

**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.	)
	)
	)
	)

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**DECLARATION OF NARENDRA K. GHOSH**

NARENDRA K. GHOSH, declares as follows under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am a partner with the law firm Patterson Harkavy LLP (“Patterson Harkavy”), attorneys for *Bollmeier* defendants Robert Frear, Paul DiOrio, Ron Nelson, and Paul Music. I submit this declaration in support of the parties’ Joint Motion for Final Approval of Class Action Settlement Agreement and Release, and in response to the objections to the settlement.

2. The *Bollmeier* defendants are entitled to reimbursement of their attorneys’ fees and expenses pursuant to the indemnification provision of the USAPA Constitution and Bylaws (Art. VIII, Sect. 2), and Paragraph 7 of the Settlement Agreement, which provides that “[u]pon entry of the Final Order approving this Settlement Agreement, and after the payment [for the benefit of the West Pilots] has been made, USAPA will retain exclusive control over all funds remaining in the USAPA treasury and, in its discretion, may use the remaining funds to ... reimburse attorneys’ fees and expenses incurred by any USAPA officer or BPR member named as a defendant in LMRDA action I and LMRDA action II...”

3. Patterson Harkavy was retained to represent *Bollmeier* defendants Robert Frear, Paul DiOrio, Ron Nelson, and Paul Music in October 2015.

4. For the period from October 2015 through the end of July 2016, Patterson Harkavy devoted 159.6 hours to representing the above *Bollmeier* defendants. The work performed by Patterson Harkavy included meetings and teleconferences with clients and counsel, review of all pleadings in consolidated cases, legal research, preparation of the defendants' motion to dismiss and motion for reconsideration, preparation of the briefs in support of the motions, preparation of the response to motion for mediation, preparation for mediation, participation at mediation, negotiation and preparation of the memorandum of settlement, preparation of the notice of settlement, preparation of the preliminary approval motion and class notice, preparation of the settlement agreement, and preparation of the final approval motion and response to objections.

5. The work was performed by the undersigned and attorney Paul Smith, associate at Patterson Harkavy. The undersigned, Narendra K. Ghosh, has been a member of the North Carolina bar since 2008. I am also admitted to practice before the three federal district courts in North Carolina, as well as the Fourth Circuit Court of Appeals and the Supreme Court of the United States. Paul Smith has been a member of the North Carolina bar since 2012, and is also admitted to practice before the three federal district courts in North Carolina.

6. I have reviewed Patterson Harkavy's records of the time spent in representing the above *Bollmeier* defendants in this matter from October 2015 through July 31, 2016. The number of hours worked is as follows:

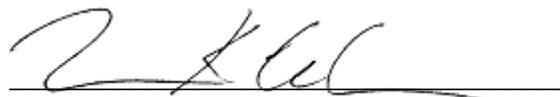
<u>Name</u>	<u>Rate</u>	<u>Hours</u>	<u>Total</u>
Narendra K. Ghosh	\$250	143.6	\$35,900.00
Paul Smith	\$150	16.0	\$2,400.00
Total		159.6	\$38,300.00

Patterson Harkavy expended \$3,891.12 in litigation-related expenses, which includes the *Bollmeier* defendants' share of the fees paid to Mediator Gary Hemric.

7. Thus, as of July 31, 2016, Patterson Harkavy's total fees and expenses are \$42,191.12 (\$38,300.00 in fees plus \$3,891.12 in expenses). Patterson Harkavy's fees and expenses will continue until final approval of the settlement.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8<sup>th</sup> day of August 2016.

  
 NARENDRA K. GHOSH