

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

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**PLAINTIFF’S MOTION TO CONSOLIDATE**

Plaintiff US Airline Pilots Association (“USAPA”), and Defendants by and through its attorneys, and pursuant to Fed.R.Civ.P. 42(a), respectfully moves this Court to consolidate the present matter with the case of *Bollmeier v. Hummel, et al.*, currently pending before the Court as case no. 3:15-cv-00111, for all purposes. In support of this motion, plaintiff shows the following:

1. USAPA commenced this action on September 16, 2014, seeking a declaration as to the validity of certain actions taken by the National Officers of USAPA pursuant to their constitutional authority as provided for in USAPA’s Constitution and Bylaws.

2. On February 23, 2015, Eddie Bollmeier, Bill Tracey, and Simon Parrott filed an Application for Leave to Bring Verified Complaint Under Title V of the Labor Management Reporting and Disclosure Act against fifteen current and former officers of USAPA, sued in their individual capacities. 3:15-mc-00035-MOC-DCK, Doc. 1. (hereinafter the “Bollmeier Action”)

All defendants are current or former US Airways pilots, described in the complaint as “East Pilots”.

3. The *Bollmeier* Action arises from the same operative facts as this matter.

4. The *Bollmeier* plaintiffs were granted leave to commence their lawsuit by order dated March 5, 2015. *Bollmeier* Action, Doc. 2.

5. On March 6, 2015, defendant Velez filed a Notice of Related Action in this action. Doc. 37.

6. The *Bollmeier* Action was transferred to this Court on March 9, 2015.

7. The undersigned has consulted with counsel for plaintiffs in the *Bollmeier* Action regarding this motion. The same counsel represents the Defendants in *U.S. Airline Pilots Association v. Velez, et al.*, Case No.: 3:14-CV-577-RJC-DCK and the Plaintiffs in *Bollmeier v. Hummel, et al.*, Case No. 3:15-cv-00111 and counsel has consented to this consolidation.

WHEREFORE, for the reasons set forth above, and in the accompanying Brief in Support of its Motion to Consolidate, plaintiff respectfully requests that the Court grant its present motion, consolidate the present matter with the case of *Bollmeier v. Hummel, et al.*, currently pending before the Court as case no. 3:15-cv-00111, for all purposes, and grant it such further relief as the Court deems just and proper.

Respectfully submitted,

TIN FULTON WALKER & OWEN

s/ John Gresham

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing PLAINTIFF'S MOTION TO CONSOLIDATE with the Clerk of the Court using the CM/ECF system, and that notification pursuant to the CM/ECF system will be sent to:

C. Grainger Pierce, Jr.  
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This the 10th day of April, 2015.

s/ John W. Gresham  
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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

PROPOSED ORDER

Based upon the Plaintiff's Motion to Consolidate and the consent of counsel for Defendants in *U.S. Airline Pilots Association v. Velez, et al.*, Case No.: 3:14-CV-577-RJC-DCK

and Plaintiffs in *Bollmeier v. Hummel, et al.*, Case No. 3:15-cv-00111, the Court having considered the motion, and the memorandum in support of the motion, and good cause appearing;

NOW, THEREFORE, IT IS ORDERED that these matters be consolidated for all purposes.

Signed:

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Hon. David C. Keesler  
United States Magistrate Judge