

BAPTISTE & WILDER, P.C.

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June 29, 2015

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Arbitrator Dana Eischen
Arbitrator Ira Jaffe
Arbitrator David Vaughn
Arbitration Panel, Seniority List Integration Dispute Involving the Pilots of
New American Airlines, Inc.

Re: Withdrawal of the USAPA Merger Committee

Gentlemen:

The decision of the United States Court of Appeals for the Ninth Circuit in *Addington, et al v. USAPA*, requires that the USAPA Merger Committee permanently withdraw from this proceeding. The order directed by the court of appeals prohibits USAPA from participating in the McCaskill-Bond process subject to an exception that the position of the USAPA Merger Committee submitted to the Panel does not satisfy. The USAPA Merger Committee is therefore prohibited by the court of appeals' decision from further participation.

Moreover, the USAPA Merger Committee is not an adequate representative of US Airways (East) pilots in this proceeding. Those pilots have a statutory right as "covered employees" under the McCaskill-Bond Amendment to a representative who is free to formulate a position that is in the best interest of the US Airways (East) pilots. Both the premerger American pilots and the premerger US Airways (West) pilots have SLI representatives who are unrestricted in the positions they are permitted to take before the Panel. The USAPA Merger Committee, however, is restricted by the decision of the Ninth Circuit from taking any position other than to "advocate for the Nicolau Award." It therefore cannot be an adequate representative of US Airways (East) pilots and must withdraw from this proceeding.

The USAPA Merger Committee's withdrawal includes withdrawal as a party under the Seniority Integration Protocol Agreement and the Ground Rules entered by the Panel. The USAPA Merger Committee will not seek to reenter the seniority list integration process at a later point, irrespective of any further ruling by the United States Court of Appeals for the Ninth Circuit.

Sincerely,



William R. Wilder

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cc: J. Freund
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