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In Re: Integration of Seniority Process For American Airlines/U.S. Airways
Pilots – Protection Of Interests of American Airlines Flow-Through Pilots

Dear Mr. Kennedy:

My clients obtained a copy of AAPSIC's brief and proposed seniority list. While we are still in the process of digesting this information, we have several points that concern us and as to which we request additional information and explanation.

1. Page 71, footnote 9 of AAPSIC's brief states, in part: "The Merger Committees have stipulated that service at regional affiliates (including American Eagle) is not credited for purposes of longevity in this proceeding." We are uncertain what this statement is intended to mean. Can you explain how, if at all, longevity was used to construct AAPSIC's proposed integrated seniority list?

Will you provide me a copy of this stipulation?

What was the purpose of this stipulation? The AAPSIC Brief does not explain why this stipulation was made or its purpose (other than to single out Flow-Through Pilots for adverse treatment).

To the extent that this stipulation impacts the position of the Flow-Through Pilots on either the AA seniority list of the integrated seniority list proposed by AAPSIC, we request that AAPSIC withdraw from this stipulation until AAPSIC can discuss it and its effects with the Flow-Through Pilot group. Additionally, we request that AAPSIC make (or seek) revisions to any stipulation as are necessary to protect the rights of Flow-Through pilots from being impacted adversely by stipulations of this kind that appear directed predominantly at them and their employment/seniority situation.

2. Looking at AAPSIC's proposed integrated seniority list, a large block of US Airways pilots have been inserted starting at seniority number 13561 and ending at

number 14316. This appears to be Item 7 on page 76 of APPSIC's brief plus the pull and plug US Airways pilots. Item 7 appears to be based on Ratio 6 (page 75) that covers pilots before the last (Ratio 7) category of Post-2007 pilots. The practical effect of this insertion is to drop the seniority of the remaining 124 AA pilots by about 755 numbers.

What is the reason for this insertion?

Will you please provide the dates of hire (and other seniority dates if other dates were used) for the US Airways pilots on the foregoing block of pilots?

Will you also provide the pre-integration seniority dates for the AA pilots at numbers 13560 and 14317?

3. Ratio 7 is based on Post-2007 hiring. AAPSIC's brief (p. 75) indicates that Ratio 7 includes 124 AA pilots. Earlier in the brief, AAPSIC describes this group as including pilots all AA pilots who came onto the property post-2007 and that this group would be integrated with post-2007 US Airways Third List pilots on a ratio basis (Brief pp. 74-75). This ratio arises from the relative number of pilots hired with post-2007 seniority numbers. This results in inserting four or five US Airways pilots between each AA pilot. As discussed in Point 4 below, there is no rational basis to treat these AA pilots as if they were part of the US Airways Third List pilots. This treatment results in vastly diminished seniority placement for these AA pilots arising solely because AA has fewer post-2007 pilots with seniority numbers than US Airways has for this group.

It is our understanding that the 124 AA pilots in this group are all Flow-Through Pilots with AA seniority numbers arising because of the remedy provided in FLO-0903 awarding 154 AA seniority numbers to Eagle pilots. Under this award, it is our understanding that each of these AA pilots had a seniority date of April 30, 2008. Can you confirm or clarify this?

Will you provide the pre-integration seniority dates for the AA pilots (if other than April 30, 2008) and the date-of-hire dates for the US Airways pilots in this section of the integrated seniority list?

4. The integrated seniority treatment of the US Airways Third List group appears to arise from a notion that this group had constructive notice that their seniority placement could be changed (referred to as "Constructive Notice") because of the Nicolau award in a dispute between East and West US Airways pilots. AAPSIC Brf. p. 74. However, the Constructive Notice issue relates to the placement of new and old East/West US Airways pilots, not AA pilots. The Constructive Notice is notice that new US Airways pilots hired following the East-West merger might be subordinate to the original East and West US Airways pilots. *Ibid.*

AA pilots were not part of the dispute from which this Nicolau award arose. AAPSIC Brf. p. 68. Constructive Notice appears related only to the job expectations at US Airways following the East-West merger, not to job expectations at AA. See

AAPSIC Brf. pp. 70-71. The AA Flow-Through Pilots had very different job expectations than the Third List pilots. Their job expectations were job for job opportunities at AA based on their AA seniority position on the overall AA seniority list. Their expectations were the same as other AA pilots on the pre-merger list and totally unlike the expectations of the US Airways pilots who were on the Third List.

To put our position simply and based only on the limited review we have been able to conduct to date, we believe that there is no rational basis to integrate the 124 AA pilots in Ratio 7 with the US Airways Third List Pilots or to put any block of US Airways pilots ahead of these 124 AA pilots. We believe these 124 AA pilots should, at least, be part of Ratio 5, the same position as other AA pilots who operated the same equipment (see AAPSIC Brf. p. 73), before the insertion of the large group of US Airways pilots noted above and before the Third List US Airways pilots.

Will you please explain why the 124 AA pilots hired post-2007 were integrated with the Third List group of US Airways pilots and the reason for the ratio used?

Will you please explain why and how these 124 AA pilots had notice that their career expectations at AA would be diminished in reference to the US Airways pilots placed on the Third List or in reference to the original US Airways pilots who were not on the Third List?

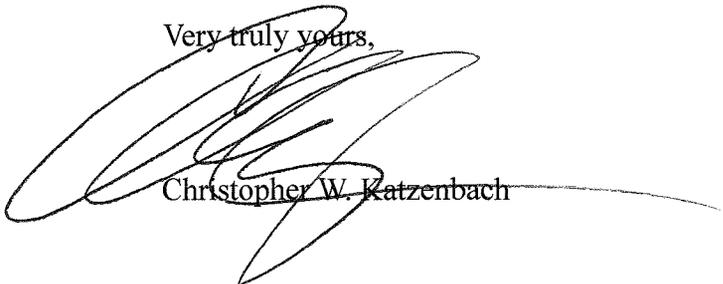
Will you please explain why any of these 124 AA pilots should have their career expectations at AA diminished by insertion of US Airways Third List pilots ahead of them on the integrated seniority list through the ratios used?

Will you please explain why these 124 AA pilots were put in Ratio 7 rather than in Ratio 5 with the other AA pilots on the pre-merger AA seniority list? I would note that the AAPSIC brief describes the inclusion of these 124 pilots with the US Airways Third List, but provides no explanation for that inclusion other than the fact that the AA pilots were post-2007 hires.

The post-2007 date apparently derives entirely from the 2007 Nicolau award and its aftermath. Will you explain how AA pilots hired post-2007 should be treated like pilots hired by US Airways post-2007 while the validity of the Nicolau award was being contested by the US Airways pilot groups?

As always, thank you for your prompt attention to these matters.

Very truly yours,



Christopher W. Katzenbach