

3-4-1987

## Letter to Magistrate Dolinger re: Mrs. Gloria Quiroga

Lewis M. Steel '63

ADD: FAB CALLEJO (MRS.)  
WILLIAM F CALLEJO  
MARCOS G RONQUILLO

Of Counsel

RICHARD A CALLEJO  
G FRANCESCA CALLEJO  
San Francisco California

ATTORNEYS AND COUNSELLORS AT LAW  
4314 NORTH CENTRAL EXPRESSWAY  
DALLAS, TEXAS 75206 (214) 741-6710

RECEIVED  
MAR 5 1987

MICHAEL H. DOLINGER  
UNITED STATES MAGISTRATE  
D. N. Y.

March 4, 1987

Hon. Michael Dolinger  
United States Magistrate  
United States District Court  
Southern District of New York  
Foley Square  
New York, New York 10007

Re: Avagliano vs. Sumitomo

Honorable Michael Dolinger,

Per the instructions of counsel for the Plaintiff in the above referenced matter we have been asked by Mrs. Gloria Quiroga to submit her comments and concerns to you for your consideration. To assist you in the review of this matter, we are also submitting relevant correspondence between our client Ms. Quiroga and the defendant, Sumitomo, in reference to her complaint of discrimination. The attached letters (exhibit A) dates 2-19-87 and 1-16-87 from Ms. Quiroga, provide the relevant facts surrounding her termination from employment. Also, please find attached (exhibit B) documentation as to our clients above average performance with this company, exceeding fourteen years.

Mrs. Quiroga, has had an opportunity to review the proposed Consent Decree and now, wishes to advise this court of the following. It is her position that she is an eligible member of the class but that on January 5, 1987 she was wrongfully terminated, as a result of a company reorganization. Mrs. Quiroga, was not given any opportunity to stay with the company despite her many years of faithful service.

Our client objects to Part IV, Effect of Decree, Paragraphs A & B, pages 6 and 7 as limiting her rights to pursue her claim of sex discrimination, as a result of her termination from employment effective January 5, 1987. However, our client would be willing to

March 4, 1987

Page 2.

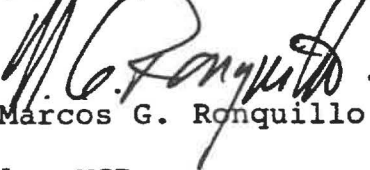
waive her present claim and participate in the general class relief as provided in the proposed Consent Decree, if she, would be provided reinstatement with back pay into a receptionist/secretary position in the Dallas office. Further, that she be reinstated at her former salary scale. It is our clients desire to bring her delimma to the attention of this honorable court and requests that this court consider her position and the position of other female employees, similarly situated.

In summnation, if Mrs. Quiroga, could obtain reemployment with the defendant company, she would be happy to participate in the proposed general relief of this class. However, in the alternative, pursuant to Paragraph C on pages 7,8 & 9 of Part IV, our client would maintian that the forced election, required by the above cited provisions is inequitable, as applied to Ms. Quiroga. We therefor ask this court to exercise its judgement and power in finding an equitable remedy for Mrs. Quiroga, waiving the operation of the aforementioned election provisions, so that she may pursue her present claim and participate in the monetary relief of this decree, which she by all rights is entitled to receive.

Thank you.

Yours truly,

CALLEJO, CALLEJO & RONQUILLO



Marcos G. Ronquillo

laa:MGR

Enclosure

cc: Lewis M. Steel, Esq.,  
Steel Bellman & Levine, P.C.,  
351 Broadway, New York, New York 10013

Gregory K. Hiestand, Esq.,  
Epstein Becker Borsody & Green, P.C.,  
250 Park Avenue, New York, New York 10177

Gloria Quiroga  
2001 Chisholm Trail  
Grand Prairie, Texas 75206

February 19, 1987

Steel Bellman & Levine, P.C.  
351 Broadway  
New York, New York 10013

Attention: Mr. Lewis M. Steel

Dear Mr. Steel:

My name is Gloria Quiroga, I am a former employee of Sumitomo Corporation of America, Dallas office, recently terminated.

I was employed by SOA for 14 years. I had seniority as the other two secretaries have been with SOA 4 years and 2 years.

The Dallas office closed its steel department on December 16, 1986. My boss Mr. S. Yamahiro, a male Japanese employee was transferred to the Houston office, but I was terminated on January 5, 1987. I feel they have not treated me fairly. I had the title of administrator and aside from the steel department duties, I also handled General Affairs and Personnel.

However in June of 1986 Mr. Yamahiro took my name off the general affairs & personnel departments, said that I would continue to perform those duties but only his name would remain under those departments (I have his request to this in his own handwriting) I feel that they took my name off those two departments so that I was only under the steel department, and when they closed the steel department, they were able to terminate me. However if they terminated me, why did they not terminate Mr. Yamahiro also or offer me a position elsewhere? I requested a position of Receptionist/Secretary open in the Dallas office but got no answer.

On January 16, 1987 I wrote a letter to Mr. S. Taura, President of SOA, asking for his help. On January 26, 1987 I received an answer from his assistant, Mr. Thomas J. Stripay, saying they were very sorry about my situation and even though seniority was important they did not wish to disrupt the other departments. They made no mention to the Receptionist/Secretary position I had requested.

Enclosed you will find copies of letters, and other papers to back everything I have just told you. Please let me know if you think I was treated unfairly and if you think I have any ground to stand on. Your kind consideration to this will be greatly appreciated.

Sincerely,

Gloria Quiroga  
2001 Chisholm Trail  
Grand Prairie, Texas 75052  
(214) 641-8420

January 16, 198.

Mr. Sadao Taura  
President and  
Chief Executive Officer  
SUMITOMO CORPORATION OF AMERICA  
345 Park Avenue  
New York, New York 10154

Dear Mr. Taura:

On the heels of the settlement of the law suit in New York, comes my problem. My delay in writing to you has been due to my "total shock" at having been terminated by Sumitomo Corporation Of America.

As you know, the Steel Department in the Dallas office was closed on December 16, 1986. Mr. S. Yamahiro was transferred to the Houston office and I was terminated on January 5, 1987 after fourteen years of faithful service to SCOA.

Until October, the Dallas office employed four ladies, three secretaries and a secretary/receptionist. The secretary/receptionist left in October and has not been replaced. I asked Mr. Yamahiro to transfer me to her position where I would be able to continue to help with the over-flow of work in the DALKZ department which is always very busy. I would also be able to continue my office administrative duties.

I came to work for SCOA in 1964 when we were located in the Cotton Exchange building. I was hired by Mr. H. Yonei and Mr. Ray Reedy. I began as a secretary/receptionist. Over the years I worked for Mr. Jun Shiratori, Mr. Akikasu Satake, Mr. H. Fukatani, Mr. Goro Hibino, Mr. Haruhiko Miki, Mr. Kanatake Kuyama, Mr. Eiki Suzuki and Mr. Shinichiro Yamahiro.

In 1968 I left SCOA to stay home with my three young daughters. In 1977 Mr. Ray Reedy asked me if I would consider returning to Sumitomo and I happily resumed my career with SCOA at that time.

During those years, I trained the new secretaries and receptionists. I was not only secretary of the steel department while Mr. Suzuki was Manager of the Dallas office but was promoted to Administrator by Mr. T. Imagawa, Senior Vice President and General Manager of the Houston Office. Mr. Suzuki gave me the responsibility of handling the general affairs in the office such as company house, company car, insurance, office contents, all renewals, telephone problems, telex problems, office placement representatives and I loved it!

In the personnel department, I did the interviewing and testing of all new applicants after placing the ads and contacting agencies. Our managers saw an applicant after I did the screening.

My point is that I was not just a secretary in the steel department. Since I have worked in all departments of the Dallas office, my termination does not seem to have a valid reason.

Mr. Sadao Taura  
New York, New York

The two secretaries still employed in the Dallas office have been with SCOA four years and two years. Sumitomo Has always been big on seniority. I have always been an efficient and loyal employee and assured that my position with SCOA was secure as long as the Dallas office was in operation.

Mr. Taura, I have worked for SCOA since 1964. I am 52 years old and I have no desire to start over again.

I am bringing my plight to you because you have the ultimate authority to see that fairness to loyal employees prevails. Your kind consideration and help in this matter will be greatly appreciated.

Sincerely,

Gloria Quiroga  
2001 Chisholm Trail  
Grand Prairie, Texas 75081  
(214) 641-8420

cc: Mr. Stripay

1985

SUMITOMO CORPORATION OF AMERICA  
DALLAS OFFICE  
(214) 742-8104

YAMAHIRO, Shinichiro ..... 8104  
Manager (DALZA)

General Affairs ..... (DALZA)

Yamahiro, Shinichiro ..... 8104

Quiroga, Gloria ..... 8104

Rolled Steel ..... (DALGJ #14)

Yamahiro, Shinichiro ..... 8104

Quiroga, Gloria ..... 8104

Aerospace & Electronics ..... (DALKZ #92)

Nakao, Susumu ..... 8104

Sherburne, Joe ..... 8104

Tubular Products ..... (DALGA #8, #10, #11 & #12)

Azuma, Naoki ..... 8104

Lamey, Terri ..... 8104

Personnel ..... (DALZA)

Yamahiro, Shinichiro ..... 8104

Quiroga, Gloria ..... 8104

Receptionist

Nelson, Sunne ..... 8104

Telex

Perkins Daniel ..... 8104

Gloria, then to all

**SUMITOMO CORPORATION OF AMERICA**

HOUSTON OFFICE  
1100 LOUISIANA, SUITE 1000 / HOUSTON, TEXAS 77002

MEMORANDUM

TO: All Employees  
Houston & Dallas Offices

FROM: T. Imagawa  
Senior Vice President  
and General Manager

DATE: December 29, 1983

SUBJECT: Promotions

I would like to announce the following promotions which are effective January 1, 1984:

1. Coordinator

Brenda Heard

2. Administrator

Gloria Quiroga

3. Senior Clerk or Secretary

Trevor Harvey  
Angela Washington  
Becky Thorpe  
Ann Hayden

We appreciate the fine work these people have done this past year.

TI/jms



*This is just to show that they did consider me a good secretary*

**SUMITOMO CORPORATION OF AMERICA** *7*

DALLAS OFFICE  
717 N. MARWOOD STREET SUITE #1700 (LB 59)  
DALLAS, TEXAS 75201

DALLAS NUMBERS  
214-742-8104  
TELEX 73 2279  
CABLE SUMITOMO J1

Exhibit "B"

October 8, 1982

Love and Fun Department  
Southwest Woman  
Publication Office  
San Antonio, Texas 78216

Subject: "What A Golden Secretary"

Dear Sir:

I am a Japanese businessman who must travel 75% of the time. As a result, I rely heavily on my secretary.

When I first came to the states, it was difficult for me in many ways. My "Golden Gloria" helped to make the adjustment much easier.

She has always been ready to help me in any way. She has been totally reliable and has worked late whenever I needed her. She has truly been my right hand.

After six years in Dallas, I am returning to Japan. It's going to be very hard for me to say goodbye to Gloria.

I would be especially happy if she could have this wonderful weekend as a small thank you to show my appreciation for her efforts. Her special kindness to me has made my stay in the United States a most pleasant one. I return to Japan with many fond memories and many new friends.

My secretary's name is Gloria Quiroga. She knows nothing about this. I wish I could be here to see her surprise if she wins, but I will be leaving for Japan on October 27th.

Thank you for considering my "Golden Secretary" in your contest.

Sincerely yours,

SUMITOMO CORPORATION OF AMERICA  
Dallas Office

*H. Miki*  
Mr. H. Miki, Manager  
Steel Department

*1st place*  
HM:js

# SUMITOMO CORPORATION OF AMERICA

DALLAS OFFICE  
717 N. HARWOOD STREET, SUITE #1700 (LB 59)  
DALLAS, TEXAS 75201

(214) 742-0104  
TELEX 73-2239  
PANAFAX (214) 742-8861

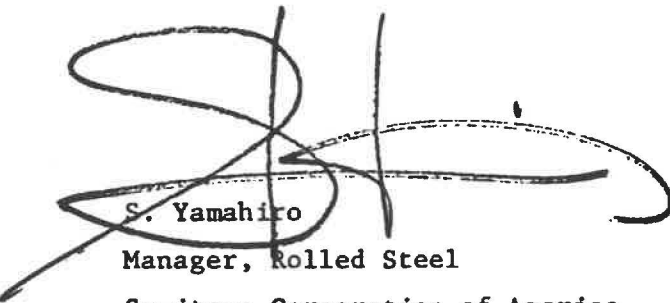
January 5, 1987

To: Ms. Gloria Quiroga

Re: Official Notice for Termination

This is our formal notice to you that your last working day for Sumitomo Corporation of America is today, January 5, 1987.

Confirmed by:



S. Yamahiro  
Manager, Rolled Steel  
Sumitomo Corporation of America  
Dallas Office