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BALPA OPENSKIES LEGAL UPDATE

1ST MAY 2008

Preparations continue at a pace for the scheduled hearing in the High Court on May 19th.

As part of the preparations for the hearing a number of legal processes take place, one of which is the disclosure of documents from each side relating to the case.

You will be aware that BALPA is seeking a legal ruling as to whether certain Articles of the Treaty of Rome 'trump' our legally held and membership endorsed strike ballot. BA has in turn counter claimed that the actions of BALPA have damaged its business and reputation.

On Monday 28th April BA went back in front of the courts seeking further disclosure from BALPA. As a consequence of this the courts have ordered that not only full time BALPA staff but also your elected representatives must provide information within 48 hours that MAY BE relevant to the case.

This information includes written or electronic information or correspondence, including correspondence and postings on the BALPA forum that relate to

- **The reason for the dispute**
- **The reason BALPA issued a strike ballot**
- **The reason BALPA plans to re-ballot its members**
- **Documents relating to the conciliation process**
- **Comments or Opinions in relation to the reason and justification of the dispute**
- **The motivation of BALPA members in relation to the potential strike action and/or the intended purpose of potential strike action;**
- **BALPA members comments and opinions on the potential effects of any kind of Project Lauren/Openskies or the terms and conditions of employment of BA mainline pilots.**

As a consequence of this ruling BALPA reps will, over the coming days, be almost entirely required to spend their time complying with the courts instructions. This consists of sorting through many thousands of emails and documents and where they fall under the categories above providing them to BA.

We apologise to the membership if this results in reduced availability of reps or slower responses to you on any other urgent matters. The consequences to each of us in not complying promptly with the court order would be severe.

In this dispute we are dealing with an opponent who from the outset has sought to use the law to frustrate the will of the BALPA membership. When BALPA took the initiative on the matter to challenge BA's position that our proposed Strike would be unlawful BA responded with its counter claim and now actions such as this.

The Company will doubtless claim that its actions are in response to BALPA's decision to ask for a legal ruling on this matter. They will also use their significant legal resources to attempt to frustrate or limit our ability to conduct other business. The Company will use every means at its disposal to frustrate your will, as expressed in our ballot for strike action.

In the meantime we ask for your continued support and understanding whilst we concentrate on ensuring your representatives do not face individual legal threats and that BALPA complies with the court's instructions.

Finally this is to advise that we are about to conduct a further Wilson Poll. If approached we would really encourage you to take a part.