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"United Invincible"

June 8, 2017

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Dear American Airlines Members:

Last month, in an [update](#) in the American Airlines equity distribution case, we informed you that the United States Court of Appeals for the Ninth Circuit had issued a decision and opinion affirming the decision of the District Court for the Northern District of California in the case of Demetrius v. TWU, dismissing claims that the method adopted by TWU to distribute equity in American Airlines gained in during bankruptcy violated TWU's duty of fair representation.

On June 5, plaintiffs in the case filed papers asking that the Court of Appeals to reconsider its decision. Whether it grants any further review is entirely within the discretion of the judges of the Ninth Circuit. It is very difficult to predict when the Court will decide plaintiffs' request for reconsideration, but TWU regards the Ninth Circuit's opinion in the matter as well reasoned and solid, and is optimistic that the judges will find no need to take the fairly unusual step of reconsidering the matter. We will keep you updated regarding any further developments in the Court of Appeals.

You should be aware that, in the event that the Court decides not to reconsider the case, the plaintiffs will have 90 days to ask the United States Supreme Court to exercise its discretion to grant a writ of certiorari to review the issue. For a writ of certiorari to be granted, four of the nine Justices on the Court would have to vote to hear the issue raised.

Although we believe that the decision of the Court of Appeals puts us on the road to a final victory in the case, it is highly unlikely—should the plaintiffs decide to exercise all their procedural rights in this case—that any distribution will take place prior to 2018.

In Solidarity,

Mike Mayes
Director, Air Division
TWU International