

1 US Airways, Inc.
2 KAREN GILLEN, State Bar No. 018008
3 karen.gillen@usairways.com
4 111 West Rio Salado Parkway
5 Tempe, AZ 85281
6 Telephone: (480) 693-0800
7 Facsimile: (480) 693-5932

8 O'Melveny & Myers LLP
9 ROBERT A. SIEGEL (*pro hac vice*)
10 CHRIS A. HOLLINGER (*pro hac vice*)
11 rsiegel@omm.com
12 chollinger@omm.com
13 400 South Hope Street
14 Los Angeles, CA 90071-2899
15 Telephone: (213) 430-6000
16 Facsimile: (213) 430-6407

17 Attorneys for Defendant
18 US Airways, Inc.

19 **IN THE UNITED STATES DISTRICT COURT**
20 **FOR THE DISTRICT OF ARIZONA**

21 Don Addington; John Bostic; Mark
22 Burman; Afshin Iranpour; Roger Velez;
23 Steve Wargoeki; Michael J. Soha;
24 Rodney Albert Brackin; and George
25 Maliga, on behalf of themselves and all
26 similarly situated former America West
27 Pilots,

28 Plaintiffs,

vs.

US Airline Pilots Ass'n, an
unincorporated association; and US
Airways, Inc., a Delaware corporation,

Defendants.

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

**DEFENDANT US AIRWAYS, INC.'S
RESPONSE TO PLAINTIFFS'
MOTION FOR CLASS
CERTIFICATION (DOC. NO. 11)**

1 Plaintiffs have filed a motion pursuant to Rules 23(a) and 23(b)(1)(A) of the
2 Federal Rules of Civil Procedure seeking certification of the following class: “All pilots
3 who are on the America West seniority list currently incorporated into the West Pilot’s
4 collective bargaining agreement.” (Motion for Class Certification (Doc. No. 11), at
5 p. 3:15-17 (page citation refers to pagination in plaintiffs’ motion and not to the
6 pagination of the corresponding ECF filing).)

7 Although defendant US Airways, Inc. (“US Airways”) does not necessarily agree
8 with all of plaintiffs’ arguments, it does agree that plaintiffs’ motion satisfies the
9 requirements of Rules 23(a) and 23(b)(1)(a).

10 Accordingly, US Airways respectfully submits that plaintiffs’ motion should be
11 granted.

12
13 Dated: April 11, 2013.

O’Melveny & Myers LLP

14 By: /s/Robert A. Siegel
15 Robert A. Siegel (*pro hac vice*)
16 Chris A. Hollinger (*pro hac vice*)
17 400 South Hope Street, Suite 1500
18 Los Angeles, California 90071-2899

19 US Airways, Inc.
20 Karen Gillen, State Bar No. 018008
21 111 W. Rio Salado Parkway
22 Tempe, AZ 85281

23
24
25
26
27
28 Attorneys for Defendant US Airways, Inc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2013, I caused to be electronically transmitted the attached Defendant US Airways, Inc.'s Response to Plaintiffs' Motion for Class Certification, to the Clerk's office using the CM/ECF System for filing.

/s/Robert A. Siegel

Robert A. Siegel

OMM_US:71467504.3