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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Michael C. Malaney, Katherine R. Arcell, )  
Kieth Dean Bradt, José M. Brito, Jan Marie )  
Brown, Robert D. Conway, Rosemary )  
D'Augusta, Brenda K. Davis, Pamela Faust, )  
Carolyn Fjord, Don Freeland, Ted Friedli, )  
Donald V. Fry, Gabriel Garavanian, Harry )  
Garavanian, Yvonne Jocelyn Gardner, Lee M. )  
Gentry, Jay Glikman, Donna M. Johnson, )  
Valarie Ann Jolly, Gail S. Kosach, Rozann )  
Kunstle, Steve Kunstle, John Lovell, Len )  
Marazzo, Lee McCarthy, Lisa McCarthy, )  
Patricia Ann Meeuwsen, L. West Oehmig, Jr., )  
Cynthia Prosterman, Deborah M. Pulfer, )  
Sharon Holmes Reed, Dana L. Robinson, )  
Robert A. Rosenthal, Bill Rubinsohn, Sondra )  
K. Russell, Sylvia N. Sparks, June Stansbury, )  
Clyde D. Stensrud, Sherry Lynne Stewart, )  
Wayne Taleff, Gary Talewsky, Annette M. )  
Tippitts, Diane Lynn Ultican, J. Michael )  
Walker, Pamela S. Ward, David P. Wendell, )  
Christine O. Whalen, and Suraj Zutshi, )

Plaintiffs, )

v. )

UAL CORPORATION, UNITED AIRLINES, )  
INC., and CONTINENTAL AIRLINES, INC. )

Defendants. )

**CASE NO.: CV-10-02858 (RS)**

Date: August 31, 2010  
Time: 9:00 a.m.  
Judge: Hon. Richard Seeborg

**NOTICE OF MOTION AND MOTION  
FOR PRELIMINARY INJUNCTION**

1 Plaintiffs above-named, by and through their undersigned attorneys, hereby move this  
2 Court for an order enjoining defendants above-named, their officers, directors, employees,  
3 agents, and all persons acting in concert with them or subject to their direction or control,  
4 from completing and consummating the proposed merger described in the Complaint herein,  
5 pending a final determination by the Court after trial as to whether a permanent injunction  
6 should issue, notwithstanding any interim approval by any governmental or regulatory agency  
7 or department.

8  
9 The grounds for this motion are that the plaintiffs will suffer irreparable harm if said  
10 merger is consummated and completed; the threatened harm to the plaintiffs if the injunction  
11 is not issued greatly outweighs the threatened injury to the defendants if the injunction issues;  
12 there is a high probability that plaintiffs will succeed on the merits in establishing that the  
13 contemplated merger violates United States antitrust laws; and the public interest strongly  
14 favors granting the preliminary injunction.

15  
16 This motion is based on the Complaint and all of the files and proceedings herein. A  
17 supporting memorandum of law will be timely submitted.

18 Dated: August 9, 2010

19 ALIOTO LAW FIRM  
20 GRAY, PLANT, MOOTY, MOOTY &  
21 BENNETT, P.A.

22  
23 By: /s/ Joseph M. Alioto  
24 Joseph M. Alioto  
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26  
27  
28

**PLAINTIFFS' COUNSEL**

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