

May2, 2007

Mr. Kientzler,

Thank you for your quick response.

Though I am glad that your "word of caution" was for your staff and not directed to my membership, I cannot agree with your summarization that accurate reports and pictures could be damaging to CPRail.

In my opinion, there must be transparency and every fact must be examined to allow for a fair assessment and prevention of future accidents or safety concerns. Hiding things is always a mistake, if in fact, the company is committed to safety.

Your message actually brought to mind the accusations that lawyers for the plaintiffs in the Minot, ND suit are making against CPRail and the alleged withholding (and destruction) of information.

I will re distribute your message as per your request.

Bill Brehl
President
TCRC MWED

In a message dated 5/2/2007 11:40:01 A.M. Eastern Daylight Time, Jim_Kientzler@cpr.ca writes:

I had already responded to the H&S Montreal address that the message was sent in error and was originally intended for my H&S program staff. I use the abbreviation H&S for my staff contact list but the email system directed it to the corporate address for H&S. Guess I better change that.

For **MY STAFF** your summarization of "caution" is correct. Some reports and pictures appeared in a US website. As you can appreciate, this is completely inappropriate and potentially damaging to CP's reputation, particularly since these are still under investigation. I have no information on where it originated but wanted to ensure my staff was not responsible, now or in the future.

Again, my apologies for mis-directing the prior message. Please do redistribute.

From: WBrehl@aol.com [mailto:WBrehl@aol.com]

Sent: Wednesday, May 02, 2007 9:23 AM

To: Jim Kienzler
Cc: dbrown@tcrmwed.ca; Rick Wilson; lwilson@tcrmwed.ca
Subject: Your e-mail - " Word of Caution"

www.tcrmwed.ca

May 2, 2007

Mr. Kienzler,

As President of the TCRC MWED and a H&S Policy committee member, I am somewhat concerned by your message to CP employees and especially the men and women that I represent.

"Word of Caution" sounds like a veiled threat. Exactly what are you cautioning people against and what will be the repercussion of not following your "word of caution". Could you also enlighten me as to how this "word of caution" would relate to section 425.1 of the *Criminal Code of Canada* and Bill C-13 .

Also, where would our members get approval, as you are not specific about who they should seek the approval from.

Could you please respond at your earliest convenience as this is a matter of some importance.

Sincerely,

Bill Brehl

President

TCRC MWED

From: Jim Kienzler
> Sent: Tuesday, May 01, 2007 4:02 PM
> To: H&S Montreal
> Subject: Word of Caution
>

- > We have received information that picture and other information coming
- > out of CP accident investigations have been appearing in media and
- > websites outside the company. Besides affecting public image of CP,
- > there are potential liability and litigation concerns.
- >
- > Please, if you receive any information related to CP safety failures,
- > do not pass this on, either internally or externally without
- > approval..

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