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18 **IN THE UNITED STATES DISTRICT COURT**
19 **DISTRICT OF ARIZONA**

20 Don Addington, *et. al.*,

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

21 *Plaintiffs,*

**US Airline Pilots Association's
Response to Plaintiffs' Motion to
Exceed Page Limit**

22 v.

23 US Airline Pilots Association,

24 *Defendant.*

1 Defendant US Airline Pilots Association (“USAPA”) respectfully submits this
2 response to Plaintiffs’ Motion to Exceed the Page Limitation on Plaintiffs’ Response to
3 USAPA’s Motion for Summary Judgment (Doc. 271).

4 1. At the conclusion of the hearing on this matter, the Court indicated that it
5 would issue an order regarding briefing on the pending summary judgment motions and
6 expressly stated: “I do not want much more in the nature of paper.” Oct. 23, 2013 Tr. p.
7 430.

8 2. By Order dated October 25, 2013, the Court directed:
9 **IT IS ORDERED** Plaintiffs and US Airways shall respond to USAPA’s motion
10 for summary judgment no later than **November 13, 2013**. Those responses shall
11 be no more than ten pages and should only address USAPA’s first argument
12 regarding the DFR claim. USAPA shall file a reply of no more than seven pages
13 no later than **November 18, 2013**.
14 Doc. 250.

15 3. On November 13, 2013, without leave of Court or a motion requesting an
16 extension of the page limitation, Plaintiffs filed a response to USAPA’s summary
17 judgment motion that was 16 pages. Doc. 267.

18 4. By email, USAPA asked Plaintiffs to withdraw that brief and file a brief
19 that complies with the Court’s Order and in response to Plaintiffs’ request that the parties
20 stipulate to extensions of the Court-ordered page limitations, counsel for USAPA stated:
21 While we appreciate your offer we don’t believe we can stipulate in view of
22 the Court’s distinct statement that she does not want much more paper in
23 this case (Tr. 430) and deliberately set page limits effectuating her
24 sentiment in this regard.

25 5. USAPA respectfully submits that additional page limits are not necessary.
26 However, if the Court is inclined to grant Plaintiffs’ belated request to exceed the page
27 limitation specified in the Court’s order, then USAPA respectfully requests that it be
28 permitted to file a reply brief not exceeding 11 pages and that it be given one additional
day, until November 19, 2013 to file its reply.

1 Respectfully submitted this 14th day of November, 2013.

2 **Martin & Bonnett, P.L.L.C.**

3 By: s/Susan Martin

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CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2013, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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