

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

US AIRLINE PILOTS ASSOCIATION, )  
)  
Plaintiff, )

v. )

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

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Civil Action No.:  
3:14-CV-577-RJC-DCK

EDDIE BOLLMEIER, BILL TRACEY )  
and, SIMON PARROTT, )  
)  
Plaintiffs, )

v. )

GARY HUMMEL, STEPHEN )  
BRADFORD, ROB STREBLE, )  
STEVE SMYSER, ROBERT FREAR, )  
COURTNEY BORMAN, and JANE )  
DOE BORMAN, RONALD NELSON, )  
PAUL DIORIO, PAUL MUSIC, )  
JOHN TAYLOR, JOE STEIN, )  
PETE DUGSTAD, JAY MILKEY, )  
and STEPHEN NATHAN, )  
)  
Defendants. )

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Civil Action No.:  
3:15-cv-00111-RJC-DCK

**West Pilots Settlement Class’s Response to Motion to Disqualify William Wilder  
and the Law firm of Baptiste & Wilder (“Wilder Firm”)**

The West Pilot Settlement Class, through counsel, hereby responds to the Motion to Disqualify the Wilder Firm filed by counsel for USAPA. [Doc. 129] Although the West Pilot Settlement Class has no dog in that particular fight, as a party to the global settlement, it does have a substantial interest in the timely final approval of the class action settlement achieved in this lengthy and complicated matter. The West Pilot Settlement Class’s position is, therefore, that the Court should not allow the dispute between USAPA and its former counsel to delay the settlement process or in any way impede the Court from granting final approval of the global class action settlement in this matter.

Notice of the global class action settlement in this matter was distributed to class members on May 6, 2016, by first-class mail, e-mail, and by posting the notice on the public portion of the USAPA and Leonidas, LLC websites. [Doc. 124, Declaration of John Owens.] As provided in the Notice, any class member who wished to object had until July 11, 2016, to transmit an objection in writing to the repository maintained by Grant Thornton. On the last day to submit objections, July 11, 2016, Grant Thornton received objections from two pilots purportedly represented by the Wilder Firm: Frederick M. Brown, Jr., and Jose J. Gonzalez. [Doc. 128, Declaration of Cory Rogers of Grant Thornton, Ex. B.] Grant Thornton received another 24 form joinder objections from pilots purportedly also represented by the Wilder Firm after the deadline had passed. [Doc. 128, Exhibit B.] USAPA filed its Motion to Disqualify the Wilder Firm on August 8, 2016. [Doc. 129.]

The Court has granted expedited consideration of this dispute, and oral argument is scheduled for August 26, 2016, just four days before the Fairness Hearing scheduled for August 30, 2016.

In sum, the Wilder Firm, which previously represented USAPA, took on representation of pilots adverse to USAPA, but waited until the final possible day to submit an objection to make this questionable representation apparent. USAPA, through its current counsel, filed a Motion to Disqualify the Wilder Firm four weeks later. As a result, this dispute between a client and its former counsel is being raised on the eve of the final, global resolution of eight years of litigation.

The West Pilot Settlement Class trusts that this Court will not allow the dispute to derail or delay final approval of the global class action settlement in this matter.

Respectfully submitted this 23<sup>rd</sup> day of August, 2016.

/s/Kelly J. Flood

Marty Harper, admitted *pro hac vice*

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing Notice of Change of Address with the Clerk of the court using the CM/ECF system and that notification will be sent via that system to:

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[This Response is being emailed this same date to:](#)

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This the 23<sup>rd</sup> day of August, 2016.

*/s/Kelly J. Flood*\_\_\_\_\_