

EXHIBIT C

Brian Stockdell - 8/26/2013

Page 1

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

DON ADDINGTON, et al.,)
)
 Plaintiffs,) No. CV-13-00471-
) PHX-ROS
 v.)
)
US AIRLINE PILOTS ASS'N,)
et al.,)
)
 Defendants.)
_____)

DEPOSITION OF BRIAN STOCKDELL

Phoenix, Arizona
August 26, 2013
1:18 p.m.

REPORTED BY:
Janice Gonzales, RPR, CRR
AZ Certified Court
Reporter No. 50844

1 BY MS. MARTIN:

2 Q. What does AWFOL stand for?

3 MS. AXEL: Form, foundation.

4 THE WITNESS: I have no idea.

5 BY MS. MARTIN:

6 Q. Who prepares the updates for Leonidas
7 that are sent to various pilots?

8 MS. AXEL: Form, foundation.

9 THE WITNESS: Don't understand the
10 question.

11 BY MS. MARTIN:

12 Q. Well, Leonidas has something called
13 "Leonidas Update." Are you familiar with that?

14 A. Yes.

15 Q. Who prepares that?

16 A. Depends.

17 Q. Have you prepared some of them?

18 A. I have drafted them, yes.

19 Q. Okay.

20 MS. MARTIN: And this is going to be
21 Exhibit 159.

22 (Exhibit 159 was marked for identification.)

23 BY MS. MARTIN:

24 Q. I'm showing you Document 159 Bates
25 numbered WP017893 entitled, "Leonidas Update February

1 1, 2013." Have you seen this document before?

2 A. Yes.

3 Q. Did you draft any portion of this
4 document?

5 A. Yes.

6 Q. Okay. How did you come to write the
7 document?

8 MS. AXEL: Form, foundation.

9 THE WITNESS: I don't understand the
10 question.

11 BY MS. MARTIN:

12 Q. Did you discuss writing this document
13 with anyone?

14 A. Yes.

15 Q. With whom?

16 A. I don't recall all the people, but
17 myself, Jeff Koontz, Dave Button, Eric Ferguson, and
18 probably a few others were involved with it.

19 Q. And after you drafted the document, did
20 those same people you've just named review the
21 document before it was sent out?

22 MS. AXEL: Foundation.

23 THE WITNESS: Probably.

24 BY MS. MARTIN:

25 Q. Any other people who reviewed the

1 document before it was sent out?

2 A. I think I answered that already.

3 Q. Now, you said that there are no meetings.
4 How did you review these documents with other people?

5 MS. AXEL: Form.

6 THE WITNESS: E-mail and telephone.

7 BY MS. MARTIN:

8 Q. Do you have conference calls with the
9 other members of Leonidas?

10 A. Yes.

11 Q. How often?

12 A. Varies. As required.

13 Q. Is there a regular conference call?

14 A. No.

15 Q. Who schedules the conference calls?

16 A. Varies.

17 Q. Have you ever scheduled a conference
18 call?

19 A. No.

20 Q. Okay. Well, who has, to your knowledge?

21 A. It's no one consistent.

22 Q. Can you name any people who have
23 scheduled conference calls?

24 A. Mark Burman.

25 Q. Mark Burman?

1 Is there a dial-in number that Leonidas
2 uses for these calls?

3 A. Yes.

4 Q. What is the number?

5 A. I don't know.

6 Q. Okay. But Leonidas pays the phone bill
7 for these conference calls?

8 MS. AXEL: Foundation.

9 THE WITNESS: Don't know.

10 BY MS. MARTIN:

11 Q. Okay. This e-mail -- I mean, this
12 Leonidas Update February 1, 2013, to whom was this
13 sent?

14 MS. AXEL: Foundation.

15 THE WITNESS: Don't know.

16 BY MS. MARTIN:

17 Q. Well, does Leonidas maintain an e-mail
18 list?

19 MS. AXEL: Foundation.

20 THE WITNESS: Yes.

21 BY MS. MARTIN:

22 Q. And who maintains that list?

23 MS. AXEL: Foundation.

24 THE WITNESS: Ken Holmes.

25 BY MS. MARTIN:

1 Q. Approximately how many people are on the
2 list, if you know?

3 A. No idea.

4 Q. And are there any criteria for who gets a
5 Leonidas update?

6 MS. AXEL: Form, foundation.

7 THE WITNESS: Yes.

8 BY MS. MARTIN:

9 Q. What are the criteria?

10 A. A West pilot who provides an e-mail
11 address.

12 Q. Now, as a member of Leonidas and a
13 manager, did you have any role in making a decision
14 to encourage West pilots to vote for the MOU?

15 MS. AXEL: Form.

16 THE WITNESS: Can you rephrase that
17 question?

18 BY MS. MARTIN:

19 Q. Sure. This e-mail or this Leonidas
20 update, Document 159, states, quote, "Do not hesitate
21 to vote to ratify the MOU out of concern that it
22 could impair our right to the implementation of
23 Nicolau. It won't. We recommend that pilots vote
24 yes if they want to see a merger with American
25 Airlines according to the terms of the MOU."

1 Did you have any role in making a
2 determination to recommend that West pilots vote yes?

3 MS. AXEL: Form.

4 THE WITNESS: I was involved with the
5 discussion.

6 BY MS. MARTIN:

7 Q. Okay. Tell me about the discussion.

8 MS. AXEL: Form.

9 THE WITNESS: It was quite some time ago.

10 BY MS. MARTIN:

11 Q. It was last February.

12 A. I don't recall the details.

13 Q. Why was there a recommendation that
14 pilots vote yes for the MOU?

15 MS. AXEL: Are you saying why was there a
16 recommendation by Leonidas or by him personally?

17 MS. MARTIN: By Leonidas.

18 THE WITNESS: Because we did not see
19 where it would interfere with our objective of
20 defending our seniority rights. And I think I said
21 that.

22 BY MS. MARTIN:

23 Q. Are you a member of USAPA?

24 A. Yes.

25 Q. When did you join USAPA?

1 MS. MARTIN: I understand that.

2 MS. AXEL: So you want him to break a
3 secret ballot?

4 MS. MARTIN: I'm just asking if he voted
5 in support of the MOU.

6 THE WITNESS: It's a secret ballot.

7 MS. MARTIN: What's this one?

8 MS. KROLL: You have it. I can't see.
9 It's on that folder. 158.

10 MS. MARTIN: 158.

11 (Exhibit 158 was marked for identification.)

12 BY MS. MARTIN:

13 Q. I'm showing you a document that's been
14 marked for identification as Exhibit 158, bearing
15 Bates numbers WP017915 through WP017917, and it's
16 entitled, "Leonidas Update February 7, 2013." Have
17 you seen this document before?

18 A. Yes.

19 Q. Did you help to prepare this document?

20 A. Yes.

21 Q. Which part did you write of the document?

22 A. Bits and pieces.

23 Q. Did you write any of Paragraph 2
24 regarding furlough protection?

25 A. I did not write it.

1 West pilots to vote to ratify the MOU?

2 MS. AXEL: Form. Are we talking about a
3 decision by Leonidas?

4 MS. MARTIN: Yes.

5 THE WITNESS: Yes.

6 BY MS. MARTIN:

7 Q. And do you agree with the statement that
8 you just read?

9 A. Yes.

10 (Exhibit 160 was marked for identification.)

11 BY MS. MARTIN:

12 Q. I'm showing you a document that's been
13 marked as Exhibit 160 with Bates numbers WP017903
14 entitled, "Leonidas Update February 14, 2013." Have
15 you seen this document before?

16 A. Yes.

17 Q. Did you help to write or edit this
18 document?

19 MS. AXEL: Form.

20 THE WITNESS: Yes.

21 BY MS. MARTIN:

22 Q. Was it the writing part or the editing
23 part?

24 A. Probably both.

25 Q. What is the Addington litigation control



Leonidas Update February 1, 2013

on 01 February 2013.

We have been compelled to remain rather quiet over the last few months to allow merger-related events to play out without making overt demands of the parties. Furthermore, negotiations have taken place under a cloak of secrecy as a result of the required non-disclosure agreements. This is normal for large transactions.

Now that we have had the opportunity to evaluate the Memorandum of Understanding and contemplate the legal ramifications relating to our mission, Leonidas, LLC is prepared to offer our guidance and recommendations.

It is clear that the negotiators of this document took great pains to make it as “seniority neutral” as humanly possible. Thus, the document offers no definitive “poison pill” which might cause one side or the other to reject it. In other words, the parties have done their dead-level best to conceal the ever-present elephant in the room. US Airways hopes its pilots will play along and ignore their nagging unanswered questions in the hope that the seniority dispute will be resolved in their favor as a consequence of yet another merger.

Our attorneys believe the ratification of this MOU moves us toward the “ripeness” which USAPA has long sought to forestall. In 2010, the Ninth Circuit ruled that our DFR claim was not ripe (in part) because USAPA had not entered into a contract that would allow integrated pilot operations. That will no longer be the case once the MOU is ratified and approved by all parties. There will be little left to impair ripeness. If (or when) USAPA or the company act to dishonor the Nicolau Award our DFR claim(s) will be actionable. Thus, the MOU will bring us closer to ripeness.

We are confident the MOU will eliminate contingencies the Ninth Circuit believed must be resolved before our claim could be brought. Moreover, the MOU does not affect our right to fair representation and it does not change USAPA's duty to use the Nicolau Award (unless it has legitimate purpose to do otherwise). The MOU and a merger with another carrier do not provide such a purpose. Any statements by others to the contrary are either misinformed or are intended to mislead.

We will act when the time is right to compel implementation of the Nicolau Award. But, until it is time to act, we will not telegraph our legal moves or argue the merits of our position. Suffice it to say, we believe that ratification of the MOU will bring us closer to implementation on the Nicolau Award.

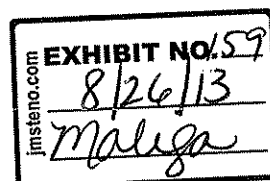
Do not hesitate to vote to ratify the MOU out of concern that it could impair our right to the implementation of the Nicolau. It won't. We recommend that West pilots vote yes if they want to see a merger with American Airlines according to the terms of the MOU.

Sincerely,

Leonidas, LLC

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www.cactuspilot.com



Leonidas Update February 14, 2013

on 14 February 2013.

With the announced merger of US Airways and American Airlines, we are on our way to becoming the largest airline in the world.

This latest merger will present many new opportunities along with many new challenges. Foremost on our minds will be the continued enforcement of our seniority rights embodied in the arbitrated seniority ruling known as the Nicolau Award. Today's announcement, accompanied by the recently ratified MOU, puts ripeness squarely in the crosshairs for our DFR claim against USAPA and/or any successor union.

"... Not until the airline responds to the proposal, the parties complete negotiations, and the membership ratifies the CBA will the West Pilots actually be affected by USAPA's seniority proposal — ..." [The 9th Circuit Court of Appeals, pg. 9]

The merger also signals the imminent demise of USAPA. This is a date long-anticipated by West Pilots (and secretly by many East pilots). We are all well aware of USAPA's innumerable failures and bad acts since its inception. Created to disenfranchise one-third of its pilots for the express purpose of subverting binding arbitration, USAPA was actually an oligarchy which wasted five years lowering industry-average pay and embarrassing airline pilots everywhere. The industry will be glad to be rid of USAPA and organized labor will collectively rejoice. We look forward to working with the APA at "The New American Airlines."

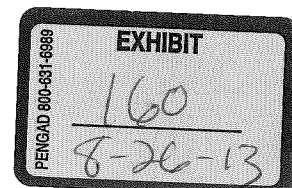
Leonidas, LLC is as committed as ever to protecting the former America West pilots' seniority rights and will continue to insist that all parties honor their obligations. Early next week we will provide an update, which will outline the next step to protecting our rights. We are preparing for another round of legal action, so please continue your **financial support** of Leonidas, LLC and our legal team. Your career, and the rule of law, depends on it.

Sincerely,

Leonidas, LLC

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WP017903