

# Pleadings, Motions & Memoranda

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**Citation** → 2009 WL 3557674 (D.Minn.) (Trial Motion, Memorandum and Affidavit)  
United States District Court, D. Minnesota.

**Party Name** → NORTHWEST AIRLINES, INC., et al.,  
v.  
Robert F. MOKOS, et al.

No. 07-4803 (JNE/JJG). ← **Docket Number**  
October 16, 2009.

**Document Title** → Memorandum of Law of Intervening Plaintiff Air Line Pilots Association in Opposition to  
Defendants/Counter Claimants' Motion to Compel against ALPA

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### STATEMENT OF FACTS

#### *Background*

**Text** ↑ On December 7, 2005, shortly after Northwest filed for bankruptcy in September 2005 and had  
moved to reject the collective bargaining agreement with ALPA, the Retirement & Insurance ("R &  
I") and Negotiating Committees of ALPA's Northwest Master Executive Council ("MEC") reached a  
tentative agreement to freeze the pilots' defined benefit pension plan (the "DB Plan"). Up to that  
time pilot retirement benefits were largely provided through the DB Plan. The agreement also pro-  
vided that Northwest would contribute an amount equal to 5% of total pilot compensation to an  
existing pilot defined contribution plan during the bankruptcy. ALPA benefits counsel, Russell  
Woody, was consulted and provided legal advice with respect to those matters to the pilot leader-  
ship. Thereafter, negotiations continued with the Company under [Section 1113 of the Bankruptcy](#)