

1 NATIONAL PORT DRIVERS ASSOCIATION
2 NELSON ROMERO, PRESIDENT
3 RONALD MARTINEX, VICE PRESIDENT
4 P.O. Box 9186
5 Long Beach, California 90810-0186
6 (626) 705-0238
7 IN PROPIA PERSONA

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11 AMERICAN TRUCKING ASSOCIATION,) Case No.: 2:08-CV-04920-CAS-CTX
12)
13 Plaintiff,) FRIEND OF THE COURT BRIEF
14)
15 vs.)
16)
17 CITY OF LOS ANGELES et al.,) Honorable: CRISTINA SNYDER
18)
19 Defendant)
20)

21 TO: THE HONORABLE COURT

22 STATEMENT OF FACTS

23 The National Port Drivers Association is comprised of Independently Owned Truck
24 Drivers who service the Port of Los Angeles, Port of Long Beach and this great nation.
25 We represent simple small business truck drivers requesting that the DISTRICT COURT
26 and the UNITED STATES 9TH CIRCUIT COURT OF APPEALS consider and apply the Federal
27 Aviation Administration Act, the Commerce Clause, the Sherman Act, the Clayton
28 Antitrust Act and the Civil Rights Act to this pending action.
Independent Truckers have witnessed how Truck Carriers have been allowed to monopolize
the trucking business at the Ports and to monopolize the grant funds in the CLEAN
TRUCK PROGRAM.
Furthermore, the National Port Drivers Association believes that Independent Truck
Drivers have been singled out far beyond any other port industry. The San Pedro Bay
Ports Clean Air Action Plan 2006 Port Related Emissions show that Heavy Duty Vehicles

1 contribute 10%, Cargo Handling Equipment 14%, Harbor Craft 11%, Ocean Going Vessels
2 59% and Rail Locomotives 6% .Yet, they are all allowed to continue business.

3 In addition, the "Concession Agreement" is de-facto discrimination. This "Government
4 Action" affects a minority group, the members of the National Port Drivers
5 Association. This is a violation of "Civil rights", 42 USC 1983.

6 The National Port Drivers Association believes that the new Port Regulations also
7 violate the North American free trade Agreement (NAFTA).

8 CONCLUSION

9 We implore the Court to issue an Injunction suspending the December 31, 2009 deadline
10 that bans pre 1993 trucks in addition to 1994-2003 trucks that have not been
11 retrofitted.

12 If these regulations are allowed to go into effect, Independent Truck Drivers will be
13 denied the right to operate as a small business at the Port of Los Angeles and the
14 Port of Long Beach.

15 On behalf of small business and truck drivers across the country, we thank you your
16 time and consideration.

17 Sincerely

18 

19 NELSON ROMERO

20 PRESIDENT

21 NATIONAL PORT DRIVERS ASSOCIATION

18 

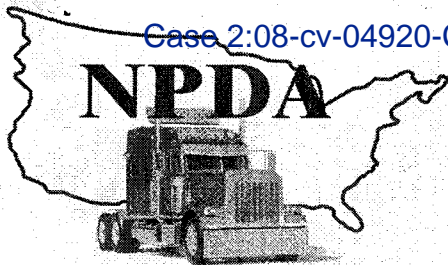
19 RONALD MARTINEZ

20 VICE PRESIDENT

21 NATIONAL PORT DRIVERS ASSOCIATION

22
23 Cc: United States Ninth Circuit Court of Appeals, ROBERT R. BEEZER,
24 FERINAND F. FERNANDEZ, RICHARD A. PAEZ

25
26 Dated this 20th day of NOVEMBER, 2009



NATIONAL PORT DRIVERS ASSOCIATION

WHATEVER RIGHT BELONGS TO ONE MEMBER BELONGS TO ALL MEMBERS

P.O. Box 9186, Long Beach, CA 90810-0186

Members

Saul Antonio Montano
Luis A Rodriguez
Juan Carlos Nuñez
Carlos Alberto Galdano
Hildo Jorge Marin
Edwin Javier Marin
Elias Contreras
Mauricio A Duran
Rigoberto Alvarez
Carlos Galindo Rodolfo
Glenn Amaya
Jose Juan Rosa
Rene A Rodriguez

etc

A handwritten signature in black ink, appearing to read "Nelson Romero".

Nelson Romero
President
805.431.0249

E-mail:
NPDA2008@yahoo.com

A handwritten signature in black ink, appearing to read "Ronald Martinez".

Ronald Martinez
Vice President
626.705.0238