Microsoft Outlook

From: Solomon, Lafe E.
Sent: Wednesday, April 20, 2011 9:14 AM
To: Schiff, Robert; Garza, Jose
Subject: Boeing call log
Attachments: Boeing call log-Lafe.doc; Boeing call log--Barry.doc

I have attached 2 files: one is a summary of my conversations and the other is Barry Kearney's conversation with Boeing's outside lawyer. Lafe

NLRB-FOIA-U00001456

3/18/11

Mike Luttig, Boeing's GC, called me at 2 pm. He told me that he was "miffed" that although he had done what I asked (gotten Boeing to agree that no unit ees would be laid off between now and the end of the contract expiration in Sept, 2012), I was still considering issuing complaint. I told him that the Machinists had proposed that the parties meet for a 2-week period with a mediator and that I thought that if Boeing accepted that offer, the parties might well reach a settlement. He told me that rather than accept that offer, he thought that he would go to the Hill to prevent me from litigating the case. I told him that he would have to get such a rider through the Senate. I said that I had the CEO on tape saying that the move to SC was not because of economics but because the Machinists strike. I said I had a triable case and that I would do whatever I thought was right under the NLRA. But I reiterated that I thought the parties should meet and try to reach a settlement.

3/28/11

Luttig called and I asked Barry Kearney to be on the call with me. Luttig said that Boeing would not agree to a conversation with the Machinists with a mediator, but that he was willing to talk to them. He said he would call them this week.

4/8/11

Senator Graham called me at 11:15 am. I was in the Museum of Modern Art in NYC and talked to him on my cell phone. He told me that the "retaliatory charge" of the Machinists against Boeing would have huge economic and political consequences. He said that the charge would scare Boeing's customers and could affect orders. He said that the political fallout would be huge and that he was more reasonable than his Senate counterpart (Sen. De Mint).

I explained to him that I had been trying to settle this case for the last 6 months, and I asked for his help in getting Boeing to agree to the Machinists' request for a 2-week mediated conversation. I told him that this case had every potential to settle as Boeing's business was booming and that the parties had both indicated to me that their futures were tied to a successful relationship in the future, but that I had been unsuccessful in getting the parties to talk to each other, rather than to me. I also told him that I would not be seeking the dismantling of the S.C plant and that I had made it clear to the Machinists that that plant was here to stay.

He said that he was pessimistic that the Machinists and Boeing could work things out, but that he never thought it was a bad idea to talk. I thanked him for being willing to help.

4/11/11

I left a message for Debbie Durkin, the aide to Senator Graham who place the call on Fri. I received a call back from Walt Kuhn at noon. I told him that I was following up on my

conversation with the Senator on Fri and that I wanted to know if he had been successful in contacting Boeing. He said that the Senator would call me back later this week. I told Walt that I was ready to begin the complaint process and that I could not hold it up indefinitely. I said that I wanted to talk to the Senator today if possible, and he said that he would see what he could do.

4/11/11

Senator Graham called me at 3 pm. He said that he had talked to Boeing, and they had no interest in mediating the complaint, which was totally without merit. He said that he agreed with Boeing and understood their position. He said that if a complaint was filed, it will be "nasty," "very, very nasty." He said that this was a case of how not to grow the economy. He said that we had to do what we had to do, and he had to do what he had to do. It was up to us. He said that if complaint issued, he was going "full guns a-blazing."

April 14, 2011

Telephone conversation with Bill Kilberg, Boeing attorney, on Thursday, April 7. Kilberg called me (Barry Kearney) because in an earlier conversation we had concluded that Boeing and the Union were interested in discussing different issues and further efforts to bring the parties together would be fruitless. At the start of the conversation he told me that Boeing concurred that nothing more to discuss and he understood that meant complaint was likely to issue. Kilberg said that Boeing was going to the Hill to see if they could forestall issuing a complaint. I said I was very disappointed to hear that. I told him the Agency realized last October that this was a big deal and that is why we reached out to Boeing so that they would have every opportunity to address the concerns we had about the case. After that process I said we again reached out to Boeing to try to resolve this before any public decision was made. We tried in good faith to work with this situation and give Boeing every opportunity. I said it doesn't appear to account for anything. Kilberg response was we have to do what we have to do and you do what you have to do. The conversation ended.