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12

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 AMERICAN AIRLINES FLOW-THRU)
17 PILOTS COALITION, *et al.*,)

18 Plaintiffs,)

19 v.)

20 ALLIED PILOTS ASSOCIATION, *et al.*,)

21 Defendants.)

Case No. 3:15-cv-03125-RS

**DECLARATION OF JEFFREY B. DEMAIN
IN SUPPORT OF DEFENDANT ALLIED
PILOTS ASSOCIATION'S MOTION IN
LIMINE TO EXCLUDE EVIDENCE**

22 Date: March 29, 2018
23 Time: 1:30 p.m.
Courtroom: 3 - 17th Floor
24 Judge: Hon. Richard Seeborg

1 I, Jeffrey B. Demain, hereby declare as follows:

2 1. I am a member of the State Bar of California and am one of the counsel of record for
3 Defendant Allied Pilots Association (“APA”) in the above-captioned case. I make this declaration in
4 support of APA’s Motion in Limine to Exclude Evidence, filed herewith.

5 2. On November 3, 2016, the Court held a Case Management Conference in this case. I
6 represented Defendant APA at that conference. In that conference, I requested leave for Defendant
7 APA to file an early motion in limine to resolve a dispute between the parties regarding whether
8 Plaintiffs would be permitted introduce certain evidence regarding APA’s representation prior to the
9 negotiation of “Letter G” in January 2015. APA had raised this issue on summary judgment, but the
10 Court had declined to resolve it at that time, noting that “[r]esolution of that issue must await a later
11 day.” Doc. No. 67 at 5:19-23 & nn.2-3. At the Case Management Conference, the Court granted
12 APA’s request to file an early in limine motion regarding that issue and, in its subsequently-issued
13 Case Management Scheduling Order, set a cut-off date of April 5, 2018 for hearing such a motion. *See*
14 Doc. No. 85 at 2:4-5.

15 3. The deposition of Wayne Klocke was taken in this case by APA on December 12, 2017.
16 A true and correct copy of excerpts from the reporter’s transcript of that deposition relevant to APA’s
17 Motion in Limine is included as **Exhibit 1** in APA’s Compendium of Exhibits in Support of APA’s
18 Motion in Limine.

19 4. The deposition of John Schleder was taken in this case by APA on December 12, 2017.
20 A true and correct copy of excerpts from the reporter’s transcript of that deposition relevant to APA’s
21 Motion in Limine is included as **Exhibit 2** in APA’s Compendium of Exhibits in Support of APA’s
22 Motion in Limine.

23 5. The deposition of Gavin Hugh MacKenzie was taken in this case by APA on December
24 22, 2017. A true and correct copy of excerpts from the reporter’s transcript of that deposition relevant
25 to APA’s Motion in Limine is included as **Exhibit 3** in APA’s Compendium of Exhibits in Support of
26 APA’s Motion in Limine.

1 6. The deposition of Beth A. Holdren was taken in this case by APA on December 8,
2 2017. A true and correct copy of excerpts from the reporter's transcript of that deposition relevant to
3 APA's Motion in Limine is included as **Exhibit 4** in APA's Compendium of Exhibits in Support of
4 APA's Motion in Limine.

5 7. The deposition of Plaintiff Gregory Cordes was taken in this case by APA on November
6 28, 2017. A true and correct copy of excerpts from the reporter's transcript of that deposition relevant
7 to APA's Motion in Limine is included as **Exhibit 5** in APA's Compendium of Exhibits in Support of
8 APA's Motion in Limine.

9 8. The deposition of Plaintiff Dru Marquardt was taken in this case by APA on November
10 30, 2017. A true and correct copy of excerpts from the reporter's transcript of that deposition relevant
11 to APA's Motion in Limine is included as **Exhibit 6** in APA's Compendium of Exhibits in Support of
12 APA's Motion in Limine.

13 9. The deposition of Plaintiff Doug Poulton was taken in this case by APA on November
14 27, 2017. A true and correct copy of excerpts from the reporter's transcript of that deposition relevant
15 to APA's Motion in Limine is included as **Exhibit 7** in APA's Compendium of Exhibits in Support of
16 APA's Motion in Limine.

17 10. The deposition of Plaintiff Stephan Robson was taken in this case by APA on
18 November 29, 2017. A true and correct copy of excerpts from the reporter's transcript of that
19 deposition relevant to APA's Motion in Limine is included as **Exhibit 8** in APA's Compendium of
20 Exhibits in Support of APA's Motion in Limine.

21 11. The deposition of Plaintiff Philip Valente III was taken in this case by APA on
22 November 29, 2017. A true and correct copy of excerpts from the reporter's transcript of that
23 deposition relevant to APA's Motion in Limine is included as **Exhibit 9** in APA's Compendium of
24 Exhibits in Support of APA's Motion in Limine.

25 12. The deposition of Mark Leslie Burdette was taken in this case by APA on December 21,
26 2017. A true and correct copy of excerpts from the reporter's transcript of that deposition relevant to
27 APA's Motion in Limine is included as **Exhibit 10** in APA's Compendium of Exhibits in Support of
28 APA's Motion in Limine.

Declaration of Jeffrey B. Demain in Support of APA's Motion in Limine

