

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

-----X
US AIRWAYS, INC.,

11-CV-371 (RJC)(DCK)

Plaintiff,

-against-

THIRD DECLARATION

US AIRLINE PILOTS ASSOCIATION and
MICHAEL J. CLEARY,

Defendants.
-----X

MICHAEL J. CLEARY, declares as follows under penalty of perjury pursuant to 28

U.S.C. § 1746:

1. I am currently a Captain and have been employed by US Airways as a Pilot since February 3, 1986.

2. I am the President of the US Airways Pilots Association (hereinafter referred to as "USAPA" or "the Union") and have been since April 18, 2009 through to date.

3. Attached as Exhibit A is the e-mail communication from US Airways Corporate Communications regarding the performance by the airline in baggage performance as on-time performance.

4. The information contained in the communication is contrary to the evidence and assertions made by US Airways in its filings with the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 13, 2011.

Dated: September 13, 2011
New York, New York



MICHAEL J. CLEARY

EXHIBIT A

From: Corporate Communications [mailto:corpcomm@myusairways.com]
Sent: Monday, September 12, 2011 11:37 AM
To: Communications
Subject: Triple Play Announcement

Sept. 12, 2011

Dear Fellow Employee:

The Department of Transportation (DOT) issued the July Air Travel Consumer Report (ATCR) this morning, with US Airways employees reclaiming the #1 ranking in baggage performance. That means a \$50 payout is coming your way later this month...congratulations!

Our return to first place in bags shows that we have the right people and tools in place to provide customers with an excellent experience by getting their bags to their destination on time. Although we slipped to second place in June, in previous months we have held a wide margin of victory against our peers. The competition is stepping up their performance, so it's important that we remain at the top of our game.

Our on-time performance also improved from May and June. Prior to Hurricane Irene, there was still a mathematical chance for us to finish first in on-time performance for 2011. Unfortunately, we had to cancel 2,400 flights – more than either United or Delta – and shut down our Northeast operations in DCA, PHL, LGA, BOS and surrounding stations.

In 2010 we were first and second for baggage and on-time performance, respectively, among our peers. The Big Five carriers have improved their operations in 2011 and as a result, the competition is even tighter. Even though a first place finish in on-time performance for the year won't happen, focusing on on-time departures will keep all aspects of our operation on track – and is the best way to earn additional payouts for the remainder of the year.

Once again I want to say how proud I am of the team for stepping up during Hurricane Irene at the end of August. It's never easy when you have to suspend operations, but we rose to the challenge to take care of each other, our customers, aircraft, facilities and equipment, and executed a quick and impressive recovery in the days following the storm.

That wraps it up for July. Head over to Wings (wings.usairways.com) to meet our Triple Play All Stars – Richmond, Va. (RIC) Customer Service Agent Steve Levine and Customer Service Supervisor Jeanne Stephenson. Their names will go into the next Above and Beyond drawing for a chance to win up to \$10,000. To nominate someone as a Triple Play All Star, email corporate.communications@usairways.com with the subject "Triple Play/Above and Beyond" and include a brief explanation of why he or she should be an All Star.

Robert Isom