

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:14-CV-577-RJC-DCK**

US AIRLINE PILOTS ASSOCIATION,)
)
 Plaintiff,)
)
 v.)
)
 ROGER VELEZ, and LEONIDAS, LLC,)
)
 Defendants.)
)
 _____)

**ORDER GRANTING CONDITIONAL CERTIFICATION OF CLASS ACTION FOR
SETTLEMENT PURPOSES ONLY, PRELIMINARY APPROVAL OF THE SETTLEMENT
AGREEMENT AND RELEASE, AND APPROVAL OF THE CONTENT AND METHOD OF
DISTRIBUTION OF THE NOTICE TO CLASS MEMBERS**

This matter is before the Court on the parties' Joint Motion for Conditional Certification of Class Action for Settlement Purposes Only, Preliminary Approval of the Settlement, and Approval of the Content and Method of Distribution of Notice to Class Members (Joint Motion). The moving parties have submitted a Settlement Agreement and Release (Settlement Agreement) and Notice of Settlement Agreement and Fairness Hearing (Notice) for approval. The Court, having reviewed the exhibits and joint brief submitted by the parties in support of their joint motion, hereby orders as follows:

IT IS ORDERED that:

1. The Court preliminarily finds that with respect to the proposed Settlement Agreement among the parties, the applicable requirements of Rules 23(a) and 23(b)(2) of the Federal Rules of Civil Procedure are satisfied, and these consolidated actions are conditionally

certified, for settlement purposes only, as a class action pursuant to Rules 23 and 23.1 and 23.2 of the Federal Rules of Civil Procedure on behalf of the following proposed Settlement Classes:

The East Pilot Settlement Class is defined as:

All pilots who were employed by US Airlines/American Airlines as of September 16, 2014 and who were listed on the US Airways East Pilot Seniority List.

The West Pilot Settlement Class is defined as:

All pilots who were employed by US Airlines/American Airlines as of September 16, 2014 and who were listed on the US Airways West Pilot Seniority List.

2. The Court preliminarily finds that with respect to the proposed Settlement Agreement among the parties, Rules 23(e), 23.1(c), and 23.2 of the Federal Rules of Civil Procedure are satisfied and this Settlement Agreement is preliminarily determined to be fair, reasonable, and adequate and is preliminarily approved.

3. The Court finds that the form, content and method of the Notice comports with Rules 23(c)(A) and 23.1(c) of the Federal Rules of Civil Procedure and due process of law. Dissemination of the Notice is ordered to be made as provided for in the Settlement Agreement and the joint brief.

4. John Owens, Bob Burdick and Mark King are preliminarily determined to be adequate representatives for the proposed East Pilot Settlement Class and are so appointed.

5. Eddie Bollmeier, Bill Tracey, and Simon Parrott are preliminarily determined to be adequate representatives for the proposed West Pilot Settlement Class and are so appointed.

6. Pursuant to Rule 23(g), Lee Seham and Stanley J. Silverstone, are hereby determined to be adequate Class Counsel for the East Pilot Settlement Class and are so appointed.

7. Pursuant to Rule 23(g), Marty Harper and Kelly J. Flood, are hereby determined to be adequate Class Counsel for the West Pilot Settlement Class and are so appointed.

8. Any members of the conditionally certified Settlement Classes who elect to object to or comment on the fairness of the Settlement Agreement must do so no later than thirty (30) days after dissemination of the approved Notice by following the procedures set forth in the Notice.

9. Any members of the conditionally certified Settlement Classes who wish to speak at the Fairness Hearing must submit a written request no later than thirty (30) days after dissemination of the approved Notice by following the procedures set forth in the Notice. The Court will decide in its discretion who, if anyone, is permitted to speak at the Fairness Hearing.

10. Any parties who elect to respond to any objection or comment on the fairness of the Settlement Agreement must do so no later than seven (7) business days prior to the scheduled date of the Fairness Hearing.

11. The parties shall jointly move for final approval of the proposed Settlement Agreement, seven (7) business days prior to the scheduled date of the Fairness Hearing.

12. A Fairness Hearing shall be held to consider final approval of the Settlement Agreement and final certification of the Settlement Classes commencing at _____ a.m. on the ___ day of May, 2016.

13. The consolidated actions are stayed pending the outcome of the Fairness Hearing.

14. Pending the Fairness Hearing, enjoining the Parties and any and all Class Members, from commencing or prosecuting, either directly or indirectly, any action in any forum (state or federal) asserting any of the Released Claims in the Settlement Agreement.

15. The terms of the Settlement Agreement are subject to further evaluation and final approval after notice and objections and comments have been received during the time period between this Order and the Fairness Hearing.

SO ORDERED THIS the ____ day of _____, 2016.

Hon. Robert J. Conrad, Jr.
United States District Judge