



PORT OF OAKLAND

PRESS RELEASE

For immediate release

May 4, 2004

Port of Oakland contact:

Harold P. Jones

Director of Communications

510 627-1564

hjones@portoakland.com

Representatives of truck owners/operators:

Irvinder Dhanda 510 224-7740

Delph Jean 510 697-3805

Ruben Lopez 510 557-0976

Big Win for Truck Owners/Operators at Port of Oakland

Oakland, CA—May 4, 2004. Independent truck owners/operators who have been struggling with the rising costs of diesel fuel in California made significant progress today. Representatives of the truckers involved negotiated a proposal with the Port of Oakland that will enable them to have significantly greater input into issues that impact their operations.

Jerry Bridges, the Director of Maritime at the Port of Oakland, announced the formation of a committee to help address the serious economic issues facing the industry as well as other trucking issues in and around the Port of Oakland. The Port has committed to facilitating these committee meetings and working with all parties involved to generate effective solutions.

"The purpose of this committee is to address the needs of truck owners/operators and all parties who depend upon them for the movement of cargo," said Bridges. The Port of Oakland will invite the following parties to sit on the committee: representatives of the truck owners/operators, trucking companies, brokers, ocean carriers, terminal operators, and railroads. Furthermore, the agenda for this committee will be set by the Working Group which will be comprised of representatives of the trucker owners/operators and the Port of Oakland. This Working Group will meet later this week.

Irvinder Dhanda, Delph Jean, and Ruben Lopez, representatives of the truck owners/operators say that they are relieved that someone was willing to step in and help develop a dialogue and a platform for issues resolution. They stated that they are pleased that they were able to convince the Port to provide a forum for us to voice our issues to the right people.

- more -

Big win for truck owners/operators at Port of Oakland**Page 2**

"I've been in the trucking business since 1980. This is the most significant effort that I've seen in years in hearing our issues," said C. Alberto, a trucking company owner.

Today's proposal represents an unprecedented step in addressing the difficult economic obstacles facing the trucking industry. The Port of Oakland is committed to continuing the discussions that will affect future operations of this important industry.

With this proposal from the Port of Oakland, the three representatives of the truck owners/operators said they were confident they could convince others to stop demonstrating and go back to moving cargo. However, if discussions with the Committee prove ineffective, the independent truck owners/operators vow to return to their demonstrations at the Port.

###

STRIKS 30th

OWNER OPERTOR DEMAND

1 BASIC RATE MUST BE INCREASE 30% OFF THIS LIST

2 SURCHARGE OF FUEL

IF THE FUEL KEEP 1.95 TO 2.20 WE DEMAND 5% FUEL SURCHARGE 5% FOR EVERY 25CENT A GALLON.

3 DELAY TIME AFTER ONE HOUR \$35

4 STOP OFF \$50.00

5 DRIVER ASSIST \$50.00 PER HOUR

6 RELOAD MUST BE ROUND TRIP

Only Land ON STRIKS

**STRIKE STRIKE STRIKE
CONTINOUSE UNTILL DEMANDS
MEETS**

OR CONTACT YOUR OWNER OPERTOR OF

PTS

TGS

ROAD LINK

GOLDEN EAGLE

ATS

GR TRUCKING

KACH

CAL FRIGHT

FLAP JACK

LMC

GOLDEN VALLEY

VALLY INTERMODEL

KTL

RPM

GOLDEN PACIFIC ✓

GOLD LINE

SUN RISE

PACER

ARL

MNB

TRI STAR

SHAWN

MC

NEW SUN SHINE

VALLEY TRANSPORT

Pacific Coast

EVERGREEN

BAINS

**Service Advisory 04-04**

**Possible Trucker Demonstration/Slowdown In Oakland
On Friday April 30:
PLEASE DELIVER/PICK UP CONTAINERS BY
THURSDAY AFTERNOON**

Broadcast Date: April 28, 2004

To Our Valued Customers:

Truckers who serve the Port of Oakland are organizing a demonstration for Friday, April 30. The issue is operating costs vs. the drayage rates they receive.

Even if your truckers are not involved, it may be difficult to get into our Oakland terminal on Friday although our facility will be open on during normal operating hours of 8 a.m. to 4:30 p.m.

To insure the least amount of impact for the delivery of your cargo it will be best if you get your containers in or out by Thursday.

We will update you as the situation warrants. Thanks in advance for your help.

Sincerely,

Dave Sanborn
Vice President of Operations
APL, Ltd.

**Therefore, PLEASE MAKE ALL PICKUPS AND DELIVERIES BY THURSDAY AT 4:30
P.M**

*If you have any questions, please contact your
APL Account Manager or Customer Service at 1-800-999-7733.*

APL, Ltd.
1111 Broadway
Oakland, CA 94607
www.apl.com



STACK FACTS

April 30, 2004

Electronic Bulletin No. 494

RE: Embargo Oakland, Los Angeles and Lathrop Revision

Dear valued Customer:

Oakland and Los Angeles Facilities (including City of Industry and San Diego) Embargo:

Effective 1300 PDT April 30, 2004 UPRR has issued an embargo against all volume enroute or originating Oakland and all Los Angeles (including City of Industry and San Diego) facilities. This embargo is in response to refusal of truck drivers to haul shipments to/from rail facilities in Oakland and Los Angeles. Formal embargo language will be forwarded when available, however, the parameters are somewhat different (due to UPRR clarity and interpretation from AAR Embargo Committee) from the recent Lathrop/Sacramento embargo.

All loads billed to/from Oakland or Los Angeles PRIOR to 2359 May 2, 2004 will be accepted at UPRR gates. Any load billed to/from Oakland or Los Angeles (including City of Industry and San Diego) facilities AFTER 2359 May 2, 2004, will not be accepted at UPRR gates. Permit system will be established for Oakland and Los Angeles facilities as well.

On-dock marine facilities are **NOT** affected by the Los Angeles embargo.

Revision to Lathrop/Sacramento Embargo:

Effective 1300 PDT April 30, 2004, UPRR will accept Eastbound loads originating at its Lathrop facility WITHOUT permit until further notice. All loads with destination other than Oakland or Los Angeles facilities will be accepted at Lathrop. Embargo of Lathrop destined volume continues and permit must be obtained prior to submitting billing to UPRR or billing will be rejected.

Additional updates will be issued as further information becomes available.

Thank you for your continued patience and understanding.



2656847

1 David L. Alexander - 059069
 Port Attorney
 2 Christopher H. Alonzi - 161303
 Deputy Port Attorney
 3 530 Water Street, 4th Floor
 Oakland, CA 94607
 4 Telephone: (510) 272-1571
 Facsimile: (510) 444-2093

FILED
 ALAMEDA COUNTY

MAY 7 2004

CLERK OF THE SUPERIOR COURT

By James Deputy

5 WULFSBERG REESE COLVIG & FIRSTMAN
 6 PROFESSIONAL CORPORATION
 Charles W. Reese - 045805
 7 Timothy A. Colvig - 114723
 300 Lakeside Drive, 24th Floor
 8 Oakland, CA 94612-3524
 Telephone: (510) 835-9100
 9 Facsimile: (510) 451-2170

10 Attorneys for Plaintiff City of Oakland, a municipal corporation, acting by
 and through its Board of Port Commissioners

**SUPERIOR COURT OF CALIFORNIA
 COUNTY OF ALAMEDA**

15 CITY OF OAKLAND, A MUNICIPAL
 CORPORATION, ACTING BY AND
 16 THROUGH ITS BOARD OF PORT
 COMMISSIONERS,

Plaintiff,

v.

19 OWNER OPERATOR TRUCKING
 20 ASSOCIATION, and IRVINDER DHANDA,
 DELPH JEAN and RUBEN LOPEZ and DOES
 21 1 through 2000,

Defendants.

Case No. RG04154747

**ORDER TO SHOW CAUSE AND
 TEMPORARY RESTRAINING ORDER**

Hearing Date: 5/7/04
 Hearing Time: 11:30 AM
 Department: 31
 Action Filed: May 7, 2004

23 After considering the moving papers filed in this action, the Court finds (1) that this is a
 24 proper case for issuance of an order to show cause, and (2) that, unless the Court issues a
 25 temporary restraining order, plaintiff, City of Oakland, a municipal corporation, acting by and
 26 through its Board of Port Commissioners ("Port"), and the public at large, will suffer irreparable
 27

By

ALAMEDA COUNTY SUPERIOR COURT

LAW OFFICES
WULFSBERG REESE COLVIG & FIRSTMAN
 PROFESSIONAL CORPORATION
 KAISER CENTER
 300 LAKESIDE DRIVE, 24TH FLOOR
 OAKLAND, CALIFORNIA 94612-3524
 TELEPHONE (510) 835-9100

FILED
 MAY 7 2004
 ALAMEDA COUNTY SUPERIOR COURT

1 injury before the matter can be heard on formal notice.

2 IT IS ORDERED that:

3 1) Defendants Owner Operator Trucking Association, Irvinder Dhanda, Delph Jean, Ruben
4 Lopez and Does 1 through 2000, and each of them, appear before this Court in Department 31,
5 located at 201 13th Street, Oakland, CA 94612, on MAY 14, 2004, at 9A,
6 to show cause why a preliminary injunction should not be issued enjoining them, and all
7 persons acting in concert or participating with them, from engaging in or performing the
8 following acts:

- 9 a) Except for Middle Harbor Shoreline Park, entering onto property owned by the Port, and/or
10 operated by any of the Port's maritime terminal tenants, along 7th Street, Maritime Street,
11 Middle Harbor Road, in Oakland, California without authorization.
- 12 b) Entering or blocking or obstructing or impeding the free and direct passage of any other
13 person or motor vehicle into or out of any of the maritime terminals along 7th Street,
14 Maritime Street, Middle Harbor Road in Oakland, California.
- 15 c) Placing or depositing any object on any of the roadways leading to such maritime
16 terminals.
- 17 d) Causing any objects to be thrown or propelled toward any vehicle approaching or leaving
18 such marine terminals.
- 19 e) Threatening, shouting at or touching any persons or vehicles approaching or leaving such
20 marine terminals.

21 2) Pending the hearing on the order to show cause, defendants Owner Operator Trucking
22 Association, Irvinder Dhanda, Delph Jean, Ruben Lopez and Does 1 through 2000, and each of
23 them, their agents, officers, employees, and representatives, and all persons acting in concert or
24 participating with them, be enjoined from engaging in or performing the following:

- 25 a) Except for Middle Harbor Shoreline Park, entering onto property owned by the Port, and/or
26 operated by any of the Port's maritime terminal tenants, along 7th Street, Maritime Street,
27 Middle Harbor Road, in Oakland, California without authorization.
- 28 b) Entering or blocking or obstructing or impeding the free and direct passage of any other

LAW OFFICES
WULFSBERG REESE COLVIG & FIRSTMAN
PROFESSIONAL CORPORATION
KAISER CENTER
300 LAKESIDE DRIVE, 24TH FLOOR
OAKLAND, CALIFORNIA 94612-3524
TELEPHONE (510) 835-9100

1 person or motor vehicle into or out of any of the maritime terminals along 7th Street,
 2 Maritime Street, Middle Harbor Road in Oakland, California.

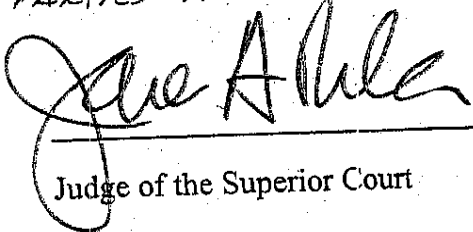
3 c) Placing or depositing any object on any of the roadways leading to such maritime
 4 terminals.

5 d) Causing any objects to be thrown or propelled toward any vehicle approaching or leaving
 6 such marine terminals.

7 e) Threatening, shouting at or touching any persons or vehicles approaching or leaving such
 8 marine terminals.

9 3) A copy of the complaint, declarations, and memorandum of points and authorities, together
 10 with a copy of this order to show cause and temporary restraining order, be served by hand on
 11 defendants no later than MAY 10, 2004. ^{*} Any opposition must be filed and served by
 12 hand by MAY 12, 2004. ^{REPLY IS WAIVED.} Any reply must be filed and served by hand by
 13 , 2004. ^{THE COURT'S TENTATIVE JUDICIAL PROCEDURE WILL} NOT APPLY. ^{PARTIES ARE TO APPEAR.}

14
 15 DATED: May 7, 2004

16 
 17 Judge of the Superior Court

18
 19 * PROOF OF SERVICE OF THE ABOVE SHALL BE
 20 FILED BY MAY 11, 2004.
 21
 22
 23
 24
 25
 26
 27
 28

LAW OFFICES
 WULFSBERG REESE COLVIG & FIRSTMAN
 PROFESSIONAL CORPORATION
 KAISER CENTER
 300 LAKESIDE DRIVE, 24TH FLOOR
 OAKLAND, CALIFORNIA 94612-3524
 TELEPHONE (510) 835-9100