

**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. )

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. )

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

**[REVISED PROPOSED] TEMPORARY RESTRAINING ORDER**

This matter, having come before the Court on Plaintiffs' Eddie Bollmeier, Bill Tracey, and Simon Parrott Motion for Temporary Restraining Order pursuant to Rule 65

of the Federal Rules of Civil Procedure, and the Court having considered Plaintiffs' and Defendants' respective submissions and having held a hearing on June 30, 2015, and it appearing that good cause exists for granting the Temporary Restraining Order because the Bollmeier Plaintiffs have demonstrated a likelihood of success on the merits and the Bollmeier Plaintiffs will be irreparably harmed if the TRO is not issued, it is this \_\_ day of \_\_, 2015 hereby ORDERED THAT:

1. Defendants USAPA and Gary Hummel, Stephen Bradford, Rob Streble, Steve Smyser, Robert Frear, Courtney Borman, Ronald Nelson, Paul Diorio, Paul Music, John Taylor, Jay Milkey, and Stephen Nathan and each of them are temporarily restrained from authorizing the expenditure of USAPA funds obtained from the collection of dues and assessments of US Airways pilots during the period that USAPA was the exclusive bargaining agent of US Airways pilots in support of activities of any kind, including but not limited to (1) payment of attorneys, experts, witnesses, office space or flight pay loss to pilots for purposes of preparing for and participating in the Substantive Seniority Integration Process culminating in an arbitration before Arbitrators Dana Eischen, Ira Jaffe and W. David Vaughn, and (2) payment of attorneys and costs for any actions that oppose implementation of the ruling issued by the Ninth Circuit Court of Appeals on June 26, 2015, in *Addington v. USAPA*, Nos. 14-15757, 15874, 15892, regardless of the forum in which such opposition is attempted, except that reasonable expenses incurred for preparing the Petition for Hearing En Banc that was filed July 10, 2015 may be paid.

2. The LMRDA Plaintiffs are entitled to an accounting of USAPA's books and records. The LMRDA Plaintiffs, USAPA and the LMRDA Defendants will promptly select a neutral qualified professional or firm to perform an accounting of USAPA's books and records for the period January 1, 2013 to the present. The cost of this accounting will be borne by USAPA. The accounting should be completed as quickly as possible, but in no event any later than August \_\_\_\_, 2015. Two representatives of the West Pilots appointed by the LMRDA Plaintiffs in CV3:15-cv-00111-RJC-DCK shall have total access to either the individual or firm that USAPA retains to perform the accounting. The West Pilot representatives will be appointed by July 24, 2015.
3. The LMRDA Defendants will not dissolve USAPA without prior written notice to the Plaintiffs in CV3:15-cv-00111-RJC-DCK and approval by the Court.
4. Because the funds that are the subject of the Complaint in the case will remain with USAPA during the pendency of the case, the Court finds pursuant to Rule 65(c) that no bond is required for the issuance of this Temporary Restraining Order.
5. This Order will expire on \_\_\_\_, 2015 unless extended by the Court for good cause or unless Defendants consent to an extension.
6. The Court will hold a hearing on Plaintiffs' Motion for a Preliminary Injunction on \_\_\_\_, 2015.

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United States District Judge