

HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

KAREY MARTINEZ,

Plaintiff,

v.

TOTAL TERMINALS  
INTERNATIONAL LLC AND SSA  
MARINE

Defendants.

Case No. 16-CV-01626-RSL

**DECLARATION OF THOMAS A.  
LENZ IN SUPPORT OF  
DEFENDANT TOTAL TERMINALS  
INTERNATIONAL LLC'S REPLY  
IN SUPPORT OF 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)**

NOTE ON MOTION CALENDAR:  
December 9, 2016

1 I, Thomas A. Lenz, state the following under penalty of perjury in accordance  
2 with the laws of the United States of America:

3 1. I am over the age of 18 and am otherwise competent to testify.

4 2. I am an attorney with the law firm of Atkinson, Andelson, Loya, Ruud  
5 & Romo, and I represent defendant Total Terminals International LLC in this  
6 matter.

7 3. Attached hereto as Exhibit 1 is a true and correct copy of the email  
8 correspondence sent by plaintiff Karey Martinez to my firm on November 24, 2016.

9  
10 Dated: December 9, 2016

ATKINSON, ANDELSON, LOYA, RUUD &  
ROMO

11  
12 By: /s/ Thomas A. Lenz

13 Thomas A. Lenz WA-SBN-43370  
14 Atkinson, Andelson, Loya, Ruud & Romo  
201 South Lake Avenue, Suite 302  
Pasadena, California 91101  
15 Ph: 626.583.8600 • Fax: 626.583.8610  
Email: tlenz@aallrr.com  
16 Attorneys for Removing Defendant  
TOTAL TERMINALS  
17 INTERNATIONAL, LLC  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT 1

## Jeffrey M. Jensen

---

**From:** Karey Martinez <kareymartinezlocal19@gmail.com>  
**Sent:** Thursday, November 24, 2016 3:52 PM  
**To:** Lyles, Mary L. (Perkins Coie)  
**Cc:** Jeffrey M. Jensen  
**Subject:** Re: Martinez v. SSA Marine, & TTI Inc., et al.  
**Attachments:** IMG\_1383.JPG; IMG\_1385.JPG; IMG\_1500.JPG; IMG\_1501.JPG; IMG\_1502.JPG; IMG\_1503.jpg; IMG\_1504.jpg

Attached is US District Court Case No. CV 94-1249, Carolyn R Dimmick, District Judge, Presiding, which was appealed to the 9<sup>th</sup> Circuit Court.

You already have a copy of the PMA appeal in SCGM-0015-2016, wherein on page 7 they address the rights of individuals in the PCLCD grievance procedure.

The Frazier v. Local 19 and PMA case on page 2 also addresses the rights of individuals to file grievances using the PCLCD grievance machinery.

It is clear the PCLCD allows me to file 2 kinds of grievances: discrimination grievances under Section 17.4, and a grievance regarding job dispatching under Section 17.73 related to individuals returned to the dispatch hall by the Employer.

My grievance and Small Claims Court case is neither a claim of discrimination nor a claim that I was improperly returned to the dispatch hall by the Employer and therefore not covered by the grievance procedures of the collective bargaining agreement.

If you continue to harass me with your lawsuit based on irreparable harm because of your being "stripped" of your collective bargaining rights, I will report your unethical behavior and threats to the Bar Association.

ps Go fuck yourselves.

Reply  
Forward  
Individual rights under the Contract  
K



5:02 am  
Jim, me (2)

Ok, I'll draft something for my statement from everything you sent me here in the last couple days. First thing Monday. Thanks Km  
On Thursday, November 24, 2016, Jim Tessier <laborrelations@