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12 US Airways, Inc.

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF ARIZONA**

15 US Airways, Inc., a Delaware
16 Corporation,

17 Plaintiff,

18 v.

19 Don Addington, an individual; John
20 Bostic, an individual; Mark Burman, an
21 individual; Afshin Iranpour, an
22 individual; Roger Velez, an individual;
23 and Steve Wargocki, an individual, on
24 behalf of themselves and all other
25 similarly-situated individuals,

23 and

24 US Airline Pilots Association, an
25 unincorporated association,

26 Defendants.

Case No. 2-10-cv-1570-PHX-ROS

**PLAINTIFF US AIRWAYS, INC.'S
NOTICE OF AND MOTION FOR
RELIEF FROM JUDGMENT
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 60(b)(6) -- BASED
ON NEW DEVELOPMENTS**

1 Pursuant to Rule 60(b)(6) of the Federal Rules of Civil Procedure, Plaintiff US
2 Airways, Inc. (“US Airways”) respectfully moves that the Court vacate its October 11,
3 2012 summary judgment decision (Doc. No. 193) and judgment (Doc. No. 194), and
4 proceed to consider and decide the merits of Counts I and II in US Airways’ Complaint.¹
5 The reasons for US Airways’ motion are set forth in its memorandum of law filed
6 contemporaneously herewith.

7
8 Dated: October 30, 2012.

O’Melveny & Myers LLP

9 By: /s/ Robert A. Siegel
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11 Chris A. Hollinger (*pro hac vice*)
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18 Attorneys for Plaintiff US Airways, Inc.

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27 ¹ On October 18, 2012, US Airways filed a motion to correct the judgment under
28 Rule 60(a), which is pending before the Court. (*See* Doc. No. 195.) If that motion is granted, the
instant motion would be equally applicable to the modified judgment entered in response to the
motion to correct.

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CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2012, the foregoing document was electronically transmitted to the United States District Court Clerk's Office using the CM/ECF System for filing and transmittal.

/s/ Robert A. Siegel

Robert A. Siegel

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