

STB FD-30400 (SUB 21) 7-28-92 COMPLAINT VOL 2 4 OF 12



period occurred in June of 1985, when there was merely a 16.09% decline (minus the 5%) and the high occurred in November of 1985 when there was a 97.06% decline.

Several problems exist in this claim. First, it is evident that there were certain specific functions and work which were transferred from Carrier to the Southern Pacific Transportation Company. Those were specified and spelled out in Carrier's notice to the organization in accordance with the Agreement. Certain employees were permitted to transfer and follow their position.

The organization alleges that certain other work was also transferred to the Southern Pacific Transportation Company upon the closing of the Brisbane office of Carrier. However, there is no evidence whatever to indicate precisely what amount of work the Organization claims was indeed transferred. The lack of evidence makes it impossible for the Arbitrator to determine that there was indeed sufficient work transferred without the concomitant opportunity for employees to follow their work. There is no evidence, and this is particularly significant, of the establishment of any new positions beyond those indicated by Carrier after the closing of the Brisbane office. The Organization relies on Article IV Section 1 (a) of the January 7,

1980 Agreement in support of its claims. Unfortunately, those provisions which deal with an employee following his work or being permitted a severance allowance rely on facts which are not evident in this matter. Carrier has submitted ample evidence that its business declined precipitously during the year 1985. In addition there is no evidence that any positions were established at the Southern Pacific Transportation Company to which the furloughed employees from Brisbane could aspire. Carrier supported this practical application of the Agreement by providing copy of former B. R. A. C. General Chairman T. J. Diehl's <sup>pp</sup> October 5, 1982 letter interpreting the Agreement wherein he stated: "...parties to the September 16, 1971 Agreement Article IV Section 1 (a)...since no positions are being established, an employee cannot follow his work...." Clearly, Paragraph 3 of Article IV Section 1A which provides a severance allowance is not applicable since that provision relies in principal part on the requirement of an employee to move his residence in order to follow his position or work. There was no requirement that an employee from Brisbane going to San Francisco, even if a position were available, would be required to move his residence (the distance was not that great).

In summary, therefore, it is apparent that the Organization has not presented facts which would indicate that there was work

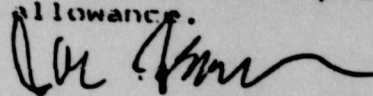


indeed transferred from Carrier to its parent in San Francisco, which accrued to the incumbents who were laid off in Brisbane. In addition, Carrier has submitted significant evidence with respect to its decline in business. It is also apparent that this entire matter may be characterized as the parent company taking back work from its own subsidiary. Such actions have long been held to be proper and do not constitute "coordinations" or triggering mechanisms for various protective benefits (see S.B.A. 605, Awards 390, 414, 420 and others). There is, in fact, no Rule support for Claimant's position. However, it must be noted that it is extremely desirable that the employees who were laid off at Brisbane and furloughed should be given priority consideration for future openings at the Southern Pacific Transportation Company in the San Francisco General office. The Arbitrator cannot mandate such action but can recommend it strongly.

For the foregoing reasons, however, the Claims in this instance do not have merit and they must be denied.

AWARD

Carrier did not violate the Agreement by failing to grant employees the right to follow work from Carrier to the Southern Pacific Transportation Company or in lieu thereof grant employees a separation allowance.



-----  
I. M. Lieberman, Arbitrator

Stamford, Connecticut

November 30, 1987





RB BRACKBILL, General Chairman  
GM ADAMS, General Secy Treasurer  
SR STEEVES, Vice General Chairman  
WD MARTIN, Chairman Board Trustees  
DV WARD, Member Board Trustees  
ED BAKER, Member Board Trustees

**SYSTEM BOARD OF ADJUSTMENT No. 94**

**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

**AFL-CIO**

SUITE 1000 PHELAN BLDG. - PHONE (415) 988-9000

700 MARKET STREET, SAN FRANCISCO, CALIFORNIA 94102

Refer to  
File No. 1  
**PFE-2489-GO**

January 4, 1988

Mr. K. E. Armstrong  
Mr. J. M. Balovich  
Ms. B. M. Boutourlin  
Ms. J. E. Flores  
Mr. A. D. Lang  
Ms. J. Lorentz  
Mr. J. J. Royer  
Ms. S. M. Tu

Dear PFE G.O. Claimants:

Referee Lieberman's award addressed the crux of the issue in this claim that resulted in the denial when he referenced the decline in business and the non-establishment of jobs at SPTCO when work was transferred.

The one bright side of the award is that the referee made an unusual observation in stating that the claimants should be given at least first right to employment if available at the SPTCO. The undersigned has made ongoing attempts to secure employment for those named in this claim and all furloughed PFE employes. That effort continues, and you will be advised if those efforts are successful.

Brothers Balovich and Armstrong have expressed their desire for employment with SPTCO. I would appreciate hearing from others.

Sincerely and fraternally,

*R. B. Brackbill*

Attachment

For RBB

Date 1/12/88 Time 10:30 A.M.  
P.M.

**While You Were Away**

M Lee Cubby

of Attorney for Sue Mae Tu

Phone No. 856-3505

Telephoned		Returned Call		URGENT
Please Call	X	Was In		Please See Me
Will Call Again	ASAP	Will Return		

Message 1 Palo Alto by fax 260  
Wants to know name  
of attorney who  
represented the Union  
on this case

Signed [Signature]

PADMASTER V-8003-P

60 SHEETS

Exhibit V





**SYSTEM BOARD OF ADJUSTMENT No. 94**

**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

**AFL-CIO**

SUITE 1000 PHELAN BLDG. - PHONE (415) 980-9086  
700 MARKET STREET, SAN FRANCISCO, CALIFORNIA 94102

R.B. BRACKBILL, General Chairman  
G.M. ADAMS, General Secy-Treasurer  
S.R. STEEVES, Vice General Chairman  
W.D. MARTIN, Chairman Board Trustees  
D.V. WARD, Member Board Trustees  
E.D. BAKER, Member Board Trustees

Refer to  
File No. 1

PFE-2482/2489 et al

January 13, 1988

Mr. Lee Cubby  
1 Palo Alto Square, Suite 260  
Palo Alto, California 94306

Dear Sir:

Reference your telephone call January 12, 1988 regarding  
Sieu M. Tu.

The attached per your request.

Yours very truly,

*R. B. Brackbill*

Attachments

1 LEE J. KUBBY, INC.  
2 A PROFESSIONAL CORPORATION  
3 755 Page Mill Road, Suite A180  
4 Palo Alto, CA. 94304

ORIGINAL  
FILED

JAN 19 1989

5 Telephone: 415 856-3505  
6 Attorney for Plaintiffs

WILLIAM L. WHITTAKER  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

7 UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 SIEU MEI TU AND JOSEPH Z. TU,  
10 Plaintiffs,

11 v.

12 SOUTHERN PACIFIC TRANSPORTATION  
13 COMPANY, ET AL.,

14 Defendants.

Case No. C 87 1198DLJ

LEE J. KUBBY  
DECLARATION IN  
OPPOSITION TO MOTIONS  
FOR SUMMARY JUDGEMENT  
ETC.

DATE: 2/02/89  
TIME: 10:00 AM  
COURT:3

15 LEE J. KUBBY DECLARES:

16 1. I am the attorney for the Plaintiffs herein. 2. I am author-  
17 ized to practice law before all the courts of the State of Cali-  
18 fornia, and this court.

19 3. If called as a witness, I could competently testify to each of  
20 the matters set forth herein.

21 4. On September 26, 1988 Declarant caused to be served on the  
22 Defendants the Notice to Take Deposition attached hereto as  
23 Exhibit A, and the Request Production attached hereto as Exhibit  
24 B.

25 5. Prior to November 10, 1988, the date set for production,  
26 Declarant received from the Union Defendants, the Defendant  
27 Unions Objections and Responses to Plaintiffs' Request for Prod-  
28



1 uction of Documents attached hereto as Exhibit C. There after I  
2 received SP/PFE'S Response to Request for Production attached  
3 hereto as Exhibit D. No documents were received from either  
4 Defendant by 10:00 A. M. November 10, 1988. Attached hereto as  
5 Exhibit E is a true copy of the proceedings held on November 10,  
6 1988. The matters set forth in Exhibit E are true and correct.  
7 Attached hereto as Exhibit F is a copy of the bill received  
8 by me for the presence of the court reporter on that occasion.  
9 Since that date, I have attempted to resolve the production issue  
10 with counsel for SP/PFE on at least two occasions, but have been  
11 unable to do so. Without the documents requested and further  
12 discovery indicated by a review of those documents I am unable to  
13 present by affidavit facts essential to justify Plaintiffs' oppo-  
14 sition to the pending motions for summary judgement.

15 6. Shortly before the date set for the depositions of the Union  
16 officials, counsel for the Union telephoned declarant and advised  
17 that one of the deponents could not appear for his deposition  
18 because of a health problem. Declarant agreed to continue the  
19 deposition of the sick deponent, but insisted on proceeding with  
20 the deposition of the other deponent. Counsel for the Union  
21 refused to produce the other witness at the time set and insisted  
22 on rescheduling both depositions. Declarant explained that with  
23 the pending schedule for motions for summary judgement, and what  
24 ever additional discovery may be required by what transpired  
25 regarding Plaintiffs' pending discovery attempts, I could not  
26 agree. Counsel for the Unions then set up an ex parte hearing  
27 for a motion to continue both depositions. Magistrate Brazeal  
28 issued the order attached hereto as Exhibit G in relation

1 thereto. Shortly before November 21, 1988, the date set in  
2 Exhibit G for the deposition of J. M. Balovich, to wit on Novem-  
3 ber 18, 1988, Declarant was required by Judge Barton J. Phelps,  
4 Retired Judge of the Superior Court of the County of Santa Clara,  
5 sitting as Judge Pro tem in a trial then pending in Santa Clara  
6 County to attend a session of that court for trial on November  
7 21, 1988. I immediately advised all counsel of that situation  
8 and attempted to have the depositions in this matter commence on  
9 November 22, 1988. Counsel for the Union refused. Declarant has  
10 attempted to get another date for those depositions before the  
11 date when this response is due to be filed, but counsel for the  
12 Unions has not cooperated in establishing such a date, and said  
13 depositions have still not commenced. Plaintiffs have thus been  
14 further delayed, stymied, and hindered from presenting adequate  
15 affidavits to meet the pending motions for summary judgement.

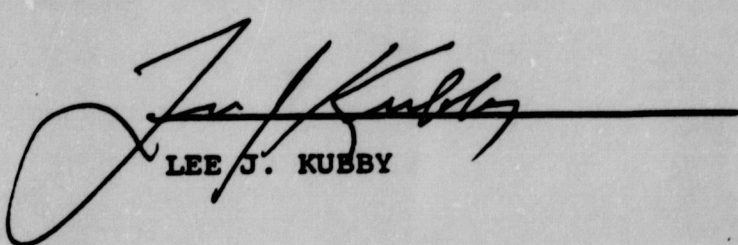
16 7. Despite the fact that the defendants announced at the last  
17 settlement conference held in this matter on September 7,  
18 1988, their intentions to file summary judgement motions for-  
19 thwith, the papers supporting such motions were not served on  
20 Plaintiffs until January 5, 1989, by the Union Defendants and  
21 thereafter by the SP/PFE Defendants.

22 8. On at least three occasions after January 28, 1986, the date  
23 of Mr. Brackbills letter to Declarant (Exhibit S to Declaration  
24 of Brackbill) Declarant telephoned the office of Mr. Brackbill to  
25 determine the nature and progress of the claim the Union was  
26 supposedly pursuing for Plaintiff Sieu Mei Tu, and the name and  
27 location of the attorney handling the matter. I was finally  
28 given the name of an attorney on the East Coast, who I called.



1 That attorney advised me he knew nothing of a claim on behalf of  
2 Sieu Mei Tu, but was acting for the Union in a suit filed against  
3 the Railroads and then pending in the United States Court in  
4 Utah, but that that action only concerned PFE employees who had  
5 been transferred to SP and did not involve any issues concerning  
6 PFE employees that had been "furloughed". I requested copies of  
7 the pleadings filed in that matter, but never received the same.  
8 9. I have reviewed all the documents and declarations filed in  
9 relation to the pending motions, and find no evidence that any  
10 Union representative protected the rights of Sieu Mei Tu in rela-  
11 tion to her unjustified and wrongful termination by the Defendant  
12 Railroads, or registered any objection to the materiality of  
13 a decline in business justification for terminating Sieu Mei Tu,  
14 or produced or sought any evidence of the discrimination prac-  
15 ticed against Sieu Mei Tu by the Railroad Defendants.

16 I hereby declare under penalty of perjury that the foregoing  
17 is true and correct. Executed January 18, 1989 at Palo Alto,  
18 California.

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21 LEE J. KUBBY  
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1 LEE J. KUBBY, INC.  
2 A PROFESSIONAL CORPORATION  
3 755 Page Mill Road, Suite A180  
4 Palo Alto, CA. 94304  
5 Telephone: 415 856-3505  
6 Attorney for Plaintiffs

ORIGINAL  
FILED  
SEP 27 1988  
WILLIAM L. WHITTAKER  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

6 UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 SIEU MEI TU AND JOSEPH Z. TU, )  
9 Plaintiffs, ) Case No. C 87 1198DLJ  
10 v. )  
11 SOUTHERN PACIFIC TRANSPORTATION )  
12 COMPANY, ET AL., )  
13 Defendants. )  
14 )

15 TO THE DEFENDANTS J. M. BALOVICH AND R. B. BRACKBILL AND EACH OF  
16 THEM AND THEIR ATTORNEYS OF RECORD:

17 Please take notice that, pursuant to Fed. R. Civ. 30, Plaintiff  
18 Sieu Mei Tu will take the oral deposition of Defendants J. M.  
19 Balovich and R. B. Brackbill before an officer authorized to  
20 administer oath as required by Fed. R. Civ. P. 28 (a). The  
21 deposition of J. M. Balovich will be taken on October 25, 1988,  
22 and the deposition of R. B. Brackbill will be taken on October  
23 26, 1988.

24 Both depositions will be taken at the offices of Lee J.  
25 Kubby, Inc. A Professional Corporation, 755 Page Mill Road, Suite  
26 A. 180 promptly at 10 A.M. on each of such days, and shall con-  
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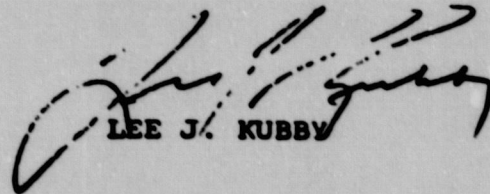


1 tinue from day to day until completed, week ends and holidays  
2 excluded.

3 Dated September 26, 1988  
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6 Respectfully submitted

7 LEE J. KUBBY, INC.  
8 A Professional Corporation  
9 By:

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11 LEE J. KUBBY  
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1 LEE J. KUBBY, INC.  
2 A PROFESSIONAL CORPORATION  
3 755 Page Mill Road, Suite A180  
4 Palo Alto, CA. 94304

5 Telephone: 415 856-3505

6 Attorney for Plaintiffs

~~SEP 27 1988~~  
WILLIAM L. WHITAKER  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

7 UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 SIEU MEI TU AND JOSEPH Z. TU, )

10 Plaintiffs, )

11 v. )

12 SOUTHERN PACIFIC TRANSPORTATION )  
13 COMPANY, ET AL., )

14 Defendants. )  
15

Case No. C 87 1198DL

REQUEST  
PRODUCTION

16 TO THE DEFENDANTS AND EACH OF THEM AND THEIR ATTORNEYS OF RECORD  
17 PLAINTIFF SIEU MEI TU HEREWITH REQUESTS PRODUCTION OF DOCUMENTS  
18 AS SET FORTH IN ATTACHMENT A HERETO PURSUANT TO RULE 34 FRCP.

19 Plaintiff Sieu Mei Tu requests that the defendants and each  
20 of them respond to this request within 30 days of this date.

21 1.The production, inspection, copying and or photographing,  
22 shall take place on November 10, 1988 at the offices of LEE J.  
23 KUBBY, at 755 Page Mill Road, Suite A 180, Palo Alto, CA 94304,  
24 at 10:00 A. M. before a Notary Public of the State of California,  
25 and shall continue from day to day, weekends and holidays  
26 excepted, until completed.

27 2.Your written response to this request is due within 30 days  
28 after service of this request. Your response should identify the



1 specified documents as to which inspection and copying will be  
2 permitted as requested and, in the event any request or portion  
3 of a request is objected to, the specified documents objected to  
4 and the particular reasons for objection.

5 3. Please identify and produce all of the specified documents  
6 which are in your possession, or available to you or to which you  
7 may gain access through reasonable effort, including information  
8 in the possession of your attorneys, accountants, advisor or  
9 other persons directly or indirectly employed by you, or con-  
10 nected with you, or anyone else otherwise subject to your con-  
11 trol.

12 4. Unless specific arrangements to the contrary are expressly  
13 made by Plaintiff, you are to produce the originals together with  
14 all non-identical copies of each document requested.

15 5. In responding to this request for production, you must  
16 make a diligent search of your records and of other papers and  
17 materials in your possession or available to you or your repre-  
18 sentatives.

19 6. If a request specifies multiple items, you must respond in  
20 writing as to each item separately and in full, and may not limit  
21 your response to the request as a whole.

22 7. Likewise, if you are unable to respond to any request in  
23 full, please respond to the extent possible, specify the reason  
24 for your inability to respond to the remainder, and state wha-  
25 tever information and knowledge you have regarding the portion of  
26 the request to which you are unable to respond.

27 8. In the event you are unable to identify and produce all of  
28 the documents called for in a particular request, please iden-

1 tify and produce all of the documents you are able to produce at  
2 the time when requested to do so, advising Plaintiff of the par-  
3 tial production, and identify and produce the remaining documents  
4 as soon thereafter as you are able to produce them.

5 9. If you object to a portion of a request, please identify  
6 and produce all documents called for by that portion of the  
7 request to which you do not object.

8 10. If any item called for by a request is not in your pos-  
9 session, but is in the possession of a custodian who is under  
10 your direction or control with respect to the specified item  
11 (e.g. , an accountant, attorney, bank, savings and loan associ-  
12 ation, escrow or title insurance company), in lieu of producing  
13 the item in question, you may identify the custodian of the  
14 item and provide Plaintiff with a written authorization,  
15 addressed to such custodian, directing the custodian to produce  
16 such item for Plaintiff at Plaintiffs expense.

17 11. If all or any portion of the information sought exists in  
18 the form of compilations, abstracts or summaries then available  
19 to you, those should be produced for Plaintiff.

20 12. Please identify and produce the requested documents in the  
21 same form and order as they were kept prior to this request for  
22 production of documents and in a manner that permits the same  
23 direct and economical access to the documents that is available  
24 to you.

25 13. In the event you contend that any documents are subject to  
26 a right of privacy or some other constitutional right in someone  
27 other than yourself, immediately upon your receipt of this  
28 request, please provide such person with such privacy or other



1 discovery notices as you contend are required by applicable law  
2 in order that you may produce the requested documents by the date  
3 specified herein without further delay for purposes of providing  
4 such notice.

5 14. If any claim or privilege is asserted with respect to any  
6 document responsive to any of the requests herein, please sepa-  
7 rately identify each such document by stating the following  
8 information with respect thereto:

9 (a) The description of the subject matter of such document  
10 with sufficient particularity to enable the same to be identi-  
11 fied;

12 (b) The date of preparation and sending of the document and  
13 the date, if any, appearing on such document as the date thereof;

14 (c) The identity of each person who signed, prepared or sent  
15 the document;

16 (d) The identity of each person on behalf of whom such  
17 document was signed, it appears on the face thereof that such  
18 document was signed by the signer on behalf of a person other  
19 than the signer;

20 (e) The identity of each person who originated, circulated,  
21 or published such document or on whose behalf such document was  
22 originated, circulated, or published;

23 (f) The name and address of each person who was an addressee  
24 thereof or to whom such document was sent; and

25 (g) The identity of each person having custody of such  
26 document or any carbon, reproduction or facsimile thereof.

27 15. If any document responsive to any of the requests herein  
28 has been destroyed, discarded or lost, please separately identify

1 each such document by stating the following information with  
2 respect thereto:

3 (a) The title and a description of the subject matter of  
4 such document;

5 (b) The date (or approximate date) of the preparation and/or  
6 sending of such document;

7 (c) The identity of the person who destroyed, discarded or  
8 lost such document;

9 (d) The date (or approximate date) such document was  
10 destroyed, discarded or lost;

11 (e) A description of the circumstances under which such  
12 document was destroyed, discarded or lost;

13 (f) The identity, if known, or each person who originated,  
14 circulated, published or received such document; and

15 (g) The identity of the person having custody of such docu-  
16 ment immediately prior to its destruction, discarding or loss.

#### 17 DEFINITIONS

18 For purposes of this Request for Production of Documents,  
19 the following terms shall have the following meanings:

20 1. As used herein the term "document" refers to and includes  
21 each and every printed, written, typewritten, graphic, photo-  
22 graphic, electronically recorded or sound-record matter, however  
23 produced or reproduced, of every kind and description including,  
24 but not limited to, files, books, correspondence, letters, memo-  
25 randa, telegraphs, papers, notes, records, resolutions, drafts,  
26 evaluations, entries, minutes, calendars, reports, appointment  
27 records, diaries, studies, working papers, financial records,  
28 summaries and charts, whether the original, or any carbon or pho-



1 tographic or other copy, reproduction or facsimile thereof, other  
2 than exact duplications. Any copy or excerpt of a document which  
3 bears any notes, additions, inserts or other markings of any kind  
4 is to be considered a separate document for purposes of respond-  
5 ing to the requests herein.

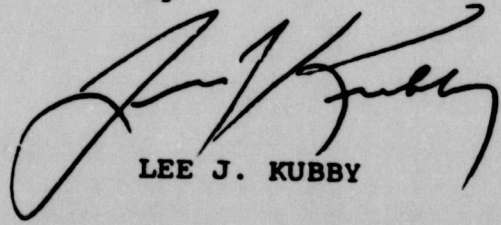
6 2. As used herein, "person" refers to and includes natural  
7 persons, as well as businesses and other artificial entities,  
8 unless otherwise limited herein.

9 3. As used herein, the singular and masculine gender shall  
10 mean the plural and feminine or neuter, as may be appropriate;  
11 the conjunctive includes the disjunctive and the disjunctive  
12 includes the conjunctive; and "all" and "each" includes each and  
13 every.

14 4. As used herein, "identify" refers to and includes identi-  
15 fication by name, business and residence address and telephone  
16 number, job title and employer.

17 Dated September 26, 1988

18  
19 LEE J. KUBBY, INC.  
A Professional Corporation  
By:

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23 LEE J. KUBBY

ATTACHMENT A

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1. All evidence presented in Arbitration hearing before I. M. Lieberman, in the matter of the Arbitration between Pacific Fruit Express Company and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees held in Stamford, Connecticut on August 6, 1987 (hereinafter referred to as the arbitration) and all documents, writings, briefs, and other matter submitted therein, along with any record of the said hearing.

2. Job descriptions of all clerk positions (each and every) held by any person in any office of the Southern Pacific Transportation Company in San Francisco, San Mateo, Santa Clara, and/or Alameda counties, California, and or Pacific Fruit Express Seniority District 1 and or Southern Pacific Transportation Company General Offices Roster, San Francisco, California during the period January 1, 1985 to and including the present time.

3. The personnel file of each and every person working in each of said positions from January 1, 1985 to the present time.

4. The pay rate for each of said positions.

5. All clerks seniority rosters for Pacific Fruit Express Seniority District No. 1 and/or Southern Pacific Transportation Company General offices Roster, San Francisco, California employees prepared between January 1, 1985 and the present time.

6. Record of all job offers made to each and every of the following persons between January 1, 1985 and the present time:



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- K. E. Armstrong
- J. M. Balovich
- J. E. Flores
- B. M. Boutourlin
- A. D. Lang
- J. Lorentz
- J. J. Royer
- S. M. Tu

7. All bulletins issued concerning any clerks position in Pacific Fruit Express Seniority District 1, and or Southern Pacific Transportation Company General Offices Roster, San Francisco issued from January 1, 1985 to the present time.

8. All documents in any way concerning the employment of Thomas D. Ellen and or Rick Fend by Pacific Fruit Express.

9. All documents exchanged between Southern Pacific Transportation Company and Pacific Fruit Express from the date of hire of Thomas D. Ellen to the present time.

10. All records of all meetings wherein any discussion was held concerning what persons and/or what positions would be transferred from Pacific Fruit Express to Southern Pacific Transportation Company, and or what persons would be paid separation allowances, given credit on retirement on separation, and or placed on disability during the period June 1, 1984 to the present time.

11. All grievances, complaints, charges, or other allegations of discrimination by reason of age, sex, or national origin received by any defendant during the period January 1, 1979 to

70. 7

the present time.

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2 12. All studies, reports, compilations, or other documents  
3 prepared by or for any defendant concerning minority employment  
4 by any defendant, during the period January 1, 1979 to the pre-  
5 sent time.

6 13. All records of Southern Pacific Transportation Company  
7 concerning in any way any business of Southern Pacific Transpor-  
8 tation Company on or after January 1, 1980 to the present time of  
9 the same category as was conducted by Pacific Fruit Express at  
10 any time between January 1, 1980 to the present time.



1 DECLARATION OF SERVICE BY MAIL

2  
3 I, Lee J. Kubby, say and declare:

4 I am a citizen of the United States, over eighteen  
5 years of age, and not a party to the within action. My  
6 business address is 755 Page Mill Road, Suite A180, Palo  
7 Alto, California 94304. I am an attorney at law licensed by the  
8 State of California.

9 That on

10 September 26, 1988

11 I served the attached:

12 REQUEST PRODUCTION

13 via United States First Class Mail on the following party of  
14 record:

15 ROBERT S. BOGASON  
16 SOUTHERN PACIFIC TRANSPORTATION COMPANY  
17 One Market Plaza, Room 837  
18 San Francisco, CA 94105  
19 Telephone: 415-541-1786

16	PATRICK W. JORDAN	Kathleen S. King, Esq.
17	WAYNE M. BOLIO	Henning, Walsh & King
18	McLAUGHLIN AND IRVIN	100 Bush Street, Suite 440
19	111 Pine Street, Suite 1200	San Francisco, CA 94104
20	San Francisco, CA 94111-5109	TELEPHONE (415) 981-4400
21	TELEPHONE: 415-433-6330	

20	JOHN H. ERNSTER	James M. Darby
21	One Santa Fe Plaza	TCIU
22	5200 E. Sheila Street	3 Research Place
23	Los Angeles, CA 90040	Rockville, MD 20850
24	TELEPHONE: 213 267-5605	

25 and by then sealing said envelope and depositing same into  
26 the United States Mail, postage fully prepaid.

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

Executed on September 26, 1988, at Palo Alto California.

\_\_\_\_\_  
LEE J. KUBBY

700

JOHN F. HENNING, JR.  
JEFFREY R. WALSH  
KATHLEEN S. KING

HENNING, WALSH & KING

LAW OFFICES  
100 BUSH STREET, SUITE 440  
SAN FRANCISCO, CALIFORNIA 94104  
TELEPHONE (415) 981-4400  
TELECOPIER (415) 981-4599

OF COUNSEL  
JOHN P. JENNINGS  
CAROL GOODMAN

October 27, 1988

HAND DELIVERED

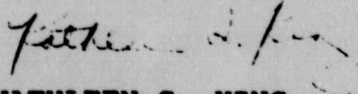
Lee Kubby, Esq.  
755 Page Mill Road, Suite A180  
Palo Alto, CA 94304

Re: Tu v. Southern Pacific

Dear Mr. Kubby:

Enclosed please find the document production response on behalf of the Union defendants. Mr. Darby has indicated our offices for the document production on November 10, 1988. Assuming that there are not very many documents (Mr. Brackbill's office is still in the process of looking) I will forward copies to your office on that date. If, however, numerous documents are discovered, I will advise you and the inspection will take place in my office and you can copy the documents. If you do not hear from me, please assume I will mail copies of the documents.

Very truly yours,

  
KATHLEEN S. KING

KSK/kb  
Enclosure  
File 2775  
cc: James Darby  
Kevin Block

Ex C



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DECLARATION OF SERVICE BY MAIL

I, Lee J. Kubby, say and declare:

I am a citizen of the United States, over eighteen years of age, and not a party to the within action. My business address is 755 Page Mill Road, Suite A180, Palo Alto, California 94304. I am an attorney at law licensed by the State of California.

That on

September 26, 1988

I served the attached:

REQUEST PRODUCTION

via United States First Class Mail on the following party of record:

ROBERT S. BOGASON  
SOUTHERN PACIFIC TRANSPORTATION COMPANY  
One Market Plaza, Room 837  
San Francisco, CA 94105  
Telephone: 415-541-1786

PATRICK W. JORDAN  
WAYNE M. BOLIO  
McLAUGHLIN AND IRVIN  
111 Pine Street, Suite 1200  
San Francisco, CA 94111-5109  
TELEPHONE: 415-433-6330  
Kathleen S. King, Esq.  
Henning, Walsh & King  
100 Bush Street, Suite 440  
San Francisco, CA 94104  
TELEPHONE (415) 981-4400

JOHN H. ERNSTER  
One Santa Fe Plaza  
5200 E. Sheila Street  
Los Angeles, CA 90040  
TELEPHONE: 213 267-5605  
James M. Darby  
TCIU  
3 Research Place  
Rockville, MD 20850

and by then sealing said envelope and depositing same into the United States Mail, postage fully prepaid.

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

Executed on September 26, 1988, at Palo Alto California.

\_\_\_\_\_  
LEE J. KUBBY

JOHN F. HENNING, JR.  
JEFFREY R. WALSH  
KATHLEEN S. KING

HENNING, WALSH & KING

LAW OFFICES  
100 BUSH STREET, SUITE 440  
SAN FRANCISCO, CALIFORNIA 94104  
TELEPHONE (415) 981-4400  
TELECOPIER (415) 981-4599

OF COUNSEL  
JOHN P. JENNINGS  
CAROL GOODMAN

October 27, 1988

HAND DELIVERED

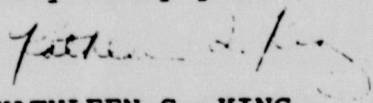
Lee Kubby, Esq.  
755 Page Mill Road, Suite A180  
Palo Alto, CA 94304

Re: Tu v. Southern Pacific

Dear Mr. Kubby:

Enclosed please find the document production response on behalf of the Union defendants. Mr. Darby has indicated our offices for the document production on November 10, 1988. Assuming that there are not very many documents (Mr. Brackbill's office is still in the process of looking) I will forward copies to your office on that date. If, however, numerous documents are discovered, I will advise you and the inspection will take place in my office and you can copy the documents. If you do not hear from me, please assume I will mail copies of the documents.

Very truly yours,

  
KATHLEEN S. KING

KSK/kb  
Enclosure  
File 2775  
cc: James Darby  
Kevin Block

Ex C



1 JAMES M. DARBY  
Assistant General Counsel  
2 Transportation Communications  
International Union  
3 3 Research Place  
Rockville, MD 20850

4 KATHLEEN S. KING  
5 HENNING, WALSH & KING  
100 Bush Street, Suite 440  
6 San Francisco, California 94104  
Telephone: (415) 981-4400

7 Counsel for Union Defendants  
8  
9

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 SEIU MEI TU and JOSEPH Z. TU, )  
13 )  
Plaintiffs, )

) No. C87-1198-DLJ  
)

14 )  
15 v. )

16 SOUTHERN PACIFIC TRANSPORTATION )  
COMPANY; ATCHISON, TOPEKA, SANTA )  
17 FE RAILROAD COMPANY; PACIFIC )  
FRUIT EXPRESS COMPANY; T. ELLEN; )  
18 E. E. CLARK; R.W. FEND; T.R. )  
ASHTON; DOE DEFENDANTS ONE TO TWO )  
19 THOUSAND; WHITE COMPANY; BLACK )  
CORPORATION; BROTHERHOOD OF )  
20 RAILWAY, AIRLINE AND STEAMSHIP )  
CLERKS; R.B. BRACKBILL; J.M. )  
21 BALOVICH; SANTA FE SOUTHERN )  
PACIFIC CORP., )

) DEFENDANT UNION'S  
) OBJECTIONS AND  
) RESPONSES TO  
) PLAINTIFFS' REQUEST  
) FOR PRODUCTION OF  
) DOCUMENTS

22 )  
23 Defendants. )  
\_\_\_\_\_ )

24 COMES NOW defendant Transportation Communications  
25 International Union ("the Union") and, pursuant to Fed. R. Civ.  
26 P. 34(b), objects and responds to plaintiffs' Request for  
27 Production of Documents as follows:  
28

1     REQUEST NO. 1:

2             All evidence presented in Arbitration hearing before  
3 I. M. Lieberman, in the matter of the Arbitration between  
4 Pacific Fruit Express Company and Brotherhood of Railway,  
5 Airline and Steamship Clerks, Freight Handlers, Express and  
6 Station Employees held in Stamford, Connecticut on August 6,  
7 1987 (hereinafter referred to as the arbitration) and all  
8 documents, writings, briefs, and other matters submitted  
9 therein, along with any record of the said hearing.

10    RESPONSE TO REQUEST NO. 1:

11             The Union submits that such documents are available  
12 and will be furnished for inspection and copying at the law  
13 offices of Henning, Walsh & King, 100 Bush Street, Suite 440,  
14 San Francisco, California 94104, at a mutually agreeable time.

15    REQUEST NO. 2:

16             Job descriptions of all clerk positions (each and  
17 every) held by any person in any office of the Southern Pacific  
18 Transportation Company in San Francisco, San Mateo, Santa  
19 Clara, and/or Alameda Counties, California, and or Pacific Fruit  
20 Express Seniority District 1 and or Southern Pacific  
21 Transportation Company General Offices Roster, San Francisco,  
22 California during the period January 1, 1985 to and including  
23 the present time.

24    RESPONSE TO REQUEST NO. 2:

25             The Union has no documents within its possession,  
26 custody or control that are responsive to this request.

27    REQUEST NO. 3:



1 The personnel file of each and every person working in  
2 each of said positions from January 1, 1985 to the present time.

3 RESPONSE TO REQUEST NO. 3:

4 The Union has no documents within its possession,  
5 custody or control that are responsive to this request.

6 REQUEST NO. 4:

7 The pay rate for each of said positions.

8 RESPONSE TO REQUEST NO. 4:

9 The Union is in the process of attempting to locate  
10 any documents reflecting the "pay rates" referred to in Request  
11 No. 4, and if such documents exist, they will be made available  
12 for inspection and copying at the law offices of Henning, Walsh  
13 & King at a mutually agreeable time.

14 REQUEST NO. 5:

15 All clerks seniority rosters for Pacific Fruit Express  
16 Seniority District No. 1 and/or Southern Pacific Transportation  
17 Company General offices Roster, San Francisco, California  
18 employees prepared between January 1, 1985 and the present time.

19 RESPONSE TO REQUEST NO. 5:

20 The Union is in the process of attempting to locate  
21 such documents, and if such documents exist, they will be made  
22 available for inspection and copying at the law offices of  
23 Henning, Walsh & King at a mutually agreeable time.

24 REQUEST NO. 6:

25 Record of all job offers made to each and every of the  
26 following persons between January 1, 1985 and the present time:

27 K.E. Armstrong

28 J. M. Balovich

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- J. E. Flores
- B. M. Boutourlin
- A. D. Lang
- J. Lorentz
- J.J. Royer
- S.M. Tu

RESPONSE TO REQUEST NO. 6:

The Union has no documents within its possession, custody or control that are responsive to this request.

REQUEST NO. 7:

All bulletins issued concerning any clerks position in Pacific Fruit Express Seniority District 1, and or Southern Pacific Transportation Company General Offices Roster, San Francisco issued from January 1, 1985 to the present time.

RESPONSE TO REQUEST NO. 7:

The Union objects to this request on the basis that it seeks documents which are not relevant to the subject matter and are not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects on the basis that the documents sought are burdensome and oppressive. Notwithstanding, the Union is in the process of attempting to locate all job bulletins relevant to the instant matter, and if such documents exist, they will be made available for inspection and copying at the law offices of Henning, Walsh & King at a mutually agreeable time.

REQUEST NO. 8:

All documents in any way concerning the employment of Thomas D. Ellen and or Rick Fend by Pacific Fruit Express.

LAW OFFICES  
OF  
HENNING,  
WALSH & KING  
SUITE 440  
SMELL BUILDING  
800 BUSH STREET  
SAN FRANCISCO 94104  
(415) 981-4400



1 RESPONSE TO REQUEST NO. 8:

2 The Union has no documents within its possession,  
3 custody or control that are responsive to this request.

4 REQUEST NO. 9:

5 All documents exchanged between Southern Pacific  
6 Transportation Company and Pacific Fruit Express from the date  
7 of hire of Thomas D. Ellen to the present time.

8 RESPONSE TO REQUEST NO. 9:

9 The Union has no documents within its possession,  
10 custody or control that are responsive to this request.

11 REQUEST NO. 10:

12 All records of all meetings wherein any discussion was  
13 held concerning what persons and/or what positions would be  
14 transferred from Pacific Fruit Express to Southern Pacific  
15 Transportation Company, and or what persons would be paid  
16 separation allowances, given credit on retirement on separation,  
17 and or placed on disability during the period June 1, 1984 to  
18 the present time.

19 RESPONSE TO REQUEST NO. 10:

20 The Union is in the process of attempting to locate  
21 such documents, and if such documents exist, they will be made  
22 available for inspection and copying at the law offices of  
23 Henning, Walsh & King at a mutually agreeable time.

24 REQUEST NO. 11:

25 All grievances, complaints, charges, or other  
26 allegations of discrimination by reason of age, sex, or national  
27 origin received by any defendant during the period January 1,  
28 1979 to the present time.

1 RESPONSE TO REQUEST NO. 11:

2 The Union has no documents within its possession,  
3 custody or control that are responsive to this request.

4 REQUEST NO. 12:

5 All studies, reports, compilations, or other documents  
6 prepared by or for any defendant concerning minority employment  
7 by any defendant, during the period January 1, 1979 to the  
8 present time.

9 RESPONSE TO REQUEST NO. 12:

10 The Union has no documents within its possession,  
11 custody or control that are responsive to this request.

12 REQUEST NO. 13:

13 All records of Southern Pacific Transportation Company  
14 concerning in any way business of Southern Pacific  
15 Transportation Company on or after January 1, 1980 to the  
16 present time of the same category was conducted by Pacific  
17 Fruit Express at any time between January 1, 1980 to the present  
18 time.

19 RESPONSE TO REQUEST NO. 13:

20 The Union has no documents within its possession,  
21 custody or control that are responsive to this request.

22 Dated: October 27, 1988

Respectfully submitted,

24 Kathleen S. King  
25 Kathleen S. King  
26 Henning, Walsh & King

James M. Darby  
Assistant General Counsel  
Transportation Communications  
International Union

26 Attorneys for Union  
27 Defendants

Of Counsel:  
Mitchell M. Kraus, General Counsel  
Transportation Communications  
International Union

28  
LAW OFFICES  
OF  
HENNING,  
WALSH & KING  
SUITE 440  
SHELL BUILDING  
800 BUSH STREET  
SAN FRANCISCO 94104  
(415) 981-4400



PROOF OF SERVICE

I, the undersigned, declare as follows:

I am a citizen of the United States and am employed in the City and County of San Francisco, State of California; I am over the age of eighteen and not a party to the within action; my business address is 100 Bush Street, Suite 440, San Francisco, California 94104. On the date appearing below I served the following document:

Union Defendants' Response to Request for Production  
of Documents

by causing a copy to be hand delivered to:

Lee J. Kubby, Esq.  
755 Page Mill Road, Suite A180  
Palo Alto, CA 94304

and by mailing a copy in the U.S. Mail to:

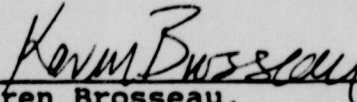
Robert S. Bogason, Esq.  
Southern Pacific  
One Market Plaza, Rm. 837  
San Francisco, CA 94105

Kevin Block, Esq.  
McLaughlin & Irvin  
111 Pine St., Suite 1200  
San Francisco, CA 94111

John H. Ernster  
One Santa Fe Plaza  
5200 E. Sheila Street  
Los Angeles, CA 90040

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

DATED: October 27, 1988

  
\_\_\_\_\_  
Karen Brosseau,  
Legal Secretary

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ROBERT S. BOGASON  
SOUTHERN PACIFIC TRANSPORTATION  
COMPANY  
Southern Pacific Bldg., Room 837  
One Market Plaza  
San Francisco, CA 94105  
Telephone: (415) 541-1786

PATRICK W. JORDAN  
KEVIN P. BLOCK  
McLAUGHLIN AND IRVIN  
111 Pine Street, Suite 1200  
San Francisco, CA 94111  
Telephone: (415) 433-6330

Attorneys for Defendants Southern Pacific  
Transportation Co. and Pacific Fruit Express Co.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SIEU MEI TU AND JOSEPH TU, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
SOUTHERN PACIFIC )  
TRANSPORTATION COMPANY, )  
et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

No. C87-1198-DLJ  
SP/PFE'S RESPONSE TO  
REQUEST FOR PRODUCTION

Defendants Southern Pacific Transportation Company  
and Pacific Fruit Express Company hereby respond to Plaintiff's  
Request for Production of Documents. Defendants object to the  
request insofar as it calls for documents protected by the  
attorney-client privilege or work product doctrine. Defendant  
objects to the prefatory instructions insofar as they purport  
to impose requirements upon defendants other than those set

doc production/pfe

McLAUGHLIN AND IRVIN  
LOS ANGELES - SAN FRANCISCO - NEWPORT BEACH



1       forth in the Federal Rules of Civil Procedure. Defendants  
2       further object to the designation of the office of Plaintiffs'  
3       counsel as the place for production. Defendants will produce  
4       such responsive documents as are in its possession at a time  
5       and place to be agreed upon by counsel.

6               1. All evidence presented in Arbitration hearing  
7       [sic] before I. M. Lieberman, in the matter of the Arbitration  
8       between Pacific Fruit Express Company and Brotherhood of Rail-  
9       way, Airline and Steamship Clerks, Freight Handlers, Express  
10       and Station Employees held in Stamford, Connecticut on August  
11       6, 1987 (hereinafter referred to as the arbitration) and all  
12       documents, writings, briefs, and other matter submitted there-  
13       in, along with any record of the said hearing [sic].

14               RESPONSE: Defendants will produce such responsive  
15       documents as are in their possession, custody or control.

16               2. Job descriptions of all clerk positions (each and  
17       every) held by any person in any office of the Southern Pacific  
18       Transportation Company in San Francisco, San Mateo, Santa  
19       Clara, and/or Alameda counties, California, and or [sic]  
20       Pacific Fruit Express Seniority District 1 and or [sic]  
21       Southern Pacific Transportation Company General Offices Roster,  
22       San Francisco, California during the period January 1, 1985 to  
23       and including the present time.

24               RESPONSE: Defendants object to Request No. 2 as  
25       vague, ambiguous, overbroad, unduly burdensome and oppressive.  
26       Defendants specifically object to the terms "job descriptions"  
27       and "general offices roster" as vague, ambiguous and  
28       unintelligible.

1           3. The personnel file of each and every person  
2 working in each of said positions from January 1, 1985 to the  
3 present time.

4           RESPONSE: Defendants reiterate their objections to  
5 Request No. 2. Defendants further object to Request No. 3 as  
6 an unwarranted invasion of the privacy of their employees and  
7 former employees.

8           4. The pay rate for each of said positions.

9           RESPONSE: Defendants object to Request No. 4 as  
10 vague and ambiguous in that it does not request "documents" as  
11 that term is defined in the preamble to the Request.  
12 Defendants further object to Request No. 4 as overbroad and  
13 unduly oppressive and burdensome. Defendants further object to  
14 Request No. 4 as neither relevant to the subject matter of this  
15 litigation nor reasonably calculated to lead to the discovery  
16 of admissible evidence.

17           5. All clerks seniority rosters for Pacific Fruit  
18 Express Seniority District No. 1 and/or Southern Pacific Trans-  
19 portation Company General offices Roster, San Francisco,  
20 California employees [sic] prepared between January 1, 1985 and  
21 the present time.

22           RESPONSE: Defendants object to No. 5 as  
23 unintelligible. Defendants further object to Request No. 5,  
24 and specifically to the term "general offices roster," as vague  
25 and ambiguous. Defendants further object to Request No. 5 as  
26 overbroad, unduly burdensome and oppressive.



1                   6. Record of all job offers made to each and every  
2 of the following persons between January 1, 1985 and the  
3 present time:

4                   K. E. Armstrong  
5                   J. M. Balovich  
6                   J. E. Flores  
7                   B. M. Boutourlin  
8                   A. D. Lang  
9                   J. Lorentz  
10                  J. J. Royer  
11                  S. M. Tu

12                  RESPONSE: Defendants object to Request No. 6 insofar  
13 as it seeks written job offers to S.M. Tu on the ground that  
14 such documents are equally available to Plaintiffs. Defendants  
15 further object to Request No. 6 as overbroad as to time.  
16 Without waiving those objections, Defendants will produce such  
17 responsive documents as are in their possession, custody or  
18 control.

19                  7. All bulletins issued concerning any clerks posi-  
20 tion in Pacific Fruit Express Seniority District 1, and or  
21 [sic] Southern Pacific Transportation Company General Offices  
22 Roster, San Francisco issued [sic] from January 1, 1985 to the  
23 present time.

24                  RESPONSE: Defendants object to Request No. 7 as  
25 neither relevant to the subject matter of this litigation nor  
26 reasonably calculated to lead to the discovery of admissible  
27 evidence. Defendants further object to Request No. 7 as

1 overbroad as to time, and object to the term "General Offices  
2 Roster" as vague and ambiguous.

3 8. All documents in any way concerning the employ-  
4 ment of Thomas D. Ellen and or Rick Fend by Pacific Fruit  
5 Express.

6 RESPONSE: Defendants object to Request No. 8 as  
7 neither relevant to the subject matter of this litigation nor  
8 reasonably calculated to lead to the discovery of admissible  
9 evidence. Defendants further object to Request No. 8 as  
10 overbroad and as an unwarranted invasion of the privacy of  
11 their employees and former employees.

12 9. All documents exchanged between Southern Pacific  
13 Transportation Company and Pacific Fruit Express from the date  
14 of hire of Thomas D. Ellen to the present time.

15 RESPONSE: Defendants object to Request No. 9 as  
16 vague, ambiguous, unduly burdensome and oppressive, and  
17 overbroad. Defendants further object to Request No. 9 as  
18 neither relevant to the subject matter of this litigation nor  
19 reasonably calculated to lead to the discovery of admissible  
20 evidence.

21 10. All records of all meetings wherein any discus-  
22 sion was held concerning what persons and/or what positions  
23 would be transferred from Pacific Fruit Express to Southern  
24 Pacific Transportation Company, and or [sic] what persons would  
25 be paid separation allowances, given credit on retirement on  
26 separation, and or placed on disability during the period of  
27 June 1, 1984 to the present time.

28



1            RESPONSE: Defendants object to Request No. 10 as  
2 overbroad as to time. Without waiving those objections,  
3 defendants have been unable to locate any documents responsive  
4 to the Request.

5            11. All grievances, complaints, charges, or other  
6 allegations of discrimination by reason of age, sex, or nation-  
7 al origin received by any defendant during the period January  
8 1, 1979 to the present time.

9            RESPONSE: Defendants object to Request No. 11 as  
10 overbroad, unduly burdensome and oppressive.

11           12. All studies, reports, compilations, or other  
12 documents prepared by or for any defendant concerning minority  
13 employment by any defendant, during the period January 1, 1979  
14 to the present time.

15           RESPONSE: Defendants object to Request No. 12 as  
16 overbroad, unduly oppressive and burdensome.

17           13. All records of Southern Pacific Transportation  
18 Company concerning in any way any business of Southern Pacific  
19 Transportation Company on or after January 1, 1980 to the pres-  
20 ent time of the same category as was conducted by Pacific Fruit  
21 Express at any time between January 1, 1980 to the present  
22 time.

23        ///

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1                    RESPONSE: Defendants object to Request No. 13 as  
2 vague, ambiguous, unintelligible, overbroad, unduly oppressive  
3 and burdensome.

4                    DATED: October 31, 1988.

McLAUGHLIN AND IRVIN  
PATRICK W. JORDAN  
KEVIN P. BLOCK

6 By: 

7 KEVIN P. BLOCK

8 Attorneys for Defendants  
9 Southern Pacific  
10 Transportation Co. and  
11 Pacific Fruit Express Co.

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McLAUGHLIN AND IRVIN  
LOS ANGELES · SAN FRANCISCO · NEWPORT BEACH



PROOF OF SERVICE BY MAIL

1 STATE OF CALIFORNIA )  
2 )  
3 COUNTY OF SAN FRANCISCO )

4 I am employed in the county of San Francisco, State  
5 of California. I am over the age of 18 years, and not a party  
6 to this action; my business address is: 111 Pine Street, Suite  
7 1200, San Francisco, California 94111.

8 On October 31, 1988, I served the foregoing document  
9 described as SP/PFE'S RESPONSE TO REQUEST FOR PRODUCTION on the  
10 parties in this action by placing true copies thereof enclosed  
11 in sealed envelopes addressed as follows. I caused such  
12 envelopes with first class postage thereon fully prepaid to be  
13 placed in the United States mail at San Francisco, California.

14 Lee J. Kubby, Esq.  
15 755 Page Mill Road, Suite A 180  
16 Palo Alto, CA 94304

17 Kathleen S. King, Esq.  
18 HENNING, WALSH & KING  
19 100 Bush Street, Suite 440  
20 San Francisco, CA 94104

21 James M. Darby  
22 Assistant General Counsel  
23 Transportation Communications  
24 Int'l. Union  
25 3 Research Place  
26 Rockville, MD 20850

27 Robert S. Bogason, Esq.  
28 Southern Pacific Transportation  
Company  
Southern Pacific Bldg., Room 837  
One Market Plaza  
San Francisco, CA 94105

I declare under penalty of perjury under the laws of  
the State of California that the foregoing is true and correct.  
Executed on October 31, 1988, at San Francisco, California.

  
ANNETTA SMITH

pos/mail

COPY

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEU MEI TU AND JOSEPH Z. TU,  
PLAINTIFFS,

-VS-

SOUTHERN PACIFIC TRANSPORTATION  
COMPANY, ET AL.,  
DEFENDANTS.

No. 88-1198DLJ

RE: THE NOTICE REQUEST FOR PRODUCTION  
OF DOCUMENTS, SCHEDULED TO BE TAKEN ON  
THURSDAY, NOVEMBER 10, 1988, AT THE HOUR OF  
10:00 A.M., AT THE OFFICES OF LEE J. KURBY,  
755 PAGE MILL ROAD, SUITE A180, PALO ALTO,  
CALIFORNIA, 94304, BEFORE REBECCA K. QUINN,  
CSR #5720, A NOTARY PUBLIC FOR THE STATE OF  
CALIFORNIA.

\* \* \* \* \*



**JMS**  
Joyce Marie Sawaya  
Certified Shorthand Reporter Inc.  
1019 Lincoln Avenue  
San Jose, California 95125  
(408) 287-7500

# 3036



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A P P E A R A N C E S:

FOR THE PLAINTIFF:

LAW OFFICES OF LEE J. KUBBY  
BY LEE J. KUBBY, FSO.  
755 PAGE MILL ROAD, SUITE A180  
PALO ALTO, CALIFORNIA 94304

1 10:20 A.M.

PALO ALTO, CALIFORNIA

3 P R O C E E D I N G S

4

5 MR. KUBBY: THIS IS A NOTICE REQUEST FOR

6 PRODUCTION OF DOCUMENTS TO THE DEFENDANTS IN THIS

7 MATTER. IT IS NOW 10:20 A.M., WE HAVE BEEN WAITING

8 SINCE 10:00 O'CLOCK A.M. FOR REPRESENTATIVES FROM

9 SOUTHERN PACIFIC P.F.E. AND FROM THE BROTHERHOOD OF

10 RAILWAY, AIRLINE AND STEAMSHIP CLERKS, R. B. BRACKBILL,

11 AND J. M. BALOVICH TO APPEAR IN RESPONSE TO THE REQUEST

12 FOR PRODUCTION WHICH WAS SERVED UPON THEM. THEY HAVE

13 NOT APPEARED.

14 I CALLED THE OFFICE OF MR. BLOCK, AT KEVIN

15 P. BLOCK, THE ATTORNEY FOR SOUTHERN PACIFIC AND P.F.E.,

16 AND WAS ADVISED BY THE RECEPTIONIST THAT HE WOULD NOT

17 TALK TO ME BECAUSE HE WAS IN CONFERENCE. SHE THEN

18 TRANSFERRED ME TO HIS SECRETARY, CHERIE, C-H-E-R-I-E,

19 WHO ADVISED ME THAT THE PRODUCTION WAS ON THEIR

20 CALENDAR, SHE DOESN'T KNOW WHAT OCCURRED, BUT SHE WILL

21 HAVE TO TALK WITH MR. BLOCK AND WILL CALL ME BACK.

22 SHE SUBSEQUENTLY CALLED BACK AND ADVISED

23 THAT I SHOULD RELEASE THE REPORTER, AND THAT MR.

24 BLOCK WOULD BE IN TOUCH WITH ME LATER THIS MORNING.

25 I CALLED THE OFFICES OF KATHLEEN S. KING,

26 THE ATTORNEY FOR THE UNION DEFENDANTS, AND WAS ADVISED --



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I'M SORRY, BY NATALIE THAT MISS KING WAS NOT IN THE OFFICE. WHEN I INQUIRED WHETHER SHE WAS ON HER WAY TO THIS PRODUCTION, THE OPERATOR SAID SHE DID NOT BELIEVE SO, AND THAT MISS KING WOULD NOT BE IN HER OFFICE UNTIL THE AFTERNOON AND THAT SHE WAS NOT SURE WHAT WAS HAPPENING.

UNDER THE CIRCUMSTANCES, WE ARE TERMINATING THIS HEARING.

\*\*\*\*\*



Joyce Marie Sawaya  
Certified Shorthand Reporter Inc.

1019 Lincoln Avenue San Jose, California 95125 (408) 287-7500

LEE J. KUBBY  
ATTORNEY AT LAW  
755 PAGE MILL ROAD, A 180  
PALO ALTO, CA 94304

ATT : LEE KUBBY, ESQ.

TU. SIEU

V. SOUTHERN PACIFIC CO.

INVOICE NO. : 88-3036-01 RKG

DATE : 11/23/88

CLIENT NAME : TU. SIEU MEI & JOSPEH Z.

CASE/FILE NO: C871198DLJ

DATE OF DEPO: 11/10/88

FOR DEPOSITIONS AS FOLLOWS:

STATEMENT FOR THE RECORD

ORIG/ 1 COPIES 4 PGS.

\*MINIMUM\*

200.00

THIS INVOICE IS DUE UPON RECEIPT.

↓ PAY THIS AMOUNT ↓

\$ 200.00

ID #94-222257

STUART F. COOPER CO. • 1585 EAST TWENTY-THIRD STREET • LOS ANGELES, CA 90011 • (213) 747-7141

EX F



OCT 21 1988

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM L. WHITTAKER  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MAGISTRATE WAYNE D. BRAZIL  
CIVIL MINUTE ORDER

DATE: October 21, 1988

TITLE OF CASE:

DOCKET NO: C 87 1198 DLJ/WDB

TU v. SOUTHERN PACIFIC ET AL.

ATTORNEY(S) FOR PLAINTIFF(S):

ATTORNEY(S) FOR DEFENDANT(S):

Lee J. Kubby

Kathleen S. King

TAPE NO.: C 88 49


PROCEEDINGS: Discovery Hearing

TELEPHONE CONFERENCE [X]

IN PERSON [X]

Upon careful consideration of the oral arguments of counsel and after discussion upon the matter, the court enters the following MINUTE ORDER:

1. The deposition of J.M. Balovich is to begin November 21, 1988, and the deposition of R.B. Brackbill is to begin as soon thereafter as practical.
2. This Minute Order is entered over objections of plaintiff's counsel. If, as a consequence of the delay granted in this order, plaintiffs are impaired in the preparation or presentation of their case, this court will, upon reasonable request of plaintiff, make a recommendation to Judge Jensen to grant the necessary continuance.

  
WAYNE D. BRAZIL  
U.S. Magistrate





1 LEE J. KUBBY, INC.  
2 A PROFESSIONAL CORPORATION  
3 755 Page Mill Road, Suite A180  
4 Palo Alto, CA. 94304

5 Telephone: 415 856-3505

6 Attorney for Plaintiffs

ORIGINAL  
FILED

JAN 12 1989

WILLIAM L. WHITTAKER  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

7 UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 SIEU MEI TU AND JOSEPH Z. TU, )

10 Plaintiffs, )

11 v. )

12 SOUTHERN PACIFIC TRANSPORTATION )  
13 COMPANY, ET AL., )

14 Defendants. )

Case No. C 87 1198DLJ

DECLARATION IN  
OPPOSITION TO MOTION  
FOR SUMMARY JUDGEMENT

DATE: 2/02/89  
TIME: 10:00 AM  
COURT:3

15 SIEU MEI TU DECLARES:

- 16 1. Declarant is one of the Plaintiffs in the within action.  
17 2. From 1962 to 1980 while working for PFE, I held basically  
18 four jobs; key punch operator, pay role clerk, bills payable  
19 clerk, material supply disbursements clerk.

20 Each change in those jobs represented a promotion and  
21 increase in pay, except the move from being bills payable clerk  
22 to being material supply disbursements clerk, which occurred  
23 because the company abolished my job as bills payable clerk and  
24 made me material supply disbursements clerk.

- 25 3. In 1980, PFE moved to Brisbane. I continued to work as mate-  
26 rial supply disbursements clerk, until March 1, 1980, when I bid  
27 for and was promoted to bills payable clerk (job description  
28

150), which was re created and was the job I had had before being materials supply disbursements clerk. In 1982 Tom Ellen came to work at PFE as General Manager. After Tom Ellen's arrival at PFE, I was moved into at least four different positions. Except for one job that I bid and was promoted to in March, 1984, as General Clerk ( General Clerk position 141 rate of pay \$102.90), all subsequent jobs were at lesser pay rates, and no other person in my position experienced this type of treatment. Beginning in March, 1985 my job as General Clerk was abolished, I was moved to a different job description at a lower rate of pay and moved to a different department downstairs (Car Service Clerk). In two weeks that job was abolished and I was a moved to a third job at a still lower rate of pay. Then a bulletin was posted as to the availability of Job 141 (miscellaneous clerk) [Job 141 had previously been described as General Clerk] and job 150 (bills payable clerk) since I had performed both of these jobs in the past, and was eligible to select either one, the rate of pay difference between the two jobs was ninety cents (\$0.90), and the bills payable job was less demanding than the miscellaneous clerk job I decided to bid for the bills payable clerk job.

I told my supervisor, Chuck Carroll, that I was going to bid for the bills payable clerk job. He asked me not to do so. He said that if I did then Shirley Hauff, a Caucasian woman approximately eleven (11) years younger than me, would take the miscellaneous clerk job that was open, and he did not consider her reliable because she had filed a workers comp claim against the company and her record was not good. He said he could depend on me, that my performance was excellent, and he wanted me to take



1 the miscellaneous clerk job (job 141), which I did, only the mis-  
2 cellaneous clerk job was at a lesser rate of pay than I had been  
3 receiving in the same job before but with the decreased pay  
4 required more responsibilities than I had previously had  
5 when working in that same job.

6 Then in September, 1985, the bills payable clerk job was  
7 abolished at PFE, but a new position at SP was announced carrying  
8 the same duties, which I bid for, but was not given that job and  
9 then my job at PFE of Miscellaneous Clerk was terminated under  
10 the pretext of a temporary "furlough".

11 I believe that after Tom Ellen arrived on the scene my  
12 treatment was first designed to make my work conditions intoler-  
13 able so that I would "voluntarily" leave, and then I was moved  
14 into positions that were designed to be terminated when PFE  
15 business was completely moved to SP, and so arranged that my  
16 job description would not entitle me to the job protections I had  
17 been promised.

18 4. On September 8, 1988, when my deposition was taken by the  
19 Union lawyer, Mr. James Balovich, the president of my local, who  
20 had also worked as a clerk at PFE, and also had been "furloughed"  
21 in 1985, was present. Before the deposition started I asked Mr.  
22 Balovich whether he was working at SP or been offered a job at  
23 SP. He told me, "No, no one called me. I have a job someplace  
24 else."

25 5. Prior to that time, my friends and former fellow employees at  
26 PFE, had told me that everyone except me that had been furloughed  
27 from PFE had been put to work at SP. Mr. Balovich's statement  
28 made me feel that was not correct.

1 6. When my lawyer recently received some documents from the SP  
2 approximately November 20, 1988, and I saw that Mr. Balovich  
3 had indeed gotten a job at the SP, I realized that in addition to  
4 discriminating against me because of my age, national origin,  
5 sex, and in retaliation for the supervision I had performed of  
6 the PFE executives' expense accounts, I was also being discrimi-  
7 nated against because I had filed charges against the company for  
8 that discrimination and was pursuing this law suit.

9 7. The number of Chinese employed by PFE has never been reflec-  
10 tive of the number of Chinese living in the Bay Area and avail-  
11 able for employment in jobs performed at PFE. In my situation,  
12 although it is true that PFE moved one Chinese woman, K. L. Feng,  
13 to SP, she was at least ten years younger than I, so when select-  
14 ing which Chinese female to discriminate against, they chose to  
15 discriminate against the one having the greater seniority and the  
16 older of the two, me.

17 8. Mr. A. B. Clark, Personal Injury Claims PFE, was employed as  
18 an hourly employee, then promoted to a exempt job, (monthly payr-  
19 oll). Then when the company wanted to separate him, and if  
20 separated as an exempt employee at that time, he would not  
21 receive benefits under the TOPS agreement, PFE transferred him  
22 back as an hourly employee, separated him, and paid him his bene-  
23 fits under the TOPS Agreement, contrary to Mr. Fends statement.

24 9. On September 18, 1985, PFE published PFE Special Preferential  
25 Bulletin No. 23 (attached hereto as Exhibit A) abolishing  
26 positions 150, 147, 101, 149, 140, 122, 125. The same bulletin  
27 announced openings with SP in positions P-19, TK 225, J-18,  
28 H-75, H-76, H-77, H-78. I applied (bid) for jobs P-19, H-75,



1 H-76, H-77, H-78 on September 19, 1985. A copy of my Application  
2 for Vacancy is attached to Exhibit A. I did not receive any of  
3 the jobs I bid for on that occasion. Younger, less senior, PFE  
4 employees were moved into those positions.

5 10. Of the four persons on the seniority list over the age of  
6 55 (Richard Fend declaration Ex A) on October 1, 1985, I was the  
7 only one who was not either placed contemporaneously on retire-  
8 ment (B.M. Bourtourlin -Caucasian female) or transferred to SP  
9 and then shortly thereafter bought out (G. E. Shorb and J. H.  
10 Baumann both Caucasian - males), thus of the four employees over  
11 the age of 55, two were transferred and then bought out, and one  
12 was placed on immediate retirement.

13 11. I was told by R. J. Petrucci, a manager of the car service  
14 division of PFE, that PFE's orders substantially increased in  
15 1984, but that PFE had not inventoried sufficient cars to handle  
16 frozen food in 1984, and that Tom Ellen did not want to improve  
17 the business of PFE. I personally know that when I was working  
18 in car service (1985), there was an intentional refusal to seek  
19 new business. At that time when I answered the phone because no  
20 one else was answering I was told not to answer the phone because  
21 they didn't want any business.

22 12. Within the last month, I was told by a SP employee that  
23 within the last month, numerous jobs similar to the work that I  
24 had performed at PFE were filled with new employees. I was never  
25 offered one of those jobs.

26 13. In 1987 at a re union party of former PFE employees, Mr. Jack  
27 Fernandez, reported that since the business of PFE was trans-  
28 ferred to the SP, the business that was formerly done by PFE has

1 shown a substantial profit. Mr. Carl E. Milchen PFE Divison Gen-  
2 eral Manager told me as well that SP was enjoying a substantial  
3 profit from PFE business.

4 14. Since the business of PFE was taken over by SP, I believe  
5 that SP had the duty to recall all "furloughed" PFE employees  
6 based on their rights with PFE, according to their seniority.  
7 This they have not done, in my situation, obviously in retalia-  
8 tion for my having pursued my claim.

9 15. Mr. Cahelan then Controller of PFE, and Terri Martin-  
10 Berry, Assistant Auditor of PFE told me that Mr. Tom Ellen was  
11 specifically hired in 1982 to dissolve PFE.

12 16. My seniority date at PFE is May 15, 1962, as such I am  
13 specifically excluded from the decline in business provisions  
14 (Section 11, Article II) of the TOPS Agreement.

15 17. Attached hereto as Exhibit B is a true copy of my personnel  
16 record of my employment at PFE.

17 18. If called as a witness I could competently testify to the  
18 matters set forth herein.

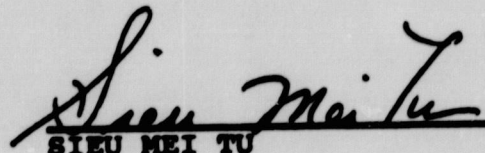
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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed January 17, 1989 at Palo Alto, California.

  
SIEU MEI TU

STB FD-30400 (SUB 21) 7-28-92 COMPLAINT VOL 2 5 OF 12



Posted 10:30  
Sept 13, 1985

SEPTEMBER 12, 1985

SOUTHERN PACIFIC TRANSPORTATION COMPANY (WESTERN LINES)  
and  
PACIFIC FRUIT EXPRESS COMPANY

SOUTHERN PACIFIC TRANSPORTATION COMPANY (WESTERN LINES)  
SPECIAL PREFERENTIAL BULLETIN NO. 4

PACIFIC FRUIT EXPRESS COMPANY  
SPECIAL PREFERENTIAL BULLETIN NO. 23

TO ALL EMPLOYEES ON SENIORITY DISTRICT NO. 1 ROSTER, PACIFIC FRUIT EXPRESS COMPANY, BRISBANE, CALIFORNIA, AND EMPLOYEES ON SOUTHERN PACIFIC TRANSPORTATION COMPANY GENERAL OFFICES ROSTER, SAN FRANCISCO, CALIFORNIA, IN THE ORDER OF PREFERENCE SHOWN IN "C" BELOW:

(A) Pursuant to the provisions of Section 2(b), Article III of the Agreement of September 16, 1971, and Section 4(a) of the PFE Agreement of January 7, 1980, the following positions on Pacific Fruit Express Company, Seniority District No. 1, Brisbane, California, will be abolished close of shift September 30, 1985, and work of such positions will be transferred to the Accounting Department at the Southern Pacific Transportation Company at San Francisco, California:

<u>POS. NO.</u>	<u>TITLE</u>	<u>DAILY RATE OF PAY</u>	<u>INCUMBENT</u>
150	CLERK	98.84	SHIRLEY A. HAUFF
147	HEAD CONTROL CLERK	105.68	KATHY KOTRONAKIS
101	ASSISTANT CHIEF CLERK	109.92	GERI L. SUMNER
149	MISCELLANEOUS CLERK	99.99	JOHN H. BAUMANN
140	EQUIPMENT AUDIT CLERK	101.94	K. H. FENG
122	CLERK	94.70	R. C. SOLDAVINI
125	AAR CLERK	102.45	PATRICK F. NEWELL

RATES OF PAY INCLUDE COST-OF-LIVING ADJUSTMENT

Exhibit A  
SM Tu 7:10  
5/11/87

(3) Effective October 1, 1985, the following seven permanent positions will be established on the San Francisco General Office Seniority Roster:

<u>PCS. NO.</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>HOURS REST DAYS MEAL PERIOD</u>	<u>DAILY RATE</u>	<u>DURATION</u>
<u>Manager, Accounts Payable</u> <u>Addressee: Mr. C. M. Brasher, Room 508</u>					
P-19	Voucher Clerk	Accounts Payable	7:15AM-3:50PM Sat & Sun 12:25PM-1:00PM	102.26	Permanent
<u>Manager, Payroll Accounting</u> <u>Addressee: Mr. W. R. Kurtz, 475 Brannan Street, San Francisco</u>					
TK-225	Timekeeper	Payroll	7:30AM-4:00PM Sat & Sun 12:20PM-12:50PM	105.55	Permanent
<u>Manager, Property Accounting</u> <u>Addressee: Mr. S. Jackovich, Room 508</u>					
J-18	Joint Facility Clerk	Contract and Joint Facility	7:30AM-4:05PM Sat & Sun 12:25PM-1:00PM	104.40	Permanent
<u>Manager, Revenue Accounting</u> <u>Addressee: Mr. R. A. Finkes, 475 Brannan Street, San Francisco</u>					
H-75	Sr. Tracing and Checking Clerk	Tracing	7:30AM-4:00PM Sat & Sun 12:30PM-1:00PM	99.87	Permanent
H-76	Sr. Tracing and Checking Clerk	Tracing	7:30AM-4:00PM Sat & Sun 12:30PM-1:00PM	99.87	Permanent
H-77	Sr. Tracing and Checking Clerk	Tracing	7:30AM-4:00PM Sat & Sun 12:30PM-1:00PM	99.87	Permanent
H-78	Sr. Tracing and Checking Clerk	Tracing	7:30AM-4:00PM Sat & Sun 12:30PM-1:00PM	99.87	Permanent

RATES OF PAY INCLUDE COST-OF-LIVING ADJUSTMENT



1 03 04

# C M BRASHER APPLICATION FOR VACANCY

U. S. 4300

Mr. R A FINKES AT S F

9-19 1985

APPLICATION FOR VACANCY ADVERTISED IN NOTICE NO. 23 DATED 9-19-85 OR  
LINE WITH PREFERENCE SHOWN BELOW; OR  
 HAVING LOST MY POSITION THROUGH NO FAULT OF MY OWN, I HEREBY APPLY FOR THE FOLLOWING.

CHOICE	BULLETIN ITEM NO.	ADVERTISED NUMBER	POSITION	HELD BY, VACATED BY, NEW HIRE OR JOB
1		P-19	VOUCHER CLERK	
2		H-75	SR TRACING + CHECKING	
3		H-76	✓	
4		H-77	✓	
5		H-78	✓	
6			✓	
7				

*ECC*  
*SEP 19 1985*

NAME Shirley J...

PRESENT POSITION AND CLASS OR JOB NO. 141

OCCUPATION clerk

CONDUCTOR - ENGINEER

LOCATION BRISBANE CA

SECURITY NO. OR DATE AD 5-15-62

BRASSMAN - FIREMAN

VELOCIPED - CLERK

OTHER

744

Law Offices of Lee J. Kubby,  
 Suite A-180  
 Palo Alto, CA 94304  
 ATTN: Lee J. Kubby

**COURT & DEPOSITION REPORTERS**  
 FOX PLAZA  
 1280 MARKET ST., SUITE 200 • SAN FRANCISCO, CA 94102  
 PHONE (415) 625-5255

INVOICE NO.	DATE
87038	09/22/88

NO.	DATE	REPORTER(S)	CASE NUMBER	CITY
247	09 08 88	LOPETE	0871198DLJ	Tu vs. Southern Pacific

COPY OF THE TRANSCRIPT OF:  
 Steu Mol Tu

182 PGS @ 1.40/PAGE	254.80
Handling & Del. UPS	10.00
	=====
<b>TOTAL DUE</b>	<b>264.80</b>

Subject to applicable law, all past due accounts will be subject to monthly service charges of 1 1/2% on the unpaid balance after 30 days. The monthly service charge of 1 1/2% on unpaid balances amounts to 1 1/2% per year.

ORIGINAL

TAX NO. 94-2288855



SIEU MEI TU  
PERSONNEL RECORD

San Francisco.

Oct. 8, 1986

NAL

(TRANSMITTAL LETTER "A")

E. M. O'Donnell, Mgr., Equal Opportunity, SF

requested by Self, Ext. 2629, attached is Personal Record of

S. M. TU

569-54-5736

E. M. O.  
OCT 13 1986

E. M. O.  
OCT. 9 1986

PLEASE COPY NEEDED INFORMATION AND RETURN ORIGINAL RECORD TO THIS OFFICE AS  
SOON AS POSSIBLE, USING LOWER PORTION OF THIS LETTER AS YOUR TRANSMITTAL.

/s/ LCC  
L. C. Chapman

NAL

L. C. Chapman - Personnel Services  
Western Pacific Transportation Co.  
Market Plaza, San Francisco, CA 94105

Above personal record returned \_\_\_\_\_ (Date)

ENCLOSURE



**BEST  
AVAILABLE  
COPY**

No.	Employment	Where employed	Dept.	Location	Date	Remarks
62		San Francisco		San Francisco	10-20	
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Tu, S. K.

San Francisco, CA

City  
5/12/62

Position: M&S Accounts Clerk

Protected  
Daily Rate: \$60.23

Job No.	Title	Daily Rate Incl. COLA	Date	Reason for Change	Job Number
1	M&S Accounts Clerk	\$60.23	4/3/78	Bid	100
3	Control Clerk	60.23	12/18/78	Bid	100
		66.20	1/1/79		
		70.68	7/1/79		
		73.40	1/1/80		
	<i>Line Payable (K&amp;S)</i>	71.79	3/1/80		
		77.44	7/1/80		
		80.00	1/1/81		
		81.51	4/1/81		
		84.07	7/1/81		
		86.38	10/1/81		
		89.18	1/1/82		
		93.32	7/1/82		
		96.04	1/1/83		
		98.49	7/1/83		

Including COLA  
(7/1/78 \$2.72 a day)

NAME: Tu, S. K.

October 2, 1985

TO WHOM IT MAY CONCERN:

REGARDING: PFE Employee, Sieu Mai Tu.

This is a letter expressing my thoughts about a PFE employee who has worked for me for a period of 10 years, and possibly more, with occasional jobs in other departments due to job abolishments and subsequent displacements.

I had heard good reports of her when she first came to work under my supervision. My Head Clerk of Materials/Supplies gave her a 10 on the rating scale, which I downgraded to an 8, or thereabouts, after reaction from Asst. Controller who said "nobody is perfect."

She proved to be a very fine efficient worker and absorbed new information rather fast. Little supervision was required of her, but she always gave the opportunity to "check" her work, and would take correction in proper stride.

In later years, after the Split, Sieu held almost every job in Disbursements at one time or another, and she did not have to be "baby sat" to learn it. A few questions now and then to get the basics would get her going full speed ahead. Once acquainted with the job, she was very fast and efficient. In a pinch, due to job abolishments, she has performed three jobs at once.

She would anticipate ahead for deadlines, discounts, schedules, and "issue alert warnings" when a facet of work was falling behind.

She was furloughed effective October 9, 1985, and a good worker has been lost. This letter is for her personal record for whomever may read it.

*Charles C. Carroll*  
Charles C. Carroll  
Chief Clerk Disbursements

100 VALLEY DRIVE, BRISBANE, CALIFORNIA 94005



SEP 10 1985  
Position 150, Clerk, S. A. Hauff, \$ 98.84

Processes bills payable for payments through SPT system. Handles credit application from vendors. Maintains contracts for safekeeping by registering into log book, prepares brief of contract, files, and prepares certain analysis of general ledger accounts. Assists on other duties as required.

Position 147, Head Control Clerk, K. Kotronakis, 105.58

Controls payroll functions to ensure proper pay. Inputs on TCC all deductions, pay adjustments, time voucher data, job changes, pay rate tables, etc. Daily contact with timekeepers on outside regarding pay data. Reviews daily time book for accuracy. Handles all aspects of Group Life insurance, including verification of cash paid is applied correctly to retirees account, making payroll changes for active Group Life participants as they are furloughed, retire, new employees etc. Handles and prepares voucher payment of premium to Equitable Life. Processes death claims as they are reported to Equitable Life or to Metropolitan Insurance. Logs death claims into book, maintains death claim files. Prepares Forms 4239s for payment of payroll deductions (excluding credit unions now prepared by SPT.) Balances deductions for control purposes and to prepare Dept. Bill to enter into accounts. Prepares Dept. bill to enter audited payrolls into accounts. Handles all Railroad Retirement forms for retirees as required. Maintains personal records for retirees. Prepares certain analysis of General Ledger accounts.

Position 141, Miscellaneous Clerk, S. M. Tu, \$99.99

Controls input of documents into the account stream for closing of monthly accounts. Balances transmittals of these documents to Register of Accounts (we call a "DBI") Communicates with SPT regarding closing matters. Prepares "check sheet" of revenues and expenses for closing of accounts, to reflect net operating income. Corrects Form 176 errors and sends to SPT. Coordinates with all department to ensure all normal documents are in the accounts. Prepares Department Bills, and processes Department Bills, Bills Collectible, Forms 4911, Rush Vouchers, Personal Expenses. Prepares a number of analysis of General Ledger accounts. Maintains verification sheet of American Express charges. Maintains cash record for those employees who have Medical Insurance which is not deducted from pension check (several do not get a pension-but have medical) handles store invoices by matching packing slip with invoice, and prepares report, and passes for payment.

Position 101, Asst Chief Clerk, G. L. Sumner, 109.92

Maintains a large file of personal computer programs and prepares reports from them each month. These reports include: budget, Form 390, weekly budget, SPT version of 390 (consolidated), various details for major department bills, fuel data, distributions for certain recurring bills payable, Timekeeper for Audit 723 Brisbane, and reports daily on DAR, and related timekeeping functions.

**REQUEST FOR ABSENCE**

*Chris* 11-11-19  
Please grant me  leave of absence ( )  
 vacation ( )  
from 11-11-19 to 11-11-19

Reason for request: Doctor's appointment

It is understood by me that acceptance of other employment while on leave of absence breaks the continuity of my service with respect to any Pension, Pass and Insurance coverages I may now have.

Entered service of company: 5-1-19

[Signature]  
(Signature)

Checked against form 145 and vacation schedule and days allotted agree.

Work is in satisfactory condition and can be kept up without cost to the company. Recommend that request be granted:

Signature of employee in charge of time records: [Signature]

APPROVED: \_\_\_\_\_

11-11-19









NO.	POSITION	RATE	CC NO.	BUREAU	DATE EFFECTIVE	NO.	TITLE	DATE	ISS NO.	SUBNO	DATE EXPECT
1	...	77.44	17	DISB	7/1/60						
		9.680									
		55.00			11-61						
		16.00									
		82.95			11-8						
		15.795									

MONTH	REGULAR TIME				OVERTIME				AMOUNT EARNED	TAX BY	ILLNESS		VACATION		LEAVE	
	DAY	MON	TUE	WED	THUR	FRI	SAT	SUN			PAY-EL.	DED-RED	DAY	HR	PAY-EL.	DED-REC
JAN									822.00							
FEB									800.00							
MAR									800.00			2.12	2			
APR									860.00			1.18	1			
MAY									875.00							
JUN									875.00							
JUL									875.00							
AUG									875.00							
SEP									875.00							
OCT									875.00							
NOV									875.00							
DEC									875.00							
TOTAL									3720.00							

EMPLOYER'S SOCIAL SECURITY NO. 3125 '62 SENIORITY DATE \_\_\_\_\_  
 DATE OF BIRTH 5/4/26 SOCIAL SECURITY NO. 30-G  
 SOCIAL SECURITY NO. 30222 AMOUNT \$10,000  
 SOCIAL SECURITY NO. 302-2453 PAY TAX CODE W CR-2 (Fed & Ca)  
 SOCIAL SECURITY NO. 302-34-8726  
 SOCIAL SECURITY NO. 3022 STREET NO. \_\_\_\_\_  
1237 Hickory Ave., San Leandro, CA 94579

DEDUCTIONS TO BE MADE WHEN T/V IS ISS

DEDUCTION	1ST PERIOD	2ND PER
D. TAX		
R. S. PAY		
S. S. TAX	23.55	
W.P.S.		
L.T. BOND	35.00	35.00
BRAC M1		20.00
PALANCE D.E.		

Personal Record

San Francisco, February 4, 1981

S. M. TU

Refers to the Clerks' Agreement of January 7, 1980, Section Item 1, Paragraph (f). You are hereby notified number of unused days being placed in your sick leave reserve and total number of accumulated days sick leave reserve in your case.

<u>Reserve 1979</u>	<u>Unused Days of 1980</u>	<u>Total Reserve</u>
6 DAYS-32 MIN	3 DAYS-3 HRS-42 MIN	9 DAYS-4 HRS-14 MIN

E. E. CLARK

cc: Mr. T. D. Walsh









Return to work

June 29, 1982

Mrs. Siou Tu was seen  
in this office for complete physical exam

none

none

Robert F. Tomfohrde M.D.  
ROBERT F. TOMFOHRDE, M.D.  
2999 Regent Street  
Berkeley, California 94705  
845-3766

POSITION	TITLE	RATE	BUREAU	DATE EFFECTIVE	NO.	TITLE	RATE	DOC NO.	BUREAU	DATE EFFECTIVE
	CONTROL CLERK	70.68	7 DISB	7/1/79						
	CCR	8.835								
		73.46		7/1/79						
		9.175								
	Sub-Pay Ck.	71.79		7/1/79						
	FPC	8.974								
		77.46		7/1/79						
		9.610								

MO	REGULAR TIME					OVERTIME		AMOUNT EARNED	TARDY	ILLNESS		VAC.		DED. ADS.			
	PER	NO	VC	DAY	HR	RATE	AMOUNT			MP	WIL	RATE	AMOUNT	PAY-BL. DED-RED DAY	HR	VACA-TICK	PAY-BL. DED-RED DAY
JAN	1	11				73.46		266.12									
	2	11	6			73.46		267.40									
FEB	1	11				71.79		717.91			1						
	2	11				71.79		719.70			6						
MAR	1	11				71.79		750.50									
	2	11				71.79		750.50									
APR	1	11				71.79											
	2	11				71.79											
MAY	1	11				71.79											
	2	11				71.79											
JUN	1	11				71.79											
	2	11				71.79											
JUL	1	11				71.79											
	2	11				71.79											
AUG	1	11				71.79											
	2	11				71.79											
SEP	1	11				71.79											
	2	11				71.79											
OCT	1	11				71.79											
	2	11				71.79											
NOV	1	11				71.79											
	2	11				71.79											
DEC	1	11				71.79											
	2	11				71.79											

FEDERAL SERVICE 5/15/62  
 DATE OF BIRTH 9/4/26  
 SOCIAL SECURITY NO. 13113  
 TELEPHONE NO. 351-2453  
 S.S.N. NO. 869-54-5736  
 EMPLOYEE NO. AND NAME 8542 SIEU-MEI TU  
 1697 HICKORY AVE., SAN LEANDRO, CA 94579

DEDUCTIONS TO BE MADE WHEN T.V IS ISSUED

DEDUCTION	1ST PERIOD	2ND PER
A.M. PAY		
S.S. PAY	13.25	
FICA		
STATE TAX	25.00	25.00
FEDERAL TAX		20.00
BRAC		
BALANCE DUE		
T.V. NO.		730
DATE		









From gross earn 720  
 Subt w/c - 370  
 add amount benefit  
 distributed +25  


---

 adj gross 370

net subj UNIT  
 Sick pay pay #  
 11 days 900  
 6 hrs  
 Retire 4 1/2 day - 300  


---

 net subj 500

Retire sick  $375 \div 10 = 4 \frac{1}{2}$  days  
 + 3 BEREAVEMENT = 7 1/2 W.G.C.



American Steel Foundries

CHICAGO, ILLINOIS

..... **Product** .....

NOVEMBER 1981 - FIRST PERIOD

EMPLOYEE INFORMATION		DAILY RATED		ADJ		MONTHLY		TOTAL		
NAME	SSA NO.	DATE	S/T	RATE	DEC PAY	AMOUNT	PAY	F/M		
LNEIM	470-14-1503	11/03	8.0	10.2630	GCK			02.10		
		11/04	8.0	10.2630	GCK			02.10		
		11/05	8.0	10.2630	GCK			02.10		
		11/06	8.0	10.2630	GCK	V		02.10		
		11/09	8.0	10.2630	GCK			02.10		
		11/10	8.0	10.2630	GCK			02.10		
		11/11	8.0	10.2630	GCK	H		02.10		
		11/12	8.0	10.2630	GCK			02.10		
		11/13	8.0	10.2630	GCK			02.10		
		EMPL TOTAL			80.0					021.00
		INTER	549-42-1127	11/02	8.0	11.0500	ACC			08.40
				11/03	8.0	11.0500	ACC			08.40
				11/04	8.0	11.0500	ACC			08.40
11/05	8.0			11.0500	ACC			08.40		
11/06	8.0			11.0500	ACC			08.40		
11/09	8.0			11.0500	ACC			08.40		
11/10	8.0			11.0500	ACC			08.40		
11/11	8.0			11.0500	ACC	H		08.40		
11/12	8.0			11.0500	ACC	V		08.40		
11/13	8.0			11.0500	ACC	V		08.40		
EMPL TOTAL			80.0					084.00		
J	569-54-5736	11/02	8.0	10.0000	BPC			00.00		
		11/03	4.0	10.0000	BPC			00.00		
			4.0	10.0000	BPC	S		00.00		
		11/04	8.0	10.0000	BPC	S		00.00		
		11/05	8.0	10.0000	BPC	S		00.00		
		11/06	8.0	10.0000	BPC	S		00.00		
		11/09	8.0	10.0000	BPC	S	- 25.00-	S	00.00	
		11/10	8.0	10.0000	BPC	S	- 25.00-	S	00.00	
		11/11	8.0	10.0000	BPC	D			00.00	
		11/12	8.0	10.0000	BPC	S			00.00	
		11/13	8.0	10.0000	BPC	S			00.00	
		11/13					- 25.00	S	25.00	
		PREV PAY PER EMPL. TOTAL			72.0			25.00		720.00
ACCABRZA	550-30-4250	11/02	8.0	11.0060	SPA			08.00		
		11/03	8.0	11.0060	SPA			08.00		
		11/04	8.0	11.0060	SPA			08.00		



PACIFIC FRUIT EXPRESS CO.  
149 VALLEY DRIVE - BIRMGHAM, CA. 94616

8170114036

ORDER VOUCHER - SERVICES

PLEASE PRINT NAME AND ADDRESS OF  
CUSTOMER CLEARLY

A CHECK OF

S M TU

0542 | 569 | 54 | 5136 | 11/15/41

PAY \$ 00521 93

W.C. Cahlan

*E. J. ...*

PACIFIC FRUIT EXPRESS CO.

0114036

ADDRESS	PHONE	DATE	TIME	AMOUNT	REMARKS
720: 00	11 01	11 15	01	11: 36	14 30
					CA 24 00
					07 11 25
					569-44-5736

1. TO BE PAID BY DEBITOR  
2. THIS CHECK IS NOT VALID UNLESS IT IS PAID BY THE BANK  
3. THE PAYEE MUST SIGN THIS CHECK  
4. THE PAYEE MUST SIGN THIS CHECK  
5. THE PAYEE MUST SIGN THIS CHECK  
6. THE PAYEE MUST SIGN THIS CHECK  
7. THE PAYEE MUST SIGN THIS CHECK  
8. THE PAYEE MUST SIGN THIS CHECK  
9. THE PAYEE MUST SIGN THIS CHECK  
10. THE PAYEE MUST SIGN THIS CHECK

1. TO BE PAID BY DEBITOR  
2. THIS CHECK IS NOT VALID UNLESS IT IS PAID BY THE BANK  
3. THE PAYEE MUST SIGN THIS CHECK  
4. THE PAYEE MUST SIGN THIS CHECK  
5. THE PAYEE MUST SIGN THIS CHECK  
6. THE PAYEE MUST SIGN THIS CHECK  
7. THE PAYEE MUST SIGN THIS CHECK  
8. THE PAYEE MUST SIGN THIS CHECK  
9. THE PAYEE MUST SIGN THIS CHECK  
10. THE PAYEE MUST SIGN THIS CHECK

EMPLOYEE'S SIGNATURE AND NAME  
AND DATE THIS CHECK WAS PAID

STATION NO. 110 1 EMPLOYEE'S SIGNATURE AND NAME: ...

8170114036 1210000116

0147000130333

1. Name of injured Sieu-Yei Tu 2. Address 097 Hickory Ave., San Jose, CA 3. MA No. 569-54-5736  
4. Employer Bills Payable Clk. 5. Service date 5-16-62 6. How long doing this work 3 yrs. 7. Age 55  
8. Sex Male 9. Married or single Married 10. Date of accident Oct. 27, 1981 11. Time of accident 7:50  
12. Location Brisbane, CA 13. Department Disb. 14. Account chargeable N/A 15. Location code N/A

16. Nature of injury (See other side)  
17. Direction was injured working C. C. Carroll, Acctg. Dept.

18. Incident happened Stairs at back of office building were wet; slipped and fell about steps. Hit face on wooden steps, and fell on left side.  
(Employer statement - include name of object which directly injured employee)

19. Cause of accident Stairs were slippery, due to rain.

20. Equipment or condition N/A

21. Juror knew of unsafe condition Yes - No No 22. Was accident caused by carelessness or negligence, if so whose No.

equipment used:	Safety glasses	Yes-No	} None
	Other face protection	Yes-No (Specify)	
	Safety shoes	Yes-No	
	Other foot protection	Yes-No (Specify)	
	Hard hat	Yes-No	
	Bump cap	Yes-No	
	Other head protection	Yes-No (Specify)	
	Ear protection	Yes-No	
	Protective clothing	Yes-No (Specify)	
	Other safety equipment used	Yes-No	
	Safety belts	Yes-No	

23. What to do to prevent recurrence Suggest safety strips be applied to steps.

24. Witnesses, if any E. D. Clark, C. J. Hunt, J. J. Fernandez, H. G. England, G. T. Swann

25. Was presence of injured prepare form (or furnish information) Prepared at home.

26. Address of nearest living relative Joseph Z. Tu, husband, address same as above.  
(Name and position)

27. Address of physician attending injured Dr. Y. R. Kazawa, company physician

28. Description of injury Taken to South San Francisco Medical Center for x-rays and examination.  
(If hospitalized give name of hospital) (see other side)

29. I HEREBY CERTIFY THAT THE ABOVE HAS BEEN READ OR INTERVIEWED TO ME AND IS CORRECT: Date 11-12-81

30. Signature of employee: Sieu-Yei Tu  
Signature of supervisor: Char Carroll

31. My best understanding of how accident occurred Slipped on stairs and fell.  
(Officer's statement)

32. Unsafe personal factors No.  
(Poorer attitude, poor skill, inadequate knowledge)

33. Violation - Disciplinary action if any None.

34. Recommendation None.

35. Accident caused by carelessness or negligence, if so whose No.

36. Number of accidents last 12 months None. 37. Safety Record Discussed: Yes No  
(All items must be completed - if item not applicable write "N/A")

38. Manager of Safety Department field Char Carroll  
(State Agent (see 29 CFR 191.11 or 12) Personal Record File)  
(Signature of officer in charge)



...at leg and side of body... so bruise...  
and abrasions of

25. Doctor advised employee to go home, which she did. She attempted to return to work Monday, November 2nd, but was unable to perform her duties. She reported back to Dr. Kazawa who told her to return home and remain there until November 13th and to see him on that date for further evaluation.

\* NOTE: Spoke to SIEU 11/19 11:30 A.M. RE DENTAL BRIDGE + GUMS - ADVISED WE WILL TAKE CARE OF ANY MEDICAL ON THIS - SHE SAID THAT THERE WERE NO COSTS + THAT PROBLEM PRE-EXISTED HER INJURY; THAT THIS ADVICE WAS GIVEN HER BY HER DENTIST.

= LET HER KNOW THAT IF SHE HAD ANY PROBLEMS, PLEASE LET ME KNOW + I'D TAKE CARE OF IT.

*Bob Clark*

A.E.C.

NOV 19 1991

**SOUTH SAN FRANCISCO MEDICAL CENTER**  
485 GRAND AVENUE, SOUTH SAN FRANCISCO, CA 94080 • (415) 588-2012

TO: Reynolds, Robert Eugene

EMPLOYEE: John J.

DATE OF INJURY: 10-27-81

THE ABOVE NAMED PATIENT WAS TREATED IN OUR OFFICE FOR AN INJURY  
AND WILL BE RELEASED TO RETURN TO

10 11/5

MODIFIED WORK ON \_\_\_\_\_ AT \_\_\_\_\_ AM  
PM

REGULAR WORK ON 11-16-81 AT \_\_\_\_\_ AM  
PM

SPW  
11/10

J. R. Reynolds, M.D. M.D.



kt 11/9

**SOUTH SAN FRANCISCO MEDICAL CENTER**  
425 GRAND AVENUE, SOUTH SAN FRANCISCO, CA 94080 • (415) 588-2012

TO: Luigi Pina Express

EMPLOYEE: Lisa

DATE OF INJURY: 10-27-81

THE ABOVE NAMED PATIENT WAS TREATED IN OUR OFFICE FOR AN INJURY AND WILL BE RELEASED TO RETURN TO

MODIFIED WORK ON \_\_\_\_\_ AT \_\_\_\_\_ AM  
PM

REGULAR WORK ON 11-16-81 AT \_\_\_\_\_ AM  
PM

J. L. Keenan, M.D. M.D.

Original to Allen Clark

To Whom It May Concern:

Mr. Tu cannot return to work  
because of the large hematoma still  
present in his chest. I have made  
attempts to give anti-inflammatory  
medications to speed the healing due  
to his previous pathology. Thank  
you for your consideration in this  
matter - if there are any more questions  
please feel free to call our office  
J. H. Brown M.D. / 1/20/00



TO: Pacific Fund Expense

EMPLOYEE: Sevin Tu

DATE OF INJURY: 10-27-81

THE ABOVE NAMED PATIENT WAS TREATED IN OUR OFFICE FOR AN INJURY AND WILL BE RELEASED TO RETURN TO

MODIFIED WORK ON \_\_\_\_\_ AT \_\_\_\_\_ AM  
PM

REGULAR WORK ON 11-30-81 AT \_\_\_\_\_ AM  
PM

J.P. Laguna, M.D. M.D.

APPOINTMENT

FROM 11-2-81 AT 6:00 O'CLOCK

PACIFICA MEDICAL CENTER  
85 AUBA VISTA  
PACIFICA, CA 94024  
415 286-3428

WALL MEDICAL GROUP  
455 GRAND AVENUE  
SOUTH SAN FRANCISCO, CA 94080  
(415) 886-2012

*Ac 10/28*

SOUTH SAN FRANCISCO MEDICAL CENTER  
455 GRAND AVENUE, SOUTH SAN FRANCISCO, CA 94080 • (415) 886-2012

Pacific Fund Expense

EMPLOYEE: Sevin Tu

DATE OF INJURY: 10-27-81

THE ABOVE NAMED PATIENT WAS TREATED IN OUR OFFICE FOR AN INJURY AND WILL BE RELEASED TO RETURN TO

MODIFIED WORK ON \_\_\_\_\_ AT \_\_\_\_\_ AM  
PM

REGULAR WORK ON 10-28-81 AT \_\_\_\_\_ AM  
PM

J.P. Laguna, M.D. M.D.

11/28  
**SOUTH SAN FRANCISCO MEDICAL CENTER**  
422 GRAND AVENUE, SOUTH SAN FRANCISCO, CA 94060 • (415) 588-2012

TO: Raymond Eugene

EMPLOYEE: Simon

DATE OF INJURY: 11-27-81

THE ABOVE NAMED PATIENT WAS TREATED IN OUR OFFICE FOR AN INJURY  
AND WILL BE RELEASED TO RETURN TO

MODIFIED WORK ON \_\_\_\_\_ AT \_\_\_\_\_ AM  
PM

REGULAR WORK ON 11-28-81 AT \_\_\_\_\_ AM  
PM

Dr. Raymond Simon M.D.



Mr C. C. CARROLL

Please cancel my saving bond

Thank you

Sien M. Y. 8/14/81

AUG 14 1981

14 1981

DEC 19 1980

21-2-5

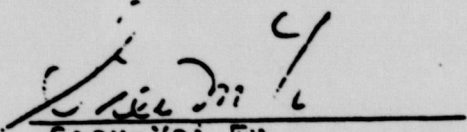
San Francisco, December 19, 1980.

Mr. W. E. Cahalan:

Refers to my paycheck #94594 for 1st period July earnings, in amount of \$565.52, which I understand has never cleared the bank.

I am unable to determine if this check was deposited or not, as I give my checks to my husband, Joe Tu to deposit and he cannot determine whether it was deposited or cashed. He checked with our Central Bank and they said our account was in order.

In acceptance of a time-voucher to cover this missing check, I promise to return missing check uncashed if it is found in my possession, or if it does eventually clear through PFE accounts from Crocker Bank, I will repay PFE the amount of \$565.52.



Siem-Mei Tu  
#8542 S.S.A. 569-54-5736  
Audi: 10G



*Paraflex*

TIME VOUCHER

PACIFIC FRUIT EXPRESS COMPANY

No. 0000667

FORM 312

PACIFIC FRUIT EXPRESS COMPANY  
STATEMENT OF EARNINGS & DEDUCTIONS  
SSA 569-54-5736

PERIOD July 1980

PAVABLE THROUGH  
CROCKER NATIONAL BANK  
SAN FRANCISCO CALIFORNIA

San Francisco, California

DATE December 19, 1980

FOR SERVICES DURING

1st PERIOD OF

July 1980

\$ 565.52

PAY TO THE  
ORDER OF

SIEU MEI TU

FIVE HUNDRED SIXTY FIVE AND

DOLLARS

SIGNED

*Robert Haldeman*  
ASST. General Manager

AND ONLY WHEN COUNTERSIGNED BY

*Edna E. Clark*

E. E. CLARK  
Office Manager

Address to which  
Form 312 is to be  
mailed if other  
than address of  
employee

SOCIAL SECURITY ACCOUNT NO. P.O. NO. EMP. NO.  
569 54 5736 0542 106

GROSS EARNINGS	851.84
DEDUCTIONS	160.90
FEDERAL INCOME TAX	52.22
U.S. DEPARTMENT TAX	25.00
U.S. SAVINGS BONDS	7.25
EMPLOYEE M.R.	34.95
STATE TAX	
UNION DUES	
EMPLOYEE DUES	
TOTAL	565.52

EMPLOYEE SHOULD DETACH AND  
KEEP THIS STUB FOR RECORD

(IMPRINT OR TYPE EMPLOYEE'S NAME HERE) (Type or Sucker) (Check or Cashier/Handier)  
I hereby authorize my employer PACIFIC TRUST EXPRESS

withhold and set apart \$25.00 from my pay each pay day beginning 7.15.80. When these withholdings equal the cost of the Bond I check less, less Bond issued registered as shown below.

\$75 Bond Cost \$27.50  \$100 Bond Cost \$35.00  \$125 Bond Cost \$42.50  \$150 Bond Cost \$50.00

OWNER SIEN MEI Tu  
Address 1697 HICKORY AVE  
SAN LEANDRO, CA 94579

CO-OWNER ( ) OR BENEFICIARY ( ) (Check only one, if neither is checked)  
JOSEPH Tu  
Joe Il

8022-10-3 8007 10-3082-1



EMPLOYEE'S REPORT

(Check one and fill in blanks where appropriate)

NEW ENROLLMENT. AMOUNT IN SAVINGS \$ \_\_\_\_\_ EACH PAYDAY.

INCREASE IN PRESENT SAVINGS FROM \$ \_\_\_\_\_ TO \$ \_\_\_\_\_

CURRENTLY ENROLLED. NO CHANGE IN AMOUNT OF SAVINGS.

CURRENTLY ENROLLED.  CHANGE IN BIRTH INFORMATION FROM \_\_\_\_\_ TO \_\_\_\_\_  
 CHANGE IN REGISTRATION.

NOT INTERESTED IN ENROLLING AT THIS TIME.

RETURN THIS CARD TO YOUR DEPARTMENTAL CHAIRMAN AT THE CONTACTING ALL EMPLOYEES ASSIGNED TO YOU.

**NOTE:** The furnishing of a Social Security number for the owner or first named owner of a fund is required by the regulations governing Savings Bonds, i. e., Department Circular PD Series 3-100. The number is used to maintain complete records of the fund. Further information requested by this form is also required under the above regulations to establish the proper authority on the certificate of the fund. Failure to furnish any of the requested information may prevent completion of the fund. Married women should use the appropriate name, e. g., "Mary E. Smith." If someone in the family is designated, that person's Social Security number should also be shown. The fund's company title is optional.

1-100-1-7-55





Name of employee S. TU

Position M.E.S ACCOUNTS CLERK

Date assigned 4-1-78

1. Has employee received instruction on all duties of job?  Yes  No.  
If answer is "No" list duties on which instruction has not yet been given

and when you anticipate such instruction will be started

2. Using a scale of 0 to 10 (0-3 unsatisfactory; 4-5 satisfactory; 6-8 above average; 9-10 highly satisfactory), rate employee's:

Comprehension	0	1	2	3	4	5	6	7	8	9	10
Capability	0	1	2	3	4	5	6	7	8	9	10
Initiative	0	1	2	3	4	5	6	7	8	9	10
Interest	0	1	2	3	4	5	6	7	8	9	10
Work habits: Accuracy	0	1	2	3	4	5	6	7	8	9	10
Pace	0	1	2	3	4	5	6	7	8	9	10
Neatness	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work area	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work equipment (machines, etc.)	0	1	2	3	4	5	6	7	8	9	10
Attention to duty	0	1	2	3	4	5	6	7	8	9	10
Relations with other employees	0	1	2	3	4	5	6	7	8	9	10
Relations with supervisors	0	1	2	3	4	5	6	7	8	9	10
General attitude	0	1	2	3	4	5	6	7	8	9	10
Personal appearance	0	1	2	3	4	5	6	7	8	9	10
Attendance	0	1	2	3	4	5	6	7	8	9	10

3. If employee's rating with regard to work is unsatisfactory, have you investigated to determine that proper and complete instructions are being given by immediate supervisor?  Yes  No.

4. Additional comments: Very conscientious about keeping her work up to date.  
even though she has a tendency to "push" things through, hence less  
accuracy. she worries about mistakes she may have made and brings them  
up for correction if she realizes the mistake.

This report should be discussed with the employee.

Chas. C. [Signature]  
Supervisor

Name of employee S. J. 10  
Position CONTROL CLERK Date assigned 12/15/78

Has employee received instruction on all duties of job?  Yes  No.  
If answer is "No" list duties on which instruction has not yet been given

and when you anticipate such instruction will be started \_\_\_\_\_

2. Using a scale of 0 to 10 (0-3 unsatisfactory; 4-5 satisfactory; 6-8 above average; 9-10 highly satisfactory), rate employee's:

Comprehension	0	1	2	3	4	5	6	7	8	9	10
Capability	0	1	2	3	4	5	6	7	8	9	10
Initiative	0	1	2	3	4	5	6	7	8	9	10
Interest	0	1	2	3	4	5	6	7	8	9	10
Work habits: Accuracy	0	1	2	3	4	5	6	7	8	9	10
Pace	0	1	2	3	4	5	6	7	8	9	10
Neatness	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work area	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work equipment (machines, etc.)	0	1	2	3	4	5	6	7	8	9	10
Attention to duty	0	1	2	3	4	5	6	7	8	9	10
Relations with other employees	0	1	2	3	4	5	6	7	8	9	10
Relations with supervisors	0	1	2	3	4	5	6	7	8	9	10
General attitude	0	1	2	3	4	5	6	7	8	9	10
Personal appearance	0	1	2	3	4	5	6	7	8	9	10
Attendance	0	1	2	3	4	5	6	7	8	9	10

3. If employee's rating with regard to work is unsatisfactory, have you investigated to determine that proper and complete instructions are being given by immediate supervisor?  Yes  No.

4. Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This report should be discussed with the employee.

Chas. E. ...  
Supervisor



December 18, 1978

TO WHOM IT MAY CONCERN:

This letter is to advise and confirm that Mrs. Sieu-Mei Tu (Social Security No. 569-54-5736) of 1697 Hickory Avenue, San Leandro, CA 94579, a citizen of the United States, is a permanent employee of this company at this address. Mrs. Tu was employed by this company on May 31, 1962 and has worked continuously for us from that date. Her position with this company is not only permanent in nature but she also is, under our contract with the Brotherhood of Railway, Airline & Steamship Clerks, "fully protected" so that in the unlikely event we were not to have a job for her, she would continue to be paid under that contract until she reaches age 65 and can retire under the provisions of Railroad Retirement Act and receive the appropriate pension therefrom.

Mrs. Tu holds the position of Payroll Clerk and her current salary is over \$1,300 per month, and is due for an increase therein of some ten percent or more. She is, and has always been, a valued employee and even if her present position were to be eliminated, we would find some other position for her to hold as we would not want to lose her services.

Original Signed  
H. G. C.

WSC:zg

POSITION	TITLE	RATE	BUREAU	EFFECTIVE DATE	NO.	TITLE	RATE	SEC. NO.	BUREAU	EFFECTIVE DATE
	Control Clerk	60.23	DISB	1-1-78						
				4-1-78						
				12-18-78						

5-19-78  
10

MONTH	REGULAR TIME				OVERTIME		AMOUNT EARNED	TAX	ILLNESS PAY-EL. DEC-RED DAY: HR	VACA TION	DOW.ABS. PAY-EL. DED-RED DAY: HR
	DAY	HR	RATE	AMOUNT	HR	RATE					
JAN	9 1/2	2 1/2	60.23	57.19			59.57				1 1/2
JAN	11 1/2	2 1/2	60.23	69.12			70.57	1	2 1/2		1 1/2
FEB	11	2 1/2	60.23	66.23			51.57				3 1/2
MAR	10 1/2	2 1/2	60.23	63.23			60.57			1	2 1/2
APR	11 1/2	2 1/2	60.23	69.12			67.57			9	1 1/2
MAY	11 1/2	2 1/2	60.23	69.12	6 1/2		73.57		1 1/2		1 1/2
JUN	11 1/2	2 1/2	60.23	69.12	1 1/2		73.57		1 1/2		1 1/2
JUL	11 1/2	2 1/2	60.23	69.12	1 1/2		73.57	1			3 1/2
AUG	11 1/2	2 1/2	60.23	69.12			57.57				4
SEP	11 1/2	2 1/2	60.23	69.12			66.57		1/2		4 1/2
OCT	11 1/2	2 1/2	60.23	69.12	1		65.57	2	2		3 1/2
NOV	11 1/2	2 1/2	60.23	69.12			60.57	1	1 1/2		1 1/2
DEC	11 1/2	2 1/2	60.23	69.12			60.57			1	5

SERVICE DATE: 5-15-62  
 BENEFICIARY NAME: Sieu-Mei Tu  
 DATE OF BIRTH: 9-4-26  
 ALIEN NO.: 10-6  
 SOCIAL SECURITY NO.: 13113  
 AMOUNT: \$10,000.  
 TELEPHONE NO.: 351-2453  
 HOME TAX CODE: M 2  
 S.S.N. NO.: 569-54-5736  
 EMPLOYEE NO.: 8542

DEDUCTIONS TO BE MADE WHEN T/W IS ISSUED:  
 FEDERAL TAX: \_\_\_\_\_  
 STATE TAX: \_\_\_\_\_  
 SOCIAL SECURITY: \_\_\_\_\_  
 MEDICAL: \_\_\_\_\_  
 UNION DUES: 16.  
 M(CR 2) CA Tax: \_\_\_\_\_  
 F.A. RATE CODE: \_\_\_\_\_  
 DATE: \_\_\_\_\_



POSITION	TITLE	RATE	NO.	BUREAU	DATE EFFECTIVE	NO.	TITLE	DATE	ORG. NO.	BUREAU	DATE EFFECTIVE
33	MAS Accrs Clk	54.22	7	DISB	1-1-77						
36	Control Clerk	55.11	7	DISB	8-21-77						
38	Control Clk	58.71	7	DISB	7-1-77						
							5271	7-1-77		2.888P	

7-	REGULAR TIME				OVERTIME				AMOUNT EARNED	VAR. BY	ILLNESS		VAC.		ABS.	
	DAY	HR	MIN	RATE	AMOUNT	HR	MIN	RATE			AMOUNT	PAY-BL. DAY	DED-RED HR	PAY-BL. DAY	DED-RED HR	PAY-BL. DAY
JAN	10	2	33	54.22	54.22											
:	10	3	-	54.22												
FEB	10	2	-	54.22												
:	7 1/2	3	00	54.22												
MAR	10	3	-	54.22												
:	8	-	-	55.11												
APR	11	-	-	55.11												
:	8	2	40	54.22												
MAY	8	3	55	54.22												
:	11	3	15	54.22												
:	12	1	55	54.22												
:	10	3	55	54.22												
JUL	10	3	10	58.71												
:	10	-	-	58.71												
AUG	10	3	50	58.71												
:	11	3	55	58.71												
SEP	10	3	55	58.71												
:	10	3	55	58.71												
OCT	10	3	55	58.71												
:	8	3	55	58.71												
NOV	10	3	55	58.71												
:	10	3	55	58.71												
DEC	11	-	-	58.71												
:	11	-	-	58.71												

SENIORITY DATE 5-15-62  
 DATE OF BIRTH 9-4-26  
 SOCIAL SECURITY NO. 13113  
 TELEPHONE NO. 351-2453  
 HOME ADDRESS 569-54-5736  
 EMPLOYEE ID 8542  
 NAME Sieu-Mei Tu  
 ADDRESS 1697 Hickory Avenue  
San Leandro, CA 94579

DEDUCTIONS TO BE MADE WHEN T/V IS ISSUED  
 FEDERAL TAX \_\_\_\_\_  
 STATE TAX \_\_\_\_\_  
 SOCIAL SECURITY \_\_\_\_\_  
 MEDICAL \_\_\_\_\_  
 UNION DUES \_\_\_\_\_  
 CA TAX \_\_\_\_\_  
 BALANCE DUE \_\_\_\_\_  
 T/V NO. \_\_\_\_\_  
 DATE \_\_\_\_\_

(CR 2)

ROBERT F. TOMFOHRDE, M.D.  
2989 REGENT STREET  
BERKELEY, CALIF. 94705

D.C.S.  
DEC 19 1977

DEC 19 1977

ENDD 0411470010  
12.12.77

048-2766

R

Sie Tu has been under  
treatment for a  
flu syndrome 12-6. She  
may return to work 12-19.

R. F. Tomfohrde

REF \_\_\_\_\_  
JAN 2



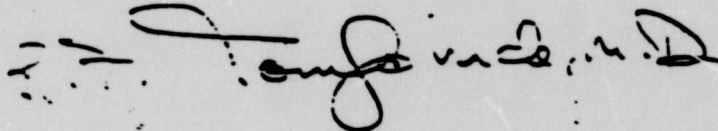
ROBERT F. TOMFOHRDE, M.D.  
2888 RESIST STREET  
BERKELEY CALIFORNIA 94705  
TELEPHONE 848-3768

MEMBER OF AMERICAN  
BOARD OF FAMILY PRACTICE  
December 2, 1977

TO WHOM IT MAY CONCERN:

RE: Mrs. Sien Mai Tu

The above named patient is unable to work today because  
of cough. She should remain off work until Monday,  
December 12, 1977.



Robert F. Tomfohrde, M.D.  
RFT:gt

REQUEST FOR LEAVE OF ABSENCE

San Francisco CA 10/11 1977  
(Location) (Date)

D. De Schinade

I request leave of absence of \_\_\_\_\_ month(s) Two day(s)  
from 10/25 19 77 to 11/26 19 77  
account Extended Vacation

I entered the service 5/15 19 62

My address during leave will be 1697 Kirkwood  
San Francisco CA 94179

D. De Schinade  
(Signature)  
Porter  
(Occupation)  
Porter  
(Department or Bureau)

Condition of work, service and eligibility under agreement rules correct. I recommend request be granted.

RECOMMENDED: D. J. R.

[Signature]

APPROVED:

[Signature]

(Title)

OCT 11 1977

(This form shall be filed with Personal Record of employee requesting leave of absence).



Has employee received instruction on all duties of job?  Yes ( ) No.  
If answer is "No" list duties on which instruction has not yet been given

and when you anticipate such instruction will be started \_\_\_\_\_

2. Using a scale of 0 to 10 (0-3 unsatisfactory; 4-5 satisfactory; 6-8 above average; 9-10 highly satisfactory), rate employee's:

Comprehension	0	1	2	3	4	5	6	7	8	9	10
Capability	0	1	2	3	4	5	6	7	8	9	10
Initiative	0	1	2	3	4	5	6	7	8	9	10
Interest	0	1	2	3	4	5	6	7	8	9	10
Work habits: Accuracy	0	1	2	3	4	5	6	7	8	9	10
Pace	0	1	2	3	4	5	6	7	8	9	10
Neatness	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work area	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work equipment (machines, etc.)	0	1	2	3	4	5	6	7	8	9	10
Attention to duty	0	1	2	3	4	5	6	7	8	9	10
Relations with other employees	0	1	2	3	4	5	6	7	8	9	10
Relations with supervisors	0	1	2	3	4	5	6	7	8	9	10
General attitude	0	1	2	3	4	5	6	7	8	9	10
Personal appearance	0	1	2	3	4	5	6	7	8	9	10
Attendance	0	1	2	3	4	5	6	7	8	9	10

3. If employee's rating with regard to work is unsatisfactory, have you investigated to determine that proper and complete instructions are being given by immediate supervisor? ( ) Yes ( ) No.

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This report should be discussed with the employee.

*[Signature]*  
Supervisor

Has employee received instruction on all duties of job?  Yes  No.  
If answer is "No" list duties on which instruction has not yet been given

*A.R.M.*

and when you anticipate such instruction will be started \_\_\_\_\_

2. Using a scale of 0 to 10 (0-3 unsatisfactory; 4-5 satisfactory; 6-8 above average; 9-10 highly satisfactory), rate employee's:

Comprehension	0	1	2	3	4	5	6	7	8	9	10
Capability	0	1	2	3	4	5	6	7	8	9	10
Initiative	0	1	2	3	4	5	6	7	8	9	10
Interest	0	1	2	3	4	5	6	7	8	9	10
Work habits: Accuracy	0	1	2	3	4	5	6	7	8	9	10
Pace	0	1	2	3	4	5	6	7	8	9	10
Neatness	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work area	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work equipment (machines, etc.)	0	1	2	3	4	5	6	7	8	9	10
Attention to duty	0	1	2	3	4	5	6	7	8	9	10
Relations with other employees	0	1	2	3	4	5	6	7	8	9	10
Relations with supervisors	0	1	2	3	4	5	6	7	8	9	10
General attitude	0	1	2	3	4	5	6	7	8	9	10
Personal appearance	0	1	2	3	4	5	6	7	8	9	10
Attendance	0	1	2	3	4	5	6	7	8	9	10

3. If employee's rating with regard to work is unsatisfactory, have you investigated to determine that proper and complete instructions are being given by immediate supervisor?  Yes  No.

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This report should be discussed with the employee.

D. J. R.

APR 19 1977

*[Signature]*  
Supervisor:





14

PACIFIC FRUIT EXPRESS COMPANY  
TIME CARD

FORM 1000

FEB. '77

TU S M

HOURS ASSIGNED	STRAIGHT TIME			OVERTIME		
	M	M	M	M	M	M

	REGULAR TIME				EXCLUDED AFTER COMPLETING WORK	
	FIRST HALF		SECOND HALF		BEGAN	ENDED
	CON.	OUT	CON.	OUT		
11						
11:15	11:57		12:00	12:15		
11:30	12:07		12:15	12:30		
11:45	12:05		12:20	12:45		
12:00	12:15		12:30	12:45		
12:15						
12:30						
12:45	12:17		12:30	12:45		
1:00	12:25		12:30	12:45		
1:15	12:17		12:25	12:45		
1:30	12:30		12:45	1:00		
1:45	12:11		12:45	1:00		
2:00			12:45			
2:15						
2:30						
2:45	12:11		12:30	12:45		
3:00	12:07		12:30	12:45		

*Dist. off*

*12:15*

*12:00*

*12:30*

*12:45*

CORRECT

*See M 1*

CERTIFIED CORRECT: *[Signature]*

PERSONAL SIGNATURE

ADD. EMP. & TIME ETC.

UNION NATIONAL EMPLOYERS



POSITION	TITLE	RATE	BUREAU	DATE EFFECTIVE	NO.	TITLE	RATE	ISS. NO.	BUREAU	DATE EFFECTIVE
	-53 V&S Accts Clk	50.73	7 Disb	1-1-76						
	"	53.22	"	4-1-76						
	"	53.18	"	7-1-76						

MONTH	DAY	REGULAR TIME			OVERTIME			AMOUNT EARNED	TAX BY	ILLNESS		VACATION	OTH. ABS.	
		MIN	RATE	AMOUNT	HR	MIN	DATE			AMOUNT	PAY-BL.		DED-RED	DAY
JAN	16	3	50.73	152.19					1	2 1/2				
	22	2	50.73	101.46										
FEB	16		✓											
	18		✓											
MAR	11		✓											
	17	3	50.73	152.19										
	27	3	52.75	158.25										
APR	10		✓											
	23	3	50.73	152.19										
MAY	10		✓											
	20		✓											
	27		✓											
JUN	11		✓											
	22		✓											
AUG	16		✓											
	23	3	50.73	152.19										
SEP	10		✓											
	20	3	50.73	152.19										
OCT	16		✓											
	23	3	50.73	152.19										
NOV	16		✓											
	23	3	50.73	152.19										
DEC	10		✓											
	23	3	50.73	152.19										

EMPLOYER'S ID: 5-15-62 BENEFICIARY DATE: \_\_\_\_\_  
 DATE OF BIRTH: 9-4-26 AUDIT NO.: \_\_\_\_\_  
 SOCIAL SECURITY NO.: 13113 AMOUNT: \$10,000  
 TELEPHONE NO.: 331-2453 CR \_\_\_\_\_  
 ADDRESS: 555-54-5736 R/M TAX CODE: 2  
 EMPLOYEE'S NAME: 5542 Sieu-Mei Tu  
1697 Hickory Ave,  
San Leandro, CA 94579

DEDUCTIONS TO BE MADE WHEN T/V IS ISS  
 DEDUCTION PER PERIOD PER PER  
 A. P. TAX \_\_\_\_\_  
 R. P. TAX \_\_\_\_\_  
 SOCIAL SECURITY \_\_\_\_\_  
 UNIONS \_\_\_\_\_  
 UNION DUES \_\_\_\_\_  
 CA TAX \_\_\_\_\_  
 BALANCE DUE \_\_\_\_\_  
 T/V NO. \_\_\_\_\_  
 DATE \_\_\_\_\_

(CR2)

J. R. G. &  
AUG 24 1976

R.F.M.  
M.C. 23 215

ROBERT F. TOMFOHRDE, M. D.  
2899 REGENT STREET  
BERKELEY, CALIFORNIA 94708  
TELEPHONE 848-3788

MEMBER OF AMERICAN  
BOARD OF FAMILY PRACTICE  
August 18, 1976

TO WHOM IT MAY CONCERN

Re: Sieu M. Tu

The above named patient was ill and unable to work  
from August 16 to August 19, 1976. She will be  
able to return to work on Friday, August 20.

*Robert F. Tomfohrde, M.D.*  
Robert F. Tomfohrde, M.D.

RFT/jc



NO.	TITLE	RATE	NO.	BUREAU	EFFECTIVE DATE	NO.	TITLE	RATE	NO.	BUREAU	EFFECTIVE DATE
4	Control Clk	43.84	7	PR	1-1-74		Get abolished 12/1/75				
21	Control Clk	42.57	"	PR	1-22-74						
25	Control Clk	42.09	"	"	3-3-75						
	"	47.40	"	"	8-1-75						
	"	49.77	"	"	10-1-75		* Control Clk 7/1/2 only				

MONTH	DATE	AMOUNT	REGULAR TIME		OVERTIME		AMOUNT EARNED	TAX BY	ILLNESS		VACATION	DTR. ABS.
			HR	MIN	RATE	AMOUNT			PAY-BL. DAY	DED-RED. HR		
JAN	1	23.54									2	
FEB	10	43.84								2		
MAR	12	42.09								1	2	
APR	12	47.40								2	1	
MAY	12	53.84								1	4	
JUN	12	49.77								2		
JUL	12	49.77								2	1	
AUG	12	49.77								2	3	
SEP	12	49.77								1		2
OCT	12	49.77								1	2	3
NOV	12	49.77									1	
DEC	12	49.77										

5-15-62 SENIORITY DATE  
 9-4-26 AUDIT NO.  
 13113 AMOUNT \$10,000  
 CR  
 351-2453 A/M TAX CODE 2  
 569-54-5736  
 8542 Sieu-Mei Tu  
 1697 Hickory Ave., San Leandro 94579

DEDUCTIONS TO BE MADE WHEN T/V IS 15  
 DEDUCTION 1ST PERIOD 2ND PERIOD  
 A/P TAX  
 S.S. TAX  
 9.95  
 15.00  
 75.00  
 13.00  
 (CR2)-Calif. Tax  
 BALANCE DUE  
 700

A. M.  
OCT 28 1975

REQUEST FOR LEAVE OF ABSENCE

San Francisco 10/27/75  
(Location) (Date)

Mr. D. E. Schumacher

I request leave of absence of \_\_\_\_\_ month(s) \_\_\_\_\_ day(s)  
from \_\_\_\_\_ 19 \_\_\_\_\_ to 10/31 19 75  
account To extend my vacation

I entered the service 5/15 19 62

My address during leave will be \_\_\_\_\_

D. E. Schumacher  
(Signature)  
D. E. Schumacher  
(Occupation)  
Department of Accounting  
(Department or Branch)

Condition of work, service and  
eligibility under agreement rules  
permit. I recommend request be  
granted.

RECOMMENDED:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:

D. E. Schumacher  
\_\_\_\_\_  
(Title)

(This form shall be filed with Personal Record of employee requesting leave of absence).



EMP. NO.

154

NAME

J. M. [unclear]

<u>Month</u>	<u>Earnings During Month</u>	<u>10% Increase</u>
--------------	----------------------------------	---------------------

January	<u>908.16.</u>	<u>99.82.</u>
---------	----------------	---------------

February	<u>851.40.</u>	<u>85.14.</u>
----------	----------------	---------------

March	<u>904.29.</u>	<u>90.49.</u>
-------	----------------	---------------

April	<u>936.76.</u>	<u>93.68.</u>
-------	----------------	---------------

May	<u>947.52.</u>	<u>94.75.</u>
-----	----------------	---------------

June	<u>904.73.</u>	<u>90.47.</u>
------	----------------	---------------

July	<u>70-12.</u>	<u>40.41.</u>
------	---------------	---------------

	<u>516.52</u>	<u>51.57.</u>
--	---------------	---------------

Total W/A

~~\$ 600.15.~~  
652.47

STB FD-30400 (SUB 21) 7-28-92 COMPLAINT VOL 2 6 OF 12



4/13, 1975

Sieu-Mei Tu

This is to acknowledge receipt of one (1) copy of Pacific Fruit Express Company Safety Rules, Revised May 1, 1975, Book No. 2135.

I understand and agree that if I leave the services of the Pacific Fruit Express Company (not including furloughs account force reduction) I must return this booklet to Pacific Fruit Express Company.

Sieu Mei Tu

Has employee received instruction on all duties of job? ( ) Yes (X) No.  
 If answer is "No" list duties on which instruction has not yet been given

and when you anticipate such instruction will be started \_\_\_\_\_

2. Using a scale of 0 to 10 (0-3 unsatisfactory; 4-5 satisfactory; 6-8 above average; 9-10 highly satisfactory), rate employee's:

Comprehension	0	1	2	3	4	5	6	7	8	9	10
Capability	0	1	2	3	4	5	6	7	8	9	10
Initiative	0	1	2	3	4	5	6	7	8	9	10
Interest	0	1	2	3	4	5	6	7	8	9	10
Work habits: Accuracy	0	1	2	3	4	5	6	7	8	9	10
Pace	0	1	2	3	4	5	6	7	8	9	10
Neatness	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work area	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work equipment (machines, etc.)	0	1	2	3	4	5	6	7	8	9	10
Attention to duty	0	1	2	3	4	5	6	7	8	9	10
Relations with other employees	0	1	2	3	4	5	6	7	8	9	10
Relations with supervisors	0	1	2	3	4	5	6	7	8	9	10
General attitude	0	1	2	3	4	5	6	7	8	9	10
Personal appearance	0	1	2	3	4	5	6	7	8	9	10
Attendance	0	1	2	3	4	5	6	7	8	9	10

3. If employee's rating with regard to work is unsatisfactory, have you investigated to determine that proper and complete instructions are being given by immediate supervisor? ( ) Yes ( ) No.

Additional comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

This report should be discussed with the employee.

  
 \_\_\_\_\_  
 Supervisor



Position

MA. Accts Clk

Date assigned 3/3/75

1. Has employee received instruction on all duties of job? (✓) Yes ( ) No. If answer is "No" list duties on which instruction has not yet been given

and when you anticipate such instruction will be started \_\_\_\_\_

2. Using a scale of 0 to 10 (0-3 unsatisfactory; 4-5 satisfactory; 6-8 above average; 9-10 highly satisfactory), rate employee's:

Comprehension	0	1	2	3	4	5	6	7	8	9	10
Capability	0	1	2	3	4	5	6	7	8	9	10
Initiative	0	1	2	3	4	5	6	7	8	9	10
Interest	0	1	2	3	4	5	6	7	8	9	10
Work habits: Accuracy	0	1	2	3	4	5	6	7	8	9	10
Pace	0	1	2	3	4	5	6	7	8	9	10
Neatness	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work area	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work equipment (machines, etc.)	0	1	2	3	4	5	6	7	8	9	10
Attention to duty	0	1	2	3	4	5	6	7	8	9	10
Relations with other employees	0	1	2	3	4	5	6	7	8	9	10
Relations with supervisors	0	1	2	3	4	5	6	7	8	9	10
General attitude	0	1	2	3	4	5	6	7	8	9	10
Personal appearance	0	1	2	3	4	5	6	7	8	9	10
Attendance	0	1	2	3	4	5	6	7	8	9	10

3. If employee's rating with regard to work is unsatisfactory, have you investigated to determine that proper and complete instructions are being given by immediate supervisor? ( ) Yes ( ) No.

Additional comments: *I rated [unclear] to [unclear] in this report since this is the first [unclear] inspection.*

This report should be discussed with the employee.

730

*[Signature]*  
Supervisor:

Has employee received instruction on all duties of job? ( ) Yes (X) No.  
If answer is "No" list duties on which instruction has not yet been given

the time taken in investigating problems; discrepancies in billing, etc.

And when you anticipate such instruction will be started 4-75

2. Using a scale of 0 to 10 (0-3 unsatisfactory; 4-5 satisfactory; 6-8 above average; 9-10 highly satisfactory), rate employee's:

Comprehension	0	1	2	3	4	5	6	7	8	9	10
Capability	0	1	2	3	4	5	6	7	8	9	10
Initiative	0	1	2	3	4	5	6	7	8	9	10
Interest	0	1	2	3	4	5	6	7	8	9	10
Work habits: Accuracy	0	1	2	3	4	5	6	7	8	9	10
Pace	0	1	2	3	4	5	6	7	8	9	10
Neatness	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work area	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work equipment (machines, etc.)	0	1	2	3	4	5	6	7	8	9	10
Attention to duty	0	1	2	3	4	5	6	7	8	9	10
Relations with other employees	0	1	2	3	4	5	6	7	8	9	10
Relations with supervisors	0	1	2	3	4	5	6	7	8	9	10
General attitude	0	1	2	3	4	5	6	7	8	9	10
Personal appearance	0	1	2	3	4	5	6	7	8	9	10
Attendance	0	1	2	3	4	5	6	7	8	9	10

3. If employee's rating with regard to work is unsatisfactory, have you investigated to determine that proper and complete instructions are being given by immediate supervisor? ( ) Yes ( ) No.

4. Additional comments: Though this employee is defined as satisfactory I believe a re-eval rating to be in the appropriate  
Since Mr. Stewart is sub-consciously comparing her with

This report should be discussed with the employee.



revises Clark (Agnes Wincham + M. J. Bell)  
there, will change comprehension to 8, legibility  
to 7 and accuracy to 8.

Chas C Powell

Name of employee \_\_\_\_\_

U-MEI TO

Position \_\_\_\_\_

B/P Clk

Date assigned \_\_\_\_\_

1/22/75

1. Has employee received instruction on all duties of job?  Yes ( ) No.  
If answer is "No" list duties on which instruction has not yet been given

and when you anticipate such instruction will be started \_\_\_\_\_

2. Using a scale of 0 to 10 (0-3 unsatisfactory; 4-5 satisfactory; 6-8 above average; 9-10 highly satisfactory), rate employee's:

Comprehension	0	1	2	3	4	5	6	7	8	9	10
Capability	0	1	2	3	4	5	6	7	8	9	10
Initiative	0	1	2	3	4	5	6	7	8	9	10
Interest	0	1	2	3	4	5	6	7	8	9	10
Work habits: Accuracy	0	1	2	3	4	5	6	7	8	9	10
Pace	0	1	2	3	4	5	6	7	8	9	10
Neatness	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work area	0	1	2	3	4	5	6	7	8	9	10
Maintenance of work equipment (machines, etc.)	0	1	2	3	4	5	6	7	8	9	10
Attention to duty	0	1	2	3	4	5	6	7	8	9	10
Relations with other employees	0	1	2	3	4	5	6	7	8	9	10
Relations with supervisors	0	1	2	3	4	5	6	7	8	9	10
General attitude	0	1	2	3	4	5	6	7	8	9	10
Personal appearance	0	1	2	3	4	5	6	7	8	9	10
Attendance	0	1	2	3	4	5	6	7	8	9	10

3. If employee's rating with regard to work is unsatisfactory, have you investigated to determine that proper and complete instructions are being given by immediate supervisor? ( ) Yes ( ) No.

4. Additional comments: Fail to 17+5 job. 3/3/75.  
Illness reports to sick. Should work for work  
to work. Was absent 1 day.

This report should be discussed with the employee.

*[Signature]*  
Supervisor



**HEALTH MAINTENANCE**  
 FOR SOUTHERN PACIFIC EMPLOYEES HOSPITAL ASSOCIATION

S.P. COPY  
 ENROLLMENT AUTHORIZATION

I HEREBY AUTHORIZE THE FOLLOWING PAYROLL DEDUCTION:

PLAN A  
 \$18.00 PER MONTH

PLAN B  
 \$8.50 PER MONTH

PLAN C  
 NO DEDUCTION

SUFFIX 1 5	EMPLOYEE'S NAME Siew-Mei Tu	B542	OCCUPATION Control Clk	SOCIAL SECURITY NUMBER 5 6 9 5 4 5 7 1 3 1 6
EMPLOYEE ADDRESS 1697 Hickory Ave.	STREET 1697 Hickory Ave.	CITY San Leandro, CA	STATE CA	ZIP 94579
MEMBER NUMBER 1	SEX F	DATE OF BIRTH 5 15 62	DATE OF BIRTH 9 4 26	EMPLOYEE'S SIGNATURE Siew-Mei Tu
				DATE 12/1/64

POSITION		BUREAU		DATE EFFECTIVE	TITLE		DATE	JOB NO.	BUREAU	DATE EFFECTIVE
TITLE	RATE	NO.	BUREAU	DATE EFFECTIVE	NO.	TITLE	DATE	JOB NO.	BUREAU	DATE EFFECTIVE
Control Clk	43.84	7	PR	1-1-74						

DATE	TIME	REGULAR TIME		OVERTIME		AMOUNT EARNED	TAX BY	ILLNESS	VACATION	UN. ABS.
		AMOUNT	HR. MIN.	AMOUNT	PAYE					
10-1-73	10:00	43.84								
10-2-73	11:00	43.84								
10-3-73	11:00	43.84								
10-4-73	11:00	43.84								
10-5-73	11:00	43.84								
10-6-73	11:00	43.84								
10-7-73	11:00	43.84								
10-8-73	11:00	43.84								
10-9-73	11:00	43.84								
10-10-73	11:00	43.84								
10-11-73	11:00	43.84								
10-12-73	11:00	43.84								
10-13-73	11:00	43.84								
10-14-73	11:00	43.84								
10-15-73	11:00	43.84								
10-16-73	11:00	43.84								
10-17-73	11:00	43.84								
10-18-73	11:00	43.84								
10-19-73	11:00	43.84								
10-20-73	11:00	43.84								
10-21-73	11:00	43.84								
10-22-73	11:00	43.84								
10-23-73	11:00	43.84								
10-24-73	11:00	43.84								
10-25-73	11:00	43.84								
10-26-73	11:00	43.84								
10-27-73	11:00	43.84								
10-28-73	11:00	43.84								
10-29-73	11:00	43.84								
10-30-73	11:00	43.84								
10-31-73	11:00	43.84								

5-15-62 SENIORITY DATE  
 9-4-26 ADIT NO.  
 13113 AMOUNT \$10,000  
 351-2453 CR  
 569-54-5736  
 6542 Sieu-Mei Tu  
 1697 Hickory Ave., San Leandro 94579

DEDUCTIONS TO BE MADE WHEN T/V IS ISSUED

DEDUCTION	1ST PERIOD	2ND PER
A. TAX		
B. S. TAX		
C. UN. DUES	9.95	
D. CALIF. TAX	8.50	
E. TOTAL	75.00	75.00
Union Dues		13.00
(CR2)-Calif. Tax		
FINANCE DEPT		
TR. NO.		
DATE		



GEORGE S. WONG, M.D.  
OBSTETRICS AND GYNECOLOGY  
1191 W. TENNYSON ROAD - SUITE 3  
HAYWARD, CALIFORNIA 94544  
DIAL 782-3611

9/26/74

To: [unclear]

Will see you next  
week about 10/5/74

LAUREL GROVE HOSPITAL

19528 LAKE CHABOT ROAD, CASTRO VALLEY, CALIF.

Phone 535-6464

NAME \_\_\_\_\_

DATE

6/20/74

ADDRESS \_\_\_\_\_

*P*

*To: Insurance*

*Mrs. Siu TW had brain surgery.*

*She may return to work 7/1/74*

*Charles Hong MD*

*782-3611*

REF - L	1
NON REF - L	1

U. S. REG. NO. ....

M. D.

Address .....



NO.	TITLE	RATE	BUREAU	DATE EFFECTIVE	NO.	TITLE	RATE	ICC NO.	BUREAU	DATE EFFECTIVE
4	Control Clk	41.35	7 PR	1-1-73						
4	"	42.15	"	4-1-73						

MONTH	REGULAR TIME				OVERTIME				AMOUNT EARNED	TAR. BY	ILLNESS		VACA-TICK	OTH. ABS.	
	DAY	HR	RATE	AMOUNT	DAY	HR	RATE	AMOUNT			PAY-EL. DAY	DED-RED		PAY-BL. DAY	DED-RED
JAN			41.35				7.75								
FEB			41.35												
MAR			41.35												
APR			41.35												
MAY			41.35												
JUN			41.35												
JUL			41.35												
AUG			41.35												
SEP			41.35												
OCT			41.35												
NOV			41.35												
DEC			41.35												

5-15-62  
 9-4-26  
 13113  
 351-2453  
 569-54-5736  
 8542 Sieu-Mei Tu  
 1697 Hickory Ave., San Leandro 94579

DEDUCTIONS TO BE MADE WHEN Y IS IS:  
 A/P TAX \_\_\_\_\_  
 R.P. TAX \_\_\_\_\_  
 9.95  
 8.50  
 10.00  
 18.75  
 35.00  
 Un. Dues \_\_\_\_\_  
 Cr. Union \_\_\_\_\_  
 Calif. Tax \_\_\_\_\_  
 BALANCE DUE \_\_\_\_\_  
 DATE \_\_\_\_\_

FEDERAL EXPRESS COMPANY

U.S. SAVINGS BONDS PAYROLL SAVINGS APPLICATION

FORM 34 (Rev. 1-55)

5-21 Tue MEI 569-54-5736 16-52  
LAST NAME FIRST NAME MIDDLE NAME SOCIAL SECURITY ACCOUNT NO. (DO NOT WRITE ABOVE THIS LINE)

U.S. SAVINGS BONDS PAYROLL SAVINGS APPLICATION  
I, the undersigned, hereby request you deduct from my earnings each month, the amount of \$ 75.00 on first period  
\$ 75.00 on second period payroll, effective  
the month of Nov 19 73 and each time the required amount has accumulated to my credit, to purchase  
one or more United States Savings Bonds, Series E, having a maturity value of 200.00. The bonds purchased  
under this authorization should be registered in the name(s) of, and should be delivered in accordance with, the following:  
INFORMATION SHOWN BELOW, EXCEPT SIGNATURE, TO BE PRINTED.

U.S. SAVINGS BONDS PAYROLL SAVINGS APPLICATION  
FIRST NAME MIDDLE NAME OR INITIAL LAST NAME  
SIEN MEI Tue  
NUMBER AND STREET CITY OR TOWN STATE ZIP CODE  
1697 Hickory Ave San Francisco Calif  
FIRST NAME MIDDLE NAME OR INITIAL LAST NAME  
JOSEPH 7 Tue  
NUMBER AND STREET CITY OR TOWN STATE ZIP CODE  
1697 Hickory Ave San Francisco Calif  
FIRST NAME MIDDLE NAME OR INITIAL LAST NAME  
NUMBER AND STREET CITY OR TOWN STATE ZIP CODE

Signed Sharon M. T. (SIGNATURE OF EMPLOYEE)  
Location San Francisco Soc. Sec. Acct. No. 569-54-5736

THIS AUTHORIZATION COVERS A CHANGE IN A PRIOR AUTHORIZATION, INDICATE CHANGE:  
Amount of deduction Pay period ( ) Maturity value ( ) Registration information ( ) Mailing address



This is to acknowledge receipt of one (1) copy of Brotherhood of Rail-  
way Clerks' Agreement Booklet, agreement effective June 1, 1965  
(Reprinted June 1, 1973).

I understand and agree that if I leave the services of the Pacific  
Fruit Express Company (not including furloughs account force reduction) I  
must return this booklet to Pacific Fruit Express Company.

*[Handwritten signature]*

---

Form 42  
PACIFIC FRUIT EXPRESS COMPANY  
REQUEST FOR LEAVE OF ABSENCE

San Francisco 9/7 1973  
(Location) (Date)

Walter Schumacher

I request leave of absence of \_\_\_\_\_ month(s) \_\_\_\_\_ day(s)

from 10/5 19 73 to \_\_\_\_\_ 19 \_\_\_\_\_

I entered the service 5/15 19 62

My address during leave will be 1697 Hickory Ave  
San Leandro, Calif

Lien Mai T  
(Signature)  
Control Clerk  
(Occupation)  
Payroll Dept  
(Department or Bureau)

RECEIVED  
SEP 27 1973

Company and work service and  
employee contract agreement rules  
apply. If requesting request be  
granted.

RECEIVED:

APPROVED:

Walter Schumacher

D.C.S.

(Title)

This form shall be filed with Personal Record of employee requesting leave of absence).



PACIFIC F. EXPRESS COMPANY

U.S. SAVINGS BONDS PAYROLL SAVINGS APPLICATION

FORM 904 (REV. 4-70)

5111 TR SIEW MEI 569-54-5736 16-538  
LAST NAME FIRST NAME (MIDDLE NAME) (SOCIAL SECURITY ACCOUNT NO.) (AUTH'N. NO.)  
DO NOT WRITE ABOVE THIS LINE

By request you deduct from my earnings each month, the amount of \$ 37.50 on first period  
\$ 37.50 on second period payroll, effective  
the date of 2 19 73 and each time the required amount has accumulated to my credit, to purchase  
have delivered to me a United States Savings Bond, Series E, having a maturity value of \$100.00 The bonds purchased  
in this application should be registered in the name(s) of, and should be delivered in accordance with, the following:  
NAME OF BOND BEEB, EXCEPT SIGNATURE, TO BE PRINTED.

1697 Hickson Ave San Francisco CA  
Joseph Z  
1697 Hickson Ave San Francisco CA  
SIEW MEI  
1697 Hickson Ave San Francisco CA

Signed: [Signature] SIGNATURE OF EMPLOYEE  
Sec. Sec. Acct. No. 569-54-5736

THIS APPLICATION CONTAINS A CHANGE IN A PRIOR AUTHORIZATION. INDICATE CHANGE:  
AMOUNT OF DEDUCTION PAY PERIOD ( ) Maturity value ( ) Registration information ( ) Mailing address

NO.	TITLE	RATE	BUREAU	EFFECTIVE NO.	TITLE	RATE	NO. EMPLOYED	VELOCITY
36.42	PR 11-15-71							
38.24	4-1-72							
40.15	10-1-72							

MO	REG. TIME	AMOUNT	OVERTIME	AMOUNT	AMOUNT EARNED	TAR DY	ILLNESS		OTH. ABS.	
							PAY-EL. DED-REC DAY	HR	PAY-EL. DED-REC DAY	HR
JAN	36.42									
FEB	45.525	439.49				1		1.45		
MAR	45.525					3		1.35		
APR	55.25							1.30		
MAY	55.25							1.40		
JUN	78.00							1.40		
JUL	78.00							1.40		
AUG	78.00							1.40		
SEP	78.00							1.40		
OCT	78.00							1.40		
NOV	78.00							1.40		
DEC	78.00							1.40		

5-15-62 SENIORITY DATE  
 9-4-26 ADIT NO.  
 13113 AMOUNT \$10.000  
 551-2453 PAY TAX CODE 0  
 555-54-5736  
 5542 Sieu-Mei Tu  
 1697 Hickory Ave., San Leandro 94579

DEDUCTIONS TO BE MADE WHEN TY IS 150		
DEDUCTION	1ST PERIOD	2ND PERIOD
AM. TAX		
FED. TAX		
GRAT.	9.95	
HEEP.	10.00	
UN. DUES	18.75	18
Cr. Union		30
BALANCE DUE		
T. No.		
DATE		



U.S. SAVINGS BONDS PAYROLL SAVINGS APPLICATION

LAST NAME: TE FIRST NAME: SIEN MIDDLE NAME: MEI SOCIAL SECURITY ACCOUNT NO.: 569-54-5736 AUTHORITY NO.: 16-538

DO NOT WRITE ABOVE THIS LINE

\$ 18.75 on first period

\$ 18.75 on second period payroll, effective

April 1972

and each time the required amount has accumulated to my credit, to purchase the amount to be United States Savings Bond, Series E, having a maturity value of \$50.00. The bonds purchased this authorization should be registered in the name(s) of, and should be delivered in accordance with, the following: EXCEPT SIGNATURE, TO BE PRINTED.

SIEN MEI TE  
1697 Hickory Ave. San Francisco Calif  
JOSEPH Z TE  
1697 Hickory Ave. San Francisco Calif

STATE: Calif EMPLOYER: TE

Soc. Sec. Acct. No. 569-54-5736

Month                      Earnings  
                                  During Month      5% Increase

January \_\_\_\_\_  
 February \_\_\_\_\_  
 March \_\_\_\_\_  
 April \_\_\_\_\_  
 May \_\_\_\_\_  
 June \_\_\_\_\_  
 July \_\_\_\_\_  
 August \_\_\_\_\_  
 September \_\_\_\_\_

October 621.18                      81.96  
 November 312.21                      58.11

Total

41.87  
- 1.73  
40.14

December

No. Days                      No. S/T Hours                      No. O/T Hours  
31.36                      832c                      48c

GRAND TOTAL

\_\_\_\_\_  
 \_\_\_\_\_



NO.	DATE	AMOUNT	DEPT.	CLASS.	OFFICE	EFFECTIVE
4	Control Clk	33.36	7	PR	11-1-70	
"	"	34.69	"	"	4-6-71	
"	"	36.42				

REGULAR TIME	OVERTIME	AMOUNT EARNED	TAR	ILLNESS		VACA	CLASS.
				PAY-BL.	DEB-RED		
DATE	AMOUNT	RATE	DAY	DAY	NR	TION	DAY
71			1	1	1	2	1
JAN 11	3336		2	1	1		1
JAN 12	3336		1	1	1		1
JAN 13	3336		1	1	1		1
JAN 14	3336		1	1	1		1
JAN 15	3336		1	1	1		1
JAN 16	3336		1	1	1		1
JAN 17	3336		1	1	1		1
JAN 18	3336		1	1	1		1
JAN 19	3336		1	1	1		1
JAN 20	3336		1	1	1		1
JAN 21	3336		1	1	1		1
JAN 22	3336		1	1	1		1
JAN 23	3336		1	1	1		1
JAN 24	3336		1	1	1		1
JAN 25	3336		1	1	1		1
JAN 26	3336		1	1	1		1
JAN 27	3336		1	1	1		1
JAN 28	3336		1	1	1		1
JAN 29	3336		1	1	1		1
JAN 30	3336		1	1	1		1
JAN 31	3336		1	1	1		1
FEB 1	3336		1	1	1		1
FEB 2	3336		1	1	1		1
FEB 3	3336		1	1	1		1
FEB 4	3336		1	1	1		1
FEB 5	3336		1	1	1		1
FEB 6	3336		1	1	1		1
FEB 7	3336		1	1	1		1
FEB 8	3336		1	1	1		1
FEB 9	3336		1	1	1		1
FEB 10	3336		1	1	1		1
FEB 11	3336		1	1	1		1
FEB 12	3336		1	1	1		1
FEB 13	3336		1	1	1		1
FEB 14	3336		1	1	1		1
FEB 15	3336		1	1	1		1
FEB 16	3336		1	1	1		1
FEB 17	3336		1	1	1		1
FEB 18	3336		1	1	1		1
FEB 19	3336		1	1	1		1
FEB 20	3336		1	1	1		1
FEB 21	3336		1	1	1		1
FEB 22	3336		1	1	1		1
FEB 23	3336		1	1	1		1
FEB 24	3336		1	1	1		1
FEB 25	3336		1	1	1		1
FEB 26	3336		1	1	1		1
FEB 27	3336		1	1	1		1
FEB 28	3336		1	1	1		1
FEB 29	3336		1	1	1		1
MAR 1	3336		1	1	1		1
MAR 2	3336		1	1	1		1
MAR 3	3336		1	1	1		1
MAR 4	3336		1	1	1		1
MAR 5	3336		1	1	1		1
MAR 6	3336		1	1	1		1
MAR 7	3336		1	1	1		1
MAR 8	3336		1	1	1		1
MAR 9	3336		1	1	1		1
MAR 10	3336		1	1	1		1
MAR 11	3336		1	1	1		1
MAR 12	3336		1	1	1		1
MAR 13	3336		1	1	1		1
MAR 14	3336		1	1	1		1
MAR 15	3336		1	1	1		1
MAR 16	3336		1	1	1		1
MAR 17	3336		1	1	1		1
MAR 18	3336		1	1	1		1
MAR 19	3336		1	1	1		1
MAR 20	3336		1	1	1		1
MAR 21	3336		1	1	1		1
MAR 22	3336		1	1	1		1
MAR 23	3336		1	1	1		1
MAR 24	3336		1	1	1		1
MAR 25	3336		1	1	1		1
MAR 26	3336		1	1	1		1
MAR 27	3336		1	1	1		1
MAR 28	3336		1	1	1		1
MAR 29	3336		1	1	1		1
MAR 30	3336		1	1	1		1
MAR 31	3336		1	1	1		1
APR 1	3336		1	1	1		1
APR 2	3336		1	1	1		1
APR 3	3336		1	1	1		1
APR 4	3336		1	1	1		1
APR 5	3336		1	1	1		1
APR 6	3336		1	1	1		1
APR 7	3336		1	1	1		1
APR 8	3336		1	1	1		1
APR 9	3336		1	1	1		1
APR 10	3336		1	1	1		1
APR 11	3336		1	1	1		1
APR 12	3336		1	1	1		1
APR 13	3336		1	1	1		1
APR 14	3336		1	1	1		1
APR 15	3336		1	1	1		1
APR 16	3336		1	1	1		1
APR 17	3336		1	1	1		1
APR 18	3336		1	1	1		1
APR 19	3336		1	1	1		1
APR 20	3336		1	1	1		1
APR 21	3336		1	1	1		1
APR 22	3336		1	1	1		1
APR 23	3336		1	1	1		1
APR 24	3336		1	1	1		1
APR 25	3336		1	1	1		1
APR 26	3336		1	1	1		1
APR 27	3336		1	1	1		1
APR 28	3336		1	1	1		1
APR 29	3336		1	1	1		1
APR 30	3336		1	1	1		1
MAY 1	3336		1	1	1		1
MAY 2	3336		1	1	1		1
MAY 3	3336		1	1	1		1
MAY 4	3336		1	1	1		1
MAY 5	3336		1	1	1		1
MAY 6	3336		1	1	1		1
MAY 7	3336		1	1	1		1
MAY 8	3336		1	1	1		1
MAY 9	3336		1	1	1		1
MAY 10	3336		1	1	1		1
MAY 11	3336		1	1	1		1
MAY 12	3336		1	1	1		1
MAY 13	3336		1	1	1		1
MAY 14	3336		1	1	1		1
MAY 15	3336		1	1	1		1
MAY 16	3336		1	1	1		1
MAY 17	3336		1	1	1		1
MAY 18	3336		1	1	1		1
MAY 19	3336		1	1	1		1
MAY 20	3336		1	1	1		1
MAY 21	3336		1	1	1		1
MAY 22	3336		1	1	1		1
MAY 23	3336		1	1	1		1
MAY 24	3336		1	1	1		1
MAY 25	3336		1	1	1		1
MAY 26	3336		1	1	1		1
MAY 27	3336		1	1	1		1
MAY 28	3336		1	1	1		1
MAY 29	3336		1	1	1		1
MAY 30	3336		1	1	1		1
MAY 31	3336		1	1	1		1
JUN 1	3336		1	1	1		1
JUN 2	3336		1	1	1		1
JUN 3	3336		1	1	1		1
JUN 4	3336		1	1	1		1
JUN 5	3336		1	1	1		1
JUN 6	3336		1	1	1		1
JUN 7	3336		1	1	1		1
JUN 8	3336		1	1	1		1
JUN 9	3336		1	1	1		1
JUN 10	3336		1	1	1		1
JUN 11	3336		1	1	1		1
JUN 12	3336		1	1	1		1
JUN 13	3336		1	1	1		1
JUN 14	3336		1	1	1		1
JUN 15	3336		1	1	1		1
JUN 16	3336		1	1	1		1
JUN 17	3336		1	1	1		1
JUN 18	3336		1	1	1		1
JUN 19	3336		1	1	1		1
JUN 20	3336		1	1	1		1
JUN 21	3336		1	1	1		1
JUN 22	3336		1	1	1		1
JUN 23	3336		1	1	1		1
JUN 24	3336		1	1	1		1
JUN 25	3336		1	1	1		1
JUN 26	3336		1	1	1		1
JUN 27	3336		1	1	1		1
JUN 28	3336		1	1	1		1
JUN 29	3336		1	1	1		1
JUN 30	3336		1	1	1		1
JUL 1	3336		1	1	1		1
JUL 2	3336		1	1	1		1
JUL 3	3336		1	1	1		1
JUL 4	3336		1	1	1		1
JUL 5	3336		1	1	1		1
JUL 6	3336		1	1	1		1
JUL 7	3336		1	1	1		1
JUL 8	3336		1	1	1		1
JUL 9	3336		1	1	1		1
JUL 10	3336		1	1	1		1
JUL							

DISABILITY CERTIFICATE

Date Nov. 1, 1971

NAME Mrs. Sue Tu

ADDRESS 1697 Hickory Avenue  
San Leandro, California

EMPLOYER \_\_\_\_\_

To Whom It May Concern:

This is to certify that the above patient was under my professional care from 10/27/71 to today inclusive, and was totally incapacitated during this time.

This is to further certify that the above patient has now recovered sufficiently to be able to return to regular ~~work~~ work duties on 11/3/71

Restrictions None

*R. E. Conforti*  
R. E. Conforti, M.D.

PRINTING, WAUKEGAN, ILL.

DSC-6



<u>Month</u>	<u>Earnings During Month</u>	<u>% Increase</u>	
January	<u>613.80</u>	<u>30.69</u>	
February	<u>555.38</u>	<u>27.77</u>	
March	<u>606.83</u>	<u>30.34</u>	
April	<u>612.93</u>	<u>30.65</u>	
May	<u>624.26</u>	<u>31.21</u>	
June	<u>663.42</u>	<u>33.17</u>	
July	<u>747.92</u>	<u>37.10</u>	
August	<u>615.93</u>	<u>31.80</u>	
September	<u>643.74</u>	<u>33.19</u>	
October	<u>721.29</u>	<u>40.6</u>	
November	<u>416.65</u>	<u>7.33</u>	Total <u>511.6</u>

<u>No. Days</u>	<u>No. S/T Hours</u>	<u>No. C/T Hours</u>	
<u>5</u>	<u>130</u>	<u>50</u>	<u>12.90</u>
			<u>GRAND TOTAL</u> <u>322.51</u>

I, Lieutenant have received  
a copy of Pacific Fruit Express Company's Safety Rule Book this  
\_\_\_\_\_ day of 10/22, 1971

Witness: [Signature]

Signed: [Signature]



ACCIDENT MEMO

To be filled out at time of accident

Li. Mc T. Occupation: Control Clerk

Date of Accident: 9/24/71 Time: 2:45 PM

Location: San Francisco General Office Account Dept Computer Room  
(Give exact description of factory, or what plant or shop, or office, building covered, and name of city and state)

Account Chargeable: \_\_\_\_\_ Location Code: \_\_\_\_\_

Nature of injury: Twisted ankle  
(State right or left member, and portion of body or member injured)

Describe how accident happened: When I went to Computer Room to pick up my files I slipped and twisted my ankle

Was first aid given? I applied first aid by whom: \_\_\_\_\_  
to ankle

Li. Mc T.  
Signature of Injured Employee

\_\_\_\_\_  
Signature of Officer in Charge

J. GORDON HOLMES M.D. F.A.C.S.  
2000 TELEGRAPH AVENUE  
BERKELEY 2 CALIFORNIA  
MEDICAL 8-5228  
CALIFORNIA BOARD OF SURGERY

March 31, 1971

Re: Mrs. Sien-X. Tu

TO WHOM IT MAY CONCERN:

Mrs. Tu has been under my care for  
surgery. She may return to work at  
full activity on April 7, 1971.

Yours truly,

*J. G. Holmes*  
J. G. Holmes, M.D.

JGH:sm





NO.	TITLE	RATE	BUREAU	EFFECTIVE DATE	NO.	TITLE	RATE	ICG NO.	BUREAU	EFFECTIVE DATE
0	ASST CONTR CLK	27.90	7	P R	8-22-69					
8	Special Clk	29.33	"	"	16-15-70					
"	"	33.36	"	"	12-1-70					

MO	DAY	REGULAR TIME			OVERTIME			AMOUNT EARNED	TAR DY	ILLNESS		VACA-TION		OTH. ABS.	
		RATE	AMOUNT	HR MIN	RATE	AMOUNT	PAY-GL. DED-RED			DAY	HR	PAY-GL. DED-RED	DAY	HR	
JAN		27.90					5.170	1	1/2						
FEB	5/31	34.875					277.55			2.65		1/2			
MAR	5/31	34.875						1		1 1/2		1/2			
APR	5/31	34.875						1	1/2	13.35		1/2			
MAY				2	52.313			1	1/2	1.15		1			
JUN				2	52.313			1				1 1/2			
JUL				8								2			
AUG													3		
SEP								1				2			
OCT								2		2.135					
NOV															
DEC		33.36													

EMPLOYER'S SOCIAL SECURITY NO. 5-15-62 SENIORITY DATE \_\_\_\_\_  
 DATE OF BIRTH 9-6-26 AUDIT NO. \_\_\_\_\_  
 BUREAU NO. 13113 AMOUNT \$7,570  
 EMPLOYEE NO. EL 1-2453 O.A. TAX CODE 0  
 BUREAU ADDRESS 569-54-5736  
 EMPLOYEE ADDRESS E542 Sieu M. Tu  
1697 Hickory Ave., San Leandro 94579

DEDUCTIONS TO BE MADE WHEN T/V IS ISS		
DEDUCTION	1ST PERIOD	2ND PER
W/V TAX		
R.F. TAX		
G.I.I.	<u>7.20</u>	
MCEP.	<u>7.258.75</u>	
U.S. BONDS		
Union Dues		<u>7.</u>
BALANCE DUE		
T/V No.		<u>810</u>
DATE		



**Certificate to return  
to work or school**

S. Lee  
has been under my care from Oct 12 to today  
and is able to return to work/school on Nov. 23  
 restrictions  light work  
 may take  limited  may not take  
R. J. Tompkins M.D.  
\_\_\_\_\_  
Address \_\_\_\_\_ Date \_\_\_\_\_

D. F. M.  
JUN 12 1969

FORM 2285  
PACIFIC FRUIT EXPRESS COMPANY  
NEW EMPLOYEE FOLLOW-UP

Date ~~XXXXXXXXXX~~ 6/4/69

NAME STEVEN M

ADDRESS RAYSON ACCESS

Position Asst Contr Clk (Temp) (assigned 4/7

Probationary Period Ends \_\_\_\_\_

Quality of Work? Good

Attitude of Employee? Good

Employee Personally Fit for Job? \_\_\_\_\_

Is Employee Punctual in Attendance? Yes

You Intend to Keep Employee? \_\_\_\_\_

If Not Why Not \_\_\_\_\_

Special Comments if Any Put herself out to help if she can

R. W. R.

R. W. R.

JUN 12 1969



C. F. M.  
SEP 14 1970

FORM 2285  
PACIFIC FRUIT EXPRESS COMPANY  
NEW EMPLOYEE FOLLOW-UP

Date Sept. 10, 1970

SIEU-MEI TU (60 day report)

Patroll Accountts Position Control Clerk

Probationary Period Ends \_\_\_\_\_

Quality of Work: Good Attitude of Employee? Good

Employee Physically Fit for Job? Yes Is Employee Punctual in Attendance? Yes

Do You Recommend Keeping Employee? Yes If Not Why Not \_\_\_\_\_

Additional Comments If Any \_\_\_\_\_

Good

FORM 2205  
PACIFIC FRUIT EXPRESS COMPANY  
NEW EMPLOYEE FOLLOW-UP

D. F. M.  
JUL 22 1970

Date July 15, 1970

as SIEN-MEI TU (assigned 6-15)

Department Payroll Position Control Clk

Probationary Period Ends \_\_\_\_\_

Quality of Work! Good Attitude of Employee! Very Good

Employee Physically Fit For Job! Yes Is Employee Punctual in Attendance? Yes

Do You Recommend Keeping Employee? Yes If Not Why Not \_\_\_\_\_

Additional Comments If Any \_\_\_\_\_

D. F. M.



NO.	TITLE	RATE	NO.	BUREAU	DATE EFFECTIVE	NO.	TITLE	RATE	ICC NO.	BUREAU	DATE EFFECTIVE
72	Sr KP Oper	26.72	10	MAB	7-1-68						
"	"	27.25	"	"	1-1-69						
	P-6 San Contr. Clk	27.09	7	PR	4-7-68						
	"	27.90	"	"	7-1-69						
	P-72 San Contr. Clk	28.82	10	MAB	8-4-69						
	P-6 San Contr. Clk	27.90	7	PR	8-22-69						

MO.	DAY	REGULAR TIME			OVERTIME			AMOUNT EARNED	TARDY	ILLNESS	
		RATE	AMOUNT	HR MIN	RATE	AMOUNT	PAY-BL. DAY			DED-RED HR	
JAN	1	27.25	510.95	4				1			
JAN	2	✓									
FEB	1	✓								1/2	
FEB	2	34.00								1/2	
MAR	1	✓								2	
MAR	2	✓						2		1/2	
APR	1	✓									
APR	2	✓									
MAY	1	✓									
MAY	2	✓									
JUN	1	✓									
JUN	2	✓									
JUL	1	27.00								1/2	
JUL	2	✓									
AUG	1	27.90									
AUG	2	✓									
SEP	1	27.90									
SEP	2	✓									
OCT	1	✓									
OCT	2	✓									
NOV	1	✓									
NOV	2	✓									
DEC	1	✓									
DEC	2	✓									

ENTERED SERVICE 5-15-62 SENIORITY DATE \_\_\_\_\_  
 DATE OF BIRTH 9-4-26 AGENCY NO. \_\_\_\_\_  
 SOCIAL SECURITY NO. 13113 AMOUNT 57,520  
 TELEPHONE NO. EL 2-2453 NUMBER OF DEPENDENTS 1  
 U.S. POST OFFICE NO. 569-54-5736  
 EMPLOYEE NO. 5542 Sieu M. Tu  
1697 Hickory Ave., San Leandro  
9-579

DEDUCTIONS TO BE MADE WHEN T.V. IS ISSUED

DEDUCTION	1ST PERIOD	2ND PERIOD
W/- TAX		
R.S. TAX		
G.I. L.		
PROP.	7.22	
U.S. BONDS	6.05	
Dues	18.75	20.
		7.
BALANCE DUE		
T.V. NO.		
DATE		

June 10, 1969

PR-2151

To Whom It May Concern:

Mrs. Siew-Hai Tu, SSA No. 559-54-5736, entered the service of this company on May 15, 1962.

She is employed as a Senior Keypunch Operator at a salary of \$17.15 per day (approximate annual earnings - \$7,112.25).

Yours very truly,

D. C. S.

JUN 10 1969



FORM 2285

PACIFIC FRUIT EXPRESS COMPANY  
NEW EMPLOYEE FOLLOW-UP

Date May 6, 1969

D. F. M.  
MAY 7 1969

D.C.S.

MAY 7 1969

NAME SIFE-MEI T

Department Payroll Accts

Position Asst Contr Clk (Temp) (assigned 4/

Date Probationary Period Ends \_\_\_\_\_

Quality of Work: Good

Attitude of Employee: Good

Is Employee Physically Fit for Job? \_\_\_\_\_

Is Employee Punctual in Attendance? Yes

Do You Recommend Keeping Employee? \_\_\_\_\_

If Not Why Not \_\_\_\_\_

Additional Comments If Any \_\_\_\_\_

R. R. Road

TITLE: S= KP Ozer  
 RATE: 25.14  
 10 MAB 11-1-68  
 26.72 " " 7-1-62

REG. TIME	REGULAR TIME		OVERTIME		AMOUNT EARNED	TAX BY	ILLNESS		VACATION	OTH. DED.	
	DAY	HR	RATE	AMOUNT			DAY	HR		PAY-BL. DED-REC	PAY-BL. DED-REC
JAN	1	7	47.132						1/2		
JAN	2	7									
FEB	1	7							2		
FEB	2	7							2 1/2		
MAR	1	7									
MAR	2	7									
APR	1	7									
APR	2	7							1/2		
MAY	1	7									
MAY	2	7									
JUN	1	7									
JUN	2	7									
JUL	1	7									
JUL	2	7									
AUG	1	7									
AUG	2	7									
SEP	1	7									
SEP	2	7									
OCT	1	7									
OCT	2	7									
NOV	1	7									
NOV	2	7									
DEC	1	7									
DEC	2	7									

DATE ENTERED SERVICE: 5-15-62  
 SENIORITY DATE: \_\_\_\_\_  
 DATE OF BIRTH: 9-4-26  
 ADIT NO.: \_\_\_\_\_  
 SOCIAL SECURITY NO.: 13113  
 AMOUNT: \$7000  
 EMPLOYEE NO.: EL 1-2453  
 GROSS TAX CODE: \_\_\_\_\_  
 PHONE NO.: 569-54-5736  
 ADDRESS: 8542 Sieu M. Tu  
 1697 Hickory Ave., San Leandro

DEDUCTIONS TO BE MADE WHEN T/V IS 15

DEDUCTION	1ST PERIOD	2ND PER
F.I. TAX		
F.S. TAX		
UNEMP.	6.65	
DISC.	6.75	
P.S. BONDS	18.75	20.
Dues		7.
RELIANCE DUE		
TOTAL		



EMP. NO. 7542 NAME M. T.

POSITION NO. & TITLE Sr KP Oper

	<u>Old Daily Rate</u>	<u>New Daily Rate</u>	<u>Difference times</u>	<u>No. of Days</u>	<u>Total</u>
	3.2525	3.3400	.0875	<u>105</u>	.09
July	<u>2.672</u>	<u>2.672</u>	<u>.70</u>	<u>22</u>	\$ <u>15.46</u>
Aug.	<u>2.672</u>	<u>2.672</u>	<u>.70</u>	<u>23</u>	<u>15.11</u>

	<u>Old Overtime Rate</u>	<u>New Overtime Rate</u>	<u>Difference times</u>	<u>No. of Hours</u>	<u>Total</u>
July	<u>5.015</u>	<u>5.015</u>	<u>.1312</u>	<u>7.75</u>	\$ <u>1.0</u>
Aug.	<u>5.015</u>	<u>5.015</u>	<u>.1312</u>	<u>15.45</u>	<u>2.0</u>

GRAND TOTAL \$ 33.9

Pacific Fruit Express Company

ACCIDENT MEMO

To be filed out at time of accident

OFF-DUTY

1. Name: SIEU-MEI TU Occupation: Sr KP & Veri Oper

2. Date of Accident: October 8, 1968 Time: 6:30 AM  
~~PM~~

3. Location: 1597 Hickory, San Leandro, Calif. (residence)  
Give brief description of facility, or what part of, about, or in time, accident occurred, and name of city and state)

4. Account Chargeable: \_\_\_\_\_ Location Code: \_\_\_\_\_

5. Nature of Injury: Nose bruised and cut; back wrenched.  
(Show right or left member, and portion of body or member injured)

6. Describe how accident happened: Slipped in shower; fell forward striking nose on faucet.

7. Was first aid given? NO By whom: \_\_\_\_\_

[Signature]  
Signature of Injured Employee

[Signature]  
Signature of Officer in Charge **AUDI**

Orig: **Mr. J. P. Ferron**  
**Mr. B. R. Howard**  
File

*[Handwritten scribble]*



July 23, 1968

PR-2151

To Whom It May Concern:

Sieu-Mei Tu, SS# No. 569-54-5736, has been employed by this company as a Senior Key punch Operator since May 15, 1962.

Her present salary is \$26.02 per day. Her position is permanent.

*G. S. [Signature]*

NO.	POSITION	TITLE	RATE	INC.	BUREAU	DATE EFFECTIVE	NO.	TITLE	RATE	ICC NO.	BUREAU	DATE EFFECTIVE
67	Str	Det	24.53	10	MAB	1-1-67						

MO	DAY	REGULAR TIME				OVERTIME				AMOUNT EARNED	TAR. BY	ILLNESS		OTH. ABS.		
		HR	MIN	RATE	AMOUNT	HR	MIN	RATE	AMOUNT			PAY-BL. DED-RED	YAC-TION	PAY-BL. DED-RED	DAY	HR
JAN	1			24.53						247.50		5		3		
JAN	2									277.50		3				
FEB	1											1				
FEB	2					16		5.995	7							
MAR	1											1 1/2				
MAR	2											1		2		
APR	1											1				
APR	2											1				
MAY	1											2				
MAY	2											2				
MAY	3											1		1		
MAY	4											1		1		
JUL	1											2				
JUL	2											2				
AUG	1									269.83		1		3		
AUG	2											1				
SEP	1					15		5.995	7			2				
SEP	2											2				
OCT	1											1				
OCT	2											1				
NOV	1											1				
NOV	2											1				
DEC	1											5				
DEC	2											1				

SENIORITY DATE 5-15-62  
 DATE OF 9-4-26  
 BUREAU NO. 13113  
 REFERENCE NO. 1-2453  
 S.S.A. NO. 569-54-5736  
 BUREAU NO. 8542 Siel X. Tu  
169, Hickory Ave., San Leandro

SENIORITY DATE \_\_\_\_\_  
 AUDIT NO. \_\_\_\_\_  
 AMOUNT \$6500  
 S/W TAX CODE M 1

DEDUCTIONS TO BE MADE WHEN T/V IS ISS		
DEDUCTION	1ST PERIOD	2ND PER
W/M TAX		
R.R. TAX		
G.L.I.	<u>6.10</u>	
MCSP.	<u>3.75</u>	
U.S. BONDS	<u>18.75</u>	<u>20.25</u>
Dues		<u>5.</u>
BALANCE DUE		<u>830</u>
T/V No.		
DATE		



PACIFIC MAIL EXPRESS COMPANY

FORM 755

SAVINGS BONDS AND SAVINGS NOTES (FREEDOM SHARES) PAYROLL SAVINGS APPLICATION

8542

TU

SIEU-MEI

569-54-5736

S-15-463

DO NOT WRITE ABOVE THIS LINE

PACIFIC MAIL EXPRESS COMPANY

\$ 15.75 on first period

MAY 15 1957

Amount of each pay period of earnings each period the amount of \$ 20.25 on second period payroll, effective with

and each time the balance amount has accumulated to my credit to purchase and have delivered to me:

and each time having a maturity value of \$ 20.25

and each time having a maturity value of \$ 20.25. (Leave blank if amount is for bonds only.)

THE ABOVE INFORMATION SHOULD BE REGISTERED IN THE NAME OF AND SHOULD BE DELIVERED IN ACCORDANCE WITH THE TERMS OF THE INSTRUMENTS TO BE PRINTED.

SIEU-MEI  
 1697 Hickory Ave San Leandro  
 E-RINE  
 1697 Hickory Ave San Leandro  
 SIEU-MEI

SIGNED SIEU-MEI

**BEST  
AVAILABLE  
COPY**





JOSEPH J. KRAJEWSKI, D.D.S., M.S.  
Practice Limited to Periodontics  
480 SUTTER STREET, SUITE 1718  
SAN FRANCISCO, CALIFORNIA 94108

Telephone 392-2086

March 2, 1967

Dear Sir:

This is to confirm that Mrs. Tu spent  
the morning in this office having Periodontal  
subject.

Sincerely,

*Joseph J. Krajewski*  
Joseph J. Krajewski  
D. D. S. M. S.



LIST OF DEDUCTIONS AUTHORIZATIONS

for

PACIFIC FRUIT EXPRESS COMPANY

D. J. JOE WAGNER, AUDITOR

2-6-67

Date

SAN FRANCISCO, CAL.

Attached are payorders for Pacific Fruit Express Employees. One copy to be retained in the Local Payroll Office and one copy to be forwarded to: Pacific Fruit Express, San Francisco Office

Attached payorders are for deduction from employees' earnings beginning in 1967.

A. & E.

(A&H or Group -- to be typed in)

EMPLOYEE ACCOUNT NO.	AGENT NUMBER	NAME	SOCIAL SECURITY NUMBER	MONTHLY PREMIUM
----------------------	--------------	------	------------------------	-----------------

15

Wei, S., Jr.

519-51-5756

18.75

Effective Date 1-15-67 First Renewal Date 3-1-67 Dis. Pol. No. \_\_\_\_\_  
 Agent's Code No. 218 Life Pol. No. \_\_\_\_\_  
 Hosp. Pol. No. 1650570

I hereby apply to Provident Life and Accident Insurance Co., Chattanooga, Tenn., for the insurance indicated below, subject to approval of this application by the Company at its Home Office. The answers to the questions on the back of this application are answered over my signature below.

Name Johnnie F. ... So. Sec. No. 51-9-54-5726  
 City ... Tenn State Tenn Zip 04  
 Address 1697 Hickory Hill  
 Age 35 Height 5 ft. 11 in. Weight 144 lbs. Sex F Mo. Earnings \$ 625  
 Employer ... Co. Audit No. ... Div. or Loc. D. 1  
 Occupation ... Payroll No. \_\_\_\_\_ I. D. No. \_\_\_\_\_  
 Age \_\_\_\_\_ Relationship \_\_\_\_\_

Beneficiary \_\_\_\_\_ Class \_\_\_\_\_ Supplements: P-14108 (Monthly Premium)  
 Series P-14591 MAY. FEES - \$2.00

Accidental Death Benefit \$ \_\_\_\_\_ beginning \_\_\_\_\_ day up to \_\_\_\_\_  
 Member's Benefit \$ \_\_\_\_\_ Mo. Acc. Benefit \$ \_\_\_\_\_ beginning \_\_\_\_\_ day up to \_\_\_\_\_ Mos. \$ \_\_\_\_\_  
 Life Pol. Fee \_\_\_\_\_ Mo. Sick Benefit \$ \_\_\_\_\_ beginning \_\_\_\_\_ day up to \_\_\_\_\_ Mos. \$ \_\_\_\_\_  
 Daily Ben.: Applicant \$ \_\_\_\_\_ Spouse \$ \_\_\_\_\_ Each Child \$ \_\_\_\_\_  
 Spouse \$ \_\_\_\_\_ Each Child \$ 20.00

I authorize my Employer to deduct from my earnings in the month of FEB 1967 a Total Monthly Premium of \$ 12.75 and to deduct and pay to Provident Life & Accident Insurance Company the premium for my insurance that may thereafter be required each month until notified otherwise by the Insurance Company. I understand and agree if one monthly premium be not deducted or remitted in cash such defaulted premium may, at the option of the Insurance Company, be deducted from my next available earnings. If two consecutive monthly premiums are not deducted or remitted in cash, any subsequent premium payments accepted by the Insurance Company shall reinstate the insurance as provided in the reinstatement provision of the policy. I authorize any hospital, physician, or surgeon to furnish the Provident Life and Accident Insurance Company any information desired.

Agent's Signature Johnnie F. ... Applicant's Signature Johnnie F. ... Date 1-15-67 Fr. Dept. - 10-65  
 (Over)



*6/11/67*  
*Smith*  
*Rem 313*

LIST OF DEDUCTIONS AUTHORIZATIONS

for

PACIFIC FRUIT EXPRESS COMPANY

D. S. GRIFFIN, AUDITOR

Date 2-6-67

SAN FRANCISCO, CAL.

Attached are payorders for Pacific Fruit Express Employees. One copy to be retained in the Local Payroll Office and one copy to be forwarded to: Pacific Fruit Express, San Francisco Office

Attached payorders are for deduction from employees' earnings beginning in FEB. 1967

A. & H.

(A&H or Group -- to be typed in)

EMPLOYEE IDENT NO.	AUDIT NUMBER	NAME	SOCIAL SECURITY NUMBER	MONTHLY PREMIUM
--------------------	--------------	------	------------------------	-----------------

16

Kel, S., Jr.

519-54-5756

18.75

830

- 12 - 67 First Renewal Date 3-1-67

Dis. Pol. No. \_\_\_\_\_

*Robert J. Holt*

Agent's Code No. 218

Life Pol. No. \_\_\_\_\_

Hosp. Pol. No. \_\_\_\_\_

1650570

I hereby apply to Provident Life and Accident Insurance Co., Chattanooga, Tenn., for the insurance indicated below, subject to the approval of this application by the Company at its Home Office. The answers to the questions on the back of this application are answered over my signature below.

Name Robert J. Holt So. Sec. No. 51-9-54-574  
 No. and Street 1697 Hickory Hill City Sevierville State Tenn Zip 37864  
 Date of Birth 9-2-1916 Age 41 Height 5 ft. 11 in. Weight 140 lbs. Sex F Mo. Earnings \$ 125  
 Employer Sevierville Yarns & Spinning Co. Audit No. 1-11 Div or Loc. 2  
 Occupation Operator Payroll No. \_\_\_\_\_ I. D. No. \_\_\_\_\_  
 Date Employed 1 Beneficiary \_\_\_\_\_ Age \_\_\_\_\_ Relationship \_\_\_\_\_  
 Date of Form 8-4-66 Series 4-14381 Class \_\_\_\_\_ Supplements: R-1410S  
 A.M.A. FEES - 62 00

Accidental Death Benefit \$ \_\_\_\_\_ Mo. Acc. Benefit \$ \_\_\_\_\_ beginning \_\_\_\_\_ day up to \_\_\_\_\_ Monthly Premium  
 Sickness Benefit \$ \_\_\_\_\_ Mo. Sick Benefit \$ \_\_\_\_\_ beginning \_\_\_\_\_ day up to \_\_\_\_\_ Mos. \$ \_\_\_\_\_  
 Life Pol. Form \_\_\_\_\_ Life Insurance: Applicant \$ \_\_\_\_\_ Spouse \$ \_\_\_\_\_ Each Child \$ \_\_\_\_\_  
 Hosp. Pol. Form 66-1 Daily Ben.: Applicant \$ \_\_\_\_\_ Spouse \$ \_\_\_\_\_ Each Child \$ 20.00

I authorize my Employer to deduct from my earnings in the month of EE 3 1967 a Total Monthly Premium of \$ 12.00 and to deduct and pay to Provident Life & Accident Insurance Company the premium for my insurance that may thereafter be required each month until notified otherwise by the Insurance Company. I understand and agree if one monthly premium be not deducted or remitted in cash, such defaulted premium may, at the option of the Insurance Company, be deducted from my next available earnings. If two consecutive monthly premiums are not deducted or remitted in cash, any subsequent premium payment accepted by the Insurance Company shall reinstate the insurance as provided in the reinstatement provision of the policy. I authorize any hospital, physician, or surgeon to furnish the Provident Life and Accident Insurance Company any information desired.

Agent's Signature

*Robert J. Holt*

Date

Applicant's Signature X Robert J. Holt

(Over)

Fr. Dept. - 10.65



NO.	TITLE	RATE	NO.	BUREAU	DATE EFFECTIVE	NO.	TITLE	RATE	ICC NO.	BUREAU	DATE EFFECTIVE
57	K P Ocer	22.48	10	MAB	1-1-66						
	مدير قسم	23.36	"	"	6-7-66		Jump				
		23.36	"	"	7-11-66						
		23.36	"	"	7-15-66						

MONTH	REGULAR TIME				OVERTIME		AMOUNT EARNED	TARDY	ILLNESS		OTH. ABS.	
	DAY	RATE	AMOUNT	HR MIN	RATE	AMOUNT			PAY-BL. DED-RED	DAY	HR	PAY-BL. DED-RED
JAN	5	22.48					221.20	1				
FEB	11	23.36	257.76	7 45	2.15	221.70	279.75	3				
MAR									1		3	
APR				9								
MAY								1				
JUN											1 1/2	
JUL												
AUG								2	1			
SEP				1-05				1				15
OCT												
NOV												
DEC				2	3.00		27.00	1				

DATE OF BIRTH: 5-15-62 SENIORITY DATE: \_\_\_\_\_  
 DATE OF ENTRY: 9-4-26 ADIT NO.: \_\_\_\_\_  
 SOCIAL SECURITY NO.: 13113 AMOUNT: \$6000  
 EMPLOYEE ID: 1-2453 O.M. TAX CODE: 17 ER  
 PHONE NO.: 562-54-5736  
 ADDRESS: 5542 Sieu M. Tu  
1697 Hickory Ave., San Leandro

DEDUCTIONS TO BE MADE WHEN T/V IS ISS

DEDUCTION	1ST PERIOD	2ND PER
W/P - TAX		
R.B. TAX		
G.L.I.	4.10	
WESP.	3.75	2.75
U.S. BONDS	18.75	12
BALANCE DUE		
T/V NO.		
DATE		

8542

TU

PACIFIC FRUIT EXPRESS COMPANY  
SIEU-MEI

569-54-5736

16-463

FORM 88  
PAY ROLL ALLOTMENT AUTHORIZATION FOR U. S. SAVINGS BONDS

PACIFIC FRUIT EXPRESS COMPANY:

I hereby request you deduct from my earnings each month, the amount of \$ 18.75 on first or second period pay roll, effective with amount of August 19 66 and each time the required amount has accumulated to my credit, to purchase and have delivered one United States Savings Bond, Series E, having a maturity value of \$ 50.00, in accordance with the terms and conditions of the Pay Roll Allotment Plan for the Purchase of United States Defense Savings Bonds, dated August 1, 1941.

The bonds purchased under this authorization should be registered in the name(s) of and should be delivered in accordance with the following information shown below, except signature TO BE PRINTED).

- Name: SIEU-MEI (Given name) Middle name or initial: C. A. (Surname): TU
- Address: 1697 Hickory Ave., San Leandro, California (City or town) (State): Tu
- Name: Elaine (Given name) Middle name or initial: Same (Surname): Tu
- Address: Same (City or town) (State): Tu
- Name: Sieu-Mei (Given name) Middle name or initial: c/o PFE Co., 116 New Montgomery St., San Francisco, Calif. (City or town) (State): 94105

SIGNED [Signature] (Signature of employee) August 4, 19 66 San Francisco Soc. Sec. Acct. No. 569-54-5736

Occupation: St. KIP Oper Location: San Francisco Pay Period: \_\_\_\_\_  
 Amount of monthly allotment: \_\_\_\_\_ Form of registration: \_\_\_\_\_  
 Denomination of bond: \_\_\_\_\_ Address: \_\_\_\_\_



60-DAY

E. F. M.  
AUG 19 1966

FORM 2285  
PACIFIC FRUIT EXPRESS COMPANY  
NEW EMPLOYEE FOLLOW-UP

Date August 17, 1966

NAME STEPHEN M. M.

Department Machine Accounting

Position Sr KP Oper

Probationary Period Ends \_\_\_\_\_

Quality of Work Good

Attitude of Employee Good

Is Employee Physically Fit for Job? yes

Is Employee Punctual in Attendance? yes

Are You Satisfied Keeping Employee? \_\_\_\_\_

If Not Why Not \_\_\_\_\_

Additional Comments If Any Has taught new Employee

Robert L. Vaccaro

FORM 2285  
PACIFIC FRUIT EXPRESS COMPANY  
NEW EMPLOYEE FOLLOW-UP

Date July 11, 1966

Name SIEU-MEI TU

Department Machine Accounting

Position Sr K P Oper (Temp)

Probationary Period Ends \_\_\_\_\_

Quality of Work: Good

Attitude of Employee? \_\_\_\_\_

Is Employee Physically Fit for Job? Yes

Is Employee Punctual in Attendance? Yes

Do You Recommend Keeping Employee? \_\_\_\_\_

If Not Why Not \_\_\_\_\_

Additional Comments If Any \_\_\_\_\_

*[Handwritten notes and signatures]*  
JUL 12 1966  
JUL 12 1966



# EMPLOYEE'S WITHHOLDING EXEMPTION CERTIFICATE

Social Security Account Number 579-54-5736

1155 Td  
227 Hickory Ave City San Antonio State Texas

## HOW TO CLAIM YOUR WITHHOLDING EXEMPTIONS

- 1. If SINGLE and you claim your exemption write "1". If you do not, write "0" . . . . .
- 2. If MARRIED, one exemption each is allowable for husband and wife if not claimed on another certificate.
  - a. If you claim both of these exemptions, write "2" . . . . . 1
  - b. If you claim one of these exemptions, write "1" . . . . .
  - c. If you claim neither of these exemptions, write "0" . . . . .
- 3. Exemptions for age and blindness (applicable only to you and your wife but not to dependents):
  - a. If you or your wife will be 65 years of age or older at the end of the year, and you claim this exemption, write "1"; if both will be 65 or older and you claim both of these exemptions, write "2" . . . . .
  - b. If you or your wife are blind, and you claim this exemption, write "1"; if both are blind, and you claim both of these exemptions, write "2" . . . . .
- 4. If you claim exemptions for one or more dependents, write the number of such exemptions. (Do not claim exemption for a dependent unless you are qualified under instruction 3 on other side.) . . . . . 1
- 5. Add the number of exemptions which you have claimed above and write the total . . . . .
- 6. Additional withholding per pay period under agreement with employer. See instruction 1 . . . . . \$

(CERTIFY that the number of withholding exemptions claimed on this certificate does not exceed the number to which I am entitled.)

(Date) 1-22-66 1966 (Signed) L. J. Smith

**1. NUMBER OF EXEMPTIONS.**—Do not claim more than the correct number of exemptions. However, if you expect to owe more income tax for the year than will be withheld if you claim every exemption to which you are entitled, you may increase the withholding by claiming a smaller number of exemptions or you may enter into an agreement with your employer to have additional amounts withheld. This is especially important if you have more than one employer, or if both husband and wife are employed.

**2. CHANGES IN EXEMPTIONS.**—You may file a new certificate at any time if the number of your exemptions **INCREASES**.

You must file a new certificate within 10 days if the number of exemptions previously claimed by you **DECREASES** for any of the following reasons:

(a) Your wife or husband for whom you have been claiming exemption is divorced or legally separated, or claims her (or his) own exemption on a separate return.

(b) The person of a dependent for whom you claimed exemption is taken over by someone else, or that you no longer expect to furnish more than half the support for the year.

(c) You are claiming exemptions for whom you claimed exemption will receive \$400 or more of income during the year (except your child who is a dependent who is under 19 years of age).

**OTHER DECREASES** in exemption, such as the death of a wife or a dependent, do not affect your withholding until the next year, but require the filing of a new certificate by December 31 of the year in which they occur.

For further information consult your local District Director of Internal Revenue or your employer.

**3. DEPENDENTS.**—To qualify as your dependent (line 4 on either side), a person (a) must receive more than one-half of his or her support from you for the year, and (b) must have less than \$400 gross income during the year (except your child who is a student or who is under 19 years of age), and (c) must not be claimed as an exemption by such person's husband or wife, and (d) must be a citizen or resident of the United States or a resident of Canada, Mexico, the Republic of Panama or the Canal Zone (this does not apply to an alien child legally adopted by and living with a United States citizen abroad), and (e) must (1) have your home as his principal residence and be a member of your household for the entire year, or

(2) be related to you as follows:

Your son or daughter (including legally adopted children), grandchild,

stepson, stepdaughter, son-in-law, or daughter-in-law;

Your father, mother, grandparent, stepfather, stepmother, father-in-law, or mother-in-law;

Your brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, or sister-in-law;

Your uncle, aunt, nephew, or niece (but only if related by blood).

**4. PENALTIES.**—Penalties are imposed for willfully supplying false information or willful failure to supply information which would reduce the withholding exemption.



NO.	TITLE	RATE	ICC NO.	BUREAU	DATE EFFECTIVE	NO.	TITLE	RATE	ICC NO.	BUREAU	DATE EFFECTIVE
57	S P Oper	20.2624	10	MAB	11-15-62						
"	"	21.7024	"	"	4-1-65						
"	"	21.76	"	"	7-16-65						

MONTH	REGULAR TIME			OVERTIME			AMOUNT EARNED	TAR. BY	ILLNESS		VACA-TION	OTH. ABS.	
	DATE	AMOUNT	PERCENT	RATE	AMOUNT	PAY-BL. DAY			DED-RED. HR	PAY-BL. DAY		DEC-REC.	
FEB	2-2-63	379.2	7.40	379.2	379.2	3					1		
FEB	2-10-63	379.2	7.40	379.2	379.2	2					1/2		
FEB	2-17-63	379.2	7.40	379.2	379.2	2			2		1		
FEB	2-24-63	379.2	7.40	379.2	379.2	1							
MAR	3-3-63	379.2	7.40	379.2	379.2	1							
MAR	3-10-63	379.2	7.40	379.2	379.2	1							
MAR	3-17-63	379.2	7.40	379.2	379.2	1							
MAR	3-24-63	379.2	7.40	379.2	379.2	1							
APR	4-7-63	379.2	7.40	379.2	379.2	1							
APR	4-14-63	379.2	7.40	379.2	379.2	1							
APR	4-21-63	379.2	7.40	379.2	379.2	1							
APR	4-28-63	379.2	7.40	379.2	379.2	1							
MAY	5-5-63	379.2	7.40	379.2	379.2	1							
MAY	5-12-63	379.2	7.40	379.2	379.2	1							
MAY	5-19-63	379.2	7.40	379.2	379.2	1							
MAY	5-26-63	379.2	7.40	379.2	379.2	1							
JUN	6-2-63	379.2	7.40	379.2	379.2	1							
JUN	6-9-63	379.2	7.40	379.2	379.2	1							
JUN	6-16-63	379.2	7.40	379.2	379.2	1							
JUN	6-23-63	379.2	7.40	379.2	379.2	1							
JUN	6-30-63	379.2	7.40	379.2	379.2	1							
JUL	7-7-63	379.2	7.40	379.2	379.2	2							
JUL	7-14-63	379.2	7.40	379.2	379.2	1							
AUG	8-4-63	379.2	7.40	379.2	379.2	1							
AUG	8-11-63	379.2	7.40	379.2	379.2	1							
AUG	8-18-63	379.2	7.40	379.2	379.2	1							
AUG	8-25-63	379.2	7.40	379.2	379.2	1							
SEP	9-1-63	379.2	7.40	379.2	379.2	1					2	1/2	
SEP	9-8-63	379.2	7.40	379.2	379.2	1							
SEP	9-15-63	379.2	7.40	379.2	379.2	1							
SEP	9-22-63	379.2	7.40	379.2	379.2	1							
SEP	9-29-63	379.2	7.40	379.2	379.2	1							
OCT	10-6-63	379.2	7.40	379.2	379.2	1							
OCT	10-13-63	379.2	7.40	379.2	379.2	1							
OCT	10-20-63	379.2	7.40	379.2	379.2	1							
OCT	10-27-63	379.2	7.40	379.2	379.2	1							
NOV	11-3-63	379.2	7.40	379.2	379.2	1							
NOV	11-10-63	379.2	7.40	379.2	379.2	1							
NOV	11-17-63	379.2	7.40	379.2	379.2	1							
NOV	11-24-63	379.2	7.40	379.2	379.2	1							
NOV	11-30-63	379.2	7.40	379.2	379.2	2							

SECURITY DATE: 5-15-62  
 ACCOUNT NO.: 13113  
 AMOUNT: \$5500  
 EMPLOYEE ID: EE 1-2453  
 TAX CODE: CR1  
 ADDRESS: 569-54-5736  
 EMPLOYEE NAME: 2542 Sieu M. Tu  
 ADDRESS: 1697 Hickory Ave., San Leandro

**DEDUCTIONS TO BE MADE WHEN T/V IS IN EFFECT**

DEDUCTION	EST PERIOD	EST AMT
FED. TAX		
STATE TAX		
S.S.I.		3.70
REF.		3.72
U.S. BONDS		
BALANCE DUE		

T/V No. \_\_\_\_\_  
 DATE \_\_\_\_\_

REQUEST FOR LEAVE OF ABSENCE

San Francisco (Location) 10 25 (Date)

G. D. C. Schwabe

I request leave of absence of 1 month(s) 1 day(s)  
from 10 26 19 65 to 11 1 19 65

I entered the service 5/15 19 65

My address during leave will be 247 Hickory St  
San Francisco, Calif

[Signature]  
(Signature)  
Lawyer  
(Occupation)  
San Francisco  
(Department or Bureau)

Requester of work, service and  
benefits shall understand and agree to the rules  
and regulations governing the request for  
leave of absence.

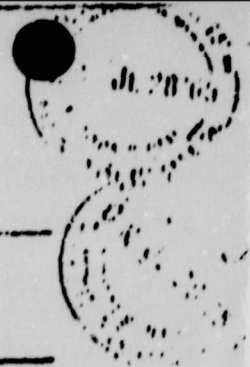
D. F. M.  
NOV 24 1965

RECEIVED:  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  
\_\_\_\_\_  
\_\_\_\_\_  
(Title)

(This form shall be filed with Personal Record of employee requesting leave of absence).





Month	Position	Days	Hrs.					
Jan.	...	21						
Feb.		20						
Mar.		23					3.2	
Apr.		23					7 1/2	
May		21						
June		21 1/2	1 1/2	.0072	.01			
July		11						
		139 1/2	3:04		.01	76 1/2		.83

GRAND TOTAL \$

010

STB FD-30400 (SUB 21) 7-28-92 COMPLAINT VOL 2 7 OF 12



EMPLOYEE NO.

EMPLOYEE NAME



P/R NO.

Month	No. of Days	S/P Hours	O/P Hours	Total
Jan.	27 <sup>1</sup> @ 7 1/2 = 202 1/2	200 @ 7 1/2 = 1400	2 @ 13 1/2 = 27	
Feb.	20			
Mar.	22			
Apr.	21	115	11	
May	21			
June	21			
July	21			
Aug.	16			
Sept.	11 1/2		J	1.05
Oct.	22		J	1.05
Nov.	21		J	1.05
Dec.	22 1/2	20		

173 1/2

1/4 birthday @ 20.9824

GRAND TOTAL \$307.

27 1/2

19 1/2

0 1/2

1 1/2

1 1/2

15 40 4.23

21 25 5.78

12 8.64

92 1/2

5-11

B-1066

SOUTHERN PACIFIC HOSPITAL DEPARTMENT  
CERTIFICATE

7-1-65, 1965

THIS IS TO CERTIFY, that

employed as Truck Driver and under my care from

3-1-65 to 3-1-65 account 

Illness	Injury on	10/11, 19 <u>64</u>

will be able to report for duty on 2-7-65, 1965

[Signature] M. D.  
Hospital Department Surgeon



Pacific Fruit Express Company

ACCIDENT MEMO

To be filled out at time of accident

Name: Sieu-Mei Tu Occupation: K P Oper

Date of Accident: February 1, 1965 Time: 7:00 A.M.  
~~P.M.~~

Location: 1637 Hickory Ave., San Leandro, Calif. (home)  
(Give exact description of facility, at what point on, about, or in same, accident occurred, and name of city and state)

Account Chargeable: \_\_\_\_\_ Location Code: \_\_\_\_\_

Name of injury: Cut top of right hand  
(Give right or left member, and portion of body or member injured)

Describe how accident happened: Washing dishes; a glass broke and cut hand.

Was first aid given? Yes By whom: San Leandro Hospital  
Five stitches were required to close cut.

Unable to write account injury  
Signature of Injured Employee

*(Faint stamp)*

\_\_\_\_\_  
Signature of Officer in Charge ANDREO

- Mr. I. D. Schley
- Mr. G. P. Ferron
- Mr. W. R. Howard

FORM NO. 200-1

ALAMEDA COUNTY MEDICAL INSTITUTIONS

Name SIEU-ME Date 2/1/65

Address \_\_\_\_\_ City \_\_\_\_\_

It should avoid handling  
wipes until sutures are  
removed in 7 days.

Reg. No.

Reg. No. [Signature] M. D.

Address \_\_\_\_\_ City \_\_\_\_\_



EV. NO.	POSITION	RATE	CC NO.	BUREAU	DATE EFFECTIVE	TITLE	RATE	ICC NO.	BUREAU	DATE EFFECTIVE
57	F. C. C. C.	120.2624	110	CAS	11-15-62					

MONTH	REGULAR TIME			OVERTIME			AMOUNT EARNED	TARDY	ILLNESS		VACATION	OTH. ABS.
	DAY	HR	MIN	DAY	HR	MIN			PAY-BL. DED-RED	PAY-BL. DED-RED		
JAN	2	3	5				25.70	7			2	
FEB	3	1						1				
MAR	2	1							1		2	
APR	2	1							3			
MAY	2	1										
JUN	2	1									1/2	
JUL	2	1									2	
AUG	2	1										
SEP	2	1										
OCT	2	1										
NOV	2	1										
DEC	2	1										

DATE ENTERED SER. CE 5-15-62 SENIORITY DATE \_\_\_\_\_  
 DATE OF EMP. 5-2-62 AGENT NO. \_\_\_\_\_  
 BUREAU 25225 AMOUNT 25225  
 EMPLOYEE NO. 100-5-5736 A. & T. NO. #CR-1  
 EMPLOYEE NAME LEANDRO BUREAU NO. 25225  
 ADDRESS 100-5-5736 CITY MICROFILM STATE CA SAN LEANDRO

DEDUCTIONS TO BE MADE WHEN T.V. IS		
DEDUCTION	1ST PERIOD	2ND
A.M. PAY		
R.R. PAY		
SUBSIDY	3.70	
UNEMP.	3.72	
RETIRES.		
RETIRES. DUE		
T.V. NO.		
DATE		

GARY ELLIS, M.D.  
KARL H. GUNDEL, M.D.  
ROBERT W. GUYTON, M.D.  
THOMAS A. WILKINS, M.D.  
2225 CALIFORNIA AVENUE  
SAN FRANCISCO, CALIF. 94115  
TELEPHONE 434-1111

D. C. S.  
SEP 4 1964

September 2, 1964

Mr. D. C. Schumacher  
Pacific Fruit Express  
111 New Montgomery  
San Francisco, Calif.

Dear Mr. Schumacher:

Re: Mrs. Joseph Fu

Mrs. Fu has been under my care and I have advised her  
to remain at home for the next two weeks.

At the end of that period she will have to be re-evalu-  
ated as to whether she can return to work.

Respectfully,

Marc Ricks, M.D. *MR/82*  
Marc Ricks, M.D.

MR:cb



July 29, 1964

C.C. 8/10

D. F. M.  
JUL 29 1964

Dear Mr. & Mrs. Tu:

I want you to know the article in the San Francisco CHRONICLES yesterday morning about Mai Wei, your lovely daughter, rejoining your family circle, caused much joy and happiness as well as some misty-eyes amongst all of Siew Wei's fellow workers at Pacific Fruit Express Company.

The details of your family's journeys from China to the United States and now Mai Wei's reunion with you after all the intervening years, certainly would make a wonderful book and even a highly interesting movie -- but beyond such things, the fact that your daughter is now reunited with you and the other members of your family is the thing that really matters.

We are all mighty proud to have Siew Wei as a member of the PFE Family and we all join in sharing your joy and wishing the Tu Family much happiness and good fortune in the future.

My kindest personal regards and all good wishes, I am

Sincerely yours,

ORIGINAL FILED  
L. D. SCOLEY

Mr. & Mrs. Joseph Jung Tu  
1087 Hickory Avenue  
San Leandro, California

cc: PERSONAL

cc: Mr. D. C. Schunacher

# EMPLOYEE'S WITHHOLDING EXEMPTION CERTIFICATE

Form No. 2 (Rev. 1-1-1967)  
U.S. Treasury Department  
Internal Revenue Service

Social Security  
Account Number

Print full name SIEU MEI TU  
Print home address 667 Hickory Ave City San Leandro Zone \_\_\_\_\_ State Calif

## HOW TO CLAIM YOUR WITHHOLDING EXEMPTIONS

EMPLOYEE-  
Furnish this with  
your employer. Con-  
sult the instructions  
on the back of this  
certificate for more  
information.  
EMPLOYER-  
Use this certifi-  
cate to determine the  
amount of withholding  
tax to be withheld  
from your employ-  
ee's pay.  
Do not claim more  
exemptions than you  
are entitled to.  
Do not claim more  
than the number of  
exemptions which you  
are entitled to.

1. IF SINGLE and you claim an exemption, write the figure "1" . . . . .
2. IF MARRIED, one exemption each is allowable for husband and wife if not claimed on another certificate.
  - (a) If you claim both of these exemptions, write the figure "2" . . . . .
  - (b) If you claim one of these exemptions, write the figure "1" . . . . .
  - (c) If you claim neither of these exemptions, write the figure "0" . . . . .
3. Exemptions for age and blindness (applicable only to you and your wife but not to dependents):
  - (a) If you or your wife will be 65 years of age or older at the end of the year, and you claim this exemption, write "1"; if both will be 65 or older, and you claim both of these exemptions, write "2" . . . . .
  - (b) If you or your wife are blind, and you claim this exemption, write the figure "1"; if both are blind, and you claim both of these exemptions, write the figure "2" . . . . .
4. If you claim exemptions for one or more dependents, write the number of such exemptions. (Do not claim exemptions for a dependent unless you are qualified under instruction 4 on other side.) . . . . .
5. Add the number of exemptions which you have claimed above and write the total . . . . .
6. Additional withholding per pay period under agreement with employer. See Instruction 1 . . . . . \$

**CR1**

I CERTIFY that the number of withholding exemptions claimed on this certificate does not exceed the number to which I am entitled.  
(Date) 15.6.68 201-10-71003-2 (Signed) Sieu Mei Tu



of a dependent, or any other person who is not a dependent, or who is under 19 years of age.)

**OTHER DECREASES IN EXEMPTIONS.**—Deductions for the death of a wife or husband or other dependent for whom you claimed exemption will be reduced if you are a dependent for whom you claimed exemption in 1954 and you are no longer dependent on that person as of the first day of the year for which you are filing your return. The amount of the deduction for the year for which you are filing your return will be reduced by the amount of the deduction for the year for which you were no longer dependent on that person.

**1. NUMBER OF EXEMPTIONS.**—Deductions for the death of a wife or husband or other dependent for whom you claimed exemption in 1954 and you are no longer dependent on that person as of the first day of the year for which you are filing your return will be reduced by the amount of the deduction for the year for which you were no longer dependent on that person.

**2. EMPLOYERS WITH TWO OR MORE EMPLOYERS.**—If you have more than one employer, you should increase your withholding allowances on each Form W-4 filed with each employer. If you have more than one employer, you should increase your withholding allowances on each Form W-4 filed with each employer.

**3. CHANGES IN EXEMPTIONS.**—You may file a new certificate within 10 days of the date of the change in the number of your exemptions. You may file a new certificate within 10 days of the date of the change in the number of your exemptions.

**4. DEPENDENTS.**—If you have a dependent, you should increase your withholding allowances on each Form W-4 filed with each employer. If you have a dependent, you should increase your withholding allowances on each Form W-4 filed with each employer.

**5. PENALTIES.**—Penalties are imposed for failure to withhold the correct amount of tax. Penalties are imposed for failure to withhold the correct amount of tax.

The amount of the deduction for the year for which you are filing your return will be reduced by the amount of the deduction for the year for which you were no longer dependent on that person.

**OTHER DECREASES IN EXEMPTIONS.**—Deductions for the death of a wife or husband or other dependent for whom you claimed exemption will be reduced if you are a dependent for whom you claimed exemption in 1954 and you are no longer dependent on that person as of the first day of the year for which you are filing your return. The amount of the deduction for the year for which you are filing your return will be reduced by the amount of the deduction for the year for which you were no longer dependent on that person.

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**5. PENALTIES.**—Penalties are imposed for failure to withhold the correct amount of tax. Penalties are imposed for failure to withhold the correct amount of tax.

The amount of the deduction for the year for which you are filing your return will be reduced by the amount of the deduction for the year for which you were no longer dependent on that person.

5-11

SOUTHERN PACIFIC HOSPITAL DEPARTMENT

8-5000

CERTIFICATE

\_\_\_\_\_ 5/1 \_\_\_\_\_, 1944

THIS IS TO CERTIFY, that Sierra Tu  
employed as Ray Purnell and under my care from

4/27 to 5/1 account \_\_\_\_\_ illness \_\_\_\_\_  
\_\_\_\_\_ injury on \_\_\_\_\_ 19\_\_\_\_\_

will be able to report for duty on 5/1 \_\_\_\_\_, 1944

Sierra \_\_\_\_\_ M. D.  
Hospital Department Surgeon

870



PACIFIC FRUIT EXPRESS COMPANY

REQUEST FOR LEAVE OF ABSENCE

San Francisco (Location) 10-24 (Date)

M. E. Schumacher

I request leave of absence of \_\_\_\_\_ month(s) 5 day(s)  
from 7-21 1964 to 8-5 1964

account \_\_\_\_\_

I entered the service 7-10 1964

My address during leave will be \_\_\_\_\_

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Occupation)  
\_\_\_\_\_  
(Department or Bureau)

Continuation of work, service and  
benefits under agreement rules  
correct. I recommend request be  
granted.

RECOMMENDED:  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  
J. J. Madley  
\_\_\_\_\_  
(Title)

D. F. M.  
JUL 27 1964

(This form shall be filed with Personal Record of employee requesting leave of absence).

RECORD OF EMPLOYEE'S TIME

POSITION

POSITION

NO.	NAME	RATE	UNIT	DATE	NO.	RATE	UNIT	DATE	NO.

REGULAR TIME

OVERTIME

ILLNESS  
PAY-RE.  
VACA.

19	PERIOD	MO	DAY	REGULAR TIME		RATE	AMOUNT	OVERTIME		RATE	AMOUNT	AMOUNT EARNED	TAX BY	ILLNESS		VACA.		OTHER	
				HR	MIN			HR	MIN					PAY-RE.	HR	MIN	PAY-RE.		HR
July	11	11				20.2627													
5-21	12	12																	
Aug	1	11																	
4-21	12	11																	
Sept	1	10																	
4-21	12	11																	
Oct	1	11																	
"	12	12																	
Nov	1	10																	
	2	8																	
Dec	1	8				2532.5													
	2	12				20.2627													

DEDUCTIONS TO BE MADE WHEN T/W IS IS	1ST PERIOD	2ND PERIOD
W/H TAX		
R.R. TAX		
G.L.I.		
HOSP.		
U.S. BOND		
OTHER:		
BALANCE DUE		
T/W No.		
Date		
G.L.I. Policy No.		
Amount		

TELEPHONE NO. \_\_\_\_\_ DATE ENTERED SERVICE \_\_\_\_\_ SENIORITY DATE \_\_\_\_\_ AUDIT NO. \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ DATE OF BIRTH \_\_\_\_\_  
 SOCIAL SECURITY NO. 569-54-5736 W/H TAX CODE \_\_\_\_\_









**BEST  
AVAILABLE  
COPY**





U.S. GOVERNMENT  
PRINTING OFFICE: 1955

G. S. 2651

# EXAMINER'S CERTIFICATE

SERIAL No. 141783

NAME James  
QUALIFICATION SEE

RECORD NO. 35

TESTED BY [Signature]  
(Signature of Applicant in Presence of Examiner)

EXAMINED BY [Signature]  
(S.S.)

DATE 5-11-62

FORM NO. 104  
U.S. Treasury Department  
Internal Revenue Service

# EMPLOYEE'S WITHHOLDING EXEMPTION CERTIFICATE

Social Security  
Account Number

569-54-5736

Name John Miller Jr  
City Los Angeles Zone \_\_\_\_\_ State Calif.

## HOW TO CLAIM YOUR WITHHOLDING EXEMPTIONS

- 1. If SINGLE, and you claim an exemption, write the figure "1" . . . . .
- 2. If MARRIED, one exemption each for husband and wife if not claimed on another certificate.
  - (a) If you claim both of these exemptions, write the figure "2" . . . . .
  - (b) If you claim one of these exemptions, write the figure "1" . . . . .
  - (c) If you claim neither of these exemptions, write "0" . . . . .
- 3. Exemptions for age and blindness (applicable only to you and your wife but not to dependents):
  - (a) If you or your wife will be 65 years of age or older at the end of the year, and you claim this exemption, write "1". If both will be 65 or older, and you claim both of these exemptions, write "2" . . . . .
  - (b) If you or your wife are blind, and you claim this exemption, write the figure "1"; if both are blind, and you claim both of these exemptions, write the figure "2" . . . . .
- 4. If you claim exemptions for one or more dependents, write the number of such exemptions. (Do not claim exemption for a dependent unless you are qualified under instruction 4 on other side.) . . . . .
- 5. Add the number of exemptions which you have claimed above and write the total . . . . .
- 6. Additional withholding per pay period under agreement with employer. See Instruction 1 . . . . .

6

Total number of withholding exemptions claimed on this certificate does not exceed the number to which I am entitled.  
Date 5-1-52 1952 (Signed) John Miller Jr



**1. NUMBER OF EXEMPTIONS.**—Do not claim more than the correct number of exemptions. However, if you expect to owe more income tax for the year than will be withheld if you claim only exemptions to which you are entitled, you may increase the withholding by claiming a smaller number of exemptions or you may give your employer with your employer to have additional exemptions.

**2. EMPLOYERS WITH TWO OR MORE EMPLOYERS.**—If you have more than one employer and wish to increase your withholding or to arrange your current income tax you should claim a smaller number of exemptions on each Form W-4 filed with all employers than that your principal employer.

**3. CHANGES IN EXEMPTIONS.**—You may file a new certificate at any time if the number of your exemptions **INCREASES**.

You may file a new certificate within 10 days if the number of exemptions **DECREASES** for any of the following reasons:

- 1. You are no longer dependent on a parent, grandparent, or other person.
- 2. You are no longer a dependent of a spouse.
- 3. You are no longer a dependent of a child.
- 4. You are no longer a dependent of a dependent.
- 5. You are no longer a dependent of a dependent.
- 6. You are no longer a dependent of a dependent.
- 7. You are no longer a dependent of a dependent.
- 8. You are no longer a dependent of a dependent.
- 9. You are no longer a dependent of a dependent.
- 10. You are no longer a dependent of a dependent.

or a dependent, do not affect your withholding until the next year, but require the filing of a new certificate by December 1 of the year in which they occur.

For further information consult your local District Director of Internal Revenue or your employer.

**4. DEPENDENTS.**—To qualify as your dependent (line 4 on other side), a person (a) must receive more than one-half of his or her support from you for the year, and (b) must have less than \$600 gross income during the year (except your child who is a student or who is under 19 years of age), and (c) must not be claimed as an exemption by such person's husband or wife, and (d) must be a citizen or resident of the United States or a resident of Canada, Mexico, the Republic of Panama or the Canal Zone (this does not apply to an alien child legally adopted by and living with a United States citizen abroad), and (e) must (1) have your home as his principal residence and be a member of your household for the entire year, or (2) be related to you as follows:

- Your son or daughter (including legally adopted children), grandchild, stepson, stepdaughter, son-in-law, or daughter-in-law.
- Your father, mother, grandparent, stepfather, stepmother, father-in-law, or mother-in-law.
- Your brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, or sister-in-law.
- Your uncle, aunt, nephew, or niece, but only if related by blood.

**5. PENALTIES.**—Penalties are imposed for willfully supplying false information or willful failure to supply information which would reduce the withholding exemption.

PACIFIC FRUIT EXPRESS COMPANY

CS-2945-F

SUPPLEMENT TO APPLICATION FOR EMPLOYMENT

San Leandro California 5-11-62  
CITY State Date

I hereby declare that I am not a member of the Communist Party or a supporter of the declared principles advocated by the Communist Party. I understand that the truth of the foregoing declaration is a material condition precedent to the employment for which I am herewith applying.

[Signature]  
Signature



Application for:  Employment  Promotion  Statement  Return from leave  Return from military service  Transfer   
 As T-2-N Key Dunch Accounting Pacific Fruit Express  
 Divn. or Dept. State of Company 424

PRINT Last Name in Full Sie H Hai Tu S. S. Account Number 569-54-6736  
 First Middle Last

Women show maiden name if different from above  
 3. Present Address 1697 Hickory Ave San Leandro California  
 Number and Street City State

4. 35 Age Born 9 16 12 Height 5-5 ft. in. Weight 128 lbs. Eyes dark Hair dark  
 Month, Day and Year Color Color

5. Indicate by "X" Single  Married  Widew  Widower  Divorced  Living  Deceased

6. Father Hai C Siu Living  Deceased  Mother Tu Mae Siu Living  Deceased   
 First Middle Surname First Middle Surname  
 (Do not show maiden name)

7. Address within the United States \_\_\_\_\_  
 Address within the United States

8. Name and address of two persons able to forward communications to you in event of your leaving service:  
Mr. [Name] 2216 [Address] [City] [State] [Zip]  
Mr. [Name] 7122 [Address] [City] [State] [Zip]

9. Have you ever worked for this Company? Yes If so, give dates, occupation, Division or Department and cause for leaving

10. Write marks of disfigurement or deformity: None

11. Have you ever been injured or suffered an amputation? Yes If so, give particulars

12. Have you ever served in the Armed Forces of the United States? Yes Branch of Service? \_\_\_\_\_ Character of discharge? \_\_\_\_\_ Service Number? \_\_\_\_\_

Name of Spouse, Child or other dependent	AGE	RELATIONSHIP	Address within the United States:	
			Street	City
<u>[Name]</u>	<u>36</u>	<u>Husband</u>	<u>1697 Hickory Ave</u>	<u>San Leandro</u>
<u>[Name]</u>	<u>17</u>	<u>Daughter</u>		
<u>[Name]</u>	<u>16</u>	<u>Daughter</u>		
<u>[Name]</u>	<u>13</u>	<u>Daughter</u>		
<u>[Name]</u>	<u>11</u>	<u>Daughter</u>		

24. Education—Schools or colleges attended:

SCHOOL	LOCATION	TIME ATTENDED		Graduated?	MAJOR SUBJECT
		From Mo. Yr.	To Mo. Yr.		
<u>[School Name]</u>	<u>[Location]</u>	<u>1943</u>	<u>1948</u>	<u>Yes</u>	<u>[Subject]</u>
<u>[School Name]</u>	<u>[Location]</u>	<u>1947</u>	<u>1948</u>	<u>Yes</u>	<u>[Subject]</u>
<u>[School Name]</u>	<u>[Location]</u>	<u>1948</u>	<u>1948</u>	<u>Yes</u>	<u>[Subject]</u>

25. I understand that the use of intoxicants or narcotics is forbidden and that their use is sufficient cause for dismissal.

26. I agree to permit examination by the physician selected by the Company to determine my physical fitness for employment and to permit further examinations from time to time as considered necessary by the Company.

27. I agree to acquaint myself with and to be governed by the rules and regulations of Southern Pacific Hospital Department as existing or amended, to be used upon application to General Officers, Superintendents, Supervisors, Station Agents, Foremen, Hospital Department Surgeons, or at hospitals operated by Southern Pacific Hospital Department. If during my employment I apply for treatment or care on account of illness or injury, the same shall be under said rules and regulations. I further agree, if employed, to monthly pay roll deduction of hospital fee to the extent that payment thereof is not made by the Company.

28. In connection with my employment by the Company I agree that I will allow Southern Pacific Hospital Department doctors and any other doctors the Company may select to examine my person and body as often as the Company may deem necessary, and I hereby waive all claims against such doctors testifying whenever called upon by the Company. I further agree that representatives of the Company may at any time have access to and be permitted to make copies of any and all hospital and medical charts and records, including x-ray and laboratory records made or maintained by such doctors or any other doctors appertaining to my mental or physical condition, and any doctor or hospital maintaining or having any such records is hereby authorized and directed to permit the Company's representatives to inspect and copy such records.

29. I agree that if I should be injured or should witness an injury or death, or have knowledge in respect thereto while in the service of the Company, I shall upon request promptly furnish to an authorized representative of the Company a full, complete and accurate statement of the facts and circumstances in connection with said injury or death, such statement to be in addition to any report form which I may be required to file in accordance with the Company's rules and regulations.

and accurate. If engaged in business for yourself or if employed by a relative, or in any business or occupation (to have been declined or requested to resign) during such period, and give as references two business firms or banks with whom you transacted business, and you will not be employed by this Company.

NAME AND ADDRESS OF FORMER EMPLOYERS	POSITION OR TYPE OF WORK	FROM		TO		Why did you leave? Give date.
		Mo.	Yr.	Mo.	Yr.	
<i>John J. ...</i>	<i>Police Dept</i>	<i>9</i>	<i>59</i>	<i>10</i>	<i>60</i>	<i>Change to I-5-1</i>
<i>...</i>	<i>I-3-N</i>	<i>10</i>	<i>60</i>	<i>2</i>	<i>62</i>	<i>got good pay</i>
<i>...</i>	<i>I-B-M</i>	<i>3</i>	<i>62</i>			

21. Have you ever been requested to resign from any position? *Yes* If so, name employer, cause, when, where \_\_\_\_\_

22. Have you ever worked under another name? *No* If so, under what name, when, where and for whom \_\_\_\_\_

23. Have you ever injured or been injured by any person? *No* If so, against whom and how was it settled? \_\_\_\_\_

24. Have you ever employed or been represented by an attorney in connection with any claim or suit for damages? *No* If so, state cause, name and address of attorney, party involved and how settled. \_\_\_\_\_

25. Have you ever been arrested or convicted of a crime, or a major traffic violation? *No* Give particulars \_\_\_\_\_

26. I understand that if I enter the service it will be on probation, and that I can not be considered an accepted employee, unless the Company makes a satisfactory reference and determines that in addition to my mastering the details of any job with which I may be entrusted, I possess the qualities of honesty, reliability, carefulness, neatness, and the ability to get along agreeably with fellow-workers and the public. I understand that employment meantime is temporary and may be terminated by the Company at its option, in which event I agree to be discharged from service at once without complaint and will not ask for or expect to be informed of the reasons therefor.

27. I hereby authorize the Company, and its officers, and the officers of any other company, person or firm by which I have been heretofore employed, to answer any or all inquiries as to my conduct and qualifications while in such employment, and so far as they may know, the cause of leaving the same.

28. I understand that I am required to know and comply with the rules and regulations applicable to my employment.

29. I hereby declare that the information given in the foregoing is true and correct and that any misrepresentation or false statement herein will result in my immediate termination of my service regardless of when such fact may be discovered by the Company.

Signature: *John J. ...*  
 Location: *San Francisco, Calif.*  
 Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

Applicant's Signature: *John J. ...*  
 Date: \_\_\_\_\_ 19*62*  
 Approval / Disapproval: \_\_\_\_\_  
 Date: \_\_\_\_\_



1 DECLARATION OF SERVICE BY MAIL

2 I, Lee J. Kubby, say and declare:

3 I am a citizen of the United States, over eighteen  
4 years of age, and not a party to the within action. My  
5 business address is 755 Page Mill Road, Suite A180, Palo  
6 Alto, California 94304. I am an attorney at law licensed by the  
7 State of California.

8 That on

9 January 19, 1989

10 I served the attached:  
11 DECLARATION IN OPPOSITION TO MOTION FOR SUMMARY JUDGEMENT  
12 via United States First Class Mail on the following party of  
13 record:

14 ROBERT S. BOGASON  
15 SOUTHERN PACIFIC TRANSPORTATION COMPANY  
16 One Market Plaza, Room 837  
17 San Francisco, CA 94105  
Telephone: 415-541-1786

18 PATRICK W. JORDAN  
19 WAYNE M. BOLIO  
20 McLAUGHLIN AND IRVIN  
21 111 Pine Street, Suite 1200  
22 San Francisco, CA 94111-5109  
23 TELEPHONE: 415-433-6330

Kathleen S. King, Esq.  
Henning, Walsh & King  
100 Bush Street, Suite 440  
San Francisco, CA 94104  
TELEPHONE (415) 981-4400

24 JOHN H. ERNSTER  
25 One Santa Fe Plaza  
26 5200 E. Sheila Street  
27 Los Angeles, CA 90040  
28 TELEPHONE: 213 267-5605

James M. Darby  
TCIU  
3 Research Place  
Rockville, MD 20850

and by then sealing said envelope and depositing same into  
the United States Mail, postage fully prepaid.

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

Executed on January 19, 1989, at Palo Alto, California.

LEE J. KUBBY

FILED

FEB 06 1989

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM L. WHITTAKER  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1  
2  
3 SIEU MEI TU AND JOSEPH TU, )  
4 Plaintiffs, )  
5 v. )  
6 SOUTHERN PACIFIC )  
7 TRANSPORTATION CO., et al., )  
8 Defendants. )

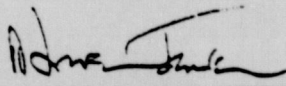
C87-1198-DLJ  
JUDGMENT

ENTERED IN CIVIL DOCKET 2/5, 1989

9  
10 For the reasons stated in the Order signed on this date,  
11 this Court enters JUDGMENT in favor of defendants.

12 IT IS SO ORDERED.

13 DATED: February 6, 1989.

14  
15   
16 \_\_\_\_\_  
17 D. Lowell Jensen  
18 United States District Judge  
19  
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RECEIVED  
FEB 10 1989

McLAUGHLIN AND IRVIN  
SAN FRANCISCO

*for*

85



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE D. LOWELL JENSEN, JUDGE

SIEU MEI TU AND JOSEPH Z. TU, )  
 )  
 . PLAINTIFFS, )  
 )  
 VS. )  
 )  
 SOUTHERN PACIFIC TRANSPORTATION )  
 COMPANY, ET AL., )  
 )  
 DEFENDANTS. )

NO. C 87-1198 DLJ

SAN FRANCISCO, CALIFORNIA  
THURSDAY, FEBRUARY 2, 1989

APPEARANCES:

FOR PLAINTIFF:

LEE J. KUBBY, ESQ.  
755 PAGE MILL ROAD  
SUITE A180  
PALO ALTO, CALIFORNIA 94304

FOR DEFENDANT  
UNION:

TRANSPORTATION COMMUNICATIONS  
INTERNATIONAL UNION 3 RESEARCH PLACE  
ROCKVILLE, MD 20850

BY: JAMES M. DARBY, ESQ.  
ASSOCIATE GENERAL COUNSEL

FOR DEFENDANT  
UNION:

HENNING, WALSH & KING  
100 BUSH STREET  
SAN FRANCISCO, CA 94104

BY: KATHLEEN S. KING, ATTORNEY AT LAW

(APPEARANCES CONTINUED)

REPORTED BY: JAMES YEOMANS, CSR  
COURT REPORTER, USDC

COMPUTERIZED TRANSCRIPTION BY XSCRIBE

APPEARANCES (CONTINUED):

FOR DEFENDANT  
SOUTHERN PACIFIC  
TRANSPORTATION CO.  
& PACIFIC FRUIT  
EXPRESS CO.:

MC LAUGHLIN & IRVIN  
111 PINE STREET  
SUITE 1200  
SAN FRANCISCO, CA 94111

BY: KEVIN P. BLOCK, ESQ.



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THURSDAY, FEBRUARY 2, 1989

1:30 P.M.

THE CLERK: CALLING CIVIL 87-1198, SIEU MEI TU AND JOSEPH TU VERSUS SOUTHERN PACIFIC TRANSPORTATION.

COUNSEL, PLEASE STATE YOUR APPEARANCES FOR THE RECORD.

MR. KUBBY: LEE KUBBY FOR THE PLAINTIFFS.

MR. DARBY: JAMES DARBY FOR THE BROTHERHOOD OF RAILWAY AIRLINE AND STEAMSHIP CLERKS.

MS. KING: KATHLEEN KING ON BEHALF OF THE UNION.

MR. BLOCK: KEVIN BLOCK FOR SOUTHERN PACIFIC AND PACIFIC FRUIT EXPRESS COMPANY.

THE COURT: YOU WANT TO GO AHEAD, MR. BLOCK, ON YOUR MOTION SUMMARY JUDGMENT?

MR. BLOCK: WELL, YOUR HONOR, I WOULD JUST POINT OUT TO THE COURT, THAT THE EVIDENCE OF THE ECONOMIC DECLINE OF PACIFIC FRUIT EXPRESS COMPANY IS UNDISPUTED, AS IS THE STATISTICAL EVIDENCE OF THE IMPACT OF THAT COMPANY'S DEMISE ON THE CLERKS IN THE ACCOUNTING DEPARTMENT.

GIVEN THAT THOSE TWO CRITICAL CATEGORIES OF EVIDENCE ARE UNDISPUTED, IN THE COMPANY'S VIEWS THERE IS BUT ONE CONCLUSION TO-DRAW, AND THAT IS THAT THE PLAINTIFF WAS LAID OFF DUE TO THE ECONOMIC DECLINE OF THE REFRIGERATED RAIL CAR INDUSTRY.

HER BURDEN IS CONSIDERABLE WHEN ONE CONSIDERS PLAINTIFF'S THEORY OF THIS DISCRIMINATION CASE, AND THAT IS THAT

1 THE ECONOMIC DEMISE OF PACIFIC FRUIT EXPRESS COMPANY WAS A  
2 PRETEXT AND A SHAM DESIGNED TO MASK DISCRIMINATION AGAINST THE  
3 PLAINTIFF.

4 THAT IS A VERY, VERY DIFFICULT THEORY TO PROVE ON THIS  
5 RECORD. THE PLAINTIFF HAS NOT EVEN RAISED A TRIABLE ISSUE AS TO  
6 THAT PRETEXT THEORY. THE CASE HAS BEEN GOING ON SINCE THE FALL  
7 OF 1986. PLAINTIFF HAS HAD AMPLE TIME TO DO DISCOVERY AND TO  
8 RAISE A TRIABLE ISSUE.

9 AT THIS LATE DATE THERE IS NO SUCH ISSUE. A TRIAL  
10 WOULD NOT SERVE ANY PURPOSE IN THIS CASE. IT IS APPROPRIATE FOR  
11 SUMMARY DISPOSITION.

12 THE COURT: ALL RIGHT. YOU ALSO HAVE AN ISSUE WITH  
13 REFERENCE TO CONTACT, EX PARTE CONTACT, YOU'RE SEEKING SANCTIONS  
14 FOR THAT?

15 MR. BLOCK: THAT MOTION IS BEFORE YOUR HONOR, IT MAY BE  
16 MOOT, DEPENDING ON THE RULING ON THE SUMMARY JUDGMENT.

17 THE COURT: MR. DARBY, YOU WANT TO ADDRESS THE ISSUE  
18 FROM THE UNION STANDPOINT?

19 MR. DARBY: YES, YOUR HONOR. BEFORE I GET TO THE  
20 MERITS, HOWEVER, MR. KUBBY HAS SUBMITTED A DECLARATION TO THE  
21 COURT ALLEGING THE MOTION -- OUR MOTION SHOULD NOT BE GRANTED  
22 DUE TO THE FACTS THAT HE HAS NOT HAD ENOUGH TIME FOR DISCOVERY,  
23 AND HE ALLEGES THAT THE UNION REFUSED TO PRODUCE CERTAIN  
24 WITNESSES AND TO PRODUCE SOME DOCUMENTS.

25 AT THIS TIME, YOUR HONOR, I'D LIKE TO DEFER TO KATHLEEN



1 KING TO ADDRESS THESE CONTENTIONS.

2 MS. KING: GOOD AFTERNOON, YOUR HONOR.

3 THERE SEEMS TO BE TWO ISSUES MR. KUBBY RAISES IN HIS  
4 RESPONSE WITH REGARD TO DISCOVERY. ONE, IS DOCUMENTS AND THE  
5 OTHER ARE THE DEPOSITIONS OF MR. BALOVICH AND MR. BRACKBILL,  
6 BOTH UNION OFFICERS.

7 THE DOCUMENT PRODUCTION, I THINK IS CLEAR FROM MY  
8 DECLARATION, THE UNION HAS PRODUCED TO MR. KUBBY ALL THE  
9 DOCUMENTS THAT WE HAVE THAT ARE RESPONSIVE TO HIS REQUESTS, AND  
10 THAT WAS DONE BY NOVEMBER 17TH.

11 WITH REGARD TO THE TWO DEPOSITIONS, WE DID SEEK A  
12 CONTINUANCE OF BOTH DEPOSITIONS WHICH HAD ORIGINALLY BEEN  
13 NOTICED FOR LATE OCTOBER, BASED ON A BACK INJURY THAT MR.  
14 BRACKBILL SUFFERED. AT MR. DARBY'S INSTRUCTION I REQUESTED A  
15 CONTINUANCE FOR BOTH DEPOSITIONS, SINCE MR. DARBY WAS FLYING OUT  
16 HERE FROM MARYLAND IN ORDER TO DEFEND AT THOSE DEPOSITION.

17 MR. KUBBY AGREED TO CONTINUE THE DEPOSITION OF MR.  
18 BRACKBILL WHO INJURED HIS BACK. HE REFUSED TO CONTINUE THE  
19 DEPOSITION MR. BALOVICH. ON THAT BASIS I CONTACTED YOUR CLERK  
20 AND I ASKED FOR A REFERENCE TO A MAGISTRATE.

21 I RECEIVED THAT REFERENCE AND I SPOKE TO MAGISTRATE  
22 BRAZIL'S OFFICE WHO I WAS REFERRED TO, AND I REQUESTED A  
23 TELEPHONE CONFERENCE CALL IN ORDER TO RESOLVE WHAT I THOUGHT WAS  
24 A FAIRLY SIMPLE DISPUTE.

25 IT TOOK ME A NUMBER OF TELEPHONE CALLS AND A LETTER TO

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1 MR. KUBBY IN ORDER TO GET HIM TO RESPOND TO ME, BUT WE DID SET  
2 UP A DATE FOR THE MORNING OF OCTOBER 21ST, I BELIEVE IT WAS.  
3 AND I APPEARED IN PERSON SINCE I HAD ANOTHER MATTER HERE IN  
4 COURT. ALTHOUGH, I DID ADVISE MR. KUBBY'S OFFICE I WAS  
5 APPEARING IN PERSON AND MR. KUBBY APPEARED BY TELEPHONE.

6 MAGISTRATE BRAZIL GRANTED OUR REQUEST TO CONTINUE BOTH  
7 DEPOSITIONS BASED ON THE EXPENSE TO THE UNION TO FLY OUT HERE  
8 TWICE AND THEY WERE SET FOR NOVEMBER 21ST AND 22ND.

9 ON NOVEMBER 18TH MY OFFICE RECEIVED A TELEPHONE CALL  
10 FROM MR. KUBBY SAYING THAT HE WAS CANCELING THE DEPOSITION FOR  
11 MONDAY BECAUSE HE HAD TO GO TO TRIAL.

12 I WAS NOT IN THE OFFICE AT THE TIME I WAS IN AN  
13 ARBITRATION HEARING AND MY PARTNER, JOHN HENNING, CALLED MR.  
14 DARBY'S OFFICE TO LET HIM KNOW BECAUSE HE WAS TAKING A FLIGHT  
15 OUT THAT SUNDAY IN ORDER TO BE HERE FOR THE DEPOSITION. AND WE  
16 TRIED TO CONTACT MR. KUBBY ALL THAT DAY IN ORDER TO TRY AND PUT  
17 BOTH DEPOSITIONS ON TUESDAY, IF THAT WAS POSSIBLE, BUT MR. DARBY  
18 WAS NOT AVAILABLE ON WEDNESDAY.

19 WE NEVER GOT A RESPONSE. MR. HENNING, MY PARTNER, SENT  
20 A LETTER CONFIRMING ALL THIS TO MR. KUBBY AND SUGGESTING THAT HE  
21 CONTACT MR. DARBY DIRECTLY IN ORDER TO RESCHEDULE THESE  
22 DEPOSITIONS.

23 WELL, WE HEARD NOTHING MORE ABOUT THAT FOR OVER A  
24 MONTH, UNTIL THE DATE OF JANUARY 4TH WHEN WE WERE SCHEDULED TO  
25 FILE OUR SUMMARY JUDGMENT MOTION, AS HAD ALREADY BEEN SET BY

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1 SCHEDULE OF THE COURT.

2 ON THAT DATE MR. KUBBY CALLED ME AND SAID, "ARE YOU  
3 FILING YOUR SUMMARY JUDGMENT MOTION TODAY?" I SAID "YES, WE  
4 ARE." THEN HE SAID, "I WANT TO TAKE THE DEPOSITION OF MR.  
5 BRACKBILL AND MR. BALOVICH NEXT WEEK." I SAID, "I DOUBT THAT  
6 WOULD BE POSSIBLE IN SHORT NOTICE."

7 I CONTACTED MR. DARBY AND MR. DARBY WROTE MR. KUBBY  
8 REGARDING THOSE DEPOSITIONS AND STATING WE COULDN'T DO IT RIGHT  
9 AWAY ON SUCH SHORT NOTICE AND THAT WE WOULD SEEK SOME ADDITIONAL  
10 DATES.

11 SO IT'S OUR CONTENTION THAT IT'S BEEN MR. KUBBY'S  
12 DELAYS IN THIS CASE THAT HAVE CAUSED HIM NOT TO TAKE THE  
13 DISCOVERY.

14 THE COURT: ANYTHING FURTHER, COUNSEL?

15 MR. DARBY: YES, YOUR HONOR. ON THE MERITS, BASICALLY  
16 THE UNION'S POSITION IS TWO-FOLD: FIRST OF ALL, ALL OF THE  
17 ALLEGATIONS IN THE COMPLAINT AGAINST THE UNION ARE TIME BARRED  
18 UNDER THE SIX MONTH STATUTE OF LIMITATION SET FORTH IN  
19 DELCOSTELLO VERSUS TEAMSTERS.

20 THIS IS CLEAR FROM THE ALLEGATION IN THE COMPLAINT,  
21 FROM OUR BRIEF, WE DISCUSS IN THE BRIEF ITSELF THE DATES UPON  
22 WHICH IT'S ALEDGED THE UNION COMMITTED THESE VIOLATIONS WHICH  
23 ARE OUTSIDE THE SIX MONTH STATUTE OF LIMITATIONS PERIOD.

24 IN ADDITION, MR. KUBBY SENT A LETTER TO THE UNION IN  
25 JANUARY OF 1986 STATING THE UNION HAD TAKEN NO ACTION TO PROTECT

1 THE PLAINTIFF AND THREATENED TO SUE THE UNION FOR QUOTE "BAD  
2 FAITH REFUSAL TO PERFORM ITS CONTRACTUAL DUTIES TO THE  
3 PLAINTIFF."

4 THIS WAS IN JANUARY OF 1986, AND MR. KUBBY -- PLAINTIFF  
5 FILED THE SUIT AGAINST THE UNION IN APRIL OF 1988, AND THE UNION  
6 BELIEVES IT COMPLETELY FLIES IN THE FACE OF THE SUPREME COURT'S  
7 POLICY IN DELCASTELLO FOR THE RAPID DISSOLUTION OF LABOR  
8 DISPUTES. I MIGHT ALSO ADD, YOUR HONOR, SHE WAS REPRESENTED BY  
9 COUNSEL THROUGHOUT THIS ENTIRE TIME PERIOD.

10 SECONDLY, YOUR HONOR, THERE'S ABSOLUTELY NO EVIDENCE OF  
11 RECORD TO CREATE A TRIABLE ISSUE HERE THAT THE UNION BREACHED  
12 THE DUTY OF FAIR REPRESENTATION, THE STANDARD AS YOU KNOW IN  
13 THE -- SET FORTH BY THE UNITED STATES SUPREME COURT, AS WELL AS  
14 THE NINTH CIRCUIT AND THIS COURT, IS THAT THERE MUST BE SOME  
15 EVIDENCE OF ARBITRARY DISCRIMINATORY OR BAD FAITH CONDUCT.  
16 NEGLIGENCE IS INSUFFICIENT.

17 THE PLAINTIFF HAS RAISED NO FACTS TO EVENT ANY TYPE OF  
18 MISCONDUCT IN THIS REGARD. TO THE CONTRARY, DISCUSSED ON PAGES  
19 13 THROUGH 14 OF OUR BRIEF THE UNION FILED THE GRIEVANCE ON THE  
20 PLAINTIFFS BEHALF, AS WELL AS SEVEN OTHER CLAIMANTS THAT WERE  
21 ALSO LAID OFF AND THE PLAINTIFF WAS TREATED IDENTICALLY AS THE  
22 OTHER CLAIMANTS.

23 THE UNION TOOK THE CASE ALL THE WAY TO ARBITRATION.  
24 UNFORTUNATELY, WE LOST. ALL OF THE ALLEGATIONS THAT THE  
25 PLAINTIFF IS RAISING ARE CONCLUSORY ALLEGATIONS WHICH DEAL WITH



1 THE UNION'S FAIL TO PROPERLY INTERPRET THE COLLECTIVE BARGAINING  
2 AGREEMENT, OR TO PRODUCE CERTAIN EVIDENCE IN HANDLING THE  
3 GRIEVANCE AS SET FORTH IN SEVERAL NINTH CIRCUIT CASES. MOST  
4 NOTABLY SEE SALINAS V. MILNE TRUCK LINES; PETERSON VERSUS  
5 KENNEDY; CASTELLI VERSUS DOUGLAS AIRCRAFT. THESE TYPE OF  
6 ALLEGATIONS ARE INSUFFICIENT TO CONSTITUTE A BREACH OF FAIR  
7 REPRESENTATION.

8 BASICALLY, THE CLAIM THE UNION JUST DIDN'T DO A GOOD  
9 ENOUGH JOB AND, UNFORTUNATELY, THAT IS NOT ENOUGH TO DEMONSTRATE  
10 A BREACH OF UNFAIR REPRESENTATION, A BREACH OF DUTY.

11 THE COURT: MR. KUBBY, FIRST START WITH THE ISSUE OF  
12 THE UNION.

13 MR. KUBBY: AS REGARDS THE UNION CASE, YOUR HONOR, THE  
14 VERIFIED COMPLAINT SETS FORTH THAT THE UNION, DURING A TIME IT  
15 WAS SUPPOSEDLY PROCESSING MRS. TU'S CLAIMS AGAINST THE RAILROAD,  
16 WAS NEGOTIATING TO BECOME A SOLE BARGAINING AGENT FOR THE MERGED  
17 RAILROADS, WHICH WAS THEN CONTEMPLATED THE SOUTHERN PACIFIC AND  
18 SANTE FE. AND THAT IT WAS ALSO NEGOTIATING FOR PURCHASE OF THE  
19 SOUTHERN PACIFIC RAILROAD AND, THEREFORE, IT HAD A MOTIVE FOR  
20 NOT PROPERLY PRESENTING HER CASE.

21 THE COMPLAINT ALSO ESTABLISHES THAT IT WASN'T UNTIL  
22 JANUARY OF 1988 WHEN MRS. TU RECEIVED A COPY OF THE ARBITRATION  
23 AWARD THAT SHE LEARNED THAT THE UNION HAD PRESENTED NO EVIDENCE  
24 TO THE ARBITRATOR. THIS IS NOT A QUESTION OF NEGLIGENCE, IT'S A  
25 QUESTION OF TOTAL FAILURE TO PRESENT A CASE.

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1 THE DECLARATIONS ALSO SUPPORT THE FACT THAT THROUGHOUT  
2 THAT PERIOD OF TIME THERE WAS NO CONTACT WITH MRS. TU CONCERNING  
3 WHAT INFORMATION SHE HAD AND WHAT THE BASIS OF HER CLAIMS WERE.  
4 NOR WAS THERE EVEN PRESENTED IN THE ARBITRATION HER CLAIMS OF  
5 WRONGFUL TERMINATION. TURNS OUT THE ONLY CLAIM MADE IN THE  
6 ARBITRATION WAS TRANSFERENCE OF JOBS.

7 THE UNION JUST TOTALLY FAILED TO PROTECT THE SOUTHERN  
8 PACIFIC WHEN MRS. TU HAD MADE DEMAND FOR ARBITRATION OF THESE  
9 ISSUES UNDER THE COLLECTIVE BARGAINING AGREEMENT, AND RESPONDED  
10 THEY WOULD NOT NEGOTIATE WITH HER AND WOULD NOT ARBITRATE WITH  
11 HER. BECAUSE THE UNION WAS PROCEEDING WITH ALL PROTECTION  
12 CLAIMS AND THE CLAIMS OF MRS. TU HAD BEEN SET FORTH BOTH TO THE  
13 UNION AND TO THE RAILROAD.

14 SO THAT, AS FAR AS THE STATUTE OF LIMITATIONS GOES,  
15 THERE IS A TRIABLE ISSUE AS TO DISCOVERY AND THE RIGHT TO RELY  
16 UPON THE REPRESENTATION MADE. THE MATTER WAS PROGRESSING AND  
17 THAT SHE WAS BEING REPRESENTED, AND WASN'T UNTIL JANUARY OF '88  
18 THAT SHE LEARNED SHE WAS TOTALLY UNREPRESENTED AND THAT THERE  
19 WAS NO FAIR REPRESENTATION OF HER.

20 THE COURT: WHY SHOULD WE -- ARE YOU ASKING THAT THERE  
21 SHOULD BE FURTHER DISCOVERY OR THAT IT'S -- THE ISSUE WAS RIPE  
22 FOR DECISION?

23 MR. KUBBY: I HAD NOTICED THE DEPOSITION OF MR.  
24 BALOVICH, AND I HAD CONSISTENTLY REQUIRED THAT MR. BALOVICH'S  
25 DEPOSITION BE TAKEN BEFORE MR. BRACKBILL. MR. BALOVICH WAS THE



1 STEWART OF THE UNION THAT REPRESENTED MRS. TU AND THERE WERE  
2 CERTAIN STATEMENTS MADE BY MR. BALOVICH THAT I NEED IN ORDER TO  
3 PROPERLY EXAMINE MR. BRACKBILL.

4 THAT'S WHY WHEN MS. KING CALLED AND SAID THAT MR.  
5 BRACKBILL COULD NOT BE DEPOSED BECAUSE OF HIS BACK, I INSISTED  
6 ON PROCEEDING ANYWAY IN OCTOBER WITH MR. BALOVICH BECAUSE I  
7 NEEDED HIM BEFORE I TOOK MR. BRACKBILL.

8 THEN WHEN MAGISTRATE BRAZIL ENTERED HIS ORDER AND THE  
9 DEPOSITIONS WERE RESET, WHAT HAPPENED WAS, I WAS IN TRIAL. I  
10 HAD EXPECTED THE TRIAL TO TERMINATE, BUT THE TRIAL WENT THROUGH  
11 THAT MONDAY THE 21ST. IT WAS I THEN WHO SUGGESTED TO MS. KING  
12 THAT WE START THE DEPOSITION, MR. BALOVICH'S DEPOSITION ON  
13 TUESDAY.

14 THE COURT: THAT'S OVER. I'M NOT REALLY ASKING YOU NOW  
15 WHETHER OR NOT YOU ARE ASSERTING THAT BEFORE THE COURT COULD  
16 RULE ON SUMMARY JUDGMENT, AND THAT THIS IS AN AREA WHERE YOU  
17 WISH TO DO FURTHER DISCOVERY AND PRESENT FURTHER EVIDENCE TO THE  
18 COURT?

19 MR. KUBBY: YES, YOUR HONOR.

20 THE COURT: THAT'S YOUR REQUEST?

21 MR. KUBBY: YES, SIR.

22 THE COURT: WITH REFERENCE TO THE OTHER ARGUMENTS, LET  
23 ME SEE WHERE WE ARE. WHAT EVIDENCE DO YOU HAVE ON THE MOTION  
24 THAT THIS IS A PRETEXTURAL DECISION BY THE EMPLOYER?

25 MR. KUBBY: NUMBER ONE, MRS. TU'S AFFIDAVIT PRESENTS

1 THE ISSUE THAT THERE WAS A DESIGN AND PLAN FROM 1982 THROUGH  
2 1985 TO DISBAND PFE BY SOUTHERN PACIFIC.

3 THAT THERE WAS A REFUSAL TO ACCEPT WORK, OR JOBS, OR  
4 CONTRACTS, WHATEVER YOU CATEGORIZE WHAT THEY DID ON THEIR PART.  
5 HER DECLARATION ESTABLISHES THEY DIDN'T EVEN WANT THEIR  
6 TELEPHONE ANSWERED BECAUSE IT MIGHT BRING THEM IN SOME BUSINESS.  
7 WHICH IS IN CONTRAST TO THE AFFIDAVIT FILED BY THE RAILROAD  
8 CONCERNING THEIR SOLICITATION OF BUSINESS.

9 IT ALSO -- HER DECLARATION ALSO ESTABLISHES THAT ONCE  
10 PFE'S BUSINESS WAS TRANSFERRED TO THE SP IT PROSPERED AND THAT  
11 IT IS, IN FACT, PROSPERING UNDER THE DIRECTION OF THE SOUTHERN  
12 PACIFIC.

13 SO THAT THE ECONOMIC DECLINE PROVISIONS OF THE  
14 COLLECTIVE BARGAINING AGREEMENT WERE CLEARLY DESIGNED FOR  
15 TEMPORARY HIATUSES IN BUSINESS. IT WASN'T DESIGNED FOR  
16 TRANSFERENCE OF THE BUSINESS TO ANOTHER ENTITY. WHICH IS  
17 EVIDENCED BY THE FACT THAT UNDER THAT PROVISION THERE IS A  
18 FURLOUGH WHERE THE EMPLOYEE IS REQUIRED TO STANDBY ON TWO WEEKS  
19 NOTICE TO RETURN TO WORK. SO THAT IT IS CONTEMPLATED IT IS A  
20 TEMPORARY MATTER.

21 HERE ALL OF THE BUSINESS WAS TRANSFERRED TO THE SP IS  
22 DOING WELL, AND THE CLAIM THAT THEY WERE TERMINATING MRS. TU  
23 BECAUSE OF DECLINE IN BUSINESS IS INAPPROPRIATE.

24 FURTHERMORE, SHE HAS SHOWN THAT THE -- THEY HAVE, IN  
25 FACT, HIRED NEW EMPLOYEES TO PERFORM THE SAME SERVICES THAT SHE

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3  
1 PERFORMED. THAT THEY HAVE HIRED BACK ALL OF THE OTHERS WHO WERE  
2 SO-CALLED FURLOUGHED OR DISCHARGED AT THE TIME SHE WAS, BUT THAT  
3 SHE HAS NOT BEEN CALLED BACK.

4 THAT HER WORK RECORD WAS EXEMPLARY. SHE HAS ALL KINDS  
5 OF LETTERS OF RECOMMENDATION IN HER PERSONNEL FILE WHICH IS  
6 ATTACHED TO HER DECLARATION. THAT THE SELECTION PROCESS FORCE  
7 WHO WOULD BE TRANSFERRED TO THE SP WAS DISCRIMINATORY IN THE WAY  
8 THAT THEY HANDLED IT.

9 THAT THIS WAS, IN FACT -- AND THAT'S WHAT IN FACT HAS  
10 HAPPENED TO HER, IS NOT ONLY WAS SHE DISCRIMINATED AT THE TIME  
11 OF TERMINATION, BUT SHE HAS BEEN CONTINUOUSLY DISCRIMINATED  
12 SINCE THEN BECAUSE SHE HAD THE AUDACITY TO CALL THE EMPLOYER IN  
13 TO QUESTION FOR ITS DISCRIMINATION AGAINST HER.

14 IT'S CLEAR THAT THIS IS A RETALIATORY DISCHARGE AND  
15 THAT HER CLAIM -- THAT SHE HAS ANY VALID CLAIM. SO THAT I THINK  
16 THAT THERE ARE PRESENTED MATERIAL QUESTIONS OF FACT THAT ARE IN  
17 DISAGREEMENT AS TO CALL FOR A TRIAL OF THE MATTER.

18 THE COURT: LET'S DO THE EX PARTE COMMUNICATION THEN.  
19 THERE'S A MOTION WITH REFERENCE TO THAT IN TERMS OF AN ISSUE  
20 ABOUT WHETHER OR NOT THERE WAS AN EX PARTE COMMUNICATION YOU  
21 MADE WITH THE PARTIES HERE.

22 THE RECORD SO FAR, THE MOTION WAS FILED, AFFIDAVIT WAS  
23 FILED, THERE'S NOTHING THAT'S BEFORE THIS COURT THAT INDICATES  
24 YOU DID NOT MAKE THE COMMUNICATION.

25 MR. KUBBY: THERE IS, YOUR HONOR, MRS. TU'S

1 DECLARATION.

2 THE COURT: I DIDN'T SAY THAT. I SAID, I'VE SEEN THE  
3 DECLARATION, I HAVE NOTHING THAT SAYS THAT YOU DID NOT MAKE IT.

4 MR. KUBBY: I DON'T EVEN KNOW WHAT THEY'RE TALKING  
5 ABOUT, YOUR HONOR.

6 THE COURT: YOU TELL ME, ARE YOU TELLING ME YOU DENIED  
7 YOU MADE ANY SUCH COMMUNICATION?

8 MR. KUBBY: YES, YOUR HONOR. I HAVE NO -- I CAN'T EVEN  
9 FOCUS ON WHAT THEY'RE TALKING ABOUT. I MEAN, MRS. TU -- THERE  
10 HAS BEEN A CONSTANT THREAD IN THIS CASE, AFTER HER DEPOSITION,  
11 EVERY TIME THEY'VE TALKED TO MRS. TU THEY KEEP ASKING HER IF ONE  
12 OF HER SONS IS AN ATTORNEY AND HER SONS ARE NOT ATTORNEYS.

13 BUT HER DECLARATION -- I MEAN, THE DECLARATION THAT  
14 THEY FILED IN THIS MATTER, SAYS THAT HER ATTORNEY WAS WITH HER  
15 WHEN SHE HAD THE INTERVIEW. IT WAS HER SON WHO IS NOT AN  
16 ATTORNEY. IT WASN'T ME AND I JUST DON'T KNOW WHAT THEY'RE  
17 DOING. AND I FOUND THE RAILROAD'S EVEN QUESTIONING THIS MATTER  
18 TO BE AUDACIOUS AND INSUFFERABLE AND EVERYTHING ELSE. CONDITION  
19 IMPOSED BY MR. BLOCK --

20 THE COURT: I'M TRYING TO GET AT WHETHER OR NOT THERE'S  
21 AN ISSUE BEFORE THE COURT NOW OF VIOLATION OF PROFESSIONAL  
22 CONDUCT STANDARDS BY YOUR CONTACT OF THE PARTY, AND YOU'RE  
23 TELLING ME NOW THAT YOU DID NOT MAKE THE CONTACT THAT THEY  
24 COMPLAIN ABOUT; IS THAT CORRECT?

25 MR. KUBBY: CORRECT, YOUR HONOR.



1 THE COURT: OKAY. WOULD HAVE BEEN EASIER TO DO THAT IN  
2 THE PAPERS.

3 MR. KUBBY: I DON'T THINK THEY DEMONSTRATED SUCH A  
4 CONTACT WAS MADE. THERE'S A DIFFERENCE OF APPROACH, I SUPPOSE.

5 THE COURT: YES. OKAY.

6 MR. KUBBY: I DIDN'T FEEL IT WAS WORTHY OF EVEN  
7 RESPONDING TO IT.

8 THE COURT: WELL, IT IS WORTHY OF RESPONDING. OKAY.  
9 LET'S GET SOME FURTHER RESPONSE. YOU WANT TO GO AHEAD? LET'S  
10 JUST BRIEFLY RESPOND TO THE ISSUES THAT HAVE BEEN POSED.

11 YOU WANT TO RESPOND TO THE MERITS, MR. DARBY?

12 MR. DARBY: YES. YOUR HONOR. SIMPLY PUT, THE  
13 PLAINTIFF HAS STILL FAILED TO RAISE ANY ISSUE REGARDING WHETHER  
14 OR THE UNION'S CONDUCT WAS ARBITRARY, DISCRIMINATORY, BAD FAITH  
15 FAILURE TO PRESENT EVIDENCE AT AN ARBITRATION OR GRIEVANCE  
16 HEARING, DOES NOT CONSTITUTE A BREACH OF FAIR REPRESENTATION.  
17 NOR DOES THE FAILURE TO CONSULT WITH A MEMBER CONSTITUTE THE  
18 BREACH OF FAIR REPRESENTATION.

19 ALL YOU NEED DO IS LOOK AT THE DECLARATION OF UNION  
20 OFFICER BOB BRACKBILL WHICH INDICATES TO THE CONTRARY. THAT THE  
21 UNION DID PRESENT ALL THE EVIDENCE THAT IT COULD, IT HAD WITHIN  
22 ITS MEANS. AND ALSO THAT THE UNION DID CONSULT WITH MRS. TU  
23 THROUGH MEETINGS SHE WAS AT AND ALSO SENT A LETTER TO MR. KUBBY  
24 EXPLAINING WHAT THE UNION WAS DOING.

25 THE ALLEGATION CONCERNING AN ALLEGED CONFLICT OF

1 INTEREST ARISING OUT OF THE UNION'S PURPORTED ATTEMPT TO BECOME  
2 THE BARGAINING AGENTS OF A MERGED RAILROAD, THE BASIS FOR THIS,  
3 YOUR HONOR, ARE NEWSPAPER CLIPPINGS.

4 THE FACT IS THAT THE UNION WAS ALREADY REPRESENTING  
5 EMPLOYEES ON THE SANTE FE RAILROAD. THERE WAS NO NEED TO BECOME  
6 THE BARGAINING REPRESENTATIVE. IN ANY EVENT, THERE'S NO  
7 CORRELATION POINTED OUT BY THE PLAINTIFF THAT HAD ANYTHING TO DO  
8 WITH HER CASE.

9 IN ANY EVENT, THE PLAINTIFF KNEW OF THIS ALLEGATION IN  
10 MAY OF 1987 AT A DEPOSITION TAKEN OF MRS. TU BY THE SP. PAGES  
11 158 AND 159 OF THAT DEPOSITION PLAINTIFF'S COUNSEL REFERRED TO  
12 THIS ALLEGED CONFLICT OF INTEREST. THAT WAS IN MAY OF 1987 AND,  
13 AGAIN, THE LAWSUIT WAS FILED IN APRIL OF '88, SO THAT WOULD EVEN  
14 BE TIME BARRED.

15 THE CLAIMS THAT THE UNION PROGRESSED ON THE PLAINTIFF'S  
16 BEHALF HAD IT PREVAILED IN ARBITRATION WOULD HAVE PROVIDED  
17 EMPLOYMENT FOR MRS. TU AND/OR GIVEN HER THE ALTERNATIVE FOR  
18 SEVERANCE PAY.

19 THE UNION FAILED IN ARBITRATION, AND NOW PLAINTIFF IS  
20 TRYING TO HAVE AN ARBITRATION AWARD, IN EFFECT, OVERTURNED. AND  
21 IT JUST CANNOT BE DONE BASED ON THE CONCLUSORY ALLEGATIONS THEY  
22 ARE RAISING.

23 FURTHER, YOUR HONOR, WITH RESPECT TO FURTHER DISCOVERY,  
24 UNDER RULE 56(F) IT IS NOT ENOUGH FOR A PARTY TO CONTEND THAT IF  
25 I HAD THE CHANCE TO TAKE MORE DISCOVERY I WOULD BE ABLE TO GET



1 MORE EVIDENCE.

2 IT'S -- THE BURDEN IS ON THE PARTY TO ACTUALLY STATE  
3 WHAT FACTS THEY WOULD BE LOOKING FOR IN MOVING FOR FURTHER  
4 DISCOVERY, AND THAT SUCH FACTS WOULD BE RELEVANT TO THE OUTCOME  
5 OF THE CASE. AND I'D LIKE TO CITE TO THE COURT TWO CASES IN  
6 THIS REGARD. THE CASE OF VOLK V. D. A. DAVIDSON, 816 F. 2D  
7 1406, AND THE TREATMENT OF THAT ISSUE IS AT PAGE 1416. AND ALSO  
8 UNITED STATES OF AMERICA VERSUS \$5,644,544 IN U.S. CURRENCY,  
9 CITED 799 F. 2D 1357 AND IN WHICH THE DISCUSSION OF RULE 56(F)  
10 IS AT PAGE 1363.

11 JUST IN CONCLUSION, YOUR HONOR, THE UNION DID ALL IT  
12 COULD FOR MRS. TU. FILED CLAIMS ON HER BEHALF. TOOK IT ALL THE  
13 WAY TO ARBITRATION, WHICH IS AN EXPENSIVE AND TIME CONSUMING  
14 PROCESS AND FAILED, BUT THE PLAINTIFF HAS NOT RAISED ANY  
15 EVIDENCE OF A TRIABLE ISSUE THAT THE UNION ENGAGED IN ANY  
16 ARBITRARY, DISCRIMINATORY OR BAD FAITH CONDUCT.

17 THE COURT: OKAY. MR. BLOCK, BRIEFLY DO YOU WANT TO  
18 RESPOND?

19 MR. BLOCK: YES, YOUR HONOR. THE RAILROADS HAVE DONE  
20 EVERYTHING THEY CAN TO DEMONSTRATE TO THE COURT AT THIS STAGE OF  
21 THE PROCEEDING THAT PFE WENT OUT OF BUSINESS BECAUSE OF FACTORS  
22 BEYOND ITS CONTROL IN THE ECONOMY.

23 THE COURT HAS THE DECLARATION OF MR. ALAN (PHOENTIC)  
24 DISCUSSING THE COMPETITION FROM THE TRUCKING INDUSTRY, THE  
25 CITRUS FREEZES AND SO FORTH. AND THE COURT HAS THE DECLARATION

1 OF MR. FEND OF THE DECISSION MAKING PROCESS AS TO THE CLERKS AND  
2 AS TO MRS. TU SPECIFICALLY.

3 IN RESPONSE TO THAT THE PLAINTIFFS SUGGEST SHE WAS  
4 INSTRUCTED NOT TO ANSWER HER TELEPHONE, AND THAT THIS RAISES A  
5 TRIABLE ISSUE AS TO WHETHER PFE WAS PURPOSEFULLY TRYING TO GO  
6 OUT OF BUSINESS IN ORDER TO TERMINATE HER.

7 THE PLAINTIFF'S BURDEN IS TO RAISE, NOT ONLY A TRIABLE  
8 ISSUE, BUT A GENUINE ISSUE AS TO A MATERIAL FACT. I DON'T THINK  
9 THAT'S BEEN DONE.

10 THE COURT: DO YOU HAVE ANY FURTHER INFORMATION ON THE  
11 ISSUE OF THE CONTACT?

12 MR. BLOCK: I DO NOT, YOUR HONOR. I HEARD MR. KUBBY'S  
13 REPRESENTATION TO THE COURT, AND THE ONLY CONCLUSION THAT CAN BE  
14 DRAWN BASED ON THAT REPRESENTATION IS THAT SOMEONE CALLED THE  
15 SUPERVISOR AT SOUTHERN PACIFIC AND HELD HIM OR HERSELF OUT TO BE  
16 AN ATTORNEY.

17 THE COURT: YOU HAVE NOTHING FURTHER TO OFFER THAN WHAT  
18 YOU OFFERED NOW?

19 MR. BLOCK: NO.

20 THE COURT: OKAY. ON THE -- THAT EX PARTE CONTACT I  
21 DON'TE THINK THERE'S ANYTHING THE COURT WOULD BE ABLE TO DO ON  
22 THE BASIS OF THE INFORMATION, IT SEEMS TO ME. THERE'S NOTHING  
23 TO SUGGEST MR. KUBBY IS NOT TELLING ME EXACTLY WHAT TOOK PLACE.  
24 SO I'M GOING TO DROP THE ISSUE WITH REFERENCE TO ANY EX PARTE  
25 CONTACT.



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ON THE OTHER MATTERS ARE THEY SUBMITTED?

MR. DARBY: YES.

THE COURT: ALL RIGHT. WE'LL RULE ON THOSE, AND THEN  
IF THERE'S A NEED FOR A SETTING WITH REFERENCE TO FURTHER  
SCHEDULING AND IF I GRANT YOUR MOTION FOR FURTHER DISCOVERY I'LL  
RULE AT THE SAME TIME.

(THE ABOVE MATTER ADJOURNED AT 1:55 P.M.)

CERTIFICATE OF REPORTER

I, JAMES YEOMANS, CERTIFIED SHORTHAND REPORTER FOR THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, 450 GOLDEN GATE AVENUE, SAN FRANCISCO, CALIFORNIA, DO HEREBY CERTIFY:

THAT THE FOREGOING TRANSCRIPT, PAGES NUMBERED 1 THROUGH 20 INCLUSIVE, CONSTITUTES A TRUE, FULL AND CORRECT TRANSCRIPT OF MY SHORTHAND NOTES TAKEN AS SUCH PRO TEM REPORTER OF THE PROCEEDINGS HEREINBEFORE ENTITLED, AND REDUCED TO TYPEWRITING THROUGH THE USE OF THE XSCRIBE COMPUTER SYSTEM TO THE BEST OF MY ABILITY.

DATED: OCTOBER 4, 1989

James Yeomans  
JAMES YEOMANS, CSR 4039  
USDC SHORTHAND REPORTER



1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

FILED

FEB 06 1989

WILLIAM L. WHITTAKER  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

3 SIEU MEI TU and JOSEPH TU, )

4 Plaintiffs, )

5 v. )

6 SOUTHERN PACIFIC TRANSPORTATION )  
7 COMPANY, et. al., )

8 Defendants. )  
9 \_\_\_\_\_ )

C87-1198-DLJ  
ORDER GRANTING DEFENDANTS'  
MOTIONS FOR SUMMARY  
JUDGMENT AND DENYING  
DEFENDANTS' MOTION TO  
DISQUALIFY

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11 The Court heard defendants' Motions for Summary Judgment  
12 and for Disqualification on February 2, 1989. Appearing for  
13 plaintiffs Sieu Mei Tu and Joseph Tu was Lee J. Kubby.

14 Appearing on behalf of defendant Southern Pacific and Pacific  
15 Fruit Express was Kevin P. Block. Appearing for the Union  
16 defendants were James M. Darby and Kathleen S. King.

17 Plaintiff Sei Mei Tu is a sixty-two year old asian  
18 female. Plaintiff claims that her employment with defendant  
19 Pacific Fruit Express ("PFE") was terminated because of her  
20 age, sex and race in violation of the California Fair  
21 Employment and Housing Act ("FEHA"). Cal.Gov.Code §§ 12900-  
22 12993 (1980). Plaintiffs also contend that they have suffered  
23 a loss of consortium as a result of defendants' actions.  
24 Finally, plaintiffs claim that the defendant unions breached  
25 their duty of fair representation under federal labor law.  
26 After reviewing the briefs submitted by the parties, the  
27 arguments of counsel and the applicable law, the Court hereby  
28

1 GRANTS defendants' Motions for Summary Judgment.

2 Also before the Court is defendants' Motion for  
3 Disqualification of plaintiffs' counsel. This motion is based  
4 on defendants' contention that plaintiffs' counsel engaged in  
5 unethical conduct by communicating, ex parte, with an employee  
6 of Southern Pacific regarding this litigation. Based on the  
7 representations made by Mr. Kubby during oral argument that no  
8 such communication occurred, the Court hereby DENIES  
9 defendants' Motion for Disqualification.

10 I.

11 Under Rule 56(c) of the Federal Rules of Civil Procedure,  
12 summary judgment may be granted when "the pleadings,  
13 depositions, answers to interrogatories, and admissions on  
14 file, together with the affidavits, if any, show that there is  
15 no genuine issues as to any material fact and that the party  
16 is entitled to a judgment as a matter of law."

17 In a motion for summary judgment, the Supreme Court has  
18 held that the moving party has the "burden of showing the  
19 absence of material fact." Adickes v. S.H. Kress and Co., 90  
20 S.Ct. 1598, 1608 (1970). However, the Court has also stated  
21 that summary judgment could issue "after adequate time for  
22 discovery and upon motion, against a party who fails to make a  
23 showing sufficient to establish the existence of an element  
24 essential to that party's case, and on which that party will  
25 bear the burden of proof at trial." Celotex Corp. v. Catrett,  
26 106 S.Ct. 2548, 2552-54 (1986).





1           1) she belongs to a protected group;  
2           2) her job performance was satisfactory;  
3           3) she was discharged from her position;  
4           4) others not in the protected class were retained by  
5 defendants.

6           Mixon v. Fair Employment & Housing Commission, 192  
7 Cal.App.3d 1306, 1318 (1987) (citing McDonald v. Santa Fe Trail  
8 Transportation Co., 427 U.S. 273 (1976)).

9           After the initial prima facie case is presented by  
10 plaintiff, defendants are given an opportunity to rebut  
11 plaintiff's case by showing that there was a legitimate reason  
12 for dismissal. Id. at 1317. "The defendant need not persuade  
13 the court that it was actually motivated by the proffered  
14 reasons. It is sufficient if the defendant's evidence raises  
15 a genuine issue of fact as to whether it discriminated against  
16 the plaintiff." Id. at 1318 (quoting Texas Dept. of Community  
17 Affairs v. Burdine, 450 U.S. 248, 254 (1981)). The Ninth  
18 Circuit has held that economic hardship is a sufficient reason  
19 to terminate an employee. Gianaculas v. Trans World Airlines,  
20 Inc., 761 F.2d 1319, 1395 (9th Cir. 1985); Clutterham v.  
21 Coachmen Industries, Inc., 169 Cal.App.3d 1223, 1227, 215  
22 Cal.Rptr. 795 (1985).

23           If a defendant succeeds in creating a genuine issue of  
24 material fact concerning the reason for dismissing an  
25 employee, the burden of proof then shifts back to the  
26 plaintiff to prove "that the proffered reason was not the true  
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1 reason for the employment decision." Id. A plaintiff may  
2 accomplish this either directly by "persuading the court that  
3 a discriminatory reason more likely motivated the employer or  
4 indirectly by showing that the employer's proffered  
5 explanation is unworthy of credence." Id. at 1318-19. (citing  
6 Burdine, 450 U.S. at 256).

7 In the present case, plaintiff Sieu Mei has stated a  
8 prima facie case of discrimination. She is a member of three  
9 protected groups. Her job performance prior to her dismissal  
10 was at the very least satisfactory, and several of her  
11 superiors rated her work as exceptional. She was furloughed  
12 instead of being transferred to SP in 1985. Other employees  
13 who were not over 40, female, or asian, were transferred into  
14 positions at SP that Sieu Mei was qualified to perform. Thus,  
15 a prima facie showing of intentional discrimination has been  
16 made by plaintiffs.

17 Defendants have rebutted the presumption of  
18 discrimination created by plaintiffs' initial showing by  
19 offering substantial proof supporting their contention that  
20 Sieu Mei was furloughed for economic reasons. PFE had  
21 experienced a severe decline in business due to increased  
22 competition from the trucking industry prior to the 1985  
23 merger. Defendants assert that Seiu Mei was not transferred  
24 to SP because the position she was in at PFE was not needed at  
25 SP. Defendants provided the Court with sufficient evidence to  
26 create a genuine issue of material fact as to whether  
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1 intentional discrimination motivated the decision to furlough  
2 plaintiff. This position is supported by the fact that other  
3 employees who are not members of a protected class were also  
4 not transferred to SP following the merger. Accordingly,  
5 defendants have satisfied their burden of rebutting  
6 plaintiffs' prima facie case of discrimination.

7 Plaintiffs have failed to present evidence which raises a  
8 genuine issue related to defendants' factual showing of  
9 economic hardship. Although plaintiffs assert that PFE  
10 intentionally turned away business prior to the merger in  
11 order to facilitate the combination of SP and PFE, the  
12 evidentiary showing necessary to support this assertion is  
13 clearly insufficient. After ample time for discovery has  
14 passed, plaintiffs have not presented the Court with evidence  
15 sufficient to overcome defendants' justification for their  
16 actions. Thus, plaintiffs have not met their overall burden  
17 and have not stated a valid claim for intentional  
18 discrimination against SP and PFE.

19 III.

20 Plaintiffs' state tort claim for loss of consortium is  
21 dependent upon the validity of the underlying discrimination  
22 action. Santiago v. Employees Benefits Services, 168  
23 Cal.App.3d 898, 906, 241 Cal.Rptr. 679 (1985). Because  
24 plaintiffs have failed to state a claim for discrimination,  
25 summary adjudication of this claim is also appropriate.  
26 Accordingly, defendants' Motion for Summary Judgment is also



1 GRANTED for plaintiffs' loss of consortium claim.

2 IV.

3 Plaintiffs claim against the defendant Unions alleges  
4 that Union representatives breached their duty of fair  
5 representation under section 301 of the National Labor  
6 Relations Act, 29 U.S.C. §§ 151-188 (1984), by not fully  
7 prosecuting plaintiff Sieu Mei's grievance against PFE.

8 Claims for breach of a union's duty of fair  
9 representation under section 301 are subject to a six month  
10 statute of limitations. DelCostello v. International  
11 Brotherhood of Teamsters, 462 U.S. 151 (1983). This statute  
12 of limitations begins to run when "an employee knows or should  
13 know of the alleged breach of the duty of fair  
14 representation." Galindo v. Stoodly Co., 793 F.2d 1502, 1503  
15 (9th Cir. 1986).

16 This cause of action was filed in April of 1988.  
17 Plaintiffs and their attorney were aware of the procedures  
18 being followed by the Union defendants to prosecute  
19 plaintiffs' grievance in 1986. Plaintiffs' counsel admitted  
20 knowledge of the acts alleged to constitute a breach of  
21 defendants' duty in a letter dated January 20, 1986,  
22 threatening to sue defendants for breach of their duty.  
23 Therefore, because the six month statute of limitations had  
24 expired prior to the filing of this claim, defendant Unions'  
25 Motion for Summary Judgment of plaintiffs' claim under section  
26 301 is GRANTED.

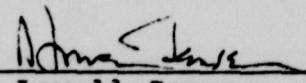
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v.

Therefore, defendants' Motions for Summary Judgment are hereby GRANTED as to plaintiffs' claims for discrimination, loss of consortium and breach of the duty of fair representation. Defendants Motion for Disqualification is hereby DENIED.

IT IS SO ORDERED.

DATED: February 6, 1989.

  
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D. Lowell Jensen  
United States District Judge



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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SIEU MEI TU AND JOSEPH Z. TU, ) NO. C-87-1198-DLJ  
 )  
 ) PLAINTIFFS, ) COURT OF APPEALS  
 ) DOCKET NO. 89-16186  
 )  
 ) VS. )  
 ) SAN FRANCISCO, CALIFORNIA  
 )  
 ) SOUTHERN PACIFIC TRANSPORTATION )  
 ) COMPANY, ET AL., ) APRIL 12, 1989  
 )  
 ) DEFENDANTS. )  
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TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE D. LOWELL JENSEN, JUDGE

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