

EXHIBIT 4



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
OFFICE OF THE GENERAL COUNSEL
Washington, D.C. 20570

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J.N.M.
SEP 03 2002

August 30, 2002

Re: Pacific Maritime Association & its Member
Companies
Case No. 20-CA-30537-1

Robert Remar, Esq.
Leonard, Carder, Nathan, Zuckerman,
Ross, Chin & Remar, LLP
1188 Franklin Street, Suite 201
San Francisco, CA 94109-6839

Dear Mr. Remar:

Your appeal has been reviewed and is denied. Regarding the information sought concerning technological changes that employer-members were planning to implement in the future, to the extent that this information was relevant to the Union's participation in the collective-bargaining negotiations, and even assuming, *arguendo*, that the Pacific Maritime Association's original response to the request constituted a violation of Section 8(a)(5) of the National Labor Relations Act, the Association later provided the Union with the requested information at the end of April 2002. Given the fact that the information request was very broad in nature and that there is no evidence of any adverse impact upon the Union by the time taken by PMA in providing this information, it was concluded that the PMA did not violate the Act as alleged on appeal. Regarding the information sought in 14(a), (c), (d), and (e) concerning the 26th Amendment, and to the extent that this information was arguably relevant to the Union's participation in the collective-bargaining negotiations, it was concluded that the PMA's response was sufficient and timely to meet its bargaining obligation under the Act.

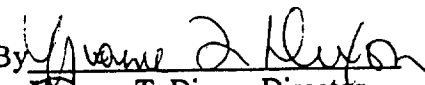
Accordingly, in view of the above, further proceedings as to the matters on appeal were unwarranted.

Sincerely,

Arthur F. Rosenfeld
General Counsel

PMA

SEP - 3 2002

By 
Yvonne T. Dixon, Director
Office of Appeals **Legal**

Case No. 20-CA-30537-1

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cc: Director, Region 20

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