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10 Attorneys for Intervenor
US Airways, Inc.

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE DISTRICT OF ARIZONA**

13 Don Addington; John Bostic; Mark
14 Burman; Afshin Iranpour; Roger Velez;
Steve Wargocki; Michael J. Soha;
15 Rodney Albert Brackin; and George
Maliga, on behalf of themselves and all
16 similarly situated former America West
Pilots,

17 Plaintiffs,

18 vs.

19 US Airline Pilots Ass'n, an
unincorporated association,

20 Defendant.

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22 US Airways, Inc.

23 Intervenor.

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

**INTERVENOR US AIRWAYS, INC.'S
RESPONSE TO USAPA'S MOTION
FOR SUMMARY JUDGMENT**

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25 On October 11, 2013, defendant US Airline Pilots Association ("USAPA") filed a
26 Motion For Summary Judgment (the "Motion") as to all of Plaintiffs' claims against
27 USAPA. (Doc. No. 211.) On October 25, 2013, the Court ordered Plaintiffs and
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1 Intervenor US Airways, Inc. (“US Airways”) to respond to USAPA’s Motion by
2 November 13, 2013, but to “only address USAPA’s first argument regarding the DFR
3 claim.” (Doc. No. 250 at 1:27-2:1.)

4 As set forth in its Intervention Pleading, US Airways has always been and still is
5 neutral regarding the merits of Plaintiffs’ DFR claim against USAPA. (*See* Doc. No. 197
6 at 3:18-20.)

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8 Respectfully submitted,

9 Dated: November 13, 2013.

For O’Melveny & Myers LLP

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

I hereby certify that on November 13, 2013, I caused to be electronically transmitted the attached Intervenor US Airways, Inc.'s Response to USAPA's Motion For Summary Judgment to the Clerk's office using the CM/ECF System for filing.

/s/ Robert A. Siegel

Robert A. Siegel

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