HONORABLE ROBERT S. LASNIK 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF WASHINGTON 9 AT SEATTLE 10 11 Case No. 16-CV-01626-RSL KAREY MARTINEZ, 12 DECLARATION OF ROBERT Plaintiff, 13 JOHNSON IN SUPPORT OF DEFENDANT TOTAL TERMINALS 14 V. INTERNATIONAL LLC'S MOTION FOR AN INJUNCTION, SSA MARINE and TOTAL 15 PURSUANT TO 28 U.S.C. §§ 1446 AND 1651, AGAINST FURTHER TERMINALS INTERNATIONAL LLC, 16 STATE COURT PROCEEDINGS. Defendant. AND A TEMPORARY 17 RESTRAINING ORDER (FED. R. CIV. P. 65; 28 U.S.C. § 1651) 18 19 NOTE ON MOTION CALENDAR: November 14, 2016 20 21 22 23 24 25 26 27

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Declaration of Robert Johnson Page 1 CASE NO. 2:16-cv-01626 Atkinson, Andelson, Loya, Ruud & Romo 201 SOUTH LAKE AVENUE, SUITE 302 PASADENA, CALIFORNIA 91101 PH: 626 583 8600 • FAX: 626 583 8610

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I am over the age of 18 and reside in the County of Los Angeles,

I, Robert Johnson, declare as follows:

California. I am employed by Total Terminals International, LLC ("TTI"), as its Vice President for Labor Relations, Safety, and Compliance, and I have been employed as such or in another labor relations position with TTI since 2011. I worked in a labor relations capacity for other terminal operators on the U.S. West

Coast between 1997 and 2011.

On October 20, 2016, I appeared on behalf of TTI in the King County District Court, located at 601 SW 149th Street, Burien, Washington 98166. The presiding judicial officer was Judge David M. Christie. Although TTI's counsel had removed this matter to the United States District Court for the Western District of Washington earlier that week, and although Judge Christie indicated on the record that he had received a copy of TTI's notice of removal, he insisted on proceeding with the matter in King County District Court and set a further hearing date of November 17, 2016. Judge Christie indicated that he would address the merits of the plaintiff's claim notwithstanding TTI's notice of removal.

TTI will be irreparably injured if Karey Martinez can strip TTI of its rights under the collective bargaining agreements by simply taking his disputes to state court and having the State Court ignore this Court's removal jurisdiction. TTI loses those benefits even by having to litigate the matter on the merits before the State Court.

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Declaration of Robert Johnson Page 2

CASE NO. 2:16-cv-01626

ATKINSON, ANDELSON, LOYA, RUUD & ROMO 201 SOUTH LAKE AVENUE, SUITE 302 PASADENA, CALIFORNIA 91101 DH. 676 583 8600 . FAY. 676 583 8610

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

Executed this 14th day of November 2016, at Long Beach, California.

ROBERT JOHNSON

CERTIFICATE OF SERVICE

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STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

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I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 201 South Lake Avenue, Suite 302, Pasadena, California 91101-4869.

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On November 14, 2016, I served the following document(s) described as **DECLARATION OF ROBERT JOHNSON IN SUPPORT OF DEFENDANT** TOTAL TERMINALS INTERNATIONAL LLC'S MOTION FOR AN INJUNCTION, PURSUANT TO 28 U.S.C. §§ 1446 AND 1651, AGAINST FURTHER STATE COURT PROCEEDINGS, AND A TEMPORARY RESTRAINING ORDER (FED. R. CIV. P. 65; 28 U.S.C. § 1651) on the

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interested parties in this action as follows:

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Karey Martinez

Plaintiff, Pro Se

11 Unit 332

13036 SE Kent Kangley Rd

*SERVED VIA U.S. MAIL

12 Kent, WA 98030

13 William K. Miller Defendant SSA MARINE INC.

WILLIAMS COIE LLP 14

1201 Third Avenue – Suite 4900

**SERVED VIA E-MAIL

15 Seattle, WA 98101

E-Mail: wmiller@perkinscoie.com 16

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BY MAIL: I placed a true and correct copy of the document(s) in a sealed envelope for collection and mailing following the firm's ordinary business practices. I am readily familiar with the firm's practice for collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

BY EMAIL: My electronic service address is rdennis@aalrr.com. Based on agreement of the parties to accept service by electronic means, at ** wmiller@perkinscoie.com, I sent such document to the email address listed above or on the attached Service List.

Declaration of Robert Johnson CASE NO. 2:16-cv-01626

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on November 14, 2016, at Pasadena, California. Regina R. Dennis

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