

Lockheed protesters sued by worker

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The first of what could be many civil suits for lost wages against protesters who staged an anti-nuclear weapons demonstration at Lockheed Missile and Space Co. in Bonny Doon last October was heard in small claims court yesterday.

A Lockheed electronics technician, Steven Beck, filed a small claims suit against five organizers of the protest for 17 hours of wages he lost when Lockheed closed the plant. Beck's claim totaled \$296 plus court costs.

The case was heard yesterday before Santa Cruz County Municipal Court Judge Richard McAdams. McAdams made no decision at the end of the hearing but said he would send his decision by mail in the coming weeks to the participants.

About 230 of Lockheed's 300 employees were laid off for two days while the demonstration was going on.

Vernon Smith, the plant director who appeared as a witness for Beck, said the company had to lay off the employees for their safety. The decision for the lay-offs was made after company officials

consulted with local law-enforcement officers.

Beck said he chose the five defendants named in the claim — Tim Reed, Jason Schwartz, Terry Teitelbaum, Mark

political, it's protected from civil tort liability."

But McAdams, who also presided over many of the criminal cases of protesters charged with traffic infractions, told

"I just want the facts of the case," McAdams said. "The issue here is apparent to anyone who has taken a high school civics course. We have the right of free speech versus the right of freedom from economic interference."

Mumper and Peter Lumsdaine — because they appeared to be the organizers of the protest.

"I respect their right to protest," Beck testified, "but there has to be a line drawn somewhere."

In an interview before the hearing, Schwartz called the claim a "retaliatory suit."

"There is a long history of these retaliatory suits," he said, "but not one has won. We are absolutely protected under the First Amendment. As long as the protest is non-violent and

Schwartz he did not want to hear Schwartz' views on the First Amendment nor case citations in support of his stance.

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McAdams also turned down a request from one of the protest organizers for postponement of

the hearing.

"This is the day for the hearing," he said. "Let me hear your side."

McAdams established that none of the four defendants (Lumsdaine did not appear) physically blocked the road to the Lockheed plant.

But Schwartz added, "We advocated support for people sitting in the road knowing full well it could prevent people from going to work."

McAdams also questioned Beck, the employee, as to whether Lockheed gave employees any opportunity to make up time for the missed days; if the union had filed a grievance with the company for laying employees off; or if he had filed a claim with the state labor commissioner for unjustly being laid off.

Regardless of McAdams' decision, Beck said in an interview that there will doubtless be more Lockheed claims.

"Even if I lose, a lot of Lockheed employees will still file claims," Beck said. "We learn from each other's cases."

In fact, the next Lockheed case is scheduled to be heard in small claims court next week.