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18 US Airways, Inc.

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

21 Don Addington; John Bostic; Mark
22 Burman; Afshin Iranpour; Roger Velez;
23 Steve Wargocki; Michael J. Soha;
24 Rodney Albert Brackin; and George
25 Maliga, on behalf of themselves and all
26 similarly situated former America West
27 Pilots,

28 Plaintiffs,

vs.

US Airline Pilots Ass'n, an
unincorporated association,

Defendant.

US Airways, Inc.

Intervenor.

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

**DECLARATION OF CHRIS A.
HOLLINGER IN SUPPORT OF
INTERVENOR US AIRWAYS, INC.'S
MOTION FOR SUMMARY
JUDGMENT - CLAIM REGARDING
MCCASKILL-BOND STATUTE**

1 I, Chris A. Hollinger, declare and state as follows:

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3 1. I am a partner with the law firm of O'Melveny & Myers LLP, counsel of
4 record for US Airways, Inc. ("US Airways") in the above-captioned matter and am
5 admitted *pro hac vice*. I have personal knowledge of the facts set forth in this declaration
6 and, if called to testify as a witness, could and would do so under oath.

7 2. Attached hereto as **Exhibit A** is a true and correct copy of the Air Line
8 Pilots Association's Merger Policy in effect at the time of the merger between
9 US Airways and America West Airlines, Inc.

10 3. Attached hereto as **Exhibit B** is a true and correct copy of the May 1, 2007
11 Nicolau Award.

12 4. Attached hereto as **Exhibit C** is a true and correct copy of the
13 September 23, 2005 Transition Agreement.

14 5. Attached hereto as **Exhibit D** is a true and correct copy of the Ninth
15 Circuit's decision *Addington v. US Airline Pilots Ass'n*, 606 F.3d 1174 (9th Cir. 2010).

16 6. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from the
17 transcript of the September 18, 2013 deposition of USAPA Vice President Stephen
18 Bradford.

19 7. Attached hereto as **Exhibit F** is a true and correct copy of Exhibit 1042 to
20 the September 18, 2013 deposition of USAPA Vice President Stephen Bradford, which
21 reflects a campaign communication from Mr. Bradford during his 2012 campaign for
22 election as Vice President of USAPA.

23 8. Attached hereto as **Exhibit G** is a true and correct copy of Exhibit 1039 to
24 the September 18, 2013 deposition of USAPA Vice President Stephen Bradford,
25 reflecting notes prepared by Mr. Bradford from a conversation with an attorney regarding
26 the formation of USAPA.

27 9. Attached hereto as **Exhibit H** is a true and correct copy of Exhibit 1040 to
28 the September 18, 2013 deposition of USAPA Vice President Stephen Bradford,

1 reflecting notes prepared in part by Mr. Bradford from a conversation with several
2 attorneys regarding the formation of USAPA.

3 10. Attached hereto as **Exhibit I** is a true and correct copy of the Memorandum
4 of Understanding Regarding Contingent Collective Bargaining Agreement entered into
5 between American Airlines, Inc., US Airways, USAPA and Allied Pilots Association.

6 11. Attached hereto as **Exhibit J** is a true and correct copy of excerpts from the
7 transcript of the August 28, 2013 deposition of Eric Ferguson, a West Pilot and former
8 candidate for President of USAPA.

9 12. Attached hereto as **Exhibit K** is a true and correct copy of excerpts from the
10 transcript of the September 19, 2013 deposition of Anthony Crimi, a member of USAPA's
11 Board of Pilot Representatives, Charlotte Domicile.

12 13. Attached hereto as **Exhibit L** is a true and correct copy of excerpts from the
13 transcript of the September 17, 2013 deposition of USAPA President Gary Hummel.

14 14. Attached hereto as **Exhibit M** is a true and correct copy of excerpts from the
15 transcript of the September 18, 2013 deposition of William "Jess" Gordon Pauley,
16 Chairman of USAPA's Merger Committee.

17 15. Attached hereto as **Exhibit N** is a true and correct copy of excerpts from the
18 transcript of the September 20, 2013 deposition of Paul DiOrio, former Chairman of
19 USAPA's Negotiating Advisory Committee ("NAC").

20 16. Attached hereto as **Exhibit O** is a true and correct copy of excerpts from the
21 transcript of the August 28, 2013 deposition of Kenneth Holmes, a West Pilot and a
22 member of USAPA's NAC.

23 17. Attached hereto as **Exhibit P** is a true and correct copy of excerpts from the
24 transcript of the September 17, 2013 deposition of USAPA Grievance Chairman David
25 Ciabattoni.

26 18. Attached hereto as **Exhibit Q** is a true and correct copy of Exhibit 1018 to
27 the September 17, 2013 deposition of USAPA President Gary Hummel, titled "Pilot-For-
28 Pilot Conference Call Recap - 10/08/2012."

1 19. Attached hereto as **Exhibit R** is a true and correct copy of excerpts from the
2 transcript of the September 10, 2013 deposition of Don Addington, a West Pilot and a
3 named Plaintiff in this litigation.

4 20. Attached hereto as **Exhibit S** is a true and correct copy of excerpts from the
5 transcript of the August 27, 2013 deposition of John Bostic, a West Pilot and a named
6 Plaintiff in this litigation.

7 21. Attached hereto as **Exhibit T** is a true and correct copy of excerpts from the
8 transcript of the August 27, 2013 deposition of Rodney Brackin, a West Pilot and a named
9 Plaintiff in this litigation.

10 22. Attached hereto as **Exhibit U** is a true and correct copy of excerpts from the
11 transcript of the August 28, 2013 deposition of David Braid, a West Pilot and a former
12 member of the USAPA Board of Pilot Representatives and former USAPA Chair of the
13 Phoenix Domicile.

14 23. Attached hereto as **Exhibit V** is a true and correct copy of excerpts from the
15 transcript of the September 9, 2013 deposition of Mark Burman, a West Pilot and a named
16 Plaintiff in this litigation.

17 24. Attached hereto as **Exhibit W** is a true and correct copy of excerpts from
18 the transcript of the August 27, 2013 deposition of Jeffrey Koontz, a West Pilot.

19 25. Attached hereto as **Exhibit X** is a true and correct copy of excerpts from the
20 transcript of the August 26, 2013 deposition of George Maliga, a West Pilot and a named
21 Plaintiff in this litigation.

22 26. Attached hereto as **Exhibit Y** is a true and correct copy of excerpts from the
23 transcript of the August 29, 2013 deposition of Michael Soha, a West Pilot and a named
24 Plaintiff in this litigation.

25 27. Attached hereto as **Exhibit Z** is a true and correct copy of excerpts from the
26 transcript of the August 29, 2013 deposition of John Scherff, a West Pilot and a member
27 of the USAPA Pilot Board of Representatives, Phoenix Domicile.

28 28. Attached as **Exhibit AA** to this Declaration is a true and correct copy of the

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CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2013, I caused to be electronically transmitted the attached Declaration of Chris A. Hollinger in Support of Intervenor US Airways, Inc.'s Motion For Summary Judgment - Claim Regarding McCaksill-Bond Statute.

/s/Robert A. Siegel

Robert A. Siegel