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17 Attorneys for US Airline Pilots Association

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

20 Don Addington, et. al.,)
21 *Plaintiffs,*)
22 v.)
23 US Airline Pilots Association, et. al,)
24 *Defendants.*)
25)
26)

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

**Declaration of Patrick J. Szymanski
in Support of USAPA's Motion to
Dismiss the Complaint**

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PATRICK J. SZYMANSKI, declares as follows under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am lead counsel for Defendant US Airline Pilots Association (“USAPA”) in this action.

2. Annexed hereto as Exhibit “A” is a true and correct copy of the official results of the MOU Ratification Referendum dated February 8, 2013, as issued by USAPA’s Ballot Certification Committee.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on April 22, 2013 in Washington D.C.

s/Patrick J. Szymanski

PATRICK J. SZYMANSKI

EXHIBIT A**2013 MOU Referendum Results**

Details Created on Friday, 08 February 2013 14:39

The Ballot Certification Committee thanks all members that voted in the 2013 MOU Referendum. We are extremely pleased that 94.8% of you participated in this referendum. Pilots voted in favor of the MOU and converting the Furloughed Pilot Medical Assessment funds to fund merger related expenses.

2013 MOU Referendum

Official Results

Ballot ending: 02/08/2013 14:00:00 (Eastern)

The ballots were cast and tallied as follows.

TOTAL

Do you vote in favor of the MOU? (please check one)	Total	Percent
Yes, I am in favor of the MOU	2693	75.94
No, I am opposed to the MOU	853	24.06
Total	3546	

Do you authorize converting the Furloughed Pilot Medical Assessment funds to fund merger related expenses? (please check one)	Total	Percent
Yes, I am in favor converting the funds	2278	64.92
No, I am opposed to converting the funds	1231	35.08
Total	3509	

CLT TOTAL

Do you vote in favor of the MOU? (please check one)	Total	Percent
Yes, I am in favor of the MOU	939	72.40
No, I am opposed to the MOU	358	27.60
Total	1297	

Do you authorize converting the Furloughed Pilot Medical Assessment funds to fund merger related	Total	Percent

EXHIBIT A

expenses? (please check one)		
Yes, I am in favor converting the funds	1048	81.37
No, I am opposed to converting the funds	240	18.63
Total	1288	

DCA TOTAL

Do you vote in favor of the MOU? (please check one)	Total	Percent
Yes, I am in favor of the MOU	164	84.97
No, I am opposed to the MOU	29	15.03
Total	193	

Do you authorize converting the Furloughed Pilot Medical Assessment funds to fund merger related expenses? (please check one)	Total	Percent
Yes, I am in favor converting the funds	153	79.69
No, I am opposed to converting the funds	39	20.31
Total	192	

PHL TOTAL

Do you vote in favor of the MOU? (please check one)	Total	Percent
Yes, I am in favor of the MOU	559	55.84
No, I am opposed to the MOU	442	44.16
Total	1001	

Do you authorize converting the Furloughed Pilot Medical Assessment funds to fund merger related expenses? (please check one)	Total	Percent
Yes, I am in favor converting the funds	772	78.06
No, I am opposed to converting the funds	217	21.94
Total	989	

PHX TOTAL

Do you vote in favor of the MOU? (please check one)	Total	Percent
Yes, I am in favor of the MOU	1017	97.69
No, I am opposed to the MOU	24	2.31
Total	1041	

Do you authorize converting the Furloughed Pilot Medical Assessment funds to fund merger related	Total	Percent
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EXHIBIT A

expenses? (please check one)

Yes, I am in favor converting the funds	298	29.04
No, I am opposed to converting the funds	728	70.96
Total	1026	

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- There were 3740 eligible voters, of which 3547 cast a ballot, representing 94.8% of the eligible voters.
 - Of the 3547 ballots cast, 868 (24.5%) were by phone, and 2679 (75.5%) were by web.
 - There were 0 ballots cast in which the voter did not make a selection.
 - There were 276 ballots declared void.

USAPA Ballot Certification Committee