

OFFICE OF ADMINISTRATIVE LAW JUDGES
U.S. DEPARTMENT OF LABOR
WASHINGTON, D.C. 20001

In the Matter of

U.S. DEPARTMENT OF LABOR, OFFICE)
OF APPRENTICESHIP TRAINING,)
EMPLOYER AND LABOR SERVICES,)

Prosecuting Party,)

v.)

CALIFORNIA DEPARTMENT OF)
INDUSTRIAL RELATIONS,)

Respondent.)

Case No. 2002-CCP-1

In the Matter of

U.S. DEPARTMENT OF LABOR, OFFICE)
OF APPRENTICESHIP TRAINING,)
EMPLOYER AND LABOR SERVICES,)

Prosecuting Party,)

v.)

CALIFORNIA APPRENTICESHIP COUNCIL,)

Respondent.)

Case No. 2003-CCP-1

DECLARATION OF CAROL BELCHER IN SUPPORT OF RESPONDENT'S
RESPONSE TO PROSECUTING PARTY'S MOTION TO COMPEL

1. I am an attorney for respondent California Department of Industrial Relations, and am licensed to practice in the State of California. The following is true of my own personal knowledge, and if sworn as a witness I would testify competently thereto, except as to those matters which I state on information and belief, and as to those matters I am informed and believe them to be true.

2. On Thursday May 1, 2003, the date that I understand that the DOL picked up six boxes of documents produced by CDIR in response to DOL's discovery requests, I telephoned and left a voicemail message for Laura Trizuto. I was given Ms. Trizuto's name by my colleague Fred Lonsdale, Esq., who asked that I call and discuss with Ms. Trizuto the contents of the boxes and the order in which they might best be copied.

3. Later that day, Mr. Lonsdale informed me that DOL was using Copy Central on Stevenson in San Francisco, and suggested that it might make sense for me to call Copy Central directly.

4. I called Copy Central on May 1 and spoke with Jack there. I discussed with Jack that he should label and copy first the box of CAC minutes (dating 1989-2002); second, the box of Commissioner's folders (dating 1996 - present); third, a box including the 1995 Commissioner's folders, brochures, and other material; and that the fourth, fifth, and six boxes should be the boxes with the IRCC, PHCC, and ACTA administrative records of proceedings, in any order. I understood from Jack that he would follow my instructions.

5. Later that day, I picked up a voicemail message from Laura Trizuto, that indicated I should feel free to call Copy Central directly and speak with them about the

order, and that she was dealing with Jack Sun there. I did not call Copy Central back, as I had already accomplished this.

6. On May 23, 2003, Laura Trizuto left a voicemail message for me, indicating that she had gotten a call from Scott Glabman in their national office who was reviewing the documents and that he did not understand the order of the documents. She asked that I call her back to clarify.

7. I was on vacation May 23-27, 2003. I returned Laura Trizuto's phone call on May 28, 2003, and left her a voicemail message, indicating that we produced the documents in the manner kept by DAS, or else pursuant to our own boxing up of the documents as we identified them to be responsive. I also indicated that, with regarding to the order of the copying of the six boxes, the first box copied should have been the CAC minutes (dating 1989 - 2002); the second should have been the Commissioner's folders (dating 1996 - present); the third should have been a box including the 1995 Commissioner's folders, some brochures, and other material; and the fourth, fifth, and sixth boxes should have contained the administrative record of proceedings in the IRCC, PHCC, and ACTA matters, in any order. I did not hear back from Laura Trizuto or anyone else from DOL regarding this production.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and was executed on this 19th day of June 2003, at San Francisco, California.



CAROL BELCHER
Attorney, Office of the Director,
Legal Unit, California Department of
Industrial Relations