

May 27, 2015

Via electronic filing

Molly C. Dwyer, Clerk of the Court
Office of the Clerk
U.S. Court of Appeals for the Ninth Circuit
P.O. Box 193939
San Francisco, CA 94103

Re: Addington, et al. v. U.S. Airline Pilots Association, et al., Nos. 14-15892, 14-15874, 14-15757

Dear Ms. Dwyer,

We represent Plaintiffs/Appellants/Cross Appellees Addington, et al. (“Plaintiffs”). Pursuant to Circuit Rule 28-6 and F.R.A.P. 28(j), Plaintiffs submit this letter to notify the Court of additional authority that is relevant to issues presented in the appeal and cross-appeals. Oral argument was held in this Court on April 14, 2015. Additional information has recently come to Plaintiffs’ attention that pertains to questions raised by the Court during the hearing on April 14, 2015.

Recently,¹ Stephen Bradford, President of U.S. Airline Pilots Association (“USAPA”), issued a letter directed to “Fellow American new and recently hired pilots.” (A copy of the Bradford letter is attached.) In the letter, Mr. Bradford states that with respect to the pilot seniority integration (SLI) process ongoing as a result of the merger between US Airways and American airlines, USAPA “will represent the ‘East’ pilots in that process.” (Bradford letter at first paragraph.)

This missive from Mr. Bradford shows that USAPA intends to argue for the seniority interests of only the East Pilots during the upcoming seniority integration

¹ The letter is undated, but because Mr. Bradford became President of USAPA as of April 18 2015, we presume this letter was issued shortly thereafter.

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arbitration, which begins on June 29, 2015. The Court can provide meaningful relief by ordering that USAPA can only propose and support, whether directly or indirectly, including through financial support, implementation of the Nicolau Award as the seniority position for all former US Airways pilots. This relates directly to the Court's questions at oral argument about injunctive relief. Specifically, Plaintiff's Amended Complaint requested an injunction "requiring Defendants to conduct seniority integration according to the MOU procedures but using the seniority order in the Nicolau Award to order the US Airways pilots." [ER 134, ¶ 136.]

Respectfully submitted this 27th day of May, 2015.

A handwritten signature in black ink, reading "Marty Harper". The signature is written in a cursive, flowing style with a long, sweeping tail on the final letter.

Marty Harper

Encl.