

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. _____

US AIRWAYS, INC.,

Plaintiff,

v.

US AIRLINE PILOTS ASSOCIATION and
MICHAEL J. CLEARY,

Defendants.

**PLAINTIFF’S MOTION FOR LEAVE TO
EXCEED PAGE LIMITS FOR ITS BRIEF
IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

Pursuant to Rule 7 of the Federal Rules of Civil Procedure, Plaintiff US Airways, Inc. (“US Airways”) hereby moves this Court for leave to exceed the page limits for its Brief in Support of Motion for Preliminary Injunction. In support of this Motion, US Airways respectfully shows the Court as follows:

1. Contemporaneously with the filing of this Motion, US Airways is filing a Motion for Preliminary Injunction. In accordance with Local Rule 7.1(C), US Airways is also filing a Brief in Support of Plaintiff’s Motion for Preliminary Injunction (the “Supporting Brief”). The Supporting Brief is 59 pages.

2. Under Local Rule 7.1(D), briefs are limited to 25 pages. Because of the complexity of the issues presented in this case, however, US Airways cannot fully explain the factual and legal bases for its Motion for Preliminary Injunction within the 25-page limit. Accordingly, US Airways respectfully requests that this Court grant it leave to exceed the page limits and asks that the Court consider its Supporting Brief in its entirety.

3. Under normal circumstances, US Airways would have filed this Motion well in advance of the filing of its Supporting Brief. In this case, however, US Airways is filing this Motion contemporaneously because of the urgent nature of its Motion for Preliminary Injunction.

4. Due to the emergency nature of this action, US Airways is filing this Motion contemporaneously with its Supporting Brief. Although counsel for USAPA in this case has not yet made an appearance, counsel for US Airways will contact USAPA's counsel in other pending cases as soon as possible and will consult regarding the request made in this Motion.

5. In further support of this Motion, US Airways is filing a supporting brief in accordance with Local Rule 7.1(C).

WHEREFORE, US Airways respectfully requests that the Court grant it leave to exceed the page limits set forth in Local Rule 7.1(D) and asks that the Court consider its Brief in Support of its Motion for Preliminary Injunction in its entirety.

This the 29th of July, 2011.

/s/ Robert R. Marcus
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **PLAINTIFF'S MOTION FOR LEAVE TO EXCEED PAGE LIMITS FOR ITS BRIEF IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION** was served on Defendants US Airlines Pilots Association and Michael J. Cleary by depositing a copy with the United States Postal Service, certified mail, return receipt, postage prepaid, addressed to the following:

US Airline Pilots Association
c/o Michael J. Cleary
26-A Cedar Point Road
Durham, NH 03824

Michael J. Cleary
26-A Cedar Point Road
Durham, NH 03824

and on Defendant US Airlines Pilots Association via hand delivery to the following address:

US Airline Pilots Association
200 East Woodlawn Road, Suite 250
Charlotte, North Carolina 28217-2207

This the 29th day of July, 2011.

/s/ Robert R. Marcus
Robert R. Marcus
Attorney for Plaintiff