

Date: August 23, 2002
From: Jim Ekberg

Dear fellow member:

To date I have not received any of the information which I had requested from Acre. Attached is a copy of a letter which I had sent to Mike Doyle back on February 11, 1999 concerning the upcoming contract proposal. Mike has never responded to me. Some background information:

1- At this meeting no one had a copy of the proposed contract or Mikes literature on it, since it had been mailed to the membership that morning.

2- I believe the conductors had already voted on and accepted this proposal.

3- At this meeting the committee released a chart showing that junior engineers could retire millionaires with across the board 3% salary increases and conservative 10% yearly market gains with a starting salary of \$80,000. I addressed this issue in a letter to Jack Gaines in March and recently to Mike Doyle with my August 1st letter. Neither of which has responded.

4- The paragraph which I took exception to in Mike's literature was "We have heard junior engineers object they will not receive this increase right away. The alternative would have been an across-the-board increase of 1 1/2% in the Vanguard accounts. This increase would not have achieved our goal of recognizing members who did not receive any Vanguard Contributions for years of service prior to 1989. Additionally, for most members who do not receive the vanguard contribution immediately this across-the-board increase would be a losing proposition. Take for example one junior member who complained about this distribution. He is 39 years old and has 15 years of service. If we assume a retirement age of 62 and he receives 1 1/2% increase for the next 23 years, Metro-North will add 34 1/2% to his career contribution. If, however, he receives no increase for 4 years until he is 43 and has 19 years of service, then he receives 3%, the Carrier will increase his career contribution by 57%. Waiting four years for this employee to receive 3% will increase his contribution by 22 1/2% over his career. Although we recognize that this example does not hold true for everyone we believe that the way the increase was structured will greatly benefit our overall membership. In light of our inability to secure the pension that we hoped was forthcoming we believe that the 3% increase in the Vanguard contribution as structured was the best alternative available. We would like to bring to your attention an excellent cover page article on Vanguard in this weeks Forbes Magazine which gives the company a glowing review."

Mike has always denied he was speaking about me in this literature. Two points:

1- I find it hard to believe that another engineer with exactly the same amount of time as me on the railroad discussed exactly the same issues and statements with Mike.

2- It really does not matter since at this meeting at White Plains, Dick Gunderman told me that Mike specifically mentioned me in his literature to the membership.

This letter is water under the bridge and is only being released to enlighten you as to the statements which Mike made against me in his letter on August 9th that I do not call or attend union meetings. If there is something which I am concerned about he will and does hear from me.

Here are some more facts, you decide.