



THE DEMOCRATIC VOICE

www.DemocraticClub-SCC.org

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July Meeting
Monday, July 18

Speaker: Assemblyman
Jim Beall

Carrows Restaurant
3180 El Camino, Santa Clara
dinner 6 PM, meeting 7 PM

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Meyering on Supreme Court Wal-Mart decision

by Shirley Odou, Editor

At SCCDC's June meeting, local attorney Patrick Meyering warned of the far-reaching consequences of the U.S. Supreme Court's decision on the class action discrimination gender-bias suit brought on behalf of Wal-Mart's women employees, denying them the right to proceed with their case.

Filling in for the scheduled speaker, *San Jose Mercury* editor Ed Clendaniel, who had to cancel because of a medical emergency, Meyering said the 5-4 decision by the conservative court would make it harder to bring other class action lawsuits to trial alleging illegal discrimination by corporations. The suit, originally filed in 2001, said that women were paid \$1 per hour less than male employees, doing the same or similar work, and that managers

withheld promotions for women with families "because they wouldn't want to move and leave their families." There was, however, no "similar policy for male employees with families."



Patrick Meyering

A federal district court judge ruled the suit could be brought to court on the basis of commonality stating that there was an unwritten policy of gender bias by the company. Wal-Mart subsequently appealed this decision to the 9th Circuit Court of Appeals which upheld the judge's decision, ruling against Wal-Mart's argument that it was "too big to go to trial."

Judge Scalia, in writing the majority opinion, rejected the idea that commonality existed among *(continued on page 2)*

Assemblyman Beall in July

Assemblyman Jim Beall will be SCCDC's guest speaker on July 18th. One of the hardest working legislators in Sacramento, Beall has been in the thick of the funding battles in this past session and will be able to provide club members with an insider's update on how decisions were reached and what has been accomplished by the Legislature in the past few months as well as legislative priorities for the fall.

Born and raised in Silicon Valley and educated at Bellarmine and San Jose State University, Beall began his career in politics at the age of 28 when he was first elected to the San Jose City Council, the youngest person ever to serve on the council. After 14 years as a council member, he was elected to the Santa Clara County Board of Supervisors, serving three terms. In 2006, he won in the race for Assembly District 24, and is now in his third term in the state Legislature.

As Assemblyman Beall has focused on policies, programs and legislation to increase jobs and improve the business climate. He also continues to concentrate on issues that he worked on locally—health care, transportation, bolstering the foster-care system, and seeing that people with disabilities are treated fairly.

The meeting will be held in the banquet room of Carrows Restaurant at 3180 El Camino in Santa Clara. It begins at 7 PM. If you wish to join us for dinner, please try to arrive no later than 6 PM. For more information, please call Shirley Odou at 408-247-9513. (The information in this announcement was provided by Rachel Zlotaiver, Beall's Field Representative).

Remembering Evelyn Minnig

by Shirley Odou, Editor

Evelyn Minnig, beloved sister of SCCDC President Aldyth Parle, passed away July 1 at the age of 90. Although not a member, she will be remembered for her generous contributions to the club and her hard work in helping make our first silent auction in 1999 successful. In 2009, she won the grand prize in the club's donation drawing, a roundtrip train trip to Santa Barbara. She was thrilled and said it was the first time she had won anything. Unfortunately, her health prevented her from taking the trip, so, as was typical of the person she was, she awarded the ticket to a very appreciative club member.

Evelyn received her degree in nursing from the University of Nebraska. She taught for a brief time before entering nursing. After retiring from a 36 year-long outstanding career in her chosen profession, Evelyn devoted much of her time to charitable groups like the Heart of the Valley, an organization that provides transportation, grocery shopping and many other services for seniors. She also found more time for her hobbies like gardening, knitting and traveling.

Evelyn was a kind and gracious lady, who was always willing to help others. Donations in her name can be made to one of her favorite charities, Second Harvest.

"In a constitutional republic, the highest title is citizen." ~ Thomas E. Baker

Our sojourn to Baghdad by the Bay

by Esther and Rick Rechenmacher

We decided June 26th was the Big Day for our trip to San Francisco, courtesy of Santa Clara County Democratic Club.

We heard that San Francisco would be on traffic overload (Gay Pride Parade, Giants game and NASCAR races). So we left at 7:30 AM. By 9:00 AM, we were at Pier 3 where the Hornblower Cruise Yacht is docked. We parked our car on the dock and went walking toward Market Street.

It was a beautiful sunny morning. On Market Street, hundreds of Gay Pride Parade participants were lining up with

over 500 motorcycles. We were amazed! Rich was ogling the young ladies walking along the sidewalks. It was a very cheerful celebration. At 10:30 AM sharp, the parade began. So much excitement and so many motorcycles! It was a real people-watcher day.

We went back to Pier 3, and boarded the Hornblower at 11:00 AM. We all had numbered tables. We were very impressed with the appearance of the Hornblower. Everything served was delicious and in abundance, including Mimosas. A man played the piano while we ate. It was such a great experience that we plan to take

guests there in the future.

After the cruise, we went back to Nob Hill and our overnight at the Stanford Court Hotel, a lovely place. We relaxed in our room with a view of the Bay until 6 PM. Then we walked down Powell to Scala's, a very nice restaurant near Union Square. We had green salad with strawberries and almonds, halibut seared with fingerling potatoes, and string beans, wine for Rick and Pavlova for dessert (a New Zealand dish).

Then back up the four block Hill to our hotel where we relaxed until 10 PM and then had a wonderful sleep. We are so grateful! What a big surprise it was to win the Grand Prize. Thanks to you all.

News & Notes

Annual Democratic Party Picnic: Saturday, July 23 at 10:00 AM, Rainbow Park 5801 Rainbow Dr. S.J 95129. Because SCCDC is a co-sponsor, the food is free to all comers from the club. Rainbow Park is about 2 miles southwest of the intersection of 280 and Lawrence Expressway.

Zoe Lofgren's Annual Campaign BBQ: Saturday, August 6, 2011, 1-4 PM. To RSVP or for more information, contact Jeff Larivee at bbq2011@lofgrenforcongress.com or 408-410-2665.

June Meeting Club Decisions: Five motions were approved at the June club meeting: Every campaign donation that the club

makes must be approved by members at a general meeting. All campaign expenditures must be made no later than the September 2012 general meeting. The E-board is authorized to make expenditures to important, time-sensitive candidate appeals or issues when there is no time for a general meeting; expenditure of \$125 to send a representative to the event for State Senate candidate Sally Lieber on Saturday, June 25th; expenditure of \$150 to cosponsor All Clubs Picnic; donation of \$150 to We Are Wisconsin, the organization responsible for recalling the 6 Wisconsin Republican state senators and defending the 3 Wisconsin Democratic state senators; donation of \$500 to the California Clean Money Campaign in support of the Disclose Act. Report from Herb Engstrom, SCCDC Treasurer.

(continued from page 1: MEYERING ON WAL-MART DECISION)

such a broad group, setting up new standards for class action lawsuits deemed the "glue" test which Ruth Bader Ginsberg said in her dissenting opinion was so restrictive it would leave legitimate bias cases "at the starting gate" (*Pittsburgh-Post Gazette*, June 24, 2011). Furthermore, Scalia argued that Wal-Mart "had a piece of paper that said we oppose discrimination, including gender discrimination, so therefore there was no discrimination." He said the suit should be pursued on an individual basis, an approach that, according to Meyering, would be totally impractical considering the court costs and attorneys' fees and the amount of damages (\$6000 to \$7000) each employee would be seeking. Also, he maintained that when a large group is assembled there is "greater motivation and synergy" for a realistic suit to be brought to trial. Meyering concluded his remarks by pointing out that this case dramatically illustrates the importance of the next appointment to the U.S. Supreme Court.

A Cupertino attorney with 21 years of experience, Meyering, specializes in criminal and immigration law. He received his undergraduate and law degrees from the University of Illinois. Vice-president Dunkerley thanked Meyering for coming forward to discuss this critical decision handed down a few hours earlier. He also expressed the club's appreciation, and particularly the program chair's, for substituting for the ailing Clendaniel on such short notice.

Upcoming Events

July 18—SCCDC General Meeting, Carrow's Restaurant, 3180 El Camino Real, Santa Clara. Dinner at 6; meeting at 7 PM.

July 27—E-Board Meeting. Headen-Inman House, 1509 Warburton, Santa Clara (near the City Hall), 7 PM. Coffee and dessert will be served.

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Address Correction Requested