

Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEATTLE MIDEAST AWARENESS
CAMPAIGN, a Washington non-profit
corporation,

Plaintiff,

vs.

KING COUNTY, a municipal corporation,

Defendant.

No. 2:11-cv-00094-RAJ

DECLARATION OF PAUL BACHTEL
IN SUPPORT OF KING COUNTY'S
BRIEF IN OPPOSITION TO SEATTLE
MIDEAST AWARENESS
CAMPAIGN'S MOTION FOR
PRELIMINARY INJUNCTION

Noted for February 11, 2011

I, Paul Bachtel, declare that:

1. I am over the age of 18, am competent to testify and base this declaration on
personal knowledge.

2. I am currently the President of Local 587 of the Amalgamated Transit Union
(ATU 587), AFL-CIO. I have been associated with the ATU for approximately 20 years,
holding various positions including Chief Shop Steward, Recording Secretary, Board member
and ultimately President.

DECLARATION OF PAUL BACHTEL IN SUPPORT OF
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PRELIMINARY INJUNCTION - 1 (11-00094 RAJ)

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION, Litigation Section
900 King County Administration Building
500 Fourth Avenue
Seattle, Washington 98104
(206) 296-8820 Fax (206) 296-8819

1 3. We are the largest ATU on the west coast and our members include the transit
2 operators who drive buses for King County Metro Transit (Metro).

3 4. In mid-December I became aware of an ad submitted by the Seattle Mideast
4 Awareness Campaign (SeaMAC) to Metro.

5 5. I was sent a link to a newspaper article regarding the ad by a fellow board
6 member of Local 587. I also began hearing through other Local 587 members that there were
7 several operators who were planning to refuse to drive the buses that carried the SeaMAC ad.
8 There were also numerous operators voicing safety concerns about driving the buses with the
9 SeaMAC ad displayed.

10 6. A number of ATU 587 members specifically asked the Union to intervene to stop
11 the SeaMAC ad from running on Metro buses based upon their belief that running the ad would
12 put the operators in harm's way. I estimate that approximately 20 members contacted me.

13 7. On December 22, 2010, I sent an email to numerous elected officials and Metro
14 managers to express my concerns on behalf of the ATU 587 members. A true and correct copy
15 that email is attached as Exhibit A.

16 8. In the 20 years that I have been involved with the ATU 587, I have never seen as
17 visceral a reaction within the membership as this advertising controversy has caused.

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2 I hereby declare under penalty of perjury of the laws of the United States and the State of
3 Washington that, to the best of my knowledge, the foregoing is true and correct.

4 SIGNED and DATED at Seattle, WA this ^{7th} day of February, 2011.

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7 PAUL BACHTEL
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Exhibit A

To: peretz@luxsci.net[peretz@luxsci.net]; J.Rick Sepolen[VPJRIKSEPOLEN@ATU587.com]; Don J. MacAdam[donm@atu587.com]; Paul Neil[pneilfinsec@atu587.com]; Brian Sherlock[Brian.Sherlock@atu587.com]; O'Rourke, Jim[Jim.O'Rourke@kingcounty.gov]; Levin, David[David.Levin@kingcounty.gov]; Andrew Jeromsky[jeromskyatu587@gmail.com]; Chuck Miller[587@n6kw.net]; Clint DeVoss[outdoorbooks@comcast.net]; Dan Thorne[yupyupboy@comcast.net]; Dee Wakenight [deewakenight@hotmail.com]; Eric Butler[jek.butler415@gmail.com]; jjeanyoung@hotmail.com[jjeanyoung@hotmail.com]; Kermit Gipson[kerm.587vm@comcast.net]; Linda Anderson[linda587@comcast.net]; Lisa Nault[lanault@hotmail.com]; Ludwig Becker[ludwiggbecker@gmail.com]; Michael Moore[moo2mc@msn.com]; Michael Shea (micshea@comcast.net)[micshea@comcast.net]; Neal Safrin[nsafrin@comcast.net]; Ninus Hopkins[ninushopkins@comcast.net]; 'Patrick Stevens'[pgstev567@yahoo.com]; Ray Campbell[reylean@webtv.net]; Raymond Mason[raymason1@msn.com]

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From: Paul J. Bachtel

Sent: Wed 12/22/2010 10:40:47 PM

Importance: Normal

Sensitivity: None

Subject: Regarding Driver Safety and the anti-Israel, anti-Jewish ads to run next week.

Categories: -23

Kevin,

I'm writing on behalf of the officers and membership of Local 587 to protest the placement of inflammatory ads on Metro buses. As I know you are aware, Metro is scheduled to run advertising critical of Israeli actions in the middle east beginning Monday, December 27, 2010. I have received numerous phone calls and e-mails asking questions such as, "Does the ATU intend to join in the Jihad against Israel". These type of questions lead me to believe members of our community are capable and desirous of committing acts of violence in response to the proposed advertising.

Let me share with you a few comments from Metro Operators:

1. Are jobs are dangerous enough – why is Metro fanning the flames of discontent?
2. This action is putting us at great risk (from a retired Washington State Trooper now driving part-time for Metro).
3. I served in the Israeli military – is Metro calling me a war criminal?

I urge Metro to honor its mission statement, "... Demonstrate courtesy and respect for customers, fellow employees and our community...". The proposed advertising is obviously contrary to our mission.

Kevin, please pull the proposed ad before someone is killed or injured and rewrite our policy governing the content of advertising to insure this doesn't happen again.

Thank you in advance for your attention to this matter.

Sincerely,

Paul J. Bachtel

President / Business Representative

Amalgamated Transit Union, Local 587

2815 Second Avenue, Suite 230

Seattle, WA. 98121

Tel 206-448-8588

Fax 206-448-4482

E-mail: president.bachtel@atu587.com

This message may be protected by the Union-client privilege and/or work-product

doctrine. If you believe this message has been sent to you in error, then please reply to the sender that you received the message in error and then delete the message. Thank you.