

Claims Of Corporate And Legal Misconduct

Part II Of II — Acts Of Dan Feldman, HR, Legal



Walter Tuvell

August 18, 2011

Table of Contents

7	Executive Summary — Part II	4
7.1	List Of Particulars	4
8	Background — Part II	6
8.1	PTSD	6
8.2	Syncope	7
9	Dan: No Three-Way Meeting; Only Care About Wahoo	8
10	Dan: Instant Adversary	8
11	Dan: Transition Status	9
12	Dan: Ad Hominem	12
13	Dan: Impossible Planning; Blktrace	13
14	John Metzger: Don't Talk To HR[?]	17
15	Lisa Due: Insufficient Facts	18
16	Appeal	20
17	Dan: Three Behavior Issues	21
18	Dan: The "Lazy" Scandal	22
19	Dan: Pseudo-Yelling	23
20	Dan: Formal Warning Letter	25
20.1	Nor Have I Ever	27
20.1.1	Perfidy	28
20.2	BCG Certification	28
20.3	Emergency Letter	28
21	Diane Adams: Raison D'être	29
22	Russell Mandel: No Third-Party Complaints	29
23	Dan: Ill-Defined	30
24	Dan: Please Call	31
25	HR: Dan Must Control You	32
25.1	Dan Too	33
26	Short-Term Disability	33
27	Conclusion	34
	APPENDICES — Part II	35
M	Email Chain: Dear Dr. Tuvell (June 12–13)	35
M.a	Enter Lisa Due	38
N	Email Chain: Transition Status (June 16–30)	43
O	My nzVtCapture.sh Wiki Page	58
P	Sujatha's Dev-Emu/FPGA Project	61
Q	Email Chain: Ad Hominem (June 30)	62
R	Email Chain: Impossible Plans (June 16 –August 9)	72

S	Ashish's Modeling Project Tasks	104
T	Felix's Hermes Wiki Project Schedule	106
U	My Blktrace Wiki Page	115
V	Email Chain: John Metzger (June 15 - July 7)	123
W	Email Chain: Insufficient Facts (June 28-29)	125
X	Appeal	126
Y	Email Chain: Three Behavior Issues (July 5-6)	131
Z	Email Chain: The "Lazy" Scandal (July 6-20)	134
AA	Formal Warning Letter	137
AA.a	BCG Certification	138
AA.b	Emergency Letter	139
BB	Email Chain: Raison D'être (August 4-5)	142
CC	Email Chain: No Third-Party Complaints	145
DD	Email Chain: Please Call (August 11-12)	148
EE	Email Ensemble: Dan Must Control You	149
FF	STD Certification	152

7 Executive Summary — Part II

7.1 List Of Particulars

Sunday, June 12

- On Saturday, June 11, I communicated to Dan (by emailed weekly report) that I had initiated taking my complaints about the “Fritz events” (Part I of this Complaint) to an “HR process” (I had already informed him face-to-face the previous day that I intended to do so).⁴⁹ On Sunday, June 12, Dan communicated to me (by return email) in a stiff/formal manner, indicating that he considered this (taking-Fritz-to-HR) an adversarial event (e.g., he began his note to me by addressing it “Dear Dr. Tuvell”, which he had never before done anything remotely like). This constitutes a retaliatory event (it wouldn’t have happened “but for” my availing myself of the HR process), because it seriously altered my working relationship with my manager (as will be seen through the remainder of this Complaint). It is therefore prohibited by IBM policy, and constitutes hostile work environment.⁵⁰
- On Tuesday, June 14, Dan ordered me to produce for him, on a single day’s notice, a detailed day-by-day plan describing how I intended to spend my next three weeks⁵¹ working on four projects (later reduced to three, but one of those three was greatly expanded) involving technologies which were entirely unknown to me previously, beginning from mere “one-line” descriptions of the projects, and requiring me to produce this plan “independently” (i.e., alone, without consulting Dan or Sujatha or others). This order, followed by many more like it, is an impossible one to fulfill. I am extremely experienced, but I have never heard of such a legitimate order before. But I am aware of illegitimate such orders under other circumstances, namely, in the service of “blackballing”. This constitutes retaliation, hostile work environment, IIED, bullying (call it what you will).
- On Thursday, June 16, Dan initiated a campaign of “impossible planning exercises” upon me, involving my newly expanded work item known as “Blktrace”. This campaign involved requiring/ordering me to product certain sets of “plans”, which were impossible to product on their face, and which Dan himself couldn’t adequately explain or supply examples of. Incorporated as an integral element of Dan’s orders were many formulary “reminders” (undoubtedly specified by HR and Legal) of my supposed “senior mastery” over topics I’m supposed to be “planning” — with the transparent aim of using them as bludgeons when I fail at the impossible task (of either “planning” or “executing”). This constitutes hostile work environment, etc.
- On Thursday, June 30, Dan threatened me by saying I’d made apparently *ad hominem* comments about two colleagues. His assertions were false. (Even if true, any such comments could be made freely, because they were made in the privileged C&A context.) Dan’s behavior therefore amounted to threat/tampering with the C&A process, which is forbidden by “IBM Law”.

49. The “HR process” so initiated is called “Open Door” in IBM’s C&A document, though neither Dan nor I was aware of this name or the particulars of the process at the time I initiated it on June 10.

50. The point here is that I had initiated the HR process against Fritz only, not against Dan. It was not within Dan’s purview to treat me as “radioactive”, as he did.

51. I had pre-scheduled time-off for surgery and vacation, beginning on Thursday, July 7.

- At three separate one-on-one meetings, John Metzger (whom I'd never previously had even a single meeting with) plied me with (no-doubt-intentionally) ambiguous "wisdom", obviously "assuming" I'd "get his drift". I made the inadvertent error of interpreting his ambiguities in an "ethical" way, but it eventually transpired he intended them in their unethical meaning. As a result, he acted behind the scenes to encourage and direct the blackballing campaign against me. This constitutes hostile work environment, etc., not to mention an added element of conspiracy.
- The "HR/C&A process" (including the IST, Integrated Services Team) that I had initiated, concluded on June 29, with a curt, uninformative email from Lisa Due, claiming that "insufficient facts" had been found. However, she gave no explanation/rationale/reasons for her finding. This "silent treatment" by the HR process amounted to capricious abuse of power. It was — as I claim it was intended to be — a sham, for the purpose of covering-up wrong-doing by Fritz and/or Dan, thereby falsely protecting abusive management from proper prosecution. These behaviors exhibited violate "IBM Law", and constitute hostile work environment.
- On Tuesday, July 5, at a meeting with Dan in his office, he threatened me by saying certain "three behavior issues" would not be tolerated, under pain of punishment and/or dismissal.⁵² But the behaviors he spoke of (which can fairly be classified as "ways of expressing myself") were behaviors I had never exhibited.⁵³ By his threatening me in this way, Dan's behavior constitutes hostile work environment (in particular, it is obvious he would not have done so "but for" my availing myself of the HR process).
- On Monday, July 11, Dan initiated a new campaign of harassment, the "lazy" scandal, falsely/frivolously accusing me of bad behavior in the IBM environment (by using the word "lazy" in a [never-before-]prohibited way), with a not-so-implicit threat of punishment if I didn't "mend my ways". This was harassment/bullying/IIED.
- On Wednesday, August 3 (immediately after I'd returned from three weeks time-off for surgery and vacation), at a one-on-one meeting in Dan's office, Dan intentionally provoked me into a state of exasperation, then falsely accused me of

52. He actually said that my first infraction would be met with a formal letter of warning, and the second infraction would result in automatic dismissal.

53. My best guess about what behaviors Dan had in mind are the oral and email reports I generated during the HR process itself. However, my behaviors during that process in no way rose to the level Dan warned about. And in any case, even if they had, all behaviors during HR/IST processes are protected by the terms of IBM's policies and procedures, namely, it is promised that the complainant enjoys privilege of free expression without fear of reprisal (similar to the way legal proceedings are absolutely privileged, against such claims as, for example, defamation):

(i) AYJ, p. 17: "You should ask questions, say what is bothering you, what you like and do not like — always being candid, open and specific. You should also feel free to offer ideas on how things could be improved."

(ii) The above sentence occurs in the Section on Communications Channels of Your Job Environment, in the context of employees and managers, but it obviously applies even moreso to employees and HR processes, because HR processes supercede managerial interactions (*Concerns And Appeals Program*, p. 4): "The Open Door process reviews actions or inactions by management which directly related [*sic*, should be 'relate'] to and affect an employee."

(iii) C&A, p. 4: "[Anyone tampering or attempting to tamper with the Concerns and Appeals Program by actions such as intimidation, threats, harassment, etc., will be subject to disciplinary action]." The square brackets are in the original, presumably indicating emphasis.

“(pseudo-)yelling” when I raised my voice slightly in protest, with a threat of dismissal if I were to ever repeat it. This was harassment/bullying/IIED.

- On Wednesday, August 3, at the same meeting in Dan’s office, Dan actually did issue a Formal Warning Letter (FWL) to me, for reasons stated (in the FWL), but which were wholly false/frivolous (by the “rational person” test). Before he did so, however, he’d lulled me into a false sense of security, for the purpose of inflicting maximum psychological damage upon me when he finally “pulled the switch”. Dan’s act constitutes hostile work environment, IIED, etc.
- On Friday, August 5, I submitted a complaint to HR/C&A (Diane Adams, Russell Mandel) about the use of a term (*raison d’être*, in reference to a “third-party”, Amal Haldar) which occurred in email the preceding day, in a manner that was “worse” than my use of the “lazy” word.⁵⁴ But HR/C&A refused to investigate (as required by IBM Law), for two reasons: (i) it knew the *raison d’être* charge was trivial/frivolous (hence, Dan’s scandalous charge about my use of “lazy” was even more frivolous); (ii) HR/C&A told me that “IBM does not accept third-party complaints”, which is provably false. This demonstrates the depth of corruption in the HR/C&A process, and amounts to hostile work environment, IIED, etc.
- On Thursday–Friday, August 11–12, days when I was at home, Dan attempted to contact me by phone (instead of email). There was no legitimate reason for him to do so. I claim he wanted to have a phone conversation with me so that he could (falsely) claim I transgressed some (trumped-up) IBM “rule”, so that he could invoke the FWL and fire me. This is harassment (this time *out of the workplace*), IIED, etc.
- Throughout the course of the events described by this Complaint, I have many times asked HR to move me to a position not subject to the direct influence of Fritz and/or Dan (a supported policy, according to AYJ)⁵⁵ — but I have been refused every time. Instead, I have been ordered (coerced) to continue working for Dan (unless I myself take the initiative to leave in some non-HR-process-supported manner, either within IBM or outside). This constitutes hostile work environment, IIED, etc., and it proves conspiracy (by keeping me under the control of a manager, Dan, who is actively focused on trying to falsely terminate me).

8 Background — Part II

8.1 PTSD

I was already “damaged goods” (in a sense) coming into Netezza. In my pre-Netezza employment, I had been subjected to illicit adverse employment acts, including blackballing and defamation. This “fed into my low-self-esteem” (so to speak), leaving me with something of a

54. Of course, I did this only for the purpose of “laying a trap” against HR/C&A — I knew usage of “*raison d’être*” in email was completely innocent/innocuous (as was my usage of “lazy”). (The trap worked.)

55. AYJ, p. 10: “In certain circumstances, it may be appropriate to transfer the offender to another department or location. If requested by the victim, he or she may be transferred to another department or location.”

“dear-in-the-headlights” or “whipped puppy”⁵⁶ countenance at times, which I especially exhibited in my early months at Netezza. I’ve suffered from diagnosed PTSD (post-traumatic stress syndrome) because of it, though serious effects surface only in the extremest of circumstances, not impairing my “normal” work life at all.

Dan quickly observed my skittishness (it was quite obvious) soon after hiring me, and took the initiative over the months to “draw me out of my shell”. I explained to him some of the things that had happened to me, and he assured me many times (a dozen or so), seemingly in the most friendly/supportive language/demeanor, that “Netezza is different, things like that won’t ever happen to you here.”

I made it unambiguously/perfectly clear to Dan that I never wanted to see/experience workplace abuse again, because I couldn’t handle it psychologically. In particular, Dan knew that with respect to wrongful workplace treatment, “I know it when I see it” (I don’t “cry wolf”). Thus, when Fritz started harassing me, and then when Dan himself started doing the same, my “raising the alarm” was not to be taken lightly.

Dan knew all this and believed it. Due to his “friendliness”, I thought of him as a trusted friend. What was *unconceivable* by me was that Dan would “turn Judas”, actually using his knowledge of my vulnerability against me, as he did, making his “assassination” of me all the more damaging.

This has already been mentioned briefly in Part I of this Complaint (Section 2.2), but it is much more relevant in this Part II, and is referred to in many emails:

- Appendix M: 06/13/2011 8:58 AM; 06/14/2011 04:53 PM.
- Appendix M.a: 06/28/2011 12:09 PM.
- Appendix N: 06/15/2011 10:12 AM; 06/27/2011 09:03 AM.
- Appendix R: 06/17/2011 09:27 AM; 06/23/2011 01:43 PM; 06/28/2011 12:09 PM.
- Appendix EE: 06/16/2011 10:44 AM; 06/16/2011 03:47 PM; 06/30/2011 10:04 AM.

As a result of these communications, most/all of which were passed along to HR, *HR/Legal knew about my vulnerability too.*

8.2 Syncope

Prior to this year, I had experienced syncope (fainting, passing-out, blacking-out) exactly four times in my life:

- When I was approximately thirteen years old, I visited Fort Ancient (Native American earthworks, Lebanon, Ohio) with some friends of my same age. I started running down a hill, and I was unable to stop. At the bottom I approached a large fallen tree at a high rate of speed. I tripped and dove towards the tree. I passed-out in mid-air, and never felt the impact. When I awoke afterwards, I found my friends surrounding me, and we discovered I had a cut on my left palm which required four stitches.

⁵⁶ I actually described it that way to Dan following the Excel graphics incident (Section 4).

- In the summer of (approximately) 1995, I went for a long run (approximately fifteen miles) on a hot day, sweating profusely, then went to Kowloon's restaurant (Saugus, MA). I drank one beer, and passed-out. A policeman dining in a nearby booth helped revive me.
- In the winter of (approximately) 2002, I was suffering simultaneously from influenza and pneumonia, and was taking the antibiotic Zithromax (azithromycin). I was lying on a couch, then got up and walked to the bathroom. On my way back to the couch, I collapsed. EMTs were called, and I was taken to hospital.
- In the summer of 2008, I worked approximately ten hours of heavy labor (demolition of my kitchen, in preparation for renovation) on a hot (90°+), humid day, sweating profusely, then went to Bertucci's restaurant (Reading, MA). I had drank beer, and passed-out. EMTs were called, and I was taken to hospital.

change "had drank beer"
to "drank one beer"

9 Dan: No Three-Way Meeting; Only Care About Wahoo

It has already been documented in Part I that Dan refused to help me with my "Fritz problem", in that he (i) denied me three-way meetings to iron out issues, on the basis that he (Dan) (ii) "only" cared about the success of Wahoo (because, he said, his Performance Architecture Group is a service organization, and Fritz/Wahoo was our client).

At the time, I viewed this as a failure/limitation of Dan's leadership, but I didn't harbor personal ill-feelings of him on that basis (in particular, it wasn't something I'd considered taking to an HR process when it happened). But now, retrospectively considering everything that's happened involving this case to date, I must conclude that Dan was behaving that way to intentionally construct a hostile work environment around me. Therefore I do so allege at this time. Section 1.3, second bullet item.

10 Dan: Instant Adversary

change "the previous"
to "earlier that"

On Saturday, June 11, I initiated the HR/C&A process (weekly report, Appendix A.dd).

On Sunday, June 12, Dan responded to my weekly report (emailed to him the previous day), with an overtly/formally adversarial email, beginning with the words, "Dear Dr. Tuvell". Appendix M.

This was a truly astonishing turn of events, I thought, for Dan had known about (and even encouraged) my participation in the HR process (weekly report, Appendix A.dd), yet here he was "turning against me". At the time, Dan's change of heart amazed me greatly, perhaps even as much as Fritz's "lunatic ravings". For after all, my complaint to HR was only about Fritz, not about Dan (all Dan had done was refuse to help me, which to my mind (at the time) was "merely bad management", certainly nothing actionable via an HR/C&A process). And, if Dan/Fritz/IBM had nothing to hide, why were they threatened by an HR/C&A process in the

first place, which is one of the most sacrosanct/trusted of employee programs at IBM (at least supposedly, according to public promulgation)?⁵⁷

In Dan's note, not only did he "go adversarial", and deny I was being punished, but he also made two statements I knew to be false/misleading: (i) he claimed I did not report our conversations correctly; (ii) he claimed I "twice made clear" to him my history of suing. I responded to those misstatements in an email the next day, Monday, June 13 (Appendix M).

One thing for sure: this adversarial behavior of Dan's didn't pass my "sniff test". Thanks to my prior experience with blackballing, Dan had put me on my guard to watch out for serious bullying/harassment to come. That much I knew.

What I didn't know was that I'd inadvertently transgressed the (unwritten) Golden Rule of IBM: *Thou Shalt Never Go To HR*.⁵⁸ Who knew IBM takes Catbert ultra-seriously/literally as corporate/executive/management prophet/guru, instead of a caricature of evil incarnate?⁵⁹



11 Dan: Transition Status

Dan had been well-prepared by HR:⁶⁰ he began his blackballing campaign immediately. Appendix N.

On Tuesday, June 14, 8:59 AM, Dan asked to receive daily "brief email" reports on the status of transition activities between Sujatha and myself. (The only other time I'd ever been asked to do a similar thing at any job I've ever had was with Dan and Fritz, in the aftermath of the Excel graphics incident and the yelling incident; see Part I.) Per Dan's request, Sujatha did post such a brief email at 5:14 PM that day, commenting that I should add to her report as necessary. Her report seemed perfectly adequate to me, so I didn't bother adding anything.

But the first thing next morning, Wednesday, June 15, 7:11 AM, Dan fired off a nasty-gram to me, dunning me for not providing him with a report. That was a total absurdity, because he'd

57· In retrospect, of course, things are now clearer: the blackballing conspiracy was getting up a head of steam.

58· Shapiro, *Corporate Confidential*, pp. 24 ff, discusses this in a Section entitled *Talking to HR can cost you your job*.

59· Copyright © Scott Adams, Dilbert Comic Strip, March 27, 2007.

60· See Section 20.1.

received a perfectly adequate report from Sujatha, implicitly (by non-addition)⁶¹ seconded by me. Any legitimate managerial function that needed to be informed by transition status had been satisfied by the report he'd received.

But much worse than a "total absurdity", this was consummated harassment — pure and simple, obvious and undisguised. Why harassment? Because of all the hundreds of emails I'd received from Dan prior to my opening a C&A investigation, none had carried anywhere near this level of seething animosity. This cannot be denied (for, all the previous emails are in IBM document retention databases, and discoverable).

The smarmy tone of Dan's email was undisguised, blatant, stiff, hostile, demeaning, snide and condescending. Given my background of dealing with abusive managers, I of course immediately recognized this as the opening salvo of "overt warfare" (as opposed to the "politically correct" formulation of the "Dear Dr. Tuvell" note). Even apart from the tone, a dead giveaway was that Dan lied twice in the course of this short email: he pretended he'd asked us: (i) for separate reports each day (he hadn't); (ii) that the reports were supposed to be in our own words (he hadn't).

So I responded "in kind" but openly/truthfully, not "pretending" ("game-playing") like he was (thus telegraphing him that I was "onto his game", hopefully to indicate he wasn't going to "get away with it", so he should stop), with an email at 10:12 AM, beginning "Oh Come On." In that email, I exposed his 2 lies, and I fed him a minimal (but correct) report — a pattern that would now be repeated in daily "brief emails", as recorded in Appendix N. In a follow-up note at 1:23 PM, I further pointed out some misleading information Dan had sent to the HR people CC'd on his note.

Towards the end of the "transition status" email chain (see the emails of June 30 in Appendix N), it becomes clear that Dan has been "wishing" my abbreviated/content-free daily "brief emails" actually represented the totality of the work I'd been doing for Netezza, so that he could fire me for non-performance. This was harassment, as I noted in those emails.

Equally transparently foolish is Dan's assertion in his email of Appendix N 06/30/2011 08:27 AM, where he wrote:

- There are four days left before your medical leave.⁶² I need to know what you expect to accomplish in those four days. I need to ensure that the work is left in a reasonable state on Wednesday, 7/6; one that will enable the legitimate work of the Performance Architecture group to continue during your extended absence.

Nothing could be further from the truth: it's utter nonsense, written for the express purpose of harassment and no other reason. For, this project ("Blktrace") was mine, and mine alone. It was an essentially meaningless project which had been thrust upon me (inherited from Sujatha), and I spoke about its meaninglessness often (demeaning and without significant implications, typical of blackballing assignments).⁶³ Especially, nobody-but-nobody was going to

61· Compare to the first 2 emails of Appendix N, where I had indeed added a comment to Sujatha's report.

62· I was pre-scheduled to go out on medical leave (surgery), beginning on Thursday, July 7, followed by pre-scheduled vacation, return to work on Monday, August 1. And it did indeed happen that way.

63· Or at best a "mildly interesting long-term/academic pursuit". From what I know of the project, it was initiated by Garth Dickie, who is an excellently talented colleague, with a long-term/academic interest in NPS performancs. To have truly worked with Garth would have been rewarding (and we would have discovered together whether to project was "merely mildly interesting" or whether it had the potential to really go somewhere [such as, bringing Linux block-I/O into the purview of Netezza R&D]). But that didn't happen, because Dan hijacked the project by squashing me under his thumb, assigning me to

be even looking-at or thinking-about Blktraceⁱⁿ my absence, much less working on it. That was obvious; everyone knew it; and in the event that's exactly what happened.

There's another "red flag" Dan has graciously thrown our way in his email of 06/30/2011 08:27 AM: the use of such phrases as "given your seniority" and "given your long tenure in the industry".⁶⁴ This is a blackballing classic: it's used to "set up" the victim, by pretending their "seniority" makes them qualified/liable for anything/everything the abusive manager wants to throw at them. Indeed, that whole paragraph is devoted to non-quantitative puffery that the abusive manager can use to claim the victim "didn't accomplish it". In fact, the paragraph is self-contradictory: a senior employee (as I certainly am) doesn't need to waste time doing all that insipid "planning" and "deadlines" Dan is fixated on, because the senior employee can "just do it". And of course, that's exactly the way I'd been working with Dan ever since he hired me. The fact is, for a truly first-rate senior employee (as I certainly am), working against plans/deadlines is positively deleterious to serious productivity — for the well-known reason that first-rate employees need flexibility and free-time in order to be *creative*, which is exactly what I'd been doing ever since I arrived at Netezza, and I'd been consistently/highly praised for it, right up until June 10.

Q And indeed, we get to see a prime example of that creativity in Dan's very next email (minutes later), Appendix N 06/30/2011 08:35 AM. There, he admits, rightly, that my solution ("nzVtCapture.sh", Appendix O) to the "ring buffer wrap-around problem" (i.e., "virtual table capture problem") is "important and useful".⁶⁵ But then he goes on to complain irrationally about several things:

- (i) Didn't assign you this task.
- (ii) You didn't communicate with me about your intention to undertake it.
- (iii) May not have been the best use of the limited time available.
- (iv) Pursuing it without communicating with me you have undermined my ability to make the best decision about how a scarce resource (your time and talent) are allocated.
- (v) More effective communication will avoid this kind of thing in the future.
- (vi) Precisely the kinds of decisions I'm expected to make.

Can an attempted "blackballing set-up" be any more blatant? If this kind of micro-pseudo-managerial planning/reporting was so important, why hadn't Dan been doing one iota of it with me before June 10?⁶⁶ Does anyone believe a manager who really believed these sorts of thing wouldn't be immediately dismissed for incompetence?

For, the fact of the matter is that each and every one of the items Dan complains about here is false or misleading. For:⁶⁷ (i) the work item in question was indeed assigned to me (Appen-

chasing down trivial factoids Dan himself conjured up specifically for the purpose of crushing my will.

64. Both of which are, not coincidentally, indicators that Dan has age discrimination on his mind.

65. And here is probably another reason for Dan to hate me (very similar to the one indicated in Appendix R 06/17/2011 09:27 AM): I succeeded where Dan failed. For, according to his own self-admission of his own job description (Appendix Q 06/30/2011 08:27 AM), he had inspected Sujatha's work-product *re* Garth/Emu/FPGA, yet failed to notice it could/should be generalized to all virtual tables [nzVtCapture.sh]),[←] (nzVtCapture.sh, App. O).

66. And remember that *all* emails are discoverable in IBM document retention databases.

67. These four items respond to Dan's six items, they're just not matched one-for-one.

dele.
"d"

dix K, item #3), and he knew it; (ii) my solution, nzVtCapture.sh, was brilliantly⁶⁸ the “right” way to solve it, because the solution not only applies to “Dev-Emu/FPGA” as Dan/Sujatha thought it did, but to all (dozens) virtual tables in the Netezza technology; (iii) it took only three days to complete (a mere blink-of-and-eye in software-time), and that involved coming up to speed on the whole problem in the first place; (iv) nobody, but nobody, was waiting for me to do anything different (the only other project anywhere near my plate was Blktrace, and I’d already completed that to the degree it had been described to me by Sujatha).

Dan is obviously thrashing here, trying to “get the goods” on me. And he seems to be getting frustrated already (his “blackballing” game is just getting started), judging from the straws he’s grasping at.

In the final emails of Appendix N, I point out some of the inconsistencies of Dan’s logic (not surprisingly, it’s always easy to trip up a liar).

The last few emails of Appendix N also start veering off into two other areas that will be dealt with in the next two Sections, 12 and 13.

12 Dan: *Ad Hominem*

Dan’s attack on me, to the effect of accusing me of making apparent *ad hominem* comments against two colleagues, was brief and ineffective, because it was false, and he was threatening my protected speech in any case. But it’s interesting because its failure seems to have led a frustrated Dan directly to his more desperate attempt to launch an ill-conceived attack via the “lazy” word (which will be dealt with below).

Dan raised his *ad hominem* charge in his email of Appendix Q 06/30/2011 08:35 AM, referring to some statements I’d made in my earlier email, Appendix N 06/30/2011 08:13 AM. The statements I made were strong, but they were not *ad hominem*, as I went on to explain in my email at Appendix N 06/30/2011 10:58 AM — where I also thank Dan for putting this inane *ad hominem* attack in email as evidence (of harassment/IIED).

It’s worth pointing out the reason I was so strong in my comments. I wanted to demonstrate (as I told Dan at a later one-on-one), beyond a shadow of a doubt, that while putting someone with my high-level of expertise on a low-level project like Sujatha’s so-called “Dev-Emu/FPGA” (a misnomer, it should have been called “virtual-table capture”) will of course result in a superior solution, it’s not worth it, because it wastes talent that can be put to better use elsewhere.

Besides which, I could have engaged in arbitrary off-the-wall *ad hominem* attacks against anybody and anything with impunity, if I had wanted to. For, this discussion was under the aegis of both (i) manager-employee communication, as well as (ii) the HR process.

As regards (i), manager-employee communication:

- [C]ommunications are key to an effective employee-manager relationship. ... [Y]ou should take the initiative whenever you feel the need to talk to your manager on matters relating to current performance or the workplace. You should ask question, say what is bothering you, what you and to not like — always being candid,

68· (If I do say so myself.)

open and specific. You should also feel free to offer ideas on how things could be improved. — AYJ, p. 17.

As regards (ii), the HR process: It is universally well-accepted, of course, that all judicial/investigatory processes of this sort enjoy absolute/unconditional privilege against claims of defamation — otherwise they simply couldn't function. Then IBM offers additional guarantees on top of that:

- [Anyone tampering or attempting to tamper with the Concerns and Appeals Program by actions such as intimidation, threats, harassment, etc., will be subject to disciplinary action]. — C&A, p. 4 (square brackets in original, presumably indicating emphasis).

And, for good measure, there's even an additional rule that covers both (i) and (ii) simultaneously:

- Threats or acts of retaliation or retribution by any manager or other supervisory personnel against employees for use of IBM's communications channels or appeals process will not be tolerated by the company; such conduct, when determined to have occurred, will result in discipline. — AYJ, p. 10.

Therefore Dan's threat against me tampered with the C&A process, which is forbidden by "IBM Law".

13 Dan: Impossible Planning; Blktrace

Dan invested a great deal of time, energy and ingenuity, beginning very early on, nursing a blackballing technique designed to "trip me up" by trapping me into impossible-to-succeed plans/deadlines. This is "the oldest trick in the book":

- "If there was someone we no longer wanted at the company, we'd give him all the worst assignments on impossible deadlines, set him up to fail, and document that. After a few months, we could safely terminate him." — *Cynthia Shapiro* (Crouch, *Reader's Digest*, p. 137).

Dan's gambit began with his email of Appendix R 06/16/2011 10:25 AM. Like all "good" blackballing techniques, it's very(/overly) carefully worded, so as to be "documentable" (in the sense of the preceding quotation). The hand of HR and Legal in this email isn't as invisible as they'd like to think. Also true to the above quotation, I already had the worst assignment (from the demotion to Sujatha's level) — now all Dan had to do was set me up with an impossible deadline. What better way than to make me tie my own noose? Invocations of hackneyed formulas like "independent perspective", "demonstrate your command of tools and technologies", "take full ownership", "seniority includes responsibility", "expand the scope", "significantly increased analytic component", "like you, a PhD in Math", "professionally rewarding and fruitful" are dead giveaways that failure to perform one iota of the plan will result in dismissal (just wants to make you retch, doesn't it?).

Then comes the kicker: he wants me to provide a detailed, independent (can't talk to him or Sujatha), day-by-day three-week schedule, for four(!) new-to-me projects (Sujatha's projects, Appendix K), with a mere single-day's notice. There's only one little problem with this task: it's impossible, both as to (i) generating such a schedule, and as to (ii) sticking to any sched-

or anyone else

ule that's been hacked together in only one day. This is prime blackballing bait, of course. What's more, despite my supposed "seniority", I personally have never generated schedules. That's because either: (i) schedules are managed by people with titles like "project manager", if the project is big enough (say three or more developers); or (ii) I've "just done the work" without the bother of a schedule, if the project is small enough (the schedule is just a waste of valuable time). Many developers do take detours into project-management-land (life is easy and sunny there), but many don't, and I haven't.

Now, you have to remember that what's funny about all this is that we're talking about projects (Appendix K) which, in the grand scheme of things, are tiny, almost trivial. That's why only one person is assigned to them (me), and nobody depends on them. The kind of schedulization Dan's looking for here is entirely superfluous. And we both know it.

With this setup, it's probably best to let the reader start perusing the email chain in Appendix Q. It's fascinating from a chess-match point of view. Moves to look for:

- do
- Dan had never asked me to anything like this sort previously. Somehow (namely, disparate treatment) this sort of schedulization has gotten "really important" since I filed for the C&A process. Quite a coincidence.
 - I ask Dan for an example (as mentioned above, this was genuine, because I don't do schedules). He has no suitable example available, of course (because none exists), so he delays sending me anything for weeks (keep reading).
 - Lisa Due (the IST manager for the C&A process) looked at this schedule-making assignment, and told me it was a "very small project plan" — provided Sujatha were doing it. Well, duh. Once she knew I was the one who was tasked with doing it, "independently", she suddenly got tongue-tied.
 - When Lisa finally did forward to me two examples of planning she'd gotten from Dan, they were impossibly mismatched with the "detailed day-by-day three-week independent schedule for four projects" that Dan wanted me to do. These were Ashish's Modeling Project Tasks (Appendix S) and Felix's Hermes Wiki Project Schedule (Appendix T). I ask you: could you come up with anything remotely like Appendix R or S for the planning exercise Dan assigned to me?
 - Somehow (probably on prompting from Dan), Lisa seemed to have the idea I wasn't doing my work (apart from the plan-generating masturbation). That was wrong of course, so I send her a copy of my "Blktrace, Blkparse, Btt" wiki page (Appendix U), so she could see for herself.
 - Dan surreptitiously expanded the scope of the Blktrace project as I'd inherited it from Sujatha. (Sujatha said the Blktrace task was to generate data for Dan to "derive more useful statistics and pretty graphs" — exactly what she was doing for Garth on the Dev-Emu/FPGA project; Appendix P.) I hated that, because I'd been working towards finishing up Sujatha's work items so I could move out of Dan's group, but now he was chaining me to the rock. I protested vigorously.
 - Dan told me to consult with Garth about what to do next with Blktrace. When I did, Garth merely said, "I want to know what NPS is doing with its disks." Totally wide-open. Which isn't so bad (in fact, I relished the idea of free roaming), but it's a far
- S or T
- sent
- change "like" to "of"

he cry from the “profundity” Dan implied, was expecting (Appendix R 06/16/2011 10:25 AM).⁶⁹

- On July 4, Dan finally started giving me some idea of the kind of plan he wanted (and it was far removed from the nonsense about Ashish’s and Felix’s plans). It was essentially content-free, as I expected it to be (i.e., a “just go do it” sort of plan). Even so, I kept protesting any plan-writing, because of its potential as a black-balling tool, and I explained why in my email of 07/05/2011 10:42 AM.

spent ■ Note the obvious attempt at trickery in Dan’s email of 07/05/2011 12:00 PM, where he tries to get me to slip into saying I spend an entire day writing three paragraphs of my weekly report. Now that’s really subtle.

- Eventually, when Dan finally did write down an example (content-free) plan for me, I just regurgitated it back to him. Seemed like a good idea at the time, because it had the same lack of value as he seemed to want. ← see Add. III, p. 6, mid

- On Wednesday, July 6 (the day before I went out on medical leave and vacation for three weeks), I generated my Blktrace results for Dan and Garth, and posted them on the wiki (Appendix U). We all liked the “pretty pictures” (as Sujatha called it in her Dev-Emu/FPGA project outline, Appendix P), but really that’s all they were, not some profound thing supplying great new insights into NPS.

how
Blktrace
would

- After returning from medical leave and vacation on Monday, August 1, I picked up where I’d left off with Blktrace. See emails of August 3 (Appendix R). Even though I didn’t see Blktrace help out NPS a whole lot, it was fun to play with nonetheless,⁷⁰ so I’d worked on it a bit during my medical leave time, as stated in my email of 08/03/2011 02:06 PM.

plus, I needed to
“prove myself”,
to keep off Dan’s
“hit list”

- Dan also picked up his cudgel where he’d left it, and continued pretending the Blktrace project was some Big Deal, requiring lots of heavy-duty planning, etc., which isn’t the case. See his email of 08/03/2011 02:55 PM. It must’ve killed him to recognize from the wiki page that what I’d done was really, really good,⁷¹ but he still

69. Dan explained his idea of “profundity” in his emails; they revolve around this general idea: “We implement extent sized I/O operations by submitting 24 sequential page sized I/O requests. Do we get 24 sequential physical I/Os as a result?” I’d had a hard time understanding that idea, because I’d told him several times I couldn’t understand how anybody would come up with that idea, it’s so far removed from anything I’d dream up (“it’s almost never gonna happen”), and I have some experience in the area. Subsequently, I have completed this Blktrace project (in private, on my personal time as a “hobby”, because Dan ordered me not to work on it for Netezza[!]), and have verified that my understanding is right after all. In other words, there’s nothing profound about this Blktrace stuff at all, unless you know nothing going-in, in which case a simple talk with somebody who does know what’s going on suffices to set you straight. To the contrary, what I now believe/allege is that Dan really had an ulterior/twisted motive in ascribing “profundity” to the Blktrace project: *if I didn’t find something of profound importance for NPS performance, I would have failed — and that would be a firing offence, given my “seniority” (using this perversion of age-discrimination once again)*!

70. In particular, there was a question, whether at “strand-crossings”, there were actual collisions in the block/sector numbers. I’d noticed that, and conjectured they wouldn’t collide (thanks to caching), whereas Garth also noticed it and conjectured they would collide (thereby offering an opportunity for optimization, due to “scan sharing”). It was fun exploring this, and it turned out my conjecture was correct.

71. Prior to the events related in this Complaint, Dan had always *praised* the high quality of my work (and my work is indeeds objectively of the highest standard of quaility). But after I filed my C&A action, he started turning even that into a negative — see, e.g., his ridiculous slur about “your own personal

kept harping on the (rather trivial) question about “24×128KB = 3MB I/O requests”. That’s understandable though, because he was getting desperate: the strategies Dan could use against me were dwindling, so if this Blktrace thing slipped between his fingers, he’d have failed in his mission to get rid of me (and so his own job would be on the line).

- Note in my email of 8/04/2011 04:58 PM, and Dan’s reply of 08/05/2011 08:42 AM, the funny fixation about “SMOP”, and other “wording niceties”; the reason for that will become clear below (“the ‘lazy’ scandal”). More germane to the present discussion is that at this point I’ve been doing Blktrace enough that I’ve got a “pretty good handle” on it, and predict I can have it finished in a day or two. Finally, a nice, clean, low-risk, very-short schedule for Dan.
- But Dan wasn’t buying it, even though this was what he said he’d been wanting all along; see his email of 08/05/2011 08:42 AM. He didn’t want me to the actual work (which would take only a couple of days), instead he wanted me to slow down and make big plans and have big powwows. That’s all bullshit. Has a reasonable, well-intentioned manager (that is, one not engaged in blackballing) ever acted like this in the history of the computer industry? (You don’t have to answer that, it’s a rhetorical question.)⁷²
- Particularly attention-getting is the way Dan homes-in on my (completely correct and innocent) use of the word “ill-defined” in my weekly report (Appendix A.mm). Again, his reason for doing this is crystal-clear: it’s another way to try leveraging the “lazy” scandal (more on that below) to get me terminated.

Having now plowed through that whole email chain about planning/Blktrace, ask yourself: Why is Dan all of a sudden writing this kind of long-winded, dragged-out, overhead-heavy, process-ahead-of-results, emails — concerning a simple project (Blktrace) that I can sit down and crank out results right and left — whereas he’s never done anything of the sort with me in the previous nine months of our relationship?⁷³ This question you do have to answer. And the answer is: “harassment/bullying/badgering/IIED”.

Note, too, that whenever I pointed out this kind of IIED-inducing behavior to any of our vaunted “HR professionals”, they simple mumbled the mantra “your manager has assigned you do a task, so you must do it”. In other words: they were willing co-conspirators in the IIED.

standard of quality” (Appendix R 08/05/2011 08:42 AM).

72· At least one “misstatement” should be noted in Dan’s email of 08/05/2011 08:42 AM. He says: “you resisted providing an estimate of less than one week precision (1–5 days) and when pressed offered that you had to accommodate the possibility that you would be delayed by accident or illness”. That is (known-)false. What I did say I needed to accommodate in scheduling was the exigencies of any non-trivial scientific/technology project, and I was right about that. The place I spoke of accident or illness was when Dan was pressing me to “promise/swear/commit/guarantee” (my paraphrase) to get a schedule to him by a fixed deadline. Without some accounting for randomness (that is, some sort of “85% confidence level”), I knew he was trying to box me in as tightly as possible, so I resisted. (In the event, I got the estimate to him in my email of 08/05/2011 11:00 AM)

73· And remember that all emails are available in their original form in IBM document retention databases.

14 John Metzger: Don't Talk To HR[?]

The role of John Metzger has been shadowy from the beginning — and still remains so today (to me), because all my dealings with John contain strong elements of ambiguity.

I did Dan had CC'd John on his original "Dear Dr. Tuvell" email (Appendix M 06/12/2011 01:44 PM), and hence on my reply email to Dan too. John's title was Vice President, Product Strategy,⁷⁴ with both Fritz and Dan reporting to John. From just those facts alone, it's inconceivable John's influence on the events of this Complaint could be anything but determinative (basically, there's "no way" Fritz and Dan would act contrary to John's wishes, not to mention Netezza HR, etc.).

Before this Unpleasantness, I'd never met with John one-on-one. Now, I've had three one-on-one meetings with him.

My first meeting with John happened "immediately" after I filed my C&A action, on the morning of Monday, June 13, even before I briefed HR (Kelli-ann) about the Fritz situation. One thing John told me right away was that he didn't want to "take sides".⁷⁵ That was ambiguous to me. Did he mean: (i) "Walt vs. Fritz/Dan"; or (ii) "Fritz vs. Dan"?⁷⁶ Too, as I wrote in my email of 06/13/2011 10:43 AM (Appendix J), I was heartened that John said he had a big interest in the welfare/happiness of his people — because these were sentiments that Dan had never expressed (he only talked about "success of Wahoo"). This was ambiguous too: was John talking about: (i) my happiness; or (ii) that of Fritz/Dan?

be My second meeting with John happened on Wednesday, June 15. As I wrote in my email of 06/15/2011 08:06 PM (Appendix V), John talked about both personal stuff and professional stuff, "as if" conducting a job interview. For good measure, he forwarded to me information about Jim Finnerty's optimizer project (Appendix V 07/01/2011 02:17 PM). At home that night, I told my wife how this gave me hope I'd moved to another position, away from Dan's (and Fritz's) control, as I'd already been begging everybody. More ambiguity. Would this be: (i) a "free" move to get me away from an abusive situation; or (ii) would there be a *quid pro quo* to drop the C&A process?

My third meeting with John happened on Friday, July 1. (See also Appendix A.gg.) As documented in my email of Appendix V 07/01/2011 02:22 PM, John's focus in this meeting was on "can't we just all get along together". He didn't like tensions in the room, and wanted the fuses defused. Still ambiguous. Did he mean I should: (i) drop the C&A thing altogether; or that (ii) I should just keep the C&A thing on-the-side as an extra-curricular activity between me and C&A, leaving the Marlboro office offline?

But the "shadow man" still had one more trick up his sleeve. He said/did the following things, all within the constant context of "civility in the workplace".


- When I reiterated (as I often do) that I was committed to doing everything "by the book" with respect to the C&A process, he said "HR", and gave the universally known "thumbing-the-nose" gesture.

also, at one of the meetings with John (I think it was the 3rd), he said he "didn't want to have to build different entrance doors for different employees" -- but which "different" employees did he have in mind?

74. Until August 10, when his appointment as Netezza CTO was announced.

75. Which must also be interpreted as "abrogation of leadership."

76. I thought John could have been thinking: "Fritz is too-strong and Dan is too-weak. Should I fire Fritz because it was unforgivable for him to yell/defame you, or should I fire Dan because it was unforgivable for him not to help/defend you?"

- He gave me this advice: “Before saying anything [verbal or email, both were talked about], count to 10 first. Count to 100.”
- And then, right afterwards, he gave the universally known “zip-the-lip” gesture.
- He told me: “It’s up to you. It’s all up to you.” 

Ambiguity. Did he mean: (i) “I don’t care about HR process, I’m just going to ‘do-the-right-thing’”, together with “just be careful to keep all communications at a civil/business/professional level so you don’t inadvertently offend anybody” (though admittedly I was puzzled by that thought, because I thought everything I did under the C&A aegis was confidential and privileged); or (ii) “if you continue talking to HR, you’re a dead man”?


Since I “knew” by this point in my journey that the C&A process was sacrosanct/revered at IBM (at least according to the glossy propaganda), I wanted to believe all of John’s ambiguities came down on the good/pure side of the ledger. So it was with that (mis?-)understanding in my mind that I had the email exchange with John (Appendix V).


But now that all the water has gone under the bridge, does the fog of ambiguity still surround John? What’s the verdict on this man of mystery, innocent or guilty? Given the huge reverence with which John is regarded at Netezza for his significant accomplishments (holder of some of the original NPS patents not being the least among them), we can have no doubt the events perpetrated against me wouldn’t have happened if John didn’t want them to happen. Thus, the “reasonable person standard” leaves us with only one rational choice: guilty.⁷⁷

15 Lisa Due: Insufficient Facts

Lisa Due, of the IBM IST (Integrated Services Team, within the HR organization), had taken over “lead” (that is, control) of my C&A process on June 16 (Appendix M.a). I spoke to her on June 20 (Appendix M.a). On June 29 she issued her final/official report. Her core finding (Appendix W) states: “insufficient factual information to support your allegations” (which I will generally abbreviate to “insufficient facts”).

The total, utter incompetence of this so-called “report” is astounding. It’s a joke. Here are the reasons:⁷⁸

-  Lisa states that her investigation was conducted into “concerns raised regarding your treatment by your manager, Mr. Daniel Feldman”. But that’s not what the thrust of my case was about at all. My primary charge was obviously the claim of defamation against Fritz. (Just take a look at Appendix A.dd, in the area of “Fritz shat upon me in public” and following — this is what I submitted to Kelli-ann as my complaint, followed up by a verbal interview, and repeated to Lisa verbally.) Therefore Lisa missed the whole point of my C&A case, and totally gutted it before it got

 77. There’s an additional general legal precept which leads to the same conclusion. Namely, ambiguities in the master/servant relationship (e.g., employment contracts, or in this case John’s inscrutable conversations with me) are to be resolved in favor of the interests of the employee, by the principle of *contra proferentem*.

78. And bear in mind this is Lisa’s *official* C&A report, which had been reviewed by her manager (perhaps/presumably Russell Mandel). Appendix W 06/28/2011 12:15 PM. By its very officialism, this report too is subject to *contra proferentem*.

started, by not investigating what I complained about. Can it get more incompetent than that?

- Lisa's phrase "insufficient facts" makes no sense on its face, even as a theoretical matter. It is completely unintelligible. It's not even English. What does make sense is a finding of "insufficient evidence", but not "insufficient facts". What do the words "insufficient facts" even mean?⁷⁹ For example: Fritz self-admitted yelling at me (Section 6.1; Appendix I.b). Is that a "fact" or isn't it? And if it is a fact, is it an example of a "sufficient" fact or an "insufficient" one? Or are there other flavors?
- Lisa states no reasons at all for her conclusion.⁸⁰ None. That's a blatant corruption of the investigatory process. All fact-finders in all valid investigatory proceedings (e.g., judges at court) are not permitted to merely "state conclusions" — they are also required to "state reasons for conclusions". "Conclusions with no reasons stated" are considered "capricious", and abusive of power, for more-than-obvious reasons (oops, did I just say "reasons"?). Without reasons stated, the whole concept of investigatory/judicial processes loses public confidence, and the social contract breaks down. Why would IBM want to foster an obviously insipid, illogical, unjust process like this?⁸¹
- Assuming for the moment that "insufficient facts" makes some kind of sense, what "facts" did Lisa actually investigate, and why were they "insufficient"? We need to be told this, because Lisa has self-admitted she studied the wrong thing ("concerns about manager", as opposed to "complaint of defamation" as I actually alleged). If Lisa studied the "wrong facts" (as she self-admits she did, by citing Dan instead of Fritz), her conclusion of insufficiency is null and void. (Of course, she should have been considering "evidence" all along, not "facts".)
- Lisa speaks of "supporting your allegations". But again, what allegations did she investigate? Since by self-admission she only studied "concerns" about Dan, what confidence do we have that Lisa considered or understood my actual "allegations" against Fritz at all?
- Now, I did have some small, incidental complaints against Dan (namely "no three-way meeting", "care only about Wahoo", "adverse job action"), which at the time I thought were probably within Dan's purview and couldn't be challenged via an HR process (because they "merely" amounted to "bad management"). That Dan did do those things, especially the job action, are "undisputed facts" — so how can Lisa say they're "insufficient" (if we only knew what that means)? How does Lisa's blind-eye "finding" here square with official IBM policy (AYJ, p. 9), which straight-

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79. Bear in mind that this C&A process is certainly subject to Legal review (IBM is world-renowned for being a highly litigiously driven company), else it's wholly devoid of any investigative credibility whatsoever. No lawyer in their right mind could even invent such a stupidity as "insufficient facts". Therefore it's from a lawyer in their wrong mind, namely, it's a meaningless phrase use to confuse wronged employees and keep them off-balance. It cannot even be challenged, because it means nothing.

80. Yet another theme permeating this case. I had complained bitterly throughout about never being told what was going on, and no reasons were forthcoming. Examples: footnotes #14, #27, #96; Appendix M 06/13/2011 8:58 AM; Appendix Q 06/29/2011 12:53 PM; Appendix X 06/29/2011 12:53 PM; etc.

81. That's a rhetorical question. The answer is that IBM actively supported and protected this scheme, for the very reason that it was too confusing for employees to comprehend, much less defend themselves against.

forwardly *defines* “significant tangible adverse employment action” by the wording: “such as dismissal, firing or an undesirable reassignment”.

- Even though I didn’t primarily complain about “treatment by my manager” when I *initially* filed the C&A action, I did forward to Lisa numerous *subsequent/ongoing* emails from Dan (as a result of which my opinion of Dan evolved), showing beyond a shadow of a doubt that he was engaging in blackballing even during the course of the C&A investigation itself. How could a competent investigator miss what was going on right under her very nose?⁸²
- One more thing. Remember that insipid exchange, where Lisa tried to tell me that Dan’s order to “independently” come up with a detailed day-by-day three-week project plan, for four projects simultaneously, on only a single day’s notice, was “a very small project plan” — *because she got Sujatha and I mixed up* (Appendix R, 06/20/2011 10:58 AM — 06/23/2011 02:11 PM)? This proves Lisa was *paying no attention whatever*, and hence lacked the minimal competence to conduct a C&A investigation. She should have disqualified herself instantly. The fact that she didn’t proves she has no integrity.

And this Lisa Due person was deemed a “very experienced, knowledgeable HR professional” by Diane Adams in her email of Appendix M.a 06/16/2011 10:47 AM? With “friends” like this in HR, who needs enemies?

For the reasons stated above (and throughout), I hereby assert the whole C&A Process is nothing but an institutionalized abuse of power and process — a sham with no theoretical underpinnings in justice whatsoever, and no reason for existence except to produce glossy propaganda, for the pretension (but not reality) of providing protection for employees (primarily against corrupt managers). And, of course, cover-up. Thus I claim the whole C&A process in general, and Lisa Due and Russell Mandel in particular, knowingly foster a fraudulent and abusive hostile work environment.

16 Appeal

Needless to say, immediately upon receiving Lisa’s absurd report on June 29, I filed an appeal with Russell Mandel, the C&A Program Director (within the HR organization), whose official Lotus Notes email signature described himself as:

Consulting Human Resources Professional
Concerns and Appeals SME⁸³

Appendix X. On July 1, I had a half-hour phone briefing with Russell, during which time he self-described himself as “Mr. C&A, Top Dog in C&A, etc.” (paraphrase). That is, Russell is the one-and-only ultimate authority for the C&A Program within IBM, beyond whom there was no possible avenue for further appeal (except to “go outside IBM”, as he said).⁸⁴

⁸² Another rhetorical question. She didn’t “miss” it of course, she simply “chose to ignore” it.

⁸³ SME = Subject Matter Expert = Person exhibiting the highest level of expertise in performing a specialized job, task, or skill.

⁸⁴ I believed all this, but it turns out he wasn’t being quite straight enough with me, as I later discovered the Confidentially Speaking and Corporate Open Door Program, to which this Complaint is now being submitted.

Russell suggested that I produce a “long-form” statement of my case for his benefit (see my email of 07/05/2011 08:25 AM). This very two-Part Complaint document is the work-product I have produced in response to that suggestion.

17 Dan: Three Behavior Issues

Once Lisa had issued her (non-)report, exonerating anyone/anywhere from responsibility of anything/anytime, Dan was freed-up to conduct any and all blackballing activities he wanted. And he dove in with gusto. He was obviously reading from a script.

He ordered a “reconciliation” one-on-one meeting with me on Tuesday, July 5. This was our first face-to-face meeting since I’d filed my C&A action on June 10 (“request for help”, Appendix J). At this one-on-one, Dan first said that “bygones were bygones” (paraphrase): we were going to forget all about that C&A stuff, and restart our relationship all over from scratch, just like it never happened. Great, I thought! That sounded like exactly what IBM Law required, and even though I intended to pursue an Appeal, I didn’t want that to interfere with “real work”, so I was satisfied to just “carry on like grown-ups”.⁸⁵

But that purported “reconciliation” didn’t last long, as Dan then immediately set upon “warning” (actually, threatening) me that as a condition of my further employment, I needed to adhere to three specific behavioral standards, which he proceeded to lecture me on (he was reading them from his monitor). I was shocked (for reasons stated in the next paragraph), but realizing I need to pay close attention, I started taking notes. Finding that impossible due to the volume of words Dan was throwing at me, I asked him to email me a copy of the issues, which he did (Appendix Y). I tried engaging him in some discussion at this point during the one-on-one, but I was notably ineffective (he didn’t want to hear it, and I was too shell-shocked to make good arguments), so a coherent discussion had to await email (Appendix Y).

hyphenation bug in OpenOffice

There’s a major problem with what Dan did. I had never exhibited any of the behaviors he warned me of (as Dan himself admitted in his email of 07/06/2011 07:54 AM). The closest I’d ever come was the voicing-of-concerns during the C&A process, but that was a special/protected/privileged forum, exempt from normal social mores so that it could fulfill its function (as noted in Section 12). In other words, this behavioral warning was being issued to me *specifically because* (it would not have been done “but for”) I’d availed myself of the C&A process. That is prohibited by all that is “holy”, especially the IBM Laws against retaliation/retribution (again as noted in Section 12).

The activity Dan was now engaged in (harassment/retaliation based on invoking the C&A process) was specifically “IBM-illegal” (in addition to hostile workplace, IIED, etc.).

And he knew it. That’s because he was doing so with the conspiracy and advice of HR itself (specifically Diane Adams), as Dan himself freely self-voluntarily admitted at a later point (Section 20.1).

⁸⁵ Which is, after all, what the (real) law requires. Retaliation/retribution for an employee’s availing him/herself of the civic rights, such as pursuing legal matters via the court system (e.g., suing the company you’re working for), is strictly illegal, per “public policy”.

The blackballing now had the head of steam it needed, thanks to Lisa's "see-no-evil" attitude. I had now entered a phase of utterly intolerable treatment (IIED) from which I would never extract myself.

18 Dan: The "Lazy" Scandal

Of all the gaping, pus-filled wounds festering IBM's one-hundred-year history, not many can be more characteristic/emblematic of rot at the corporate core than the "lazy" scandal described here (whose ramifications extend to the end of our saga, not limited to just this Section). Hold onto your hat.

Appendix Z. I had written a short/simple/ordinary email note on Wednesday, July 6 (the day before my scheduled surgery) about my Blktrace wiki work, in preparation for time-off due to surgery and vacation, and sent it to Dan and Garth Dickie (the two people who were working on Blktrace with me). In the email, I committed the unforgivable sin of penning the horrible phrase: "or if you're lazy you can just click this link".

After a period of five days (during which time God-knows-how-many IBM/Netezza managers, HR staff and Legal must be poring over the world's literature trying to figure out how they can twist/pervert my innocent remark into The Work Of The Devil), Dan responded with an email on Monday, July 11 attacking what I'd written as offensive. Of course, Dan was careful to time his attack to coincide with my pending two-week STD (Short-Term Disability) due to surgery, thus guaranteeing I'd be in a weakened state (no doubt hoping for another slip-up by me), and maximally enhancing the attack's IIED effect.

Now, I knew Dan's charade was trivial/frivolous/farcical, and even tort-worthy (who wouldn't?). But I also knew I needed to play along, else I'd be eliminated ASAP. And in my weakened state (after surgery, on medical/STD leave), I didn't trust myself to get into any kind of debate about it (or anything else for that matter). So I meekly put my tail between my legs and "apologized"⁸⁶ for my "offense" as soon as I read Dan's email (right after awakening from a nap, due to recovery from surgery), recalling the teaching of the BCG (p. 14):

- If you believe that someone may have misunderstood you, promptly correct the misunderstanding.

Dan thanked me for issuing the apology (even though he hadn't asked me to apologize, I simply volunteered). God's in his heaven, and all's right with the world.

Time passes. It is now July 20. I'm stronger (more time to recover from surgery). I'm re-viewing some old work/emails of mine, and what do I bump into but an email (Appendix B 03/16/2011 10:56 AM) that carries the phrase: "the laziest path is always the best!" I was speaking of myself. Having recently been accused of unprofessional behavior by my use of "lazy", my attention is suddenly riveted. How can it possibly have escaped my attention all these years that "lazy" is in reality a hateful, pejorative, derogatory, contemptuous word, yet I am so ignorant as to apply it to myself? My mind is tortured by this irreconcilable conflict. I'd always thought of myself as sane, but here was clear evidence of insanity. Can I be saved? Is this my "come-to-Jesus moment"? Or is suicide the only way out?⁸⁷

⁸⁶ At a later one-on-one (August 3), Dan emphasized to me that he hadn't ordered me to issue this apology, that I'd done it preemptively of my own free-will. I agree. It was the right thing to do at the time.

⁸⁷ see http://en.wikipedia.org/wiki/Non-apology_apology

I put everything else away, and start searching my memory. Slowly by slowly, the strands of a memory start forming. It has something to do with my intellectual past. Something to do with computers (as opposed to mathematics, my first love). Something to do with programming. Something to do with programming languages. Something to do with a particular programming language (as opposed to theory). Something to do with the programming language perl (the earliest of the modern/new-wave so-called “scripting” languages, with which I’d done some non-trivial programming). Something to do with Larry Wall (the inventor of perl).

That’s it! It’s all coming back to me now. I vaguely recall some industry chatter a few years back, something about Larry Wall being lazy. What could that possibly be about? I grab my copy of Wall’s book, *Programming Perl* (third edition, 2000) off the shelf, and start leafing through it for a clue. And all of a sudden, there it is, in the very first Section of the Preface (entitled *The Pursuit of Happiness*) jumping off the page (p. xix) right into my eyeballs — because the word I’m looking for is (i) italicized (by the publisher) and (ii) underlined (by me, in blue):

- We will encourage you to develop the three great virtues of a programmer: *laziness, impatience, and hubris*.⁸⁸

Whew! I’m OK after all. But what to do with this newly recovered wisdom? Why, consult the BCG again, of course (p. 14):

combining this with the earlier quote, preceding page, from BCG, p. 14

- Reporting inaccurate or incomplete information, or reporting information in a way that is intended to mislead or misinform those who receive it, is strictly prohibited and could lead to serious consequences.

Now, Dan’s mis-characterization concerning the word “lazy” ranks right up there at the top of the pantheon of tortious lies “intended to mislead or misinform” (and indeed to harm/IIED, for that matter). And, if I don’t take steps to actively report my discovery, my earlier “apology” email would amount to “inaccurate and incomplete information”. So the decision is a no-brainer. I report the truth about “programmer laziness” (and the three of us are, after all, programmers), which had migrated from a position of iconic reverence in my brain to unconscious habit, to Dan and Garth in an email on Wednesday, July 20.

That weekend, I leave for a week’s vacation with my heart relieved of a heavy burden.

19 Dan: Pseudo-Yelling

Wednesday, August 3, is The Day That Will Live In Infamy for IBM (covered in this Section and the next). Hold onto your socks.

I had returned from surgery and vacation on Monday, August 1. Dan was absent from Marlboro that day and next, and there were no untoward events those two days.⁸⁹

87· Of course I have tongue firmly planted in cheek here for effect. But it makes the point: Dan’s campaign of IIED is precisely calibrated to induce exactly this kind of crazy-making in me. And a “weaker” person (one not fortified by the wisdom of Nietzsche, see footnote #6) might indeed be at real risk. dele. “c” see Add. III, p. 6

88· Of course, the meaning Wall attaches to his “three great virtues” are to be interpreted in the context of “programmers” (such as me, Dan and Garth). See Wall’s *Programming Perl*, or the Wikipedia reference in my email of Appendix Z 07/20/2011 11:08 AM. dele. “I”

89· Well, there was one incipient event — a harbinger of things to come. Fritz was present in Marlboro one of those days (or maybe it was Wednesday, his usual day in Marlboro), and while we hadn’t talked since his yelling episode on June 8, we sometimes saw one another around the building (Marlboro). This time,

So Wednesday, August 3, is the first day Dan and I are both back in Marlboro simultaneously since July 6. Everything is fine until our one-on-one at 3:00 PM (because we don't see one another until then).

At the one-on-one, there's some tension in the air, but no firebombs; semi-cordial may be the best way to describe it. Dan is mainly interested in my Blktrace work, and we peruse the Blktrace wiki page together, with me standing right next to him at his desk, and me even controlling his mouse to navigate the browser so I can point out interesting items to him.

We're forty-five minutes into the one-on-one, and Dan's got me nice and relaxed (in order for his upcoming attack to have maximum effect). After the discussion at his desk, I'm now sitting across the room from him, in a chair with my back to the wall. He says to me, nonchalantly, "So what are going to do for the rest of the week? I tell him, "Well, as I told you, most of that work on Blktrace we just looked at was done over a five-day period of my recuperation from surgery; the rest was done over the first three days of this week. So I thought I'd take the next two days to work on my Appeal, as we agreed" (as indeed we had, multiple times, in writing at least thrice: Appendix A.gg; Appendix R 07/05/2011 12:43 PM; Appendix R 08/03/2011 02:06 PM — *just one hour earlier*, where I also mentioned I had already worked-ahead for this purpose [unknowingly giving Dan time to premeditate the trap he was about to spring upon me]). Ah, perfect. Now I was all set up for the pounce: "No, you can't do that." Dismayed and provoked by Dan's statement, I react instinctively, leaning forward, and letting my voice get a little louder than normal (he had after all provoked, me, and my guard is down from the preceding semi-cordial forty-five minutes), saying: "Now wait a minute, Dan."

The pounce complete, now Dan sinks his fangs. He says: "If you yell⁹⁰ at me one more time I'll fire you! I ordered you not to work during your STD,⁹¹ and you disobeyed orders. I need to have a full workday from you every scheduled workday. You must continue your work on Blktrace full-time for the rest of the week." I hesitantly (out of fear) tried to explain that I only mildly raised my voice out of provocation, I hadn't "really yelled", certainly not in the sense that Fritz certainly had,⁹² but Dan said "I don't care, you can't do 'that' [i.e., pseudo-yell, or whatever-you-did] in here".

This is IIED. Pure. Undeniable. Premeditated. Unrepentant. Sociopathic. Illegal.

(The narrative of this Section 19 continues into the next Section 20.)

though, was different. He was walking through the bullpen (on his way to talk to someone else), and he keeping his eyes trained on me, in an very unusual fashion. I didn't know what to think at the time, but in retrospect, had I been able to mind-read, I might have read: "You poor sucker, you have no idea what's going to happen to you shortly."

90· I hadn't yelled. It was a mildly raised voice, thanks to his premeditated provocation, but it wasn't yelling.

91· why Appendix M.a 06/30/2011 08:56 AM — which was a request, not an order. I was at the time, and for a long while afterwards, puzzled about way a manager would reject "free work" (see Appendix A.mm for another example). The conundrum at the time was that "flex pre-work", as I had done, invariably leads to "additional work freely thrown-in above-and-beyond the call of duty"). At some point, it finally dawned on me what Dan was up to: I was being subliminally told "don't bother working at all — just go look for another job instead".

92· And recall that Lisa Due had found *nothing whatsoever wrong* with Fritz's yelling — it was an "insufficient fact". According to her report, yelling in public was acceptable businesslike behavior.

20 Dan: Formal Warning Letter

(The narrative of this Section 20 continues from the preceding Section 19.)

But I'm not quite dead yet. So Dan pulls the special poison from his pocket, for the *coup de grâce*. "I hereby officially issue you this Formal Warning Letter (FWL), for that email you sent on July 20. You do anything like that again, and you're fired." Appendix AA.

And at this point, I do indeed, literally, "die" (read on).

Dan hands me the letter, saying, "You are required to read this and sign it". I take the letter, and look at it — *but I can't see it*.⁹³ So I cover up my predicament, saying, "I'll look at it later", and I start to fold the letter. But Dan says, "Don't fold it, I need to turn it back in". So I lay the letter on the floor next to my chair, to my right, and I lean my head back and close my eyes for a moment. An instant later I open my eyes again, and I reach to pick up the letter — *but it isn't there*. I am confused and dazed. I notice my face feels devoid of blood. My clothing is drenched in sweat. Dan is looking at me really, really funny. I wonder what's happening, but I also know I can't "let on" anything is wrong with me. seemed like an instant to me, but was really some minutes

What's happening is that *I had passed-out from the shock/IIED*.⁹⁴ Dan had picked up the letter from the floor (which is why I couldn't find it, and which is what proved to me I had indeed actually passed-out). Through some miracle, I hadn't fallen off my chair. But I was certainly impaired, for my knees felt very noticeably wobbly. I knew if I tried standing up I'd fall over, so I needed to do anything I could to delay standing up. So I just sat stock-still, head-against-wall, eyes closed, and engaged, haltingly/stallingly, in discussion with Dan in as "normal" a manner as I could muster. I kept this up for forty-five minutes, until I had little-by-little recovered enough to walk out of the room (thus, this meeting, originally scheduled to last an hour, actually lasted an hour-and-a-half).

I can't tell you most of what we talked about during that last forty-five minutes, because I was "out-of-it" ("on auto-pilot"). I do remember, though, asking Dan what was wrong with the July 20 email,⁹⁵ and he said various things: (i) it was offensive; (ii) it didn't belong in a business setting; (iii) it identified him (Dan) personally;⁹⁶ (iv) it withdrew a previously issued apology; (v) it implied that anyone preferring to use hyperlinks over searching is lazy.

None of these things was remotely true, of course: see Add. III, p. 5, bot

- (i) There was nothing in the least offensive about anything I'd done throughout the whole "lazy" scandal. Dan's launching of the scandal in the first place was patently trivial/frivolous on its face, but I was in no position to discuss that with this escapee from the loony bin, so I just "played along" as best I could. As for the July 20 email

93. The "black-out" phase of syncope. More precisely, at that moment, I could see a white rectangle, vaguely, with some indistinct black squiggles on it, but I couldn't make out any of the lettering.

94. Though I didn't realize that quite yet. In my confused/dazed (mental, and now physical) state, all I knew at the time was that I "felt weird". I wouldn't really understand what happened until I reflected on events the next day, especially the fact that the FWL "magically transported itself to Dan's hands."

95. For after all, the FWL itself specified *no reasons* whatsoever *why* the July 20 email was bad. That is, in writing the FWL without specifying reasons, Diane Adams (whom Dan cited as giving him "advice") was engaging in capricious abuse-of-power, just as Lisa Due had in writing her C&A "report". See a pattern here?

96. Though why his being personally identified would be bad, I don't know. You'd think he'd be proud of being identified as the "sheriff" who brought such a scurrilous "outlaw" (me) to justice.

itself (the only email cited in the FWL), if anybody can find one iota of offensive material in it, you can just shoot me now.

- (ii) It (the July 20 email) belonged in a business setting, per the 2 citations above from the BCG, p. 14 (modulo that Dan had falsely fabricated the whole scandal in the first place).
- (iii) It (the July 20 email) identified nobody that hadn't already been identified from my earlier "apology" email (which Dan didn't object to) — which is nobody at all.⁹⁷
- (iv) It (the July 20 email) didn't withdraw the previously issued apology — though that wouldn't have been a bad thing in this case, since the scandal and apology were ill-begotten in the first place. Just the opposite: it piled a second apology on top of the first apology, creating the world's first double-apology. If anything, I should have been given a medal for creativity, instead of a FWL. see Add. III, p. 6, bot
- (v) As for Dan's assertion about "laziness *implication* arising from preferring/using hyperlinks vs. searching", we need to consider what I actually wrote — not what Dan wishes/hopes I'd written — as well as the target audience. What I wrote was (paraphrasing): "You can search, or if you're lazy you can click". Now, remember that the target audience for my email was specifically two technical people, both of whom I know well personally (Dan and Garth). Technical people in general have a good working knowledge of logic; and in our industry (computers) they have a strong understanding of Boolean logic. More, the two specific people targeted actually have (by my personal knowledge) an uncommonly strong professional-level expertise in Boolean logic. That's key. Because what I actually wrote was "if you're lazy"; not "if-and-only-if you're lazy". What that means is that *there is no implication that "click implies lazy" — or indeed any implication at all along the lines of "retrieval-technique" implies 'energy-level'".* Dan knows this Boolean logic reasoning, cold (therefore, he is baldly lying when he uses the "lazy" word as an example of IBM-prohibited language). And he knows he knows it. And he knows Garth knows it. And he knows I know it. And he knows Garth and I know it a lot better than he does (because we're PhD mathematicians, he's a college drop-out, as he often brags [he's proud of his accomplishments in absence of degree]). But there's more. The analysis just given arises solely from the logic aspect of what I wrote. There's also the English aspect (all three of us are native English speakers). For what I wrote was "if you're lazy you *can* click"; not "if you're lazy you *must* click". That is: You can be lazy and click. But you can also be "eager" (= opposite-of-lazy) and still click. Or, you can be lazy and search. Or you can be eager and search. Are you starting to get the point here? Dan's objection to my use of "lazy" is, not only frivolous on its face, but also absurd/inane/insipid/stupid in the (logic/English) analysis he applied to it. How Dan was ever able to get this "lazy" scandal past the "smart" HR/Legal "professionals" (and others, e.g., John Metzger), I'll never know.

All-in-all: The FWL was provably bogus. And, it obviously wouldn't have been issued had I not entered into the C&A process. In other words: *The FWL itself was issued (by Dan, Diane*

97. To say "someone brought to my attention" doesn't personally identify the "someone". Language like that is often a way to refer to oneself slyly, or to introduce an anonymous (possibly fictitious) third-party. It's not at all unusual for an author to request a review from a third party, e.g., as I did of my wife in the email of Appendix J 06/13/2011 10:43 AM. see Add. II, p. 5

Adams, HR, Legal), specifically in order to tamper/interfere with the C&A Appeal process itself that I was entered into.

The issue of signing the FWL was still “on the table”.⁹⁸ Dan had picked it (the original) up and made a copy (did he make the copy while I was passed-out, or did he have it beforehand? — I don’t know), and now he handed me the copy. He told me that my signature (if I were to sign) only signified that I “understood” the FWL. So I looked at it, and this time I was recovered enough to read the words. But what I read right at the beginning said, “You have violated this condition [of proper workplace behavior] by engaging in the following conduct” — listing a pile of nasty things I hadn’t done. So I said (properly) I didn’t understand it, and therefore I couldn’t sign it. So Dan said there was a policy that handled such an exigency, and sitting at his desk he scribbled something on his original (presumably some statement to the effect that I refused to sign [he’d previously applied his own signature; Appendix AA]).

And that was the end of the FWL incident.

20.1 Nor Have I Ever

But it wasn’t the end of the one-on-one meeting. For Dan now, having administered the “kill” in exemplary fashion, couldn’t help but gloat over his power and achievement. So he proudly announced, without prompting: “I’ve done nothing here today without the explicit knowledge and advice of HR, Diane Adams, and Legal.”⁹⁹ ***Nor have I ever.***”

Thank you, Dan, you not only signed the FWL, you’ve just signed IBM’s “death warrant” too. Every adverse event I’d experienced, from the handling of Fritz’s defamation to the double-whammy pseudo-yelling/FWL IIED attack (based on specific foreknowledge of my susceptibility rooted in PTSD), was the result of a vast (IBM management/HR-wide) premeditated (secret) blackballing conspiratorial policy. According to the unprompted self-admission of the lead blackballer himself.¹⁰⁰

So there you have it — the “lazy” scandal in its full glory. Given the fine-tuned precision with which it was executed (except for one fatally flawed, ill-considered variable — a victim with the chutzpah¹⁰¹ to stand up for his rights), it’s inconceivable that there haven’t been literally *thousands* of similar “assassinations” (blackballings) at IBM preceding mine. Every one of them based upon “unwritten/secret IBM (anti-)Law”, which carefully excises written BCG/AYJ/C&A Law and substitutes “whatever-it-takes as-needed clause-of-the-day”.

I am unable to make credible allegations about events with which I have no first-hand “information and belief”. However, I can reasonably *conjecture* what “most people” will think when they read this Complaint, in light of Dan’s “nor have I ever”:

98· *Even at this late date* — after he’d just witnessed at first hand the overwhelming emotional distress he’d inflicted upon me (I had no idea it was even possible to pass-out from psychological attack only, did you?) — Dan could still have saved himself/IBM from the worst liabilities by aborting the FWL-issuance ceremony at this point. But he didn’t. He pressed on, in full knowledge/understanding of the ramifications of his actions (as self-admitted by his “nor have I ever” announcement with respect to Legal advice, see below).

99· In my altered (post-syncope) state, it actually sounded to me like Dan said “HR Legal”, but I’ve never heard of such a thing, so I’m just going to assume he said merely “Legal”.

100· And as is well-known, free-will self-confession of evildoers is accepted in court as true, as a matter of course. (To prove it false or retract it, the burden of proof shifts to the denier, a rather heavy toll.)

101· In the positive (Yiddish) sense, not the negative (Hebrew) sense.

- This is so bad, it simply *must* be solidly embedded in IBM's "DNA". Nothing on this scale "just happens", particularly at a company world-renowned (by its own self-bragging) for its "executive-culture excellence". *This must Come From The Top. This must be what "IBM Values" really means.*

20.1.1 Perfidy

Before leaving this Section, a important factoid must be brought explicitly to attention. At the "reconciliation" one-on-meeting meeting on July 5 (Section 17), one of the things Dan did early on (before his "three behavior issues" lecture) was to say to me (paraphrase), while lowering and shaking his head in (faux-)disbelief: "You know that 'blackballing' [the 'quotation marks' were figuratively his, pretending he'd never heard of the word/concept] thing you wrote about in email? I've never heard of it, I'd never do it, IBM/Netezza would never do it, and it doesn't exist."

Except that, Dan then immediately turned around and started blatantly blackballing me (with his "three behavior issues" lecture), and continued doing so unrelentingly thereafter. And, *he knew exactly what he was doing at that time, by his very "nor have I ever" admission.*

The depth of Dan's/IBM's perfidiousness is unfathomable and unforgivable.

20.2 BCG Certification

One of the clauses of the FWL required me to "certify" my allegiance to the BCG. The very next morning, I re-read the BCG, and was overjoyed at re-discovering the gems of wisdom in it. I thereupon submitted my certification, without qualms. Appendix AA.a.

Little did Dan and Diane realize what they'd done (by making me swear allegiance to the BCG). The BCG (together with the AYJ and C&A documents, collectively referred to as "written IBM Law") instantly became my "weapon of choice" against blackballing. Under the BCG's influence, I have incorporated its teachings as I've written this Complaint.

20.3 Emergency Letter

The blackballing scheme was now at fever pitch. It was clear to me that Dan/HR intended to fire me before I could submit my Appeal. For that reason, I issued an "emergency" draft of this Complaint document to Russel Mandel, "just in case". Appendix AA.b.

On emailing this emergency letter, I also took the extreme/emergency measure of copying/forwarding chosen members of IBM's executive staff, especially Sam. My thinking was: (i) to give them a head's-up, and to give them a chance to proactively step in before it was "too late"; (ii) but if they didn't do that (i.e., they let it get "too late"), I intended to file this Complaint, not as an Appeal in the regular C&A process at all, but through top-level Corporate Open Door process.

21 Diane Adams: *Raison D'être*

At this point I was knee-deep in writing-up this very Complaint document. The research I'd done into my case was giving me more and more confidence I was wholly in the right. But what I also realized was that my "theory of the case" ("blackballing") required the fact-finder/adjudicator (C&A investigator, judge, jury, etc.) to accept the idea of a "vast conspiracy". That's a hard sell. The existence of Cynthia Shapiro's book *Corporate Confidential* was crucial, but without "mountains" of irrefutable proof, my theory-of-the-case was a non-starter. Therefore I recognized the need to bolster my case with additional evidence, above and beyond what I'd already collected.

Pondering how to proceed, a bit of serendipity luckily came my way, in the form of an email from Gordon Booman (Appendix AB 08/04/2011 01:38 PM). Gordon had used the phrase *raison d'être* colloquially, perfectly innocently. But if Gordon's use of *raison d'être* were subjected to the same stupid level of scrutiny that Dan and Diane Adams had used for "lazy" language, it became objectively obvious that Gordon's language was far "worse" than mine. As a bonus, Dan had injected himself into Gordon's email conversation in a way that was supportive of Gordon's language (08/04/2011 02:36 PM). Finally, the unwitting "victim" in this case, Amal Halder, is non-Caucasian, raising the (equally insipid) specter of racism.

This gave me the "trump card" I needed to "play HR's own game against them", thereby exposing HR as a consciously duplicitous organization. I played my card (08/05/2011 10:22 AM), expecting to "catch" Diane Adams.

(The narrative of this Section 21 continues into the next Section 22.)

22 Russell Mandel: No Third-Party Complaints

(The narrative of this Section 22 continues from the preceding Section 21.)

But it was Russell, not Diane, who responded (nearly three hours later, during which time I imagine the two of them were conferring feverishly, possibly with others). Russell attempted to get Diane "off the hook" by firmly announcing: "IBM does not accept third-party employee complaints." Appendix AC

There's only one problem. IBM *does* accept third-party employee complaints, according to the BCG. So I quoted BCG chapter and verse to Russell (Appendix AC 08/05/2011 03:08 PM).

Immediately, HR went into deep silence mode. Despite the BCG's promise of "prompt" action, neither Diane nor Russell responded. This was quite uncharacteristic, for in my previous dealings with them, they (Russell in particular) had always submitted very quick turnarounds to email. But this time, I imagine it was Legal who ordered them to "shut up".¹⁰²

Why?

Well, in Diane's case, she had caught herself up in a no-win dilemma. On the one hand, she couldn't dun Gordon and Dan (over a frivolous complaint like this), because they (and others in Netezza management, such as John Metzger and Arvind Krishna) would have become mightily

¹⁰² In particular, he certainly didn't follow the advice of BCG (p. 14): "Never make misrepresentations or dishonest statements to anyone. If you believe that someone may have misunderstood you, promptly correct the misunderstanding."

pissed-off (properly), and she'd be out of her own job in "no time flat". On the other hand, she couldn't simply ignore my complaint either, because that would have shown up the C&A process as the sham it is, and I'd demolish it in this very Complaint (as I'm doing here).

As for Russell, the BCG's promise/guarantee of "acceptance of third-party complaints" is a prominent clause that a specialist "HR SME" (as Russell self-described himself) absolutely must be familiar with. There is no excuse not to be (after all, the BCG isn't exactly the U.S. Tax Code, and it doesn't take a "rocket surgeon" [or SME] to understand it). Therefore according to a standard legal formula, the "third-party" clause of the BCG is something that Russell either (i) *knew* or (ii) *should have known* about. If (i) *knew*, then he knowingly misrepresented the BCG, hence he was corrupt; if (ii) *should have known*, but didn't, then he was incompetent. In either case Russell had self-proved himself unqualified to be the head of C&A. Forsooth, being compromised in this way, neither he — nor anyone else in HR/C&A — was qualified to hear/investigate/adjudicate this very Complaint.

Against all odds, my trump card had won two tricks simultaneously: it exposed as phony/sham both (i) the regular C&A Open Door program, as well as (ii) the exceptional C&A Appeals program. The IBM HR/C&A as a whole had thus been "hoist by its own petard (or 'by my trump card')". ← and this proved my theory of "vast HR conspiracy" (see Sec. 21)

For this reason of HR/C&A incompetence/corruption to hear my case, there is *no "competent authority"* within IBM now to hear my case.¹⁰³ Therefore, my only alternative at this point is to submit this Complaint to IBM's Confidentially speaking and/or Corporate Open Door process ("IBM courts of last resort"), and "hope for the best".

23 Dan: Ill-Defined

In my weekly report for the week of July 31 – August 7 (Appendix A.mm), I off-handedly (but correctly) mentioned that the Blktrace project was "ill-defined" (recalling that it had been well-defined and bounded when Sujatha handed it over to me, but had become more-and-more amorphous as Dan set about re-defining it). Dan seized upon that ill-fated word, "ill-defined". Appendix R, 08/07/2011 08:33 AM — 08/09/2011 07:22 PM (plus also Appendix AD, 08/11/2011 02:54 PM, which was Dan's next email to me was that of, asking me to call him — he didn't specify the topic he wanted to speak to me about, but at the time I believed it was about this "ill-defined" matter). ← DD

I allege Dan was attempting to turn "ill-defined" into another language-based pseudo-concern. But he wasn't trying to turn "ill-defined" into another "lazy". This time, the strategy was to induce me to physically travel to Marlboro, where he could lure me into a one-on-one in his office (recalling that I'd been working at home, specifically so I couldn't be so lured). There, he could fabricate some fiction about my transgressing the "two strikes and you're out" clause of the FWL (or his verbal prohibition on pseudo-yelling), and fire me. ← dele. "was that of"

(When this "physical-presence" trap didn't look like it was working, Dan proceeded to his last-grasp ploy, "verbal-presence". Section 24.)

Needless to say, this amounts yet again to hostile work environment, IIED, etc.

¹⁰³ For, HR/C&A is the most trusted authority. "Who will guard the guards?" — Juvenal (Satire VI, ll. 347–8: *Quis custodiet ipsos custodes?*).

24 Dan: Please Call

Thursday–Friday, August 11–12, saw an incredible display of desperation from Dan.

I had spent the whole week, Monday–Friday, August 8–12, at home. At 2:39 PM on Thursday, he phoned my home (landline) phone. I didn't talk to him. He also called a number he had on file for "emergency contact" with me (though that number was erroneous; I don't know where he got it). Appendix AD. (Also Appendix AF.)

At 2:54 PM, he emailed me, asking me to call him. By return email later that night, I responded that it was too late,¹⁰⁴ and also informed him of my decision to take some sick days ("beyond his grasp" is what I needed), and apply for a new STD (and later, possibly an accommodation), so I could get treatment for, and recover from, my emotionally distressed state. I also mentioned the fact that I was working with IBM IHS (Integrated Health Services) towards these ends.

On Friday, August 12, I sent Dan my weekly report, as always (Appendix A.mm). A little later the same morning, he sent me another email (Appendix AD 08/12/2011 09:33 AM), asking me for a phone number where he could reach me, and asking for contact information of the IHS representative I was working with. I didn't respond.

Then, silence.

What can we draw from all this? If you've been following along closely to this point, the conclusion is abundantly obvious.

Dan (and his co-conspirators in Netezza management/HR/Legal) were on the verge of panic. Their plan had been to terminate me before I could consummate a full C&A Appeal. For, once I'd submitted my final Complaint (this very document), things might get too hot even for this experienced group of blackballers (who knows, there might be some honest person in the C&A framework somewhere who wouldn't "get the joke"). The spadework had been laid by Dan at the one-on-one in his office on Wednesday, August 3, when he issued me with the FWL, and an equally actionable verbal warning against (pseudo-)yelling. One more "infraction", no matter how trivial/frivolous or tortiously fabricated, of either "transgression", and Dan could/would terminate me with impunity. The Appeal would be submerged by his cronies in HR, and everybody would walk arm-in-arm into the sunset.

But it wasn't working out that way. Starting on Thursday, August 4, I worked-at-home, because I was sick (legitimately emotionally distressed),¹⁰⁵ and Dan/HR couldn't catch me in a "normal (workplace)" infraction if I was working-at-home.¹⁰⁶ It looked like I was going to escape their trap, and live to tell my story.

Time for Plan B. If Dan couldn't lure me into his lair, then he would have to come into mine. Once there (by phone), he could "claim" I committed one of the lethal infractions. At a minimum, Dan could (wholly falsely) claim I "yelled" at him, or maybe called him a "name" (hoping there weren't any credible witnesses on my end, such as a wiretap recording).

¹⁰⁴· Actually, a hint of double-entendre was intended: it's too late in the day for a phone call, but it's also too late for your blackballing — you missed your chance, so the game is over.

¹⁰⁵· All this was quite genuine, of course — unless you think I can faint on demand (can anybody?).

¹⁰⁶· Well, they sort-of could, if they could lure me into another "lazy"-like "*faux paux*", but it looked like I'd gotten too savvy to their tricks to "trip up" in email again.

Good plan. Except that I wasn't answering the phone. Which put Dan on the horns of a major dilemma: he can't fire me if I don't answer the phone, and I won't answer the phone because I know he's trying to fire me. So now as a last resort, Dan was resorting to email asking me to call him, or at least pick up my phone. But of course I wouldn't. This act of pure desperation was particularly notable for its obviousness. Dan had never had occasion before to call me, under any circumstances. What could possibly be so extreme/urgent/extraordinary that he couldn't just write about to me in email (we'd never had a problem communicating via email before)? There was, of course, no possibility of a true real-time emergency (such as a customer crisis) that I needed to be "on-call" for. After all, wasn't making me invisible one of his main points when he "exiled me to Siberia" (demoted me to oblivion) in the first place?

The whole thing would have been laughable, if it hadn't been so pathetic (and of course tragic for all concerned, especially me).

25 HR: Dan Must Control You

Anyone who has read this Complaint cannot help but be appalled by one specific constant refrain that runs throughout. Namely, that I literally begged HR to be removed from Dan Feldman's hideous grasp, for valid reasons (blackballing), well-stated, which they knew¹⁰⁷ — and been refused, explicitly, summarily (i.e., no explanation), each and every time. HR brainlessly repeated the mantra (paraphrase): "We'll think about it; it's part of the process; you must continue working for your manager (Dan)", as blind catch-phrases for all supplicants, never bothering to analyze/understand my particular case. It's as if they were saying (paraphrase): "As far as IBM is concerned, torture is good for you, and we're going to kill you in the end anyway, so just shut up." Examples:

- Appendix M.a: 06/28/2011 12:09 PM.
- Appendix R: 06/17/2011 09:27 AM; 06/27/2011 03:27 PM; 06/28/2011 12:09 PM.
- Appendix X: 07/05/2011 03:13 PM; 07/05/2011 03:18 PM.

This speaks to an institutionalization of corruption/debasement that goes well beyond the usual characterizations of harassment/bullying/abuse/retaliation, etc. It goes all the way to *evil*, without a showing of qualifying/offsetting good-behavior, and even without remorse. Catbert indeed.

In retrospect, had I been as "savvy" as IBM apparently thinks its employees automatically are supposed to be, I probably could have intuited this. For, at the June 10 meeting in Dan's office, he said to me (in the context of my talking about "justice for me", HR process, etc.): "You just don't get it, do you? Modern corporations don't care about you, they only care about their own financial success." Clearly implying, of course, that he had foreknowledge the HR process was going nowhere as a substantive matter. Rather, any decisions about my case would be made solely on the basis of such factors as cost/benefit ratio (e.g., whether to go to court or just "pay me off"), rather than justice/ethics/"IBM values"/etc.

And after all, Dan had just spent the first three days of that very week, Monday-Wednesday, June 6-8, at IBM's Manager Indoctrination class, in New York state (I believe he said it was

107· As proven by Dan's "nor have I ever" *mea culpa*. See also Section 8.1.

actually at IBM worldwide headquarters, in Armonk). Therefore that indoctrination was very fresh in his mind. He praised the class to me, saying “IBM is very, very serious, and excellent, about training their managers exactly the way it wants them to be.”¹⁰⁸

25.1 Dan Too

There’s actually an additional story to be told here, where Dan himself also coerced me to work for him, and for nobody else.

Sometime during my first week or two working in Marlboro following my demotion (week of June 13–17 or 20–24 [I have no contemporary written record of this story]), Michael Sporer noticed me sitting at my desk (in the Marlboro “bullpen”), and nonchalantly asked me what I was “up to”. I said, “I’m not doing anything,” referring to my new (and boring at that time¹⁰⁹) job assignment (taking over Sujatha’s former projects) — and hoping to secure a job in another group, such as Micheal’s. Whereupon Michael asked, “How would you like to implement a 32-bit version of simSnippet64? I said, “Sure, but you’ll have to clear it with Dan first.” Thereupon Michael immediately started enthusiastically looking around (the “bullpen”) for Dan, and not seeing him charged out of the bullpen directly towards Dan’s office.

However, nothing further came of this. Upon “information” (as just related) and belief, Dan refused to let me work for Michael, for the express purpose of keeping me under his control, specifically so he could fire me.

26 Short-Term Disability

I didn’t answer Dan’s email (Appendix AD 08/12/2011 09:33 AM), for reasons explained in Section 24. Instead, I met with my personal physician, then applied for (and received) the new STD leave (Appendix AF), based on 2 factors:

- Mental/psychological damage, due directly, specifically and solely to Dan’s infliction of IIED/bullying upon me, resulting in severe perseveration/rumination, upset stomach, inability to eat, lack of sleep (some days I could only sleep only for a single stretch of two hours at night, with no naps during the), inability to drive safely, difficulty/inability to concentrate on technical work, etc.
- Certain knowledge that any one-on-one unmonitored (unrecorded) communication I have with Dan, either in-person or by-phone — and perhaps even (recorded) email — will result in more/worse IIED, and ultimately tortious dismissal on false/trumped-up charges.

This (on medical/mental STD leave) is my status at the time of filing this Complaint.

108· Too, Dan expressed his excitement to me that he got to meet Lou Gerstner personally. In other words, Dan “drank the blue [IBM] Kool-Aid.” (I think “blue Kool-Aid” was the exact wording Dan used [somebody certainly did].)

109· This was before the Blktrace project got “redefined”, first by Dan, but more importantly by Garth, which whom I feel certain I could/would have worked productively, learning/researching some “good stuff”.

27 Conclusion

*IBM has reinvented itself many times.
But through it all, its DNA, its soul remained intact. ...
IBM's most important innovation wasn't a technology or management system.
Its revolutionary idea was to define and run a company by a set of strongly held beliefs.*
— Sam Palmisano

IBM recently published a slick (but well-done) corporate encomium on the occasion of its 100th birthday,¹¹⁰ entitled *Making the World Work Better* (see Related Documents), and distributed it to all employees at their home addresses. That book is a paean to IBM's three-legged-stool Statement of Values, or Soul as Sam called it: Business, Technology, Trust.

see Add. II,
p. 5, bot

It's a compelling story. But without vigilance, it's only a story, not reality. The events of this Complaint expose a shortfall in vigilance. No matter how healthy Business and Technology may be, Trust is broken. In this case, two-out-of-three is pretty bad. Without all three, you don't have an IBM-with-Values. You have an IBM-without-a-Soul.

The more time I spend in our industry, both inside and outside IBM, the more I observe an increased widening of the *yin/yang* (☯, *shade/light*) gap, between right-brain and left-brain, between intuitive/random and analytical/logical — between management and individual-contribution. We need both halves of yin/yang, otherwise we lose its ancient principle of creative tension. But the way to “do the yin/yang thing” is with harmonious melding of yin and yang, not separating them with a no-man's-chasm. In my observation/opinion, there's now a chasm at IBM, and it's at the root of the present crisis.

Sam has also said (MTWWB, p. 164): “... smarter people tend to be, well, a little more challenging ...”. The challenge is this: The chasm between management and employees must be narrowed/eliminated, else you lose the Trust leg.

see LCWBIG, p. 63

IBM is now 100. What will it be at 200? Will it even exist? This is a legacy issue.

The gauntlet is laying right there, Sam. Pick it up. Think, man — THINK.

well-known IBM motto

*Midway in our life's journey, I went astray
from the straight road and woke to find myself
alone in a dark wood.*
— Dante, *Inferno*, I, 1 (tr. Ciardi)

110· June 16th (Bloomsday!).

APPENDICES — Part II

M Email Chain: Dear Dr. Tuvell (June 12-13)

■ From: Daniel Feldman
To: Walter Tuvell, Kelli-ann McCabe, Daniel Feldman
Cc: John Metzger
Date: 06/12/2011 01:44 PM
Subject: *IBM Confidential: Re: Weekly report

Dear Dr. Tuvell,

I am in receipt of your communication of 6/12/2011, a copy of which is attached below.

I do not believe that you have correctly reported our conversations and I deny that you are being punished in any way.

I see no choice but to require that all future conversations between you and me be in the presence of a Human Resources professional and that all written communication between you and me be copied to a Human Resources professional. I believe this is necessary to protect yours, my and the firm's interests.

I go down this path regretfully. You have twice now made clear to me your history of suing when you feel you've been wronged in the office and I see no choice.

Respectfully Yours,
Daniel J. Feldman.
Director, Netezza Performance Architecture
Software Group, Information Management
Phone: 508 382 8480
E-mail: dfeldman@us.ibm.com
26 Forest St
Marlborough, MA 01752
United States

►Attachment omitted here; weekly report included in this Complaint at Appendix A.dd.◄

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Daniel Feldman, John Metzger
Date: 06/13/2011 8:58 AM
Subject: *IBM Confidential Re: Re: Weekly report

Dan, I will abide by your communication wishes, for as I wrote I intend to abide by all policies and procedures.

I first informed Kelli-ann about Dan's refusal of 3-way mtg the previous day (Jun 12, by forwarding her the weekly report App. A.dd); and repeated it here; and raised it again at my mtg with her this day (Jun 13) -- to which her response was that she WOULD hold a multi-way mtg (possibly including John Metzger too) if it were up to her, but since she was being forced out (as Dan told me) and taken off my case, that mtg was never held

I reiterate that I have reported our conversations fully faithfully, although I haven't written very much about topic, so I'm not sure what you're referring to. Are you referring to the "footnote" in my weekly report? If so, then I would be interested in hearing your version of that interchange. Until then, I stand by what I wrote. Or are you referring to my statement that your "only" interest was in the success of Wahoo? I stand by that too. I did not, of course, quote you about "justice to me", I wrote that as a parenthetical, so it cannot be pretended that I was putting those words into your mouth. But when I did raise those words ("doing the right thing by me") to you in our conversation ~3 week ago, what you did instead was simply reiterate the "only success of Wahoo" mantra. Or are you denying the charge that you've adamantly refused to join me in asking Fritz for a 3-way conversation? Yes you have certainly done that multiple times (and the only "reason" you've given me was that "this is the way you've done it for 30 years"). That's why I was forced to ask Fritz for a two-way conversation between just him and myself following his second instance of harassment (approx. 3 weeks ago). If none of these are the mistaken reportage you complain about, I would appreciate it if you'd be more explicit.

Further, I did not say you are actively "punishing" me. What I said is "adverse job action". When somebody "disappears" from a project in the middle of the night, only to show up on limbo, it speaks silent volumes to the organization. And when somebody is yelled at in public and been accused of not doing their job (as Fritz did), that's completely inexcusable. It would be inexcusable even in private and based upon truth, but it is probably "illegal" (IBM and/or civil) in public and based on provable lies, as Fritz did to me. And you most certainly did not help me, instead passively letting me be "punished" by Fritz. If we disagree on points like these, then I guess we'll just have to wait to see how the IBM process handles it. After all, you did admit at our last meeting that you're an "engineer", not pretending to be skilled at the personal interactions side of the world, and I admitted the same, so we both should value professional help in this matter.

Let me add one clarification to your note. I did mention to you once that I'd been involved in a case of workplace harassment/defamation once before, through absolutely no fault of my own, extremely similar to the one that has now been inflicted upon me. I told you that, not as a "threat" or "warning", as your note seems to subliminally imply ("protecting ... interests"), but as a point of information that "I know what I'm talking about", or as you said to me, "you've seen this movie before". But I raised the point only a single time. It was you yourself who raised it the second time, and you did it for the obvious purpose of pumping more information from me about the incident, for example, you asked if it happened in court (it didn't, it was an arbitration in a hotel room), if it was against an individual or a company (it was the company), and whether I won redress or not (yes I did). I did not offer you any of this information, you yourself quizzed me down about it. And at the same time you told me about your experience of suing somebody. Did you expect me to take away from that last an intimation that you were going to sue me? I doubt it, just as I was not intimating I was going to sue you or anybody else. I was only saying I know my right, and I am clearly the victim here, not the attacker.

at some point during this conversation, I also told Dan I'd done my ADR (arbitration or mediation) on a pro se basis; see Old Complaint, Add IV, p. 33, first line

For, unless I am gravely mistaken, it is my right, according to both "IBM Law" and civil law, to do what I'm doing, and that retaliation against me for doing so isn't. I am sorry you have chosen to make this formally adversarial ("Dear Dr. Tuvell"), when I am doing nothing more than upholding my rights according to normal, guaranteed policies and procedures.

■ From: Walter Tuvell
To: Kelli-ann McCabe
Date: 06/14/2011 04:53 PM
Subject: A part of the story

Kelli-ann, I'm thinking about something Dan wrote the other day, and which I didn't think to speak to as I was summarizing my story to you yesterday, but which has a very big part to play. It starts out a little round-about.

When I came to work at Netezza (last Nov. 3), I was very "shy", pathologically so (literally). I haven't always been that way, and have slowly worked my way out of that condition over the past 6 months (as you probably observed yesterday), as I've healed. What was happening was that I was in shell-shock, literally (a.k.a. PTSD). That's because I've experienced some very bad treatment at some of the places I've worked before, including immediately before I came to Netezza, and I was very afraid Netezza (or anyplace else) could turn out to be another such place. So I was basically afraid of my own shadow, and everything else. I did not want to get pounded down yet again.

Well, Dan noticed this, and got me to talk about it. He literally "befriended" me, very unusual in a "master/servant" relationship. This happened slowly, and in many ways. Here's the best example: There was an instance once when we were both in Camb (last in Jan, as I recall), where I was trying to explain something to him, and he wasn't understanding (because I wasn't doing a very good job), so I ended up saying to him, "OK, I'll confess, I've got a copy of this on my laptop, I had my wife scan it in this morning, I'll send it to you". (It was 10 pages out of a book.) He was astonished, asking why I hadn't simply done that in the first place (which was a proper reaction). He asked, "Are you afraid of copyright infringement, that should be no problem because it's under the fair-use exemption." I told him, hesitantly (because I was so withdrawn): "No, I just didn't want you to think I was too well-qualified for my job, for fear I would come across as too competent, to the point of being threatening to people." This was the form my "shyness" took, and he'd seen it several times before and after. He said "Look, I keep telling you this, Netezza isn't like the places you've worked before, we really value employees of your high degree of competence, and your bad experiences simply will never be repeated here". There were a number of examples like this (8-10?). In this way, he pulled me out of my shell and into his confidence, little by little.

So, it was in precisely this vein that I mentioned to him my experience with being slandered/libeled/defamed at another company. And I told him I was exactly seeing this again, in Fritz, and I was afraid. But he continued giving me his usual assur-

ances, saying that kind of problem wouldn't happen to me here, because Fritz wasn't like that (Dan is somewhat in-awe of Fritz). In other words, he just wasn't "getting it", so I felt compelled to pull out my ultimate story, that I'd sued that other company and won, thereby proving that I really, really did know what I was talking about when it comes to people like Fritz.

So there you have it. THAT'S why I mentioned my earlier "brush with the law", namely, to convince Dan that my fear of Fritz (and, by analogy with my earlier company, of Dan himself, though I didn't say that) was entirely justified.

And now the kicker: Dan KNEW that's why I mentioned the earlier suit, yet he had the temerity to twist my story into implying I was trying to "threaten" him and/or Netezza with a lawsuit! Exactly the opposite: I was begging him to protect me from such dastardly things happening to me again. But he failed to do so, and instead has thrown me under the bus -- by doing such things as refusing to set up a 3-way meeting, keeping me in the dark about what Fritz's problems with me really are (why did Fritz call me liar and bully, he must have given examples?), pretending I was threatening him with a lawsuit, etc.

Does this give you an idea how I can be so upset? That's a rhetorical question, of course I do know you understand, but just to make it quite clear: If I seem to be overly crazed by an incident that some people might think is "just the way it works in the big leagues", it's because I've been "raped" before (apologies if you object to that analogy, but I can't afford to be misunderstood yet again), and still have some scars that haven't healed.

PS. I assume and hope you'll be forwarding this and other relevant materials to the IST people, it is something they should know about.

■ From: Kelli-ann McCabe
To: Walter Tuvell
Date: 06/15/2011 10:00 AM
Subject: Fw: A part of the story

Thanks for the note, I do appreciate the additional information. I have forwarded this to Diane who will get it to the IST. I understand a case worker will be assigned very soon, once you hear from the case worker you should direct all future communication to them, as I won't be involved directly unless IST asks me.

M.a Enter Lisa Due

■ From: Diane Adams
To: Walter Tuvell
Cc: Kelli-ann McCabe
Date: 06/16/2011 10:47 AM
Subject: IST Case Manager

Walt, just wanted to let you know that Lisa Due has been assigned to look into your concerns. She is a very experienced, knowledgeable HR professional. You can expect to hear from her over the next few days as she will want to better understand the situation and get your perspective.

■ From: Walter Tuvell
To: Diane Adams
Cc: Kelli-ann McCabe
Date: 06/16/2011 10:51 AM
Subject: Re: IST Case Manager

Thank you, Diane (& Kelli-ann).

■ From: Walter Tuvell
To: Kelli-ann McCabe, Diane Adams
Date: 06/16/2011 02:03 PM
Subject: A "story" about my "transition"?

Kelli-ann & Diane, I've gotten some wind, not very strong (because of reticence on the teller's part), about some story being promulgated about my transition.

It seems, so the story goes, that I voluntarily asked for reassignment, so that I could apply my scientific & mathematical skills at a level more commensurate with my greatness. Or some such bullshit.

If such a story exists, it's a scurrilous lie, and needs to be added to the pile of defamatory acts. For, it implies I'd silently disappear from my friends without even saying goodbye on my way out the door. It says I value them nil. It also says, in light of the "goodbye" letter I sent them, that I'd not only turn my back on them, but that I'd then lie about why I left them in such a hurry.

So sadly the potential existence of such a story must be added to the IST list. Please, God, let it not be so.

■ ►Lotus Notes invitation for "Personnel Case Discussion" with Lisa Due, for 06/20/2011 9:00-10:00 AM, received at 06/16/2011 04:41 PM.◄

■ From: Walter Tuvell
To: Kelli-ann McCabe, Diane Adams
Date: 06/23/2011 02:40 PM
Subject: Fw:

Kelli-ann & Diane, please see Lisa's mention of your names, below.

►*Included here was the email of Appendix R 06/23/2011 02:11 PM.*◄

■ From: Diane Adams
To: Walter Tuvell
Cc: Kelli-ann McCabe, Lisa Due, Kathleen Dean
Date: 06/24/2011 08:56 AM
Subject: Re: Fw:

Hi Walt! Kathy Dean is an Integrated Health Services Professional & will be reaching out to you today (i gave her your cell #).

In the meantime, pls understand that if you are not feeling well, IBM wants you to focus on one thing: getting better. You are eligible for Short-Term Disability (STD) Income benefits (coverage under the STD Plan is fully paid by IBM). Just let your manager know when you will be out of the office due to STD.

■ From: Walter Tuvell
To: Kelli-ann McCabe, Lisa Due, Kathleen Dean
Date: 06/24/2011 09:11 AM
Subject: Re: Fw:

Thank you Diane, I'll await Kathy's call. As you know, I have some resources from my previous experiences, but my current circumstances exceed those, and a little additional help might indeed be in order.

Incidentally (as you know, but I'm reiterating it here to inform Kathy), I'm already scheduled to be away-from-office for most of July, due to a prescheduled surgery unrelated to recent incidents. I hadn't expected that to amount to STD, just a few days off-work followed by work-at-home. And I'd still prefer not to take STD, but if that's what it takes to get away from the ilk of Dan Feldman and Fritz Knabe, then that's what I may need to do.

■ From: Walter Tuvell
To: Kelli-ann McCabe, Diane Adams, Lisa Due
Cc: Daniel Feldman
Date: 06/27/2011 07:36 AM
Subject: WAH today & Wed

As discussed previously with some of you, I'm working-at-home today and Wed this week, because of pre-operation meetings with surgeon and hospital. I'll be available during those 2 days via usual electronic methods (cell = 781-475-7254).

Then next week, surgery on Thur, out-of-work that day and the next. After that,

out-of-office, but expect to be able to work-at-home for some portion of the next 2 weeks, details when I know them. Then vacation the following week.

■ From: Walter Tuvell
To: Lisa Due
Date: 06/28/2011 09:46 AM
Subject: Gp mtg?

Lisa, my group has a group meeting this afternoon. Dan will be there, as will all other members of the group (some by concall). I'd like to attend. However, I've been told (and I myself want) not to be in Dan's presence unless an HR person is there too. What to do?

■ From: Lisa Due
To: Walter Tuvell
Date: 06/28/2011 11:46 AM
Subject: Re: Gp mtg?

Walt, if this is a business function and you have a business reason to attend, by all means do so. Thank you!

■ From: Walter Tuvell
To: Lisa Due
Date: 06/28/2011 12:09 PM
Subject: Re: Gp mtg?

I guess I didn't make myself clear. I do not feel safe around Dan, therefore I cannot be in his presence without an HR chaperone. Unless such a person is present at the gp mtg, I cannot attend it. There's just too much risk of being falsely accused of being a bully and liar again.

■ From: Lisa Due
To: Walter Tuvell
Date: 06/28/2011 12:11 PM
Subject: Re: Gp mtg?

Dan will not be there.

■ From: Walter Tuvell
To: Lisa Due
Date: 06/28/2011 12:14 PM
Subject: Re: Gp mtg?

Then I will attend, thank you.

■ From: Daniel Feldman
To: Walter Tuvell
Cc: Diane Adams, Kelli-ann McCabe
Date: 06/30/2011 08:56 AM
Subject: STD leave

Walt,

I've been in touch with Kathleen (Kathy) Dean on the Integrated Health Service team. She's a case worker on that team and supports our organization. If you have any questions about the mechanics of the leave process or need help with the MTR form, please contact her.

Please don't plan to work during your leave.

-Dan.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/11/2011 08:01 AM
Subject: Re: Weekly report

I'm required by IBM to be in touch with you weekly during your STD leave. I'll ping you via email once a week for the next couple of weeks; please just acknowledge receipt. Please let me know if there are any changes in your plans.

I hope your recovery is going well.

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/11/2011 10:10 AM
Subject: Re: Weekly report

Ack receipt. No change in plans currently. The surgery did happen, recovery is going well, sleeping a lot from the assault on my body (normal reaction as the body heals from surgery).

One potential change in plans: As an additional medical procedure (totally separate from the surgery), I am undergoing treatment for "actinic keratosis of the scalp". This condition is something that not-infrequently happens to bald guys who haven't protected themselves adequately from sun damage earlier in life (I do better now, that's why I wear a hat outdoors). The treatment involves applying a medicinal

cream to the scalp for a period of ~3 weeks (a convenient coincidence with the time I've planned for surgery and vacation). The problem is that during that time the scalp look pretty ugly. I've never undergone this treatment before, but I'm told I can expect redness/rawness/scabs during the process. It's unclear to me what it will look like at the end of the 3 weeks, but if it's still ugly I may be shy about showing myself in public. I don't know how this might be handled. I'll certainly want to do work, and be able to do so, but a case might be made that working-from-home might be a good idea. I don't know if this might also be covered under (an additional) STD, or if so whether that would be a desirable course of action, or just some informal arrangement. Anyway, this is just a head's-up, I'll have a better idea in a couple of weeks.

N Email Chain: Transition Status (June 16-30)

■ From: Sujatha Mizar
To: Walter Tuvell
Date: 06/10/2011 02:00 PM
Subject: blktrace/blkparse info

Hey Walter,

Here is some preliminary information on the Block IO project to get you started. I've attached a blktrace user guide that I found online that is pretty useful.

The blktrace/blkparse executables that you can copy to /nz/export/tools are in: /mount/snap1a/S-blade_tools/blktrace
You can then use executables on the SPU.

The example output from my recent proof-of-concept run is in: /mount/snap1a/smizar/blktrace_output.txt
The user manual does a good job in providing pointers for deciphering the output.

Please let me know if you have any questions. We can talk about this and the dev-e-mu PerfBar run on Monday.

Have a great weekend!
Thanks,
Sujatha

►Attachment omitted here; irrelevant to this Complaint.◄

■ From: Walter Tuvell
To: Sujatha Mizar
Date: 06/10/2011 02:13 PM
Subject: blktrace/blkparse info

And here's a homework exercise for you: Install PerfScore. The tarball is at S1-8:/nz/walt/perfscore.tgz. Follow the README.txt.

Have a good one yourself!

■ From: Sujatha Mizar
To: Daniel Feldman
Cc: Walter Tuvell
Date: 06/12/2011 08:59 PM
Subject: Transition plan/dates

Hi Dan,

Based on what Walter and I decided on Friday here are a few dates with respect to both our transitions:

- 1) Monday, June 13th: Walt and I will discuss the Block IO tracing project and the dev-emu instrumentation project. Following the discussion I will forward all relevant emails and data processing scripts I've written for these projects.
- 2) Wednesday, June 15th: We will get together and discuss part of the Twinfin midlife kicker project. The rest of the transition will take place later during the week or the following week.
- 3) Walt will be executing PerfScore sometime during the weekend and I will try to watch and learn. I'm also in the process of setting up Virtual Box and Open Client RHEL to install PerfScore on my laptop. I hope to do that sometime early this week.

Walt - please add anything that I might have forgotten. Thanks!

■ From: Walter Tuvell
To: Sujatha Mizar
Cc: Daniel Feldman, Kelli-ann McCabe
Date: 06/13/2011 11:04 AM
Subject: Re: Transition plan/dates

Sujatha, I agree with this, except for the part about RHEL. That "should" work of course, but I myself have only tried Fedora (so I'm sure it works there), and Devesh has reported problems with Ubuntu. I'm going to try debugging his Ubuntu problem, if/as that's consistent with our transition plans.

■ From: Sujatha Mizar
To: Walter Tuvell
Date: 06/14/2011 08:41 AM
Subject: Fw: Storage manager ppt

Here is the storage manager PPT I was talking about yesterday when we discussed

blktrace/blkparse.

►Attachment omitted here; irrelevant to this Complaint.◄

■ From: Daniel Feldman
To: Walter Tuvell, Sujatha Mizar
Cc: Kelli-ann McCabe
Date: 06/14/2011 08:59 AM
Subject: Transition of responsibilities

Please provide me with brief email at the end of every business day detailing the transition tasks you have completed and alerting me to any problems or issues you are encountering.

■ From: Sujatha Mizar
To: Daniel Feldman, Walter Tuvell
Cc: Kelli-ann McCabe
Date: 06/14/2011 05:14 PM
Subject: Transition status - 06/14/2011

Here is the transition status so far:

- 1) Finished transition of the Block IO tracing project. (Sujatha to Walter)
- 2) Finished transition of the WaltBar performance tool (Walter to Sujatha)

Walt- please feel free to add anything I might have forgotten.

■ From: Daniel Feldman
To: Walter Tuvell
Cc: Kelli-ann McCabe
Date: 06/15/2011 07:11 AM
Subject: Fw: Transition of responsibilities

I do not have the status report I asked you to provide to me at the end of every business day (see below). While I do have a report from Sujatha, I don't have one from you. Perhaps I was not sufficiently clear. I require a report from each of you daily. In your own words, please detail the transition tasks you complete each day. Please do so until notified that this is no longer necessary. If you believe these instructions are ambiguous or open to interpretation in any way, please seek clarification immediately.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams
Date: 06/15/2011 10:12 AM

Subject: Re: Fw: Transition of responsibilities

Oh Come On.

OK, you want a status report, I'll give you a status report. It is identical to Sujatha's. As if you didn't know that was obviously going to be the case, and which is the reason I didn't bother sending you this redundant, useless information. I tried looking for "my own words", but Sujatha's words can't be bettered, and all we're really after here is clear communications, right? Here they are:

- 1) Finished transition of the Block IO tracing project. (Sujatha to Walter)
- 2) Finished transition of the WaltBar performance tool (Walter to Sujatha)

Dan, I'm very sorry to observe you now showing your true colors in this way. As long as you insist on interacting with me in this sort of blatant (not even an attempt at subtlety) snide harassment/retaliation, I might as well bring the following piece of information (below) about this "transition" to the attention of Kelli-ann and the IST. As you very well know (because I've been telling this to you constantly since you hired me in Nov, so you cannot pretend to be unaware), I have had some terrible things inflicted upon me by unscrupulous management in the past, and I've done everything in my power to avoid a repetition of it. But you and Fritz now appear to be on a campaign of actively persecuting me (this email of yours is a sample piece of evidence). I have no choice but to defend myself. Why you're doing this I have no idea (other than your "only caring about the success of Wahoo"). But I certainly hope IBM has the integrity to expose the truth to all. You and Fritz are the ones choosing to go down this path, and I am doing nothing but reacting and upholding my rights under due process.

To Kelli-ann, Diane, IST:

Dan (whether with or without the conspiracy of Fritz, I know not, because they've together kept me in the dark as to the secret meetings they've held, despite my many requests for 3-way meetings) has not only unilaterally forced an adverse job action upon me (details elsewhere), but has done so by replacing me with an employee whose qualifications are far inferior to mine (I have a PhD, she does not, and my work experience is much more extensive and relevant than hers), who is of a different sex than me (I am male, she is female), and who is much younger than me (in particular, I am over 40, she is under). There was no need for him to do this, because he had a viable alternative choice. He could have replaced me with another person in his group (Ashish Deb), who also has a PhD, is male, and is over 40. Note that all other members of the Wahoo team are male, not female, so switching me with Ashish would have made more sense from that point of view too ("equivalence"). Further, switching me and Ashish would have made much more sense from a business point of view, because the work Ashish is doing is much more compatible with my background than Sujatha's work is.

As you will immediately recognize, this (together with the adverse job action on false grounds upon which this "transition" is predicated) states a prima facie case

(and even stronger) for discrimination on the grounds of both age and sex, and perhaps even race (I am Caucasian, Sujatha is not, though neither is Ashish).

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams
Date: 06/15/2011 01:23 PM
Subject: Re: Transition status - 06/14/2011

Oh, hey Dan, I just noticed that in that chain of messages you sent out this morning about "requiring" a status report from me individually in my own words, you neglected to include the most important item: Sujatha's status report sent to you yesterday, with me copied, containing our joint status, and requesting me to add anything she might have forgotten.

This proves you had indeed been adequately updated about my status (by my not "adding anything"). Noting, by the way, that your original request for status update did not say anything about "requiring" individual notes from Sujatha and myself, nor did it require "our own words" individually.

Therefore I'm forwarding Sujatha's note here. For I'm sure you wouldn't want anyone to think you'd intentionally suppress relevant facts. Would you?

►*Sujatha's note, included here, is above at 06/14/2011 05:14 PM.*◄

■ From: Sujatha Mizar
To: Daniel Feldman
Cc: Walter Tuvell
Date: 06/15/2011 05:22 PM
Subject: Transition status - 06/15/2011

We did not get a chance to work on any transition stuff today.

We can hopefully get some more of the transition stuff done on Thurs and Fri.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe
Date: 06/15/2011 08:08 PM
Subject: Re: Transition status - 06/15/2011

Yeh, what she said.

- From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe
Date: 06/16/2011 04:50 PM
Subject: Transition status for today

Nothing.

- From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe
Date: 06/17/2011 02:23 PM
Subject: Transition status

Zilch.

[And, I'm leaving now because I've spent > 40 hrs at work this week, including 7 to-day, and somehow I just don't have that old IBM enthusiasm for overtime I've had consistently until this week.]

- From: Walter Tuvell
To: Sujatha Mizar
Date: 06/19/2011 10:20 AM
Subject: Settings

Sujatha, I think I forgot to give you the set of settings that are currently considered to give the best perf out of Wahoo. These were worked out with Devesh, mostly.

If you've been using the setups you inherited from me, everything may still be set up this way, but I'm not entirely sure, because I did do some experimentation to see what difference some the settings made, and I'm not sure I set everything back to these "normal" settings, so you should check.

(The name of the file is historical.)

►*File "whereWeStand.txt" (63 lines) was attached here; it's included in Appendix E, email dated 06/08/2011 12:19 PM.*◄

- From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe
Date: 06/20/2011 04:36 PM
Subject: Transition status

Sujatha sent me an email about the EMU FPGA work, but it's complicated and par-

tial, and she was too busy doing Wahoo stuff to talk to me about it.

►The “email” referred to here was an inadvertent error: it was not email, but rather a paper hardcopy document that Sujatha handed me, namely Sujatha’s EMU FPGA document, transcribed in Appendix P below. [This same “email” mischaracterization exists in my email of 06/30/2011 08:13 AM, below in this Appendix N.]◄

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe
Date: 06/21/2011 04:29 PM
Subject: Transition status today.

Nothing.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe
Date: 06/22/2011 08:57 PM
Subject: Transition status today.

Zip.

■ From: Walter Tuvell
To: Felix Santiago, Sujatha Mizar
Date: 06/23/2011 03:42 PM
Subject: Blktrace wiki

OK, so on the wiki, I've removed the blktrace stuff from the SPU Performance Tuning page, and created a new page devoted to blktrace, referenced from the Tools page. If somebody doesn't like this arrangement, please feel free to rearrange (this means you, Felix).

Cheers!

■ From: Walter Tuvell
To: Daniel Feldman
Date: 06/23/2011 03:50 PM
Subject: Transition status today

Talked to Sujatha about Dev-Emu instrumentation.

- From: Sujatha Mizar
To: Walter Tuvell
Cc: Felix Santiago
Date: 06/23/2011 04:01 PM
Subject: Re: Blktrace wiki

Looks good to me!

- From: Walter Tuvell
To: Sujatha Mizar
Cc: Felix Santiago
Date: 06/24/2011 07:58 AM
Subject: Re: Blktrace wiki

I cleaned it up slightly this morning, the line-breaks were bad (because I'd written it in Emacs first, but the wiki was too stupid to Do The Right Thing, sigh).

- From: Walter Tuvell
To: Daniel Feldman
Bcc: Kelli-ann McCabe
Date: 06/24/2011 12:39 PM
Subject: Transition status today.

0.

- From: Walter Tuvell
To: Sujatha Mizar
Cc: Daniel Feldman, Kelli-ann McCabe
Date: 06/27/2011 08:06 AM
Subject: Re: Transition plan/dates

I forgot to mention this to you folks at the time (week-before-last), but I did debug Devesh's problem, sort-of. Namely, I got PerfScore working on Ubuntu with no problem whatsoever, and could not reproduce Devesh's problem. So it was some sort of "user" (= Devesh) problem, having something to do with his local Ubuntu installation. The last I heard, we was going to update/reinstall his Ubuntu and try again, but that was over a week ago and I haven't heard from him since.

- From: Sujatha Mizar
To: Walter Tuvell
Cc: Daniel Feldman, Kelli-ann McCabe
Date: 06/27/2011 09:13 AM
Subject: Re: Transition plan/dates

Thanks for letting me know. I will talk to Devesh when I get a chance to work with PerfScore.

■ From: Walter Tuvell
To: Kelli-ann McCabe, Diane Adams, Lisa Due
Cc: Daniel Feldman
Date: 06/27/2011 08:26 AM
Subject: Fw: Settings

I'm hereby forwarding the following note to you folks, because I now realize belatedly it could be considered part of the "transition status" Dan wants constant updates about, and so if I don't forward it I'm sure to be accused of "disobeying orders" in some twisted sense (somehow it slipped my mind that I'm supposed to be in paranoid "CYA" or "watch-my-back" mode).

It was also probably wrong of me to try doing "above-and-beyond" things like the additional experimentation mentioned in the note. But I guess I'll never really know, because Dan and Fritz were always secretly deciding everything behind my back, never telling me directly what they wanted me to do. Or more accurately, when I did do the things they told me to do, as I always did to the best of my ability, I still got yelled at by Fritz, and lied to about what I "should" have been doing, had I been able to read their minds.

Oh, and I just noticed I sent this note to Sujatha on a Sunday morning. I'm sure it's also a forbidden activity to work after-hours, in some twisted sense, so I guess I should apologize for that too, and also promise never to work extra-hard for Dan again.

►*The note forwarded was the email-with-attachment entitled "Settings", already included in this Complaint as Appendix E 06/19/2011 10:20 AM.*◄

■ From: Walter Tuvell
To: Kelli-ann McCabe, Diane Adams, Lisa Due
Cc: Daniel Feldman
Date: 06/27/2011 09:03 AM
Subject: Fw: Storage manager ppt

Well, I just stumbled upon another note that "should" be forwarded as relevant to "transition status", as Dan wants to be updated on. Probably Sujatha already did forward it to Dan (nearly 2 weeks ago now), but as Dan has insisted to me ("required" is the word he used for it), I guess I need to forward it too.

Incidentally, if anyone thinks I'm being "smart-aleck" about this onerous/picayune crap, you'd be wrong. Instead, what I'm doing is "pointing out the obvious, to the finders-of-fact" (as I also know from experience is necessary in legal-like proceedings such as the HR process). For, as I have meticulously placed in evidence, Dan

is in my opinion embarked upon a campaign, in plain sight of HR, of blackballing me with onerous/picayune tasks. And I most certainly DO know what I'm talking about, because I'VE BEEN SUBJECTED TO THIS KIND OF HARASSMENT BEFORE, as Dan well-knew, because I told him so. I know if I don't at least pretend Dan is being serious/reasonable, he'll find a way to use it against me. It's happened to me before, and it's now happening again, exactly the same way.

Which reminds me, Dan, you never did send me that example of "day-by-day 3-weeks-into-the-future" work plan you asked me to produce (involving 4 technologies I knew nothing about at the time). As I told you, I've never heard of doing such a nonsense thing before, so I "require" an example. Since I've not heard from you since then about this matter, I can only assume you've reconsidered that absurd assignment, in light of the HR sunshine you now find yourself in.

►The note forwarded was the email-with-attachment entitled "Storage manager ppt", already included in this Appendix N above Complaint as the email dated 06/14/2011 08:41 AM.◄

■ From: Kelli-ann McCabe
To: Walter Tuvell
Cc: Diane Adams
Date: 06/27/2011 09:29 AM
Subject: Re: Storage manager ppt

Walt, while the status updates are part of what has been asked of you, please keep your content to only the tasks at hand. Additional commentary regarding your manager or other co-workers isn't appropriate and should be sent just to Lisa if you wish to express further.

■ From: Walter Tuvell
To: Kelli-ann McCabe
Cc: Diane Adams, Lisa Due
Date: 06/27/2011 09:39 AM
Subject: Re: Storage manager ppt

OK, I didn't realize that, I thought all 3 of you were still involved to some extent or other. Sorry.

■ From: Kelli-ann McCabe
To: Walter Tuvell
Cc: Diane Adams, Lisa Due
Date: 06/27/2011 10:05 AM
Subject: Re: Storage manager ppt

Not a problem, I just wanted to stress that any issues with management or peers

should be directed to Lisa as she is the lead, this includes the emails you send to Dan or any other co-workers.

Thanks and take care, I wish you the best with your upcoming procedure

■ From: Walter Tuvell
To: Kelli-ann McCabe
Cc: Diane Adams, Lisa Due
Date: 06/27/2011 10:08 AM
Subject: Re: Storage manager ppt

Oh, OK, that's still further from what I'd understood before. Up to now, I've been CC'ing you on everything (per your request, when I had that face-to-face with you), and sometimes Diane too, but now I should only be CC'ing Lisa, is this right? (I know Lisa is now the "lead", but I didn't know that she's supposed to be the sole interface.)

■ From: Kelli-ann McCabe
To: Walter Tuvell
Cc: Diane Adams, Lisa Due
Date: 06/27/2011 10:20 AM
Subject: Re: Storage manager ppt

yes correct, Lisa is the lead - Diane and I have turned this over to her as there needs to be one point of contact

■ From: Walter Tuvell
To: Kelli-ann McCabe
Cc: Diane Adams, Lisa Due
Date: 06/27/2011 10:23 AM
Subject: Re: Storage manager ppt

OK, then I'd request that you & Diane please ensure that everything I've sent to you is forwarded to Lisa (I expect you've already done that, but I need to ask just to make sure anything I say to Lisa won't be coming out of the blue).

Otherwise, I'll now continue on with Lisa only, and offer my thanks to you and Diane.

■ From: Lisa Due
To: Walter Tuvell
Date: 06/27/2011 10:42 AM
Subject: Fw: Storage manager ppt

Walt, I agree with Kelli-ann's comments below. Please remember (as you and I discussed), please keep all communications on a business / professional level which includes the language used.

■ From: Lisa Due
To: Walter Tuvell
Date: 06/27/2011 10:46 AM
Subject: Re: Fw: Storage manager ppt

Walt, as you and I discussed, I have asked that Dan and you limit communications to each other. That is likely why Dan has not responded. I have received several examples from Dan, but I am reviewing them first to see which are the most appropriate one(s).

■ From: Walter Tuvell
To: Lisa Due
Date: 06/27/2011 11:19 AM
Subject: Re: Fw: Storage manager ppt

What I understood you to mean about "limiting" communications, was that no "new" comms were to be initiated, and I have NOT done that. (I also said I'd defend myself if Dan attacked first, but that hasn't happened either.)

However I was, and am still, under "orders" from Dan to send him certain "continuing" (as opposed to "new") kinds of comms, specifically: (i) so-called "daily transition status"; (ii) weekly status reports. I assume you have the power to cancel these orders of Dan's, but you haven't done so. Responding to these continuing order of Dan's is all I have done. However, I did so "with an explanation", as you saw this morning. Namely, the explanation was that the additional pieces of transition status I sent this morning would normally be considered so trivial as to not merit mentioning, EXCEPT for the FACT that it happened to me in a previous black-balling episode that these kinds of normally-trivial comms can/have been used as pretend-excuses that I was "disobeying orders" to send ALL transition status comms.

No offense to you, but I have indeed seen it happen that if the plaintiff (= me, in this case) doesn't EXPLICITLY POINT OUT absurdities like this to the judge/trier-of-fact (= you), then it can redound to the benefit of the defendant (= Dan), i.e., to the detriment of the plaintiff. This is what I stated explicitly in an earlier note this morning: it is not a "smart-aleck" behavior to be VERY EXPLICIT, TO THE POINT OF REPETITION, in a legal proceeding. Instead it is actually an institutionalized NECESSITY.

Again, no offense to you, but I really do wish you'd have somebody with a legal background looking in on this, especially someone with knowledge of defamation law. (No, this is not a "threat", it's a "wish"!) For example, when you asked me to

"quantify the damage to my reputation, e.g., name people who thought my reputation was damaged" (I'm paraphrasing here), you displayed ignorance of this corner of the law. For the purposes of defamation, NO "SPECIFIC INJURY" IS NECESSARY, that is, there is NO REQUIREMENT to "quantify" the damage to reputation. Instead, it's ASSUMED, AS A MATTER OF LAW, THAT DAMAGE TO REPUTATION HAS INDEED OCCURRED. That's because reputation is too ephemeral a concept, and the law understands it's impossible to "quantify" damages as you asked for. A lawyer could have told you this.

[Nevertheless, even though it is not a REQUIREMENT, there is in fact an obvious DAMAGE TO REPUTATION that can be quantified: Fritz's defamation of me to Dan (where Fritz knowingly falsely told Dan I'm a "bully and liar", as Dan told me he did) CAUSED Dan to inflict upon me the adverse job action of demoting me from the MOST important/prominent position in the Performance Architecture Group to the LEAST. Any court of law would come to that finding (though, as I have said/done all along, I fervently hope this whole matter is resolved at the lowest possible level, and this case never gets near a court of law).]

■ From: Lisa Due
To: Walter Tuvell
Date: 06/27/2011 11:29 AM
Subject: Re: Fw: Storage manager ppt

I see you have misunderstood me when we spoke. We (either I or management) will get back to you soon. Thank you.

■ From: Walter Tuvell
To: Lisa Due
Date: 06/27/2011 11:35 AM
Subject: Re: Fw: Storage manager ppt

Well, it's been a week since we spoke, and you've seen me send Dan a "transition status" note every one of those days, but you didn't notify me that I must have misunderstood you. If that's the kind of thing you're talking about, I'd appreciate timely notifications. Absent such a notification, it is incumbent upon me to obey all "orders" I have been given by Dan, Kelli-ann and Diane. And as you also saw this morning, I've also been follow the continuing order to CC Kelli-ann (and partially Diane), because that order was not canceled until this morning (by Kelli-ann).

■ From: Walter Tuvell
To: Daniel Feldman
Date: 06/27/2011 05:30 PM
Subject: Transition status for today.

I asked Sujatha some questions about "project #1" (pushing runtime restricts to FPGA) and "project #2" (oprofile for TF midlife kicker).

■ From: Walter Tuvell
To: Sujatha Mizar
Date: 06/27/2011 04:51 PM
Subject: Project #2

Sujatha, I'm approaching the point where I can start thinking about "project #2", i.e., the oprofile stuff for TF midlife kicker. You have indicated (and I have also heard elsewhere) that it might be a dead-end project, which would leave me with nothing to actually to do for this project. Who should I contact about the status of this project, so I can be sure where it stands?

Also, just to make sure there's no misunderstanding about "project #1" (pushing runtime restricts to FPGA), you have indicated (and Dan said the same at our 3-way transition meeting that day) that you have already finished the work for that, and now just the write-up needs to be done, and that you are the person who's going to do that write-up (not me), and it should probably take you approx. a week of devoted time to do the write-up once you can find the free time to do it. And so for this project, there's nothing for me to actually do. Right?

■ From: Sujatha Mizar
To: Walter Tuvell
Date: 06/28/2011 10:24 AM
Subject: Re: Project #2

Hey Walt,

I can give you a quick status update of the Twinfin mid-life kicker project this afternoon. I also can point you to the data that was previously collected. Maybe you could load that into a DB somewhere and start your own investigations?

Yes, I plan on finishing the RTR project. I need to run a few queries, gather some data and then update my performance criteria document with the new findings. I've spoken to Dan about getting a machine for me to run these tests on.

Let me know.

■ From: Walter Tuvell
To: Sujatha Mizar
Date: 06/28/2011 10:29 AM
Subject: Re: Project #2

OK, great, talk to you this afternoon!

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Lisa Due
Date: 06/28/2011 04:23 PM
Subject: Transition status today

Got a response from Sujatha about those questions I asked yesterday.

►*The conversation here flows into the email chain in Appendix Q below, where it then veers off into significant new material (“ad hominem”); so we take this opportunity to break the chain at this point (“to be continued” in Appendix Q).*◄

O My nzVtCapture.sh Wiki Page



Added by [Walter Tuvell](#), edited by [Walter Tuvell](#) on Jun 30, 2011

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Introduction

Suppose you're interested in capturing the total contents of some virtual table over the duration of some test you're running. For example, you might be investigating NPS I/O activity while running a fairly complicated query, and you want to capture `_vt_disk_log` during your query run. If your test is moderately long-running, you've got a problem.

Why? Because virtual tables are implemented as ring buffers, with a maximum size of 16MB (unless you change it in source code and recompile, but let's assume you don't want to do that). The problem is that the ring-buffer may wrap around, spilling some of the contents of the virtual table. So you can't just wait until the end of your run to dump your virtual table.

So what can you do?

nzVtCapture.sh

The `nzVtCapture.sh` script (attached to this wiki page) is the tool you want. It's capable of capturing the entire contents of any virtual table, no matter how many times the table wraps around (modulo available system resources on your NPS host, such as disk space, and your patience).

The official documentation for `nzVtCapture.sh` is embedded at the top of the script itself. Basically, what you do is start a capture run by an invocation of the following form, in either foreground or background:

```
nzVtCapture.sh <VirtualTable> <CaptureFile> [SleepSec]
```

Then to stop the capture, you signal the capture run, with `SIGINT` (ctrl-C) or `SIGTERM` (kill command).

You are invited to read the documentation at the top of the script at this point. Rather than repeat that documentation here, we'll give a walk-through of example usage to get you started.

An Example

As our virtual table for this example, we choose `_vt_emulator` (see [Emu](#)), but you can use any virtual table you want of course. You can even capture multiple virtual tables simultaneously if you want, simply by running multiple simultaneous instances of `nzVtCapture.sh`.

So let's say what you want to do is capture the contents of `_vt_emulator` during a run of the "merge_join"

test from the PerfBar Atomics benchmark.

Here's what you do (either at an interactive shell prompt on the host, or embedded in a shell script):

```
# Define convenient env vars.
VTABLE=_vt_emulator
CAPTUREFILE=capture1000b.csv

# Start the VTCAPTURE.
nzVtCapture.sh $VTABLE $CAPTUREFILE &
VTCAPTUREPID=$!

# You can run anything you want here. For example:
nzsql -d tpcds1000b -f /nz/Bar5.1/sql/atomics/merge_join.sql -o /dev/null

# Stop the VTCAPTURE.
kill $VTCAPTUREPID
```

When you run this, you'll see progress messages printed to stdout, looking something like this:

```
--> VTCAPTURE: Using max vtable size = 1024 KB.
--> VTCAPTURE: Capturing vtable "_vt_emulator" in file "capture1000b.csv".
--> VTCAPTURE: Waiting for capture loop to finish.
--> VTCAPTURE: Capture loop has finished.
--> VTCAPTURE: Post-processing capture file "capture1000b.csv".
--> VTCAPTURE: Start size = 471782 lines, 67834719 bytes (~143 bytes/line)
--> VTCAPTURE: End size = 222917 lines, 32049930 bytes (~143 bytes/line).
--> VTCAPTURE: Done!
```

Your captured `_vt_emulator` data ends up in the file `capture1000b.csv`, which is a CSV file with header.

How Can You Be Sure You Captured The WHOLE Vtable?

This is a very important question, so `nzVtCapture.sh` includes special support for it.

The main tool here is the `SleepSec` option, especially its "experimental mode" (enabled when `SleepSec < 0`). In this mode, instead of actually capturing any data, `nzVtCapture.sh` prints to stdout the number of lines that would be in common between each successive pair of the vtable captures/dumps. This value should always be `> 0`, because otherwise there is a gap between captures, indicating potential data loss. This feature enables the user to experimentally choose an optimal `SleepSec` for their application (see the documentation at the top of the script itself). Generally speaking, large values of `SleepSec` are better than small values, because that produces fewer collisions in the `CaptureFile`, making the post-processing phase at the end faster.

In any case, no matter what value you end up choosing for `SleepSec`, `nzVtCapture.sh` always checks during its post-processing phase to make sure there are no gaps (potential data losses) between captures. If there are, a `WARNING` is issued.

Uploading to NPS

If you want to load your captured CSV file into an NPS table, you can do so in the usual way, as follows (you may need to add more options to `nzload`, depending on the exact nature of your application, for example for logfiles, for handling quotes, etc.):

```
CAPTURETABLE=$(echo $CAPTUREFILE | sed -e 's/\.csv$//')

nzsql -d system -c "CREATE TABLE $CAPTURETABLE AS SELECT * FROM $VTABLE LI
nzload -db system -t $CAPTURETABLE -delim '|' -skipRows 1 -df $CAPTUREFILE
```

Implementation Note

If you look at the implementation of `nzVtCapture.sh`, you'll see that what it does is periodically (SleepSec) dump the specified virtual table to the specified capture file (well, actually to some auxiliary/temporary dump files, but those are invisible to the user). Then the capture file is post-processed via a sophisticated (parallel) application of the "sort|uniq" idiom.

An alternative implementation would be to do the whole capture inside NPS itself, using SQL to mimic the same design: create an auxiliary table, append your virtual table to the auxiliary table periodically, and finally pare down the auxiliary table by taking its "distinct" rows. However this implementation is not to be recommended, because the intra-NPS activity it generates skews the experimental data you're interested in too much, and it tends to be slower too, both because of the auxiliary table(s).

Printed by Atlassian Confluence 3.1.1, the Enterprise Wiki.

P Sujatha's Dev-Emu/FPGA Project

►The content of this Appendix P is a transcription (as faithfully as I could reproduce it, typos included) of a paper document Sujatha printed for me, 06/20/2011. It is called an "email" in the email dated 06/20/2011 04:36, but that is an error: it was not an "email", but rather a paper hardcopy of an "unsaved document" written in a text editor, which she sent to a printer. It is reproduced in constant-width font here, with linebreaks, exactly as it was printed.◄

Hi Walt,

Here is some information on the EMU FPGA Statistics Instrumentation project:

1) Garth has written up a really informative wiki page: <http://wiki2:8080/display/Eng/Emu>

2) Process/information on how to get the FPGA statistics:

On getting a build (kit) from Garth, I do a PBU on an available TF6/P50 to this kit. The builds are generally in /nfs/production/builds/dev-emu/.

I create a ballooned 1 TB database. I use the 100_overnight_all_db.sh script with one slight modification - I add the -s 1000 to the 401_create_tpcds.py invocation.

Add the following EMU specific registry settings in the /nz/data/config/system_cfg file:

```
system.realFpga          = no
system.realFpgaIsEmulator = no
system.useFpgaPrep        = yes
system.emulatorThreads   = 0
nzstop/nzstart
```

I use a bunch of really simple and short scripts to run the various queries and collect the stats from the _vt_emulator table. The scripts are in:

/mount/napla/smizar/emu/. I basically snapshot the _vt_emulator virtual table periodically (once per every 2 seconds) and then post-process to remove duplicates. The final data is in a table called distinct_vt_emulator.unl in the /nz/results/<kit>/<DB>/<Query> directory.

After the run I use the createVtEmulatorTableTPCDS.py and createVtEmulatorTableTPCDH.py scripts from the /nz/results/kit/TPCDS1000B and /nz/results/kit/tpch1000b directories respectively to generate 2 files that contain all the data from the distinct_vt_emulator.unl for all queries along with the query name for each entry.

I then create a DB called DEV_EMU and a table called DISTINCT_VT_EMULATOR in the DEV_EMU DB.

DEV_EMU(ADMIN)=> \d DISTINCT_VT_EMULATOR

TABLE "DISTINCT_VT_EMULATOR"			
Attribute	Type	Modifier	Default Value
QUERY_NAME	CHARACTER VARYING(250)		
INPUT_BYTES	INTEGER		
INPUT_BYTES_COLUMNAR	INTEGER		
PARSE_TICKS_NORMAL	INTEGER		
PARSE_TICKS_COLUMNAR	INTEGER		
EXECUTE_TICKS	INTEGER		
VISIBILITY_TICKS	INTEGER		
RESTRICT_TICKS	INTEGER		
PROJECT_TICKS	INTEGER		
FINISH_TICKS_PARALLEL	INTEGER		
FINISH_TICKS_INTERLEAVED	INTEGER		
OUTPUT_BYTES	INTEGER		
RECORDS	INTEGER		
PARSE_COLUMNS	INTEGER		
WIDE_PAYLOAD_WORDS	INTEGER		
EMIT_WIDE_PAYLOAD_WORDS	INTEGER		
DRAIN_WORDS	INTEGER		
EMIT_COLUMNS	INTEGER		
EMIT_FIXED_WORDS	INTEGER		
HUFFMAN_WRITES	INTEGER		
HUFFMAN_SYMBOL_BYTES	INTEGER		
HUFFMAN_DECODES	INTEGER		
EMIT_VARCHAR_WORDS	INTEGER		
VISIBILITY_FIXED_WORDS	INTEGER		

```

PROJECT_FIXED_WORDS      | INTEGER      |
PROJECT_VARCHAR_WORDS    | INTEGER      |
NULL_VECTOR_WORDS        | INTEGER      |
RESTRICT_FIXED_WORDS     | INTEGER      |
RESTRICT_VARCHAR_WORDS   | INTEGER      |
DOUBLE_RESTRICT_WORDS    | INTEGER      |
TS                        | TIMESTAMP    |
DSID                      | INTEGER      | to
OUTPUT_RECORDS           | INTEGER      |
Distributed on hash: "QUERY_NAME"

```

I then use nzload (with the comma as the separator) to load the output created by createVtEmulatorTableTPCDS.py and createVtEmulatorTableTPCH.py into the above table. Garth then post-processes this data in any way he seems fit to derive more useful statistics and pretty graphs! :)

This is pretty much the process I had in place to collect the FPGA stats. I can go through this in detail with you on Monday whenever it's convenient for you.

Be warned :) Most of these scripts are just quick scripts I cobbled together on the fly and are a fry cry from production quality :)

Have a great weekend!

-Sujatha

- August 5

Q Email Chain: *Ad Hominem* (June 30)

■ From: Walter Tuvell
To: Sujatha Mizar
Cc: Joseph Shkolnik, Ashish Deb, Larry Lutz, Felix Santiago
Date: 06/30/2011 04:32 AM
Subject: Capturing virtual tables

Sujatha, after studying the scripts you wrote for capturing the _vt_emulator virtual table, I saw a way to generalize it to any virtual table, and in a way that perturbs the internals of NPS less, namely by using the "sort|uniq" idiom on the host (parallelized for performance) instead of doing everything with NPS/SQL.

I made a wiki page out of it, you can find it if you search for "Capturing Complete Virtual Tables".

Hope this is helpful, thanks for providing the initial ideas for it!

■ From: Walter Tuvell
To: Daniel Feldman
Date: 06/30/2011 04:49 AM
Subject: Transition status for Wed.

Nil.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 06/30/2011 06:35 AM
Subject: Re: Transition status for Wed.

I realize you had one or more doctor appointments yesterday. You had indicated that you would be working from home. Is this status 'Nil' because you did not actually work from home yesterday? If so, no problem - please just let me know.

If you did work from home yesterday, what did you work on?

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams, Lisa Due
Date: 06/30/2011 07:22 AM
Subject: Re: Transition status for Wed.

No, of course I worked yesterday, surely you've seen my contributions to the wiki overnight (I know you follow the wiki closely, so you can pretend now).

The "Nil" meant what it's meant all along with these entirely superfluous "transition updates": nothing to speak of with respect to the demotion, because I didn't interact with Sujatha. That (abbreviated one-liners) is the standard she set with her initial transition update report, and it's exactly what I've been doing all along. You DO know this, you cannot pretend you think the "transition" updates I've been sending all along have accounted for ALL the work I've been doing!

In other words, this letter is obviously intended as harassment, and I take objection to it as such. I guess I should at least thank you for putting in email for me. From: Walter Tuvell

To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams, Lisa Due
Date: 06/30/2011 08:13 AM
Subject: Re: Transition status for Wed.

bullet-list item
should start here



Just to be clear, in case you still haven't found it: My recent contribution to the wiki solves a problem that has existed at Netezza ever since virtual tables were invented (how many years is that?), namely how to capture all the content from a ring buffer without losing spills from wrap-around. See <http://wiki2.netezza.com:8080/display/Perf/Capturing+Complete+Virtual+Tables>, attached hereto (in MS IE-friendly MHT format).

Sujatha had previously been using an unbelievably poor solution: specific to only one virtual table (not generalized to all of them, like mine), and implemented internally to SQL/NPS, which has a huge potential to perturb the very data that's being collected (because of the auxiliary tables). It's actually hard to believe she herself invented this, did she or did somebody else put her up to it? In other words, now that I've seen what she's doing (I hadn't seen it before this week), the data she's

collected heretofore should now be considered suspicious/unreliable until proven innocent.

I've also heard Devesh complain about the inability to capture virtual tables, in the context of `_vt_disk_log`. But again all he's done is complain, and suggest increasing the size of the ring buffer beyond 16 MB, by modifying the source code and recompiling (a terrible idea, an arbitrarily large size is needed, in every build, not one-offs)! But in his case, that's certainly his idea, nobody else planted that idea into his head, because he's a fully capable developer. Why didn't he just go fix it?

As you know, this effort is far above-and-beyond the call of duty (a constant refrain with my work, as had always been recognized up until June 10). The job as Sujatha "transitioned" it to me was merely to run her scripts, then give the results to Garth so he can "post-process this data in any way he sees fit to derive more useful statistics and pretty graphs" (as she herself defined the task in email to me). In other words, my new job was to be a "script monkey", as you've so colorfully described this kind of work many, many times. Fully consistent with the harassing demotion you've subjected me to. Yet, I somehow found the wherewithal to solve a gaping hole, without any prompting whatsoever, after having been introduced to the problem just a couple of days earlier.

Why you've decided to throw a really first-rate employee (in every way, not just technically) under the bus is truly a mystery to me -- because NOBODY WILL TELL ME!

►The attachment contained a copy of my "Capturing Complete Virtual Tables" wiki page, snapshot of June 30, which is contained in Appendix O).◄

■ From: Daniel Feldman
To: Walter Tuvell
Date: 06/30/2011 08:27 AM
Subject: Re: Transition status for Wed.

My request for status is sincere, please provide me with an update. I pretend nothing; I count on you to respond appropriately to a legitimate request for information.

I believe the assertions of ill-treatment you raised have been investigated appropriately and that there is insufficient evidence to support your claim. I believe that Lisa Due has told you how you can pursue that matter further inside IBM if you choose to do so.

Please cooperate with me as I continue to do my job. I am responsible for assigning work, monitoring progress, changing assignments when necessary, inspecting work product and otherwise ensuring that the work of the Performance Architecture group is performed professionally and effectively. All of my requests for status and plans are fully within the scope of my job and the expectations of my managers and it is reasonable for me to expect you to respond to them.

Please keep your communication professional and appropriate. Sarcasm, assertions of bad faith, refusal to comply with reasonable requests and other such behaviors are inconsistent with success. I would very much like you to succeed.

There are some factual errors stated in your previous communication and implied in this one that need to be corrected:

You have not been demoted
You are not on a performance plan
You do not take direction from Sujatha

There are four days left before your medical leave. I need to know what you expect to accomplish in those four days. I need to ensure that the work is left in a reasonable state on Wednesday, 7/6; one that will enable the legitimate work of the Performance Architecture group to continue during your extended absence. As I will be absent for one of those four days (tomorrow), it is important that the planning be done today. I have a busy day of meetings today and it is essential that we communicate effectively and appropriately. Communication is a two-way street; your cooperation is essential.

I believe you have three projects assigned to you:

Plan and construct tests and analyze data so that we can gain an understanding of the actual behavior of disks in the Netezza product under varying workloads
Plan and construct tests and analyze data so that we can understand the actual behavior of the FPGA component of our system under varying workloads
Plan and construct tests and analyze data so that we can understand the implications for performance of doubling the total disk I/O of the Twin Fin product without increasing CPU or internal network resources.

Your reference to a fourth project, I believe, is a reference to the fourth project that Sujatha was working on, establishing the performance criteria for the run-time-strict project. This is not currently assigned to you and, while discussed briefly during our transition meeting on 6/10, never has been.

Given your seniority, I expect you to plan your work, discuss (in person or via email) your plans with me, change them as necessary based on my review and then to execute against those plans. Sometimes specific investigations will be necessary in order to gain enough understanding of a task in order to plan it appropriately. In those cases, the initial plan might contain a task or tasks representing the investigation and a task for additional planning. I am generally flexible in assessing performance against a plan when I'm usefully informed, in a timely fashion, of the circumstances that necessitated deviation from the plan.

As a first step in planning the next four days of your work, please provide me with a summary of what has been accomplished on the three projects itemized above since they were assigned to you on 6/10. I would like to have the summary by 11:00am today. If you feel this is unachievable, please explain why and propose an alternative deadline. I believe that, given your long tenure in the industry, this should be a

straightforward and uncontroversial task.

As of now, you are no longer required to provide daily transition reports nor do I expect you to provide a weekly status report for this week. Instead, I expect that you and I will work closely together during the time remaining between now and your medical leave and that by next Wednesday I will have a thorough understanding of your then current status.

Thanks in advance for your cooperation,

■ From: Daniel Feldman
To: Walter Tuvell
Date: 06/30/2011 08:35 AM
Subject: Re: Transition status for Wed.

Thanks for the more useful status summary.

I appreciate your initiative in solving the ring buffer wrap around problem. I will read the wiki page soon. However, I didn't assign you this task and you didn't communicate with me about your intention to undertake it. While I agree that it is important and useful, it may not have been the best use of the limited time available prior to your medical leave and by pursuing it without communicating with me you have undermined my ability to make the best decision about how a scarce resource (your time and talent) are allocated. I believe that more effective communication will avoid this kind of thing in the future. Those are precisely the kinds of decisions I'm expected to make.

I have to caution you once more against the unprofessional tone of certain parts of your email. In particular, you appear to be engaged in ad hominem attacks against both Sujatha and Devesh and this is inappropriate and unnecessary; you can take credit for work you've done without casting aspersions on your colleagues.

■ From: Joseph Shkolnik
To: Walter Tuvell
Cc: Ashish Deb, Felix Santiago, Larry Lutz, Sujatha Mizar
Date: 06/30/2011 09:25 AM
Subject: Re: Capturing virtual tables

Hi Walt,

Great script. Thank you very much.

Please correct me if I am mistaken.
Below is related to virtual tables which have time stamp field.

Scenario 1: It could be nice for the script to print message about data lost if it took

place.

8:00:01 - The script started with SleepSec =10

8:00:11 - The script saved first chunk #1 with all ring-buffer records related to 8:00:01 - 8:00:11

8:00:21 - The script saved second chunk #2 with all ring-buffer records related to 8:00:15 - 8:00:21

There was missing time gap 8:00:11 - 8:00:15 and possible that we lost data.

Value of SleepSec =10 selected for description purpose, it can be smaller, e.g., 0.1 seconds.

Scenario 2: If any two sequential chunks have at least one duplicate record, the script did not lose any data.

8:00:01 - The script started with SleepSec =10

8:00:11 - The script capture first chunk #1 with records related to 8:00:01 - 8:00:11

8:00:21 - The script capture second chunk #2 with records related to 8:00:05 - 8:00:21

No data lost: we have duplicate records related to 8:00:05—8:00:11 in both chunks.

In Scenario 2 we even may increase SleepSec, because ring buffer large enough for 16 (21-5) seconds.

In Scenario 1 the script may report percentage or/and time of potential data lost - capture ratio...

■ From: Sujatha Mizar
To: Walter Tuvell
Cc: Ashish Deb, Felix Santiago, Joseph Shkolnik, Larry Lutz
Date: 06/30/2011 09:28 AM
Subject: Re: Capturing virtual tables

Hi Walt,

That's neat !

One thought: Would it be also useful to add the enabling via cliqa of the virtual table that you are collecting data from into the script?

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams, Lisa Due
Date: 06/30/2011 10:46 AM
Subject: Re: Transition status for Wed.

Very briefly (other responses to be sent as appropriate when I'm mentally able, i.e.,

not sleep-deprived):

My assertions of ill treatment are completely valid and I hereby reassert them. Lisa Due has given a false report (I don't know where the falsehoods originated, with her or with the people she talked to, because nobody will tell me anything because of secrecy/"cover-up"). I have therefore already initiated the Appeals and Concerns process, per IBM policy, hopefully that process will have more integrity than the HR/IST process.

Concerning "your job", "professionalism", "bad faith": You have displayed the exact opposite of professionalism, and indeed humanitarianism, by secretly meeting with Fritz behind my back and surreptitiously conspiring and executing an adverse job action upon me. In my opinion you are not qualified to give this kind of lecture to me. I'm simply reacting to you the way you have proactively acted to me. It's your move: I reiterate my many-times stated plea to tell me the truth about why you demoted me. I really have no idea (other than Fritz's lie about being a "bully and liar", but you never actually said that was the reason for your actions). Why won't you tell me?

I DO take direction from Sujatha (and more especially, from her "Project Status" PDF dated June 10), because you abdicated your role as manager when you ordered me to do an obviously impossible/harassing task: "independently" (i.e., alone, without consulting with you) produce a 3-week detailed day-by-day schedule for 4 technologies I was completely unfamiliar with, upon a single day's notice, starting from her PDF. I have not been able to fulfill that order, due to your own inaction of refusing to give me the required example of what was expected of me. "Given your seniority", I expect better behavior from you.

So my only recourse has been to actually "do" (as opposed to "plan/schedule") the tasks, to the best of my "independent" ability to understand them. That's what I've been doing, and I've been doing it very successfully so far, having completed to within epsilon (and far above-and-beyond in most particulars) 2 of the 4 items on her list, as she herself explained them to me (one of which, as you correctly point out, I am not supposed to touch).

As for "plan and construct tests and analyze data", that was certainly never part of the work items as conveyed to me by Sujatha (and they were, after all, her projects, so you'd think she'd know). At least for the 2 items I've nearly-finished so far ("blk-trace" and "vtable capture"), she was very clear to me that her job was simply "script monkey", and that you & Garth were the customers who would actually do the interesting work. (I don't know about the "oprofile" task yet, haven't yet gotten the necessary information from her.) Yes of course I can imagine how to take these project further (e.g., up to and through the "analysis" phase), but no matter how great my "seniority" it's impossible for me to match the much greater experience at the particulars of the Netezza technologies/products known to many people here, but whose minds I'm somehow expected to be able to read.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams, Lisa Due
Date: 06/30/2011 10:58 AM
Subject: Re: Transition status for Wed.

Hmm, let me get this straight. On the one hand, I'm supposed to magically take on myriads of project details beyond what Sujatha's descriptions have explicitly limited me to, but on the other hand I'm not supposed to correct obvious problems when I trip over them, even if they've potentially led to inaccurate data/conclusions? That is what you're saying, right? Are you the same person who ordered me to act "independently"/alone from you?

As for the ad hominem insinuation: exactly the opposite is the case. I praised Sujatha as someone who I didn't believe designed the scripts she was running (she had mentioned it at a group mtg, and somebody [I forget who] said they'd give her some pointers). As for Devesh, I took special care to call him a "fully capable developer", and he's completely at home writing Ruby scripts to do all manner of things, so I was wondering why he hadn't done this thing.

To pretend this is ad hominem is plain false/harassment. But again, thanks for putting it in writing, I guess.

■ From: Walter Tuvell
To: Sujatha Mizar
Cc: Ashish Deb, Felix Santiago, Joseph Shkolnik, Larry Lutz
Date: 06/30/2011 11:13 AM
Subject: Re: Capturing virtual tables

Actually, the script does already do that, but thanks for the thought anyway! :-)

■ From: Walter Tuvell
To: Joseph Shkolnik
Cc: Ashish Deb, Felix Santiago, Larry Lutz, Sujatha Mizar
Date: 06/30/2011 11:26 AM
Subject: Re: Capturing virtual tables

Joseph, this is an excellent idea, thank you! It is the kind of thing I was groping for with the "experimental mode" (negative SleepSec), and I still think that facility is valuable (and I'll leave it in), but I also now have a good idea of how to implement your suggestion too, thanks to your fine hints.

Thanks again, and I'll let you know when I have it ready (it'll be on the wiki page)!

- From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams, Lisa Due
Date: 06/30/2011 11:28 AM
Subject: Fw: Capturing virtual tables

FYI. Notice the praise I sent Sujatha's way publically, as I've always done, BEFORE your false slam about "ad hominen".

►Include here were the emails of this Appendix Q dated 06/30/2011 04:32 AM, 06/30/2011 09:25 AM, 06/30/2011 11:26 AM.◄

- From: Daniel Feldman
To: Walter Tuvell
Cc: Diane Adams, Kelli-ann McCabe
Date: 06/30/2011 11:52 AM
Subject: Re: Fw: Capturing virtual tables

I'm sorry you felt "slammed". That was not my intent. If you re-read the email I sent you, I'm sure you'll see that I cautioned you to avoid communication that might appear to be inappropriate.

I'm delighted that you are supporting your colleagues so generously. Perhaps you could include me on the distribution list for such communication in the future so that your praise can accrue more fully to their benefit.

- From: Walter Tuvell
To: Daniel Feldman
Cc: Diane Adams, Kelli-ann McCabe
Date: 06/30/2011 01:07 PM
Subject: Re: Fw: Capturing virtual tables

Regarding "communication that might seem inappropriate": It was you who proactively brought up ad hominem, and I reacted. You attack, I defend. You thrust, I parry. This is the constant theme. You are the aggressor, and I am merely standing up to your bullying. If you want me to stop, all you have to do is stop. Please.

- From: Walter Tuvell
To: Joseph Shkolnik, Ashish Deb, Felix Santiago, Larry Lutz, Suhatha Mizar
Date: 06/30/2011 16:37
Subject: Capturing virtual tables

Joseph, I have now implemented your suggestion, and posted it on the wiki. I also added a new (small) section to the wiki explaining it. I also changed the implementation of "experimental mode" to make use of the same idea. So now nzVtCap-

ture.sh checks for "gaps" (successive dumps that have no lines in common), and issues a warning if it finds any.

Thanks again the this idea!

■ From: Joseph Shkolnik
To: Walter Tuvell
Cc: Ashish Deb, Felix Santiago, Larry Lutz, Sujatha Mizar
Date: 07/01/2011 08:51 AM
Subject: Re: Capturing virtual tables

Excellent!

BTW, your 'comm' approach to count duplicates is much better than less efficient 'uniq -c' method used in similar cases by me.

Tiny optional note.

I do not know what default vt state enable or disable. But probably we have to find method to do it. It is important because end user could forget to disable some vt, and it creates unnecessary NPS overhead, which can worsen performance.

I guess, after finishing capture often we want to disable vt if it was enabled by the script. We do not know if the vt was ON or OFF before starting the script, but the script can find it out.

Would be nice if script:

- reports state of the vt table (not any table, only table which it suppose to change state), and prints command which it'll use to turning table back to original state (e.g. "cliqa -vt vt_abcdef off"). In this case, even if by any reason the script will not be able to return the vt table to prior state, any person (even unfamiliar with cliqa and its format) can manually do it by copy/paste.
- after finishing capturing returns the vt to state prior starting capture if state was changed by this script, and reports if it did not work.

■ From: Walter Tuvell
To: Joseph Shkolnik
Date: 07/01/2011
Subject: Re: Capturing virtual tables

I've never really used the comm command seriously before either, never had a reason to, but it seemed like the best tool for this job (namely, given that we need to sort the files at some point anyway, might as well do it early and use comm).

As for you suggestion about enable/disable, that's a good idea too, so I've made that change, and it's now on the wiki. Thanks again!

■ From: Walter Tuvell
To: Russell Mandel
Date: 08/02/2011 03:07 PM
Subject: Back to work

Russel, just a note that I'm back in the office now (after surgery and vacation), and I'll be working again on my complaint document.

I've started it already of course, and I'm about 50% done with it. If I could work on it full-time I'd be able to finish it in a week or so, but I don't have that luxury, so I'm afraid it's going to take a couple of weeks, maybe more. Hope that's OK.

■ From: Russell Mandel
To: Walter Tuvell
Date: 08/02/2011 04:18 PM
Subject: Re: Back to work

That is fine. Glad to see your back to work and well.

■ From: Walter Tuvell
To: Daniel Feldman
Date: 08/05/2011 09:57 AM
Subject: Working at home

I'm sick-ish, upset stomach, diarrhea, can't eat, couldn't sleep last night, therefore unsafe on the road, so working at home today. I think I'll be able to put in a more-or-less full day though.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 08/05/2011 09:58 AM
Subject: Re: Working at home

OK, thanks for letting me know. I hope you feel better soon.

R Email Chain: Impossible Plans (June 16 - August 9)

■ From: Daniel Feldman
To: Walter Tuvell
Cc: Kelli-ann McCabe, Diane Adams
Date: 06/16/2011 10:25 AM

Subject: Transition and status reporting

I am seeking your independent perspective on the transition.

Once the transition is complete and you are able to demonstrate your command of the tools and technologies that have been in use to date and to develop an independent view of their appropriateness and efficacy you should be able to recommend changes or improvements. It is very important that I have enough information to assess the state of the transition and that I be apprised of that state.

At this point it is important that you take full ownership of the work; these are your projects and the knowledge derived from them will have a profound impact on the success of our products in the marketplace. Part of that ownership for a contributor of your seniority includes responsibility for drafting and reporting against a schedule. The outline we developed on the whiteboard and that Sujatha subsequently documented can function as the beginning of such a schedule. Please provide me by end of day tomorrow a first draft for a detailed (one-day granularity) schedule for your work on the assigned projects between now and the beginning of your medical leave.

In addition, I would like to expand the scope of the work Sujatha had been doing and that you are now responsible for to include a significantly increased analytic component, work that Garth Dickie (like you, a PhD in Math) has been doing. I am hopeful that a collaboration between you and Garth will be professionally rewarding and fruitful for you.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams, Lisa Due
Date: 06/17/2011 09:27 AM
Subject: Re: Transition and status reporting

1. Let it be noted by all: I am here RESPONDING to an ACTION proactively taken by you (namely, your letter below). This is a constant refrain of EVERYTHING that's happened during this "unpleasantness". First you and Fritz ATTACK, then I DEFEND against that attack (in as strong a manner as I can muster, of course).

2. The manner and tone in which you've written this letter are consistent with an industry badgering/harassment technique, known in some circles as "blackballing" (portrayed falsely by the unscrupulous as a "performance plan" that just happens to come out of the blue, without need and without warning). That is, a manager gives an employee some kind of onerous task to perform, then no matter how well the employee performs it, the manager claims it wasn't good enough. This may go through a few rounds, but eventually the manager fires the employee for "non-performance". Your wording "Part of that ownership for a contributor of your seniority includes responsibility for drafting and reporting against a schedule" is a dead giveaway (not even an attempt at subtlety). I know you know about this, because we've discussed it, in the context of your continued effort to "draw me out of my PTSD

shell", as you knew it to be, by my telling you I've been subjected to blackballing in the past. In my *opinion* (no, I can't actually prove it at this time), you are now engaging in a program of badgering/harassing/bullying/blackballing me (noting that IBM has "zero tolerance" for this sort of behavior). More details below.

3. But before we go there, and in the vein of "you attack, I defend", may I remind you that at our last face-to-face meeting (1 week ago today), I laid all my cards on the table, candidly and honestly, about the route I intended to take, and you encouraged me to take that route. Namely, I said I was interested ("I'm serious", I said) in following up this whole Fritz & transition thing, and I asked you how to proceed. You said I should contact Kelli-ann from the Netezza side, and that I should look around Blue Pages for the IBM side (I did, finding the documents "About Your Job" and "Appeals and Concerns"). That was at the very end of our meeting, and prior to it you asked me "You're still upset about my denying a 3-way meeting, aren't you?", and I responded with a strong "Yes, I am". So you knew that would be an element of my complaint. Yet when you responded to my Weekly Report, wherein I properly recorded that I had indeed contacted Kelli-ann and started the HR process, you took an explicitly/formally adversarial stance, beginning with "Dear Dr. Tuvell". Why? I was only doing exactly what you suggested I do. WERE YOU SETTING ME UP, by having me follow your advice, then attacking me for doing so? In that letter too you pretended I had done something wrong by having mentioned to you, 3 weeks earlier (and which you yourself then re-raised again at that Fri meeting), that I'd been involved in a lawsuit (at the arbitration level) involving defamation. Your writing snidely hinted that I'd somehow "threatened" you and/or Fritz and/or IBM/Netezza. But that was FALSE, and you KNEW it. Namely, you KNEW that the reason I raised the lawsuit thing was that I PROVABLY RECOGNIZED what was happening ("you've seen this movie before" is the way you put it), I DID NOT want it to happen again, and I was BEGGING YOU TO HELP ME. You knew these things, because I TOLD YOU SO. Yet you had the temerity to twist my words and pretend I mentioned it as a "threat". Dan, have you, at long last, no shame? The heroic reaction on your part would have been: "Walt's been screwed, what Fritz did was wrong, I shouldn't have kept harping on "only care about success of Wahoo", I should have called a 3-way meeting to clear the air, and I'm going to get on-board with the HR process to right this situation". You are no hero.

4. Now consider your demand: "Please provide me by end of day tomorrow a first draft for a detailed (one-day granularity) schedule for your work on the assigned projects between now and the beginning of your medical leave." I have no idea what you want, because nobody has ever requested me to provide a 3-week day-by-day schedule like this before. In other words, it's an impossible-to-succeed blackballing task. But for the sake of argument, let's pretend it's a reasonable task. In that case, I still can't do what you want, because I don't know what you want, so you need to send me an example. Could you forward me a similar sample you've requested of me previously? Oh, I forgot, you've never asked me to do anything like that before. Well then, could you forward a similar sample you've requested of somebody else in our group previously? Surely such a thing must exist (as a regular work-item, that is, not as a blackballing technique), else I'm being subjected to disparate treatment, right? Don't bother bringing in a sample from your previous jobs, I'm not interested in something we can't verify.

5. Oh yes, speaking of previous jobs, I just want to point out to everyone that Sujatha worked for you at a previous company of yours, and you hand-picked her to work at Netezza, and to replace me on this transition. Didn't think I knew that? Sujatha told me. But I do assume you've already informed this HR process of that fact, because otherwise it could be perceived as a presumption of bias. You did tell them, right?

6. Finally, we get to the biggest lie of all: "expand the scope", "significantly increased analytic component", "professionally rewarding and fruitful". Notice how all of these are non-quantitative? That's because the successful blackballer must always be able to claim that the blackballed person didn't perform the required task. But let's look at the way this has actually worked in the recent past (last week): At last week's fateful Fri meeting, you asked what my pending projects were, and I told you that the only thing I was doing was working on "WaltBar" (= "PerfTest"). As I told you, I needed to finish Fritz's "upcoming performance tasks", which I said I could finish that day (and I did), and that I was still in the midst of adding a piece of functionality to WaltBar, namely replacing Devesh's PerfMeasure with NZmon. I told you I could finish that in a week or so, and I requested you to let me do it. BUT YOU REFUSED. You said the transition had to happen immediately, therefore I could no be given the time to finish WaltBar.

What was the consequence of that? Well, let us consider. Why was WaltBar written in the first place? Because the existing tool, PerfBar, doesn't prepare reports, it just dumps a ton of undigestible data to disk, which is next to useless (at least, I've haven't heard of anybody using it, instead they complain about not getting a decent report). So WaltBar was designed explicitly to generate reports, and that's exactly what it does. It started as a Wahoo-specific reporting program, namely, it tapped into Devesh's Wahoo-specific PerfMeasure and SpuPerfLog. But just a few weeks ago, at your suggestion, I looked into Nmon, an open-source tool, which I then modified to support the 0.1-second updates required for use in the Netezza environment, and I've been working to replace PerfMeasure (and dropping SpuPerfLog altogether, because it's too detailed for this kind of report), so that WaltBar would then be usable by all NPS products (not just Wahoo), thereby greatly expanding its scope. Beyond that, I've had ideas of how to improve WaltBar, especially by integrating 2 of the elements it already supports (VtSchedEvent with the ASCII graph). I've talked to you and Fritz about this, and to others in Camb, and to Garth (yes, Garth likes this plan, of course). So YOU KNEW WHAT I WANTED TO DO HAS IMPORTANT VALUE, BUT YOU REFUSED TO LET ME DO IT.

And so where will WaltBar go now? One of 2 places: either it will die in Wahoo-land, or it will be improved by Sujatha along the lines I wanted to do. If the first alternative happens, then Netezza will be deprived of the Next Great Tool I've produced here (following on the heels of PerfScore, and the earlier PMtest, which provides the "gold standard" of how to conduct performance studies at Netezza, as you yourself said in public at your Lunch-and-Learn talk a couple months ago). So let's assume the second alternative happens.

Hmm, speaking of PerfScore, a little diversion first: As you recall, I first told you in

Jan (only 2 months I started work at Netezza) that the way the performance group had been measuring performance (for years!), namely "geometric mean of elapsed times", was nonsense (actually, I said "makes no sense"). What was your reaction? You said "Why? I see nothing wrong with it, that's what the team has chosen as its figure-of-merit." (This was the first time I'd heard the phrase "figure-of-merit", and I repeated it several times in wonderment.) At a later time, you also told me that when you held a position in another company similar to the one I hold at Netezza, your choice for "figure of merit" was "sum of elapsed times", but I had to tell you that also makes no sense. This was very hard for me to do, because of my PTSD, but you did your usual thing of reassuring me it was OK, so I made the leap of faith. Finally, I did write the PerfScore document, and the PerfScore tool, and everybody (even you) now agrees this is the right way to do it. We finally have a solid performance measurement/comparison scheme at Netezza. To what extent could there be a smidgen of envy/jealousy/hate that I succeeded where everybody else, both in and out of the performance group, and throughout the company, and you yourself, failed?

And guess what? WaltBar is the Next Big Thing we need at Netezza from the performance group. It's a crying necessity, much more important than anything Sujatha was doing, and it's exactly the path I was on. But you've explicitly told me I'm not allowed to work on it, but Sujatha is. That is, IF IT SUCCEEDS AT ALL, IT WILL BE VIEWED AS SUJATHA'S CONTRIBUTION, NOT MINE. You've stolen from me my work-product, and given it to somebody unqualified to have done it in the first place, but who will get credit for it nonetheless. While I get to hack away at something that may or may not go somewhere, but which is in any case something Sujatha was happy doing and was making the requisite headway, and which will be hard for me to come up to speed on because it's in an incipient, ill-defined state.

In other words: Perfect blackballing material.

[Disclaimer: I have no ill-feelings about Sujatha at all. Dan's the bad actor here, not Sujatha.]

■ From: Walter Tuvell
To: Lisa Due ►*Also forwarded to Kelli-ann McCabe and Diane Adams, 06/20/2011 12:53 PM.*◄
Date: 06/20/2011 10:58 AM
Subject: ►*Subject line was blank, inadvertently omitted in original.*◄

Lisa, attached it the very thin outline, all of which I had zero knowledge about previously, that Dan gave me 1 day to come up with a 3-week day-by-day workplan for!

Given that neither I nor anyone I know has seen anything remotely approaching this kind of onerous task heretofore, if this isn't harassment/bullying/blackballing, then I don't know what is. It is clearly intended to be an impossible-to-succeed task.

I would very much welcome an unbiased third-party assessment of this.

►*Sujatha's Work Items document was attached here (Appendix K).*◄

■ From: Lisa Due
To: Walter Tuvell
Date: 06/23/2011 01:10 PM
Subject: Re:

Walt, this looks like a very small project plan to me that you then will help map out the activities under each bullet. This does not seem out of the realm especially if you are the senior member (and obviously know all the steps) and Sujatha may need guidance (you mentioned she is not on your technical level). During a transition, this is not an "impossible- to- succeed" request because you have the technical expertise to map the project out specifically. (I have seen/done many of these myself.)

You may want to ask Daniel for an extension if the time frame is of concern.

■ From: Walter Tuvell
To: Lisa Due
Date: 06/23/2011 01:43 PM
Subject: Re:

Lisa, what you've written doesn't seem to map to what I was saying:

1. Sujatha wrote the 1-page doc I sent you, about the 4 projects that Sujatha had been doing, that now I'm supposed to be picking up, not things I'm handing off to her.
2. The stuff I handed off to her was in very good shape, because I'm very organized, and I explained it to her in about an hour (of course that didn't get her to understand the underpinnings, just enough to "push the button", but at least she was productive immediately). The opposite is the case for the stuff she's handing off to me.
3. Her write-up was basically one-line descriptions, as you saw, NONE OF WHICH I had any idea about previously. I have no idea why you say "I know all the steps". I obviously know NONE of the steps, because I know NOTHING of these projects of Sujatha's.
4. Nevertheless, Dan tried to coerce me into writing a day-by-day 3-week schedule, based on Sujatha's 1-page doc, giving me one day to do it! ONE DAY! Yes, of course, the "time frame is of concern"!
5. Yet, when I asked him what he wanted me to do, by giving me an example, he couldn't do it, because he's never asked anyone to do such a thing before. And I've

never seen such a thing before either, even though I do have very extensive experience. Without having any idea of what to do, and no example, it is indeed "impossible to succeed" -- because anything I do, Dan can say it wasn't what he wanted. That is harassment, pure and simple.

6. Anyone with an ounce of sense knows that such a schedule (day-by-day, 3 weeks, starting from scratch on new technologies) is impossible anyway. When one approaches an unknown technology (not to mention 4 of them!), you have no idea the direction it's going to take after the first step. So, if a 3-week schedule were written, it would necessarily have to be revised already after the very first step, in which case the abusive manager tells the employee they are in violation of the schedule. I know this trick: it's called blackballing.

7. Finally, this so-called "transition" is something Dan and Fritz cooked up in secret anyway, and shoved it down my throat, with no input from me whatsoever. It's not a "transition" just because Dan calls it that. It's punishment, period. Under the circumstances, how am I supposed to cope? I have made it quite clear to HR that I am nearly incapacitated now by recurrence of PTSD, just as Dan knew I would be (because we talked about it, many times). I cannot now eat (because of stomach problems caused by this anxiety), I cannot sleep (because of lack of food, and mind-spinning perseveration), I cannot concentrate (because of lack of sleep, and intrusive thoughts), and I've started seeing my psychological health-care professionals again about this problem, including psycho-medication. I have begged HR to release from the grasp of the likes of Dan, yet I'm still forced to be here, more vulnerable than ever, and tortured beyond my ability to stand it. Isn't there supposed to be some sort of policy against discrimination on the basis of disability, by forcing me to continue working with/for my tormentor (and if having debilitating PTSD isn't considered a disability, I don't know what is)? Yes, "rape" isn't too strong a word, even though it's not of the sexual kind.

■ From: Lisa Due
To: Walter Tuvell
Date: 06/23/2011 02:11 PM
Subject: Re:

Thank you for explaining that Walt, I had the projects/roles reversed but you have since clarified.

As for the medical issues you refer to, I advise you to contact the Health Services department who will handle your issues in a confidential manner. Diane Adams or Kelli-ann McCabe will know who your specific contact should be for the organization you are in (you do not have to reveal the specific nature of your medical concerns to ANYONE except, of course, the medical case managers.)

There are also two other resources you may want to look into: the Employee Assistance Program and Lifeworks. Here are the links that will tell you more about them...

EAP:

<http://w3-01.ibm.com/hr/us/benefits/mhcp/eap.html>

Lifeworks:

<http://w3-01.ibm.com/hr/us/benefits/otherservices/lifeworks.html>

I need to conduct a few more interviews before/if any changes are to be made, so it would be premature to do that at this time.

■ From: Lisa Due
To: Walter Tuvell
Date: 06/27/2011 11:56 AM
Subject: Examples

Walt, here are two examples (one from March and one from April):

►Here was attached Ashish's "Modeling Projects Tasks" document (in Word format; Appendix S).◄

►Here a URL was given to Felix's "Hermes Project Schedule" maintained on the Netezza wiki; Appendix T).◄

■ From: Walter Tuvell
To: Lisa Due
Date: 06/27/2011 12:10 PM
Subject: Re: Examples

Excuse me, Lisa, but maybe I missed something. What are these "examples" of? I've never seen these documents before. One is for the Modelling project of Ashish Deb, the other is for the Hermes project of Felix Santiago. Neither one has anything to with me.

■ From: Lisa Due
To: Walter Tuvell
Date: 06/27/2011 12:16 PM
Subject: Re: Examples

These are examples of the plans which were provided by others and is similar to what you were asked to do.

■ From: Walter Tuvell
To: Lisa Due
Date: 06/27/2011 01:30 PM
Subject: Re: Examples

Oh, OK, now I understand what these are supposed to be examples of. However, in reality, neither one is remotely close to what Dan asked me to do.

1. What Dan asked me to do (this is a direct quote from his email of June 16, emphasis added): "The outline we developed on the whiteboard and that Sujatha subsequently documented can function as the beginning of such a schedule. Please provide me by END OF DAY TOMORROW a first draft for a DETAILED (ONE-DAY GRANULARITY) SCHEDULE for your work on the assigned projects between now and the beginning of your medical leave." The time-span mentioned is 3 weeks (surgery scheduled for Thur, July 7, and Dan asked me for the schedule on Thur, June 16).
2. The document that Sujatha "subsequently" wrote (which Dan was WRONG about -- Sujatha actually wrote it BEFORE the meeting, and brought it hard-copy into the meeting) is the one I sent you earlier, and I am attaching an additional copy of it hereto. As you can see, Sujatha's document consists of "high-level one-line descriptions" of FOUR SEPARATE/INDEPENDENT projects. I of course knew NOTHING about any of these at the time (well, I'd heard the NAMES of some of them, but that's all). Only Sujatha knew anything about them. As you can yourself attest (because of your natural mistake when you first saw her document), it would have been reasonable to ask SUJATHA to write up such a "detailed schedule" upon one-day's notice, but NOT ME.
3. If you compare Sujatha's document with one by Ashish Deb that you sent me ("ModelingProjectsTasks.doc"), you will notice that Ashish's document was also a high-level doc with "one-line descriptions", all about a SINGLE project (the Modeling Project, which he subdivided into several "sub-projects", each with several "tasks"). Further, Ashish had been working on this for several weeks/months, and it was his ONLY assigned project. Therefore he was the sole expert on the subject matter (just as Sujatha was the sole expert on the subject matter of the doc she wrote). Finally, Ashish's doc has NO DATES ATTACHED, much less "detailed (one-day granularity)" dates.
4. I don't know whether you have seen a copy of Felix's webpage? I'm attaching a copy hereto, in MHT format (Microsoft Web archive, can be opened by MS Internet Explorer, or by other browsers if you add an appropriate MHT plugin to them). This one is much more detailed than Ashish's. But again, Felix is the sole expert on this subject matter, and he'd been working it for many weeks/months. See, for example, the 4 additional documents cited at the top of the webpage (Requirements Proposal, etc.). In other words, it took Felix a whole FOUR DOCUMENTS before he got to the point where he could write this kind of detailed schedule. Furthermore, even though the earliest date on his webpage is "4/11", Felix in fact did not publish this page until May 31 (discovered by looking at the history of the page), therefore he was backdating it. Finally, this is a WEEKLY schedule (not DAILY, as Dan asked me to do).
5. The final question here is, "What SHOULD Dan have reasonably asked of me?" That's very easy, because we've done this many times together: He should have

simply told me to "go do it". That's the way we've always operated together in the past. Why? Because he knows I'll do it, I'll do it well (better than anyone else, in fact), and I'll do it as fast as anyone else in the company could (assuming that they would be coming in at the same level of ignorance as me, and recall I started last Nov. 3). At the very worst, he could merely have asked me, upon one day's study, to estimate roughly how long it would take me to do the whole thing -- though again I emphasize he's never done this with me in the past, he's just said "go do it".

6. In other words, Dan's "examples" are bogus: they are not "similar" to what he ordered me to do. I repeat what I wrote earlier: The assignment to write up a DETAILED DAY-BY-DAY 3-WEEK SCHEDULE, INVOLVING FOUR UNKNOWN/NEW TECHNOLOGY PROJECTS, UPON ONE-DAY'S NOTICE, is UNHEARD OF and IMPOSSIBLE. IT IS DISPARATE TREATMENT, PUNISHMENT, HARASSMENT, HOSTILE WORK ENVIRONMENT, PICK YOUR EUPHEMISM HERE.

7. By the way, did Dan ask Sujatha to write up a detailed day-by-day 3-week schedule, involving the ONE unknown/new technology she'd be picking up from me, upon one-day's notice? No, of course not. Did he??

►Here were attached 2 documents: (i) Sujatha's Work Items document (in PDF format; Appendix K); (ii) Felix's "Hermes Project Schedule" wiki page (in MHT format, snapshot of June 27; Appendix T).◄

■ From: Lisa Due
To: Walter Tuvell
Date: 06/27/2011 03:27 PM
Subject: Re: Examples

Walt, your manager has asked you to do a project. You are correct, it is not exactly the same nor is it the same level as others, since you are asked to do a higher level which is appropriate given your band and experience.

■ From: Walter Tuvell
To: Lisa Due
Date: 06/27/2011 04:19 PM
Subject: Re: Examples

I'm not sure what your point is?

Are you (and/or Dan) implying that "I am not doing the project" (actually, 4 projects)? I AM DOING THE PROJECT(s)! That's not the issue. The issue is the insane "schedule" Dan wanted.

So far, I have finished #4, which I consider to be the hardest of the lot (i.e., "most risk", hence the desire to understand/work on it first, because Sujatha had developed it the least) -- that was the "blktrace" item I wrote about in my weekly report,

which you were CC'd on. I am currently working on #3, which is the second-hardest, and I hope to have it finished this week. I will then turn to #2, which I expect to be the third-easiest, then #1 which should be the easiest. But I reiterate, I KNEW NOTHING about how involved/hard any of these would be at the beginning. It's only by actually working on them that I am able to understand what they're all about, and what needs to be done.

It is IMPOSSIBLE to write, as Dan wanted, a 3-week detailed day-by-day schedule for 4 projects involving new-to-me technologies, starting from SCRATCH, after having been given only a SINGLE DAY to write the schedule, no matter how "experienced" one is (in technologies different from the 4 involved)! Period. I claim Dan was giving me that kind of abusive assignment just to lay a trap for me. I know it when I see it ("blackballing"), because I HAVE SEEN IT BEFORE.

■ From: Walter Tuvell
To: Lisa Due
Date: 06/27/2011 04:39 PM
Subject: Blktrace item

Lisa, just so you'll know, I'm attaching hereto the "blktrace item" I wrote to you about. This is a page on the Netezza wiki (just like Felix's Hermes project plan was). I claim this satisfies item #4 on Sujatha's list of 4 projects. I haven't heard back from Dan yet, but if he complains it doesn't satisfy what his idea of the project was, then I'll take appropriate corrective actions.

►Attached here was my "Blktrace, Blkparse, Btt" wiki page (in MHT format, snapshot of June 27; Appendix U).◄

■ From: Walter Tuvell
To: Lisa Due
Date: 06/28/2011 09:03 AM
Subject: Re: Blktrace item

I forgot to mention that Sujatha had indeed already gotten back to me about this blktrace wiki page I wrote, and she approves of it. Her exact reaction, last week, quoted in full was: "Looks good to me!" (I have the email if you need to see it).

►The reference here is to Sujatha's email of Appendix N 06/23/2011 04:01 PM.◄

Since this was Sujatha's work item originally, her word would normally be definitive, and also normally Dan would agree with whatever I say (because I know more than he does). But I'm concerned about what Dan will claim he thinks about my work now, for obvious reasons.

■ From: Daniel Feldman
To: Walter Tuvell

Cc: Diane Adams, Lisa Due, Kelli-ann McCabe
Date: 06/28/2011 11:00 AM
Subject: blktrace next steps

I learned from reading your weekly status report that you have posted some blktrace related findings on the wiki and I have reviewed that wiki page (<http://wiki2.netezza.com:8080/display/Perf/Blktrace%2C+Blkparse%2C+Btt>). Thank you for the work you've done to date and the thoroughness of your documentation. The major reason for pursuing blktrace and its associated tools is to answer the question: How does NPS actually use the disk drives when executing various workloads? Most interesting is when there are concurrent query sessions active. While we attempt to maximize the number of extent-length (3MB) I/Os, in fact we submit 24 page-length (128KB) I/Os for each extent-length operation. Without concurrency, it is reasonable to expect that we are in fact optimizing disk operation. With concurrency, it is an open question. The motivation for developing expertise with blktrace was so that we can use it (and, as appropriate, its associated tools) to validate our assumptions about disk operation when performing single-stream workloads and disk operation when performing multi-user workloads. For this kind of investigation, device level insights are the most valuable and blktrace seems the best tool for collecting the data from which those insights can be derived.

Please work with Garth Dickie to identify the data collection and post-processing steps that are necessary so that we can draw meaningful conclusions about our system's I/O behavior. Please consult with Garth on the kind of analysis that will be most helpful and then, using data you collect from appropriately constructed and executed benchmark tests, please perform the analysis and document your conclusions as a Performance Architecture Group Performance Report. Please don't hesitate to seek clarification if you are unsure of how to proceed.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Diane Adams, Kelli-ann McCabe, Lisa Due
Date: 06/28/2011 12:09 PM
Subject: Re: blktrace next steps

I am hereby "seeking clarification how to proceed". From HR, not from you.

What you have written here is VERY FAR BEYOND the "blktrace" work item as Sujatha has stated it to me, therefore I do not believe I should be forced to do what you are now asking. According to Sujatha, it was the mere production of data, suitably post-processed (via btt), that was the goal of the project, and then that you (Dan) would study it somehow (she didn't specify further), very similar to the "dev-emu" work item for Garth. I have produced the requested data/information, together with documentation (on the wiki). You have not been forthcoming with any different information than Sujatha's to date, until you just now invented it in this note of yours. (In fact, you've refused to, when you told me to "independently" to come with a schedule/plan, though I've been unable to do that because you refuse to give me the example I've asked for so I can understand what you want [not to

mention that a detailed day-by-day 3-week schedule for 4 technologies previously unknown to me, upon one day's notice, is impossible, especially when ordered to do it alone/independently].) Therefore I believe I have finished the blktrace work item.

As you all know, I have been BEGGED HR to get me away from you, as fast as possible, and I hereby repeat that plea. I do not trust you, and I fear you (i.e., do not feel safe around you), for good/rational reasons correctly/truthfully stated (and I'm willing to repeat my story anywhere, to anybody, if asked by HR to do so). I have been working specifically to get the work items Sujatha's been assigning to me cleared off my plate, so that I can start working with/for somebody I respect.

Let me be as clear as I can: I allege, upon information, belief and evidence, that every moment I work with Dan, I am being forcefully and knowingly subjected, by IBM, to a hostile work environment. This condition has been continuing since Fri Jun 17 (when Dan/Fritz committed a unilateral premeditated adverse job action upon me, by demoting me from the MOST important/respected position in the Performance Architecture group [and beyond], to the LEAST, WITHOUT STATED CAUSE [other than being a "bully and liar", in some unspecified way, as Dan told me Fritz accused me of]). Despite my constant pleas (assiduously following corporate guidelines/policies/procedures to the very best of my ability, which specifically prohibit retaliation), I have been forced to continue working for Dan, and I despise every moment of it. I CONSIDER IT RETALIATION. My health (both physical and mental) is suffering, as I have duly informed all of you. Every moment this continues is on the head of IBM as a company (because all of you are acting in your roles as corporate agents). IBM owes me a new/decent job, because it is IBM (via its agents) that has willfully destroyed my previous one.

For the record: Because HR has now taken ownership of this whole process, it is my understanding they solely have the power to order me to more work than Sujatha's list originally assigned to me. Therefore I will only do so only if HR orders me to do it. In that case, I will attempt to do the additional work, but only under the most strenuous possible PROTEST, as stated herein.

PS: I've been told to CC only Lisa, not Kelli-ann or Diane, on the emails I originate from now on. But you've CC'd Kelli-ann and Diane. Therefore I am CC'ing Kelli-ann and Diane hereto, but only because you have done so. For if I don't do so, I fear being accused of "trying to hide something", with retaliation following therefrom.

■ From: Walter Tuvell
To: Daniel Feldman, Diane Adams, Kelli-ann McCabe, Lisa Due
Date: 06/28/2011 12:21 PM
Subject: Re: blktrace next steps

/* Correction: I should have written "Fri Jun 10", instead of the 17th. */

■ From: Daniel Feldman
To: Walter Tuvell
Date: 06/30/2011 10:46 AM
Subject: Planning

I realize that you are out sick and won't be able to provide the summary I asked for anytime today. I requested the summary so that we could start developing a plan for the last few days before your leave based on a common understanding of the current state of each of your projects. On the first day that you are well enough to return to the office, please focus on writing the summary. After you have finished that, please send it to me via email along with (also via email) a written proposal of how you plan to move the disk I/O assessment project forward in whatever time remains until you begin your medical leave on 7/7.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams, Lisa Due
Date: 06/30/2011 11:22 AM
Subject: Re: Planning

Very briefly (pending further details if/as I'm able to formulate them):

I believe I have currently satisfied both "blktrace" and "vtable capture" to a certain (satisfying) level of stability. Modulo some tweaks (Joseph has an excellent idea for vtable capture I believe I can implement), I plan to do nothing more on those before my surgery.

I have currently not gotten enough information from Sujatha about "oprofile" to even get started on that, but I've asked her today for as much info as she can pull together before she and/or I disappear, and if it is forthcoming I feel I should work on that until my surgery.

■ From: Daniel Feldman
To: Walter Tuvell
Cc: Kelli-ann McCabe, Diane Adams
Date: 06/30/2011 11:42 AM
Subject: Re: Planning

Please focus on the questions about disk usage patterns that motivated the blktrace work in the first place: what is the actual usage of one of our s-blade attached, data slice specific, physical disks? We implement extent sized I/O operations by submitting 24 sequential page sized I/O requests. Do we get 24 sequential physical I/Os as a result? Is the answer to this question different if we are executing a multi-query workload instead of a single-query workload? To the extent that we don't achieve optimum disk usage, what are the causes?

In order to answer this question, I believe you will have to run at least two tests (single-user and multi-user) and collect and process the blktrace data associated with a particular block device. I think this is achievable between now and your leave, but I could be wrong.

So, please don't work on the oprofile issue. Please put together a detailed plan for how you are going to answer the disk I/O questions and send it to me as soon as is practical.

By the way, you appear to be working...should I be recording today as a sick day or not?

■ From: Daniel Feldman
To: Walter Tuvell
Cc: Diane Adams
Date: 06/30/2011 12:27 PM
Subject: Sick day?

Earlier today you told me that you were unable to work today but you have started responding to some of my inquiries about status. Since you were unable to come to the office today, please just take the rest of the day off and recuperate. I'll record it as a sick day and you can refrain from responding to my most recent couple of emails until you're really up for it.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Diane Adams
Date: 06/30/2011 01:02 PM
Subject: Re: Sick day?

I did not say I was unable to work altogether, just that I was unable to do certain things (such as drive a car). Apart from those things, I am working a full 8-hour day, doing things I feel capable of doing.

■ From: Walt Tuvell
To: Daniel Feldman
Subject: Re: Planning
Date: 07/01/2011 02:51 PM
Subject: Re: Planning

OK, I'll focus only on blkparse, not oprofile (which means I'll still know nothing about oprofile, I've never even used this flavor of profiler to date).

As for "detailed plan", I don't know how to do that. The only planning I know how to do at the beginning of this kind of project is to start figuring out what the start-

ing point is, what the target is, and how to get from the former to the latter. The idea of generating a "detailed schedule" at the beginning of a new project involving unfamiliar technologies and goals is something I've never yet seen anybody attempt or accomplish, much less me.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/04/2011 04:23 PM
Subject: Re: Planning

Thanks for the update.

Just to be clear, the focus is not on the tool but on the question that needs answering: do we or do we not use disks the way we think we do?

It seems to me that the steps are something like:

- Identify the information you need to answer the question(s)
- Identify tests that will yield that information
- Run the tests
- Perform the analysis
- Write up the results
- Review the results with me and Garth
- Revise the results and publish

This is just a sample, not a prescription. You could, for example, decide that you need to talk to Garth at one or more points or that you need to assess and select tools before doing anything at all. However, you would have to start by demonstrating that blktrace (and its associated post-processing tools) doesn't provide the information you need to answer the question(s).

Turning this into a day-by-day schedule would hinge on being able to estimate how long it will take you to do each of these tasks (or the ones like them that you decide are necessary). Some things (like, for instance, meeting with a colleague) should be relatively easy to estimate. Others may require a range. If placed in a sequence, the tasks and their estimated durations would yield a schedule. The duration represented in the schedule might be a range rather than a single number, depending on the form of the individual task estimates. At this point, you would have a draft of a schedule that we could discuss and refine.

Please let me know if you need further help with this.

Did you work in the office on Friday? Will you be in the office on Tuesday or Wednesday?

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/05/2011 8:27 AM
Subject: Fw: Planning

Walt, please acknowledge receipt of the email below and confirm that you will be able to attend the meeting I scheduled for us at 1pm today.

►Included here was the email immediately above, dated 07/04/2011 04:23 PM (together with others in the chain, also included above, but that is the one Dan was referring to).◄

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/05/2011 08:58 AM
Subject: Re: Fw: Planning

Yes, I received the email. We've discussed this kind of "plan" before. I consider it trivial (I called it "motherhood and apple pie" previously), i.e., content-free, and information-equivalent to what I wrote ("beginning" .. "end" .. "middle").

I will accept the mtg invitation you sent, but with the statement that I'd prefer to do it by email, though I will show up in your office if you insist.

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/05/2011 09:01 AM
Subject: Re: Fw: Planning

I didn't read far enough. Yes, I was in Marl on Fri, and will be so today and tomorrow.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/05/2011 09:13 AM
Subject: Re: Fw: Planning

When will you have the draft plan ready for my review?

If you prefer not to meet with me in person we can talk on the phone. Please find a private place and call me on my office phone: 508.382.8480 promptly at 1pm today. Please be prepared to itemize for me what you expect to work on today and tomorrow.

Did you work in the office on Friday? If so, what did you work on / accomplish? If

you did not work in the office but worked from home, what did you work on / accomplish? If you did not work on Friday, I'll record that day as a sick day unless you think (and I agree) that there is a more appropriate category.

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/05/2011 10:42 AM
Subject: Re: Fw: Planning

I still have no idea what you want for a "plan", except for the general hand-waving I have written and you have written. On any technical project, there's always something unknown lurking right around the corner that takes things in unanticipated directions. All I can tell you is what I've done specifically, and where I'm going generally. It's impossible to say where I'm going specifically, which is what you seem to want as a "plan".

Take an example: When I started looking at the so-called EMU/FPGA project, I had no idea where I was going initially (at the time Sujatha wrote her 1-pager about her projects). To have written a "plan" of some sort as you seem to envision it would have been completely impossible. And as soon as I started learning about that project, sure enough, the unknown appeared: it became clear EMU/FPGA had nothing whatsoever to do with EMU/FPGA, but rather solely with capturing virtual tables. How could I (or anyone else) have been envisioned that at the beginning? I couldn't (and neither could anybody else)! The most I can do is tell you what my intention is for ~1 day in advance, In general a multi-day "detailed plan" cannot be written, unless something extremely clear-cut, such as Felix & Ashish studying something for months and then finally writing down long-studied/discussed conclusions, which analysis/research isn't, which is what I'm now doing with blktrace (which was initially indeed a "mere tools" project, but then morphed into an analysis project).

The danger/fear is that as soon as a "plan" is "committed to", then ANY deviation from that plan, no matter how well-justified, can/will be used as a bludgeon for "not performing". This does get done by some managers ("blackballing"), it's been done to me (at another company), and I don't want it to happen again.

As far as phone vs in-person goes that's not the point. The point is, those are ephemeral, whereas email is written-down. You recently accused me of misrepresenting something you said in-person, yet you refused to tell me what that misrepresentation was, and I still have no idea. Having a written record avoids that problem.

I already told you I worked on Fri (had I not done so I would have told you, of course), and you have my weekly report on what I worked on during the week. Never before have you asked me for a day-by-day detailed dump, why are you doing that now? Is that what everybody does for weekly reports? I doubt it, because you've praised me heretofore for my detailed weekly reports, so why is that changing now?

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/05/2011 11:12 AM
Subject: Re: Fw: Planning

I provided you with an example of a plan and provided guidance on how you should proceed. The sorts of tasks that could be in such a plan are reproduced here for your convenience:

Identify the information you need to answer the question(s)
Identify tests that will yield that information
Run the tests
Perform the analysis
Write up the results
Review the results with me and Garth
Revise the results and publish

I have asked for a draft. I expect that we will discuss the plan and refine it as necessary. Please provide a draft of such a plan to me via email prior to our scheduled 1pm meeting. If you are unable to do so by 1pm, please tell me when you will be able to do so. I do not consider this "general hand-waving."

As you are reluctant to interact with me informally, I need to know how you spend your time. Please tell me what you worked on on Friday.

If you are stating that you will not work with me either in person or on the phone then you are asserting a premise that is, to the best of my understanding, unacceptable at IBM; specifically, that you will not speak with your manager. Is this the position you wish to assert? Will you be meeting with me or not? If so, in person or on the phone?

■ From: Walter Tuvell
To: Russell Mandel
Date: 07/05/2011 11:32 AM
Subject: Comment

Russell, as I have told you, I am doing my best to continue working with my manager (Dan Feldman), under protest.

As you (and he) know, I don't trust him, and I fear him (specifically, retribution and "blackballing"). I told I would prefer to communicate with him only via email, because that would leave a written record. He is on record as stating I have misrepresented something he said to me in person, and I deny that generally, but he won't tell me what he's referring to, so I can't deny it specifically (he may have point, or he may not, there's no way for me to know).

He is now telling me the following (in his words):

"If you are stating that you will not work with me either in person or on the phone then you are asserting a premise that is, to the best of my understanding, unacceptable at IBM; specifically, that you will not speak with your manager. Is this the position you wish to assert? Will you be meeting with me or not? If so, in person or on the phone?"

Please advise me on how to proceed.

Pending your response, I will tell Dan that I will meet him however/whenever he wants. But I say to you (not to him): this is under my most strenuous protest.

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/05/2011 11:41 AM
Subject: Re: Fw: Planning

I am not "asserting" anything, I said "prefer". For the record, I am willing to meet you anytime and anywhere you order (modulo transient exigencies, such as absence from work or whatever). And indeed I did already tell you I'll meet with you at 1:00 pm today, so tell me how you want to meet.

I did the final 3 paragraphs of my weekly report on Fri.

I still don't know what you want for a plan, perhaps you can coach me at our meeting. For now I'll go along with what you wrote:

Identify the information I need to answer the blktrace question(s)
Identify tests that will yield that information
Run the tests
Perform the analysis
Write up the results
Review the results with Dan and Garth
Revise the results and publish

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/05/2011 12:00 PM
Subject: Re: Fw: Planning

Thank you for clarifying your position on meeting with me. Please plan to meet with me in my office at 1pm today.

Just so there is no ambiguity, please confirm that you have told me in the email below that you spent the entire work day on Friday writing the final three paragraphs of the weekly report you sent to me at 6:49am on Saturday. Thank you for noting in that report that I had explicitly relieved you of the necessity to supply such a re-

port for the week. If that was not the entirety of your work related activities for that day, please provide a complete list.

Please be prepared to discuss the amount of time you think each of the tasks in the list below will take. These are, of course, estimates, but I expect them to be good faith estimates based on your professional experience before and since joining IBM/Netezza. Please send me the estimates before the meeting.

To be clear: for each of the tasks below, please estimate, in # of days, how long you expect to take to complete that task. You may wish to annotate the task with additional information that will support your estimate.

For example, you could write:

Identify the information needed to answer the question about how we use our disks: 1/2 - 1 day; requires a brief (1/2 - 1 hour) meeting with Garth and Dan.

Identify tests that will yield that information: 1/4 - 1/2 day.

Run the tests: difficult to estimate not knowing what the tests are, but a single-user and a multi-user test, each lasting about an hour, plus time for set-up and to rerun tests that fail for any of a number of reasons: 1 - 2 days.

...

Such a plan will allow us to understand how much might be achieved before your leave starts and would allow me to make decisions about resource allocation in your absence.

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/05/2011 12:43 PM
Subject: Re: Fw: Planning

No, of course I did not spend the "entire work day on Friday writing the final three paragraphs of the weekly report". Instead, I spent that day, to the best of my memory, working on the items reported by those 3 paragraphs (blktrace, Metzger, Appeals and Concerns). Plus, perhaps, some clean-up editing of the Wiki (including the code/content that's there, not just "editing the words").

Following are some rough estimates of time I "think" these things may take. I don't have great confidence of the reliability/accuracy of these estimates (I wouldn't know how to put a percentage estimate on it), because as I said almost anything can be lurking behind any corner that could hijack the whole thing to another dimension/direction.

. Identify the information I need to answer the blktrace question(s) -- ~2 hrs to ~2 days (I think I have enough right now to get started, but if not then all bets are off and I'll have to start over)

. Identify tests that will yield that information -- ~2~ hrs to ~2 days (but really, depends on previous answer)

- . Run the tests -- ~2 hrs to ~2 days (most likely will require some re-running, due to various bugs, need for different/additional data, etc.)
- . Perform the analysis -- ~2 days to ~2 weeks (undoubtedly requires writing some tools to help out, almost everything does)
- . Write up the results -- ~2 hrs to ~2 days (but really depend on the results of all the above, as well as below)
- . Review the results with Dan and Garth -- ~2 hrs to ~2 days (but could require much more work than above, iteratively [recalling, e.g., the rather large PMtest exercise])
- . Revise the results and publish -- ~2 hrs to ~2 days (depending on all the above, plus what kind of publishing is required)

But in reality, it's entirely possible the whole blktrace thing will take much longer than the above suggests, because you've said it'll provide "profound" knowledge, and I don't see how "profound" knowledge can come from a such a seemingly short/simple project. That is, I fully expect my current understanding/appreciation of this project is too-little, and that there will be indeed be surprises behind any corner, leading to things not predictable, thereby throwing the above completely off.

■ From: Walter Tuvell
To: Daniel Feldman, Garth Dickie
Date: 07/06/2011 10:17 AM
Subject: Status

I'm indeed making the "expected" amount of progress (that is, with the "expected" amount of unexpected problems), still on track to have something to show by EOB today.

■ From: Walter Tuvell
To: Daniel Feldman, Garth Dickie
Date: 07/06/2011 01:57 PM
Subject: Results

OK, I've got as much info as I'm going to get today, we can get together some time after 3pm.

■ From: Daniel Feldman
To: Walter Tuvell
Cc: Garth Dickie
Date: 07/06/2011 02:00 PM
Subject: Re: Results

I have a slot between 3:30 and 4:00.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Garth Dickie
Date: 07/06/2011 02:57 PM
Subject: Re: Results

That's OK with me. Garth?

■ From: Walter Tuvell
To: Garth Dickie
Cc: Daniel Feldman
Date: 07/06/2011 03:53 PM
Subject: Results

Garth, I lied, I'm going to the same mtg at 4:00 that Dan is. But I did talk to Dan, and he's offered to pass it on to you. I've put hard-copy slides on your desk, better than soft-copy because I wrote some notes on them (I couldn't figure out how to un-2-side the copier).

The methodology was: Muqry@15000, let it run for ~20 min, then blktrace it for ~14.5 min.

I didn't expect to see this, did you (namely, it seems too single-threaded)? Maybe this was just an unlucky choice of capture point?

I'll be putting this on the wiki, and providing pointers to it all, so in your copious spare time ...

■ From: Walter Tuvell
To: Garth Dickie, Daniel Feldman
Cc: Michael Sporer, Sujatha Mizar
Date: 07/07/2011 08:23 AM
Subject: More about blktrace wiki

Remember when I said (to some of you) that the blktrace pics from yesterday looked a little too "single-stream" for what I had expected? Thinking about it a little more last night, I realized that the "crossings" in the read-closeup graphic simply had to be exactly what I was looking for: multiple-streams.

So this morning I looked into doing what I didn't have time for last night, namely stretching the x-axis, by producing a graph of size 11-inches by 25-feet(!). Then, I zoomed in on a "crossing", to see the multi-stream effect close-up. Pretty fascinating.

All this is now on the wiki (search it for "blktrace"). Pretty amazing how that disk arm must be wildly seek-thrashing in the multi-stream case. Which also makes me

wonder, that maybe Wahoo/SSD might not be able to demonstrate super-speedup in the single-stream case (which is all it's perf-tested with to date), but might shine in the multi-stream case?

■ From: Walter Tuvell
To: Daniel Feldman
Date: 08/03/2011 02:06 PM
Subject: Blktrace status

If you want to see my status on blktrace, you can look at the wiki page, which I've now much-upgraded, including answering Garth's question, if I understand what he was asking about (you were CC'd on the emails). [It would have been a bit surprising if his conjecture had panned-out, because it would have meant Linux block-I/O caching wasn't working as expected.]

Admittedly, I didn't do all this work this week, I actually did much of it over my time-off, but didn't wiki-ize it until this week. I did this because I'm going to need to flex-time a bit so that I can write up the detailed document required by the IBM Appeal process. That's also what I'm going to be doing with my evenings and week-ends until that doc is done (using time that had previously gone to NPS).

■ From: Walter Tuvell
To: Garth Dickie
Cc: Daniel Feldman, Andrew Galasso
Date: 08/03/2011 02:20 PM
Subject: Blktrace

Garth, concerning that question you asked about my blktrace wiki page (search wiki for "blktrace", you want the page entitled "Blktrace, Blkparse, Btt"):

Albeit I'm still not entirely sure the exact question you were asking (see preceding email chain), I've at least cleaned-up and expanded the wiki page, and at the very end I answer a certain question, which may or may not be what you were asking about.

Here's hoping you're having a good vacation, and won't see this note until next week! :-)

■ From: Daniel Feldman
To: Walter Tuvell
Cc: Andrew Galasso, Garth Dickie
Date: 08/03/2011 02:55 PM
Subject: Re: Blktrace

This is very interesting and the expanded wiki page is helpful.

I'd like to see some kind of analysis that allows us to answer the question: "Does the block I/O system really behave the way we think/expect it does?" In particular, we make a point of trying to run the disk at something like best possible streaming read speed by trying to submit long (24 x 128KB = 3MB) I/O requests. That would turn into a larger number of sequential block I/O requests. What do we actually see?

I think answering a question like this, especially given the volume of data that we collect with blktrace, will require some kind of statistical abstracting - simple descriptive statistics, histograms, etc. Do you agree? If so, what do you think that should be? If not, how do you think we should go about answering the question?

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Andrew Galasso, Garth Dickie
Date: 08/03/2011 03:00 PM
Subject: Re: Blktrace

Given that Andy's in this conversations (though possibly on vacation, I haven't seen him recently), I'd be interested in knowing what, if any, experiments have been run, such as varying extent size, or whatnot. (He's already told me the standard Linux schedulers were tested, and DEADLINE was best.)

■ From: Walter Tuvell
To: Daniel Feldman
Date: 08/04/2011 04:58 PM
Subject: Blktrace study -- status

I think I've got a pretty good handle on the issues at this point, and have reduced the problem ("read-streaming") to a SMOP ("Small Matter of Programming" -- this is a common jargon/euphemism in the industry, and is in no way denigrating of the profession/craft/art of programming, see http://en.wikipedia.org/wiki/Small_matter_of_programming). Based on my current understanding, my current estimate is that I can have it finished by tomorrow or Monday.

One of the risks to this estimate is that I'll find further things that need to be fixed in the current scheme-of-things (that is, the contents of the wiki page). This involves some pedagogical niceties (one of the main goals of the page, getting the reader knowledgeable with the Blktrace Suite), but also goes beyond that to substantive content (such as inadequacy of claimed "proofs"). Another risk is that the SMOP will be more involved than I expect (cf. aforementioned Wikipedia article). Additionally, recall that Garth said he thought blktrace would ultimately turn out to be an ~3 month project (so far it's been about 7 days, not counting my time-off for surgery/vacation).

In any case, you can look at the wiki page, and see that I have indeed been making significant contributions to it through the day today.

A further remark on estimates: Yesterday, I estimated this task would take "1 to 5 days" (unspoken was the phrase "with ~85% confidence", which is not uncommon for such estimates). You said that was an unacceptable estimate for this kind of project (specifically, you indicated the upper bound of 5 days was too big). However, in my experience, it's not possible for me (or most others, judging from the results, not necessarily from their own thinking) to give better estimates than this. For example, very early on (first week or two) when I was working on Wahoo, I was supposed to "compare Wahoo to Skimmer on TPC-DS", and I was advised by those-in-the-know (as I was not, being new to the company and to the technology) that task would only take a few days, according to their best estimates. However, that estimate was woefully inadequate (where "woeful" applies to the estimate, not to the people making the estimate), for at least 3 significant reasons: (i) I had to come up to speed on the technology (both NPS and PerfBar); (ii) WahooBox couldn't run PerfBar (not even a small subset, enough to get a reasonable comparison); (iii) the whole "inherited" concept of "comparing" 2 NPS systems on PerfBar was misunderstood/wrong (it involved a number of different schemes whose relationship amongst one another was nowhere stated, among which was geometric mean of elapsed times [not ratios], none of which had any theoretical support in the modern/professional performance community). It took literally months for me to sort all this out -- far, far beyond the "few days" estimated. Even the simplest-seeming projects run this kind of estimate-risk. Conversely, some initial estimates are too big (a good example would be the "Garth/EMU" project I inherited from Sujatha, which sounded complicated initially, on the order of 2-4 weeks, but I morphed it into "nzVtCapture.sh", whence it became a 2-3 day job).

I would be interested in your comments.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 08/05/2011 08:42 AM
Subject: Re: Blktrace study -- status

The following is in response to your request for comments.

Substance:

I appreciate that you understand the problem and have a relatively straightforward path to answering the question. Before you invest substantial effort in this, though, I'd like to see a depiction of what the output will look like. That is, some kind of specification that will allow me to judge whether or not the program will actually answer the question we discussed. I'm looking for some demonstration early on that you and I are understanding the problem that you have encapsulated with the term "read-streaming" the same way.

Please provide a sequence of steps that I can review that show me how you will be spending your time for the next few days. For example (just an example, you need to believe in whatever you provide):

1. Write specification for <new program>'s output and review with Dan. <insert time estimate here>
2. Write <new program> <insert time estimate here>
3. Test and debug <new program>
4. Integrate <new program> into the blktrace execution infrastructure (I think you've invested in constructing such a thing, but correct me if I'm wrong, please). <insert time estimate here>
5. Update the wiki page as appropriate <insert time estimate here>

As for the risk that you'll discover unanticipated delays, that is certainly a valid concern. In general, I ask for estimates. I expect an engineer with your experience and at your level of organizational seniority to make pretty good estimates after some time to investigate and think about a problem. You have, however, repeatedly told me that you have never been asked in any previous job to estimate your work. Therefore, I consider this a development challenge for you and will work with you as you remedy this deficit. It is with this in mind that I've asked you for the kind of detailed schedule outlined above. During our conversation on Wednesday, you resisted providing an estimate of less than one week precision (1 - 5 days) and when pressed offered that you had to accommodate the possibility that you would be delayed by accident or illness. You should understand (and this should go without saying) that estimates come with an implicit caveat that goes something like "barring accident, illness, war, riot, general societal breakdown and/or infrastructural collapse and other matters outside my control." This wasn't the first time you've tried to avoid making a commitment of less than one week granularity by raising the issue of items completely outside of your control. I expect it to be the last time, however. Explicitly stating your confidence level is fine and even useful. When confidence falls below something like the 85% you mentioned below I would like to know that so that we can focus on the risks that are diminishing your confidence and work together to find ways to mitigate those risks.

You assert that "...Garth said he thought blktrace would ultimately turn out to be an ~3 month project..." I don't remember that but have no reason to doubt your recollection. I think there is a fundamental disconnect, however, between the way you have been understanding this task and the goals that Garth and I have for it. Unfortunately, referring to it as "blktrace" enables the confusion. As I said during our meeting on Wednesday and as I said when introducing the task to you on 6/10, the point of the exercise is to gain a better understanding of how NPS actually uses the physical I/O system. Blktrace and its kin are just tools that were being explored as they appeared to be a useful way to gather the data necessary to perform the analysis that is the real point. You seem to have focused on the tool as the point rather than the analysis and resulting insight. You were hired as a Performance Architect and I'm sure that the overwhelming majority of the time spent exploring technical issues with you during the interview process focused on your understanding of hardware and software architecture and your ability to analyze and understand system performance in a systematic way. For whatever reason, you seem far more

dedicated to toolsmithing - to crafting tools that can be used in performance analysis and to doing so to your own personal standard of quality and using the technologies that you most favor. There is, in principle, nothing wrong with this. Toolsmithing is, in fact, a part of the job and a part of our group's agenda. But, in all but a few explicitly called out cases (e.g., Hermes), it is always the second goal in any project. The primary goal is to deliver actionable insight about system performance. So, I don't know if you are quoting Garth directly, but if "blktrace" is supposed to mean the project (rather than the tool) then it is entirely possible that the investigation, analysis and learning to be done will extend over a number of months while the tool building is completed in merely a few days.

Style:

I agree that SMOP is an innocuous term, one I use regularly. I'd suggest, however, that if you feel you have to justify its use you simply leave it out. For example, instead of: "SMOP ("Small Matter of Programming" -- this is a common jargon/euphemism in the industry, and is in no way denigrating of the profession/craft/art of programming, see http://en.wikipedia.org/wiki/Small_matter_of_programming)" you could have written "a program that I expect will take two days or less to write and debug." This would have been a more appropriate (that is, businesslike) and more efficient communication. I'm glad that you are starting to be able to recognize diction that could be perceived as pejorative or provocative; I urge you to take the next step, though, and rather than spending time justifying the word choice you simply choose something else - something that is manifestly not pejorative or provocative. You may recall that I sent you a number of suggestions about how to edit your own writing. One of them was "when in doubt, leave it out." You appear to have made progress in knowing when to doubt but to have modified that trite little saying to be something like "when in doubt; provide a tutorial justification citing external sources and thereby appropriate authority and legitimacy." Well, that's the way it seems to me. I strongly recommend that you just leave it out.

I hope this all helps,

■ From: Walter Tuvell
To: Daniel Feldman
Date: 08/05/2011 11:00 AM
Subject: Re: Blktrace study -- status

I'd like to, and intend to, continue the general discussion here, but as you know I'm not feeling 100% today, so at this time I'll just try to address the "planning" thing. For, I perceive this is the only real action item required of me at this time (please correct me if I'm wrong).

When I said "I've got a pretty good handle on the issues", what I meant that I think I finally now understand what's being sought. This was non-trivial for me (and it's not even certain yet that I'm correct in my understanding), because it's not a theory I would have come up with. Perhaps this is a limitation of mine, because I've done kernel work at this sort of layer before, and so am perhaps too-intimate with its in-

ner-workings (albeit at a 20+-year remove), and blind to NPS's concerns/theories.

Anyway, the question as I've currently formulated it (and posted on the wiki yesterday) is to determine the extent to which NPS devices do stream-reading (= read-streaming). By this neologism, I mean (again posted on the wiki) successive read operations issued to the block device, such that the starting sector of succeeding reads immediately follows the ending sector of preceding reads, with no intervening discontinuities (that is, no seeks or writes in-between, those cause discontinuities in the sense that they're slow and allow the disk(s)/platter(s) to spin past an immediately usable location).

So the plan is to use some combination of SQL and/or Python to investigate this. Without having started doing the programming yet, I'm thinking that the use of SQL will be minimal: just dump the appropriate amount of data from the blktrace/blkparse DB/table that's needed to figure out what's going on (haven't determined exactly what that is yet, but this will eliminate junk like the infoplus field, and presumably a number of others, leaving something like ~4 fields [can always go back and change exact fields later, e.g., if further/additional examination is indicated]). Then use Python to examine all pairs of reads, and record whether they have an intervening discontinuity (seek and/or write) between them. This should result in some sort of percentage, such as "10 % of all pairs of reads are streaming-pairs". If that number is "small" (by some measure, perhaps 10% would be a good initial target), then we're done, i.e., "NPS doesn't really do very much read-streaming at all". Else, repeat, this time going to longer stream-chains than just 2.

I assume that in this process I'll think of other/better/additional things to do, and the usual crop of bugs and other gotcha's, etc. For example, depending on the above results, it might then also be of some interest to look for the distribution of where stream-pairs are located (both x- and y-axes). Also, bearing in mind that the Muqry@15000b sample I'm currently using (for the wiki page extended example) seems to have only a few (~4) "strands" (at device-level, according to the graphs, I'm not sure how to characterize them at higher levels, but may need to figure that out at some point), maybe do additional testing with smaller DBs, and/or different number of strands (single-strand stands out as a candidate), and/or different workloads of some sort (simple scan stands out as a candidate). All of this additional stuff depending on the initial results, as stated above.

How long to write/test/debug the initial program? Maybe a day.

Integrate into infrastructure? Probably not. Most likely it'll be standalone (i.e., just added to the tarball, not "integrated" into anything).

Update wiki page? Once results are known, maybe an hour (minus later/ongoing twiddling, as with everything).

As stated above, anything above/beyond this seems like it'll depend on the initial results.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 08/05/2011 02:06 PM
Subject: Re: Blktrace study -- status

I think your formulation of the research question is more in line with what I had in mind than with where you were before. I'd like to discuss this in more detail with you and with benefit of a whiteboard when you get into the office on Monday. Perhaps Garth will be able to join us, too.

Yes, the schedule was the deliverable I was looking for below. You seem to have provided the following:

State the problem (8/5)
Develop the SQL and Python code necessary to perform the analysis (8/8)
Update the wiki page (8/9)

The third paragraph below seems to be an (largely successful) attempt to State the problem. We'll spend some time refining it on Monday.

The code you propose to develop on Monday seems (but may be not) very specialized; we should also discuss how flexible a solution this will actually be. Working through the kinds of questions that are worth asking about the data will help us to assess this.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 08/07/2011 08:33 AM
Subject: Re: Weekly report

Thanks for the status report.

Why do you consider this project "ill-defined"? What would a definition look like?

■ From: Walter Tuvell
To: Daniel Feldman
Date: 08/08/2011 10:00 AM
Subject: Another day at home

I'm going to have to work at home again today. I'm suffering from extreme psychological distress, and am seeking professional care (the call is in to the doctor at this moment). Because of that, my stomach is in knots, preventing me from eating, hence from sleeping. My nerve are on edge, and I blow up at my wife for reasons that clearly don't merit it.

Perhaps you've even observed some of this. In the meeting in your office last Wed,

do you remember when I "swapped out"? It was during that time that you picked the formal warning letter up off the floor, and I didn't react to it. I wonder if you have any idea what was happening to me?

In any case, none of this seems to affect my ability to conduct my regular technical work activities (modulo Dr visits, or hopefully a nap if my nervous system ever settles down long enough).

So I'll be online. I'm particularly eager to hear from Garth about his blktrace (er, disk-usage) ideas.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 08/08/2011 10:32 AM
Subject: Re: Another day at home

Thanks for the notice. I hope you succeed in getting the support you need.

I'm concerned that you are unable to come to the office. You, Garth and I need to find a way to collaborate fairly interactively. I'm not at all comfortable with you pursuing your own agenda on this project in light of your statement in your weekly report that the project is ill-defined.

If you are unable to collaborate with both of us effectively, you should simply take a break from work and get your personal situation sorted out. That is by far the more important matter. It will be far better for both you and IBM if you are engaged and fully able to participate in the work day.

You should not spend more time on the disk usage investigation until you, Garth and I have a chance to work through an agenda together.

Feel better,

■ From: Walter Tuvell
To: Daniel Feldman
Date: 08/09/2011 07:22 PM
Subject: Re: Weekly report

I tried to state briefly in the Report what I meant by "ill-defined", but maybe it was too brief. Namely, my brief meaning was that I've heard multiple uncoordinated definitions, "ranging from a low-end of ... to a high-end of ..." (where "low/high" refer to "ambitiousness of project").

Here's a little more-than-briefly:

Perhaps the "really low-end" I heard was from Sujatha on June 10, when she first

introduced me to the project (at her desk). She specifically said her understanding of the project was "just like the Garth/EMU project, except that Dan would be taking Garth's place as the principal investigator" (paraphrase). In a nutshell (I have an email from Sujatha to this effect), what that meant is that she was going to "generate some data and hand it over to Garth/Dan for analysis" (paraphrase).

The high-end definition ("figure out how NPS uses the disks") was what I got from Garth when I buttonholed him on the subject.

The middle-end is the tools/training as I've done on the wiki. The medium-high end is what you've mentioned to me, namely, the streaming-read stuff. It seems there may be yet further definitions as time goes on, which is why Garth mentioned "~3 months" (he said this in your office, in the context of me being out for 3 weeks, and his point was that 3 weeks was not a big deal compared to 3 months). For example, you've mentioned seek patterns, some of which is already done by btt (see wiki page), but that's why I tracked own the seekwatcher tool, though that's been put on the backburner now, with Garth's recent expression of interest about caching (though that may soon be abandoned, now that I've discovered the "crossings" don't really touch/collide the same sectors).

So all-in-all, the "ill-defined" means "lots of definitions", as opposed to "too few definitions". Anyway, as I pointed out, "ill-definedness" of this sort is no big deal, it's just the sort of thing one has to work through early in a creative project ("method of successive approximations").

S Ashish's Modeling Project Tasks

Project: Performance Modeling of SQL Execution Process in NPS

Task List:

Tasks for Lower Level Model:

- **Development of Models for most commonly used snippets**
 - o Hash Join
 - o Merge Join
 - o Nested loop Join
 - o Left, right, inner, outer, exists, not-exists joins etc
 - o Other snippets with nodes such as aggregate, broadcast, distribute, download, save, return etc.
- Implementation of the new snippets' models using simulation Tool JMT
- Run the simulation models and update models as necessary

Tasks for System Level Model:

- **Update system level model**
 - o Extension of model to handle different classes of SQLs - small, medium, large
 - o Implementation of the extended system model using simulation tool JMT
 - o Running of new system simulation model and update the model as necessary

Tasks Related to both Lower and System Level Models:

- **Estimation of Model Parameters**

- o Estimation of model parameters by running specially designed experiments
 - o Estimation of Workloads and service demand
- **Model verification**
 - o Verify that lower level models and system level model are doing what they're expected to do - Verify their correctness.
- **Model validation**
 - o Validate the models (lower level and system level) by comparing model results with real results for different types of given SQLs or Workloads
- **Model Calibration**
 - o Calibrate models if needed for better prediction
- **Update Models**
 - o Update models based on the conclusions from verification/validation/calibration

T Felix's Hermes Wiki Project Schedule



Added by [Felix_Santiago](#), last edited by [Felix_Santiago](#) on Jun 26, 2011

Hermes is the name of a new Performance Testing Framework developed by the Performance Architecture Group. This page contains information on the project including the various documents and a weekly updated schedule. Eventually, this page will include more information on how to use it and instructions on how to extend it.

For now, here are some documents related to Hermes:

- [Hermes requirements proposal](#)
- [Hermes Functional Specification](#)
- [Hermes High Level Design](#)
- [Hermes Design Specification](#)

Project Schedule

[Gantt Chart](#) (Last updated 6/26/11)

Task Report: Hermes

Task	Planned Start	Actual Start	Planned End	Actual End	Duration	Completed	Dependencies	Assigned
0) Hermes		4/11/11 9:00 AM		11/25/11 5:00 PM	33w	27%		
1) Design Spec Work	4/11/11 9:00 AM	4/11/11 9:00 AM	5/16/11 5:00 PM	5/16/11 5:00 PM	5w 1d	100%		
1.1) Finish first draft of the Design Spec	4/11/11 9:00 AM	4/11/11 9:00 AM	5/3/11 5:00 PM	5/3/11 5:00 PM	3w 2d	100%		Felix Santiago
1.2) Provide first draft of Design Spec to Dan	5/4/11 12:12 AM	5/4/11 12:12 AM	5/4/11 12:12 AM	5/4/11 12:12 AM		100%		Felix Santiago
1.3) Review / Modify Design Spec based on Dan's feedback	5/9/11 9:00 AM	5/9/11 9:00 AM	5/9/11 11:00 AM	5/9/11 11:00 AM	2h	100%		Felix Santiago
1.4) Provide Design Spec to members of the Performance Group	5/9/11 10:00 AM	5/9/11 10:00 AM	5/9/11 10:00 AM	5/9/11 10:00 AM		100%		Felix Santiago
1.5) Review Spec with Performance Group	5/16/11 2:00 PM	5/16/11 2:00 PM	5/16/11 2:00 PM	5/16/11 2:00 PM		100%		Felix Santiago
1.6) Modify Design Spec based on group feedback	5/16/11 3:00 PM	5/16/11 3:00 PM	5/16/11 5:00 PM	5/16/11 5:00 PM	2h	100%		Felix Santiago
1.7) Publish Revised Design Spec to wiki	5/16/11 5:00 PM	5/16/11 5:00 PM	5/16/11 5:00 PM	5/16/11 5:00 PM		100%		Felix Santiago

2) Environment Setup Work	5/9/11 9:00 AM	5/9/11 9:00 AM	5/11/11 5:00 PM	5/11/11 5:00 PM	3d	100%	
2.1) Python 2.7.1	5/9/11 9:00 AM	5/9/11 9:00 AM	5/11/11 5:00 PM	5/11/11 5:00 PM	3d	100%	Felix Santiago
2.2) Apache CouchDB	5/9/11 9:00 AM	5/9/11 9:00 AM	5/11/11 5:00 PM	5/11/11 5:00 PM	3d	100%	Felix Santiago
2.3) couchdbkit	5/11/11 9:00 AM	5/11/11 9:00 AM	5/11/11 5:00 PM	5/11/11 5:00 PM	1d	100%	Felix Santiago
2.4) Sphinx	5/11/11 9:00 AM	5/11/11 9:00 AM	5/11/11 5:00 PM	5/11/11 5:00 PM	1d	100%	Felix Santiago
2.5) django	5/11/11 9:00 AM	5/11/11 9:00 AM	5/11/11 5:00 PM	5/11/11 5:00 PM	1d	100%	Felix Santiago
2.6) python-nose	5/11/11 9:00 AM	5/11/11 9:00 AM	5/11/11 5:00 PM	5/11/11 5:00 PM	1d	100%	Felix Santiago
3) System Core Work	5/20/11 9:00 AM	5/20/11 9:00 AM	6/6/11 5:00 PM	6/9/11 5:00 PM	3w	93%	
3.1) Implement HLogger	5/20/11 9:00 AM	5/20/11 9:00 AM	5/20/11 5:00 PM	5/20/11 5:00 PM	1d	100%	
3.1.1) Write logging handlers, formatters, filters	5/20/11 9:00 AM	5/20/11 9:00 AM	5/20/11 5:00 PM	5/20/11 5:00 PM	1d	100%	Felix Santiago
3.1.2) Create unit tests	5/20/11 9:00 AM	5/20/11 9:00 AM	5/20/11 5:00 PM	5/20/11 5:00 PM	1d	100%	Felix Santiago
3.2) Develop abstraction for File System / CouchDb backend	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	
3.2.1) Implement HRepository	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	
3.2.1.1) Implement Class	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	Felix Santiago
3.2.1.2) Create unit tests	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	Felix Santiago
3.2.2) Implement HDocument (Abstract Class)	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	
3.2.2.1) Implement Class	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	Felix Santiago
3.2.2.2) Write validation functions for fields		5/24/11 9:00 AM		5/31/11 10:00 AM	1w 1h	100%	
3.2.2.3) Create unit tests	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	Felix Santiago

3.2.3) Implement HSignatureDoc	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	
3.2.3.1) Implement Class	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	Felix Santiago
3.2.3.2) Create unit tests	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	Felix Santiago
3.2.4) Implement HResultDoc	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	
3.2.4.1) Implement Class	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	Felix Santiago
3.2.4.2) Create unit tests	5/24/11 9:00 AM	5/24/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	1w 1h	100%	Felix Santiago
3.3) Database Replication	5/31/11 9:00 AM	5/31/11 9:00 AM	6/1/11 5:00 PM	6/1/11 5:00 PM	2d	0%	
3.3.1) Implement HReplicationController	5/31/11 9:00 AM	5/31/11 9:00 AM	6/1/11 5:00 PM	6/1/11 5:00 PM	2d	0%	
3.3.1.1) Implement Class	5/31/11 9:00 AM	5/31/11 9:00 AM	6/1/11 5:00 PM	6/1/11 5:00 PM	2d	0%	Felix Santiago
3.3.1.2) Create unit tests	5/31/11 9:00 AM	5/31/11 9:00 AM	6/1/11 5:00 PM	6/1/11 5:00 PM	2d	0%	Felix Santiago
3.4) File System Mirroring	6/2/11 9:00 AM	6/2/11 9:00 AM	6/6/11 5:00 PM	6/9/11 5:00 PM	1w 1d	100%	
3.4.1) Implement HMirrorController	6/2/11 9:00 AM	6/2/11 9:00 AM	6/6/11 5:00 PM	6/9/11 5:00 PM	1w 1d	100%	
3.4.1.1) Implement Class	6/2/11 9:00 AM	6/2/11 9:00 AM	6/6/11 5:00 PM	6/9/11 5:00 PM	1w 1d	100%	Felix Santiago
3.4.1.2) Create unit tests	6/2/11 9:00 AM	6/2/11 9:00 AM	6/6/11 5:00 PM	6/9/11 5:00 PM	1w 1d	100%	Felix Santiago
4) System Info Module (system_info.py)	5/17/11 9:00 AM	5/17/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	2w 1h	100%	
4.1) Determine data to collect	5/17/11 9:00 AM	5/17/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	2w 1h	100%	Felix Santiago
4.2) Write up functions for data collection	5/17/11 9:00 AM	5/17/11 9:00 AM	5/31/11 10:00 AM	5/31/11 10:00 AM	2w 1h	100%	Felix Santiago
5) Notification System	6/7/11 9:00 AM	6/10/11 9:00 AM	6/14/11 5:00 PM	6/15/11 5:00 PM	4d	12%	
5.1) Implement Email Notification (HEmail)	6/7/11 9:00 AM	6/10/11 9:00 AM	6/10/11 5:00 PM	6/15/11 5:00 PM	4d	19%	

5.1.1) Implement SMTP logging handler	6/7/11 9:00 AM	6/10/11 9:00 AM	6/7/11 5:00 PM	6/10/11 5:00 PM	1d	50%	Felix Santiago
5.1.2) Implement Class	6/8/11 9:00 AM	6/10/11 9:00 AM	6/9/11 5:00 PM	6/13/11 5:00 PM	2d	50%	Felix Santiago
5.1.3) Writeup email templates	6/10/11 9:00 AM	6/10/11 9:00 AM	6/10/11 5:00 PM	6/10/11 5:00 PM	1d	0%	Felix Santiago
5.1.4) Create unit tests	6/7/11 9:00 AM	6/10/11 9:00 AM	6/10/11 5:00 PM	6/15/11 5:00 PM	4d	0%	Felix Santiago
5.2) Implement Local Notifications (HMessage)	6/13/11 9:00 AM	6/13/11 9:00 AM	6/14/11 5:00 PM	6/14/11 5:00 PM	2d	0%	
5.2.1) Implement Class	6/13/11 9:00 AM	6/13/11 9:00 AM	6/14/11 5:00 PM	6/14/11 5:00 PM	2d	0%	Felix Santiago
5.2.2) Create unit tests	6/13/11 9:00 AM	6/13/11 9:00 AM	6/14/11 5:00 PM	6/14/11 5:00 PM	2d	0%	Felix Santiago
6) Implement "applicable version" knowledge	6/15/11 9:00 AM	6/13/11 1:00 PM	6/17/11 5:00 PM	6/15/11 3:20 PM	> 2d 2.25h	100%	
6.1) Implement versions.py	6/15/11 9:00 AM	6/13/11 1:00 PM	6/17/11 5:00 PM	6/15/11 3:20 PM	> 2d 2.25h	100%	Felix Santiago
6.2) Create unit tests	6/16/11 9:00 AM	6/15/11 9:00 AM	6/17/11 5:00 PM	6/15/11 3:00 PM	6h	100%	Felix Santiago
7) Health Checkers	6/20/11 9:00 AM	6/15/11 3:30 PM	6/23/11 5:00 PM	6/24/11 5:00 PM	1w 2d 1.5h	78%	
7.1) Implement HHealthSignatureDoc	6/20/11 9:00 AM	6/15/11 3:30 PM	6/21/11 1:00 PM	6/17/11 3:30 PM	2d	100%	
7.1.1) Implement Class	6/20/11 9:00 AM	6/15/11 3:30 PM	6/21/11 1:00 PM	6/17/11 3:30 PM	2d	100%	Felix Santiago
7.1.2) Write validation functions for fields		6/15/11 3:30 PM		6/15/11 5:00 PM	1.5h	100%	
7.1.3) Create unit tests	6/20/11 9:00 AM	6/17/11 9:00 AM	6/21/11 1:00 PM	6/17/11 12:00 PM	3h	100%	Felix Santiago
7.2) Implement HHealthCheck	6/20/11 9:00 AM	6/17/11 12:00 PM	6/21/11 5:00 PM	6/21/11 12:00 PM	2d	70%	
7.2.1) Implement Class	6/20/11 9:00 AM	6/17/11 12:00 PM	6/21/11 5:00 PM	6/21/11 12:00 PM	2d	80%	Felix Santiago
7.2.2) Create unit tests	6/20/11 9:00 AM	6/17/11 12:00 PM	6/21/11 5:00 PM	6/21/11 12:00 PM	2d	60%	Felix Santiago
7.3) Write up functions for initial health checks	6/21/11 9:00 AM	6/21/11 9:00 AM	6/23/11 5:00 PM	6/24/11 5:00 PM	4d	72%	
7.3.1) Determine the initial list of health checks	6/21/11 9:00 AM	6/21/11 9:00 AM	11:00 AM	6/22/11 11:00 AM	1d 2h	100%	Felix Santiago

7.3.2) Implement the various health checks	6/21/11 11:00 AM	6/22/11 11:00 AM	6/23/11 5:00 PM	6/24/11 5:00 PM	2d 6h	60%	7.3.1	Felix Santiago
8) Milestone 1	6/28/11 2:00 PM	6/28/11 2:00 PM	6/28/11 2:00 PM	6/28/11 2:00 PM		0%	7	Felix Santiago
9) Database Loading Code	6/28/11 4:30 PM	6/28/11 4:30 PM	8/15/11 5:00 PM	8/25/11 10:00 AM	8w 1d 1.5h	0%	8	
9.1) Implement the load related signature handling	6/28/11 4:30 PM	6/28/11 4:30 PM	6/30/11 4:30 PM	6/30/11 4:30 PM	2d	0%		
9.1.1) HDBSignatureDoc	6/28/11 4:30 PM	6/28/11 4:30 PM	6/30/11 4:30 PM	6/30/11 4:30 PM	2d	0%		
9.1.1.1) Implement Class	6/28/11 4:30 PM	6/28/11 4:30 PM	6/30/11 4:30 PM	6/30/11 4:30 PM	2d	0%		Felix Santiago
9.1.1.2) Write validation functions for fields		6/28/11 4:30 PM		6/30/11 4:30 PM	2d	0%		
9.1.1.3) Create unit tests	6/28/11 4:30 PM	6/28/11 4:30 PM	6/30/11 4:30 PM	6/30/11 4:30 PM	2d	0%		Felix Santiago
9.1.2) HUserDefinition	6/28/11 4:30 PM	6/28/11 4:30 PM	6/29/11 4:30 PM	6/29/11 4:30 PM	1d	0%		Felix Santiago
9.1.3) HGroupDefinitionDoc	6/28/11 4:30 PM	6/28/11 4:30 PM	6/29/11 4:30 PM	6/29/11 4:30 PM	1d	0%		Felix Santiago
9.1.4) HUDXDefinitionDoc	6/28/11 4:30 PM	6/28/11 4:30 PM	6/29/11 4:30 PM	6/29/11 4:30 PM	1d	0%		Felix Santiago
9.2) Implement General Loading API (HDBLoad)	6/29/11 9:00 AM	6/29/11 9:00 AM	7/5/11 5:00 PM	7/5/11 5:00 PM	1w	0%		
9.2.1) Implement Class	6/29/11 9:00 AM	6/29/11 9:00 AM	7/5/11 5:00 PM	7/5/11 5:00 PM	1w	0%		Felix Santiago
9.2.2) Create unit tests	6/29/11 9:00 AM	6/29/11 9:00 AM	7/5/11 5:00 PM	7/5/11 5:00 PM	1w	0%		Felix Santiago
9.3) Implement the various loading modules	7/6/11 9:00 AM	7/6/11 9:00 AM	8/5/11 5:00 PM	8/17/11 9:30 AM	6w 0.5h	0%		
9.3.1) Implement HDBLoadModule (Abstract Class)	7/6/11 9:00 AM	7/6/11 9:00 AM	7/12/11 5:00 PM	7/12/11 5:00 PM	1w	0%		
9.3.1.1) Implement Class	7/6/11 9:00 AM	7/6/11 9:00 AM	7/12/11 5:00 PM	7/12/11 5:00 PM	1w	0%		Felix Santiago
9.3.1.2) Create unit tests	7/6/11 9:00 AM	7/6/11 9:00 AM	7/12/11 5:00 PM	7/12/11 5:00 PM	1w	0%		Felix Santiago
9.3.2) Implement HDBGeneratorMod	7/13/11 9:00 AM	7/13/11 9:00 AM	7/19/11 5:00 PM	7/19/11 5:00 PM	1w	0%		
9.3.2.1) Implement Class	7/13/11 9:00 AM	7/13/11 9:00 AM	7/19/11 5:00 PM	7/19/11 5:00 PM	1w	0%		Felix Santiago
9.3.2.2) Create unit tests	7/13/11 9:00 AM	7/13/11 9:00 AM	7/19/11 5:00 PM	7/19/11 5:00 PM	1w	0%		Felix Santiago

9.3.3) Move to California		7/20/11 9:00 AM		7/28/11 5:00 PM	1w 2d	0%		
9.3.4) Implement HDBLoaderMod	7/20/11 9:00 AM	7/29/11 9:30 AM	7/26/11 5:00 PM	8/5/11 9:30 AM	1w	0%	9.3.3	
9.3.4.1) Implement Class	7/20/11 9:00 AM	7/29/11 9:30 AM	7/26/11 5:00 PM	8/5/11 9:30 AM	1w	0%		Felix Santiago
9.3.4.2) Create unit tests	7/20/11 9:00 AM	7/29/11 9:30 AM	7/26/11 5:00 PM	8/5/11 9:30 AM	1w	0%		Felix Santiago
9.3.5) Implement HDBBalloonerMod	7/26/11 9:00 AM	8/4/11 10:00 AM	8/1/11 5:00 PM	8/11/11 10:00 AM	1w	0%		
9.3.5.1) Implement Class	7/26/11 9:00 AM	8/4/11 10:00 AM	8/1/11 5:00 PM	8/11/11 10:00 AM	1w	0%		Felix Santiago
9.3.5.2) Create unit tests	7/26/11 9:00 AM	8/4/11 10:00 AM	8/1/11 5:00 PM	8/11/11 10:00 AM	1w	0%		Felix Santiago
9.3.6) Implement HDBRestorerMod	8/1/11 9:00 AM	8/10/11 9:30 AM	8/5/11 5:00 PM	8/17/11 9:30 AM	1w	0%		
9.3.6.1) Implement Class	8/1/11 9:00 AM	8/10/11 9:30 AM	8/5/11 5:00 PM	8/17/11 9:30 AM	1w	0%		Felix Santiago
9.3.6.2) Create unit tests	8/1/11 9:00 AM	8/10/11 9:30 AM	8/5/11 5:00 PM	8/17/11 9:30 AM	1w	0%		Felix Santiago
9.4) Create TPC-DS DataGenerator Driver (using HDBGeneratorMod & HDBLoaderMod)	8/8/11 9:00 AM	8/17/11 10:00 AM	8/9/11 5:00 PM	8/19/11 10:00 AM	2d	0%		Felix Santiago
9.5) Create Nzload Driver (using HDBLoaderMod)	8/10/11 9:00 AM	8/19/11 10:00 AM	8/11/11 5:00 PM	8/23/11 10:00 AM	2d	0%	9.4	Felix Santiago
9.6) Create Nzrestore Driver (HDBRestorerMod)	8/12/11 9:00 AM	8/23/11 10:00 AM	8/15/11 5:00 PM	8/25/11 10:00 AM	2d	0%	9.5	Felix Santiago
10) Milestone 2	8/18/11 2:30 PM	8/26/11 1:00 PM	8/18/11 2:30 PM	8/26/11 1:00 PM		0%		Felix Santiago
11) Running Tests	8/19/11 9:00 AM	8/30/11 9:30 AM	9/14/11 5:00 PM	9/27/11 10:00 AM	4w 0.5h	0%		
11.1) Implement general Test Driver API (HTest)	8/19/11 9:00 AM	8/30/11 9:30 AM	8/24/11 5:00 PM	9/7/11 10:00 AM	1w 1d 0.5h	0%		
11.1.1) Implement Class	8/19/11 9:00 AM	8/30/11 9:30 AM	8/22/11 5:00 PM	9/1/11 9:30 AM	2d	0%		Felix Santiago
11.1.2) Create unit tests	8/19/11 9:00 AM	8/30/11 9:30 AM	8/22/11 5:00 PM	9/1/11 9:30 AM	2d	0%		Felix Santiago
11.1.3) Write Definitions for Test Suites	8/19/11 9:00 AM	8/30/11 9:30 AM	8/22/11 5:00 PM	9/1/11 9:30 AM	2d	0%		Felix Santiago

11.1.4) Write validation functions for TestSignature fields		8/30/11 9:30 AM	9/1/11 9:30 AM	2d	0%		
11.1.5) Implement HTestDriver	8/23/11 9:00 AM	9/2/11 10:00 AM	8/24/11 5:00 PM	9/7/11 10:00 AM	3d	0%	11.1.1
11.1.5.1) Implement Class	8/23/11 9:00 AM	9/2/11 10:00 AM	8/24/11 5:00 PM	9/7/11 10:00 AM	3d	0%	Felix Santiago
11.1.5.2) Create unit tests	8/23/11 9:00 AM	9/2/11 10:00 AM	8/24/11 5:00 PM	9/7/11 10:00 AM	3d	0%	Felix Santiago
11.2) Write up NzSQL test Driver	8/25/11 9:00 AM	9/7/11 10:00 AM	8/31/11 5:00 PM	9/14/11 10:00 AM	1w	0%	11.1.5 Felix Santiago
11.3) Write up MultiUser test Driver	9/1/11 9:00 AM	9/14/11 10:00 AM	9/14/11 5:00 PM	9/27/11 10:00 AM	1w 4d	0%	11.2 Felix Santiago
12) Milestone 3	9/14/11 2:30 PM	9/22/11 1:00 PM	9/14/11 2:30 PM	9/22/11 1:00 PM		0%	11.2 Felix Santiago
13) Data Gatherers and Data Analyzers	9/15/11 9:00 AM	9/26/11 9:30 AM	10/5/11 5:00 PM	10/17/11 9:30 AM	3w	0%	12
13.1) Implement HDataCollectorDoc	9/15/11 9:00 AM	9/26/11 9:30 AM	9/16/11 5:00 PM	9/28/11 9:30 AM	2d	0%	
13.1.1) Implement Class	9/15/11 9:00 AM	9/26/11 9:30 AM	9/16/11 5:00 PM	9/28/11 9:30 AM	2d	0%	Felix Santiago
13.1.2) Write validation functions for fields		9/26/11 9:30 AM		9/28/11 9:30 AM	2d	0%	
13.1.3) Create unit tests	9/15/11 9:00 AM	9/26/11 9:30 AM	9/16/11 5:00 PM	9/28/11 9:30 AM	2d	0%	Felix Santiago
13.2) Implement HDataProcessorDoc	9/15/11 9:00 AM	9/26/11 9:30 AM	9/16/11 5:00 PM	9/28/11 9:30 AM	2d	0%	
13.2.1) Implement Class	9/15/11 9:00 AM	9/26/11 9:30 AM	9/16/11 5:00 PM	9/28/11 9:30 AM	2d	0%	Felix Santiago
13.2.2) Write validation functions for fields		9/26/11 9:30 AM		9/28/11 9:30 AM	2d	0%	
13.2.3) Create unit tests	9/15/11 9:00 AM	9/26/11 9:30 AM	9/16/11 5:00 PM	9/28/11 9:30 AM	2d	0%	Felix Santiago
13.3) Implement HDataCollector	9/19/11 9:00 AM	9/28/11 10:00 AM	9/20/11 5:00 PM	9/30/11 10:00 AM	2d	0%	13.1
13.3.1) Implement Class	9/19/11 9:00 AM	9/28/11 10:00 AM	9/20/11 5:00 PM	9/30/11 10:00 AM	2d	0%	Felix Santiago

13.3.2) Create unit tests	9/19/11 9:00 AM	9/28/11 10:00 AM	9/20/11 5:00 PM	9/30/11 10:00 AM	2d	0%		Felix Santiago
13.4) Implement HDataProcessor	9/21/11 9:00 AM	9/30/11 10:00 AM	9/22/11 5:00 PM	10/4/11 10:00 AM	2d	0%	13.2	
13.4.1) Implement Class	9/21/11 9:00 AM	9/30/11 10:00 AM	9/22/11 5:00 PM	10/4/11 10:00 AM	2d	0%		Felix Santiago
13.4.2) Create unit tests	9/21/11 9:00 AM	9/30/11 10:00 AM	9/22/11 5:00 PM	10/4/11 10:00 AM	2d	0%		Felix Santiago
13.5) Write up Data Collectors	9/23/11 9:00 AM	10/4/11 9:30 AM	9/29/11 5:00 PM	10/11/11 9:30 AM	1w	0%	13.3	
13.5.1) Create a list of initial Data Collectors to implement	9/23/11 9:00 AM	10/4/11 9:30 AM	9/23/11 11:00 AM	10/4/11 11:30 AM	2h	0%		Felix Santiago
13.5.2) Implement the various Data Collectors	9/23/11 11:00 AM	10/4/11 11:30 AM	9/29/11 5:00 PM	10/11/11 9:30 AM	4d 6h	0%	13.5.1	Felix Santiago
13.6) Write up Data Processors	9/29/11 9:00 AM	10/10/11 9:30 AM	10/5/11 5:00 PM	10/17/11 9:30 AM	1w	0%	13.4	
13.6.1) Create a list of initial Data Processors to implement	9/29/11 9:00 AM	10/10/11 9:30 AM	9/29/11 11:00 AM	10/10/11 11:30 AM	2h	0%		Felix Santiago
13.6.2) Implement the various Data Processors	9/29/11 11:00 AM	10/10/11 11:30 AM	10/5/11 5:00 PM	10/17/11 9:30 AM	4d 6h	0%	13.6.1	Felix Santiago
14) Results	10/6/11 9:00 AM	10/17/11 9:30 AM	10/20/11 5:00 PM	11/1/11 9:30 AM	2w 1d	0%	13	
14.1) Result Handling	10/6/11 9:00 AM	10/17/11 9:30 AM	10/12/11 5:00 PM	10/24/11 9:30 AM	1w	0%		
14.1.1) Determine information to collect and upload database	10/6/11 9:00 AM	10/17/11 9:30 AM	10/6/11 5:00 PM	10/18/11 9:30 AM	1d	0%		Felix Santiago
14.1.2) Implement Report output script	10/7/11 9:00 AM	10/18/11 9:30 AM	10/7/11 5:00 PM	10/19/11 9:30 AM	1d	0%	14.1.1	Felix Santiago
14.1.3) Implement Result Publishing to Central Repository	10/10/11 9:00 AM	10/19/11 9:30 AM	10/12/11 5:00 PM	10/24/11 9:30 AM	3d	0%	14.1.2	Felix Santiago
14.2) Result Reporters	10/10/11 9:00 AM	10/19/11 9:30 AM	10/20/11 5:00 PM	11/1/11 9:30 AM	1w 4d	0%		
14.2.1) Implement HResultReporterDoc	10/10/11 9:00 AM	10/19/11 9:30 AM	10/11/11 5:00 PM	10/21/11 9:30 AM	2d	0%		
14.2.1.1) Implement Class	10/10/11 9:00 AM	10/19/11 9:30 AM	10/11/11 5:00 PM	10/21/11 9:30 AM	2d	0%		Felix Santiago

14.2.1.2) Write validation functions for fields	10/19/11 9:30 AM	10/21/11 9:30 AM	2d	0%		
14.2.1.3) Create unit tests	10/10/11 9:00 AM	10/19/11 9:30 AM	10/11/11 5:00 PM	10/21/11 9:30 AM	2d	0% Felix Santiago
14.2.2) Implement HResultReporter	10/12/11 9:00 AM	10/21/11 9:30 AM	10/13/11 5:00 PM	10/25/11 9:30 AM	2d	0% 14.2.1
14.2.2.1) Implement Class	10/12/11 9:00 AM	10/21/11 9:30 AM	10/13/11 5:00 PM	10/25/11 9:30 AM	2d	0% Felix Santiago
14.2.2.2) Create unit tests	10/12/11 9:00 AM	10/21/11 9:30 AM	10/13/11 5:00 PM	10/25/11 9:30 AM	2d	0% Felix Santiago
14.2.3) Write up Result Reporters	10/14/11 9:00 AM	10/25/11 9:30 AM	10/20/11 5:00 PM	11/1/11 9:30 AM	1w	0% 14.2.2 Felix Santiago
15) Tagging system	10/21/11 9:00 AM	11/1/11 9:30 AM	10/27/11 2:00 PM	11/7/11 2:30 PM	4d 5h	0%
15.1) Create Tag Structure	10/21/11 9:00 AM	11/1/11 9:30 AM	10/21/11 2:00 PM	11/1/11 2:30 PM	5h	0% Felix Santiago
15.2) Implement Tag Searching and Filtering	10/24/11 9:00 AM	11/2/11 9:30 AM	10/27/11 2:00 PM	11/7/11 2:30 PM	3d 5h	0% 15.1 Felix Santiago
16) Misc	11/1/11 9:30 AM	11/10/11 10:30 AM	11/16/11 2:30 PM	11/25/11 3:30 PM	2w 1d 5h	0% 15.2
16.1) Project Packaging	11/1/11 9:30 AM	11/10/11 10:30 AM	11/7/11 2:30 PM	11/16/11 3:30 PM	4d 5h	0% Felix Santiago
16.2) Hermes Testing	11/1/11 9:30 AM	11/10/11 10:30 AM	11/16/11 2:30 PM	11/25/11 3:30 PM	2w 1d 5h	0% Felix Santiago
17) Hermes Documentation	6/23/11 9:00 AM	11/25/11 5:00 PM	22w 2d	15%		
18) Main Hermes Script	6/20/11 9:00 AM	11/25/11 5:00 PM	23w	20%		

Technologies

The following is a list of libraries and packages used inside of Hermes:

- [CouchDB](#)
- [couchdbkit](#)
- [Sphinx](#)
- [django](#)
- [python-nose](#)

Children (1)

 Gantt Chart

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U My Blktrace Wiki Page



Added by [Walter Tuvell](#), edited by [Walter Tuvell](#) on Jun 27, 2011

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Executive Summary and Conclusions

This study concerns the so-called "blktrace suite" of tools, which are used for examining low-level Linux storage block-I/O (i.e., reads/writes to block storage devices, such as rotating disks and solid-state drives, typically in support of filesystem operations). The tools in the blktrace suite are:

- blktrace – Log info about NPS storage operations at the Linux block-I/O layer (in binary format).
- blkparse – Parse the blktrace logs into ASCII format, for further analysis.
- btt ("blktrace tool") – Produce reports from the blkparse output.
- other – Such as the blkrawverify tool, and documentation.

The goals of our investigation are: (i) to create a "push-button framework" for running these tools; (ii) to determine the extent to which these tools could be helpful for us in improving the performance of NPS.

Concerning goal (ii): Our basic conclusion is that they are not exceedingly useful, at least for the way NPS engineering is currently done.

Namely, the place these tools are really useful is for designers of Linux block-I/O schedulers. But Netezza does not design its own block-I/O scheduler. So Netezza would have to get into the block-I/O scheduler business for the blktrace suite to be useful. This could be the case if, for example, Netezza were to redesign NPS to sit directly on top of the block-I/O layer, instead of the higher filesystem layer (as some database systems do, but NPS/PostgreSQL does not).

It is to be noted that NPS does support its own I/O scheduler, but it's at the higher layer of data-I/O (reads/writes to database tables), as opposed to the block-I/O layer. Thus the NPS data-I/O scheduler already finishes its work before its reads/writes ever get to the Linux block-I/O scheduler.

The standard block-I/O schedulers currently supported by Linux are: NOOP, AS (Anticipatory Scheduler), DEADLINE, CFQ (Completely Fair Queueing); FIFO is also available, but that's non-standard, i.e., not pre-configured in typical Linux distributions. When the TwinFin system was first designed/implemented, performance tests were run for these, and it was determined that the DEADLINE scheduler was "by far" the best for our purposes, for both throughput and latency (source: Andy Galasso). This matches the "received wisdom", that the DEADLINE scheduler is best for database servers (as opposed to, say, CFQ being best for general-purpose workstations). So NPS currently uses the Linux DEADLINE block-I/O scheduler (at least for disk-based systems; presumably SSD-based systems such as Wahoo will use NOOP, which is considered better for that technology). However, it is not a goal of this study to go further into a discussion of block-I/O schedulers, so we have no more to say about this subject here.

Concerning goal (i) : That's what the remainder of this wiki page is all about.

Attachments

The attachments to this wiki page contain everything you need to get you started using the blktrace suite:

- blktrace-8e8bb83.tar.gz
- blktrace.pdf
- btt.pdf
- perfbin.tgz, containing: nzBladelpAddrs.sh, nzBlk*.sh, nzBtt*.sh
- 2 example "pre-processed" tarballs, one for Atomics+TPC-DS and one for Muqry, each approx. 0.5 GB. Oops, these are too big for this wiki, sorry, but you can pick up copies here:

```
sudo mkdir -p /mount/snap1a
sudo mount -t nfs perfsnap1:/SHARE1 /mount/snap1a # perfsnap1 = 172.16.16
ls -l /mount/snap1a/walt/BlkTrace
```

- 2 example "post-processed" tarballs (including "interesting.txt", see below), one for Atomics+TPC-DS and one for Muqry, each approx. 1.5-2.0 GB. These are also in /mount/snap1a /walt/BlkTrace.

The blktrace Suite

The blktrace suite is an open-source tool, written in C, and distributed in source-code form. Version 8e8bb83 was used for this study (it is attached to this Wiki page, as is everything else discussed here).

I compiled the blktrace suite (both software and documentation) on my development workstation (which is a laptop running Fedora 14), and also on an NPS host (TwinFin 6, 6.0 vintage). The suite was run on my laptop, on the NPS host, and on the NPS blades (the version compiled on the host also ran on the NPS blades, without separate compilation).

There were no major problems involved in compiling/running the blktrace tools, just minor problems: presence and location of async-I/O artifacts, libaio.h and libaio.so, which the experienced developer will have no problem overcoming. For example, the libaio.so library exists on NPS systems, but is not on the compiler/linker search path, which can be fixed by supplying an appropriate symbolic link. Also, I had to install LaTeX for the docs. [Some earlier attempts to get the blktrace suite working on NPS ran into more serious difficulties, but those seem to have been overcome now. For example, the blade's Linux kernel needs to be configured to support blktrace, and that was the case for me.]

The docs, blktrace.pdf (for blktrace and blkparse) and btt.pdf (for btt), attached hereto, are the definitive sources of information about the blktrace suite. Some additional information is also available on the web, but there's not much that isn't already covered in the official docs. We leave it to the reader to consult these, rather than discuss the blktrace suite in detail here.

Scriptification

I ran blktrace on NPS (blades only, no need to run it on host), but I ran blkparse/btt on my laptop (using the logfiles produced by blktrace, transferred to my laptop). I wrote shell-scripts as helpers (they are attached); the ones involving blktrace ran on the NPS host, while the ones involving blkparse/btt ran on my laptop.

The shell-scripts I wrote were more-or-less quick-and-dirty one-off's, not intended to be general purpose or "supported" scripts (so don't expect great beauty here). Nevertheless, the experienced developer should have little trouble modifying them for their own environment, should they desire to use them (for example, replacing the hard-coded directory name "/nz/walt"). One gotcha I learned, for example, is that NPS blades only support /bin/sh, not /bin/bash, so I had to write shell code that ran on the blades in that ancient shell dialect (for example, back-ticks instead of "\$()", "1>/dev/null 2>&1" instead of "&>/dev/null", etc).

Probably the biggest problem I had writing the scripts was NPS propagation (between the NPS "magic" directories). For that reason, the scripts contain some sleep's, sync's, and repeated tries that would otherwise be unnecessary.

In order to use the blktrace scripts in the distributed NPS environment, I used SSH of course, so I had to set up password-free ssh to the blades (see [System Setup & Maintenance](#), which also show how to set up password-free sudo). The scripts themselves took care of everything else (such as setting up access to the blktrace tools, as well as the script tools themselves, via the NPS "magic" NFS mounts: symlinks, /magic -> /nz/export/tools on host, and /magic -> /var/opt/nz/host/tools on blades).

Running blktrace on NPS

Here are the steps to generate the blktrace logfiles:

Compile blktrace on NPS host (also on workstation)

On the host, I did this in a directory called /nz/walt/blktrace-8e8bb83.

Install shell-scripts on host

I did this in a directory called /nz/walt/perfbn.

Run nzBlkTracesStart.sh on host

It copies blktrace-8e8bb83 and perfbn to /magic, and it also creates directories named blktrace=A.B.C.D in /magic, where each blade will deposit its blktrace logs. Here A.B.C.D denotes the IP addr of each blade (I prefer this to blade names, but either could be used, via "nzhw show -detail" – see nzBladeIpAddr.sh). In my case, the blade IP addrs on the TwinFin 6 I used were: 10.0.4.151, 10.0.5.127, 10.0.8.198, 10.0.11.2, 10.0.11.88, 10.0.11.204.

nzBlkTracesStart.sh then invokes nzBlkTraceStart.sh subscripts on each blade. Those subscripts discover all the "candidate" block devices on the blade, check/mount the debugfs pseudo-filesystem (required for running blktrace), and start the blktrace program itself, monitoring all the candidate devices. As will be seen, the actual NPS data block devices are only a small subset of the totality of candidate block devices on an NPS blade, so blktrace ends up monitoring too much. The extraneous logfiles collected by blktrace

are thrown out by examination of logfiles at a later post-processing stage, but I didn't know of an easier way to narrow down the actual devices of interest.

Run your workload

Once `nzBlkTracesStart.sh` returns, you can start the workload you want to monitor. I did this twice, both times using the `PerfBar runBar.py` program, once running `Atomics+TPC-DS` and once running `MuQry` (with 1 loop), both on the `TPC-DS 100b` database. Each of these took approx 0.5 hr to run, which was judged to be sufficient for the purposes of this study (since the study on its face isn't very useful for us anyway, as discussed above).

Incidentally, I found that the performance of NPS under `blktrace` is approx. 10% slower than a non-`blktrace`'d system, but that's of no concern for this kind of study.

Run `nzBlkTracesStop.sh`

When the workload you want to monitor finishes, you stop `blktrace` by running `nzBlkTracesStop.sh`. This calls `"killall -TERM blktrace"` on the blades (the recommended procedure for stopping `blktrace`). Note that `nzBlkTracesStop.sh` must be written carefully, allowing for `blktrace` shutdown (flushing its buffers), and for NFS propagation delay.

When `nzBlkTracesStop.sh` returns, the `blktrace` logfiles are found in the `/magic/blktraceBlade=A.B.C.D` directories. There can be a lot of them (almost 5,000 in my case).

Transfer raw data off of NPS

On the NPS host, create a tarball, giving it a good identifying name, something like this (some tools might have trouble coping with long filenames, and/or names with unusual characters, in which case you can temporarily rename or use a symlink using a short/plain name):

```
cd /magic
tar czf blktrace=TF6:6.2.D1=Muqry@100b=2011-06-22.tgz blktraceBlade=*
```

Then, `scp` this tarball to your workstation/laptop. You may also want to transfer any other useful information you care about, such as the `nohup.out` and/or `data/summary` files from `PerfBar` (if you used `PerfBar`). In my case, the size of the tarball(s) were in the 0.5 GB range.

Clean up

At this point, you're finished with the NPS system, so you can clean it up and use it for other purposes if you wish.

Running `blkparse/btt` On Workstation

To process the `blktrace` logfiles, do the following:

Run nzBlkTracePostProcess.sh

On your workstation, untar your tarball, and invoke `nzBlkTracePostProcess.sh` (from the untar directory, containing the `blktraceBlade=A.B.C.D` log directories). This script calls:

- `nzBlkRawVerify.sh` – Runs `blkrawverify`, from the `blktrace` suite.
- `nzBlkParse.sh` – Runs `blkparse`, from the `blktrace` suite.
- `nzBlkBtt.sh` – Runs `btt`, from the `blktrace` suite.
- `nzBttFindInteresting.sh` – A home-grown tool.

The running of `nzBlkTracePostProcessing.sh` writes verbose progress messages to `stdout` (most of which comes from the underlying programs from the `blktrace` suite, `blkparse` and `btt`), the most interesting of which is a list of "interesting" files at the end. The list of interesting files is also saved in a file called `interesting.txt`.

Examine interesting.txt

By definition, the "interesting" files are those associated with the NPS data block-I/O devices (i.e., the "candidate" devices mentioned above that aren't of interest for NPS purposes have been filtered out as uninteresting). In the case of the TwinFin 6, for example, there were 46 "interesting" devices (because the TwinFin6 has 48 data disks, 2 of which are reserved as spares).

The files associated with an interesting device is given in `interesting.txt` in "ls -l" format. A part of this (just the name and size) for a typical device is shown here. Note that the `*.blktrace.<N>` files are the `blktrace` logfiles for the CPUs 0..7 of the blade (where "CPU" means "logical processor", which includes cores and/or hyperthreads if present).

```
67617540 sdbi.blkparse.bin
96034166 sdbi.blkparse.txt
52435892 sdbi.blktrace.0
3790582 sdbi.blktrace.1
3560428 sdbi.blktrace.2
3054222 sdbi.blktrace.3
1993518 sdbi.blktrace.4
1208932 sdbi.blktrace.5
850968 sdbi.blktrace.6
722998 sdbi.blktrace.7
3474 sdbi.btt.txt.avg
3763391 sdbi.btt.txt.dat
7232 sdbi.btt.txt_dhist.dat
0 sdbi.btt.txt.msg
7242 sdbi.btt.txt_qhist.dat
```

Analysis

Now you can do the hard/fun stuff:

Examine/analyze interesting files

The content of the interesting files is described in the blktrace.pdf and btt.pdf documentation, and so are not discussed in detail here. Some of them, for example, are suitable for importing into spreadsheets and/or databases, for further study and/or graphing purposes. Note that different content can be captured in the interesting files, depending on tool settings, for which the reader is referred to the documentation. [Though, the documentation seems not to have quite kept up with the software, for example, the btt.pdf doc speaks of "Q2I", which now seems to be decomposed into "Q2G" and "G2I".]

To pique the reader's interest in the blktrace suite, we display below the content of the sbdi.btt.txt.avg file mentioned above.

It shows, for example, that 257,351 requests/jobs were processed by the I/O scheduler during the period of this data capture ("Q2C" = queueing-of-job to completion-of-job, i.e., overall lifetime of an I/O job), and that the "average" (i.e., mean) queue-to-completion elapsed time for an I/O job was approx. 11 millisec (0.011372084 sec.).

As another example, it shows that the number of "Q2Q" seeks incoming to the I/O scheduler was 257,251 (that is, the same as the total number of I/O jobs), but the number of "D2D" seeks issued to the device was less than half that number, only 116,398, due to merging of adjacent blocks. Correspondingly, the mean "distance" (absolute difference between device sector numbers) was 134,622,560.0 in the Q2Q case, but 297,411,184.5 in the D2D case.

===== All Devices =====							
	ALL	MIN	AVG	MAX	N		

Q2Q	0.000000038	0.007132701	23.106819717		257350		
Q2G	0.000000195	0.000001222	0.014983619		116407		
G2I	0.000000178	0.000504044	0.097191283		130917		
Q2M	0.000000382	0.000000738	0.000597670		140945		
I2D	0.000000740	0.003947120	0.198235099		116406		
M2D	0.000000916	0.004107218	0.198224838		140945		
D2C	0.000599320	0.007079993	0.198222923		257351		
Q2C	0.000618871	0.011372084	0.206947403		257351		
===== Device Overhead =====							
DEV	Q2G	G2I	Q2M	I2D	D2C		

(67,192)	0.0049%	2.2548%	0.0036%	15.6996%	62.2577%		

Overall	0.0049%	2.2548%	0.0036%	15.6996%	62.2577%		
===== Device Merge Information =====							
DEV	#Q	#D	Ratio	BLKmin	BLKavg	BLKmax	Tot

(67,192)	257351	116398	2.2	1	534	1024	622073
===== Device Q2Q Seek Information =====							
DEV	NSEEKS	MEAN	MEDIAN	MODE			

(67,192)	257351	134622560.0	0	0(202320)			

Overall	NSEEKS	MEAN	MEDIAN	MODE			
Average	257351	134622560.0	0	0(202320)			
===== Device D2D Seek Information =====							
DEV	NSEEKS	MEAN	MEDIAN	MODE			

(67,192)	116398	297411184.5	0	0(62058)			

Overall	NSEEKS	MEAN	MEDIAN	MODE			
Average	116398	297411184.5	0	0(62058)			
===== Plug Information =====							
DEV	# Plugs	# Timer Us	% Time Q Plugged				

(67,192)	20928	(22768)	39.816727520%				

DEV	I0s/Unp	I0s/Unp(to)					

Going further

Finally we note that by using the raw blktrace/blkparse data, one can generate ever more detailed statistics as desired, for example: graph of Q2C job elapsed times; histogram of seek distances; bucketization; additional statistics beyond min/mean/max; etc.

Disclaimer

Notwithstanding the overall conclusion that the blktrace suite doesn't seem to be overly useful as a prospective performance tool for us, we note it does indeed come in handy from time to time among Netezza engineers for debugging/diagnosing certain low-level issues at the Linux block-I/O layer when they occur. Examples include:

- Diagnosing write ordering issues in MD raid, for the mirror compare tool.
- Diagnosing write performance of xfs vs nttmpfs.
- Diagnosing device-mapper multipath performance.

Along these lines, an idea that has been kicked around is to implement an NPS virtual table (or more than one), similar to `_vt_disk_log`, that would capture the blktrace output and make it accessible within SQL. If/when that gets done, it would provide a more convenient way to use the blktrace suite that that described here, assuming that corresponding SQL scripts were developed to replace/augment the reports available with blkparse/btt.

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V Email Chain: John Metzger (June 15 - July 7)

■ From: Walter Tuvell
To: Kelli-ann McCabe, Diane Adams
Date: 06/15/2011 03:03 PM
Subject: Mtg with John Metzger

Kelli-ann & Diane, John Metzger button-holed me in the hallway, and told me he wants to talk to him in his office at ~ 3:30pm today. But I didn't want to talk to him "alone" (without one of you) if I'm not "allowed" to. Mind you, I know of no problems with John at all, so I have no reservations to talking to him alone, I just wanted to alert you in case this is a problem.

I'm going out to the party now, so if this is a problem probably the best way to notify me is cell phone (781-475-7254). ►The party mentioned here was the Netezza "summer parry", held in a big rental tent in the Netezza Marlboro parking lot.◄

■ From: Kelli-ann McCabe
To: Walter Tuvell
Cc: Diane Adams
Date: 06/15/2011 04:51 PM
Subject: Re: Mtg with John Metzger

I have no issue with you talking with John

■ From: Walter Tuvell
To: Kelli-ann McCabe
Cc: Diane Adams
Date: 06/15/2011 08:06 PM
Subject: Re: Mtg with John Metzger

Thank you Kelli-ann, I did talk with John for nearly an hour, and it was very pleasant. Nothing came up about the Unpleasantness at all. All he wanted to do was chat about what I like to do, and what kind of person I am (not counting the last week). He didn't say so, but it came across as a job interview more than anything else. It was so friendly, and he put me so at ease, that near the end I said "Please don't make me leave Netezza". I said this in a semi-silly manner, that is, I wasn't truly begging, but I did mean it, and he took it in the jocular-but-serious manner I intended. Or so it seemed to me, but I've been wrong about things before, in the last week for example.

Also: I know, and I know you know, that I acted like a baby today with Dan. But for a reason. I figured if I fed Dan back some of his own stupid medicine, he'd gag on it and stop harassing me. We'll see if it worked.

■ From: John Metzger
To: Walter Tuvell
Date: 07/01/2011 02:17 PM
Subject: Fw: Optimizer 2.x

Latest technical 'roadmap' - some light reading :-) Lots of new techniques and a huge performance challenge,

►Included here were 2 emails of Jim Finnerty, and a copy of Jim's Optimizer 2.x Roadmap v1_7 document; omitted here (irrelevant to this Complaint).◄

■ From: Walter Tuvell
To: John Metzger
Date: 07/01/2011 02:22 PM
Subject: Deal

John, I really appreciated your "steady hand on the tiller" talk, thank you for it.

Per your suggestion, going forward I am going to apply myself seriously to a demeanor of "civility in the workplace", so you don't have to "add different entrances for different employees". I know this won't solve all problems, including my own, but if successful it will at least remove issues irrelevant to corporate well-being from your/our midst.

This may be hard, so please wish me luck in this endeavor!

Talk to you next week.

■ From: John Metzger
To: Walter Tuvell
Date: 07/05/2011 09:03 AM
Subject: Re: Deal

Walt,

One more thing regarding your note especially the title As I'm sure you know, there is nothing special about what we discussed Friday and certainly no 'deal'. Professional conduct and professional respectful communication are always expected of everyone in the workplace. Organizations just don't work right without that. I certainly expect it from everyone as does IBM in general.

I'm around most of the week if you have any other thought or questions. And keep focused on results and good communications.

■ From: Walter Tuvell
To: John Metzger
Date: 07/05/2011 10:19 AM
Subject: Re: Deal

My apologies if that title ("deal") was ambiguous. I'll try to clarify what I meant.

I intended it as just an informal acknowledgement that what you said seems reasonable to me, and that I will try to follow your guidelines about civil/courteous/professional behavior in the workplace, insofar as I understand it (and, I really would appreciate it if you/anybody finds my understanding/behavior lacking).

I did not, and do not, mean to impute anything whatsoever along the more formal lines of anything like a "contract" or "quid pro quo", such as you/IBM offering me anything of value in exchange for dropping the Appeals and Concerns process, or anything of the sort. That sort of thing can proceed, but needs to proceed independently of the "regular-work" we need to do here in Marlboro.

Is this what you mean too?

■ From: Walter Tuvell
To: John Metzger
Date: 07/07/2011 08:50 AM
Subject: Fw: More about blktrace wiki

I didn't CC you on this, because I didn't want to bother getting you involved in something you probably have marginal interest, but I just thought I'd let you know I'm not letting extra-curricular activities get in the way of doing good work.

(I'll be out a little while now, for medical leave and vacation, see you when I get back.)

W Email Chain: Insufficient Facts (June 28-29)

■ From: Lisa Due
To: Walter Tuvell
Date: 06/28/2011 12:15 PM
Subject: Re: blktrace next steps

Walt, I am presenting my findings to the upline manager this afternoon. He and/or his HR rep will close with you by the end of this week (if not earlier).

■ From: Walter Tuvell
To: Lisa Due

Date: 06/28/2011 12:17 PM
Subject: Re: blktrace next steps

Thank you for this information.

■ From: Lisa Due
To: Walter Tuvell
Date: 06/29/2011 12:03 PM
Subject: *Confidential: Investigation

As you know, I was asked to conduct an investigation into concerns raised regarding your treatment by your manager, Mr. Daniel Feldman.

I have completed my investigation and found that there was insufficient factual information to support your allegations.

Therefore, you should proceed to do your current assignment to achieve the results outlined in your PBC goals. However, if you no longer wish to continue in this role, you may apply for other positions within IBM using the Global Opportunity Marketplace job system: <http://w3-01.ibm.com/hr/global/OppMarketplace.html>

If you choose to look for another job within IBM, you are required to perform your current job while you pursue the search for a new role.

If you disagree with the findings of my investigation, you can engage Russell Mandel, HR Program Director of Concerns and Appeals, who will review whether the investigation was properly performed under IBM's investigation guidelines. Again, you will be required to perform your current assignment while this review is pending.

Finally, given the investigation has concluded, it is no longer necessary for me to be copied on your notes/correspondence.

X Appeal

■ From: Walter Tuvell
To: Russel Mandel
Cc: Lisa Due, Diane Adams, Kelli-ann McCabe, John Metzger
Date: 06/29/2011 12:53 PM
Subject: Fw: *Confidential: Investigation

To Russell Mandell:

Please see the enclosed note I have just received from Lisa Due, with her "conclusion of insufficient evidence".

It is my absolute knowledge that her conclusion is utterly wrong. But even apart from a detailed review of the evidence (which I would obviously prefer), she has not even told me what the general basis of her conclusion is, such as what "facts" she found "insufficient". Very obviously, the true facts I conveyed to her were fully sufficient for a finding of wrongdoing on the part of Dan Feldman and Fritz Knabe. Therefore, any negating information she may have been told by anyone were not "facts", but falsehoods. Indeed, the very lack of information given to me during this whole so-called "HR process" is a very clear indication of "cover-up", to which I strongly object. For, if there were nothing to hide, there would be no reason for this secrecy, would there?

Therefore, I regrettably must hereby declare my intention to enter into the IBM Concerns and Appeals process, effective immediately.

Note however that I am scheduled to be out for pre-scheduled medical leave starting Thur, July 7, followed by pre-scheduled vacation, returning to work on Mon, Aug 1. So I will not be able to participate in your process during that period. Apart from that, I declare my intention to fully cooperate and comply with all IBM policies and procedures, as I have always done.

To John Metzger:

John, I'm very sorry to get you involved in this. I don't know what you've been told about the situation, because it's all been conducted in secrecy, I've been told nothing. But judging from the level of Lisa Due's non-information, with the apparently false information she's been given by others, I doubt you've been given the truth, so I very much wish you would let me talk to you about what really happened. (And of course I've many times expressed my desire for 3-way meetings with Dan and Fritz, but that's been consistently denied.)

In any case, I hereby request that you help me find a job at Netezza outside the direct influence of Dan Feldman and Fritz Knabe. I do not trust them, and I fear them (defamation, retribution, "blackballing"), for very good reasons. Lisa's comment that I should "find myself a new job" would be applicable if I had any culpability for what's happened to me, but that is certainly not the case. I believe IBM owes me a new/decent job, because it is IBM (via its agents) that has willingly destroyed my old one, in illicit ways. (While my IBM employment is "at-will", meaning I can be terminated for "no" reason, it is not the case that I can be terminated for "bad" reasons [this is not the place to go into a detailed discussion of that].)

As always, I am fully willing to do excellent work, just not in the hostile work environment fostered by Dan and Fritz toward me (for NO REASON that has yet been stated to me!).

- Respectfully, Walter Tuvell

- ►Lotus Notes invitation from Russell Mandel for phone call on July 1, 1:30-2:00 PM; received at 06/30/2011 03:28 PM.◄

- From: Walter Tuvell
To: RUSSELL E MANDEL
Date: 07/01/2011 10:49 AM
Subject: Topics for discussion

Russell, in an attempt to expedite our discussion, I list here the main topics I'm interested in. These items are here written in abbreviated state, without the whole "story" surrounding them, but there is a complete coherent story, and I can write it up and publish it with full annotations and evidence if that becomes a requirement. Everything I claim is fully truthful, without undue "spin", and anybody who claims anything to the contrary is being untruthful.

1. I joined Netezza in Nov. 3, 2010, and from the beginning I worked for 2 managers, Dan Feldman (in Marlborough) and Fritz Knabe (in Cambridge). Dan was my line-manager (I spent 20% of my time with him), and Fritz was my dotted-line manager (80%).
2. On Wed, May 25, 2011, Fritz told Dan that I had disobeyed his orders about producing some Excel graphics, and subsequently Dan told me that. There never was any such order, explicit or implicit, direct or implied. Therefore either Fritz or Dan (or both) was lying. If Fritz was lying, this amounts to defamation. If Dan was lying, this amounts to bullying/harassment/hostile-work-environment, or if you want to get technical, IIED (Intentional Infliction of Emotional Distress).
3. On Wed, June 8, Fritz yelled at me very loudly, in public (open work area in Cambridge, with 4 co-workers present and observing). His reason for yelling, as he stated during his yelling, was that I had failed to do what he expected me to do (which was to produce some performance-reporting statistics during an overnight test run). Fritz was knowingly lying, because I had already informed him 3 times earlier that very day (twice by voice, once in email) that the run I had done was a "debug no-stats" run. This knowing falsity, in the presence of witnesses, amounts to defamation.
4. On Fri, June 10, Dan called me into his office, and told me that Fritz told him that I was a "bully" and a "liar". That is false. Therefore either Fritz or Dan was lying. I have multiple times asked Dan what was the basis of Fritz's accusations, and he has consistently refused to tell me. This again amounts to defamation and/or IIED.
5. Throughout all the above, I many times asked for a 3-way meeting with Dan and Fritz, to clear the air. That request was explicitly refused every time. Moreover, Dan many times explicitly stated that his "only concern was the success of Fritz's project (code-named Wahoo)", even after I pointed out to him that calling Wahoo's success his "only concern" excluded any kind of justice for me. Both of these (refusal of 3-way meetings, only concerned with success of project) amount to hostile work environment.

6. At that same meeting on June 10, Dan executed an adverse job action upon me, by demoting me from the highest position in our Performance Architecture group to the lowest. He stated no reason for doing so. He did state that he thought Fritz and I couldn't continue working together any longer, but that is merely a "conclusion", not a "reason". This amounts to hostile work environment (especially since he wouldn't explain to me why I was being punished this way).

7. The manner in which Dan demoted me was to switch me with Sujatha Mizar, another person in our group. I am a man, far over 40, Caucasian. Sujatha is a woman, far under 40. Sujatha is also well-known to be very much under-qualified compared to me (for example, I have a PhD, she doesn't, not to mention my decades of much more relevant experience). This amounts to a prima facie case for discrimination on the bases of age, sex and race. This is especially so since Dan has refused to state to me any reason whatsoever (much less cohere/truthful reasons) for the demotion.

Sun, Jun 12

8. On Sat, Jun 11, I communicated to Dan (by email) my decision to take my complaints about the above events to HR. On Sun, Jun 12, Dan communicated to me (by return email), that he considered this an adversarial event (he began his note to me by addressing it "Dear Dr. Tuvell", which he had never before done anything remotely like). This amounts to retaliation, which is explicitly contrary to IBM policy in matters like this.

9. Soon afterwards, Dan ordered me to produce for him, on a single day's notice, a detailed day-by-day plan describing how I intended to spend my next 3 weeks working on 4 projects involving technologies which were entirely unknown to me previously, beginning from mere "one-line" descriptions of the projects, and requiring me to produce this plan independently (i.e., along). This order is an impossible one to fulfill. I am extremely experienced, but I have never heard of such a legitimate order before. But I have heard of illegitimate such orders before, namely, those in the service of "blackballing" (which means a manager giving an employee impossible orders, then firing that employee for failing to execute the orders successfully). This amounts to retaliation, hostile work environment, IIED, call it what you will.

10. The "HR/IST process" just concluded produced a report of "finding" "insufficient" "facts". Yet no explanation/rationale/reasons whatsoever for this was given to me. Therefore it is my belief that this HR process was, and was intended to be, a sham, to merely cover up my grievances, for the sole purpose of protecting abusive management from proper prosecution. Clearly, if I am lying I should be terminated, but if Dan/Fritz are lying they should be terminated.

11. During all this, I have many times asked to be moved to a position not subject to the direct influence of Dan and Fritz, but I have been refused every time, and have been ordered to continue working for Dan (unless I myself take the initiative to leave in some manner). This amounts to hostile work environment.

12. Due to all the above, my reputation has been smeared, and I am now considered "radioactive" by everybody who knows anything about any of this (including the

mere assertion of rights by following IBM policies and procedures about grievances). This is again retaliation, hostile work environment, etc.

■ From: Walter Tuvell
To: Russell Mandel
Date: 07/01/2011 10:56 AM
Subject: Re: Topics for discussion

Very modest correction ("disobey" --> "disobeyed"; one sentence in paragraph 9 moved to paragraph 10). Other typos surely exist, but all are nonsubstantive.

■ From: Walter Tuvell
To: Russell Mandel
Date: 07/05/2011 08:25 AM
Subject: For the record

Russell, I'd just like write down some of what we talked about on Fri, to make sure we have mutual understanding:

1. I will write up a long-form complaint of the short-form email note I sent you on Fri. I will use the email I sent to you Fri as a starting point.
2. I'll be taking pre-scheduled time off starting Thu Jul 7 for medical leave and vacation, returning to work on Mon Aug 1. So I won't be able to get the long-form complaint to you until after that. I can commit to getting it to you by Mon Aug 15. This delay is not to be attributed to any lack of interest on my part in vigorously pursuing this Appeal and Concern.
3. I have requested to be removed from my hostile work environment (according to my perception), but you explained to me that it "impossible" (i.e., not within IBM policy) for that to happen at this time (if ever). I will abide by that decision to the best of my ability, but I reiterate it will be hard for me to do so, and that I continue working under these conditions only under the most strenuous protest. (I.e., I don't want anybody coming back to me later and saying I forfeited any rights because I continued working for Dan voluntarily.)

If I left out anything you consider important, please add to this list.

Thank you.

- Walt Tuvell

■ From: Russell Mandel
To: Walter Tuvell
Date: 07/05/2011 03:13 PM

Subject: Fw: For the record

Nothing to add, but we have not take any action because we have not concluded that you are indeed working in an inappropriate work environment and am still looking into your issues.

■ From: Russell Mandel
To: Walter Tuvell
Date: 07/05/2011 03:18 PM
Subject: Re: Comment

You need to continue to cooperate with your management, while I am looking into your issue(s).

Y Email Chain: Three Behavior Issues (July 5-6)

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/05/2011 01:51 PM
Subject: Three behavior issues we discussed

Unprofessional, disrespectful, demeaning, disruptive, offensive, or rude actions or comments (verbally or via notes);

Conduct in the workplace that creates, encourages, or permits an inappropriate work environment;

Failure to follow management direction (for example, refusing to develop a plan for how you would spend your time prior to your medical leave).

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/06/2011 07:35 AM
Subject: Re: Three behavior issues we discussed

As to the 1st paragraph on the list below: I reiterate my request that you please give me some examples of where you may have noticed my abridging that list, either from your own point of view, or upon the complaint of others (you need not divulge their identities if they want to remain anonymous, though it would help me to be able to talk to them directly). As we discussed, it would best if you presented these criticisms as "I-statements", that is, "how you interpreted it, from your point of view, without imputing evil intent to me". In return, I may respond with my own "I-statements", that is "here's what I intended to be conveyed", without "arguing that your interpretation was wrong". Of course, we're only interested here in pre-

June 8 communications, because from that point on everything was under the protected aegis of HR processes (which enjoy "absolute privilege", that is, "free expression without fear of retaliation" [paraphrases]).

As to the 2nd paragraph: I am not aware of any accusation against me to that effect, instead it was "(unspecified) others" who "attacked" me and I "defended". If I am wrong about that, you need to tell me (under the same "conditions" as for the 1st paragraph).

As to the 3rd paragraph: Similar to the 2nd paragraph, I have not aware of having "refused" any mgmt direction. If I am wrong about this, you need to tell me. In particular I've asked for guidance on the "planning" business, and none was forthcoming until yesterday, at which time I attempted to "reflect" what you wanted, but I still didn't "get it", that is, it seemed/seems content-free to me. This is not something I've ever done or seen done before, except by "project managers", not "engineers" (the quotation marks mean "people-acting-in-the-role-of").

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/06/2011 07:54 AM
Subject: Re: Three behavior issues we discussed

The point of bringing these expectations to your attention verbally was to ensure that you are aware that they are fundamental conditions of employment for all IBM employees. I sent them to you in writing at your request. Doing so is in no way an accusation that you have violated them. As I understand it, this is the process that we would follow with any employee who appeared to need education about these issues. If you are unsure about what any of them mean, I am happy discuss this with you and, I believe, our HR professionals would be happy to do so, too.

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/06/2011 08:39 AM
Subject: Re: Three behavior issues we discussed

Fair enough, I do think I understand what these mean, but my (sincere) request still stands that I'd appreciate feedback on any of these issues, as soon as possible, so they can be nipped in the bud.

One (small?) example I know of: Brian Maly wrote an email to "all" (= engineering, or some such large mail group) about the (in)security of single-overpass wiping of hard disks. I knew what he'd written was based on information that was at least a decade out of date. I responded to him privately, suggesting same. But he stonewalled, claiming he had "personal experience" (unspecified) that what he wrote was correct. That was cool if true (as I thought both then and now): maybe he's worked at the CIA or in academia, where that kind of work is really done? In any case, it


was clear he wasn't going to open up more to me or to the mail group, so I went to the MIT library, copied a relevant paper, and sent it to the mail group as a additional piece of information. It was after all a public discussion so the information was properly relevant (Brian had just jumped in preemptively too), and I never mentioned my private discussion with Brian (except to you). If that's the kind of thing where people (maybe Brian himself) are "talking behind my back at how nasty I am" [paraphrase], then I don't understand what I did wrong, so I'd like to know about it, and I'd like to know why, and I'd like to know what's a better way to handle things like that.

Repeat: I'm sincere about not understanding the assertion about the claim that "I say/write bad things" [paraphrase] (except potentially during the post-June 8 HR process). Examples would help.

/* You needn't respond to this note if you just want to drop this discussion now, I assume we both have other work we'd rather be doing. */

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/06/2011 09:20 AM
Subject: Re: Three behavior issues we discussed

I have never heard or heard about Brian complaining about you or your participation in that email thread. I don't know Brian well enough to speculate on his state of mind when he decided not to respond.

I'll be sure to alert you when I see any behavior that seems to be inappropriate even if it would normally be tolerated as marginally inside the range of acceptable. I hope this will help you re-calibrate your discourse. However, you must be very careful not to exceed the bounds of tolerable and this is wholly your responsibility. Some conventions that might help you: 

Don't push "send" until you've reread everything you wrote and tried to imagine every way in which it could be misinterpreted

If you can't say something nice, don't say it

When in doubt, take it out

Note that it is perfectly fine and even necessary that you disagree with colleagues and coworkers when you believe that a mistake is being made or is about to be made. It is necessary, too, though, that you do so in a way that can't be construed as an attack on their motives, intentions or competence. If you want independent review of your communication before you send it, I can provide that review and asking me to do so will not constitute violation of expectations, regardless of the content. The one exception to this is probably communication to me; that is, it is unreasonable to proffer offensive communication about me, allegedly for my review, and then to expect me to willingly participate in helping you to refine it.

When communicating to me, and especially about me, please apply the rules above and, if necessary, ask someone else to review your writing. Our HR professionals can be very helpful with this sort of thing, although I do not know how large an appetite they have for it.

I do appreciate your sincerity.

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/06/2011 10:15 AM
Subject: Re: Three behavior issues we discussed

Thank you (yes, sincerely).

Z Email Chain: The “Lazy” Scandal (July 6-20)

■ From: Walter Tuvell
To: Daniel Feldman, Garth Dickie
Date: 07/06/2011 09:27 PM
Subject: Updated wiki

The wiki is updated with all the stuff we talked about, including script tarball, graphs, and pointer to data tarballs on perfsnap1.

You can easily find it by searching the wiki for "blktrace", or if you're lazy you can just click this link: <http://wiki2.netezza.com:8080/display/Perf/Blktrace%2C+Blk-parse%2C+Btt>.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/11/2011 07:33 AM
Subject: Re: Updated wiki

Walt,

Thanks for getting this taken care of before the start of your time off; I do really appreciate it.

Under the heading of helping you with your communication style, introducing the link to the wiki page as appropriate for someone "lazy" is the sort of thing you want to avoid. In my experience, busy and lazy are two different things and both are plausible explanations for why someone would not want to spend time searching the wiki. Why not give us (me and Garth, the addressees on your email) the benefit of the doubt?

■ From: Walter Tuvell
To: Daniel Feldman
Date: 07/11/2011 10:03 AM
Subject: Re: Updated wiki

Bearing in mind the agreement to use "I-statements" (as opposed to accusing the receiver of mis-reception):

My use of the word "lazy" in this context was intended to be jocular ("clearly", I had thought, apparently wrongly), and never in my wildest dreams did I ever think it could/would be interpreted as offensive. So I will search harder for less ambiguous/offensive wording. And of course I'll apologize to Garth (as I've always done whenever it's come to my attention that I may have done something unintentionally offensive).

↖ see Add. IV, p. 6, bot

Thank you for the feedback.

■ From: Walter Tuvell
To: Daniel Feldman, Garth Dickie
Date: 07/11/2011 10:07 AM
Subject: Re: Updated wiki

Gentleman, it has come to my attention that my use of the word "lazy" in the enclosed note might be interpreted in a way I did not intend. I intended it as just a jocular throw-off, such as might typically be accompanied by a friendly/collegial smile/giggle if in-person, but without body-language could perhaps be thought to be derogatory. Please believe my intent was innocent, and going forward I hope to achieve a level of easy familiarity with you such that this sort of perhaps-over-scrupulous care in wording should not be necessary in future.

In other words: my apologies for not making sure my intentions were clear (the fault perhaps being that you and I may not yet share a sufficiently solid working relationship). And, if in future I ever seem to be speaking in a manner that might offend, or that may seem inconsistent with what you think is a good professional/personal style, I'd truly appreciate a comment, because I don't foresee that ever being my intent.

Sorry again.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 07/11/2011 10:52 AM
Subject: Re: Updated wiki

Thanks for taking care of this.

■ From: Walter Tuvell
To: Garth Dickie, Daniel Feldman
Date: 07/20/2011 11:08 AM
Subject: Fw: Wahoobox ...

Regarding that note I sent you two about "apologizing" for using the word "lazy", after someone brought it to my attention:

I just now happened to trip upon the attached old email of mine. It shows that I myself value "laziness" as a virtue under the right circumstances (e.g., when it doesn't interfere with advancement of skills, etc.).

And then I remembered, too, that I'd read similar comments in the programming literature (not talking about "lazy vs. eager evaluation", of course). So I looked it up: It's a famous encomium of Larry Wall's, in his Programming Perl book (yes, I have the 3rd ed., and I've read it and used perl), where laziness is lauded as a prime virtue of programmers (as it should be)! Also discussed many times in many other places, see for example http://en.wikipedia.org/wiki/Larry_Wall#Virtues_of_a_programmer.

I trust this puts this (non-)issue to rest? Obviously no apology was necessary, but I wasn't able to overcome my low-self-esteem barrier to see it at the time. So: Apologies for the apology! :-)

BTW, I'm still on medical leave this week, then vacation next week, returning to Marl on Mon, Aug 1, presumably to continue my mission of trying to prove myself incorrect about thinking Blktrace/Blkparse/Btt won't lead us to some performance insights/improvements. See you then!

►Attachment omitted here; it's already included in Appendix B 03/16/2011 at 10:56 AM (sent to Rich and Devesh, stating "the laziest path is always the best" [speaking of myself]).◄

AA Formal Warning Letter

Personal and Confidential
Daniel J. Feldman
Director, Netezza Performance Architecture
Date: 3 August 2011

Memorandum to: Walter Tuvell, SN 0g3821

Subject: Warning letter

- Proper workplace behavior is a condition of employment at IBM. You have violated this condition by engaging in the following conduct:
 - *Unprofessional, disrespectful, demeaning, disruptive, offensive, or rude actions or comments, verbally or via notes; specifically, your email of 20 July 2011 addressed to Garth Dickie and me.*
 - *Conduct in the workplace that creates, encourages, or permits an inappropriate work environment;*

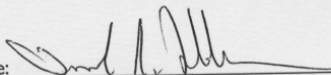
IBM will not tolerate any behavior which, in management's judgment, is disruptive to the work environment or otherwise violates company policies, such as the Business Conduct Guidelines. As a result of your inappropriate conduct, you are being given this formal warning letter.

The following applies to you as a condition of your continued employment with IBM:

- Immediately cease engaging in the behavior outlined above and any behavior or actions which are, or could be interpreted as, inappropriate, unprofessional, or otherwise violating company policy, such as the Business Conduct Guidelines.
- Read the IBM Business Conduct Guidelines and certify that you understand these Guidelines and agree to abide by them. You must confirm this to me in a Lotus Note within five business days of the date of this letter; approved time off for medical leave and vacation will not be counted as business days for purposes of such confirmation.
- Provide status updates and work deliverables as requested by your management

In addition, you must continue to adhere to all IBM conditions of employment. Future violation of this, or any other IBM condition of employment, may lead to your immediate dismissal without benefit of another warning period.

Manager's Signature:


Daniel J. Feldman

Date:

8/3/11

I understand the content of this letter.

Employee's Signature:

Walter Tuvell

Date:

Cc: Employee Records

AA.a BCG Certification

■ From: Walter Tuvell
To: Daniel Feldman
Date: 08/04/2011 07:58 AM
Subject: BCG

I hereby certify that I have this morning (re-)read the IBM Business Conduct Guidelines (2011 version), that I understand them, and that I commit to abide by them.

I further state that I have faithfully abided by them throughout my employment by IBM, particularly with reference to the 3 excerpts included below.

Integrity Tip

If you believe you have been subjected to prohibited workplace conduct, immediately report the matter through any of the designated IBM Communications Channels, including IBM's Concerns and Appeals programs. Your report of such conduct will be reviewed promptly.

Integrity Tip

Acting with integrity and according to our Values is often a question of good judgment, and basic questions like these will often help you to eliminate any doubt about a decision or proposed action:

- Is it honest?
- Does it conform to the Business Conduct Guidelines?
- Do I really feel comfortable with this decision?
- What if this appeared in the news?
- What if everyone were to behave like this?

3.5

Reporting, Recording and Retaining Information

Every employee records or reports information of some kind and submits it to the company and others with whom we interact. In doing so, you must ensure that *all* information is recorded and reported accurately, completely and honestly.

Never make misrepresentations or dishonest statements to anyone. If you believe that someone may have misunderstood you, promptly correct the misunderstanding. Reporting inaccurate or incomplete information, or reporting information in a way that is intended to mislead or misinform those who receive it, is strictly prohibited and could lead to serious consequences.

AA.b Emergency Letter

■ From: Walter Tuvell
To: Russell Mandel
Cc: Samuel Palmisano, Randy MacDonald, Robert Weber
Date: 08/03/2011 08:59 PM
Subject: EMERGENCY: Ongoing blackballing

Russell, I write to inform you of an act of blackballing/threat/harassment/bullying/hostile-workplace/etc. that Dan Feldman perpetrated upon me today.

I recently used the word "lazy" in the context of Larry Wall's well-known and revered "Three Virtues of Programmers" (see http://en.wikipedia.org/wiki/Larry_Wall#Virtues_of_a_programmer), and I explicitly pointed out I was using the word in that praiseworthy connotation. The audience consisted of only 2 people, both programmers. This was an extremely normal, common, innocuous, and even admirable thing for me, or anyone else, to do (I even proudly call myself "lazy" in that sense).

But thereupon, Dan immediately (today, the next day he and I were both in the office) issued to me a formal warning letter, stating that what I did constituted: "Unprofessional, disrespectful, demeaning, disruptive, offensive, or rude actions or comments ... Conduct in the workplace that creates, encourages, or permits an inappropriate work environment". Further, he warned me that if any "such offence" (whatever that's supposed to mean) were repeated, I'd be terminated summarily. He said he took this action with the full knowledge and even advice of IBM HR (specifically naming Dianne Adams) and Legal.

What Dan is completely absurd by any reasonable/rational measure, and certainly must be prohibited by IBM policy/procedure/practice, no matter who in HR/Legal might have advised him. In particular, it is totally obvious Dan wouldn't have taken this action "but for" my availing myself of the IBM Concerns And Appeals Process that I am now engaged in with you. Hence it constitutes retaliation/retribution/revenge upon me for taking part in that protected process. To quote the Concerns And Appeals document, p. 4: "Anyone tampering or attempting to tamper with the Concerns and Appeals Program by actions such as intimidation, threats, harassment, etc., will be subject to disciplinary action."

I hereby request you, with the greatest possible urgency, to order Dan Feldman, Dianne Adams, and all other persons, to cease and desist inflicting all forms of blackballing/harassment behavior upon me, to take the promised disciplinary actions with those persons, and to withdraw that wholly unwarranted warning letter.

I am hereby CC'ing Sam, Randy MacDonald and Robert Weber. This is something I ordinarily wouldn't do, of course, but this is an emergency situation. Those three officers need to know they have some really bad apples under them, doing unethical (and potentially illegal) things to perfectly faultless and loyal employees like my-

self.

►*Draft version 0.1 of this Complaint document was attached here.*◄

■ From: Walter Tuvell
To: Steve Mills, Arvind Krishna
Date: 08/04/2011 08:12 AM
Subject: Fw: EMERGENCY: Ongoing blackballing

Gentlemen, in my urgent haste last night to get out the email I'm forwarding to you below, I neglected to CC you. I apologize if that oversight could be interpreted as a slight, for no slight was intended. I didn't realize until this morning, with a clearer head, that it would be appropriate to CC you. (Similarly, if you know of anyone else who should know about this, please feel free to contact them, for I intend no slight to them either.)

Note that I myself cannot approach anyone at my workplace (Netezza, Marlboro, MA) about this matter, because I have made an agreement with John Metzger that I not do so, at his urging. (Whether or not John considers that sensitive information, I do not know.)

►*Draft version 0.1 of this Complaint document was attached here.*◄

■ From: Walter Tuvell
To: Russell Mandel
Date: 08/04/2011 02:56 PM
Subject: Re: EMERGENCY: Ongoing blackballing

I will add this to your list of issues to look into. I still await the detail that you are working on before beginning my inquiries.

■ From: Walter Tuvell
To: Russell Mandel
Date: 08/04/2011 07:13 PM
Subject: Re: EMERGENCY: Ongoing blackballing

If you say so, but I note that I strongly believe the problem is more urgent than that. The reason is that Dan may terminate me (unethically, possibly illegally, of course) before I'm able to finish my report to you, and you're able to process it. And, if I'm no longer an IBM employee, the Concerns And Appeals Process is no longer available to me. That is exactly why I termed this an "emergency".

To that end, I am hereby attaching a "draft 0.1" version of the document I'm working on, so that there'll be something on your desk (as a "place-holder", so-to-speak) in the event of my untimely "demise". As such, you will note there are gaps in it

(especially relating to the HR process), and there may also be some infelicities of expression that are not yet ironed out (i.e., the story as a whole may not yet hang together as well as it should). I don't believe there are any errors of fact, but there could be (and I'll correct those as/if/when I find them). In any case, you can scan this to get an early "sense of the case", in particular as it relates to Fritz (I haven't yet gotten to the details of the case as it relates to Dan/HR yet). But do be aware this is not yet my intended "final 1.0" version. However, even at this stage, the complete transcript (it was all in email) of the "lazy" scandal is included in the doc ("Appendix O" as numbered here, though that numbering will change in the final 1.0 version), except for the events following thereupon (yesterday's meeting with Dan, issuance of formal warning letter, my "emergency" email, etc.). [In programming, it's a byword that "every non-trivial program has bugs"; similarly for documentation, and this document is surely non-trivial.]

Which does bring up a point: At my previous meeting with Dan (in early July, the last meeting I had with him before I left on medical leave and vacation), he stated quite explicitly that he would permit me to spend "a reasonable amount of time, deducted from my normally assigned work time" (paraphrase) working on this Complaint. But at my last meeting with him (yesterday), he stated equally explicitly that he would permit no such time whatsoever, and indeed that he gave some indication that expected me to devote overtime hours to getting assigned work done, not working on the Complaint doc.* However, this C&A Process is an extremely important component of IBM's overall compact with its employees, therefore some "reasonable amount of time" should indeed be allowed for it. What is your position on this?

- Walt

*Footnote: The exact context, at yesterday's meeting with him, was as follows. I told him that I'd already worked some additional hours on my regularly scheduled work item ("blktrace") during my time off (July 7-31), so that I'd be ahead of schedule when I started working again, and thereby be able to devote some time, combined with the aforementioned "reasonable amount of time" he'd promised, to writing the Complaint doc. He said he would not permit that, i.e., that the overtime work I'd devoted would not be permitted to be "flexed". So I asked what the incentive was for people to do overtime work if it couldn't be flexed, and he said "To get their regular work done". If this doesn't make a whole lot of sense to you, it doesn't to me either (except as a blackballing ploy).

■ From: Russell Mandel
To: Walter Tuvell
Date: 08/05/2011 01:03 PM
Subject: Fw: EMERGENCY: Ongoing blackballing

During the course of an IBM inquiry, employees are required to follow management direction and complete work assignments in a timely manner.

If there is a piece of information not already provided, I will wait for your complete

complaint write-up to ensure that we thoroughly look into the matter. Do I already have everything I need here and should I begin now?

■ From: Walter Tuvell
To: Russell Mandel
Date: 08/05/2011 01:15 PM
Subject: Re: Fw: EMERGENCY: Ongoing blackballing

What you're telling me here is contrary to what Dan Feldman told me. I am, and have always, completed work assignments in a timely manner (almost always ahead of time). But Dan told me that I actually must work at least 8 hours every single workday, with no accounting for flextime (even though reasonable flextime is permitted everywhere else at Netezza, even within Dan's group, and was permitted with me before I started the C&A process). This is again "tampering with C&A".

No, you do not yet have everything, see my previous email for a fuller explanation. The "draft 0.1" Complaint I provided you comprises approximately one-half of what the whole thing will contain (especially not yet incorporated is all the many abusive incidents involving Dan and others, resulting from my initiating the C&A process). I provided the 0.1 draft as only an "insurance policy", so that if I'm (unethically/illegally) terminated prematurely (as I reasonably fear I will be), IBM can't say I didn't inform them what was going on.

I'm still going to try finishing up the Complaint within the next 2 weeks.

BB Email Chain: *Raison D'être* (August 4-5)

■ From: Gordon Booman
To: Daniel Feldman
Cc: Larry Lutz, Fritz Knabe, Jay Wentworth, John Metzger, netezza-perf-arch, Steve McAfee
Date: 08/04/2011 01:38 PM
Subject: Re: Trunk performance regressions

You can log bugs by symptom, or by cause. As a developer, I prefer cause. Which is why I am suggesting some more investigation to narrow it down. There are good reasons for symptom, but it leads to way too many tickets.

I think the regression test you describe is Amal's *raison d'être*...No?

►*Preceding emails in this chain omitted; irrelevant to this Complaint.*◄

■ From: Daniel Feldman
To: Gordon Booman

Cc: Larry Lutz, Fritz Knabe, Jay Wentworth, John Metzger, netezza-perf-arch, Steve McAfee

Date: 08/04/2011 02:36 PM

Subject: Re: Trunk performance regressions

Even though Dan says
he's "adding Amal", he
did not in fact do so.

Adding Amal as his name has come up a couple of time.

Well, I think the formal regression testing associated with a release, change in hardware, etc, is the original motivation for Amal's group. I think there's a slightly different question about automating some basic perf sanity checking at or near check-in time.

The symptom v. cause question is interesting. I'm ok with the idea of spending a little more time on the first level of diagnosis.

►The email of Gordon (just above) was "physically" included in Dan's email at this point; this fact, together with the content of Dan's email above, indicates Dan's emphatic support of the content of Gordon's email, which used the offensive "raison d'être" language.◄

►Emails that preceded and succeeded the two in this chain are omitted here; irrelevant to this Complaint.◄

■ From: Walter Tuvell
To: Diane Adams
Cc: Russell Mandel
Date: 08/05/2011 10:22 AM
Subject: Breach of corporate conduct standards

Diane, Dan Feldman told me that you personally, in your role as IBM/Netezza Steady-State HR Leader, were responsible for deciding that my use of the word "lazy" in an email (to Dan and Garth Dickie), together with the apology and explanatory material that accompanied it, required that I be issued the "formal Warning letter" he gave me on Wed. (While I completely disagree that action was warranted in any way, I am committed to doing my best to satisfy its requirements and ultimately get it rescinded, via whatever means exist for doing so under IBM policy/procedure/practice, though nobody has as yet given me any information whatsoever about how to go about doing that, and I hereby request somebody/you to do so.) [Dan also told me that you and he collaborated with IBM Legal, but he didn't supply me with any contacts there, so I cannot CC the appropriate person(s) on this email, so I do rely on you to forward it.]

Therefore, I write you now to inform you of a similar (but even worse) incident that happened yesterday. It is my understanding of the IBM Business Conduct Guidelines (BCG) and Concerns And Appeals Program (C&A), that my knowledge of said incident requires me to report it, and also requires you to promptly issue similar (but even more severe) formal warning letters to the perpetrators involved in the incident (Gordon Booman and Dan Feldman). [The reason this is an "even worse"

incident is that in the case of the "lazy" incident I apologized* as soon as Dan pointed out it was an inappropriate use of language, and there exists a standardized/well-known/innocent usage of the word "lazy" amongst the participants in that discussion (programmers), which I explicitly explained* as soon as possible (that is, as soon as I recovered it from my memory). But no such explanation has been forthcoming from the current incident, despite Dan's involvement in it -- and it is he, after all, the person who (together with you/HR/Legal) seems to be spearheading the current thrust to provide explicit explanations/sanitizations for all potential/possible (mis-)interpretations of all words used in the workplace, no matter how absurd/inane/insane such (mis-)interpretations may be.] For, if no such warning letters are issued, a suspicion could/would be raised that the C&A Process I'm currently involved in (as I know you and Dan are very well aware) is being tampered with, which is expressly forbidden by the terms of both the BCG and C&A, and I'm sure nobody would want such suspicions to be raised. As executive in charge of the C&A Program, I'm CC'ing Russell Mandel, to make sure all this is being done on the up-and-up.

The incident I refer to is contained in the 2 emails included below. I received these emails as an authorized member of the "netezza-perf-arch" group. For typographical convenience, I've here transcribed them from Notes format to ASCII format. There were additional emails involved in the whole discussion, but those others were irrelevant for the purposes of the critical incident I'm reporting, so they are omitted here. Despite this omission, the whole email discussion is to be interpreted as a single unit (for all the emails were "included by reference", and in most cases that "inclusion" was actually physical [via actual inclusion of the content of previous emails within the content of succeeding ones], not merely logical). This omission is done, not as an attempt to repress evidence, but only for the sake of brevity/readability/convenience. (In any case, the full content of all the emails are archived in IBM document retention databases, and are discoverable there by investigatory processes such as C&A. I would welcome that, of course.)

To be specific, the issue is that Gordon published the sentence: "I think the regression test you describe is Amal's *raison d'etre*...No?"

The problem is the phrase "*raison d'etre*", which is a French phrase meaning "reason for existence" (there can be no misinterpretation of this, there is no other meaning of the phrase). So this sentence, taken at the face value of its plain meaning (as Dan has adamantly pointed out to me it must, in this case not even involving a "(mis-)interpretation"), states that the reason for existence of Amal (Amalendu Haldar) is the regression test. This devalues all other aspects of Amal (such as his human-being-ness, for example), so it is offensive, intimidating, harassment, bullying, etc.. This is something that IBM does not tolerate (BCG, p. 10: "IBM will not tolerate ... comments that ... encourage or permit an offensive or intimidating work environment").

I hasten to add here that in my non-work life, and at all other places I've ever worked (including IBM/Netezza until I invoked the C&A process), this kind of language has never been an issue (except in service of obvious/coordinated "black-balling" harassment). In those places, which consist of people who are intelligent,

well-meaning and mature individuals, of good character and high integrity (i.e., just a person of "IBM values"), such language has always been regarded as a "mere manner-of-speaking" -- "a throw-off, for the sake of brevity of communication, that the auditors can safely be assumed to automatically translate to have its clearly intended/innocent meaning". In those other environments, only the truly stupid would try to torture such manner-of-speaking language into something unrecognizable by the majority of man/woman-kind. So I personally would never, in the past, have regarded this kind of language as an issue (I would have auto-translated it into something like "I think regression testing is something that Amal is supposed to be doing, don't you?"). But I now know from painful first-hand experience that this is not the case at the "new IBM/Netezza". Therefore, the actions I laid out above must now be undertaken, lest suspicions be raised.

Certainly, Gordon is the primary perpetrator here, but Dan is a close second, since he specifically states he's "adding Amal". By explicitly coupling Amal with the discussion about Amal in this way (whether or not Dan actually did bring Amal's attention to it), Dan is supporting Gordon's characterization about Amal's reason for existence. Therefore, Dan must be considered a co-conspirator with Gordon, and Dan merits the same severe scrutiny as Gordon.

All other people involved in this discussion (except me) also merit some sort of reprimand/training, because they silently tolerated the prohibited language/behavior.

Note one final thing. Amal is non-Caucasian. This is to be distinguished from Dan and Garth, who are Caucasian. If non-IBM-acceptable-language is permitted to be perpetrated upon Amal, but not upon Dan/Garth, then a further suspicion can/will be raised about discrimination based upon "race, color, religion, ..., national origin, genetics, ... other factors that are unrelated to IBM's legitimate business interests" (BCG, p. 10). Since "raison d'etre" is French, perhaps Gordon/Dan thought Amal would be unable to understand it (neither English nor French is his native language)? In any case, I'm sure nobody would want such suspicions of discrimination to be raised.

*Footnote: "Never make misrepresentations or dishonest statements to anyone. If you believe that someone may have misunderstood you, promptly correct the misunderstanding. Reporting inaccurate or incomplete information, or reporting information in a way that is intended to mislead or misinform those who receive it, is strictly prohibited and could lead to serious consequences." (BCG, p. 14)

►*The 2 emails above in this Appendix AB were included here.*◄

CC Email Chain: No Third-Party Complaints

■ From: RUSSELL E MANDEL
To: Walter Tuvell
Cc: Diane Adams
Date: 08/05/2011 01:07 PM

Subject: Re: Breach of corporate conduct standards

IBM does not accept third-party employee complaints. If Mr. Haldar has a complaint about his treatment, he should complain using the C&A process.

■ From: Walter Tuvell
To: Russell Mandel
Cc: Diane Adams
Date: 08/05/2011 03:08 PM
Subject: Re: Breach of corporate conduct standards

In the first place, you are incorrect about that third-party statement. I have solid reasons for believing that unethical/harassing/etc. behavior has occurred, based upon the following 2 sets of facts: (i) the Gordon/Dan use of the phrase "raison d'etre" is more severe than my use of the word "lazy" (and the latter led to a formal warning letter); (ii) the facts I related in my preceding note about the treatment of me vis-a-vis Garth/Dan vs. the treatment of Gordon/Dan vis-a-vis Amal, properly states in full a prima facie case for discrimination on the basis of race/color/genetics/religion/ethnicity/national origin (no further facts or evidence than those states is required for a "prima facie case"). Therefore the following quotation is applicable:

<quote source="BCG, p.8, in relevant part">

If you know of, or have good reason to suspect, an unlawful or unethical situation ..., immediately report the matter through any of IBM's Communication Channels:

- Your manager is usually the best place to start
- IBM Human Resources
- Concerns and Appeals programs

...

IBM will promptly review your report of unlawful or unethical conduct, and will not tolerate threats or acts of retaliation against you for making that report.

</quote>

Here's another applicable quotation (note it speaks of "employee found to have engaged", it does not specify who the complainer/reporter should be, but we know from the preceding quotation that the complainer/reporter can be anybody):

<quote source="About Your Job, p. 9, in relevant part">

IBM is committed to provide a work environment free from ... harassment based on race, color, genetics, religion, ..., national origin, ethnicity, The company has a zero tolerance level for such conduct in the work environment, and any IBM employee found to have engaged in such behavior will be disciplined.

</quote>

In the second place, the main thrust of my complaint was not to complain on behalf of Amal, but rather on my own behalf. Perhaps that paragraph near the end about Amal being non-Caucasian was confusing. So here is a shorter re-statement of the

core of my complaint (omitting that part about Amal):

Upon information and belief, I claim that I am being subjected to (mis-)treatment, based upon a set of facts similar to (but less severe than) those those involved in the Gordon/Dan/Amal incident. Namely, I am being punished (by being issued the formal warning letter), but Gordan and Dan are not. I claim the sole reason for this disparate mistreatment is that I have invoked the C&A process, and for no other reason. This mistreatment constitutes (i) harassment/hostile-workplace/bullying/blackballing/etc. of me, and (ii) tampering with the C&A process. The active perpetrators of this mistreatment are Dan Feldman and Diane Adams (Dan explicitly told me so), together with some person or persons in Legal whose identities I do not know (Dan told me that too). This mistreatment is explicitly forbidden by IBM, according to the following quotations (in addition to final paragraph of the preceding quotation):

<quote source="About Your Job, p. 10, in relevant part">

If you believe you have been the victim of harassment, you are encouraged to report the conduct to management. You may, as you believe appropriate under the circumstances, report incidents of harassment directly to your manager, your senior management, or the human resource department. ... All complaints of such conduct will be investigated promptly and dealt with appropriately. Threats or acts of retaliation or retribution by any manager or other supervisory personnel against employees for use of IBM's communications channels or appeals process will not be tolerated by the company; such conduct, when determined to have occurred, will result in discipline.

</quote>

<quote source="Concerns And Appeals Program, p. 4" comment="square-brackets in original, presumably indicating emphasis">

[Anyone tampering or attempting to tamper with the Concerns and Appeals Program by actions such as intimidation, threats, harassment, etc., will be subject to disciplinary action].

</quote>

Finally, just in case there is any doubt at all that my concern about the "human-being-ness" of Amal constituting a protected characteristic, here's the quotation I was basing it on:

<quote source="About Your Job, p. 8">

Diversity in IBM means welcoming all people to the workplace without regard to factors unrelated to job performance. It is a way of life that began almost 80 years ago when the company started to expand internationally. Today, the notion of diversity goes well beyond differences in nationality.

In fact, IBM's definition of diversity includes all the human characteristics that make us unique as individuals. It includes everyone and excludes no one. Race, geographic origin, culture, lifestyle, age, disability, color, genetics, sexual orientation, gender, gender identity or expression, economic status, marital status, religion are just some of the characteristics that define us as people. So do our needs - the

need, for example, to take care of children or aging parents.
</quote>

It is likely that there exist many more IBM policy/process/procedure statements, but I'm sure all of them augment/support those above (i.e., do not try to "walk back" from them), but discovering those is unnecessary to establishing IBM's liability for the above (and I have indeed obviously "relied upon" these statements, to my detriment [cf. contract law, contra proferentem, etc.]).

Based upon, and amended by, the above, I hereby re-assert my complaint first asserted in my note entitled "Breach of corporate conduct standards".

DD Email Chain: Please Call (August 11-12)

■ From: Daniel Feldman
To: Walter Tuvell
Date: 08/11/2011 02:54 PM
Subject: Please call

Please call me. I'm at 617.233.1654.

■ From: Walter Tuvell
To: Daniel Feldman
Date: 08/11/2011 08:46 PM
Subject: Re: Please call

Too late now.

Tomorrow I'll be taking the day off sick, all day.

Additionally, I've talked to my doctor, and she's agreed to sign a STD for me going forward. That will happen on Monday (their off is closed for computer/network upgrade until then). I'll be taking a sick day on Monday too.

Additionally, I've notified IHS of this, and also talked to them about my situation (under strict, federal confidentiality laws), so they're alerted and will process the STD request promptly when it arrives. I'll be taking sick days until the STD becomes effective.

Additionally I've started the process of getting an accommodation, but that's still in incipient stages so nothing solid to report yet.

Have a good weekend.

■ From: Daniel Feldman
To: Walter Tuvell
Date: 08/12/2011 09:33 AM
Subject: Re: Please call

Hi, Walt,

Thanks for the update.

Please forward the name and phone number (or email address) of the person you are working with at IHS.

Please forward contact information. Neither of the phone numbers you've provided, one for home and one for emergency contact, worked for me yesterday. The first (781.944.3621) was answered by a machine on behalf of someone with a different name and the second (781.944.3617) was answered by someone who told me I had the wrong number.

EE Email Ensemble: Dan Must Control You

■ From: Walter Tuvell
To: Diane Adams, Kelli-ann McCabe
Date: 06/16/2011 10:44 AM
Subject: Re: Transition and status reporting

Well, it looks like the pissing contest yesterday might have had an effect on Dan's attitude. (Diane: Kelli-ann can update you if she hasn't already.)

There's just one problem: I believe it is infeasible for me to work for Dan. I put my full faith in him, opening up from my previous PTSD, under his encouragement. He fully understood my total vulnerability, yet he screwed me royally the first chance he got, without hesitation or reservation. I have still not (nor do I expect I ever will) receive an apology or explanation from him (or Fritz), unless the IST process forces it. I have no doubt in my mind that I will be constantly bombarded by him with harassment and retaliation, ultimately being black-balled to the point where I'll be forced to leave due to hostile environment.

Sadly, I cannot not trust him, not even a little, and there's plenty of evidence to prove why.

■ From: Walter Tuvell
To: Kelli-ann McCabe, Diane Adams
Date: 06/16/2011 03:47 PM
Subject: Help

Kelli-ann & Diane:

At the risk of admitting I wasn't clear enough earlier (sorry), I am asking for your help. It is not reasonable for IBM to require me to work for a known-abusive boss. Perhaps not yet "proven"-abusive, but that surely is the case, and anyway IBM cannot comfortably support a policy of "presumed non-abusive" in a case like this, because the consequences of being wrong are just too high.

No, this isn't a "threat", it's a "fear"! I sense Dan is starting a process of "setting me up" (a.k.a. "blackballing" in some circles). You know the trick: Giving me something to do, then claiming I didn't do it, no matter how much I do, and then firing me for "non-performance". This is already peeking through the note I forwarded to you earlier today. For, the wording he's using is far removed (and not well veiled) from the way he's always interacted with me in the past. This looks like the beginning of the road to hell for me.

Please remove all possibility of letting this happen. Get me away from his manager-ship. Fast.

If you think I'm "just trying to get out of work", you should consider what I've accomplished in the 6 months I've been here. After only 2 months in the Performance Group, I determined that the way they measured performance before I got here was all wrong (for years!), and I corrected it "overnight". (This is "PerfScore", see <http://wiki2.netezza.com:8080/pages/viewpage.action?pageId=27134073> on the Netezza internal network.) Not only that, Dan himself supported the old way performance was measured, and indeed he'd instituted performance measurement that way when he earlier had a job in my position at another company (he told me so). And so what I did proved him wrong too. (Yet another hidden reason to "have it in" for me?)

And yes, I do know what I'm talking about. This is also something I've seen before. And he knows it.

■ From: Diane Adams
To: Walter Tuvell
Cc: Kelli-ann McCabe
Date: 06/16/2011 03:48 PM
Subject: Fw: Transition and status reporting

Walt, this issue will be taken into consideration as part of the review of the whole situation.

■ From: Walter Tuvell
To: Diane Adams
Cc: Kelli-ann McCabe
Date: 06/16/2011 03:58 PM

Subject: Re: Fw: Transition and status reporting

Unfortunately, Dan is RIGHT NOW demanding that I do some work for him, by tomorrow. It turns my stomach (literally, not figuratively) to contemplate working with him.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Kelli-ann McCabe, Diane Adams, Lisa Due
Date: 06/30/2011 10:04 AM
Subject: At home

I just saw your invitation for one-on-one mtg which you sent this morning, so I missed. That's because I was taking a nap, at home. That's because I didn't sleep last night, due to PTSD-related anxiety (you may have noticed I posted to the wiki at times in the area of 2-5 AM this morning).

Hence I had to stay at home, because I'm physically unfit to drive. It also means I'm mentally unfit to have a mtg with you today. It also means I'm mentally unfit to prepare the "summary" you asked for (by 11:00 AM today, or probably any other time today).

It's hard to say how long this kind of health problem will last, but there's an established practice of working remotely in your group (North Carolina, and soon California), so that part shouldn't be a problem.

■ From: Daniel Feldman
To: Walter Tuvell
Cc: Diane Adams, Kelli-ann McCabe, Lisa Due
Date: 06/30/2011 10:29 AM
Subject: Re: At home

I'm not sure what invitation you are referring to, but I understand that you are unavailable today. I hope you feel better soon.

I'm also unsure of the relevance of your observation about Larry's and Felix's remote work locations. It is Software Group (SWG) policy that worker's with traditional offices be present during the work day in order to facilitate communications with their colleagues. If you are unwell, please stay home and recuperate. If you are well, please come to the office and work.

■ From: Walter Tuvell
To: Daniel Feldman
Cc: Diane Adams, Kelli-ann McCabe, Lisa Due
Date: 06/30/2011 11:16 AM

Subject: Re: At home

The invitation I'm referring to was a Notes popup for one-on-one. I had thought it was a one-off, but perhaps it was a regularly scheduled notice, in which case I mis-spoke and apologize for that.

As for "traditional office", it may end up being necessary for me to petition for a "remote work location", for obvious (medically indicated) reasons.

FF STD Certification

■ From: PATRICIA HORNING
To: Daniel Feldman; Walter Tuvell
cc: PATRICIA HORNING
Subject: *IBM Confidential: STD: Walter Tuvell 0G3821
Date sent: 08/17/2011 09:42:04 AM

Short-term Disability (STD) Certification

Employee name: Walter Tuvell Serial number: 0G3821

As a result of the most recent request for the above employee:

Approved for STD from 08/15/2011 through 09/14/2011. (Managers please update eTOTALS)

Return to work is anticipated on 09/15/2011 if additional medical information (updated MTR) is not received by __ and IHS has not issued a new certification form.

Comments: If extended STD is needed please provide updated MTR.

Note to managers: Managers and employees should communicate weekly during STD absence. IBM regular employees may be eligible for STD benefits up to a maximum of 26 weeks. Employees receiving benefits from the STD Plan should apply for Long Term Disability (LTD) by the beginning of the 13th week of STD.

Note to employees: If you are approved for STD benefits, this absence will also be counted toward the annual Family and Medical Leave Act (FMLA) if eligible.

Additional information:

Family and Medical Leave Act (FMLA)

STD Plan Overview and the Manager Checklist

LTD Plan Overview and application forms

Employee Service Center (ESC) at 1-800-796-9876 option #4.

Signature: PATRICIA HORNING Date: 08/17/2011
Phone: 1-888-553-5752 option 2 Fax: 919-543-0834

IBM Confidential

■ From: Daniel Feldman
To: Walter Tuvell
Date: 08/17/2011 09:59 AM
Subject: STD

I see that your STD has been approved for 8/15 - 9/14. IBM policy is for us to communicate weekly during your leave. Please respond to this email and let me know that you have received it. If you prefer to communicate via some other means, please contact me promptly via phone at 617.233.1654.

Regardless of the above, please provide a telephone number I can use to reach you. While I don't expect to use it unless you choose it as your preferred means of contact, I'm expected to have a reliable phone number on file.

I hope your recovery goes well,