

Hodges, Kim

From: Eckard, Michael Oliver
Sent: Tuesday, October 10, 2017 1:52 PM
To: Hodges, Kim
Cc: Harrison, W. Chris
Subject: RE: Hostile Work Environment

Hi –

Would you mind reaching out to HR Manager Chris Allen to begin getting background info? It looks like we will handle this as a privileged attorney investigation, with one angle being a concern that this is now the 3rd legal matter from the Controller's team in the last couple months (Chris Harrison is handling the other two, which are pending charges).

I've asked Chris for the complainant and accused's personnel files. If you could please make initial contact with him to kick things off, that would be great.

Thanks!

Chris Allen
Manager, Corporate HR
Human Resources

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Atlanta Office: 191 Peachtree Street, N.E., Suite 4800 | Atlanta, GA 30303 | Telephone: 404-870-1792 | Fax: 404-870-1732
michael.eckard@ogletreedeakins.com | www.ogletreedeakins.com | [Bio](#)

From: Hodges, Kim
Sent: Monday, October 09, 2017 6:09 PM
To: Eckard, Michael Oliver
Cc: Harrison, W. Chris
Subject: Re: Hostile Work Environment

Sure. Based on my limited information, I agree that their HR should conduct a discoverable investigation, but it sounds like you might have an uphill battle on that. Also, if the Chris named in the complaint email is the same one as the HR Chris, it should obviously be someone else who investigates. I'm reading this on my phone, so I might have that wrong, but wanted to point it out.

Sent from my iPhone

On Oct 9, 2017, at 4:59 PM, Eckard, Michael Oliver <Michael.Eckard@ogletreedeakins.com> wrote:

Kim - Is this something you are available to assist with?

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Harrison, W. Chris" <chris.harrison@ogletreedeakins.com>
Date: 10/9/17 12:15 (GMT-05:00)
To: "Eckard, Michael Oliver" <Michael.Eckard@ogletreedeakins.com>
Subject: Re: Hostile Work Environment

We should be able to either use a Memphis associate or maybe Kim Hodges, a shareholder in Memphis. I'm probably not the best choice to conduct an investigation like that.

Chris

Sent from my iPhone

On Oct 9, 2017, at 10:02 AM, Eckard, Michael Oliver <Michael.Eckard@ogletreedeakins.com> wrote:

Hi Chris –

It was great seeing you this weekend. Thank you again for your ongoing work for Yusen. As they say, good things come in 3s, and below appears to be yet another new issue in TN. You can see the email chain below, including my query to the client of a few moments ago about whether they are wanting an attorney at Ogletree to actually conduct the investigation of this on a privileged basis or, as I would assume, if she is wanting an attorney to connect with an HR investigator to help guide the investigation and provide legal advice support. I'll let you know what I hear back, but despite my recommendation, my guess is that Mary Anne will say she wants an attorney to actually investigate.

Regardless, who would you recommend to fill either role? Do you have someone available we could line up?

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From: Eckard, Michael Oliver
Sent: Monday, October 09, 2017 11:59 AM
To: 'Mary Anne Kennedy'
Cc: Lisa Ronga; Chris Allen
Subject: RE: Hostile Work Environment

Confidential
Attorney-Client Privileged

Hi Mary Anne –

Of course; I'm happy to help. I'll reach out to Chris Allen for the details. Are you wanting Ogletree to conduct an attorney-client privileged investigation (for example, where we investigate because a lawsuit is anticipated but the company does not intend to produce our investigation or rely on it in its lawsuit defense), or is Chris Allen or someone from HR doing the investigation with us supporting behind the scenes? If this has not previously been investigated at the HR level, I think it would be best to have Chris or one of your HR leaders conduct the investigation, where we can assist that person behind the scenes in scoping the investigation and providing any necessary legal advice along the way.

Best,
Michael

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From: Mary Anne Kennedy [<mailto:maryanne.kennedy@us.yusen-logistics.com>]
Sent: Monday, October 09, 2017 11:34 AM
To: Eckard, Michael Oliver
Cc: Lisa Ronga; Chris Allen
Subject: FW: Hostile Work Environment
Importance: High

Attorney/Client Privileged -- Confidential

Hello Michael,

I'm not sure if Lisa was able to contact you last week before she left on vacation regarding the need for an investigation in our Cordova, TN office. (Details below)

Chris Allen (who you know very well) is the HR Manager at that site and will be the person you'll want to contact regarding the folks who should be interviewed from the Finance team.

I'm leaving for a business trip California in about 30 minutes but will have access to my cell phone if you want to have a conversation.

As always, thank you for your continued support of YLA.

Have a great day.

Mary Anne Kennedy
Senior Vice President
Human Resources and General Manager

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Kim Hodges | Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

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