

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

EDDIE BOLLMEIER, et al.,)	
)	
Plaintiffs,)	
v.)	Case No. 3:15-cv-00111-RJC-DCK
)	
GARY HUMMEL, et al.,)	
)	
Defendants.)	
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Supplemental Exhibits to Motion for TRO or Preliminary Injunctive Relief

Plaintiffs Eddie Bollmeier, Bill Tracey, and Simon Parrott (“Plaintiffs”), hereby submit supplemental exhibits to their Motion for TRO or Preliminary Injunctive Relief that came to their attention after briefing had closed on the Motion.

As the Court is aware, Plaintiffs filed this LMRDA action in part to stop Defendants from spending any further USAPA dues monies for purposes that are not on behalf of the entire pilot group. [See Complaint, Doc. 1.] Plaintiffs filed a Motion for TRO or Preliminary Injunction on March 27, seeking immediate relief to enjoin Defendants from further spending. [See Motion for TRO/Injunction, Doc. 16] The briefing is closed on Plaintiffs’ Motion for TRO or Injunction, and it is at issue. [Docs. 24, and 35-36.] A hearing on the Motion for TRO is scheduled for June 30, 2015.

Since the completion of briefing, we have learned two additional, and important facts. First, and most critically, within the last week USAPA has formally acknowledged that it is only representing the East pilots in the SLI process, not the collective pilot group. Bradford states that “USAPA is no longer the collective bargaining agent for former US

Airways pilots but will represent ‘East’ pilots in [the SLI] process.” (See letter from Stephen Bradford, newly elected President of USAPA as of April 18, 2015, first paragraph, attached as Exhibit 7.) This is directly contrary to the position that USAPA and the Defendants have taken in briefs filed in this Court in both this action and in *USAPA v. Velez, et al.*, 3:14-CV-577-RJC-DCK, wherein USAPA and Defendants have repeatedly asserted that the SLI process is “collective legal action on behalf of the pilot group,” for which USAPA can therefore use dues monies received from both East and West pilots.

Second, Defendant officers and directors are continuing to dissipate funds that should be available for distribution to the entire pilot group to advance only their own and the East pilots’ interests in seniority by, in part, leasing new office space in Philadelphia for the USAPA Merger Committee that only represents East pilots. (See BPR Special Telephonic Meeting Recap, dated May 14, 2015, attached as Exhibit 8.)

Respectfully submitted this 27th day of May, 2015.

/s/ Kelly J. Flood

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the Supplemental Exhibits to Motion for TRO with the Clerk of the court using the CM/ECF system. John Gresham, of Tin, Fulton Walker & Owen, has notified Plaintiffs' counsel that he is counsel for Defendants Bradford, Streble, Hummel, Stein, Nathan, Taylor, Dugstad, Milkey and Smyser. In the event that notification pursuant to the CM/ECF system cannot be sent to John Gresham or Brian O'Dwyer, I hereby certify that the foregoing document was duly served upon counsel for the Defendants in accordance with the provisions of Rule 5 of the Federal Rules of Civil Procedure by depositing it in the United States Mail, first-class postage prepaid, addressed as follows:

John Gresham
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I hereby certify that I additionally emailed this Motion to Mr. Gresham this same date at jgresham@tinfulton.com, and Brian O'Dwyer at bodwyer@odblaw.com.

I hereby certify that, with respect to the Defendants who have to our knowledge not been served or are evading service, I have placed a copy of this motion in the United States Mail, certified first-class postage prepaid, return receipt requested, addressed as follows:

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Dated this 27th day of May, 2015.

/s/ Kelly J. Flood

Kelly J. Flood