

# **EXHIBIT 18**

## Wes Kennedy

---

**From:** Siegel, Robert <rsiegel@omm.com>  
**Sent:** Monday, December 17, 2012 10:51 PM  
**To:** 'szymanski@msn.com'; 'kennedy@ask-attorneys.com'  
**Cc:** 'nealmollen@paulhastings.com'; 'ejames@jamhoff.com'; 'rpwilderjr@bapwild.com'; PaulLegalDept.Jones@usairways.com; 'jpauley@usairlinepilots.org'; Hollinger, Chris; Siegel, Robert  
**Subject:** Re: Paragraph 10, Revised

Pat, I appreciate your suggestion on the latter part of our language; it is a good clarification. Thank you.

But as regards the first part of your language, we want to describe the company's neutrality as stated in my prior message. We think that is a sound way to say it. We are confirming our neutrality regarding the core subject of the arbitration -- the order of the pilots on the integrated seniority list.

So, here's our compromise on this:

"...shall remain neutral regarding the order in which pilots are placed on the integrated seniority list, but such neutrality shall not prevent said carriers from insuring that the award complies with criteria (i)-(iv)."

-- Bob.

---

**From:** Patrick Szymanski [<mailto:szymanski@msn.com>]  
**Sent:** Monday, December 17, 2012 08:15 PM  
**To:** Siegel, Robert; 'Wes Kennedy' <[kennedy@ask-attorneys.com](mailto:kennedy@ask-attorneys.com)>  
**Cc:** 'NealMollen' <[nealmollen@paulhastings.com](mailto:nealmollen@paulhastings.com)>; 'James, Ed' <[ejames@jamhoff.com](mailto:ejames@jamhoff.com)>; 'Wilder, Roland' <[rpwilderjr@bapwild.com](mailto:rpwilderjr@bapwild.com)>; PaulLegalDept.Jones@usairways.com; 'Pauley, Jess' <[jpauley@usairlinepilots.org](mailto:jpauley@usairlinepilots.org)>; Hollinger, Chris  
**Subject:** RE: Paragraph 10, Revised

Bob,

I don't understand what that means.

I get the first part (although I don't agree with it, see below): "US Airways . . . shall remain neutral regarding the order in which pilots are placed on the integrated seniority list . . . ."

But not the rest "insofar and to the extent that such list complies with restrictions (i)-(v) above."

Do you mean "provided such list complies with restrictions (i)-(v) above"? Or "as long as such list . . . ."?

I don't see why your neutrality with respect to the order in which pilots are placed on the integrated seniority list should at all be affected by whether the award complies with (i)-(v). If the award doesn't comply with (i)-(v), it can't be issued. See Paragraph b. If there's some reason to think that the panel is thinking of doing something inconsistent with (i)-(v) your remedy is to tell them to comply with (i)-(v) not to start mucking around with the order of the list or arguing about ancillary conditions and restrictions.

Moreover, I think restricting your neutrality just to the order of the list is too narrow. You should be willing to be neutral also with respect to ancillary conditions and restrictions, at least to the extent they do not conflict with (i)-(v) and are within the McCaskill-Bond panel's jurisdiction. That's why I used "the

method for integrating seniority" which I believe is close to "integrating" which is the term used in the statute. The "method for integrating seniority" is intended to include not only the list itself but also the ancillary conditions and restrictions.

I would be willing to agree to "shall remain neutral with respect to the method for integrating seniority, but such neutrality shall not prevent US Airways from insuring the award complies with criteria (i)-(v) above." This carves out an appropriate neutral zone while at the same preserving your interest in (i)-(v).

Pat Szymanski  
202.369.5889 (cell)  
[szymanski@msn.com](mailto:szymanski@msn.com)

---

**From:** Siegel, Robert [<mailto:rsiegel@omm.com>]  
**Sent:** Monday, December 17, 2012 10:33 PM  
**To:** Wes Kennedy  
**Cc:** <[szymanski@msn.com](mailto:szymanski@msn.com)>; NealMollen; James, Ed; Wilder, Roland; [PaulLegalDept.Jones@usairways.com](mailto:PaulLegalDept.Jones@usairways.com); Pauley, Jess; Hollinger, Chris  
**Subject:** Re: Paragraph 10, Revised

On the issue of company neutrality in 10(d), we would like to say: "neutral regarding the order in which pilots are placed on the integrated seniority list, insofar and to the extent that such list complies with restrictions (i)-(v) above."

Please confirm this is acceptable. Thanks.

-- Bob

Sent from my iPad

On Dec 17, 2012, at 8:37 PM, Wes Kennedy <[kennedy@ask-attorneys.com](mailto:kennedy@ask-attorneys.com)> wrote:

If I didn't indicate before, Pat's suggested changes are ok with me.

Wes Kennedy

Allison, Slutsky & Kennedy, P.C.

Suite 2600

230 West Monroe Street

Chicago, Illinois 60606

Telephone: (312) 364-9400

Facsimile: (312) 364-9410

CONFIDENTIALITY NOTE: This e-mail is not encrypted. However, the e-mail is PRIVILEGED AND CONFIDENTIAL, and it is for the sole use of the named and intended recipient. Any review by or distribution to others is strictly prohibited and may be illegal. If you are not the intended recipient, you are

not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please delete all copies and notify the sender immediately.

---

**From:** Patrick Szymanski [<mailto:szymanski@msn.com>]  
**Sent:** Monday, December 17, 2012 7:57 PM  
**To:** 'Siegel Robert A Esq.'; Neal Mollen; James, Ed; Kennedy, Wes; Wilder, Roland; Jones, Paul  
**Cc:** Pauley, Jess  
**Subject:** Paragraph 10, Revised

Suggestions in attached. Please let me see the final.

Pat Szymanski

202.369.5889 (cell)

[szymanski@msn.com](mailto:szymanski@msn.com)