

BEFORE THE SURFACE TRANSPORTATION BOARD
Washington, D.C

ENTERED
Office of Proceedings
March 6, 2017
Part of
Public Record

Docket Number MCF – 21074

MONARCH VENTURES INC.

--ACQUISITION OF CONTROL OF ASSETS AND BUSINESS OPERATIONS--

MOTION OF THE KASANDRA ALDEN AND RICHARD SPENCER FOR LEAVE TO FILE A
REPLY TO A REPLY

Dated March 4, 2017

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket Number MCF – 21074

MOTION OF THE KASANDRA ALDEN AND RICHARD SPENCER FOR LEAVE TO FILE A
REPLY TO A REPLY

Kasandra Alden and Richard Spencer hereby moves this Board for leave to file a Reply to the Reply of Monarch Venture Inc. To the Verified comments concerning the Acquisition Of Control Of Assets And Business Operations of Quick Coach Lines LTD. And Vancouver Tours and Transit LTD. D/B/A Charter Bus Lines of British Columbia filed on February 21st 2017. Kasandra Alden and Richard Spencer respectfully submit that, even though the rules that govern this proceeding prohibit the filing of a reply to a reply, 49 C.F.R. 1104.13 (c), this board should exercise its discretion to permit the filing of this Reply to allow Kasandra Alden and Richard Spencer to correct the record. Kasandra Alden and Richard Spencer have good cause to file a reply in this proceeding and granted this motion will not broaden the issues raised in the original comments. Please find attached a Reply to the reply providing a more complete record clarifying the arguments. This motion will not prejudice any party, and does not unduly prolong the proceeding

In anticipation of a favourable ruling on this Motion Kasandra Alden and Richard Spencer are tendering a Reply to the Monarch Ventures Inc. Reply along with this Motion. Kasandra Alden and Richard Spencer respectfully request this Board to grant its Motion for

Leave to File a Reply to a Reply in this proceeding, and accept the Reply of Kasandra Alden and Richard Spencer that is tendered herewith.

Respectfully,



Kasandra Alden



Richard Spencer

BEFORE THE SURFACE TRANSPORTATION BOARD
Washington, D.C.

STB Docket Number MCF – 21074

MONARCH VENTURES INC.

--ACQUISITION OF CONTROL OF ASSETS AND BUSINESS OPERATIONS--
QUICK COACH LINES LTD. AND VANCOUVER TOURS AND TRANSIT LTD. D/B/A CHARTER
BUS LINES OF BRITISH COLUMBIA

KASANDRA ALDEN AND RICHARD SPENCER A REPLY TO A REPLY FILED BY MONARCH
VENTURERS INC.

Delivered via Online Submission

SURFACE TRANSPORTATION BOARD
395 E STREET S.W.
Washington, DC 20423-0001

Delivered via Email

CC: Stephen Flott, Esq.
Flott & Co. PC
PO BOX 17655
ARLINGTON, VA 22216-7655
sflott@flottco.com

Dear Sirs/Mesdames:

RE: SURFACE TRANSPORTATION BOARD

Further to the above captioned matters, we wish to ensure that the Surface Transportation Board properly understands our letters filed January 31, 2017 and February 1, 2017.

First, and contrary to many of Mr. Flott's assertions, our objection to the merger is that adverse consequences to employees arise and exist because of the uncertainties, secrecy, and anxiety employees of TRAXX face. An employee's duties and tasks of employment are essential to an employee's well-being in the course of their employment. A unilateral change to these duties and tasks adversely affects employees' contracts, as they understand them. Further, we are on indefinite term contracts, as that term is understood in Canada.

Second, the letter from Sheldon Eggen is peculiar. One would think a manager with his experience would confirm in writing something as significant as "I may try to streamline...so that she could perform work more closely associated with her pay grade." Similarly, "I have told them several times since...we have a contract at the existing facility with one and a half years to go" appears to be another new statement that one would expect to be in writing to employees. As such, we suggest that the Board place little weight in Mr. Eggen's letter.

Third, many of Mr. Flott's glosses on our letters are simply not accurate. The following is of immediate note:

1. the assertion that Ms. Alden did not explain what "drastically" means with respect to the job (para 3);
 - a. we state that the use of the word "drastically" means that

the effects of the Acquisition will be felt abundantly throughout TRAXX. At this point in time Charter Bus Lines of British Columbia (CBL) is using CBL employees in Traxx Busses which in turn affects Ms. Alden's work load. Not utilizing TRAXX employees means that Ms. Alden does not have log sheets or pay roll to process. Her job duties then diminish substantially. The use of the word "drastically" is not an exaggeration.

Sheldon Eggan evades providing the Medicine Hat office employees with certainty about their future. Any reasonable employee would come to the same conclusion when no clarification, written job descriptions, and communication within CBL's management team.

The TRAXX Richmond office was moved into the CBL Delta, B.C. office. That CBL -Delta office had its own Pay Roll Log Sheet processor. This takes away from the position Ms. Alden currently holds.

The busses that are currently in Alberta are scheduled to go to B.C. in April.

Delta also has their own Payroll/Compliance department which does not give a position for Ms.

Alden to fill. This leaves the Medicine Hat office as an expense rather than a necessity.

In short each task and/or duty that is taken away from the Medicine Hat office lessens the work load of all TRAXX employees in Medicine Hat which makes each Medicine Hat TRAXX employee increasingly expendable.

2.

The assertion that Mr. Spencer has suffered no "change in working conditions (para 4);

- a. We state that Mr. Spencer has also suffered a change in working conditions. For example TRAXX driver's out of Delta and Airdrie no longer have to report to Mr. Spencer. He no longer has any dealings with TRAXX drivers through Airdrie or Delta. Mr. Spencer no longer does driver training, even though he holds the Safety Coordinator title. Changes in procedure have taken place without Mr. Spencer being included in those changes. He has sent emails to Sheldon and other members of CBL's team without receiving a reply. The allegations made by Sheldon Eggan about being "disruptive" and "confrontational" are simply not accurate. Mr. Eggan asked for proof about certain legislation

requirements and Mr. Spencer provided the information in its entirety without confrontation.

b.

Fourth, there is further information that the Surface Transportation Board should be aware of.

- a) Ms. Underwood tendered her resignation to the Company on February 22, 2017—some 6 days after her letter to Mr. Flott was sent:

Lastly, it appears many statements in letters to the Board would go to support implementing a remedy that prevents the termination of TRAXX Employees. Ms. Campbell herself indicates that it was important to all that *all* employees be retained. Our suggestion is that the Board implement a remedy or condition of approval that would ensure TRAXX employees are not terminated for 24 months.

Yours very truly,


Kasandra Alden


Richard Spencer

MARCH 1, 2017
Date Signed

MARCH 4th, 2017
Date Signed

CERTIFICATE OF SERVICE

I, Kasandra Alden hereby certify that on this 4th day of March 2017, I caused a copy of the foregoing Docket# MCF-21074, Monarch Ventures Inc. proposed acquisition of the following companies, Quick Coach Lines Ltd. (QCL), and Vancouver Tours and Transit Ltd. d/b/a Charter Bus Lines of British Columbia (VTT), and TRAXX Transportation Ltd. (TRAXX)., INC., Motion for Leave to File a Reply to a Reply to correct the record to be served by online submission to the Surface Transportation Board and by Email to Monarch Ventures Inc. Representation Mr. Stephan P. Flott at Flott & Co. PC.



Kasandra Alden

MARCH 4, 2017

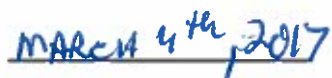
Date Signed

CERTIFICATE OF SERVICE

I, Richard Spencer hereby certify that on this 4th day of March 2017, I caused a copy of the foregoing Docket# 21074, Monarch Ventures Inc. proposed acquisition of the following companies, Quick Coach Lines Ltd. (QCL), and Vancouver Tours and Transit Ltd. d/b/a Charter Bus Lines of British Columbia (VTT), and TRAXX Transportation Ltd. (TRAXX)., INC., Motion for Leave to File a Reply to a Reply to correct the record to be served by online submission to the Surface Transportation Board and by Email to Monarch Ventures Inc. Representation Mr. Stephan P. Flott at Flott & Co. PC.



Richard Spencer



Date Signed