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

13 Don Addington; *et al*,

14 *Plaintiffs,*

15 vs.

16 US Airline Pilots Ass'n; and US Airways,
17 Inc.,

18 *Defendants.*

CASE NO. 2:13-CV-00471-ROS

19 **NOTICE OF STATUS OF**
20 **SETTLEMENT PROCEEDINGS AND**
21 **REQUEST FOR REINSTATEMENT**
22 **ON CALENDAR**

23 On February 17, 2016, in response to the parties' submission of their Notice of
24 Settlement in Principle [Doc. 350], this Court issued its Order setting the case for
25 dismissal with prejudice on April 29, 2016, unless a prior request for reinstatement is
26 filed. [Doc. 351]

27 As explained in the parties' Notice [Doc. 350], because USAPA and its officers
28 and directors are subject to an injunction entered by the North Carolina District Court in
USAPA v. Velez, 3:14-CV-577-RJC-DCK (consolidated actions in the District Court,
Western District of North Carolina), the parties presented their settlement to the North

1 Carolina District Court for approval. On March 11, 2016, the North Carolina District
2 Court issued an order requiring class action settlement briefing, including a motion for
3 conditional class certification, and for preliminary approval of a class action settlement,
4 with provisions for notice to class members and a fairness hearing. (See Exhibit A
5 hereto, Order dated March 11, 2016, issued by the Honorable Robert J. Conrad.)
6

7 The parties have complied with North Carolina District Court Judge Conrad's
8 Order, and on April 11, 2016, filed their Joint Motion For An Order Granting
9 Conditional Certification Of Class Action For Settlement Purposes Only, Preliminary
10 Approval Of The Settlement Agreement And Release, And Approval Of The Content
11 And Method Of Distribution Of The Notice To Class Members. (See Exhibit B hereto,
12 Joint Motion and Supporting Documents.)
13

14 The parties are now awaiting North Carolina District Court Judge Conrad's action
15 on their Joint Motion, including scheduling a Fairness Hearing. The parties will not be
16 able to finalize and implement their settlement until Judge Conrad provides final
17 approval, after the class action settlement process has been completed. This process
18 will not, unfortunately, be complete prior to April 29, 2016, the date that this Court
19 initially set as a dismissal date. Accordingly, the parties hereby request that this Court
20 reinstate this matter in its calendar and not dismiss it with prejudice on April 29, 2016.
21 If it would be of assistance to this Court, the parties would be happy to provide status
22 reports to this Court as the class action settlement process proceeds in North Carolina,
23 so that this Court will be apprised of the status of that process.
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2 **CERTIFICATE OF SERVICE**

3 I hereby certify that on April 13, 2016, I electronically filed the foregoing with the
4 Clerk of the Court and electronically served a copy of the same upon all parties by using
5 the CM/ECF system. In addition, I transmitted the foregoing via email and US Mail
6 Service to the following:

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