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17 Attorneys for Defendant
18 US Airways, Inc.

19 **IN THE UNITED STATES DISTRICT COURT**
20 **FOR THE DISTRICT OF ARIZONA**

21 Don Addington, *et al.*, on behalf of
22 themselves and all similarly situated
23 former America West Pilots,

24 Plaintiffs,

25 vs.

26 US Airline Pilots Ass'n, an
27 unincorporated association,

28 Defendant,

US Airways, Inc.,

Intervenor.

Case No. 2:13-cv-00471-ROS

**MOTION FOR EXPEDITED
CONSIDERATION OF US AIRWAYS,
INC.'S MOTION FOR LIMITED
INTERVENTION UNDER RULE 24 OF
THE FEDERAL RULES OF CIVIL
PROCEDURE**

1 US Airways, Inc. (“US Airways”) respectfully requests that the Court expedite
2 determination of its Motion For Limited Intervention Under Rule 24 Of The Federal Rules
3 of Civil Procedure (Doc. No. 128) (the “Motion”). As detailed in the Motion, which was
4 filed on July 30, 2013, US Airways seeks to intervene in this lawsuit for the limited
5 purposes of protecting its interest in:

- 6 (i) a prompt resolution of the merits of the West Pilots’ claim against defendant
7 US Airline Pilots Association for breach of the duty of fair representation;
8 and
9 (ii) a prompt determination that the West Pilots have the right under the federal
10 McCaskill-Bond statute to full and separate representation in the upcoming
11 seniority-integration proceedings between the pilots employed by US
12 Airways and American Airlines, Inc. (“American”).

13 The requested intervention is necessary to protect US Airways’ significant interest
14 in achieving a seniority integration of the US Airways and American pilots in accordance
15 with the schedule prescribed in the Memorandum of Understanding (“MOU”) that was
16 executed in connection with the US Airways/American merger by US Airways,
17 American, USAPA, and the Allied Pilots Association, and in compliance with
18 US Airways’ obligation under the McCaskill-Bond statute to provide for a “fair and
19 equitable” seniority integration. Under the MOU, the US Airways/American seniority-
20 integration process is scheduled to begin “as soon as possible” after the close of the
21 merger, which is currently anticipated to occur during the third quarter of this year.
22 Deciding US Airways’ Motion on an expedited basis is necessary to allow sufficient time
23 for US Airways to adequately participate in the proceedings in this matter prior to and
24 during the September 24, 2013 trial.

25 Accordingly, US Airways respectfully requests that the Court direct USAPA and
26 plaintiffs to file their respective responses to the Motion by not later than August 6, 2013
27 and US Airways to file its reply (if any) by not later than August 9, 2013.
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Dated: July 30, 2013.

O'Melveny & Myers LLP

By: /s/ Robert A. Siegel
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CERTIFICATE OF SERVICE

I hereby certify that on July 30, 2013, I caused to be electronically transmitted the attached Motion For Expedited Consideration of US Airways, Inc.'s Motion For Limited Intervention Under Rule 24 of the Federal Rules of Civil Procedure.

/s/ Robert A. Siegel

Robert A. Siegel

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