

1 Marty Harper (#003416)
mharper@polsinelli.com
 2 Andrew S. Jacob (#22516)
ajacob@polsinelli.com
 3 Jennifer Axel (#023883)
jaxel@polsinelli.com
 4 **POLSINELLI P.C.**
 5 CityScape
 One East Washington St., Suite 1200
 6 Phoenix, AZ 85004
 7 Phone: (602) 650-2000
 Fax: (602) 264-7033
 8 *Attorneys for Plaintiffs*

9 **IN THE UNITED STATES DISTRICT COURT**
 10 **FOR THE DISTRICT OF ARIZONA**

11 Don ADDINGTON; John BOSTIC; Mark
 12 BURMAN; Afshin IRANPOUR; Roger
 VELEZ; Steve WARGOCKI; Michael J.
 13 SOHA; Rodney Albert BRACKIN; and
 George MALIGA, on behalf of themselves
 14 and all similarly situated former America
 West pilots,

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

**DECLARATION OF
 ANDREW S. JACOB**

15
 16 *Plaintiffs,*

17 vs.

18 US AIRLINE PILOTS ASS'N, an
 unincorporated association; and US
 19 AIRWAYS, INC., a Delaware corporation,

20 *Defendants.*

21
 22 I, Andrew S. Jacob, declare the following to be true based upon my personal
 23 knowledge and information under penalty of perjury pursuant to 28 U.S.C. § 1746:

24 1. I was one of the attorneys representing the West Pilot Class in CV 2:08-CV-
 25 1633-PHX-NVW and 2:10-CV-01570-PHX-ROS that were litigated in the United States
 26 District Court, District of Arizona.

27 2. I am one of the attorneys representing Plaintiffs in this litigation.
 28

1 3. Attached as Exhibit "A" is a true and correct copy of Doc. 196 filed in CV
2 2:08-CV-1633-PHX-NVW.

3 4. Attached as Exhibit "B" is a true and correct copy of Doc. 223 filed in CV
4 2:08-CV-1633-PHX-NVW..

5 5. Attached as Exhibit "C" is a true and correct copy of an order by the District
6 Court of Denton County Texas granting the US Airline Pilots Association's
7 ("USAPA's") motion to conduct an investigatory deposition of Eric Ferguson.
8

9 6. Attached as Exhibit "D" is a true and correct copy of excerpts of the reporter's
10 transcript of a deposition taken by USAPA of Eric Ferguson pursuant to the above
11 referenced order.

12 7. Attached as Exhibit "E" is a true and correct copy of excerpts of the reporter's
13 transcript of the hearing held in this litigation on May 15, 2013.
14

15 DATED: August 5, 2013.

16 *s/ Andrew S. Jacob*

17 _____
18 Andrew S. Jacob
19 POLSINELLI SHUGHART, P.C.
20 CityScape
21 One E. Washington St., Ste. 1200
22 Phoenix, AZ 85004

23 **CERTIFICATE OF SERVICE**

24 I hereby certify that on this 5th day of August 2013, I electronically
25 transmitted the foregoing document to the U.S. District Court Clerk's Office by
26 using the ECF System for filing and transmittal.

27 By /s/ Andrew S. Jacob