

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Don Addington, et al.,	)	No. CV-13-00471-PHX-ROS
Plaintiffs,	)	<b>ORDER</b>
vs.	)	
US Airline Pilots Association, et al.,	)	
Defendants.	)	

---

Plaintiffs filed this suit in early March and served Defendant US Airline Pilots Association (“USAPA”) one week later. (Doc. 18-1). On March 25, 2013, Plaintiffs moved to certify a class. (Doc. 11). And on March 26, 2013, Plaintiffs moved for a preliminary injunction. (Doc. 13). USAPA has requested the Court defer briefing on Plaintiffs’ motions until the Court rules on USAPA’s motion to dismiss, which will not be filed until April 22, 2013. Given that Plaintiffs are requesting a preliminary injunction, the Court cannot accommodate USAPA’s request for such a delay. Therefore, the Court will set expedited briefing schedules such that it can rule on the request for a preliminary injunction, as well as the motions to dismiss, in the very near future. The briefing on the motion to certify a class, however, can await the Court’s rulings on the other matters.

Finally, the Court notes that Plaintiffs have already accused USAPA of operating in bad faith. (Doc. 19). Having handled the previous litigation, the Court is well-aware of the importance of the issues in this case and the unfortunate level of antagonism between the

1 parties. That antagonism, however, will not be permitted to spillover into this litigation.  
2 Going forward, the parties must make sincere efforts to reach agreement where possible and  
3 to accommodate reasonable requests by the opposing party.

4 Accordingly,

5 **IT IS ORDERED** no later than April 26, 2013 Defendants shall file their responses  
6 to the motion for preliminary injunction. No later than May 3, 2013 Plaintiffs shall file their  
7 reply.

8 **IT IS FURTHER ORDERED** no later than May 3, 2013 Plaintiffs shall file their  
9 response to the motion to dismiss filed by USAPA. No later than May 9, 2013 USAPA shall  
10 file their reply.

11 **IT IS FURTHER ORDERED** no later than April 26, 2013 Plaintiffs shall file their  
12 response to US Airways' motion to dismiss. No later than May 3, 2013 US Airways shall  
13 file its reply.

14 **IT IS FURTHER ORDERED** a preliminary injunction hearing is set for **May 14,**  
15 **2013 at 10:00 a.m.** No later than May 10, 2013 the parties shall file a *joint* status report  
16 containing a proposed schedule for that hearing. The status report should include the identity  
17 of any proposed witnesses as well as the scope of such witnesses' testimony.

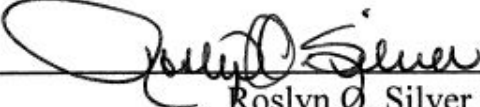
18 **IT IS FURTHER ORDERED** the Motion to Set Briefing Schedule (Doc. 32) is  
19 **GRANTED IN PART** and **DENIED IN PART.**

20 **IT IS FURTHER ORDERED** the Motion to Strike (Doc. 36) is **DENIED.**

21 **IT IS FURTHER ORDERED** the Motion to Exceed Page Limits (Doc. 42) is  
22 **DENIED.**

23 **IT IS FURTHER ORDERED** the briefing on the Motion to Certify Class is stayed  
24 pending further order of the Court.

25 DATED this 17<sup>th</sup> day of April, 2013.

26   
27 Roslyn O. Silver  
28 Chief United States District Judge