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13 Attorneys for US Airline Pilots Association

14 **IN THE UNITED STATES DISTRICT COURT**  
15 **DISTRICT OF ARIZONA**

18 Don Addington, *et. al.*,

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

19 )  
20 *Plaintiffs,* )

**) Declaration of Joy K. Mele in Support**  
**) of US Airline Pilots Association's**  
**) Reply in Further Support of Motion**  
**) for Summary Judgment**

21 v. )

22 US Airline Pilots Association, *et. al.*, )

23 )  
24 *Defendants.* )  
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JOY K. MELE, declares as follows under penalty of perjury, pursuant to 28 U.S.C. § 1746:

1. I am associated with the law firm of O’Dwyer & Bernstien, LLP, counsel for Defendant US Airline Pilots Association (“USAPA”) in this matter, and am admitted *pro hac vice*.

2. Annexed hereto as Exhibit “A” is a true and correct copy of Trial Exhibit 308, which was admitted into evidence at the trial in this matter (*see* Doc. 254). Trial Exhibit 308 is an email chain produced by the plaintiffs in this matter.

3. Annexed hereto as Exhibit “B” is a true and correct copy of excerpts of the deposition transcript of William “Jess” Gordon Pauley, Jr., dated September 18, 2013. Pursuant to the parties’ stipulation, USAPA designated these portions of the transcript as testimony at the trial in this matter. *See* Doc. 247.

4. Annexed hereto as Exhibit “C” is a true and correct copy of excerpts of the deposition transcript of Gary Hummel, dated September 17, 2013. Pursuant to the parties’ stipulation, USAPA designated these portions of the transcript as testimony at the trial in this matter. *See* Doc. 247.

5. Annexed hereto as Exhibit “D” is a true and correct copy of excerpts of the trial testimony of Dean Colello, dated October 22, and 23, 2013.

6. Annexed hereto as Exhibit “E” is a true and correct copy of Trial Exhibit 7, which was admitted into evidence at the trial in this matter (*see* Doc. 253). Trial Exhibit 7 is an August 20, 2012 draft of the MOU referred to as “MOU I”.

7. Annexed hereto as Exhibit “F” is a true and correct copy of Trial Exhibit 310, which was admitted into evidence at the trial in this matter (*see* Doc. 254). Trial Exhibit 310 is an email chain produced to USAPA by plaintiffs.

8. Annexed hereto as Exhibit “G” is a true and correct copy of excerpts of the trial testimony of Jeffrey Koontz, dated October 22, 2013.

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2 9. Annexed hereto as Exhibit "G-1" is a true and correct copy of excerpts of  
3 the trial testimony of Jeffrey Koontz and Kenneth Holmes, dated October 22, 2013  
4 regarding the MOU vote.

5 10. Annexed hereto as Exhibit "H" is a true and correct copy of excerpts of the  
6 trial testimony of Kenneth Holmes, dated October 22, 2013.

7 11. Annexed hereto as Exhibit "I" is a true and correct copy of an excerpt of the  
8 trial testimony of John Scherff, dated October 22, 2013.

9 12. Annexed hereto as Exhibit "J" is a true and correct copy of Trial Exhibit  
10 45, which was admitted into evidence at the trial in this matter (*see* Doc. 253). Trial  
11 Exhibit 45 is an email chain that includes the PHX Domicile Update, dated October 30,  
12 2012.

13 13. Annexed hereto as Exhibit "K" is a true and correct copy of an excerpt of  
14 the trial testimony of William "Jess" Gordon Pauley, Jr., dated October 23, 2013.

15 14. Annexed hereto as Exhibit "L" is a true and correct copy of an excerpt of  
16 the deposition testimony of Dean A. Colello, dated September 20, 2013. Pursuant to the  
17 parties' stipulation, USAPA designated this portion of the transcript as testimony at the  
18 trial in this matter. *See* Doc. 247.

19 20 15. Annexed hereto as Exhibit "M" is a true and correct copy of an excerpt of  
21 the deposition testimony of John Owens, dated September 20, 2013. Pursuant to the  
22 parties' stipulation, USAPA designated this portion of the transcript as testimony at the  
23 trial in this matter. *See* Doc. 247.

24 25 16. Annexed hereto as Exhibit "N" is a true and correct copy of an excerpt of  
26 the deposition testimony of Stephen Bradford, dated September 18, 2013. Pursuant to the  
27 parties' stipulation, USAPA designated this portion of the transcript as testimony at the  
28 trial in this matter. *See* Doc. 247.

17. Annexed hereto as Exhibit "O" is a true and correct copy of Trial Exhibit

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233, which was admitted into evidence at the trial in this matter (*see* Doc. 254), which is a NAC Update.

18. Annexed hereto as Exhibit “P” is a true and correct copy of Trial Exhibit 258, which was admitted into evidence at the trial in this matter (*see* Doc. 254). Trial Exhibit 258 is a Leonidas update produced by the plaintiffs in this matter.

19. Annexed hereto as Exhibit “Q” is a true and correct copy of Trial Exhibit 259, which was admitted into evidence at the trial in this matter (*see* Doc. 254). Trial Exhibit 259 is a Leonidas update produced by the plaintiffs.

20. Annexed hereto as Exhibit “R” is a true and correct copy of an excerpt of the trial testimony of John Owens, dated October 23, 2013.

21. Annexed hereto as Exhibit “S” is a true and correct copy of Trial Exhibit 320, which was admitted into evidence at the trial in this matter (*see* Doc. 254). Trial Exhibit 320 is a summary of a USAPA analysis.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19<sup>th</sup> day of November, 2013.

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s/ Joy K. Mele  
JOY K. MELE

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 19, 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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