



14-11

May 21, 2014

### *Making Great Strides*

The list of absurd DPA misrepresentations is a work in progress, with high points and low ones, but one of the biggest whoppers of all is their baseless accusation that ALPA had anything to do with their alleged “hacking incident” last November. On May 1, 2014 DPA announced that the civil and criminal investigations were “making great strides.” However, the day before, when speaking to the Court (a forum where serial misrepresentations are punishable by fines) it told a different story.

As can be seen by the attached document directly from the Court Docket, DPA’s counsel informed the court that *“While the documents have revealed potential defendants, no evidence obtained to date definitively establishes responsibility for the hacking of DPA’s website. As a result, we are not yet in a position to substitute a named defendant for “John Doe” and do not anticipate that we will be able to substitute named defendants by the June 27<sup>th</sup> conference date.”* That date was a scheduled status conference.

As we have stated many times before, neither ALPA nor Delta ALPA hacked DPA’s website or asked anyone to do so. We are highly skeptical that anyone hacked DPA’s website and strongly believe that whatever temporary problems the DPA experienced were the result of inadvertent actions by a third party, or even the DPA itself. However, the point here is that instead of revealing the terms of the actual document it filed with the Court, and letting the filing speak for itself, the DPA chose to spin the matter as an indication of “progress”. Regrettably, for all the talk of transparency and openness, when it comes to providing an account of its own activities the DPA is completely opaque. That is hardly an encouraging sign of what this organization would be like if it held any actual responsibility for your careers and futures.

So take a look for yourself - we have attached the document below - and decide if this looks anything like “great strides.” The case can easily be followed at this [link](#), and the docket number is **1-14-cv-00225**. After all the crazy talk of the last four years, and all the slanderous charges of RICO and criminal conspiracy (and ALPA still has not been contacted by the FBI or any other law enforcement agency), anyone can see that the DPA has no basis in fact for its wild accusations.

ALPA is not part of this case and we have no idea what the next accusation will be. One thing seems pretty likely based on the judge’s note; there will be no further adjournments in his court.

CV

REVISED

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APR 30 2014  
CLERK OF COURT  
ALVIN K. HELLERSTEIN

April 30, 2014

*Sept. 5, 2014*  
*The conf. is adjourned*  
*to Sept. 29, 2014, 10:00 a.m.*  
*There will be no further*  
*adjournments.*  
*4-30-14*  
*Alvin Hellerstein*

BY FAX

Hon. Alvin K. Hellerstein  
United States District Court  
United States Courthouse  
500 Pearl Street, Room 1050  
New York, NY 10007

Re: *Delta Pilots Association v. John Doe*  
Case No. 14-cv-225 (AKH)

Dear Judge Hellerstein:

On behalf of the Plaintiff, Delta Pilots Association ("DPA"), we write to request an adjournment of the Rule 16 conference scheduled for June 27, 2014. This is the first request to adjourn this conference.

DPA commenced this action on January 13, 2014, for declaratory judgment, injunctive relief, and monetary damages stemming from the "hacking" of Plaintiff's website in November 2013 by an unknown party or parties. On January 17, 2014, we filed a motion (Dkt. #3) seeking leave of the Court to serve immediate discovery on third-party Internet web-hosting or web-service companies, Internet Service Providers, telephone companies, and other third parties believed to be in possession of relevant information that would determine, or assist in determining, the identity of the "John Doe" defendant(s). The motion was granted on January 29, 2014 (Dkt. #5).

Since our motion for immediate discovery was granted, we have served subpoenas duces tecum on five telephone and internet companies, all of which have resulted in the production of documents. While the documents have revealed potential defendants, no evidence obtained to date definitively establishes responsibility for the hacking of DPA's website. As a result, we are not yet in a position to substitute named defendants for "John Doe," and do not anticipate that we will be able to substitute named defendants by the June 27 conference date.