEREAS, counsel for USAPA do not oppose the continuance but have
14 scheduling conflicts September 27–28 and the afternoon of October 3;

15 WHEREAS, counsel for the West Pilots do not oppose the continuance but have
16 limited availability during October and November;

17 WHEREAS, there have been no prior continuances of the oral argument on the
18 cross-motions for summary judgment;

19 WHEREAS, all parties desire to keep any delay in the oral argument as short as
20 possible; and

21 WHEREAS, counsel for all parties are available for a conference call with the
22 Court’s clerk to discuss scheduling if the Court is inclined to allow it;

23 NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN US
24 AIRWAYS, THE WEST PILOTS, AND USAPA THAT:

25 Oral argument on the parties’ cross-motions for summary judgment be taken off
26 the Court’s calendar for September 26, 2012, and rescheduled for as soon thereafter as the
27 Court’s and the parties’ schedules allow.
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Dated: September 19, 2012

O'Melveny & Myers LLP

By: /s/ Robert A. Siegel
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Dated: September 19, 2012

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John Bostic, Mark Burman, Afshin Iranpour,
Roger Velez, Steve Wargocki, Michael Soha,
Rodney Albert Brackin, George Maliga, and
the certified class of West Pilots

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Dated: September 19, 2012

Patrick J. Szymanski PLLC

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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2012, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal.

/s/ Robert A. Siegel
Robert A. Siegel

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