

Gary Vanderboegh

From: Gary Vanderboegh
Sent: Wednesday, April 04, 2018 8:59 PM
To: 'Sec of Labor Alexander Acosta (acosta.alexander@dol.gov)'; DOL SEC OF LABOR ALEXANDER ACOSTA (executivesecretariat@dol.gov); President Trump and VP Mike Pence (info@mail.whitehouse.gov); JEFF SESSIONS ASKDOJ (askdoj@jmdpublic.doj.gov); 'russell.m.coleman@usdoj.gov'; 'United States Senator Mitch McConnell (mitch_mcconnell@mcconnell.senate.gov)'; 'United States Senator Rand Paul (randpaulmd@paul.senate.gov)'; United States Senator Claire McCaskill (Claire_McCaskill@mccaskill.senate.gov); Linda Somers (magicmoon458@yahoo.com); 'Turley.Sheldon@dol.gov'; 'Gerard O'Hare Chief of FAB (O'Hare.Gerard@dol.gov)'
Cc: 'United States Senator Ron Wyden (ron_wyden@wyden.senate.gov)'; 'Travis, Keith'; 'Senator Claire McCaskill (julie_dwyer@mccaskill.senate.gov)'; SENATOR MCCONNELL (Scott_Raab@mcconnell.senate.gov); 'Senator Markey (michal_freedhoff@markey.senate.gov)'; 'United States Senator Maria Cantwell (maria_cantwell@cantwell.senate.gov)'; 'United States Senator Ron Wyden (ron_wyden@wyden.senate.gov)'; 'Mike Spissinger (mspissinger@wpsdlocal6.com)'; N. Y Times Editor (executive-editor@nytimes.com); New York (washington@nytimes.com); 'trutherford@huntingtonnews.net'; 'Jim Paxton (jpaxton@paducahsun.com)'; 'Vice President WPSD-TV Bill Evans (newstip@wpsdlocal6.com)'
Subject: PRESS RELEASE_ NO CHANGE BY TRUMP TO HALT DOL EEOICPA CORRUPTION AND CONTRACTUAL INTERFERENCE BY DIRECTOR OF OWCP, EEOICPA DIRECTORS LEITON AND DOL _ CES PRESS RELEASE WEB POST! 0040418
Attachments: 033018 _ LEITON RESPONSE TO CONTRACTUAL INTERFERENCE AFTER SEC ACOSTA AND MCCONNELL RECEIVED CES CONTRACT.pdf; 032618 _ LINDA SOMERS AUTHORIZED REPRESENTATIVE DUTIES AND DOL CONTRACT INTERFERENCE.pdf; 111617_ SESSIONS PROHIBITION ON IMPROPER GUIDANCE DOCUMENTS.pdf; BRINGHAM vs DOL_ PROCEDURES CANNOT TRUMP THE STATUTES AND REGULATIONS.pdf; 101817_RD accept survivorship_ces0339_Travis __REDUCED.pdf; LUCERO V DEPARTMENT OF LABOR __REDUCED.pdf; 120916_FD Denied for CBD.pdf; Mem Opinion Remanding Case 3-21-18.pdf; Order Judgment 3-21-18.pdf; Perez vs mortgage bankers association (2).pdf; 05-16-11 ltr from mcconnell CES 0160 Minnie Donald (2).pdf; 072417 __ TEXT MESSAGES TO SUSAN CRABTREE _CLAIMANTS THAT DOE ALLOWED TO DIE! _GVB.pdf; 040418__Clinton Cook_3-09-11_Adobe.pdf__NOTICE TO SENATOR MCCONNELL.pdf
Importance: High

Mr. Secretary Acosta, Attorney General Sessions, Mr. Coleman, and Mr. President, (PRESS RELEASE!)

When the government decides to come after a "Nuclear Whistleblower" and former Lockheed Martin "President's Award" winner who was responsible for a \$60 million "cost savings/avoidance", and the reasons were not only for not allowing the Department of Energy (DOE) contractors to violate the landfill waste disposal criteria, but for exposing the "corruption" 12 years later within the EEOICPA "claims denial program" that illegally blocked compensation and medical benefits for our area nuclear workers, government officials must

be held accountable, including you Mr. President. For Congress to adopt a so called "Compensation and Medical Benefits" law ONLY to allow members of Congress, and the Executive Branch to, ignore the "Judicial Branch" rulings that confirmed claimants rights under the "EEOICPA" Administrative Process" were being denied their compensation and medical benefits (that the highest levels of the government and Congress were promoting), someone needs to do serious explaining, especially since the "SWAMP" draining has apparently "CEASED" after you Mr. President terminated Mr. Bannon, Mr. President. ONLY you, Mr. President, could have blessed this outrageous behavior by the "Executive Branch" that, although occurring over the last 18 years, IS CONTINUING AFTER YOU RECEIVED MY 2016 UPLOADS TO "MAKE AMERICA GREAT AGAIN" that are now in the possession of Attorney Robert Mueller.

Mr. President and Secretary Acosta, if Congress passed a law that intended for our nuclear workers to be "Compensated", why do you, Mr. President and Secretary Acosta continue the EEOICPA claims denial policies of your and Senator McConnell's predecessors? To my astonishment and within the last few days, I have learned that another "honorable" federal Judge's actions has apparently been ignored, by you, Mr. President, Mr. Acosta and your OWCP/DEEOICP Directors. In fact, Secretary Acosta, you and U.S. Attorney Sessions must share the blame for "targeting" my company CES, LLC for exposing violations of federal law, most recently the John Stone decision by that Director Leiton continues to fight! In another despicable act by Ms. Leiton (that Secretary Acosta refuses to reply), Director Leiton delay Mrs. Bobbie Travis's final decision for over 5 months, that could have been already appealed to Senior Judge Thomas B. Russell, that was "partially accepted, in October 2017 after Ms. Leiton and Senator McConnell were notified of the mis-interpretation of the laws itself. Ms. Leiton then proceeded to "direct" her staff from the Washington D.C. office to "contact our claimant's son Keith Travis "EX PARTE" in an attempt to "hold a \$125,000 50% payment as a carrot over their heads" to avoid compensating Keith Travis's 89 year old mother Bobbie in the amount of \$250,000, as the OWCP and DEEOICP Directors did to my claimant Garland Jenkins when his wife passed without obtaining her \$250,000 payment as the statutes required. I recorded the employees of the Paducah Resource Center refusing to assist Mr. Jenkins the very day his wife Alice was dying, and "you guessed it, Mr. Jenkins was recorded saying, said "DOL won't pay me until I terminate you!" Of course I recorded his statement because we are dealing with despicable government contractor liars who care nothing about the lives of those people in our communities. You will soon be seeing the actual proof of what the DOL and their Paducah Resource Center Manager Jean Gross did to one of our own co-workers Garland Jenkins. Does this sound familiar Ms. Linda (MOON) Somers?

Regarding Mrs. Travis, when the family decided to hire an attorney "AT EXTRA COST" to research the statutes "four corner meaning of the law", they too learned from him (Mick Harrison) they were being "hood winked" by Director Leiton and DOL OIG official Scott Dahl, incidentally the very same DOL official that had terminated Mr. Steven Silbiger for "waiting for

claimants to die!" Because of my claimant's entitlement to her survivorship benefits, DEEOICP Director to this very day WILL NOT ISSUE MRS. TRAVIS'S FINAL DECISION DENIAL THAT ILLEGALLY KEEPS THIS 89 YEAR OLD SURVIVOR TO OBTAIN HER OVERDUE COMPENSATION IN THE AMOUNT OF \$250,000. When FAB official Jeana LaRock in the administrative record told Keith Travis and I, "she would make a decision within a few days", she lied!

4 MR. GARY VANDER BOEGH: You haven't issued --
5 you delayed her claim. If she passes away tomorrow, will
6 she receive that?

7 HEARING REPRESENTATIVE LAROCK: She won't.

8 MR. GARY VANDER BOEGH: You see --

9 HEARING REPRESENTATIVE LAROCK: If she passes
10 away, she won't.

15 a law to compensate workers, just like Lucero, the judge,
16 Martha Vázquez, said, and then the Department of Labor is
17 found to have gone against -- somebody in Denver's
18 opinion that we should go ahead and accept this other and
19 argue.

1 statutory determination. Because nobody can deny your
2 rights by saying a policy or procedure can circumvent
3 those rights, especially after we've got the statutes and
4 the decisions by the Supreme Court.

9 And what you said which is Monica -- one of
10 Monica's biggest fears is they've delayed this claim now
11 since October 29th. We did a double check because Monica
12 said, you know, you might want to check because they
13 could turn around and deny your claim for the next six
14 months. And I said surely the hell they wouldn't do
15 that.

16 But you know what? After checking and writing
17 that email to Gerard, it must have done some good because
18 somebody out of Denver called you. We'll get to -- I
19 don't know anybody else in Denver. I didn't put them on
20 a email. So we do know that Gerard is listening. Gerard
21 communicates with me.

22 But right now what is going to be in the hands
23 of the Secretary of Labor I already documented their
24 delays are causing a denial of this claim and it wasn't

17 HEARING REPRESENTATIVE LAROCK: Well, the issue
18 with this case is that you're asking -- the issue is
19 whether or not Ms. Travis is entitled to \$250,000 versus
20 \$125,000. It's either one or the other. And I can't pay
21 the \$125,000 when we're still -- when you still are
22 saying that she's entitled to the \$250,000.

15 And by now we've probably had enough attorneys
16 because even John Vance is probably beginning to wonder
17 why can't we accept \$125,000. And there's got to be
18 something statutorily that blocks that and we haven't
19 seen it.

20 And so if your mom gets ill, what Jeana has
21 just said is there will not be a compensation. And at
22 that point the Part E falls off the table for you and
23 your brother.

24 MR. KEITH TRAVIS: You feel like you're almost
25 being held hostage to accept --

2 MR. KEITH TRAVIS: -- because of -- I mean
3 she -- her health is not robust, but she's pretty health
4 for an 87-year-old. But it's not robust. Any of us
5 could be called home today.

6 But the point of the matter is it seems like
7 that 13, almost 14 years ago now when the application was
8 made it was incorrectly processed and as far as the
9 family is concerned, I don't know.

5 And as far as, you know, punitive damages,
6 that's not what it's about. It's not that. Dad would
7 have never -- he would have never sued the government.
8 That's not -- that wouldn't his characteristic.

9 HEARING REPRESENTATIVE LAROCK: Well, I want to
10 apologize for what your family has been through. And I
11 don't know -- I don't have any words to tell you how
12 sorry I am that that happened.

20 MR. GARY VANDER BOEGH: That's not -- yeah,
21 we've just heard somebody from Denver say something else.

22 HEARING REPRESENTATIVE LAROCK: No, he said
23 what it sounds like to me what the person in Denver said
24 accept the \$125,000 --

25 MR. GARY VANDER BOEGH: And argue the balance

1 HEARING REPRESENTATIVE LAROCK: And then argue
2 and you can argue the balance. But the decision that is
3 going to be made for the \$125,000 is hard evidence that

11 HEARING REPRESENTATIVE LAROCK: So --

12 MR. GARY VANDER BOEGH: The authorized
13 representative requested the payment for partial, for the
14 minimum \$125,000, which you already owe. You can't get
15 away from that.

16 HEARING REPRESENTATIVE LAROCK: No, no, that
17 should be paid. But --

18 MR. GARY VANDER BOEGH: But you can't say --
19 but that's not happening. That's what we're trying to
20 say, Jeana.

21 HEARING REPRESENTATIVE LAROCK: But I have to

24 HEARING REPRESENTATIVE LAROCK: I have to hav
25 the hearing. We had to hold the hearing because there

1 was an objection to which money is going to be paid.

2 MR. GARY VANDER BOEGH: But none of this
3 hearing pertained to acceptance of the \$125,000.

4 HEARING REPRESENTATIVE LAROCK: But --

5 MR. GARY VANDER BOEGH: And nothing at this
6 hearing has been given that contradicts the mysterious
7 caller from Denver and my recommended decision. So wh
8 we're looking at is from October 29th to today January
9 9th. As you said, there's been nothing that you
10 presented in counter evidence that says, other than yo
11 comments, that -- and they're not statutory, based on
12 statutes. We've given you the statutes and said you
13 must -- we have the right to argue the point. And if
14 prevail you owe a lot of people, not just --

15 HEARING REPRESENTATIVE LAROCK: So can I put
16 this on the record now that what I -- what you would l
17 for me to do because Ms. Travis is, according to the
18 recommended decision that's been issued according to
19 what's before me right now, the recommended decision i
20 that she should be paid \$125,000. By doing that I wou

1 tomorrow,

2 HEARING REPRESENTATIVE LAROCK: Then we --

3 MR. GARY VANDER BOEGH: -- she's entitled
4 nothing.

5 HEARING REPRESENTATIVE LAROCK: Right. And

6 MR. GARY VANDER BOEGH: So you're --

7 MR. KEITH TRAVIS: Our argument will be sl
8 entitled to the \$250,000 because it was incorrectly
9 handled --

Ms. Leiton "blocked" her compensation to keep this act from becoming a legal precedent in Kentucky Federal Western District Court. Because the attorney Mick Harrison cited the statutory meaning of the EEOICPA related to the meaning of the Part E statutes, Ms. Leiton and Mr. Turley effectively took revenge by "targeting" my claimant by "offering her a settlement" of 50% of her entitlement or \$125,000. Although Senator McConnell's staff was made aware of this abuse of a 89 year old CES, LLC claimant/ constituent, the family has little hope of their mother receiving her \$250,000 UNLESS you Secretary Acosta overrule these blatant violations of LAW. Keep in mind Secretary Acosta, you control the claims process NOT Senator Mitch McConnell, especially you were fully aware Mrs. Travis's entitlement that was approved partially approved and partially accepted in October 2017. By targeting CES, LLC to damage our rights after CES, LLC overturned this 14 year denial that qualifies as a "Travesty of Justice", Mrs. Travis damages continue to accrue daily. But with that said, and all the publicity of last year blaming former President Obama for illegal denials DOL whistleblower Steven Silbiger presented to his boss Scott Dahl (who now IRONICALLY delays Mrs. Travis

compensation for payment), when you Mr. President will not fire someone that targets my CES claimants, YOUR "EEOICPA SWAMP" IS NO LONGER BEING DRAINED BY ANY MEANS, BUT REFILLED WITH YOUR APPROVAL.

The most startling thing regarding Ms. Leiton's letters, you Secretary Acosta, absolutely knew that Mrs. Travis was nearing end stage of life and allowed Ms. LaRock to simply say to Ms. Travis's son Keith, "if she dies (before we issue a decision) she will not get compensated!" President Trump you own this violation of Mrs. Travis's entitlement rights as does Ky. Senator McConnell who is obviously too busy shipping "Plutonium" back to Russia. With the "Paducah Russian Uranium" connection nailed down on Fox New by Tucker Carlson on 11/2/18, you Mr. President need to call for your very own investigation, especially you confirmed you received my evidence of "money laundering at the PGDP! Senator McConnell has refused to compensate nuclear workers and Paducah "Downwinders" against the promises to compensate and treat victims and their families from the Russian Plutonium released since 1995.

Mr. Sessions, with Ms. Leiton now stating "Judge Russell's decision does not change anything", perhaps we can now start monitoring how your Ky. U.S. attorneys (Russell M. Coleman) presents his future arguments to Judge Russell? With Judge Russell's decision that inserted "undisputed" facts into the court record, that quoted what I inserted into the administrative record, perhaps members of Congress will revisit the "retaliations" against whistleblowers such as myself, that result in contractual interference! I hope these documents provide you Mr. President what is happening in Paducah and across the nation. We NOW have the proof of "lies" by Ms. Leiton regarding her alleged "impartiality" relating to "Authorized Representatives!" But who would have thought Ms. Leiton had the nerve to "Team" with "Cold War Patriots/Pro Case Management" to force others from assisting area nuclear workers. Now with Senator Wyden's staff having been in contact with me regarding Ms. Chambers actual 299 days on the job before February 1, 1992, and her contacts to Ms. Somers that violate our claimant's right to compensation years ago, when attorneys Frank Gerlack and Huge Stevens represented Ms. Somers at that time, our evidence of "Contractual Interference" is "ripe" for litigation! At that time, especially since Ms. Somers violated our CES representation "contract", we can use that opportunity to "discover" when Ms. Leiton actually contacted Ms. Somers. Ms. Somers and Ms. Leiton have worked together for several months before joining the DOL to obtain approval. But this time, Ms. Somers actions were an obvious ruse to do as others have been convinced by Ms. Leiton and Eagle Resources to do, "Terminate Vander Boegh and we will compensate you? Ms. Leiton refused to "reopen" the long denied claim of Adrian Chambers conveniently AFTER proof of statutory compliance, which Ms. Leiton doesn't recognize because she doesn't recognizes the Judiciary Branch of the government. He violations of the Judges Decisions are on the books and she has nowhere to hide. Mr. President, "TAKE DOWN SECRETARY ACOSTA'S WALLS!

Case 1:14-cv-00999-MV-WPL Document 32 Filed 08/05/16 Page 1 of 25
Ms. Leiton reasoned

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that since Mr. Lucero had received a Part E award of \$7,500 in impairment benefits before he died, Ms. Lucero was not entitled to claim any additional Part E award on behalf of Mr. Lucero after Mr. Lucero's death based on a new finding that Mr. Lucero suffered 20%, and not 3%, impairment. *Id.* Ms. Leiton based her decision on Chapter 2-1200.12b of the Department of Labor's internal EEOICPA Procedure Manual rather than on the text of the EEOICPA or the published federal regulations interpreting EEOICPA. AR at 129-130. Ms. Leiton returned the


compensation was paid under paragraph (1)." 42 U.S.C. § 7835s-1(2)(B). Any contrary interpretation of the statute by the Department of Labor is arbitrary and capricious, ultra vires, and void. Because Ms. Lucero's claim falls squarely within the text of the EEOICPA, the final decision by the Department of Labor must be reversed.

IT IS THEREFORE ORDERED that Ms. Lucero's Petition for Review of Final Decision [Doc. 1] and Brief in Support Thereof [Doc. 23] is **GRANTED**. It is further **ORDERED** that the Department of Labor return to Ms. Lucero her late husband's owed but unpaid compensation in the amount of \$42,500. Finally, it is **ORDERED** that any rule or regulation which the Department of Labor has promulgated that interprets "compensation" under Section 7835s-1(2)(B) of the EEOICPA in a manner contrary to the plain meaning of that statute

is arbitrary and capricious and thereby VOID. As stated above, the Court does not believe that 20 C.F.R. § 30.509(a)-(b) advances such an impermissible interpretation.

The Court declines to issue an Order regarding attorney fees at this time. This Court will consider the issue of attorney fees upon the submission of a properly noticed and fully briefed fees motion.

DATED this 5th day of August, 2016.



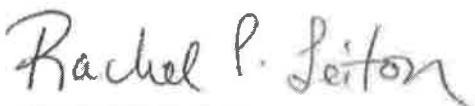
MARTHA R. AZQUEZ
United States District Judge

This letter is in reference to your March 19, 2018 email concerning Linda Somers claim filed under the Energy Employees Occupational Illness Compensation Program Act. Your inquiry was forwarded to the Division of Energy Employees Occupational Illness Compensation (DEEOIC) for a response.

A review of our records shows that Ms. Linda Somers requested to remove you as the authorized representative of her claim. In order for the DEEOIC to discuss any matters concerning the claim with you, Ms. Somers must reinstate you by completing, signing and submitting an authorized representative form. Absent a waiver of confidentiality, the DEEOIC is only permitted to release case-specific information to a claimant or the appointed authorized representative. Thus, because of Privacy Act requirements, the DEEOIC cannot provide you with any information regarding your request.

I hope this information has been helpful to you.

Sincerely,



Rachel P. Leiton
Director

Division of Energy Employees Occupational Illness Compensation

MEMORANDUM OPINION

This matter is before the Court on the briefing of the parties, Plaintiff Charles (“Stone”) and Defendant U.S. Department of Labor, Employment Standards Administration, Office of Workers Compensation Programs, Division of Energy Employees Occupational Compensation, Final Adjudication Branch (the “DOL”). In this action, Stone seeks this judicial review of the DOL’s decisions denying Stone’s claim for benefits under Part B of the Energy Employees Occupational Illness Compensation Program Act (“EEOICPA”), 42 U.S.C. §§ 7384–7385s–15. The Court has reviewed the parties’ briefing, the Administrative Record (“AR”), and the applicable law, and finds that the DOL’s denial of Stone’s claims should be set aside and this matter should be remanded to the DOL for a consideration of whether, on various omitted medical records, Stone’s claims for EEOICPA benefits may succeed.

BACKGROUND

A. Statutory and Regulatory Background

The EEOICPA establishes a federal compensation program intended to provide medical and “benefits to individuals who have illnesses that were caused by exposure to radia-

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
PADUCAH DIVISION
CIVIL ACTION NO. 5:15-CV-00250-TBR

CHARLES STONE,

PLAINTIFF

v.

U.S. DEPARTMENT OF LABOR,
EMPLOYMENT STANDARDS ADMINISTRATION,
OFFICE OF WORKERS COMPENSATION
PROGRAMS, DIVISION OF ENERGY
EMPLOYEES OCCUPATIONAL
ILLNESS COMPENSATION,
FINAL ADJUDICATION BRANCH,

DEFENDANT

MEMORANDUM OPINION

This matter is before the Court on the briefing of the parties, Plaintiff Charles Stone ("Stone") and Defendant U.S. Department of Labor, Employment Standards Administration, Office of Workers Compensation Programs, Division of Energy Employees Occupational Illness Compensation, Final Adjudication Branch (the "DOL"). In this action, Stone seeks this Court's judicial review of the DOL's decisions denying Stone's claim for benefits under Part B and Part E of the Energy Employees Occupational Illness Compensation Program Act ("EEOICPA"), 42 U.S.C. §§ 7384-7385s-15. The Court has reviewed the parties' briefing, the Administrative Record ("AR"), and the applicable law, and finds that the DOL's denial of Stone's claims should be set aside and this matter should be remanded to the DOL for a consideration of whether, based on various omitted medical records, Stone's claims for EEOICPA benefits may succeed.

BACKGROUND

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The EEOICPA establishes a federal compensation program intended to provide monetary "benefits to individuals who have illnesses that were caused by exposure to radiation or

Administrative Record at pages 530 to 540, before determining whether Stone can demonstrate a clinical course consistent with a chronic respiratory disorder.

All claims in the above-captioned action shall be **DISMISSED**, and the Clerk is directed to close the case.

There being no just cause for delay, this is a final and appealable order.

Date: March 21, 2018

cc: Counsel


Thomas B. Russell, Senior Judge
United States District Court

ILLNESS COMPENSATION,
FINAL ADJUDICATION BRANCH,

DEFENDANT

MEMORANDUM OPINION

This matter is before the Court on the briefing of the parties, Plaintiff Charles Stone (“Stone”) and Defendant U.S. Department of Labor, Employment Standards Administration, Office of Workers Compensation Programs, Division of Energy Employees Occupational Illness Compensation, Final Adjudication Branch (the “DOL”). In this action, Stone seeks this Court’s judicial review of the DOL’s decisions denying Stone’s claim for benefits under Part B and Part E of the Energy Employees Occupational Illness Compensation Program Act (“EEOICPA”), 42 U.S.C. §§ 7384–7385s–15. The Court has reviewed the parties’ briefing, the Administrative Record (“AR”), and the applicable law, and finds that the DOL’s denial of Stone’s claims should be set aside and this matter should be remanded to the DOL for a consideration of whether, based on various omitted medical records, Stone’s claims for EEOICPA benefits may succeed.

BACKGROUND

A. Statutory and Regulatory Background

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https://en.wikipedia.org/wiki/Tortious_interference

Tortious interference, also known as **intentional interference with contractual relations**, in the common law of torts, occurs when one person intentionally damages someone else's contractual or business relationships with a third party causing economic harm.^[1] For example, someone could use blackmail to induce a contractor into breaking a contract or they could obstruct someone's ability to honor a contract with a client by deliberately refusing to deliver necessary goods.^[2]

A **tort of negligent interference** occurs when one party's negligence damages the contractual or business relationship between others, causing economic harm, such as, by blocking a waterway or causing a blackout that prevents the utility company from being able to uphold its existing contracts with consumers.^[3]

....."Tortious interference, also known as intentional interference with contractual relations, in the common law of torts, occurs when one person intentionally damages someone else's contractual or business relationships with a third party causing economic harm."

https://www.law.cornell.edu/wex/intentional_interference_with_contractual_relations

Intentional interference with contractual relations

At common law, a defendant is liable to pay damages in tort for actions intended to interfere with the plaintiff's contractual relations with a third party.

In an intentional interference claim, the burden is on the plaintiff to prove the elements of the claim rather than on the defendant to prove that its acts were justified. To prevail on the claim, plaintiff must prove four elements: (1) that a valid contract existed, (2) that defendant had knowledge of the contract, (3) that defendant acted intentionally and improperly, and (4) that plaintiff was injured by the defendant's actions. *United Truck Leasing Corp. v. Geltman*, 406 Mass. 811, 812, 551 N.E.2d 20 n. 6 (Mass. 1990).

In Conclusion,

Mr. President, Mr. Sessions, and Mr. Acosta,

If still believe Ms. Leiton is doing a great job by ignoring rulings of federal Judges, including Senior Judge Thomas B. Russell who is not supposed to be subjected to "Executive Branch" inference when making decisions that Ms. Leiton apparently has no intention of complying with, as she did in Judge Vasquez's court, perhaps I need to volunteer to help your Cabinet with telling the truth. With "Cold War Patriots and Pro Case Management threatening nuclear workers attempting to attend PUBLIC meetings with DOL in attendance, including Authorized Representative such as myself, your control of EEOICPA workers is becoming to look like "Gestapo" tactics. Now explain if your paranoia you stated to be the secret to your wealth, why would you allow Senator McConnell and his DOL officials to control lead you into their corruption. Are you the President draining the Swamp or not?

With All Due Respect,

Gary S. Vander Boegh,
Chairman "Nuclear Whistleblower Alliance"
DOE and DOL Whistleblower!
(270) 559-1752

① Name and complete address of present employer	
F. H. McGraw	
AEC Plant	
Paducah, Ky.	
Dates of employment (month, year)	
From 11-6-51	To 8-21-53
Rate of pay \$90 Per Mo.	

Hearing Transcript Confirms "Security Clearance and Uninterrupted Employment"

Mr. Chambers worked for FH McGraw from the last quarter in 1951 to August 21, 1953.

21 The evidence includes a copy of a request for
22 report of loyalty data on applicants and appointees. It
23 is considered a Form SS -- SF-85, which indicates that
24 the Employee was employed with AEC Plant in Paducah,
25 Kentucky, from December 1951 to August 1953.

www.commonwealthenvironmentalservices.com go to documents, then "Order by Date" within the next few weeks! You won't be disappointed!

<https://www.oig.dol.gov/contact.htm#ig>

OFFICE OF THE INSPECTOR GENERAL

Scott S. Dahl, Inspector General
Larry D. Turner, Deputy Inspector General
Office of Inspector General
200 Constitution Avenue, NW
Room S-5502
Washington, DC 20210

TEXT MESSAGES FROM SUSAN CRABTREE!

NEXT! CES nuclear workers
that are dying with
inappropriate claims denials
pending!

Gary Vander Boegh

Sat, Jul 15, 10:53 AM

That is horrible, Gary! I can
devote next week to this story

Sun, Jul 16, 9:32 PM

4 more of my CEC claimants who died waiting for payments and we refiled a survivorship claim for their spouse and LEITON delayed their claims and their spouses died without being compensated!

1/ Alfred & Vivian Puckett

2/ Dave Green & Spouse

3/ James Todd & Spouse

040418 __CLINTON COOK PG 2 OF 21

You also might want to know that "our" mutual friend, Dr. Cook, was inappropriately confronted at the meeting on August 17, 2006, but attempts to block him from presenting himself was overridden by the CAB by a 100 % vote. In fact, seven members of the CAB approached Dr. Cook afterwards and personally requested him to join the CAB and provided him with an application. However, it is my understanding that DOE will not allow him to join the CAB. It restored his confidence, which had been temporarily "shaken" at the time of his presentation as a result of the moderator's attempts to silence him, which failed.

When you view "our" friend Dr. Cook on video this Thursday evening at 6:00 pm (Channel 2) inappropriately being confronted (as I have been at the last few CAB meetings by DOE) I surely hope you will understand the motives of DOE's actions towards our friend and the community.

040418__DOE CONFIRMS RETALIATION BY BECHTEL JACOBS COMPANY (represented by LOCAL ATTORNEY Mark Whitlow from the firm of WHITLOW, STRAUB, & ROBERTS!

Management and Operations (M&O) contract. DOE as the owner should have direct communications with the operator to ensure that all aspects of the permit are being met. But, under the M&O contract requirements, DOE can not give direction to a M&O subcontractor. I BELIEVE THAT BJC TOOK DISCIPLINARY ACTION AGAINST THE "CONCERNED EMPLOYEE" BECAUSE HE HAD COMMUNICATED LANDFILL PROBLEMS DIRECTLY TO DOE. He did copy his communications to BJC. He firmly believes that BJC is not communicating effectively, and may even be concealing deficiencies from the legal owner of the landfill, which is DOE and not BJC. If a violation is issued by the State, it would be against the owner (DOE) and the operator (WESKEM), not BJC. More to come after the scheduled BJC meeting.

DOE Contact: Mitch Hicks (270) 441-6820