

Re: Attorney contact (MITCHELL)Law Office of William Brawner <office@federaladvocate.com>

Fri 5/10/2013 11:53 AM

To: B M <redpatchmarine@hotmail.com>

With regards to the OFO, do I have to wait until the agency dismiss the complaint or can I withdraw and go directly to OFO?

You can withdraw now, but this has to be carefully worded in order to preserve your rights.

I agree, I need to contact a Civil Rights attorney, these people are turning my life upside down.

Do so.

I just received a letter and phone call from Office Special Counsel stating they want to investigate my "constructive discharge" and I filed that in '09.

I don't understand the new interest in my old EEO and Whistleblower complaint however it seems that someone is resurrecting those claims.

Cooperate with OSC. They can help, and even if they have bad motives, there isn't much they can do to harm your breach of contract claims.

I have a STRONG feeling they are turning this into a Civil Rights issue, question is why now and why me.

They are just trying to hassle you into dropping your claims.

Regards,

Bill Brawner

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This office does not represent you at this point. No attorney-client relationship has been formed between us and you are strongly advised that no such relation shall be formed unless we enter into a signed agreement and the required deposit is paid. At most, this e-mail constitutes an exploration of the possibility of forming such a relationship and may be nothing more than a courtesy reply to a request for information received from you. Any use of the opinions expressed or materials included, in this communication is strictly at your own risk. Attorney assumes no liability for your use of any materials herein. Note that email communication is not entirely private. Your correspondence by email is understood as informed consent to this mode of communication.

On May 9, 2013, at 8:12 PM, B M wrote:

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Thank you for your time and assistance!

Subject: Re: Attorney contact (MITCHELL)

From: office@federaladvocate.com

Date: Thu, 9 May 2013 15:26:05 -0700

To: redpatchmarine@hotmail.com

You don't understand.

Blacklisting is:

1. A breach of contract. ALL breach of contract claims — without exception — must go to the agency first, then to OFO. The local judge does NOT have authority to resolve breach of contract claims.

2. A claim of reprisal. Reprisal requires proof that someone with ACTUAL knowledge of your prior EEO personally caused you to be backlisted. The fact that you were not hired at even a thousand places would not be sufficient to prove reprisal because the fact that you are unable to secure employment does not — in and of itself alone — prove that the reason you have been turned away is due to blacklisting.

You need more.

If Mack Haymon was aware of the EEO **and** gave out bad references concerning you to prospective employers, do you have proof that he did so? Assumptions are insufficient to win. Evidence is required.

By "his statement made to EDD which is on record," I assume that you mean that he opposed an application for unemployment benefits. Unemployment benefits is not a job application. Opposing unemployment benefits is not blacklisting and proves nothing as far as a judge would be concerned.

I assume that he did not come straight out and say that he is giving you bad references when prospective employers call. He merely opposed unemployment benefits. Correct?

With regards to this whole situation seems a bit peculiar, I have no doubt that you have been **misdirected** to an EEO hearing precisely because the judge will conclude that you are arguing breach of contract and because he cannot resolve a breach of settlement claim, he will, consequently, dismiss your claim.

With regards to Regional Counsel, you can trust agency attorney about as far as you can throw an elephant. They are simply looking to get rid of you.

You need to take the breach of contract claim to OFO.

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Btw, at the time of my employment with GLA, I was still receiving my healthcare from them. I have now been informed that they WERE experimenting on me and to date I now have Cystic Fibrosis. I was able to obtain a copy of the note before it has been removed from my record. Im African American with NO history of CF in my family. CF primarily affects Caucasians and is considered hereditary. Is this considered a tort claim?

You are asking the wrong person. I am an employment attorney, not a civil rights attorney. You should contact a civil rights attorney immediately.

Regards,

Bill Brawner

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