

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CIVIL ACTION NO.: 3:14-cv-577

US AIRLINE PILOTS ASSOCIATION,

Plaintiff,

vs.

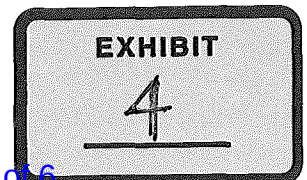
ROGER VELEZ, on behalf of himself
and all similarly situated former America
West Pilots, and LEONIDAS, LLC,

Defendants.

**DECLARATION OF ROGER VELEZ IN
SUPPORT OF NOTICE OF REMOVAL**

Roger Velez, being over the age of eighteen and competent to testify, do hereby swear under penalty of perjury:

1. I am a Captain with US Airways, and a member in good standing of the US Airline Pilots Association ("USAPA").
2. I have reviewed and I am familiar with USAPA's public filings with the U.S. Department of Labor, Office of Labor--Management Standards, and specifically USAPA's publicly filed Form LM-2 Labor Organization Annual Report.
3. I have reviewed and I am familiar with USAPA's most recent LM-2 (2013), covering the period from 4/1/2013 to 3/31/2014.
4. USAPA's most recent public filing states that it has total assets of \$11,526,179, over \$10,000,000 of which is cash.
5. A true and correct copy of pages 1-2 of USAPA's 2013 LM-2, which reflects its total assets, is attached hereto.



Dated this the 16th day of October, 2014.

A handwritten signature in black ink, appearing to read "Roger M. Velez". The signature is written in a cursive style with a large, stylized initial "R".

Roger M. Velez

CERTIFICATION

I, C. Grainger Pierce, Jr., pursuant to 28 U.S.C. § 1446(a), certify that this Notice of Removal is well-grounded in fact and warranted by law, and is otherwise made and filed in accordance with Rule 11 of the Federal Rules of Civil Procedure.

This the 16th day of October, 2014.

/s/ C. Grainger Pierce, Jr.
C. Grainger Pierce, Jr.
Nexsen Pruet, PLLC
227 West Trade Street, Suite 1550
Charlotte, NC 28202
Telephone: (704) 338-5321
Fax: (704) 805-4712
E-mail: gpierce@nexsenpruet.com
N.C. State Bar No. 27305
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing NOTICE OF REMOVAL with the Clerk of the court using the CM/ECF system. In the event that notification pursuant to the CM/ECF system cannot be sent to counsel for the Plaintiff, John Gresham, I hereby certify that the foregoing document was duly served upon counsel for the Plaintiff 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
Tin Fulton Walker & Owen
301 East Park Avenue
Charlotte, NC 28203

This the 16th day of October, 2014.

/s/ C. Grainger Pierce, Jr.
C. Grainger Pierce, Jr.
Nexsen Pruet, PLLC
227 West Trade Street, Suite 1550
Charlotte, NC 28202
Telephone: (704) 338-5321
Fax: (704) 805-4712
E-mail: gpierce@nexsenpruet.com
N.C. State Bar No. 27305
Attorney for Defendant

U.S. Department of Labor
Office of Labor-Management Standards
Washington, DC 20210

MUST BE USED BY LABOR ORGANIZATIONS WITH \$250,000 OR MORE IN TOTAL ANNUAL RECEIPTS AND LABOR ORGANIZATIONS IN TRUSTEESHIP

Form Approved
Office of Management and Budget
No. 1245-0003
Expires: 08-31-2016

FORM LM-2 LABOR ORGANIZATION ANNUAL REPORT

Return

This report is mandatory under P. L. 86-257, as amended. Failure to comply may result in criminal prosecution, fines, or civil penalties as provided by 29 U.S.C. 439 or 440.

READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

| | | | | |
|--|---------------------------|--|--|----------------|
| For Official Use Only | 1. FILE NUMBER 543-770 | 2. PERIOD COVERED From 04/01/2013 Through 03/31/2014 | 3. (a) AMENDED - Is this an amended report: (b) HARSHIP - Filed under the hardship procedures: (c) TERMINAL - This is a terminal report: | No No No |
| 4. AFFILIATION OR ORGANIZATION NAME US AIRLINE PILOTS ASSOCIATION | | | | |
| 5. DESIGNATION (Local, Lodge, etc.) | | 6. DESIGNATION NBR | | |
| 7. UNIT NAME (if any) | | | | |
| 8. MAILING ADDRESS (Type or print in capital letters) | | | | |
| First Name ROBERT | | Last Name STREBLE | | |
| P.O. Box - Building and Room Number SUITE 250 | | | | |
| Number and Street 200 EAST WOODLAWN ROAD | | | | |
| City CHARLOTTE | | | | |
| State NC | | | | |
| ZIP Code + 4 282172207 | | | | |
| 9. Are your organization's records kept at its mailing address? Yes | | | | |

Each of the undersigned, duly authorized officers of the above labor organization, declares, under penalty of perjury and other applicable penalties of law, that all of the information submitted in this report (including information contained in any accompanying documents) has been examined by the signatory and is, to the best of the undersigned individuals knowledge and belief, true, correct and complete (See Section V on penalties in the instructions.)

70. SIGNED: Gary P Hummel Telephone Number: 704-936-4500 PRESIDENT Date: Jun 26, 2014
71. SIGNED: Robert E Streble Telephone Number: 704-737-9041 TREASURER Date: Jun 26, 2014
Form LM-2 (Revised 2010)

ITEMS 10 THROUGH 21

10. During the reporting period did the labor organization create or participate in the administration of a trust or a fund or organization, as defined in the instructions, which provides benefits for members or beneficiaries? No
- 11(a). During the reporting period did the labor organization have a political action committee (PAC) fund? No
- 11(b). During the reporting period did the labor organization have a subsidiary organization as defined in Section X of these instructions? No
12. During the reporting period did the labor organization have an audit or review of its books and records by an outside accountant or by a parent body auditor/representative? Yes
13. During the reporting period did the labor organization discover any loss or

20. How many members did the labor organization have at the end of the reporting period? FILE NUMBER: 543-770 4,627

21. What are the labor organization's rates of dues and fees?

| Dues/Fees | Rates of Dues and Fees | | | |
|-----------------------|------------------------|------|---------|---------|
| | Amount | Unit | Minimum | Maximum |
| (a) Regular Dues/Fees | 2.45%per | | none | none |
| (b) Working Dues/Fees | n/aper | n/a | n/a | n/a |
| (c) Initiation Fees | n/aper | n/a | n/a | n/a |
| (d) Transfer Fees | n/aper | n/a | n/a | n/a |
| (e) Work Permits | n/aper | n/a | n/a | n/a |

shortage of funds or other assets? (Answer "Yes" even if there has been repayment or recovery.)

14. What is the maximum amount recoverable under the labor organization's fidelity bond for a loss caused by any officer, employee or agent of the labor organization who handled union funds? \$500,000

15. During the reporting period did the labor organization acquire or dispose of any assets in a manner other than purchase or sale? No

16. Were any of the labor organization's assets pledged as security or encumbered in any way at the end of the reporting period? No

17. Did the labor organization have any contingent liabilities at the end of the reporting period? No

18. During the reporting period did the labor organization have any changes in its constitution or bylaws, other than rates of dues and fees, or in practices/procedures listed in the instructions? No

19. What is the date of the labor organization's next regular election of officers? 04/2015

Form LM-2 (Revised 2010)

STATEMENT A - ASSETS AND LIABILITIES

FILE NUMBER: 543-770

| ASSETS | Schedule Number | Start of Reporting Period (A) | End of Reporting Period (B) |
|------------------------------|-----------------|-------------------------------|-----------------------------|
| 22. Cash | | \$5,639,943 | \$10,234,833 |
| 23. Accounts Receivable | 1 | \$605,886 | \$1,080,642 |
| 24. Loans Receivable | 2 | \$28,565 | \$24,415 |
| 25. U.S. Treasury Securities | | \$0 | \$0 |
| 26. Investments | 5 | \$0 | \$0 |
| 27. Fixed Assets | 6 | \$222,298 | \$163,829 |
| 28. Other Assets | 7 | \$21,063 | \$22,460 |
| 29. TOTAL ASSETS | | \$6,517,755 | \$11,526,179 |

LIABILITIES

| LIABILITIES | Schedule Number | Start of Reporting Period (A) | End of Reporting Period (B) |
|-----------------------|-----------------|-------------------------------|-----------------------------|
| 30. Accounts Payable | 8 | \$1,218,164 | \$985,919 |
| 31. Loans Payable | 9 | \$0 | \$0 |
| 32. Mortgages Payable | | \$28,834 | \$32,588 |
| 33. Other Liabilities | 10 | \$1,246,998 | \$1,018,507 |
| 34. TOTAL LIABILITIES | | \$1,246,998 | \$1,018,507 |

35. NET ASSETS \$5,270,757 \$10,507,672

Form LM-2 (Revised 2010)

STATEMENT B - RECEIPTS AND DISBURSEMENTS

FILE NUMBER: 543-770