

AFFIDAVIT OF CINDY BARABAN

I, state under oath:

1. I am employed by the Department of Transportation (“DOT”) Office of the General Counsel in the position of Deputy Assistant General Counsel for Operations. In this position, I am responsible, in part, for providing legal advice regarding DOT’s review of economic and competition issues affecting airports and air carriers. I have the knowledge and authority to make the following representations of DOT’s views.
2. The primary relief sought by the United States’ Complaint is to enjoin the proposed slot lease, which would leave Delta with the 24 slots that it presently controls. From the perspective of DOT, that relief does not threaten to disrupt or harm the functioning of the agency’s regulation of slot transfers and usage at Newark under the Newark Slot Order.
3. The DOT sees no risk that its regulations and the DOJ’s enforcement of the antitrust laws will produce conflicting guidance, requirements, duties, privileges, or standards of conduct.

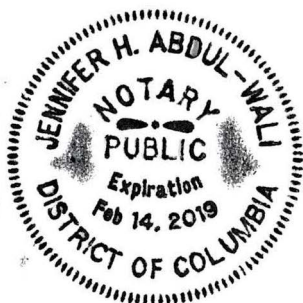
I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 11, 2016

*Cindy Baraban*

[SIGNATURE]

[NOTARY SEAL IF POSSIBLE]



DISTRICT OF COLUMBIA: SS  
SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 11<sup>th</sup> DAY OF February, 2016.  
*Jennifer H. Abdul-Wali*  
NOTARY PUBLIC  
My Commission Expires 02/14/2019