

FEB 9 2012

TRACY WINKLER
COMMON PLEAS COURTS

**COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

**THE GARRETSON FIRM RESOLUTION
GROUP, INC.**

7775 Cooper Road
Cincinnati, Ohio 45242

Plaintiff

Case No. A1200831

(Judge Robert Winkler)

vs.

VOGEL DENISE NEWSOME

Post Office Box 14731
Cincinnati, Ohio 45250

Defendant

**MOTION TO VACATE
ORDER GRANTING MOTION FOR A
TEMPORARY RESTRAINING ORDER
and/or in the ALTERNATIVE,
MOTION TO DISMISS¹**

COMES NOW Defendant, Vogel Denise Newsome (“Defendant” and/or “Newsome”), WITHOUT submitting to the jurisdiction of this Court and submits this, her “***MOTION TO VACATE ORDER GRANTING MOTION FOR A TEMPORARY RESTRAINING ORDER and/or in the ALTERNATIVE, MOTION TO DISMISS***” (“MTVOGMFTRO”) – i.e. if one is PENDING in that there is NOT one reflected on the DOCKET of this Court - in regards The Garretson Firm Resolution Group, Inc. (“Plaintiff” and/or “GRG” – i.e. GRG is inclusively applied to The Garretson Firm Resolution Group Inc., its employees, representatives, and counsel/attorneys).

PLEASE TAKE NOTICE: Out of no disrespect to this Court; however, for preservation and protection of rights secured under the Constitution (Ohio and United States), Ohio Rules of Civil Procedure, Ohio Rules of Appellant Procedure, Ohio Revised Statutes/Codes, and other governing statutes/laws, Newsome **WILL NOT** be attending the February 15, 2012 hearing regarding “*Plaintiff's*

¹ Boldface, italics, underline, COLORS, HIGHLIGHTS, etc. added for emphasis. Defendant relied upon legal resources such as WestLaw, LexisNexis, Ohio Rules of Civil Procedure, etc. to aid in preparation of this document.

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Application for Preliminary Injunction” scheduled for 1:00 p.m. on said date before the Hamilton County Court of Common Pleas in the above referenced matter.

PLEASE TAKE NOTICE: At the time of this filing Defendant/Newsome is **NOT** in receipt of Plaintiff’s/GRG’s “*COMPLAINT*,” “*Motion for Temporary Restraining Order*” **and** “*Order Granting Motion for a Temporary Restraining Order*” in the above-styled action in accordance with Ohio Laws governing said matters. **ALL** Parties with an INTEREST in this matter *have **NOT** been properly **JOINED and served*** with process as required by law (i.e. **FAILURE TO JOIN** PARTY(S)). **VENUE** is *improper* in this action pursuant to Rule 3 of the Ohio Rules of Civil Procedure. Plaintiff/GRG’s **FAILURE TO STATE A CLAIM** upon which relief can be granted further supports the dismissal of this action pursuant Rule 12 of the Ohio Civil Rules of Civil Procedure. Therefore, this Court **LACKS** Jurisdiction over Defendant/Newsome and the **SUBJECT** matter pursuant to Rules 3, 4, 12, 19, and 65 of the Ohio Rules of Civil Procedure and other statutes and laws governing said matters and/or laws of the United States governing said matter.

In further support thereof, Defendant/Newsome states the following; however, said defenses are not limited to this list:

I) GOOD FAITH:

This instant filing is submitted in good faith and is not submitted for purposes of delay, harassment, hindering proceedings, embarrassment, obstructing the administration of justice, vexatious litigation, increasing the cost of litigation, etc. and is filed to *protect* and *preserve* the rights of Defendant/Newsome guaranteed and/or secured under the Ohio Constitution, United States Constitution and other statutes/laws governing said matters.

This instant “MTVOGMFTRO” has been drafted with Rule 1(B) of the ORCP in mind to aid the fact-finder and in effort of eliminating needless delay, unnecessary expenses and all other impediments to the expeditious administration of justice.

ORCP Rule 1(B): **Construction.** These rules shall be construed and applied to effect just results by eliminating delay, unnecessary expense and all other impediments to the expeditious administration of justice.

II) LACK OF JURISDICTION/IMPROPER VENUE:

RULE 3 of the Ohio Rules of Civil Procedure. Commencement of Action; Venue . . .

(B) Venue: where proper. Any action may be venued, commenced, and decided in any court in any county. When applied to county and municipal courts, "county," as used in this rule, shall be construed, where appropriate, as the territorial limits of those courts. Proper venue lies in any one or more of the following counties: . . .

(3) A county in which the defendant conducted activity that gave rise to the claim for relief; . .

RULE 12. Defenses and Objections--When and How Presented--by Pleading or Motion--Motion for Judgment on the Pleadings. . .

(B) How presented. . . . the following defenses may at the option of the pleader be made by motion: (1) lack of jurisdiction over the subject matter, (2) lack of jurisdiction over the person, (3) improper venue, . . . (6) failure to state a claim upon which relief can be granted, (7) failure to join a party under Rule 19 or Rule 19.1. . .

RULE 65 of the Ohio Rules of Civil Procedure. Injunctions

(A) Temporary restraining order; notice; hearing; duration. A temporary restraining order may be granted without written or oral notice to the adverse party or his attorney only if (1) it clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss or damage will result to the applicant before the

adverse party or his attorney can be heard in opposition, **and** (2) the applicant's attorney certifies to the court in writing the *efforts, if any, which have been made to give notice and the reasons supporting his claim that notice should not be required.* The verification of such affidavit or verified complaint shall be upon the affiant's own knowledge, information or belief; and so far as upon information and belief, shall state that he believes this information to be true. Every temporary restraining order granted without notice shall be filed forthwith in the clerk's office; shall define the injury and state why it is irreparable and why the order was granted without notice; and shall expire by its terms within such time after entry, not to exceed fourteen days, as the court fixes, unless within the time so fixed the order. . .

(B) Preliminary injunction.

(1) Notice. **No** preliminary injunction shall be issued without reasonable notice to the adverse party. The application for preliminary injunction may be included in the complaint or may be made by motion.

1. In accordance with Rules 12 and/or 65 of the Ohio Rules of Civil Procedure and other laws of the State of Ohio and United States, this Court **"LACKS JURISDICTION"** over Defendant/Newsome as well as the **"SUBJECT"** matter in question.
2. From the Docket Sheet in this action it appears that a **COMPLAINT** was filed on or about February 3, 2012 along with a **"Motion For A Temporary Restraining Order and Application For Preliminary Injunction Order;"** however, **based on**

information brought to Defendant's/Newsome's attention an Order was **EXECUTED** by this Court's Judge Robert Winkler on or about February 3, 2012; however, **does not** appear on the Docket. Therefore, it appears, these are UNLAWFUL/ILLEGAL and UNETHICAL practices of Plaintiff/GRG and its counsel in which they have in **BAD FAITH** induced this Court to engage in the criminal/unethical practices. See **EXHIBIT "1"** attached hereto and incorporated by reference as if set forth in full herein.

3. Rule 65 of the Ohio Rules of Civil Procedure also requires that PROOF be given to this Court that Plaintiff/GRG's counsel **CERTIFY** to the Court **"IN WRITING"** the efforts, if any, which have been made to give notice and the reasons supporting GRG's counsel's claim that notice SHOULD not be required.

Defendant/Newsome has **NOTHING** before her to support that GRG provided her with any documentation/evidence to support CERTIFICATION **"in writing"** required under the Statute of its efforts in **NOTIFYING** Defendant/Newsome that it would be seeking an Injunction/Restraining Order against her. Neither does Newsome have anything before her to support that GRG has brought this action against her in GOOD FAITH with the **REQUIRED** affirmation oath.

While Defendant Newsome was **NOT given notice** of any restraining order to be served with her **prior** to Plaintiff's/GRG's filing of Lawsuit/Complaint, Defendant/Vogel Denise Newsome however, did give **NOTICE** of her intent to bring an "INJUNCTION" and "RESTRAINING ORDER" of and against Plaintiff/GRG. See **EXHIBIT "3" at III (12)(14)** of this MTVOGMFTRO, attached hereto and incorporated by reference as if set forth in full herein.

Temporary or preliminary relief allows a court to stop retaliation before it occurs or continues. Such relief is appropriate if there is a substantial likelihood that the challenged action will be found to constitute unlawful retaliation, and if the charging party and/or the EEOC will likely suffer irreparable harm because of the retaliation. Although courts have ruled that financial hardships are not irreparable, other harms that accompany loss of a job may be irreparable. For example, in one case forced retirees showed irreparable harm and qualified for a preliminary injunction where they lost work and future prospects for work, consequently suffering emotional distress, depression, a contracted social life, and other related harms (*EEOC v. City of Bowling Green, Kentucky*, 607 F. Supp. 524 (D. Ky. 1985)). A temporary injunction also is appropriate if the respondent's retaliation will likely cause irreparable harm to the Commission's ability to investigate the charging party's original charge of discrimination. For example, the retaliation may discourage others from providing testimony or from filing additional charges based on the same or other alleged unlawful acts (*Garcia v. Lawn*, 805 F.2d 1400, 1405-06 (9th Cir. 1986)). - - See *EEOC Compliance Manual* at EXHIBIT "29" attached hereto and incorporated by reference as if set forth in full herein.

4. Pursuant to Rule 65(B) addressing PRELIMINARY INJUNCTIONS of the Ohio Rules of Civil Procedure clearly states that, "**No** preliminary injunction shall be issued ***without reasonable notice to the adverse party.***"

Defendant/Newsome can state that GRG **NEVER** notified her of its intent to bring a Preliminary Injunction or Temporary Restraining Order as required by the Statutes/Laws governing said matters. Neither at this present time is it clear whether Plaintiff/GRG **CERTIFIED** to this Court (as required by law) **in WRITING** (if any) the efforts which have been made to give notice that a “**Temporary Restraining Order**” would be brought against Defendant/Newsome or the reasons why **MANDATORY** requirement of **NOTIFICATION** has not been met.

5. For this Hamilton County (Ohio) Court of Common Pleas to retain “**SUBJECT-MATTER**” Jurisdiction, it **MUST** be ESTABLISHED that jurisdiction over the nature of the case and the type of relief that Plaintiff/GRG seeks. Therefore, Plaintiff/GRG any “**ATTACKS**” on Defendant/Newsome and other **INDISPENSIBLE** Parties (OneWebHosting.com and Scribd.com) governing “**INTERNET**” services and laws in the State of CALIFORNIA, PROHIBITS Jurisdiction to this Court. Therefore, “**LACK**” of Jurisdiction over Defendant/Newsome.

Plaintiff/GRG has **FAILED** to state a claim as well as ESTABLISH prima facie case to sustain any Lawsuit/Complaint against Defendant/Newsome and **INDISPENSIBLE** Parties (OneWebHosting.com and Scribd.com).

6. Based upon the above and foregoing reasons as well as those to follow, Defendant/Newsome **PRESERVES** her right and protection of the laws and **DOES NOT** submit to this Court’s Jurisdiction and Venue.

As a matter of law, Jurisdiction **CANNOT** be **WAIVED**. Furthermore, **WILLFUL**, **MALICIOUS** and **WANTON** acts by Plaintiff/GRG to bring Defendant/Newsome before this Court through **TRICKERY** and **SHAM LEGAL PROCESS** by **KNOWINGLY**, **DELIBERATELY** and **MALICIOUSLY** omitting **INDISPENSIBLE** Parties does **NOT** bring Newsome within this Court’s Jurisdiction to act because the record evidence **SUPPORTS** that Plaintiff/GRG **KNEW** that OneWebHosting.com and Scribd.com were **INDISPENSIBLE** Parties and **CONTACT** was made with these **CALIFORNIA** Companies prior to the filing of its Lawsuit/Complaint.

III) FAILURE TO JOIN PARTIES (i.e. OneWebHosting.com and its Employees/United States President Barack Obama, etc.):

RULE 19 of the Ohio Rules of Civil Procedure: Joinder of Persons Needed for Just Adjudication:

(A) Persons to be joined if feasible. A person who is subject to service of process shall be joined as a party in the action if (1) *in his absence complete relief cannot be accorded* among those already parties, or (2) *he claims an interest relating to the subject of the action* and is so situated that the disposition of the action in his absence may (a) as a practical matter *impair or impede his ability to protect that interest* or (b) leave any of the persons already parties subject to a *substantial risk of incurring double,*

*multiple, or otherwise inconsistent obligations by reason of his claimed interest . . . - - **Nationwide Ins. Co. v. Steigerwalt**, 21 Ohio St.2d 87 (1970).*

1. There are parties to this COMPLAINT filed by Plaintiff/The Garretson Firm Resolution Group, Inc. (“GRG”) and subject to this lawsuit that HAVE **NOT** BEEN JOINED as required by law and have also not been served that shall be JOINED as Party(s) in this action.

Any and all relief that may be asserted in Plaintiff’s/GRG’s Lawsuit, CANNOT be granted in that Plaintiff has DELIBERATELY and KNOWINGLY failed to JOIN **INDISPENSIBLE** Parties with ILL-INTENT to evade JURISDICTION issue and elected to “**ATTACK**” a LONE PARTY (Defendant/Vogel Denise Newsome) relief **CANNOT** be accorded.

For instance, Defendant/Newsome maintains internet service for her website www.vogeldenisenewsome.com through a HOSTING company by the name of OneWebHosting.com (“OWH”). OneWebHosting.com provides Defendant/Newsome with Internet service out of its Offices located at:

OneWebHosting.com
1330 21st Street, Suite 203
Sacramento, California 95814
Phone: (888) 314-1925

However, OWH does not appear as a Party Defendant to the lawsuit brought by GRG.

RULE 3 of the Ohio Rules of Civil Procedure. Commencement of Action; Venue . . .

(B) Venue: where proper. Any action may be venued, commenced, and decided in any court in any county. When applied to county and municipal courts, “county,” as used in this rule, shall be construed, where appropriate, as the territorial limits of those courts. Proper venue lies in any one or more of the following counties: . . .

(3) A county in which the defendant conducted activity that gave rise to the claim for relief; . . .

The FIRST that Defendant/Vogel Denise Newsome learned of alleged Lawsuit/Complaint brought against her was through OneWebHosting.com – i.e. ESTABLISHING Plaintiff’s/GRG’s KNOWLEDGE that OWN being an **INDISPENSIBLE** Party with an INTEREST in this Lawsuit/Complaint.

2. As a direct and proximate result of **ALL** parties to this action **not** being JOINED, complete relief **CANNOT** be granted and Defendant/Newsome has suffered **IRREPARABLE** harm/injury, has been **PREJUDICED** and deprived of equal protection of the laws secured/guaranteed under Rule 19 of the Civil Rules of Civil Procedure as well as the laws governing said matters.

3. In the ABSENCE of OneWebHosting.com and employees (collectively known as “OneWebHosting.com” and/or “OWH”), COMPLETE relief **CANNOT** be accorded among those already parties because OWH and others to be joined have a **MAJOR/CRITICAL** interest in role and outcome in this matter.
4. OneWebHosting.com is so **SITUATED** and has an interest in the subject matter, that its ABSENCE: (a) Will **deprive** Defendant/Newsome *equal protection of the laws, equal immunities and privileges under the laws, due process of laws and rights secured under the First and Fourteen Amendments under the Constitution and other laws of the United States*; (b) *Impair and/or Impede* Defendant’s/Newsome’s rights to protect that interest in that under the laws of the State of California, they afford to Defendant/Newsome the very rights, privileges and freedoms that GRG is *seeking to STRIP her of* that are **PROTECTED**; and (c) leaves Defendant/Newsome subject to a **SUBSTANTIAL** risk of *incurring double, multiple, or otherwise inconsistent obligations by reason of her claimed interest*.
5. In efforts to **EVAD**E the laws and legal protection enjoyed by other customer/clients of OWH, GRG brought this lawsuit in the State of Ohio for purposes of **circumventing** the California Anti-SLAPP law which allows Defendant/Newsome the very rights, freedom and benefits that GRG seeks to deprive her of through its COMPLAINT and “*Motion for a Temporary Restraining Order and Application for Preliminary Injunction Order.*” Furthermore, to deprive Defendant/Newsome rights, freedom and benefits guaranteed under the United States Constitution through the “*Order Granting Motion for a Temporary Restraining Order*” issued by this Court, which this has usurped its authority and/or abused its authority in issuing without assuring that GRG came before it with **CLEAN HANDS** and was acting in good faith.
6. OneWebHosting.com and its employees are **INDISPENSIBLE** parties to this action and have a business and financial interest. Therefore, (a) without OWH being a party to this lawsuit, Defendant/Newsome would be **PREJUDICED** and suffer **IRREPARABLE** injury/harm; (b) the **PREJUDICE** to which Defendant/Newsome is being subjected **CANNOT** be *lessened or avoided*.
7. There is other **ADEQUATE** relief available to Plaintiff/The Garretson Firm Resolution Group, Inc. *that was KNOWN* and/or should have been known to GRG prior to bringing its Lawsuit/Complaint. Therefore, GRG **will NOT** be prejudiced in the **DISMISSAL** and/or **VACATING** of this Court’s “*Order Granting Motion for a Temporary Restraining Order*” due to its **WILFULLY**, **KNOWINGLY** and **MALICIOUSLY** *failing to JOIN* OneWebHosting.com.

Rule 19(B) Ohio Rules of Civil Procedure: Determination by court whenever joinder not feasible. If a person as described in subdivision (A)(1), (2), or (3) hereof cannot be made a party, the court shall determine whether in equity and good conscience the action should proceed among the parties before it, or should be dismissed, the absent person being thus regarded as indispensable. The factors to be considered by the court include: first, to what extent a judgment rendered in the person's absence might be prejudicial to him or those already parties; second, the extent to which, by protective provisions in the judgment, by the shaping of relief, or other measures, the prejudice can be lessened or avoided;

third, whether a judgment rendered in the person's absence will be adequate; fourth, whether the plaintiff will have an adequate remedy if the action is dismissed for nonjoinder.

8. There is **SUFFICIENT** evidence to support that GRG and/or its Counsel **KNEW** that OWH operated out of the State of California and shares an **INDISPENSABLE/CRUICIAL** interest in the outcome of GRG's Complaint/Lawsuit. GRG's **DIRECTLY** contacting OneWebHosting.com sustains said **KNOWLEDGE of indispensability**.
9. From information brought to Defendant's/Newsome's attention, GRG contacted OneWebHosting.com **DIRECTLY**. Therefore, a reasonable mind may conclude that GRG and/or its counsel having **KNOWLEDGE** of OWH's interest as well as a Party to be included in this Lawsuit/Complaint.
10. Defendant/Newsome believes that a reasonable mind given the facts and evidence regarding the California Anti-SLAPP Law may conclude that said knowledge of this Law has led GRG to **KNOWINGLY** for purposes of DECEPTIVE practices **WILLFULLY** and **MALICIOUSLY** failed to join OneWebHosting.com to this action.



11. **GRG's KNOWLEDGE OF OneWebHosting.com BEING AN INDISPENSIBLE PARTY:** On or about **February 2, 2012**, The Garretson Firm Resolution Group, Inc. submitted a Complaint to OneWebHosting.com stating in part:

(1) If you hover over the "Newsome v. Goliath" link, and follow the link to "Employer Complaints," it will take you to capture #2.

(2) Scroll down just a bit to find this content re: Garretson Resolution Group. The first four links right above the animated .gif of the laughing mouse from Tom & Jerry are internal, confidential documents belonging to Garretson Resolution Group. We would prefer that all of the Garretson-related content be removed.

- (3) Back to the homepage, if you scroll just below the link described in (1), above, you will see 3 links under the heading "EEOC/TITLE VII VIOLATIONS". The links lead to internal, company documents belonging to Garretson Resolution Group.
- (4) If you scroll down to almost the bottom of the page at , you will find the same content about Garretson Resolution Group from capture #2. Same comments apply.
- (5) There is a link here to the "Garretson Resolution Group's Culture Charter," which is an internal, confidential document owned by Garretson Resolution Group. You will also see a number of false and defamatory statements posted below that link.
- (6) A continuation of the defamatory statements, along with copyrighted material removed from Garretson's website and internal documents.
- (7) More defamatory statements and four links to confidential company documents.
- (8) A "video" which contains copyrighted images of Garretson employees, along with a listing of those employees and their job responsibilities, all of which are confidential and taken from...
- (9) The "Employee Directory" of Garretson Resolution Group, linked in the middle of this screen capture. This document is obviously confidential. Also on this page are allegations that Garretson Resolution Group was involved in the 9/11 attacks on the World Trade Center in New York. These statements are obviously false and defamatory.
- (10) More defamatory conspiracy theories involving Garretson Resolution Group and the 9/11 attacks.
- (11) See #10, above.

See **EXHIBIT "2"** attached hereto and incorporated by reference as if set forth in full herein. From said Exhibit, this Court can see that Defendant/Newsome was provided with excerpts of GRG's Complaint by OneWebHosting.com. OWH provided Newsome with GRG's Complaint and requested a RESPONSE.

- 12. On or about February 3, 2012, Defendant/Newsome provided OneWebHosting.com with an ANSWER to The Garretson Firm Resolution Group, Inc.'s Complaint which included in part as follows:

ONEWEBHOSTING - c/o MARK:

Thanks so much for advising of the Complaint submitted to OneWebHosting by Garretson Resolution Group ("Garretson").

The following is Denise Newsome's Response; however, is **NOT** limited to this list and she reserves her right to revise/amend and provide additional feedback *upon* **RECEIPT** of Garretson's **REBUTTAL** and hereby DEMAND that you request that Garretson Resolution Group provide OneWebHosting and Denise Newsome with its RESPONSE to the following:

- 1) First from the Complaint OneWebHosting submitted, unless Ms. Newsome is missing something, she **did not** see **any** FEDERAL STATUTES and/or LAWS governing and/or supporting the Complaint provided by Garretson Resolution Group **to support** any alleged claims of "COPYRIGHT Infringement."

Please have Garretson provide Denise Newsome with the statutes/laws to support any alleged claims that the website at www.vogeldenisenewsome.com INFRINGES on any Copyright laws. Under the laws of the United States, mere assertions of "copyright infringement" are **NOT** acceptable in a Court of Law!

- 2) In **Response to No. 1** of Garretson's Complaint, it appears to be merely a statement of RAMBLING words and therefore, at this time does **NOT** require a response.
- 3) In **Response to No. 2** of Garretson's Complaint it states in part, *"The first four links. . .are internal, confidential documents belonging to Garretson Resolution Group. We would prefer that all of the Garretson-related content be removed."* **PLEASE TAKE NOTICE:**

A) **"05/11/11 GARRETSON RESOLUTION EXTENDING CONTRACT"** is a document that was DRAFTED by Denise Newsome and clearly supports a "VERBAL" Contract Agreement ENTERED between Garretson Resolution Group and Denise Newsome. Therefore, a document to which Denise Newsome **is entitled to** as well and **is NOT an infringement** of any alleged copyright laws asserted by Garretson Resolution Group. Furthermore, because of such **CONTRACTUAL** Agreement in which Denise Newsome is a party, she has the LEGAL authority to retain, distribute and use as she sees fit. Moreover, **any such alleged claim** by Garretson Resolution Group to this document was BREACHED on or about October 21, 2011, when Garretson VIOLATED the terms of the CONTRACT Agreement under the laws governing contractual matters as well as Title VII of the Civil Rights Act and other laws of the United States!

B) **"10/12/11 - MEMO: MEETING WITH SANDY SULLIVAN/HR"** is a document that was DRAFTED by Denise Newsome on or about October 12, 2011, and clearly supports the "VERBAL" Contract Agreement ENTERED on May 11, 2011, between

Garretson Resolution Group **and** Denise Newsome. Denise Newsome is the **AUTHOR** of this MEMORANDUM in question and therefore, based on the **Contract Agreement that was WILLINGLY, KNOWINGLY, DELIBERATELY and MALICIOUSLY Breached by Garretson Resolution Group and its employees,** any such claims by Garretson to "**SOLE**" entitlement is **NULL/VOID as a direct and proximate result of the Garretson's BREACH of the Contract entered into with Newsome.** This document also provides **SUPPORTING** evidence of the **CRIMES/CIVIL** wrongs that Garretson and its employees **committed against** Denise Newsome during her employment with it. Based upon the **Contract Agreement between Garretson Resolution Group and Denise Newsome,** she is **entitled to FULL rights** of the MEMORANDUM and to retain, distribute and use as she sees fit.

- C) "**10/20/11 GARRETSON RESOLUTION GROUP EMAIL-NEWSOME**" contains a document that was **DRAFTED** by Denise Newsome on or about October 12, 2011, in compliance with the "**VERBAL**" Contract Agreement ENTERED on May 11, 2011, between Garretson Resolution Group **and** Denise Newsome. Denise Newsome is the **AUTHOR** of this "**FIRST**" email on October 12, 2011 which led to the following strings of emails. Therefore, Denise Newsome **is in entitled** to this document **in compliance** with the laws of the United States governing such matters to retain, distribute and use as she sees fit. Under the Agreement reached between Garretson and Denise Newsome, she was to be provided with its findings; however, as with the May 11, 2011 Agreement, Garretson **BREACHED** this commitment/agreement as well. Any such claims and/or assertions by Garretson Resolution Group to this document **are NULL/VOID** as a direct and proximate result of its **BREACH** of the Agreement with Denise Newsome on or about October 21, 2011. Furthermore, **NULL/VOID** based upon the laws governing any such claims to Copyright laws as well as Title VII of the Civil Rights Act violations and other laws of the United States. When Garretson advised Denise Newsome, ". . . I look forward to following up with you once I have more information. Thanks for your patience and understanding during the research process. . . ." it **KNEW** and/or should have

KNOWN that its **CRIMINAL/CIVIL** wrongs leveled against her and **FAILURE to act** were in VIOLATION of criminal laws and EEO laws, etc. in that Denise Newsome reported crimes as well as civil rights violations under Title VII in which Garretson also **KNEW** and/or should have **KNOWN** ***required an investigation*** and Denise Newsome ***being provided with its findings***. Nevertheless, **AFTER** advising Newsome on May 11, 2011 and then confirming AGAIN on October 21, 2011 through Messina Staffing that her CONTRACT would be honored through December 2011, Garretson, on October 21, 2011, **UNLAWFULLY/ILLEGALLY BREACHED** Contract Agreement and **TERMINATED WITHOUT JUST** and **WITHOUT LEGAL** cause. Therefore, any such claims of entitlement by Garretson Resolution Group are **NULL/VOID** and **LACKS MERITS to support**. Denise Newsome is in LEGAL possession of this document and again is the AUTHOR of the email out of which the Threads followed.

D) **"10/21/11 GARRETSON RESOLUTION GROUP-MESSINA EMAIL"** is an email in which Denise Newsome **is the AUTHOR** and was sent from her PERSONAL email account and one sent AFTER the UNLAWFUL/ILLEGAL "Breach of Contract" and UNLAWFUL/ILLEGAL "Termination of Employment." Garretson Resolution Group has **NO** entitlement to this document; therefore, any such assertion under the Copyright laws is NULL/VOID and lacks merits. Under the laws of the United States Newsome is in the **LEGAL** possession and **entitlement** of this document to retain, distribute and use as she sees fit.

4) In **Response to No. 3** of Garretson's Complaint: Again, Garretson is merely making **"VERBAL"** assertions LACKING any Legal standing to support its claims. The "3 Links" noted by Garretson leads to documents in which Denise Newsome is in RIGHFUL/LEGAL possession of and is the AUTHOR of. Any such claims that Garretson may assert is **NULL/VOID** and are documents either obtained and retained in accordance with the laws governing BREACH OF CONTRACTS or documents created by Denise Newsome AFTER leaving the employment of Garretson resolution group. Denise Newsome **reasserts** her response to the documents referenced by Garretson provided in No. 3 above. The documents that Garretson alleges belongs to it are documents that BELONG to Denise Newsome.

- 5) In **Response to No. 4** of Garretson's Complaint: Please *see Denise Newsome's REBUTTAL provided above (i.e. Nos. 1 thru 3).*
- 6) In **Response to No. 5** of Garretson's Complaint: Garretson references "*Garretson Resolution Group's Culture Charter*" as being "*confidential document owned by Garretson Resolution Group. You will also see a number of false and defamatory statements posted below that link.*" This is just "**MERE RAMBLINGS**" of a Lunatic Employer such as Garretson desperate to keep the PUBLIC/WORLD and its CUSTOMERS/CLIENTS from seeing the way they conduct business in their day-to-day operations. *Under the CONTRACT Agreement entered between Garretson Resolution Group and Denise Newsome, Garretson VOLUNTARILY provided Newsome with this document and it is NOT copyrighted and therefore, it became hers to retain, distribute and use as she sees fit.* When Garretson "**BREACHED**" this Contract with Newsome *WITHOUT* Legal Justification, *any such claims (if any) to this document was WAIVED/LOST.* Therefore, Denise Newsome *is in LEGAL/RIGHTFUL possession of document to retain, distribute and use as she sees fit and has done so in accordance with the laws of the United States.* Furthermore, while Garretson "**MERELY RAMBLES**" stating such FRIVOLOUS Copyright claims, Denise Newsome further asserts entitlement under the First Amendment to the United States Constitution and other governing laws *protecting FREE SPEECH* as being "*a number of false and defamatory statements posed below that link.*" Garretson **FAILED as required by LAW to tell what EXACTLY is "false and defamatory."** The United States Supreme Court has already addressed Newsome's and other CITIZENS rights to **"INFORM THE PUBLIC:"**

Milkovich v. Lorain Journal Co., 110 S.Ct. 2695 (1990) - Where statement of "opinion" on matter of public concern reasonably implies false and defamatory facts involving private figure, plaintiff must show that false implications were made with some level of fault to support recovery. U.S.C.A. Const.Amend. 1.

The **"BURDEN OF PROOF"** is on Garretson Resolution Group *to provide DOCUMENTATION* and CASE LAWS *that support taking away Denise Newsome's FIRST AMENDMENT Rights* and/or any other RIGHTS secured under the United States Constitution and other laws of the United States.

On www.vogeldenisenewsome.com, **FACTUAL** statements are made and **FOLLOWED UP** by documentation to support the statement. *Here you have Garretson Resolution Group making FALSE/BOGUS/FRIVOLOUS assertions claim copyright protection;* however, **NO** EVIDENCE to support its claims.

According to the **"INCREASING" Hits** on www.vogeldenisenewsome.com, apparently the PUBLIC/WORLD is INTERESTED in the material contained on this website.

Garretson most likely starting out *as a LAW FIRM*; therefore, Garretson **KNOWS** *that it CANNOT make such assertions* and **NOT** *provide EVIDENCE to support its statement.* **Information on www.vogeldeniseneewsome.com makes the statements and then provides "FACTUAL" documentation to back it up. Garretson **KNOWS** *that based upon such PROOF* that it **CANNOT** merely **RAMBLE** out such **SHAM/BOGUS/FRIVOLOUS** assertions **without rebutting the EVIDENCE there!****

- 7) In **Response to No. 6** of Garretson's Complaint: Denise Newsome retains and **reasserts** her responses above which include Nos. 1 thru 6 as well as the following rebuttal responses to be presented.
- 8) In **Response to No. 7** of Garretson's Complaint: Denise Newsome retains and **reasserts** her responses above which include Nos. 1 thru 7 as well as the following rebuttal responses to be presented.
- 9) In **Response to No. 8** of Garretson's Complaint: Denise Newsome **is the AUTHOR/OWNER** of this *PowerPoint Slide/YouTube Video* and **is NOT** in any violation of any laws. The **FACT** that the website contains video with *"images of Garretson employees, along with a listing of those employees and their job responsibilities. . ."* **does NOT give rise and NEITHER supports** any such claims by Garretson under any copyright laws. Information provided in this video is information *of PUBLIC advertising* and/or made available to Denise Newsome under the **CONTRACT** Agreement entered into **between** Garretson Resolution Group **and** Newsome that Garretson made a **CONSCIOUS** and **WILLING** decision to **BREACH!** Furthermore, photos/images **EASILY obtained from the INTERNET and made PUBLIC and can be redistributed in accordance with the laws of the United States government such matters.** This **is why you see Garretson ENDED No. 8** as *"all of which are confidential and taken from. . ."* because it **CANNOT defend the fact that it is information made PUBLIC via Internet and/or other media resources, etc.**
- 10) In **Response to No. 9** of Garretson's Complaint: The *"Employee Directory,"* Garretson's assertion as confidential is a **RAMBLING** statement lacking **MERITS**. Furthermore, this documents supports that pertinent contents **were REDACTED** (i.e. **although NOT required**) to support **GOOD-FAITH** practices by this website and that **NO laws under the United States have been violated.** This document *was obtained under the LEGAL guise of the CONTRACT entered into between Garretson Resolution Group and Denise Newsome and one in which Newsome is in LEGAL possession of to retain, distribute and use as she sees fit.* Any claims that Garretson may assert are **NULL/VOID as a direct and proximate result of its "BREACH" of Contract WITHOUT justification.** Therefore, based upon such **BREACH OF CONTRACT**, **any such claims** Garretson may assert under the laws of the United States **have been**

WAIVED/LOST as a direct and proximate result of such **BREACH and other criminal/civil violations.** **This is why in the Complaint provided by Garretson Resolution Group OneWebHosting.com will find NO Statutes to support its arguments – i.e. because there are NONE! There is NOTHING on this website that states that "Garretson Resolution Group was involved in the 9/11 attacks on the World Trade Center in New York."** **Now if this is Garretson's conscious bothering it, that is on it; however, there is NOTHING to validate such allegations by Garretson!** This website is in compliance with the laws of the United States and rights secured under the United States Constitution.

- 11) In **Response to No. 10** of Garretson's Complaint: Denise Newsome retains and **reasserts** her responses above which include **Nos. 1 thru 10** as well as the following rebuttal responses to be presented.
- 12) In **Response to No. 11** of Garretson's Complaint: Denise Newsome retains and **reasserts** her responses above which include **Nos. 1 thru 11** as well as the following rebuttal responses to be presented.
- 13) Garretson Resolution Group's Complaint amounts to **"INTERNET STALKING/STALKING," "INTERNET BULLYING," "HARASSMENT"** and other crimes in **FURTHERANCE** of the Criminal/Civil wrongs addressed in the October 12, 2011 Memorandum and other documents that Garretson seeks to have removed from www.vogeldenisenewsome.com. **The fact that Garretson Resolution Group has contacted OneWebHosting.com is UNLAWFUL/ILLEGAL**, this is why they **attempted to go behind** Denise Newsome's back because Garretson **PREYS** on those who are **IGNORANT** of the Laws of the United States to engage in such conspiracies and attempt them to **JOIN** in such **CONSPIRACIES** and crimes as those addressed on www.vogeldenisenewsome.com.
- 14) Garretson Resolution Group **NEEDS TO SO ADVISE** whether Denise Newsome will have to get a **COURT ISSUED "INJUNCTION and RESTRAINING ORDER"** of and against it and its employees for purposes of protecting her from such **CRIMINAL THREATS and ATTACKS!**
- 15) Garretson Resolution Group's Complaint is **INSUFFICIENT** and **LACKS** any **MERITS** and **LEGAL basis** to support any claims it is asserting - i.e. this is why there are **NO Statutes provided** by Garretson Resolution Group advising what Statutes (if any) that www.vogeldenisenewsome.com is in violation of.
- 16) Garretson Resolution Group if it believes that it has a **LEGAL ACTION** against Denise Newsome and/or information on the website domain www.vogeldenisenewsome.com is to bring legal action against her for such claims in the **PROPER "JUDICIAL"** venue.

Instead, it is attempting to get OneWebHosting.com to engage in CRIMINAL acts with it and INFRINGE upon rights that OneWebHosting.com provides to other customers. Garretson has the **"BURDEN of PROVING"** Copyright infringements in their Complaint in a COURT of Law; however, it merely provided a Complaint full of **RAMBLINGS and UNSUBSTANTIATED statements that CANNNOT be supported by any EVIDENCE of Case Laws!**

- 17) The United States Supreme Court in Sumner v. UNITED STATES Postal Service, 899 F.2d 203 (2d Cir. 1990) found (**practices protected by opposition clause include writing letters to customers criticizing employer's alleged discrimination**). Therefore, in keeping with the United States Supreme Court ruling, and that provided in the EEOC COMPLIANCE Manual, **neither** Denise Newsome **nor** the information provided at www.vogeldenisenewsome.com violates any "COPYRIGHT" laws and are **protected** by the **"OPPOSITION Clause"** as well as United States Constitution and other laws of the United States.

The manner used on the website at www.vogeldenisenewsome.com is one in which *"protests perceived employment discrimination must be reasonable in order for the ANTI-Retaliation provisions to apply. In applying a 'reasonableness' standard, courts and the Commission balance the RIGHT of individuals to OPPOSE employment discrimination and the PUBLIC'S INTEREST in enforcement of the EEO laws. . ." ". . . Courts have PROTECTED an employee's RIGHT to inform an employer's customers about the employer's alleged discrimination. . ."* Therefore, Garretson Resolution Group's Complaint is merely an **EXTENSION** of the CRIMINAL/CIVIL violations leveled against Denise Newsome during her employment. Furthermore, its contacting OneWebHosting.com is also in VIOLATION of the laws of the United States in that such actions are **in FURTHERANCE** of the Conspiracies they have entered into and are **"NOW ATTEMPTING to ENGAGE OneWebHosting.com to JOIN IN THEIR CRIMINAL ACTS"** and deprive Denise Newsome as well as www.vogeldenisenewsome.com rights SECURED/GUARANTEED under the United States Constitution.

- 18) If Garretson Resolution Group believes that it has any legal claims, it KNOWS that contact OneWebHosting.com in attempts to **SCARE** it by having its attorney(s) contacting OneWebHosting.com is criminal in itself in that it constitutes: CONSPIRACY, FRAUD, BRIBERY, EXTORTION, BLACKMAIL, COERCION, COLLUSION, DEPRIVATION OF RIGHTS, etc. through the use of SHAM PROCESS (i.e the submittal of a FRIVOLOUS Complaint implying presentation by an ATTORNEY for purposes of **INTIMIDATION** and **INCITING** fear and to attempt to ILLEGALLY FORCE OneWebHosting.com to violate laws in joining in **CONSPIRACIES** with it to keep Denise Newsome and www.vogeldenisenewsome.com

from making information PUBLIC and exercising her rights under the United States Constitution and other governing laws. Garretson has provided **NO** such laws to support their Complaint; therefore, Garretson (i.e. *one who employees attorneys schooled in the laws*) may be **DEEMED** to **KNOW** **prior** to and **upon** submittal that it was engaging in **CRIMINAL CONDUCT/BEHAVIOR** *prohibited by the laws* of the United States. Garretson **KNEW** that there was **NO** legal authority for its Complaint submitted to OneWebHosting.com. The Complaint has been provided in **FURTHERANCE** **"INTERNET STALKING/STALKING"** **"HARASSMENT"** and other Laws by those who are involved in CONSPIRACIES with Garretson Resolution Group.

- 19) There is *sufficient* **EVIDENCE** on the website www.vogeldenisenewsome.com to support that Garretson Resolution Group may have **CONSPIRED** with the President of the United States President Barack Obama, his 2012 Campaign Manager (**Jim Messina**) and others to the **CONSPIRACIES** to **UNLAWFULLY/ILLGALLY** terminate Newsome's **MESSINA STAFFING** Contract Employment with Garretson Resolution Group can be **SUBSTANTIATED** *by the involvement of the United States President Barack Obama, his Campaign Manager (Jim MESSINA) and others.*

President Barack Obama's 2012 Presidential Campaign Manager **Jim MESSINA**:

http://www.scribd.com/fullscreen/77563186?access_key=key-2cq97em6vz4jfv7tekuo

Newsome's **MESSINA Staffing Timesheet** (i.e. dated January 14, 2011):

http://www.scribd.com/fullscreen/79874871?access_key=key-jbayk06j4q7f94qvmds

Based on Garretson's **OWN** statement made in No. 9 of its Complaint, "*Garretson Resolution Group was involved in the 9/11 attacks on the World Trade Center in New York,*" it appears to be confessing to having ties and/or connection with the 9/11 attacks (i.e.

in that www.vogeldenisenewsome.com **makes NO claims** of Garretson's involvement in the September 11, 2001 bombing attacks on the World Trade Center!" The United States again, has addressed **FIRST AMENDMENT** Rights Protection *even with such CRIMINALS involved are FAMOUS or ANONYMOUS* that the **PUBLIC** has the right to be **INFORMED**:

Rosenbloom v. Metromedia, Inc., 91 S.Ct. 1811(1971) – First Amendment protects all discussion and communication involving *matters of public or general concern* without regard to *whether persons involved are famous or*

anonymous. (Per Mr. Justice Brennan with the Chief Justice and one Justice joining in the opinion and two Justices concurring in the judgment.)
U.S.C.A.Const. Amend. 1.

What *has been ESTABLISHED* is the **NEXUS/CONNECTION** **between** *President Barack Obama's Administration, Garretson Resolution Group in the UNLAWFUL/ILLEGAL BREACH OF EMPLOYMENT CONTRACT by Garretson Resolution Group fulfilling its ROLE in Conspiracies leveled against Denise Newsome and how they went about carrying out such CRIMINAL/CIVIL wrongs: "10/12/11 - MEMO: MEETING WITH SANDY SULLIVAN/HR."*

- 20) **2012 is a Presidential Election year.** There are **ILL MOTIVES** behind Garretson Resolution Groups **FALSE/SHAM/BOGUS** Complaint submitted to OneWebHosting.com The **CRIMINAL/CIVIL** wrongs leveled against Denise Newsome by Garretson Resolution Group and their **CONSPIRATORS/CO-CONSPIRATORS** are those in which they **do NOT** want the **PUBLIC/WORLD** to see; however, under the laws of the United States of America, Denise Newsome is within her rights and has **LEGAL AUTHORITY** in going **PUBLIC** with this information and is **PROTECTED** under the laws of the United States.
- 21) *Should* Garretson Resolution Group believe that it has a **VALID/GENUINE** and **GOOD FAITH** claim under the Copyright laws, OneWebHosting.com **IS NOT** to get involved in deciding a legal matter. As with other Citizens and/or businesses with such assertions the proper "LEGAL" RECOURSE is in a Courtroom to be *decided by a JURY to decide the dispute.* **Without the LEGAL and PROPER** Court document to issued by a Court, OneWebHosting.com would be acting and become a party to any **CONSPIRACIES** that Garretson Resolution Group and its **CONSPIRATORS/CO-CONSPIRATOR** are involved in leveled against Denise Newsome and/or against www.vogeldenisenewsome.com for **EXERCISING** rights **PROTECTED** under the United States Constitution and other laws of the United States. Therefore, as a matter of law, Garretson Resolution Group **MUST** bring a legal action against Denise Newsome. It has her contact information.
- 22) *Should* Garretson Resolution Group – i.e. in that it has a **HISTORY** of being affiliated with a **LAW FIRM** – wants to present **FACTUAL DOCUMENTATION** and **LEGAL CASE LAWS** to support its claims and provide Denise Newsome the opportunity to review such legal defense and laws provided with a rebuttal, then and **ONLY** then is information, **AS A MATTER OF LAW**, required to remain on www.vogeldenisenewsome.com and *decided in a COURT OF LAW!*

*Denise Newsome believes that this offer is made in **GOOD FAITH** and in support of **MITIGATING** any such claims that Garretson Resolution Group may assert. In other words, **BEFORE** www.vogeldenisenewsome.com is **REQUIRED** to remove materials from its website, Garretson Resolution Group **MUST** produce **SOLID** and **INDISPUTABLE** evidence and **LEGAL** conclusions to support its claims of Copyright infringement.*

23) The fact, that Garretson Resolution Group has gone as far as to contact OneWebHosting.com – i.e. may constitute **CRIMINAL INTENT** to engage OneWebHosting.com into conspiracies leveled against Denise Newsome and in **FURTHERANCE** of Garretson's **BREACH OF CONTRACT** and is now looking for **FRESH** Co-Conspirators to **JOIN** in the **FURTHERANCE** of their **CRIMINAL/CIVIL** wrongs. Moreover, attempts by Garretson Resolution Group to get OneWebHosting.com to **DEPRIVE** Denise Newsome and www.vogeldenisenewsome.com rights that **PROTECTED** under the laws of the United States and **ENJOYED** by other customers of OneWebHosting.com.

OneWebHosting.com/Mark, please provide Garretson Resolution Group with Denise Newsome's response. Upon receipt of Garretson Resolution's Group **RESPONSE**, please forward to Denise Newsome for review and consideration. Ms. Newsome is willing to work in **GOOD FAITH** to get this issue resolved and to assure that Garretson Resolution Group and its **CONSPIRATORS/CO-CONSPIRATORS** are not operating in **VIOLATION** of the laws!

See **EXHIBIT "3"** attached hereto and incorporated by reference as if set forth in full herein. **PERTINENT** and **RELEVANT** evidence as it goes to the **MOTIVES** and supports Plaintiff's/GRG's **KNOWLEDGE** that OneWebHosting.com being an **INDISPENSIBLE** party to this Lawsuit/Complaint.

PERTINENT and **RELEVANT** evidence to sustain that Plaintiff/GRG is **NOT** entitled to the relief sought and documents obtained by Defendant/Newsome under the **CONTRACT** Agreement it knowingly, willingly, deliberately and maliciously **BREACHED**. Furthermore, documents are a matter of **PUBLIC** Interest and evidence **PERTINENT** and **RELEVANT** to any other Legal Actions Defendant/Vogel Denise Newsome seeks to bring against Plaintiff/The Garretson Firm Resolution Group, Inc. and no **MALICIOUS PROSECUTION** as this instant Lawsuit/Complaint can **IMPEDE/HINDER** and/or **OBSTRUCT THE ADMINISTRATION OF JUSTICE** and legal recourse to be sought by Defendant. *The laws are clear that when TITLE VII violations arise under the BREACH of Contract, any such claims to entitlement under an alleged Contract/Agreement is NULL/VOID!*

13. From Defendant's/Newsome's **ANSWER** there also appears to be **ADDITIONAL** Plaintiffs (i.e. such as the **United States of America President Barack Obama**, his Administration, **2012 Presidential Campaign Manager [Jim Messina]**) to also be **JOINED** to the action *that have a personal, financial and business interest* – see Paragraph III at Nos. 19 and 20 of **ANSWER** to GRG's OWH Complaint above and Paragraph 14 (d) below. Therefore, **ADDITIONAL** Plaintiffs who also are **INDISPENSIBLE** to this Lawsuit/Complaint that if **NOT JOINED** to this action would further **PREJUDICE** the

action against Newsome in that they have played a VERY ACTIVE role in the CONSPIRACIES leveled against her.

14. **NEXUS** CAN BE ESTABLISHED REGARDING UNITED STATES OF AMERICA PRESIDENT BARACK OBAMA'S **INTEREST** IN THE OUTCOME OF THIS LAWSUIT/COMPLAINT and the **PUBLIC'S RIGHT TO BE INFORMED** – i.e. however, not limited to the following list:

- (a) On or about **January 30, 2011**, Defendant/Newsome submitted to the attention of her United States Kentucky Senator Rand Paul ("Senator Paul"), *"INVESTIGATION of UNITED STATES PRESIDENT BARACK OBAMA – Senator Paul URGENT Assistance Is Being Requested"* See **EXHIBIT "4"** attached hereto and incorporated by reference as if set forth in full herein;
- (b) On or about **March 12, 2011**, Defendant/Newsome submitted for filing a timely *"Petition For Extraordinary Writ"* to the United States Supreme Court which involves legal action of and against a sitting United States President. See **EXHIBIT "5" - Petition (BRIEF ONLY)**, attached hereto and incorporated by reference as if set forth in full herein;
- (c) On or about **August 31, 2011**, Defendant/Newsome submitted to the attention of her United States Kentucky Senator Rand Paul (i.e. with **a copy to the United States Supreme Court**) document entitled, *"UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For Extraordinary Writ Filed; and Assistance In Receipt of Relief PRESENTLY/IMMEDIATELY Due Newsome - WRITTEN Response Requested* **By THURSDAY, SEPTEMBER 15, 2011"**

See **EXHIBIT "6"** attached hereto and incorporated by reference as if set forth in full herein;

- (d) From documents sought by The Garretson Firm Resolution Group, Inc. in which Defendant/Newsome is in LEGAL/LAWFUL possession of, it appears shortly **AFTER** Senator Paul and the United States Supreme Court received their copies, that GRG moved forward in its role in CONSPIRACIES and engaged in DISCRIMINATORY, RETALIATORY and CRIMINAL acts, etc. leveled against Defendant/Newsome as addressed in the October 12, 2011, MEMORANDUM entitled, *"Meeting With Sandy Sullivan/HR;"* wherein white employees appear to have engaged in criminal/civil violations in the DESTRUCTION of Claimants documents and then CONSPIRED to FRAME and HARASS Defendant/Newsome (African-American) for purposes of getting her TERMINATED. See **EXHIBIT "7"** attached hereto and incorporated by reference as if set forth in full herein.



Matthew L. Garretson
Founder/CEO



Sandy Sullivan
Director, Human Resources



Rick Beavers
Director, Claims
Administration

GARRETSON RESOLUTION GROUP "GOLDEN RULE"

In addition to our clients, *we want to ensure we are applying the Golden Rule to how we treat each other at GRG.* We are a company of high performing individuals that work well as a team. In order to do so, *we must treat each other professionally, with mutual respect and trust. This includes dealing with conflicts as they arise.*

We all know that we will not always see "eye to eye" on all business decisions or issues. *When we have a conflict, we agree that we will work to resolve our differences directly and discreetly, maintaining the respect we have for each other.*

If we cannot resolve this issue, we will "agree to disagree" and *seek out a third party to hear both sides and make a decision.* Once a decision is made, all parties will support the decision.



Garretson Resolution Group's "NON-NEGOTIABLE" List of Client Service Standards

"The following 'counter-culture behaviors' will **NOT** be TOLERATED within GRG's culture:"

- i) **NOT FOLLOWING THE GOLDEN RULE:** Yet, GRG **REPEATEDLY** allowed employees (i.e. including the Director of Human Resources and others **to VIOLATE** the "Golden Rule" for purposes of depriving Defendant/Newsome an employment opportunity)
- ii) **DISHONESTY:** GRG *allowed* its employees to create *an environment of "Dishonesty" and "Distrust"* in the way it conducts business (i.e. in the **DESTRUCTION and COMPROMISING** of Claimants' documents as well as tampering/obstructing work processes to make working condition unbearable/difficult for Defendant/Newsome to perform her duties). **DISHONESTY** in that GRG failing to advise Defendant/Newsome what the **TRUE** reasons may have been for the **"ABRUPT BREACH OF CONTRACT"** - i.e. **KNOWLEDGE** of her engagement in **"PROTECTED ACTIVITIES"** and GRG's efforts of **AIDING & ABETTING** in the **COVER-UP** of Criminal practices.
- iii) **BROKEN PROMISES:** GRG not only **BROKE/BREACHED** the commitment *made to its Clients in the handling of business submitted*, but **BROKE/BREACHED** contract made to Defendant/Newsome in regards to employment opportunities - i.e. Agreement being for contract services

through December 2011. Clearly a Company that **CANNOT** be trusted or the promises that it makes!

- iv) **"NOT MY JOB:"** GRG allowed employees to work under this motto and had employees refusing to perform tasks they felt were minimal/beneath them and passed on to Defendant/Newsome for handling.
- v) **NOT ADDRESSING MISTAKES:** GRG allowed employees to **"MAKE MISTAKES"** and **LIE** about it and/or worked with employees to **COVER-UP** their mistakes and/or **CRIMINAL** behavior - *i.e. **DESTRUCTION/COMPROMISE** of Claimants' documents and then attempting to **FRAME** Defendant/Newsome for such crimes.*
- vi) **NOT ADHERING TO SERVICE STANDARDS:** GRG performed **WAY BELOW** Service Standards expected by Clients and was **REPEATEDLY** willing to **COMPROMISE/SACRIFICE** the clients' needs in GRG's **quest to destroy** Defendant/Newsome.
- vii) **NOT ATTENDING DAILY STAND-UP MEETINGS:** There were **NO "DAILY"** Stand-Up Meetings
- viii) **POOR COMMUNICATION PRACTICES** - GRG condoned employees **EXCLUDING** Defendant/Newsome *from "Training"* as well as Exclusion in *"COMMUNICATING Policies/Procedures"* Essential/Necessary for Defendant/Newsome in the carrying out of job tasks.
- ix) **NOT ENGAGING IN GRG'S MANDATORY PROGRAMS:** Clearly from the actions of GRG, employees were **allowed** and implemented **GANGSTER/THUGGISH-like** practices to promote **DISCRIMINATORY/RACIST** treatment evidencing that **"MANDATORY"** Programs - *i.e. **Equal Employment Opportunity policies*** - were **LACKING** and **NOT** required by GRG. Clearly GRG allowing employees to take a **"FAR DEPARTURE"** from its **CORE VALUES** as well as **"NON-NEGOTIABLE"** List of Client Service Standards may speak for itself.

See **EXHIBIT "30"** attached hereto and incorporated by reference as if set forth in full herein. Information which is of PUBLIC Interest;

- (e) On or about Wednesday, **September 14, 2011** (*i.e.* day **BEFORE** the **September 15, 2011 DEADLINE** given to **Kentucky Senator Rand Paul**), while GRG was fulfilling its role in the CONSPIRACIES and CRIMES leveled against Defendant/Newsome, United States of America President Obama's "Campaign Launches 'ATTACK' Site to Defend President's Record:"

Obama for American Campaign Manager [Jim Messina](#) wrote in an email to supporters released Tuesday that he is looking for scouts to collect and report "phony attacks" on the president to a site called [Attack Watch](#). . . .

"There are a lot of folks on the other side who are chomping (*sic*) at the bit to distort the president's record. It's not a question of if the next big lie will come, just when -- and what we're prepared to do about it." . . .

positions **as high as the Executive Office of the United States President to initiate and participate in CRIMINAL/CIVIL wrongs leveled against Defendant/Newsome**. Can Baker Donelson's Legal **WOES** with Defendant/Newsome be established? **YES!** Going back when Baker Donelson decided to come out from underneath that "White Hood" that it was wearing and show its face in the lawsuit *Newsome vs. Entergy*. See **EXHIBIT "11" – Docket Sheet and Complaint (BRIEF Only)**, attached hereto and incorporated by reference as if set forth in full herein. A lawsuit in which it appears that Baker Donelson relied upon the special favors of a CORRUPT/TAINTED Judge (i.e. such as G. Thomas Porteous) who was IMPEACHED and REMOVED from the bench in DISGRACE on or about December 8, 2010 for taking BRIBES, KICKBACKS, etc. to throw lawsuits. See **EXHIBIT "12" – Impeachment Article**, attached hereto and incorporated by reference as if set forth in full herein. Does this Court think that Baker Donelson and Judge Porteous advised Defendant/Newsome of any CONFLICT-OF-INTERESTS? **NO!** Keeping their SPECIAL/CLOSE relationship out of the record. However, looking at Baker Donelson's List of Judges, this Court can see G. Thomas Porteous is **PROUDLY** included. See **EXHIBIT "13" – List of Judges**, attached hereto and incorporated by reference as if set forth in full herein. How early did Defendant/Newsome report concerns of such CORRUPT practices of this Baker Donelson, Judge Porteous and other CONSPIRATORS/CO-CONSPIRATORS? As early as September 17, 2004 through pleading entitled, **"PETITIONER'S PETITION SEEKING INTERVENTION/PARTICIPATION OF THE UNITED STATES DEPARTMENT OF JUSTICE."** See **EXHIBIT "14" – Petition**, attached hereto and incorporated by reference as if set forth in full herein.

Until Defendant/Newsome went PUBLIC in sharing this information in late 2009/early 2010, Baker Donelson PROUDLY LISTED its Government Position STRONGHOLDS - See **EXHIBIT "34" – Baker Donelson Government Positions**, attached hereto and incorporated by reference as if set forth in full herein. *The PUBLIC wants to know how United States Barack Obama got into the White House.* **YES, Baker Donelson's people are in "CITIZENSHIP and IMMIGRATION. . ."** also a key position to be in when the DOMESTIC TERRORISTS Acts on September 11, 2001 were carried out!

Baker Donelson Bearman Caldwell & Berkowitz had Justice John Roberts (and other Justices of the United States Supreme Court) **NOMINATED** and **APPOINTED** to the United States Supreme Court - - Baker Donelson is **Legal Counsel Advisers** to President Barack Obama!



CONFLICT-OF-INTEREST



**NO Birth Certificate
(Natural Born Citizen)
NO Job!**



- (g) On the **SAME** day (i.e. September 15, 2011 of **DEADLINE** for WRITTEN REQUEST from United States Kentucky Senator Rand Paul, and James C. Duff Stepping Down), President Barack Obama **ANNOUNCES** that he is going to Cincinnati, Ohio on **September 22, 2011** – i.e. masking visit behind a Spence Bridge issue. Clearly, a trip to **MASK/SHIELD an illegal animus** and the President of the United States and his Conspirators/Co-Conspirators **their OBSESSION** with Newsome that they engage in the **CRIMINAL STALKING, INTERNET STALKING, THREATS, HARASSMENT, BULLYING**, etc. of her in efforts of depriving her FIRST Amendment Rights as well as other rights secured under the United States Constitution and other laws of the United States. See **EXHIBIT“15” – Announcement Article**, attached hereto and incorporated by reference as if set forth in full herein.
- (h) On **October 5, 2011**, another member (i.e. **United States Attorney General Eric Holder**) of the United States President Barack Obama’s Administration makes a trip to Cincinnati, Ohio. A reasonable mind may conclude that given the *facts, evidence and legal conclusions* herein that this trip may have also been one of **ILL INTENT** for purposes of getting a **STATUS** report from Plaintiff/The Garretson Firm Resolution Group, Inc. as to how their **“Operation TAKE DOWN”** was going leveled against Defendant/Newsome. See **EXHIBIT“16” – News Article**, attached hereto and incorporated by reference as if set forth in full herein.
- (i) Out of concerns of the **CRIMINAL/CIVIL** wrongs leveled against her, Defendant/Newsome submitted her **OCTOBER 12, 2011**, Memorandum

“Meeting With Sandy Sullivan/HR.” See EXHIBIT“7” – Memorandum, attached hereto and incorporated by reference as if set forth in full herein.

The laws of the United States are **CLEAR** that **NO** Contract/Agreement *that is **BREACHED** upon civil violations* based on one’s race, color, ethnicity religion, sex, national origin, age, disability, engagement in *PROTECTED* activities, etc. CAN *shield/protect* VIOLATING party(s) to the Contract/Agreement *from* **LIABILITY!** Furthermore, under Title VII of the Civil Rights Act and other governing laws, Defendant/Vogel Denise Newsome has a DUTY and OBLIGATION to inform the PUBLIC/WORLD of the employment violations! The record EVIDENCE is clear that PRIOR to going PUBLIC, that Defendant/Newsome in GOOD-FAITH “Notified” Plaintiff/ The Garretson Firm Resolution Group, Inc. of employment violations – as required by law!



Matt Garretson (White Male)	Founder/Chief Executive Officer (CEO)
Sandy Sullivan (White Female)	Director of Human Resources
Rick Beavers (White Male)	Director of Claims Administration
Kati Payne (White Female)	Manager of Bankruptcy & Probate - PROMOTED to Portfolio Manager
Mary Ellen Landis (White Female)	Bankruptcy/Probate Coordinator - PROMOTED to Manager Bankruptcy & Probate
Tina Mullen (White Female)	Senior Project Manager - MOVED to Quality Assurance Trainer
Dion Russell (Black Female)	Project Manager - Program Manager
Elyse Gabel (White Female)	Project Manager - Program Manager

Bill Little (White Male)	Project Manager - Program Manager
Lorianna Schurmann (White Female)	Project Manager - Program Manager
Linda Englehart (White Female)	Project Manager - Program Manager
Heather Custer (White Female)	Project Manager - DEMOTED to Project Coordinator
Mike Dittman (White Male)	Project Coordinator
Lisa Martin (White Male)	Project Coordinator
Tiffany Jansen (White Female)	Data Analyst
Brandy Jansen (White Female)	Data Analyst
Fred Brackmann (White Male)	Data Analyst
Adam Hurley (White Male)	Data Analyst
Jacob Bohnert (White Male)	Data Analyst

FREE SPEECH and “RIGHT**” TO INFORM THE PUBLIC:**

3. Standards Governing Application of the Opposition Clause:

a. Manner of Opposition Must Be Reasonable

The manner in which an individual protests perceived employment discrimination must be reasonable in order for the **anti-retaliation provisions to apply**. In applying a "reasonableness" standard, courts and the Commission balance *the right of individuals to oppose employment discrimination* and *the public's interest in enforcement of the EEO laws against an employer's need for a stable and productive work environment*.

Public criticism of alleged discrimination may be a reasonable form of opposition. Courts have protected an employee's right to **inform an employer's customers about the employer's alleged discrimination**, as well as the right to engage in peaceful picketing to oppose allegedly discriminatory employment practices. - - See United States Supreme Court Decision: 16 See, e.g., *Sumner v. United States Postal Service*, 899 F.2d 203 (2d Cir. 1990) (practices protected by opposition clause include writing letters to customers criticizing employer's alleged discrimination).

See **EXHIBIT “29” – EEOC COMPLIANCE MANUAL**, attached hereto and incorporated by reference as if set forth in full herein.

**DEADLINE FOR DEFENDANT/NEWSOME TO
FILE EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT:
ON OR ABOUT **APRIL 20, 2012!****

Plaintiff/The Garretson Firm Resolution Group, Inc. may want to REVISIT the *Newsome vs. Entergy* Complaint attached at **EXHIBIT “11”** of this instant MTVOGMFTRO; wherein Baker Donelson (i.e. Legal Counsel/Advisor for United States President Barack Obama) was Opposing Counsel and TOOK A

SHELLACKING that the only way they could succeed was engaging CORRUPT Judge G. Thomas Porteous – Judge appearing on its Judges Listing (See “**EXHIBIT “13”**”) and IMPEACHED on or about December 8, 2010, for taking **BRIBES/KICKBACKS** to “*Throw Lawsuits!*” There go the **CREDIBILITY!** (See **EXHIBIT “12”**).

- (j) On or about **OCTOBER 19, 2011**, GRG’S Sandy Sullivan provided Defendant/Newsome with a response such as, *“Once I have received feedback, I would like to schedule a follow up meeting to discuss ALL of your concerns. If a Manager from the CA team needs to be part of this discussion due to specific detail, I’ll be sure to let you know in the MEETING INVITATION.”* See **EXHIBIT “17” – Email Threads of October 12 – 20, 2011**, attached hereto and incorporated by reference as if set forth in full herein.
- (k) On or about **OCTOBER 21, 2011**, after CONFIRMING that Defendant’s/Newsome’s Contract employment would continue through December 2011, Plaintiff/The Garretson Firm Resolution Group, Inc. breached the **CONTRACT** Agreement between it and Defendant/Newsome. Defendant/Newsome being advised on the morning of October 21, 2011, from Messina Staffing Representative (Justin Roehm) that her GRG was honoring her contract as agreed through December 2011. See **EXHIBIT “18” – October 21 Email Memorializing Conversation**, attached hereto and incorporated by reference as if set forth in full herein.

Furthermore, CONFIRMING the Contract Agreement entered with Defendant/Newsome on or about **May 11, 2011**, wherein GRG’s Sandy Sullivan advised Newsome that her employment was being extended through December 2011. See **EXHIBIT “19” – May 11, 2011 Email**, attached hereto and incorporated by reference as if set forth in full herein.

- (l) On **October 21, 2011**, Plaintiff/The Garretson Firm Resolution Group, Inc. **BREACHED** the Contract Agreement with Defendant/Vogel Denise Newsome. Therefore, as a matter of law, because said BREACH was **MOTIVATED unlawful/illegal practices because of Defendant’s/Newsome’s race, color, knowledge of her engagement in protected activities, and furtherance of CONSPIRACIES leveled against her, etc.**, the terms of the **CONTRACT** Agreement between GRG and Newsome became NULL/VOID and therefore, as a direct and proximate result of said BREACH, as a Party to the **CONTRACT** Agreement Defendant/Newsome is in **RIGHTFUL/LEGAL** possession of documents and may retain, distribute and use documents obtained under the **CONTRACT** Agreement as she sees fit.

Plaintiff/GRG **ABRUPTLY** terminated Defendant/Vogel Denise Newsome’s employment with **KNOWLEDGE** being promoted to “**PROJECT COORDINATOR**” from a “**DATA ENTRY**” in that it **FAILED** to compensate her for promotion alleging that the Data Entry position in which she was **CONTRACTED** was the same as that of **PROJECT** Coordinator. See **EXHIBIT “32” – Phone Directory (REDACTED)**, attached hereto and incorporated by

reference as if set forth in full herein. See **EXHIBIT “33” – Organization Chart**, attached hereto and incorporated by reference as if set forth in full herein.

IMPORTANT TO NOTE FOR THE RECORD: That Defendant/Vogel Denise Newsome was advised of the CONTRACT Employment with Plaintiff/ The Garretson Firm Resolution Group, Inc. through an Agency by the name of **“MESSINA STAFFING.”** See **EXHIBIT “20” – Messina Timesheet**, attached hereto and incorporated by reference as if set forth in full herein. *It appears United States President Barack Obama relied upon the SPECIAL TIE/RELATIONSHIP of his 2012 Presidential Campaign Manager (JIM MESSINA) to aid in abet in the CRIMINAL/CIVIL employment violations leveled against Defendant/Newsome to have her employment terminated.* See **EXHIBIT “21” – Jim Messina Info**, attached hereto and incorporated by reference as if set forth in full herein.



ANY and ALL rights by Plaintiff/GRG to documents LEGALLY/LAWFULLY obtained by Defendant/Newsome was **WAIVED/LOST** as a *direct and proximate result* of its BREACH of the Contract Agreement which were racially motivated as well as its knowledge of Defendant’s/Newsome’s engagement in PROTECTED activities. Acts which are in violation of Title VII of the Civil Rights Act as well as other laws of the United States.

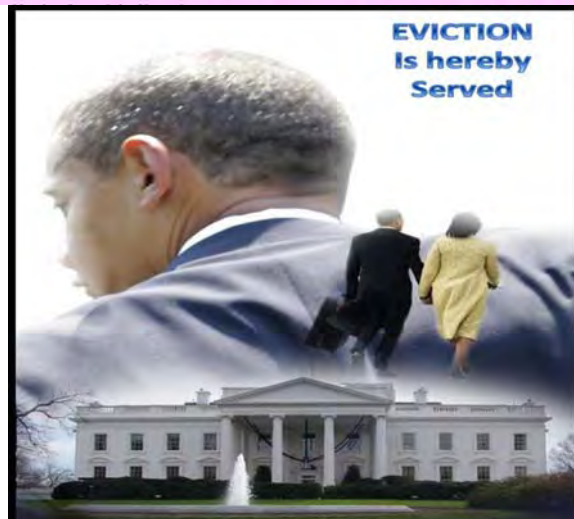
E.E.O.C. v. Ohio Edison Co., 7 F.3d 541 (C.A.6.Ohio,1993) - Title VII section prohibiting discrimination by employer against employee because employee has “opposed any practice” should be broadly construed to include claim in which employee, or his representative, has opposed any unlawful employment practice. Civil Rights Act of 1964, § 704(a), 42 U.S.C.A. § 2000e-3(a).

Employer may not discriminate against employee because employee opposed unlawful employment practice, or made charge, or participated in investigation, proceeding, or hearing related to Title VII. Civil Rights Act of 1964, § 704(a), 42 U.S.C.A. § 2000e-3(a).

Therefore, based on said statutes/laws a reasonable mind may conclude that Plaintiff's/GRG's filing of this Lawsuit/Complaint has been for purposes of OBSTRUCTING justice and efforts to prevent EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Complaint from being filed – further supporting acts by Plaintiff/GRG being **WILLFUL, MALICIOUS and WANTON!**

As a matter of law, the EMPLOYMENT VIOLATIONS of GRG is a matter of PUBLIC interest and **CANNOT** be obstructed by any claims of entitlement under a BREACHED and/or NULL/VOID Contract. As a matter of law, Defendant/Newsome has a DUTY and OBLIGATION to make the CRIMINAL/CIVIL wrongs of engaged in by GRG a matter of PUBLIC RECORD and to reports said employment violations.

- (m) On or about **January 10, 2012**, United States of America President Barack Obama was served with a **“PINK SLIP/30-DAY NOTICE”** to VACATE the United States White House **by Friday, February 10, 2012**, via Certified Mail RETURN RECEIPT (**EMPHASIS ADDED**). See **EXHIBITS “22” and “23” – Pink Slip and Return Receipt Green Card Information** respectfully, attached hereto and incorporated by reference as if set forth in full herein.



Said Pink Slip was supported by Defendant's/Newsome's **“NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF PRESIDENT BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON FLORIDA A&M UNIVERSITY REGARDING ALLEGED HAZING INCIDENT – REQUEST FOR INTERNATIONAL MILITARY INTERVENTION MAY BE NECESSARY.”** See **EXHIBIT “24” – Notification** (i.e. because of this 291 Page document **ONLY** Pages 1, 2 and 291 are included), attached hereto and incorporated by reference as if set forth in full herein.

JUST SAY “NO” OBAMA’S GOT TO “GO!”



**2012 ZOO/CARNIVAL of
United States of America “PRESIDENTIAL” CANDIDATES
ALL are “UNFIT” For Duty**

- (n) On or about **January 27, 2012 and February 1, 2012,** Defendant/Newsome submitted **via Emails** to United States President Barack Obama, United States Congressional Leaders and the PUBLIC/WORLD entitled, **“NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF PRESIDENT BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON FLORIDA A&M UNIVERSITY REGARDING ALLEGED HAZING INCIDENT – REQUEST FOR INTERNATIONAL MILITARY INTERVENTION MAY BE NECESSARY.”** See **EXHIBIT “25” – Notification,** attached hereto and incorporated by reference as if set forth in full herein.



- (o) Then approximately **ONE (1) day AFTER** the February 1, 2012, email submissions **NOTIFYING the PUBLIC/WORLD** with matters of a PUBLIC importance, here comes Plaintiff/The Garretson Firm Resolution Group, Inc. contacting Defendant's/Newsome's Internet Hosting Company (OneWebHosting.com) filing a Complaint *for her exercising her rights under the **FIRST Amendment** of the United States Constitution and other laws of the United States.*
- (p) On or about **Sunday, February 5, 2012**, Defendant/Vogel Denise Newsome received the **RIPPED UP “CERTIFIED RETURN RECEIPT GREEN CARD”** that she **NOTIFIED the PUBLIC** of on or about January 27, 2012 – February 1, 2012. *The Green Card had been **RIPPED UP/DESTROYED;*** however, upon Defendant's/Newsome's **NOTIFICATION** to United States President Barack Obama, United States *CONGRESSIONAL Members* and the PUBLIC, it appears *the “Green Card” was **TAPED BACK TOGETHER*** and RETURNED to Defendant/Vogel Denise Newsome. This “Green Card” bearing stamp **“WHITE HOUSE OFFICE – WASHINGTON, D.C...”** See **EXHIBIT “23”** attached hereto and incorporated by reference as if set forth in full herein.

UNDISPUTED FACT: On or about February 2, 2012, Plaintiff/The Garretson Firm Resolution Group, Inc., its LEGAL COUNSEL (i.e. which appears to have been **Keating Muething & Klekamp PLL**) and those (i.e. which appears to be **United States Of America - Office of the President Barack Obama/President Obama's Administration Members/Campaign Staff (collectively known as "EOP")**, Baker Donelson Bearman Caldwell & Berkowitz, etc. and other CONSPIRATORS/CO-CONSPIRATORS) did KNOWINGLY, WILLINGLY, DELIBERATELY and MALICIOUSLY launch and "ALL OUT ATTACK" on Defendant/Vogel Denise Newsome which is a "*matter of PUBLIC/WORLDWIDE INTEREST.*" This matter involves a **SITTING** United States President/EOP and the **PUBLIC/WORLD** has the *RIGHT to be informed* of this instant Lawsuit/Complaint that has been filed as a *DIRECT and PROXIMATE* result of **RETALIATORY/REVENGEFUL** practices leveled against Defendant Newsome *for EXERCISING her FIRST Amendment Rights and the efforts that have been taken to SILENCE her.*

As addressed in the January 10, 2012 "**PINK SLIP**" and "**NOTIFICATION FOR TERMINATION. . .**" served on United States President Barack Hussein Obama II:

United States of America President Barack Hussein Obama II became the agent of the other conspirator (s), and *any act done by one of the combination is regarded under the law as the act of both or all.* In other words, what one does, if there is this combination, *becomes the act of both or all of them, no matter which individual may have done it. This is true as to each member of the conspiracy, even those whose involvement was limited to a minor role in the unlawful transaction, and it makes no difference whether or not such individual shared in the profits of the actions.* (Am. Jur. Pleading and Practice Forms, Conspiracy § 9)

These are **EMBARASSMENT**, **DISGRACEFUL** and **SHAMEFUL ACTS** that are of **PUBLIC/WORLDWIDE INTEREST**:

UNITED STATES PRESIDENT BARACK HUSSEIN OBAMA II



A MAN THAT **THOUGHT** HE WAS **GOD** and **INVINCIBLE!**

NEXUS ESTABLISHED BETWEEN DEFENDANT’S/NEWSOME’S EXERCISE OF FIRST AMENDMENT RIGHTS AND MALICIOUS LAWSUIT BROUGHT BY PLAINTIFF/GRG. FURTHERMORE, THAT THERE ARE OTHER PARTIES (i.e. **INDISPENSIBLE** TO THIS ACTION) – OneWebHosting.com, Scribd.com, United States President Barack Obama/his Administration and others – THAT HAVE AN INTEREST IN ITS OUTCOME THAT HAVE NOT BEEN NAMED AND SERVED IN THIS ACTION BECAUSE PLAINTIFF/GRG KNEW and/or should have KNOWN OF THE JURISDICTIONAL HURDLES THAT EXISTED. INSTEAD THEY SOUGHT TO BRING A MALICIOUS LAWSUIT AGAINST DEFENDANT/NEWSOME WITHOUT JUST CAUSE.

15. Pursuant to Rule 19 of the Ohio Rules of Civil Procedure, Plaintiff/ The Garretson Firm Resolution Group, Inc. did KNOWINGLY, WILLINGLY, DELIBERATELY and MALICIOUSLY fail to include the following **INDISPENSIBLE** Parties as Plaintiffs/Defendants to their Lawsuit/Complaint that have interests and have REPEATEDLY played roles in PAST and RECENT unlawful/illegal ATTACKS/CONSPIRACIES leveled against Defendant/Vogel Denise Newsome for purposes of depriving her FIRST Amendment Rights secured/guaranteed under the United States Constitution and other laws of the United States – i.e. their EMPLOYEES/REPRESENTATIVES in their OFFICIAL and PERSONAL capacities:

OneWebHosting.com (“OWH”)

1330 21st Street, Suite 203
Sacramento, California 95814
(Additional Defendant(s)) – i.e. **INDISPENSIBLE** Party that provided Internet Forum that Defendant/Newsome used (i.e. until Contract was BREACHED as a direct and proximate result of Plaintiff/GRG and Parties to be

Scribd.com (“SCRIBD”)

539 Bryant Street, Suite 200
San Francisco, California 94107
(Additional Defendant(s)) – i.e. **INDISPENSIBLE** Party that provided Internet Forum that Defendant/Newsome used (i.e. until Contract was BREACHED as a direct and proximate result of

JOINED) to exercise First Amendment Rights and other Rights protected under the laws of the United States that may come into question

United States Of America

Office of the President **Barack Obama**/President Obama's Administration **Members/Campaign Staff (collectively known as "EOP")**
1600 Pennsylvania Ave NW
Washington, DC 20500
(Additional Plaintiff(s)) – i.e. INDISPENSIBLE Party that has CONSPIRED with Plaintiff/GRG to bring this action. Using GRG and their representatives as a FRONTING Organization to carry out their CRIMINAL/CIVIL wrongs leveled against Defendant/Newsome. Using FRONTING Organization in efforts to HIDE/MASK/SHIELD their criminal/civil wrongs from the PUBLIC'S EYES

Baker Donelson Bearman Caldwell & Berkowitz, PC ("BD")

First Tennessee Building
165 Madison Avenue
Memphis, Tennessee 38103
(Additional Plaintiff(s)) – i.e. INDISPENSIBLE Party that has CONSPIRED with Plaintiff/GRG to bring this action. Using GRG and their representatives as a FRONTING Organization to carry out their CRIMINAL/CIVIL wrongs leveled against Defendant/Newsome. Using FRONTING Organization in efforts to HIDE/MASK/SHIELD their criminal/civil wrongs from the PUBLIC'S EYES

Plaintiff GRG and Parties to be JOINED) by Plaintiff and Parties to be JOINED) to exercise First Amendment Rights and other Rights protected under the laws of the United States that may come into question

Keating Muething & Klekamp PLL ("KM&K")

1 E. Fourth Street, Suite 1400
Cincinnati, Ohio 45202
(Additional Plaintiff(s)) – i.e. INDISPENSIBLE Party that has CONSPIRED with Plaintiff/GRG to bring this action. Using GRG and their representatives as a FRONTING Organization to carry out their CRIMINAL/CIVIL wrongs leveled against Defendant/Newsome. Using FRONTING Organization in efforts to HIDE/MASK/SHIELD their criminal/civil wrongs from the PUBLIC'S EYES – **possible CONFLICT-OF-INTEREST** and confirming concerns of Defendant/Newsome

Others as Investigations may yield

OneWebHosting.com and **Scribd.com** are necessary Parties to this Lawsuit. If OWH and SCRIBD are not added as Party Defendants to this action it would "as a practical matter impair or impede Defendant's/Newsome's ability to protect her interest" in accordance with Civil **Rule 19(A)(2)(a)** of the Ohio Rules of Civil Procedure and other laws governing said matters. Furthermore, if OWH and SCRIBD are **not** added as Parties, it will also "*leave Defendant/Newsome who is already a named Party already subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations by reason of her claimed interest. . .*" Therefore, as a matter of statute/law, OWH and SCRIBD are **INDISPENSIBLE** Parties and must be JOINED in accordance to Rule Civil Rule **19(A)(2)(b)** of the Ohio Rules of Civil Procedure and other laws governing said matters.

The United States of America – Executive Office of the President (Barack Obama – "President Obama"), his Administration and 2012 Presidential Campaign Staff Members (collectively known as "EOP"), **Baker Donelson Bearman Caldwell & Berkowitz** ("BD" – which includes its employees and representatives)– Law Firm that provides President Obama with legal counsel/advice - and **Keating Muething & Klekamp PLL** ("KM&K" – which includes its employees and representatives) are **INDISPENSIBLE** Party Plaintiffs to this action that have a personal, business and financial interest in Plaintiff's/GRG's Lawsuit/Complaint that have **NOT** been JOINED. If EOP and BD are not added as Party Plaintiffs to this action it would "*as a practical matter impair or impede Defendant's/Newsome's ability to*

protect her interest” in accordance with Civil Rule **19(A)(2)(a)** of the Ohio Rules of Civil Procedure and other laws governing said matters.



NEXUS ESTABLISHED BETWEEN **INDISPENSIBLE** Parties **The United States of America – Executive Office of the President** (Barack Obama – “President Obama”), his Administration and 2012 Presidential Campaign Staff Members AND **Scribd.com**. Defendant/Vogel Denise Newsome’s Scribd.com services were **DISABLED** as a direct and proximate result of “ATTACKS” on her First Amendment Rights under the United States Constitution AFTER Defendant had enjoyed MONTHS of service with this INTERNET provider in the sharing of EDUCATIONAL and INFORMATIVE matters that are of PUBLIC Interests!

The Hamilton County (**Ohio**) Court of Common Pleas has NO jurisdiction over matters and business dealings between Defendant/Newsome and INTERNET Services provided her out of another State – CALIFORNIA. Therefore, as a matter of law, this Court has USURP JURISDICTION and/or attempting to ABUSE JURISDICTIONAL issues in this matter. Furthermore, any ORDER issued by an **OHIO** STATE Court entered for INTERNET Services provided out of the STATE of CALIFORNIA is **NOT** binding.

While Defendant/Newsome is not in receipt of the Complaint and/or Motion(s) of Plaintiff/GRG, California Laws are **CLEAR**:

“ . . . a lawsuit filed in another state, the court "shall" award all reasonably expenses incurred in making your motion - including attorneys' fees - if the following conditions are met:

- the subpoena was served on an Internet service provider or other Section 230 computer service provider;
- the *underlying lawsuit arose from your exercise of free speech on the Internet*; and
- the plaintiff *failed to make his prima facie showing*. - - Cal. Civ. Pro. Code § 1987.2(b).

Just as the United States President has been extended a FULL PAGE on SCRIBD.COM it appears “**AFTER**” the attacks on Defendant/Vogel Denise Newsome, Defendant has been **EXTENDED** “INTERNET SERVICES” through other providers (i.e. in CALIFORNIA, etc.) in which she have acted upon. Furthermore, *OneWebHosting.com* **OFFERED** to assist Defendant/Newsome with the **TRANSFER** of her information to **ANOTHER** Web Hosting provider. - - **DAHHHHHHH!**

Defendant/Newsome sharing the UNLAWFUL/ILLEGAL and UNETHICAL practices of Plaintiff/GRG and its CONSPIRATORS/CO-CONSPIRATORS offering her INTERNET Services elsewhere! CONFIRMING that an Ohio STATE COURT's (i.e. such as Hamilton County Court of Common Pleas) Order that may have been issued on or about February 3, 2012, is **NOT** “*Legally*” Binding in CALIFORNIA and/or Anti-SLAPP Lawsuits in that it was *clearly brought in the State of Ohio to* **EVADE** the Laws of California. This is why Plaintiff/GRG has attempted to STRIP Defendant/Newsome of PROTECTED Rights by bringing this action in a “ANOTHER” State to EVADE the California “Anti-SLAPP Law!”

IV) **PLAINTIFF/THE GARRETSON FIRM RESOLUTION GROUP, INC.’S LAWSUIT/COMPLAINT IS A MATTER OF “PUBLIC RECORD:”**

In accordance with Ohio Revised Code § 149.43 Availability of PUBLIC RECORDS for Inspection and Copying:

(A) As used in this section:

(1) “Public record” **means records kept** by any public office, including, but not limited to, state, county, city, . . .

DEFINED: MATTER OF RECORD - anything, including testimony, evidence, rulings, and sometimes arguments which *has been recorded by the*

court reporter or court clerk. It is an expression often heard in trials and legal arguments that "such and such is a matter of record" as distinguished from actions outside the court or discussions not written down or taped. - - Legal Dictionary/TheFreeDictionary.com.

Information POSTED on a PUBLIC Forum by Plaintiff/GRG supports its ADVERTISEMENT in providing SERVICES of a PUBLIC nature – See **EXHIBIT “31”** – Garretson Info, attached hereto and incorporated by reference as if set forth in full herein:



Plaintiff/ The Garretson Firm Resolution Group, Inc. through its **OWN RECKLESS** and **DECEPTIVE practices** in the filing of its Lawsuit/Complaint against Defendant/Vogel Denise Newsome in the Hamilton County (Ohio) Court of Common Pleas, it appears provided a Complaint and Motion(s) which **are now a “matter of PUBLIC RECORD.”** Therefore, any and all pleading submitted by Defendant/Vogel Denise Newsome in the defense and **PRESERVATION** of protecting her rights **are a “matter of PUBLIC record.”** Therefore, any and all claims that Plaintiff/GRG and other **INDISPENSIBLE** Party Plaintiffs may have, **have been WAIVED** and are now a matter of “PUBLIC RECORD” and subject to review by the PUBLIC-AT-LARGE.

No, a reasonable mind may conclude that upon receiving Defendant’s/Newsome’s Answer to Plaintiff’s/GRG’s OneWebHosting.com Complaint (i.e. see III (12)(13-14) of this MTVOGMFTRO) which states: _

- 13) Garretson Resolution Group's Complaint amounts to **"INTERNET STALKING/STALKING," "INTERNET BULLYING," "HARASSMENT"** and other crimes in **FURTHERANCE** of the Criminal/Civil wrongs addressed in the October 12, 2011 Memorandum and other documents that Garretson seeks to have removed from www.vogeldenisenewsome.com. **The fact that Garretson Resolution**

Group has contacted OneWebHosting.com is UNLAWFUL/ILLEGAL, this is why they attempted to go behind Denise Newsome's back because Garretson PREYS on those who are IGNORANT of the Laws of the United States to engage in such conspiracies and attempt them to JOIN in such CONSPIRACIES and crimes as those addressed on www.vogeldenisenewsome.com.

- 14) Garretson Resolution Group **NEEDS TO SO ADVISE** whether Denise Newsome will have to get a COURT ISSUED "INJUNCTION and RESTRAINING ORDER" of and against it and its employees for purposes of protecting her from such CRIMINAL THREATS and ATTACKS!

Plaintiff/GRG may have just about **"BROKE its NECK"** to get to the Courthouse to bring this MALICIOUS prosecution action against Defendant/Newsome and **INDISPENSIBLE** Party Defendants that it has attempted to **ELUDE** in naming from its Lawsuit/Complaint filed against Newsome.

Furthermore, in accordance with the "PUBLIC RECORDS" Act the record evidence will support that document provided herein **have been REDACTED accordingly** by Defendant/Vogel Denise Newsome for purposes of sharing information with the PUBLIC.

The **SERVICES** that Plaintiff/GRG provides is of a PUBLIC nature and involves CITIZENS of the PUBLIC! Moreover, services provided to PUBLIC/GOVERNMENT Entities, etc.

- v) **CALIFORNIA Anti-SLAPP (Strategic Lawsuits Against Public Participation) LAW:** A reasonable mind based upon the above facts and evidence as well as the following may conclude that Plaintiff's/The Garretson Firm Resolution Group, Inc.'s FAILURE to include **INDISPENSIBLE** Party OneWebHosting.com and others, is due to its ATTEMPT to EVADE California Anti-SLAPP Law. Under the Law of the State of California, the Complaint it appears (i.e. in that Defendant/Newsome has not been served) may be what is known in California as a SLAPP action. See **EXHIBIT "26" – California SLAPP Law**, attached hereto and incorporated by reference as if set forth in full herein. Newsome has been PREJUDICED and IRREPARABLY injured/harmed through the MALICIOUS acts of Plaintiff/The Garretson Firm Resolution Group, Inc. Therefore, Defendant/Newsome states the following however, defenses are NOT limited to this listing:

- a) **LACK OF JURISDICTION** and **IMPROPER Venue** precludes this Court from exercising jurisdiction in this matter in that there are Parties to any alleged Lawsuit/Complaint that GRG may seek to bring against Defendant/Newsome.
- b) When brought in the proper Jurisdiction and Venue in the State of California, California's Anti-SLAPP statute can be used to COUNTER SLAPP-type cases (i.e. such as what appears to be the Complaint GRG may have filed along with its Motion and/or this Court's Granting Motion For A Temporary Restraining Order) as this instant action brought by the Garretson Firm Resolution Group, Inc.

- c) When brought in the PROPER VENUE and Jurisdiction, the Anti-SLAPP statute allows Newsome to file a special motion (i.e. such as a Motion to Quash) to a Complaint filed against her based on an *"act in furtherance of [your] right of petition or free speech under the United States or California Constitution in connection with a public issue."*
- d) GRG's Lawsuit/Motion brought against Defendant/Newsome, has been brought **PRIMARILY** to discourage speech about issues of PUBLIC significance or **PUBLIC** participation in government proceedings.
- e) To challenge GRG' Lawsuit/Motion as a SLAPP, Newsome need to show that GRG is suing her for *an "act in furtherance of Defendant's/Newsome's right of petition or free speech under the United States or California Constitution in connection with a public issue."* Therefore, based on the facts, evidence and legal conclusions provided above and to follow, Defendant/Newsome has met this burden. Moreover that Plaintiff's/GRG's Complaint/Lawsuit has been filed for MALICIOUS and CRIMINAL intent to deprive Defendant/Newsome RIGHTS secured under the FIRST Amendment of the United States Constitution as well as other governing Statutes Laws.
- f) According to the Anti-SLAPP Law in California article attached to this instant Motion to Vacate, *"Although people often use terms like 'free speech'" and "petition the government"* loosely in popular speech, the anti-SLAPP law gives this phrase a particular legal meaning, which includes four categories of activities:
 - i) any written or oral statement or writing made before a legislative, executive, or judicial proceeding, or any other official proceeding authorized by law; (i.e. which is established in this instant MTVOGMFTRO);
 - ii) any written or oral statement or writing made in connection with an issue under consideration or review by a legislative, executive, or judicial body, or any other official proceeding authorized by law; (i.e. which is established in this instant MTVOGMFTRO);
 - iii) **any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest; or**
 - iv) **any other conduct in furtherance of the exercise of the constitutional right of petition or the constitutional right of free speech in connection with a public issue or an issue of public interest.**

Based on the NUMBER of reads that Defendant/Newsome pulled from her Scribd.com account, a reasonable mind may conclude that the PUBLIC has in INTEREST in the information that she is sharing in a PUBLIC forum as her Internet website at www.vogeldenisenewsome.com as well as

Scribd.com:



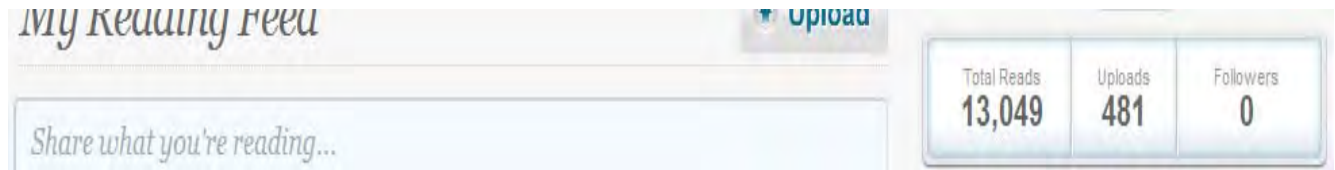
Cal. Civ. Proc. Code § 425.16(e)(1-4). Therefore, *as an online publisher of the website* and/or *internet activities* of Newsome to which it appears she is being sued, and *"applies to a written statement in a PUBLIC forum or an issue of PUBLIC interest," "iii)"* above is applicable. (See EXHIBIT "27" attached hereto and incorporated by reference as if set forth in full herein.)

- g) Under California Law - i.e. in that Newsome's website is Hosted out of the State of California - a **PUBLICLY** accessible website is considered a **PUBLIC forum**. See *Barrett v. Rosenthal*, 146 P.3d 510, 514 n.4 (Cal. 2006). Newsome's website **does NOT** have to allow comments or other public participation, so long as it is PUBLICLY available over the INTERNET (i.e. in which www.vogeldenisenewsom.com is a website on the INTERNET) See *Wilbanks v. Wolk*, 121 Cal. App. 4th 883, 897 (Cal. Ct. App. 2001).
- h) Under SLAPP, the California Courts (i.e. the State in which www.vogeldenisenewsom.com is hosted) look at factors such as whether the subject of the contents that plaintiffs such as GRG seek to have removed was a person or entity **in the PUBLIC eye**, whether the statement involved conduct that could affect large numbers of people beyond the direct participants, and whether statement contributed to debate on a topic of **WIDESPREAD PUBLIC** interest. Because, *"certainly, statements EDUCATING the PUBLIC about or taking a position on a CONTROVERSIAL issue in local, state, national or international POLITICS would qualify."* For instance the following examples include:
 - i) Statements about **the character** of a public official, see *Vogel v. Felice*, 127 Cal. App. 4th 1006 (2005);
 - ii) Statements about a celebrity, or a person voluntarily associating with a celebrity, see *Ronson v. Lavandeira*, BC 374174 (Cal. Super. Ct. Nov. 1, 2007);
 - iii) Statements about an ideological opponent in the **context of debates** about the Israeli-Palestinian conflict, see *Neuwirth v. Silverstein*, SC 094441 (Cal. Super. Ct. Nov. 27, 2007); and
 - iv) Statements about the governance of a homeowners association, see *Damon v. Ocean Hills Journalism Club*, 85 Cal. App. 4th 468 (2000).

It is **UNDISPUTABLE** that Plaintiff/The Garretson Firm Resolution Group, Inc. is in the **PUBLIC eye**. This is why it has brought the MALICIOUS Lawsuit to keep its CRIMINAL/CIVIL violations out of the PUBLICS' viewing. GRG handles disbursements of PAYOUTS, TRUST Accounts, etc. that are a matter of PUBLIC INTEREST – i.e. such as payments to 911 Responder Victims, Victims sustaining injuries as a direct and proximate result of certain prescription drugs, etc. Matters which are not only of a PUBLIC interests but the way GRG conducts business is one of MAJOR concerns and a matter of NATIONAL and INTERNATIONAL importance!

- i) While the Anti-SLAPP statute is *"meant to prevent lawsuits from chilling speech and discouraging PUBLIC participation,"* Newsome does **not** need to show that the SLAPP actually discouraged her from participating or speaking out. **Neither** does Newsome need to show that GRG and its counsel brought the SLAPP action intended to restrict her FREE speech.

- j) Because GRG is attempting to **DEPRIVE** Newsome rights of the Laws of the State of California (i.e by bringing a Complaint/Lawsuit in the **WRONG** Venue/Jurisdiction/State) as well as other governing laws, California law allows Newsome to file a **MOTION TO QUASH/VACATE** - that is to **VOID** this Court's "*Order Granting Motion For Temporary Restraining Order*" which seeks Newsome's personal information so she does **NOT** have to provide that information. Cal. Civ. Pro. Code § 1987.1. Furthermore, because Newsome's website is **HOSTED out of California**, this Court (Hamilton County [Ohio] Court of Common Pleas) "*Lacks Jurisdiction*" over the "*Subject matter*."
- k) Under the California's Anti-SLAPP statute it gives Newsome the ability file a **MOTION TO QUASH** a Lawsuit brought against her for engaging in **PROTECTED** speech or petition activities as that addressed on her website that she may use to **educate/inform** on matters of **PUBLIC** issues/interests – i.e. as **EVIDENCED** by the **NUMBER** of Reads pulled from her **SCRIBD.COM** account.



- l) The benefits of bring this Anti-SLAPP motion provides Newsome with the benefit of getting the **FRIVOLOUS Lawsuit** brought by GRG and its counsel **DISMISSED quickly**.
- m) California Anti-SLAPP statute also **PRECLUDES** GRG a as well as this Court (i.e. who **LACKS** jurisdiction) from obtaining and/or requesting the production of documents which may be sought by Newsome. **UNLAWFUL/ILLEGAL/UNETHICAL** practices GRG is attempting to get this Court to **ERR** by bringing this action.
- n) When making determinations on Anti-SLAPP matters, the Court will **FIRST** consider whether Newsome has established that GRG's Lawsuit/Complaint arises out of a "**PROTECTED speech**." In that Defendant/Newsome has not been served, this Court as well as a reasonable mind may conclude that this Lawsuit/Complaint has been brought with **MALICIOUS** intent to injure/harm Defendant/Newsome and to deprive **FIRST** Amendment rights as well as other rights and privileges under the laws of the United States.
- o) A reasonable mind may conclude that **TRICKERY** and **DECEITFUL** practices of Plaintiff/GRG in failing to **JOIN** OneWebHosting.com and other parties to the Lawsuit/Complaint has been for purposes of getting around California's Anti-SLAPP Law. Because of this Court's **LACK OF JURISDICTION** of the subject matter, the "**ORDER GRANTING MOTION FOR A TEMPORARY RESTRAINING ORDER**" is **VOID/NULL** and **CANNOT** require that Newsome **WAIVE** protected rights and submit to the jurisdiction on such subject matter.
- p) Clearly Plaintiff's/The Garretson Firm Resolution Group, Inc.'s **DECEPTIVE** and **MALICIOUS** practices to bring its Lawsuit/Complaint were **DELIBERATELY** to **DEPRIVE** Defendant/Newsome **PROTECTED** Rights. Thus, Defendant/Newsome has

been PREJUDICED through such UNLAWFUL/ILLEGAL and UNETHICAL acts of Plaintiff/GRG and its counsel.

See EXHIBIT “26” attached hereto and incorporated by reference as if set forth in full herein.

VI) INFORMATION RETRIEVED FROM THE CALIFORNIA Anti-SLAPP PROJECT’S WEBSITES PROVIDES ADDITIONAL AND INFORMATIVE INFORMATION SUCH AS:

SLAPPs **all** arise out of expressive activity which is directed to public concerns and protected by the First Amendment. Often, SLAPPs are “**camouflaged**” as ordinary civil lawsuits; among the most often used legal theories are the following:

- i) **Defamation.** Broadly defined, this is an alleged intentional false communication, which is either published in a written form (**libel**) or publicly spoken (**slander**), that injures one’s reputation.

(Based upon the facts, evidence and legal conclusions in this “MTVOGMFTRO,” Defendant/Vogel Denise Newsome has been **IRREPARABLY** injured/harmed and **PREJUDICED** by Plaintiff’s/GRG’s MALICIOUS Complaint – i.e which most likely may be **CAMOUFLAGED** under “**Defamation**” claims – which may be a claim made; however, not known since Newsome has NOT been served with Complaint. This defense is being asserted under the California Anti-SLAPP Law.)

- ii) **Malicious Prosecution or Abuse of Process.** A “malicious prosecution” is a criminal or civil lawsuit which is begun with knowledge that the case lacks merit, and which is brought for a reason (such as, to harass or annoy) other than to seek a judicial determination of the claim. The use of the legal process to intimidate or to punish the person against whom the suit is brought is generally referred to as “abuse of process.”

(Based upon the facts, evidence and legal conclusions in this “MTVOGMFTRO,” Defendant/Vogel Denise Newsome has been **IRREPARABLY** injured/harmed and **PREJUDICED** by Plaintiff’s/GRG’s MALICIOUS PROSECUTION Complaint which has been brought with KNOWLEDGE that the Lawsuit/Complaint **LACKS MERIT**, and has merely been brought in furtherance of Plaintiff’s/GRG’s CRIMINAL STALKING, INTERNET STALKING, BULLYING, THREATS, HARASSMENT, INTIMIDATION practices, etc. toward Defendant/Newsome; – i.e which most likely may be **CAMOUFLAGED** through it bringing of this Lawsuit/Complaint; however, not known since Newsome has NOT been served with Complaint. This defense is being asserted under the California Anti-SLAPP Law.)

- iii) **Invasion of Privacy.** This refers to the unlawful use or exploitation of one's personality, the publicizing of one's private affairs with which the public has no legitimate concern, or the wrongful intrusion into one's private activities.

(Based upon the facts, evidence and legal conclusions in this "MTVOGMFTRO," Defendant/Vogel Denise Newsome has been **IRREPARABLY** injured/harmed and **PREJUDICED** by Plaintiff's/GRG's MALICIOUS Complaint – i.e. which most likely may be **CAMOUFLAGED** under "Invasion of Privacy" claims – which may be a claim made; however, not known since Newsome *has NOT been served with Complaint*. This defense is being asserted under the California Anti-SLAPP Law.)

- iv) **Conspiracy.** A conspiracy is an alleged agreement between two or more persons to commit an illegal, unlawful, or wrongful act.

(Based upon the facts, evidence and legal conclusions in this "MTVOGMFTRO," Defendant/Vogel Denise Newsome has been **IRREPARABLY** injured/harmed and **PREJUDICED** by Plaintiff's/GRG's MALICIOUS Complaint in which it is a party to ONGOING CONSPIRACIES leveled against her to deprive her PROTECTED Rights secured under the FIRST Amendment and other laws governing said matters. Newsome *has NOT been served with Complaint*. This defense is being asserted under the California Anti-SLAPP Law.)

- v) **Interference With Contract or Economic Advantage.** This is based on the alleged commission of an act with the intent to interfere with or cause a breach of a contract between two people, or hinder a business relationship which exists between those persons.

(Based upon the facts, evidence and legal conclusions in this "MTVOGMFTRO," Defendant/Vogel Denise Newsome has been **IRREPARABLY** injured/harmed and **PREJUDICED** by Plaintiff's/GRG's MALICIOUS Complaint brought for the commission of an act to with the intent to **INTERFERE** with or cause **BREACH OF CONTRACTS** with OneWebHosting.com, Scribd.com, and **other** business relationships in which Defendant/Newsome forms as can be EVIDENCED in this instant pleading and the INTERFERENCE and BREACH OF CONTRACTS that have resulted as the direct and proximate result of GRG contacting business(es) that provide services to Defendant/Newsome which allow her to use their FORUMS to share educational/informative materials with the PUBLIC. This defense is being asserted under the California Anti-SLAPP Law.)

- vi) **Intentional or Negligent Infliction of Emotional Distress.** This is based on an alleged commission of some outrageous act with the intent and knowledge that the act will result in severe mental or emotional anguish of another.

(Based upon the facts, evidence and legal conclusions in this "MTVOGMFTRO," Defendant/Vogel Denise Newsome has been **IRREPARABLY** injured/harmed and **PREJUDICED** by Plaintiff's/GRG's

MALICIOUS Complaint – i.e which most likely may be **CAMOUFLAGED** under “**Intentional or Negligent Infliction or Emotional Distress**” claims – which may be a claim made; however, not known since Newsome has NOT been served with Complaint. This defense is being asserted under the California Anti-SLAPP Law.)

- vii) Injunction.** The lawsuit seeks a temporary restraining order or an injunction against First Amendment activity.

(Based upon the facts, evidence and legal conclusions in this “MTVOGMFTRO,” Defendant/Vogel Denise Newsome has been **IRREPARABLY** injured/harmed and **PREJUDICED** by Plaintiff’s/GRG’s MALICIOUS Complaint – i.e which most likely may be **CAMOUFLAGED** under a malicious “**Complaint**” and “**Motion for a Temporary Restraining Order and Application for Preliminary Injunction Order**” claims, as the above captioned lawsuit – which may be claim(s) made; however, not known since Newsome has NOT been served with Complaint. This defense is being asserted under the California Anti-SLAPP Law.)

See **EXHIBIT “28”** attached hereto and incorporated by reference as if set forth in full herein. The FACT that Plaintiff/GRRG has attempted to bring a SLAPP action in the WRONG State and Venue clearly supports its KNOWLEDGE to deprive Defendant/Newsome of FIRST Amendment Rights as well as other rights secured under the Constitution and laws of the United States. Furthermore, Defendant/Newsome **CLEARLY** would be **PREJUDICED** and **IRREPARABLY** injured/harmed had she WAIVED jurisdiction/venue issue. Based upon the above reference California SLAPP Law, the PROPER VENUE would be in Sacramento, California; wherein the “scales of justice” will be EQUALLY balanced!

- VII)** Clearly the PUBLIC interest has been **IRREPARABLY** harmed through the CRIMINAL and CIVIL VIOLATIONS of Plaintiff/The Garretson Firm Resolution Group, Inc. through its MALICIOUS interference and CONSPIRACIES entered into with OneWebHosting.com, Scribd.com and others to BREACH CONTRACTS and OBSTRUCTING JUSTICE as well as EQUAL PROTECTION OF THE LAWS secured/guaranteed under the United States Constitution and other laws of the United States. At the time that these CRIMINAL acts were leveled against Defendant’s/Newsome’s website www.vogeldeniseneewsome.com PUBLIC interests was up to approximately 1,300 HITS and on Scribd.com OVER 13,000 Reads – i.e **AFTER** sending out PUBLIC notifications, Reads were approximately **1,000+** a day:



- VIII) The information that Defendant/Vogel Denise Newsome has released is of PUBLIC/WORLDWIDE interest in that it involves the acts of a **SITTING** United States President (Barack Obama), his Administration, Legal Counsel/Advisors, the United States of America's Government Officials, etc. Clearly the **PUBLIC** interest has been **IRREPARABLY** harmed through the **CRIMINAL** and **CIVIL VIOLATIONS** of Plaintiff/The Garretson Firm Resolution Group, Inc. and its counsel through their **MALICIOUS** interference and **CONSPIRACIES** entered into with OneWebHosting.com, Scribd.com and others.
- IX) With the ***GROWING List of Corrupt Judges*** in legal matters involving Defendant/Vogel Denise Newsome and the way this matter is being handle, there is **DEFINITELY** an ***APPEARANCE of IMPROPRIETY!***
- X) It is of **PUBLIC INTEREST** as to why United States EMBASSIES may have been on **LOCKDOWN** and/or **EVACUATED** this week.
- XI) It is of **PUBLIC INTEREST** as to why United States Secretary Hillary Clinton may have **looked** so **GLOOM** – i.e. looking as though she had ***“fallen on the sword”*** – *after the United Nations visit this week which was a FLOP!!*



- XII) Defendant/Vogel Denise Newsome will continue to MARCH FORWARD and advise the PUBLIC and FOREIGN NATIONS/LEADERS/CITIZENS as to what is REALLY taking place ***as she did in 2010*** which may have **led to the November 2, 2010 SHELLACKING President Barack Obama took at the POLLS!** Methods used may have been successful in **rendering President Obama a KNOCKOUT PUNCH in 2010.** Therefore, Defendant/Newsome will rely on her **FIRST AMENDMENT** Rights and other Rights to **INFORM the Public/World** of these **RECENT ATTACKS** on her website, Internet Accounts and **FREEDOM OF SPEECH.**
...

XIII) With United States of America's President Barack Obama's TRACK RECORD regarding ATTACKS against Defendant/Vogel Denise Newsome, WHAT, now with this instant filing, President Barack Obama is NOW approximately 0wins and 10 LOSSES against Newsome. This is a matter and/or information of PUBLIC interest and Defendant/Newsome intends to SHARE with the PUBLIC/WORLD! **The CLOCK is "Ticking."** President Barack Obama has approximately **TWO (2) DAYS** left to **STEP DOWN according to the EVICTION NOTICE** that was served and received on or about January 17, 2012!

The PUBLIC has the RIGHT to be INFORMED as to how President Barack Obama spent the FINAL week leading up to his EXPIRATION DATE to Step Down – i.e. coming after Defendant/Newsome and her Internet Service Providers to get them to ENGAGE in CRIMINAL/CIVIL wrongs *against her to SILENCE HER!* They have come after the WRONG AFRICAN-American!

However, let's reiterate – **NOT WITHOUT A FIGHT – It appears TIME TO CALL IN BACKUP!!!**



FREEDOM OF SPEECH and **FREEDOM** OF EXPRESSION, etc. secured/guaranteed under the United States Constitution and other laws of the United States.

XIV) In that it is APPARENT that this SHAM/FRIVOLOUS/BOGUS Lawsuit/COMPLAINT has been brought for purposes of further HARASSMENT, EMBARRASSMENT, THREATS, INTIMIDATION, RACISTS VENDETTAS, ENVY, JEALOUSY, HATRED, EVILNESS, WICKEDNESS, COERCION, CRIMINAL INTENT, OBSTRUCTION OF JUSTICE, FRAUD COMMITTED UPON THIS COURT, DEPRIVATION OF PROTECTED RIGHTS, TO COVER-UP THE CRIMINAL/CIVIL CONSPIRACIES LEVELED AGAINST DEFENDANT, ABUSE OF PROCESS, ABUSE OF THE JUDICIAL SYSTEM, PERSONAL VENDETTAS, WHITE SUPREMACISTS PRACTICES, DEPRIVATION OF PROTECTED RIGHTS, DEPRIVATION OF RIGHTS SECURED/GUARANTEED UNDER THE UNITED STATES CONSTITUTION AND OTHER LAWS OF THE UNITED STATES, and OTHER reasons known to The Garretson Firm Resolution Group, Inc., its employees, its representatives, and counsel/attorneys (collectively known in MTVOGMFTRO as "GRG").

PLEASE TAKE NOTICE: for the above and foregoing reasons and those set forth below, Defendant/Vogel Denise Newsome **WILL NOT** WAIVE "*Protected Rights*," she **WILL NOT** be submitting to this Court's Jurisdiction because there is NO Legal Authority requiring her to do so – i.e. this Court LACKS Jurisdiction, Venue is IMPROPER as well as for the reasons set forth above in this instant "**MOTION TO VACATE ORDER GRANTING MOTION FOR A TEMPORARY RESTRAINING ORDER and/or in the ALTERNATIVE, MOTION TO**

DISMISS" Therefore, Defendant/Newsome **WILL NOT** be attending the **SHAM/BOGUS** Hearing set for on or about **February 15, 2012 at 1:00 p.m.** *for purposes of subjecting her to further injury/harm and possible **DANGER and THREATS ON HER LIFE!***



**Defendant/Vogel Denise Newsome
is just going to go ahead and**

"Give GOD ALL the GLORY NOW!"

WHEREFORE, PREMISES CONSIDERED, for the above and foregoing reasons, Defendant Vogel Denise Newsome respectfully declines to be a party to such UNLAWFUL/ILLEGAL and UNETHICAL practices by The Garretson Firm Resolution Group, Inc. In the interest of justice and to protect the INTEGRITY of this Court as well as to protect her physical, personal and mental wellbeing, Defendant/Newsome **will NOT** be WAIVING jurisdiction and proper venue and the above reference defenses to entertain the unlawful/illegal practices. Plaintiff/GRG has brought this Complaint/Lawsuit for purposes of *"silencing, chilling speech and discouraging PUBLIC participation."* Plaintiff's/GRG's Complaint/Lawsuit is *an "act in furtherance of Vogel Denise Newsome's right of petition or free speech under the United States or California Constitution in connection with a public issue"* and CLEARLY lacks merit. The PUBLIC/WORLD have INTERESTS in what Vogel Denise Newsome has to say and is sharing in PUBLIC FORUMS. The United States of America is a county of DEMOCRACY and not

DICTATORSHIP! Corrupt employers and CORRUPT Law Firms and Attorneys/Lawyers have CONTRIBUTED to the downfall and demise of the JUDICIAL system and the ECONOMIC decline this Nation and the World face today because citizens/people are afraid to speak out and use their GOD-GIVEN voices. No it is time to **“PULL OFF THE HOODS”** that White Supremacists are hiding behind and **PUBLICLY EXPOSE** to the PUBLIC/WORLD what GRG and its CONSPIRATORS/CO-CONSPIRATORS are hiding and Defendant/Newsome is going to do it because she is a **FREE AFRICAN-American** and not an **INDENTURED** Slave whose **FREEDOMS** are NOT to be controlled by a **Racist** Government and/or **Racist** Judicial system. The **days of SLAVERY/BONDAGE/OPPRESSION** are over! Furthermore, to entertain and embark on some wilderness expedition of Plaintiff/GRG and its counsel/attorneys who have brought these legal actions for purposes of HARASSMENT, EMBARRASSMENT, THREATS, INTIMIDATION, RACISTS VENDETTAS, ENVY, JEALOUSY, HATRED, EVILNESS, WICKEDNESS, COERCION, CRIMINAL INTENT, OBSTRUCTION OF JUSTICE, FRAUD COMMITTED UPON THIS COURT, DEPRIVATION OF PROTECTED RIGHTS, TO COVER-UP THE CRIMINAL/CIVIL CONSPIRACIES LEVELED AGAINST DEFENDANT, ABUSE OF PROCESS, ABUSE OF THE JUDICIAL SYSTEM, PERSONAL VENDETTAS, WHITE SUPREMACISTS PRACTICES, DEPRIVATION OF PROTECTED RIGHTS, DEPRIVATION OF RIGHTS SECURED/GUARANTEED UNDER THE UNITED STATES CONSTITUTION AND OTHER LAWS OF THE UNITED STATES, and OTHER reasons known to The Garretson Firm Resolution Group, Inc., its employees, its representatives, and counsel/attorneys (collectively known in MTVOGMFTRO as “GRG”).

Defendant/Vogel Denise Newsome **WILL NOTbeINDUCED INTO COURT UNDER FALSE PRETENSES and/or SHAM LEGAL PROCESS!**

As a matter of law, the **ORDER GRANTING MOTION FOR A TEMPORARY RESTRAINING ORDER**that may have been entered in this action be **VACATED** and/or in the Alternative this **Lawsuit/Complaint** be **DISMISSED WITH PREJUDICE!**

Respectfully submitted this 9th day of February, 2012.



Vogel Denise Newsome, *Defendant Pro Se*
Post Office Box 14731
Cincinnati, Ohio 45250
Phone: (513) 680-2922

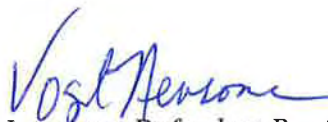
**MEMORANDUM IN SUPPORT OF MOTION TO
VACATE ORDER GRANTING MOTION FOR A TEMPORARY RESTRAINING ORDER**

COMES NOW Defendant Vogel Denise Newsome ("Defendant" and/or "Newsome"), for purposes that a Memorandum in Support of her "**MOTION TO VACATE ORDER GRANTING MOTION FOR A TEMPORARY RESTRAINING ORDER and/or in the ALTERNATIVE, MOTION TO DISMISS**" ("MTVOGMFTRO") may be required and hereby incorporates as if set forth in full herein the defenses, statements, facts, evidence and legal conclusions relied upon in the above initiated Motion.

A reasonable mind may conclude that Plaintiff's/The Garretson Firm Resolution Group, Inc.'s DELIBERATE and MALICIOUS failure to JOIN INDISPENSIBLE PARTIES to this Lawsuit/Complaint has been for purposes of EVADING the California Anti-SLAPP Law and to deprive Defendant/Vogel Denise Newsome FIRST Amendment Rights - *an "act in furtherance of Defendant's/Newsome's right of petition or free speech under the United States or California Constitution in connection with a public issue"* - secured/guaranteed under the United States Constitution and other laws of the United States. Moreover, for purposes of bringing Defendant/Newsome before this Court through the use of **SHAM LEGAL PROCESS**, for purposes of **COMMITTING FRAUD** on this Court as well as other Criminal intent known to Plaintiff/GRG. As a direct and proximate result of such unlawful/illegal and unethical practices of Plaintiff/GRG, Defendant/Vogel Denise Newsome has been IRREPARABLY injured/harmed.

WHEREFORE, PREMISES CONSIDERED Defendant/Newsome requests the relief sought through her MTVOGMFTRO and that if there is an *Order Granting Motion for a Temporary Restraining Order* executed on or about February 3, 2012, that it hereby be **VACATED and/or in the Alternative this Lawsuit/Complaint be DISMISSED WITH PREJUDICE!**

Respectfully submitted this 9th day of February, 2012.



Vogel Denise Newsome, *Defendant Pro Se*
Post Office Box 14731
Cincinnati, Ohio 45250
Phone: (513) 680-2922

CERTIFICATE OF SERVICE

The undersigned hereby certifies that in accordance with Rule 1(B) of the Ohio Civil Rules of Civil Procedure and Defendant's Financial Status:

ORCP Rule 1(B): **Construction.** These rules shall be construed and applied to effect just results by eliminating delay, unnecessary expense and all other impediments to the expeditious administration of justice.

a true and correct copy of the forgoing pleading has been produced in CD/DVD Format and has been has been mailed via first-class U.S. Mail to:

Keating Muething&Klekamp PLL

ATTN:James R. Matthews

Rachel A. Rowe

Charles M. Miller

Thomas F. Hankinson

1 E. fourth Street, Suite 1400

Cincinnati, Ohio 45202

Respectfully submitted this 9th day of February, 2012.



Vogel Denise Newsome, *Defendant Pro Se*

Post Office Box 14731

Cincinnati, Ohio 45250

Phone: (513) 680-2922



Tracy Winkler

CLERK OF COURTS



FROM: http://www.courtclerk.org/case_summary.asp?sec=history&casenumber=A1200831

In accordance with Federal Laws provided For Educational and Information Purposes – i.e. of PUBLIC Interest

Case Summary

Case Number:	A 1200831
Case Caption:	THE GARRETSON FIRM RESOLUTION GROUP INC vs. VOGEL DENISE NEWSOM
Judge:	Unavailable
Filed Date:	2/3/2012
Case Type:	H920 - RESTRAINING ORDER- OC
Total Deposits:	\$ 328.00 Credit
Total Costs:	\$ 321.00

Case History

Non-Printer Friendly Version

Doc	Image#	Date	Description	Amount
		2/3/2012	BOND DEPOSIT BY KEATING MUETHING KLEKAMP	1.00-
		2/3/2012	MOTION FOR A TEMPORARY RESTRAINING ORDER AND APPLICATION FOR PRELIMINARY INJUNCTION ORDER	
		2/3/2012	INITIAL CASE DEPOSIT PAID BY JAMES R MATTHEWS	325.00-
		2/3/2012	CLASSIFICATION FORM FILED.	
		2/3/2012	COMPLAINT FILED	

1

[LOW-86111]: DMCA Notice - vogeldenisenewsom.com

From: **OneWebHosting.com Support** (support@onewebhosting.com)

Sent: Thu 2/02/12 2:21 PM

To:

DMCA Notice - vogeldenisenewsom.com

Hello,

Here is a copy of the 11 points they have made that need to be addressed;

(1) If you hover over the "Newsom v. Goliath" link, and follow the link to "Employer Complaints," it will take you to capture #2.

(2) Scroll down just a bit to find this content re: Garretson Resolution Group. The first four links right above the animated .gif of the laughing mouse from Tom & Jerry are internal, confidential documents belonging to Garretson Resolution Group. We would prefer that all of the Garretson-related content be removed.

(3) Back to the homepage, if you scroll just below the link described in (1), above, you will see 3 links under the heading "EEOC/TITLE VII VIOLATIONS". The links lead to internal, company documents belonging to Garretson Resolution Group.

(4) If you scroll down to almost the bottom of the page at , you will find the same content about Garretson Resolution Group from capture #2. Same comments apply.

(5) There is a link here to the "Garretson Resolution Group's Culture Charter," which is an internal, confidential document owned by Garretson Resolution Group. You will also see a number of false and defamatory statements posted below that link.

(6) A continuation of the defamatory statements, along with copyrighted material removed from Garretson's website and internal documents.

(7) More defamatory statements and four links to confidential company documents.

(8) A "video" which contains copyrighted images of Garretson employees, along with a listing of those employees and their job responsibilities, all of which are confidential and taken from...

(9) The "Employee Directory" of Garretson Resolution Group, linked in the middle of this screen capture. This document is obviously confidential. Also on this page are allegations that Garretson Resolution Group was involved in the 9/11 attacks on the World Trade Center in New York. These statements are obviously false and defamatory.

(10) More defamatory conspiracy theories involving Garretson Resolution Group and the 9/11 attacks.

(11) See #10, above.

Please let us know if you have any other questions, we would be happy to help.

Best Regards,

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**ANSWER TO COMPLAINT SUBMITTED TO:
OneWebHosting.com
BY GARRETSON RESOLUTION GROUP
NO RESPONSE TO THE ANSWER HAS BEEN RECEIVED**

ONEWEBHOSTING - c/o MARK:

Thanks so much for advising of the Complaint submitted to OneWebHosting by Garretson Resolution Group ("Garretson").

The following is Denise Newsome's Response; however, is **NOT** limited to this list and she reserves her right to revise/amend and provide additional feedback *upon **RECEIPT*** of Garretson's **REBUTTAL** and hereby DEMAND that you request that Garretson Resolution Group provide OneWebHosting and Denise Newsome with its RESPONSE to the following:

- 1) First from the Complaint OneWebHosting submitted, unless Ms. Newsome is missing something, she **did not** see **any** FEDERAL STATUTES and/or LAWS governing and/or supporting the Complaint provided by Garretson Resolution Group to **support** any alleged *claims of "COPYRIGHT Infringement."*

*Please have Garretson provide Denise Newsome with the statutes/laws to support any alleged claims that the website at www.vogeldenisenewsome.com **INFRINGEMENTS** on any Copyright laws.* Under the laws of the United States, mere assertions of "copyright infringement" are **NOT** acceptable in a Court of Law!

- 2) In **Response to No. 1** of Garretson's Complaint, it appears to be merely *a statement of RAMBLING words* and therefore, at this time does **NOT** require a response.
- 3) In **Response to No. 2** of Garretson's Complaint it states in part, *"The first four links. . .are internal, confidential documents belonging to Garretson Resolution Group. We would prefer that all of the Garretson-related content be removed."* **PLEASE TAKE NOTICE:**

- A) **"05/11/11 GARRETSON RESOLUTION EXTENDING CONTRACT"** is a document that *was **DRAFTED** by Denise Newsome* and clearly supports a **"VERBAL" Contract Agreement ENTERED between Garretson Resolution Group and Denise Newsome**. Therefore, a document to which Denise Newsome **is entitled** to as well and **is NOT an infringement** of any alleged copyright laws asserted by Garretson Resolution Group. Furthermore, because of such **CONTRACTUAL Agreement in which Denise Newsome is a party**, she *has the **LEGAL authority** to retain, distribute and use as she sees fit.* Moreover, **any such alleged claim** by Garretson Resolution Group to this document *was **BREACHED** on or about October 21, 2011, when Garretson **VIOLATED** the terms of the **CONTRACT Agreement** under*

the laws governing contractual matters as well as Title VII of the Civil Rights Act and other laws of the United States!

- B) **"10/12/11 - MEMO: MEETING WITH SANDY SULLIVAN/HR"** is a document that was DRAFTED by Denise Newsome on or about October 12, 2011, and clearly supports the "VERBAL" Contract Agreement ENTERED on May 11, 2011, between Garretson Resolution Group **and** Denise Newsome. Denise Newsome is the AUTHOR of this MEMORANDUM in question and therefore, based on the Contract Agreement that was WILLINGLY, KNOWINGLY, DELIBERATELY and MALICIOUSLY Breached by Garretson Resolution Group and its employees, any such claims by Garretson to **"SOLE"** entitlement is **NULL/VOID** as a direct and proximate result of the Garretson's BREACH of the Contract entered into with Newsome. This document also provides **SUPPORTING** evidence of the **CRIMES/CIVIL** wrongs that Garretson and its employees **committed against** Denise Newsome during her employment with it. Based upon the **Contract Agreement between Garretson Resolution Group and Denise Newsome**, she is **entitled to FULL** rights of the MEMORANDUM and to retain, distribute and use as she sees fit.
- C) **"10/20/11 GARRETSON RESOLUTION GROUP EMAIL-NEWSOME"** contains a document that was DRAFTED by Denise Newsome on or about October 12, 2011, in compliance with the "VERBAL" Contract Agreement ENTERED on May 11, 2011, between Garretson Resolution Group **and** Denise Newsome. Denise Newsome is the AUTHOR of this "FIRST" email on October 12, 2011 which led to the following strings of emails. Therefore, Denise Newsome **is in entitled** to this document **in compliance** with the laws of the United States governing such matters to retain, distribute and use as she sees fit. Under the Agreement reached between Garretson and Denise Newsome, she was to be provided with its findings; however, as with the May 11, 2011 Agreement, Garretson BREACHED this commitment/agreement as well. Any such claims and/or assertions by Garretson Resolution Group to this document **are NULL/VOID** as a direct and proximate result of its BREACH of the Agreement with Denise Newsome on or about October 21, 2011. Furthermore, **NULL/VOID** based upon the laws governing any such claims to Copyright laws as well as Title VII of the Civil Rights Act violations and other laws of the United States. When Garretson advised Denise Newsome, "...I look forward to following up with you once I have more information. Thanks for your patience and understanding during the research process. . ." it **KNEW** and/or should have **KNOWN** that its **CRIMINAL/CIVIL** wrongs leveled against her and **FAILURE to act** were in VIOLATION of criminal laws and EEO laws, etc. in that Denise Newsome reported crimes as well as civil rights violations under Title VII in which Garretson also **KNEW** and/or should have **KNOWN** required an investigation and Denise Newsome being provided with its findings. Nevertheless, **AFTER** advising Newsome on May 11, 2011 and then confirming AGAIN on October 21, 2011 through Messina Staffing that her CONTRACT would be

honored through December 2011, Garretson, on October 21, 2011, **UNLAWFULLY/ILLEGALLY BREACHED** Contract Agreement and **TERMINATED WITHOUT JUST** and **WITHOUT LEGAL** cause. Therefore, any such claims of entitlement by Garretson Resolution Group are **NULL/VOID** and **LACKS MERITS** to support. Denise Newsome is in LEGAL possession of this document and again is the AUTHOR of the email out of which the Threads followed.

D) **"10/21/11 GARRETSON RESOLUTION GROUP-MESSINA EMAIL"** is an email in which Denise Newsome **is the AUTHOR** and was sent from her PERSONAL email account and one sent AFTER the UNLAWFUL/ILLEGAL "Breach of Contract" and UNLAWFUL/ILLEGAL "Termination of Employment." Garretson Resolution Group has **NO** entitlement to this document; therefore, any such assertion under the Copyright laws is NULL/VOID and lacks merits. Under the laws of the United States Newsome is in the **LEGAL** possession and entitlement of this document to retain, distribute and use as she sees fit.

- 4) In **Response to No. 3** of Garretson's Complaint: Again, Garretson is merely making **"VERBAL"** assertions LACKING any Legal standing to support its claims. The "3 Links" noted by Garretson leads to documents in which Denise Newsome is in RIGHFUL/LEGAL possession of and is the AUTHOR of. Any such claims that Garretson may assert is **NULL/VOID** and are documents either obtained and retained in accordance with the laws governing BREACH OF CONTRACTS or documents created by Denise Newsome AFTER leaving the employment of Garretson resolution group. Denise Newsome **reasserts** her response to the documents referenced by Garretson provided in No. 3 above. The documents that Garretson alleges belongs to it are documents that BELONG to Denise Newsome.
- 5) In **Response to No. 4** of Garretson's Complaint: Please see Denise Newsome's **REBUTTAL** provided above (i.e. Nos. 1 thru 3).
- 6) In **Response to No. 5** of Garretson's Complaint: Garretson references "Garretson Resolution Group's Culture Charter" as being "confidential document owned by Garretson Resolution Group. You will also see a number of false and defamatory statements posted below that link." This is just **"MERE RAMBLINGS"** of a Lunatic Employer such as Garretson desperate to keep the PUBIC/WORLD and its CUSTOMERS/CLIENTS from seeing the way they conduct business in their day-to-day operations. Under the CONTRACT Agreement entered between Garretson Resolution Group and Denise Newsome, Garretson **VOLUNTARILY** provided Newsome with this document and it **is NOT copyrighted** and therefore, it became hers to retain, distribute and use as she sees fit. When Garretson **"BREACHED"** this Contract with Newsome **WITHOUT** Legal Justification, any such claims (if any) to this document was WAIVED/LOST. Therefore, Denise Newsome is in LEGAL/RIGHTFUL possession of document to retain, distribute and use as she sees fit and has done so in accordance with the laws of the United States. Furthermore, while Garretson **"MERELY RAMBLES"** stating such FRIVOLOUS Copyright claims, Denise Newsome further asserts entitlement under the First Amendment to the United States Constitution and other governing laws protecting FREE SPEECH as being "a number of false and defamatory statements posed below that link." Garretson **FAILED** as required by LAW to tell what EXACTLY is "false and defamatory." The United States

Supreme Court has already addressed Newsome's and other CITIZENS rights to **"INFORM THE PUBLIC:"**

Milkovich v. Lorain Journal Co., 110 S.Ct. 2695 (1990) - Where statement of "opinion" on matter of **public** concern reasonably implies false and defamatory facts involving private figure, plaintiff **must** show that false implications were made with some level of fault to support recovery. U.S.C.A. Const.Amend. 1.

The **"BURDEN OF PROOF"** is on Garretson Resolution Group to provide **DOCUMENTATION** and CASE LAWS that support taking away Denise Newsome's **FIRST AMENDMENT Rights** and/or any other RIGHTS secured under the United States Constitution and other laws of the United States.

On www.vogeldenisenewsome.com, **FACTUAL** statements are made and **FOLLOWED UP** by documentation to support the statement. Here you have Garretson Resolution Group making **FALSE/BOGUS/FRIVOLOUS** assertions claim copyright protection; however, **NO** EVIDENCE to support its claims. According to the **"INCREASING" Hits** on www.vogeldenisenewsome.com, apparently the PUBLIC/WORLD is INTERESTED in the material contained on this website.

Garretson most likely starting out as a *LAW FIRM*; therefore, Garretson **KNOWS** that it **CANNOT** make such assertions and **NOT** provide **EVIDENCE** to support its statement. Information on www.vogeldenisenewsome.com makes the statements and then provides **"FACTUAL"** documentation to back it up. Garretson **KNOWS** that based upon such **PROOF** that it **CANNOT** merely **RAMBLE** out such **SHAM/BOGUS/FRIVOLOUS** assertions without **rebutting the EVIDENCE there!**

- 7) In **Response to No. 6** of Garretson's Complaint: Denise Newsome retains and **reasserts** her responses above which include Nos. 1 thru 6 as well as the following rebuttal responses to be presented.
- 8) In **Response to No. 7** of Garretson's Complaint: Denise Newsome retains and **reasserts** her responses above which include Nos. 1 thru 7 as well as the following rebuttal responses to be presented.
- 9) In **Response to No. 8** of Garretson's Complaint: Denise Newsome **is the AUTHOR/OWNER** of this *PowerPoint Slide/YouTube Video* and **is NOT** in any violation of any laws. The **FACT** that the website contains video with *"images of Garretson employees, along with a listing of those employees and their job responsibilities. . ."* **does NOT** give rise and **NEITHER** supports any such claims by Garretson under any copyright laws. Information provided in this video is information of **PUBLIC** advertising and/or made available to Denise Newsome under the **CONTRACT** Agreement entered into **between** Garretson Resolution Group **and** Newsome that Garretson made a **CONSCIOUS** and **WILLING** decision to **BREACH!** Furthermore, photos/images **EASILY** obtained from the **INTERNET** and made **PUBLIC** and can be redistributed in accordance with the laws of the United States government such matters. This is **why you see Garretson **ENDED No. 8**** as *"all of which are confidential and taken from. . ."* because it **CANNOT** defend the fact that it is information made **PUBLIC** via Internet and/or other media resources, etc.

- 10) In Response to No. 9 of Garretson's Complaint: The "Employee Directory," Garretson's assertion as confidential is a RAMBLING statement lacking MERITS. Furthermore, this documents supports that pertinent contents *were REDACTED* (i.e. **although NOT required**) to support **GOOD-FAITH** practices by this website and that **NO laws under the United States have been violated.** This document was obtained under the **LEGAL guise of the CONTRACT** entered into *between Garretson Resolution Group and Denise Newsome and one in which Newsome is in LEGAL possession of to retain, distribute and use as she sees fit.* Any claims that Garretson may assert are **NULL/VOID as a direct and proximate result of its "BREACH"** of Contract **WITHOUT** justification. Therefore, based upon such **BREACH OF CONTRACT**, any such claims Garretson may assert under the laws of the United States *have been WAIVED/LOST as a direct and proximate result of such BREACH and other criminal/civil violations.* This is why in the Complaint provided by Garretson Resolution Group **OneWebHosting.com** will find **NO** Statutes to support its arguments – i.e. because there are **NONE!** There is **NOTHING** on this website that states that "Garretson Resolution Group was involved in the 9/11 attacks on the World Trade Center in New York." Now if this is Garretson's conscious bothering it, that is on it; however, there is **NOTHING** to validate such allegations by Garretson! This website is in compliance with the laws of the United States and rights secured under the United States Constitution.
- 11) In Response to No. 10 of Garretson's Complaint: Denise Newsome retains and **reasserts** her responses above which include **Nos. 1 thru 10** as well as the following rebuttal responses to be presented.
- 12) In Response to No. 11 of Garretson's Complaint: Denise Newsome retains and **reasserts** her responses above which include **Nos. 1 thru 11** as well as the following rebuttal responses to be presented.
- 13) Garretson Resolution Group's Complaint amounts to "**INTERNET STALKING/STALKING,**" "**INTERNET BULLYING,**" "**HARASSMENT**" and other crimes in **FURTHERANCE** of the Criminal/Civil wrongs addressed in the October 12, 2011 Memorandum and other documents that Garretson seeks to have removed from www.vogeldenisenewsome.com. **The fact that Garretson Resolution Group has contacted OneWebHosting.com is UNLAWFUL/ILLEGAL,** this is why they attempted to **go behind** Denise Newsome's back *because Garretson PREYS on those who are IGNORANT of the Laws of the United States to engage in such conspiracies and attempt them to JOIN in such CONSPIRACIES and crimes as those addressed on www.vogeldenisenewsome.com.*
- 14) Garretson Resolution Group **NEEDS TO SO ADVISE** whether Denise Newsome *will have to get a COURT ISSUED "INJUNCTION and RESTRAINING ORDER" of and against it and its employees for purposes of protecting her from such CRIMINAL THREATS and ATTACKS!*
- 15) Garretson Resolution Group's Complaint is **INSUFFICIENT** and **LACKS** any **MERITS** and **LEGAL basis** to support any claims it is asserting - i.e. *this is why there are NO Statutes provided* by Garretson Resolution Group advising what Statutes (if any) that www.vogeldenisenewsome.com is in violation of.
- 16) Garretson Resolution Group if it believes that it has a **LEGAL ACTION** against Denise Newsome and/or information on the website domain www.vogeldenisenewsome.com is to bring legal action against her for such claims in the **PROPER "JUDICIAL"** venue. Instead, it is *attempting to get OneWebHosting.com to engage in CRIMINAL acts with it and INFRINGE upon rights that OneWebHosting.com provides to other customers.* Garretson has the

"BURDEN of PROVING" Copyright infringements in their Complaint *in a COURT of Law*; however, it merely provided a Complaint full *of RAMBLINGS and UNSUBSTANTIATED statements that CANNNOT be supported by any EVIDENCE of Case Laws!*

- 17) The United States Supreme Court in *Sumner v. UNITED STATES Postal Service*, 899 F.2d 203 (2d Cir. 1990) found (practices protected by opposition clause include writing letters to customers criticizing employer's alleged discrimination). Therefore, in keeping with the United States Supreme Court ruling, and that provided in the EEOC COMPLIANCE Manual, **neither** Denise Newsome **nor** the information provided at www.vogeldenisenewsome.com *violates any "COPYRIGHT" laws* and *are protected by the "OPPOSITION Clause"* as well as United States Constitution and other laws of the United States.

The manner used on the website at www.vogeldenisenewsome.com is one in which *"protests perceived employment discrimination must be reasonable in order for the ANTI-Retaliation provisions to apply. In applying a 'reasonableness' standard, courts and the Commission balance the RIGHT of individuals to OPPOSE employment discrimination and the PUBLIC'S INTEREST in enforcement of the EEO laws. . ."* ". . . Courts **have PROTECTED** an employee's RIGHT to inform an employer's customers about the employer's alleged discrimination. . ." Therefore, Garretson Resolution Group's Complaint is merely an **EXTENSION** of the CRIMINAL/CIVIL violations leveled against Denise Newsome during her employment. Furthermore, *its contacting OneWebHosting.com is also in VIOLATION of the laws of the United States* in that such actions are **in FURTHERANCE** of the Conspiracies they have entered into and are **"NOW ATTEMPTING to ENGAGE OneWebHosting.com to JOIN IN THEIR CRIMINAL ACTS"** and *deprive Denise Newsome as well as www.vogeldenisenewsome.com rights SECURED/GUARANTEED under the United States Constitution.*

- 18) If Garretson Resolution Group believes that it has any legal claims, it KNOWS that contact OneWebHosting.com in attempts to **SCARE** it by having its attorney(s) contacting OneWebHosting.com *is criminal in itself in that it constitutes: CONSPIRACY, FRAUD, BRIBERY, EXTORTION, BLACKMAIL, COERCION, COLLUSION, DEPRIVATION OF RIGHTS, etc. through the use of SHAM PROCESS* (i.e. *the submittal of a FRIVOLOUS Complaint* implying presentation by an ATTORNEY for purposes of **INTIMIDATION** and **INCITING** fear and to attempt *to ILLEGALLY FORCE* OneWebHosting.com to violate laws in joining in **CONSPIRACIES** with it to keep Denise Newsome and www.vogeldenisenewsome.com from making information PUBLIC and exercising her rights under the United States Constitution and other governing laws. Garretson has provided **NO** such laws to support their Complaint; therefore, Garretson (i.e. *one who employees attorneys schooled in the laws*) may be **DEEMED** to **KNOW prior to** and **upon submittal** that it was engaging in **CRIMINAL CONDUCT/BEHAVIOR prohibited by the laws** of the United States. Garretson **KNEW** that there was **NO** legal authority for its Complaint submitted to OneWebHosting.com. The Complaint has been provided in **FURTHERANCE "INTERNET STALKING/STALKING" "HARASSMENT"** and other Laws by those who are involved in **CONSPIRACIES** with Garretson Resolution Group.
- 19) There is **sufficient EVIDENCE** on the website www.vogeldenisenewsome.com to support that Garretson Resolution Group may have **CONSPIRED** with the President of the United States President Barack Obama, his 2012 Campaign Manager (**Jim Messina**) and others to the **CONSPIRACIES** to **UNLAWFULLY/ILLGALLY** terminate Newsome's Contract on October 21, 2011. Denise Newsome's **MESSINA STAFFING** Contract Employment with Garretson

Resolution Group can be **SUBSTANTIATED** by the involvement of the United States President Barack Obama, his Campaign Manager (**Jim MESSINA**) and others.

President Barack Obama's 2012 Presidential Campaign Manager *Jim MESSINA*:

http://www.scribd.com/fullscreen/77563186?access_key=key-2cq97em6vz4jfv7tekuo

Newsome's *MESSINA* Staffing Timesheet (i.e. dated January 14, 2011):

http://www.scribd.com/fullscreen/79874871?access_key=key-jbayk06j4q7f94qvmds

Based on Garretson's **OWN** statement made in No. 9 of its Complaint, "*Garretson Resolution Group was involved in the 9/11 attacks on the World Trade Center in New York,*" it appears to be confessing to having ties and/or connection with the 9/11 attacks (i.e. in that www.vogeldenisenewsome.com makes **NO** claims of Garretson's involvement in the September 11, 2001 bombing attacks on the World Trade Center!" The United States again, has addressed **FIRST AMENDMENT** Rights Protection *even with such CRIMINALS involved are FAMOUS or ANONYMOUS* that the **PUBLIC** has the right to be **INFORMED**:

Rosenbloom v. Metromedia, Inc., 91 S.Ct. 1811(1971) – First Amendment protects all discussion and communication involving *matters of public or general concern without regard to whether persons involved are famous or anonymous*. (Per Mr. Justice Brennan with the Chief Justice and one Justice joining in the opinion and two Justices concurring in the judgment.)
U.S.C.A.Const. Amend. 1.

What *has been ESTABLISHED* is the **NEXUS/CONNECTION between President Barack Obama's Administration, Garretson Resolution Group in the UNLAWFUL/ILLEGAL BREACH OF EMPLOYMENT CONTRACT by Garretson Resolution Group fulfilling its ROLE in Conspiracies leveled against Denise Newsome and how they went about carrying out such CRIMINAL/CIVIL wrongs: "10/12/11 - MEMO: MEETING WITH SANDY SULLIVAN/HR."**

- 20) **2012 is a Presidential Election year.** There are **ILL MOTIVES** behind Garretson Resolution Groups **FALSE/SHAM/BOGUS** Complaint submitted to OneWebHosting.com The **CRIMINAL/CIVIL** wrongs leveled against Denise Newsome by Garretson Resolution Group and their **CONSPIRATORS/CO-CONSPIRATORS** are those in which they **do NOT** want the **PUBLIC/WORLD** to see; however, under the laws of the United States of America, Denise Newsome is within her rights and has **LEGAL AUTHORITY** in going **PUBLIC** with this information and is **PROTECTED** under the laws of the United States.
- 21) *Should* Garretson Resolution Group believe that it has a **VALID/GENUINE** and **GOOD FAITH** claim under the Copyright laws, OneWebHosting.com **IS NOT** to get involved in deciding a legal matter. As with other Citizens and/or businesses with such assertions the proper "LEGAL" **RECOURSE** is in a Courtroom to be *decided by a JURY to decide the dispute*. **Without** the **LEGAL and PROPER** Court document to issued by a Court, OneWebHosting.com would be acting and become a party to any **CONSPIRACIES** that Garretson Resolution Group and its **CONSPIRATORS/CO-CONSPIRATOR** are involved in leveled against Denise Newsome

and/or against www.vogeldenisenewsome.com for **EXERCISING** rights **PROTECTED** under the United States Constitution and other laws of the United States. Therefore, as a matter of law, Garretson Resolution Group **MUST** bring a legal action against Denise Newsome. It has her contact information.

- 22) *Should* Garretson Resolution Group – i.e. in that it has a **HISTORY** of being affiliated with a LAW FIRM – wants to present **FACTUAL DOCUMENTATION** and **LEGAL CASE LAWS** to support its claims and provide Denise Newsome the opportunity to review such legal defense and laws provided with a rebuttal, then and **ONLY** then is information, **AS A MATTER OF LAW**, required to remain on www.vogeldenisenewsome.com and *decided in a* **COURT OF LAW!**

Denise Newsome believes that this offer is made in **GOOD FAITH** *and in support of* **MITIGATING** *any such claims that Garretson Resolution Group may assert. In other words,* **BEFORE** www.vogeldenisenewsome.com *is* **REQUIRED** *to remove materials from its website,* Garretson Resolution Group **MUST** produce **SOLID** and **INDISPUTABLE** evidence and **LEGAL** conclusions to support its claims of Copyright infringement.

- 23) The fact, that Garretson Resolution Group has gone as far as to contact OneWebHosting.com – i.e. may constitute **CRIMINAL INTENT** to engage OneWebHosting.com into conspiracies leveled against Denise Newsome and in **FURTHERANCE** of Garretson's **BREACH OF CONTRACT** and is now looking for **FRESH** Co-Conspirators to **JOIN** in the **FURTHERANCE** of their **CRIMINAL/CIVIL** wrongs. Moreover, attempts by Garretson Resolution Group to get OneWebHosting.com to DEPRIVE Denise Newsome and www.vogeldenisenewsome.com rights that **PROTECTED** under the laws of the United States and **ENJOYED** by other customers of OneWebHosting.com.

OneWebHosting.com/Mark, please provide Garretson Resolution Group with Denise Newsome's response. Upon receipt of Garretson Resolution's Group **RESPONSE**, please forward to Denise Newsome for review and consideration. Ms. Newsome is willing to work in **GOOD FAITH** to get this issue resolved and to assure that Garretson Resolution Group and its **CONSPIRATORS/CO-CONSPIRATORS** are not operating in **VIOLATION** of the laws!

With Warmest Regards,

Denise Newsome

----- Forwarded message -----

From: **Den**

Date: Jan 30, 2011

Subject: INVESTIGATION of UNITED STATES PRESIDENT BARACK OBAMA - Senator Paul
URGENT Assistance Is Being Requested

To: senator@paul.senate.gov, Denise Newsome

Cc: doug_stafford@paul.senate.gov, jessica_jelgerhuis@paul.senate.gov,
william_henderson@paul.senate.gov, moria_bagley@paul.senate.gov

Dear Senator Rand Paul:

My name is Vogel Denise Newsome (Newsome) and I am a constituent of yours (i.e. Kentucky Registered Voter). Because Newsome does not want you to think that she is an Ohio resident (i.e. because of the cell phone number and mailing addressed used), she has attached a copy of my Driver's License. Newsome is requesting an INVESTIGATION and if necessary the IMPEACHMENT and INDICTMENT of United States President Barack Obama, his Administration and others who are found to have engaged in the criminal/civil wrongs reported. From News reports, Newsome believes that Representative Darrell Issa may be handling the initiation of INVESTIGATIONS against President Obama and his Administration. You may want to begin there to determine what the process is in getting my issues addressed in an **EXPEDITED** manner – i.e. considering that it appears President Obama's people are looking to cause IMMEDIATE harm within this week or very shortly against Newsome.

President Obama's people came in and had Newsome unlawfully/illegally removed from her residence without legal authority – i.e. although there was a legally authorized INJUNCTION and RESTRAINING Order in place and over \$16,000 in Escrow in that Newsome was ordered to place her rent in escrow, she was still thrown out on the streets. However, President Obama's people (i.e. Baker Donelson Bearman Caldwell & Berkowitz P.C.) and those they conspired with have engaged in criminal acts which resulted in Newsome's filing of criminal complaint with the FBI. Now President Obama and his people are attempting to cover-up these crimes. Nevertheless, there is record evidence to support that official criminal actions have been filed. Senator Paul, will you check into this matter?

Newsome is also contacting you because Senator Mitch McConnell is one of Baker Donelson's Senator's and his wife Elaine Chao, had a role in the FALSE and MALICIOUS information that has been posted on the Internet regarding Newsome. Some of the criminal/civil wrongs leveled against Newsome happened under Chao's watch when she was Secretary of Labor and employment violations were reported directly to her. ***This information and the correspondence Newsome submitted is of PUBLIC RECORD!*** As you know, Mitch McConnell is part of the "CAREER POLITICIANS" that have been in the way, way too long and has profited off of hiding the crimes of President Obama, Baker Donelson and others – i.e.

having knowledge of crimes; however, doing nothing to correct it.

In light of the recent attacks on Newsome's life and liberties by President Obama and his Administration in RETALIATION for her bringing criminal/civil complaints against him, his Administration and BIG MONEY supporters, Newsome has come under heavy attacks and has been REPEATEDLY subjected to criminal activities by President Obama, his Administration and BIG MONEY SUPPORTER. While this may sound crazy, it is true!

It has gone as far as engaging the United States Government's role in BLACKLISTING Newsome and posting false and malicious information on the INTERNET regarding her for purposes of seeing that she does not ever work again and destroying her life. Acts which clearly violate Newsome's rights under the 14th Amendment, Civil Rights Act and other laws of the United States.

Will you please let Newsome know when it is a good time to talk and discuss this matter. For your information, Newsome attaches the following:

- 1) Copy of Driver's License;
- 2) Copy of Job Resume – to support work qualifications;
- 3) Copy of PowerPoint Presentation – “November 2010/2012 Change”;
- 4) October 2010 Pleading submitted for filing with the Supreme Court of the United States;
- 5) January 2011 Petition for Extraordinary Writ; and
- 6) January 30, 2011 Filings.

This information is pertinent and relevant in that President Obama, his Administration and BIG MONEY supporters are intending to subject Newsome to further CRIMINAL/CIVIL wrongs for speaking out about the CORRUPTION and CRIMINAL/CIVIL wrongs he and his Administration are engaged in.

You will see that while Newsome has approximately 60 days from date of Supreme Court of United States letter to make the corrections to *Petition of Extraordinary Writ*, President Obama and his people are trying to get their hands on her personal property and other personal affects for purposes of OBSTRUCTING justice, OBSTRUCTING court proceedings, and other reasons known to them.

In a one-year period there have been criminal actions brought against Judges involved in matters in which Newsome is a litigant/party: **a)** In Mississippi, Judge DeLaughter has been INDICTED; **b)** in Ohio, Judge West's Bailiff has been found guilty of crimes – the complaint/petition to be filed in the Supreme Court of the United States addresses Judge West's crimes; and **c)** in Louisiana, Judge G. Thomas Porteous on or about December 8, 2010, has been IMPEACHED by the United States Senate and removed from office. All of this information is of PUBLIC RECORD. Also, it is of PUBLIC RECORD just how early Newsome reported the crimes of these Judges; however, because of President Barack Obama's legal counsel's (Baker Donelson Bearman Caldwell & Berkowitz P.C.) deep roots and ties to the White House and D.C., nothing is done. Baker Donelson also has DEEP ROOTS and CONNECTIONS in the United States Department of Justice and has used such relationships to IMPEDE and OBSTRUCT justice. Will you look into this for Newsome and advised the status of her FBI Criminal Complaints that have been filed? The FBI Criminal Complaints are addressed in the attached October 2010 document attached to this email.

Newsome voted for you because she wanted to believe that there would be action to clean out the CORRUPTION, “Career Politicians,” “taking back our government,” etc.

President Nixon was IMPEACHED for his role in “Watergate.” Newsome's concern, is why is President Obama and his Administration being allowed to remain in office although she has submitted

NUMEROUS Complaints regarding his role in CORRUPTION, CRIMES and CIVIL wrongs not only leveled against her, but other citizens of the United States.

Newsome request that you place this matter regarding her as one of URGENCY to be dealt with. Senator Paul, should you have any further questions or comments, please do not hesitate to contact Newsome on her cell phone (513) 680-2922.

With Warmest Regards,

Denise Newsome

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

VOGEL DENISE NEWSOME

PETITIONER

V.

STOR-ALL ALFRED, LLC;
JUDGE JOHN ANDREWS WEST/
HAMILTON COUNTY (OHIO) COURT OF COMMON PLEAS; AND
DOES 1 THROUGH 250

RESPONDENT(S)

IN RE VOGEL DENISE NEWSOME
ON PETITION FOR EXTRAORDINARY WRIT
TO THE SUPREME COURT OF OHIO

VOGEL DENISE NEWSOME

(a/k/a Denise V. Newsome)

Post Office Box 14731

Cincinnati, Ohio 45250

Phone: (513) 680-2922 or

(601) 885-9536

Petitioner

DAVID MERANUS, ESQ.

Schwartz Manes Ruby & Slovin, LPA

2900 Carew Tower

441 Vine Street

Cincinnati, Ohio 45202

Phone: (513) 579-1414

Facsimile: (513) 579-1418

HON. JOHN ANDREW WEST (Judge)

Hamilton County Court of Common

Pleas

1000 Main Street – Room 595

Cincinnati, Ohio 45202

Phone: (513) 946-5785

Facsimile: (513) 946-5784

Respondent

MICHAEL E. LIVELY, ESQ.

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COMES NOW, Petitioner Vogel Denise Newsome (hereinafter, "Newsome" and/or "Petitioner Newsome") **WITHOUT** *waiving defenses* set forth in her October 9, 2010 "**Emergency Motion to Stay; Emergency Motion for Enlargement of Time and Other Relief The United States Supreme Court Deems Appropriate To Correct The Legal Wrongs/Injustices Reported Herein**" ("EM/ORS") - incorporating the issues/arguments raised therein as if set forth in full herein. **This is a matter that involves a sitting United States President (Barack H. Obama)/his Administration and their SPECIAL Interest Groups who all have an interest (i.e. financial/personal) in the outcome of this lawsuit. This is a matter of EXTRAORDINARY and EXCEPTIONAL circumstances in which is not aware whether the United States Supreme Court has seen anything like it.** The lawsuit filed against Newsome in the lower court is one that is a part of "PATTERN" of unlawful/illegal practices that have been leveled against her that are *racially motivated*. In preservation of rights secured to Newsome under the United States Constitution, Laws of the United States and other governing statutes/laws, she submits this her instant ***Petition for Extraordinary Writ*** (hereinafter, "PFEW") and states the following in support thereof:

I. QUESTIONS PRESENTED FOR REVIEW

1. Whether Newsome's "**Emergency Motion to Stay; Emergency Motion for Enlargement of Time and Other Relief The United States Supreme Court Deems Appropriate To Correct The Legal Wrongs/Injustices Reported Herein**" was a timely pleading in accordance with United States Supreme Court Rules 22, 23 and/or 33. Whether the Clerk of the United States Supreme Court forward Newsome's

“EM/ORS” to individual justice (Chief Justice John G. Roberts) to which it was addressed. Whether Newsome was deprived equal protection of the laws, equal privileges and immunities and due process of laws in the United States Supreme Court’s handling of “EM/ORS.”

2. Whether “EM/ORS” is within the jurisdiction of the United States Supreme Court. Whether the United States Supreme Court is attempting to deprive Newsome rights secured under the Constitution, other laws of the United States, equal protection of the laws, equal privileges and immunities, and due process of laws in the handling of “EM/ORS.”
3. Whether Newsome is entitled to the “Emergency Relief” sought in “EM/ORS” and pleadings filed with the United States Supreme Court.
4. Whether Newsome is entitled to **IMMEDIATE** temporary injunctive relief and emergency relief sought in “EM/ORS” ***prior*** to disposition of PFEW – i.e. for instance as set forth in: *Section 706(f)(2) of Title VII **authorizes the Commission to seek temporary injunctive relief before final disposition of a charge when a preliminary investigation indicates that prompt judicial action is necessary to carry out the purposes of Title VII.***
Temporary or preliminary relief allows a court to stop retaliation before it occurs or continues. Such relief is appropriate if there is a substantial likelihood that the challenged action will be found to constitute unlawful retaliation, and if the charging party and/or

EEOC *will likely suffer irreparable harm because of retaliation.* Although courts have ruled that financial hardships are not irreparable, other harms that accompany loss of a job may be irreparable. - - For example, in one case forced retirees showed irreparable harm and qualified for a preliminary injunction where they lost work and future prospects for work consequently suffering emotional distress, depression, a contracted social life, and other related harms.

5. Whether the United States Supreme Court in handling of this lawsuit, is attempting to obstruct justice and provide Respondent(s) with an unlawful/illegal and undue advantage in lawsuit due to bias and prejudice towards Newsome.
6. Whether the laws of the United States are equally applied to African-Americans/Black as those similarly situated. Whether the United States has a “longstanding” history of knowingly discriminating against African-Americans/Blacks in the application of the laws. Whether Newsome has been discriminated against in the application of the laws of the United States.
7. Whether the United States Supreme Court Justices/Administration have bias, prejudices and/or discriminatory animus towards Newsome. Whether Newsome is required to know of any bias, prejudices or discriminatory animus that Judges/Justices may have against her.

8. Whether the United States Supreme Court Justices/Administration is attempting to COVER UP the criminal/civil wrongs leveled against Newsome. Whether a *"Conflict of Interest"* exist in the United States Supreme Court's handling of this matter. Whether the United States Supreme Court has advised Newsome and parties to this action of any potential *"Conflict of Interest."*
9. What relationship (if any) the United States Supreme Court, its justices and/or employees have with the law firm of *Baker Donelson Bearman Caldwell & Berkowitz*, its employees and clients (i.e. such as Liberty Mutual Insurance Company).
10. What relationship (if any) the United States Government and/or Government Agencies and employees have with the law firm of *Baker Donelson Bearman Caldwell & Berkowitz*, its employees and clients (i.e. such as Liberty Mutual Insurance Company).
11. Whether the United States Supreme Court is engaging in *"dilatory" practices for purposes of financially devastating Newsome for purposes of preventing her from litigating this matter and purposes of providing opposing parties with an undue/unlawful/illegal advantage in lawsuit.*
12. Whether the United States Supreme Court has an obligation to correct the legal wrongs made known to it and/or that it has knowledge of. *Whether the United States Supreme Court is required to report criminal/civil wrongs*

reported to it and/or made known through pleadings (i.e. as "PFEW") filed with it.

13. Whether attorneys are governed by the Code of Professional Conduct and/or similar statutes/laws governing practice before the court(s) and representation of clients. Whether Judges/Justices have a duty to report and/or initiate the applicable proceedings against attorneys/lawyers who violate the Code of Professional Conduct and/or similar statutes/laws governing the practice of law.
14. Whether Judges/Justices are governed by the Code of Judicial Conduct and/or similar statutes/laws governing practice of the laws. Whether Judges/Justices have a duty to report and/or initiate the applicable proceedings against judges/justices who violate the Code of Judicial Conduct and/or similar statutes/laws governing the practice of law.
15. Whether Judges/Justices have usurped authority and/or abused power in the handling of legal matters to which Newsome is a party.
16. Whether Judge(s) presiding over legal matters to which Newsome is a party have been **INDICTED** and/or **IMPEACHED** as a direct and proximate result of unlawful/illegal practices. Whether Newsome timely, properly and adequately addressed concerns of unlawful/illegal and unethical practices of judges/justices before the appropriate government entity (i.e. court(s) and/or agency).
17. Whether the **INDICTMENT** and/or **IMPEACHMENT** of judges/justices or

attorneys/lawyers affect legal matters in which they are involved.

18. Whether judges/justices have subjected Newsome to discriminatory treatment in the handling of legal matters to which she is a party.
19. Whether Newsome is entitled to “emergency” injunctive relief and/or emergency relief pending the resolution of Petition for Extraordinary Writ. *Whether United States Supreme Court has a duty to mitigate damages and to protect Newsome from further irreparable injury/harm she has sustained.*
20. Whether Newsome is entitled to have “ISSUES” raised addressed upon request(s).
21. Whether Newsome is entitled to “Findings of Fact” and “Conclusion of Law” upon request(s).
22. Whether lower courts’ decisions are “arbitrary” and/or “capricious” – i.e. can be sustained by facts, evidence and legal conclusions. Moreover, contrary to laws governing said matters. Contrary to rulings of this Court on similar matters.
23. Whether Judge John Andrews West has jurisdiction/legal authority to preside over lower court action where “*Affidavit of Disqualification*” and Criminal “*FBI Complaint*” have been filed against him.
24. Whether Judge John Andrews West owe a specific duty to Newsome to recuse himself

from Hamilton County Court of Common Pleas action.

25. Whether Newsome is entitled to know of “Conflict of Interest” that exist between factfinder(s)/judges/justices and/or opposing parties/counsel.
26. Whether Judges/Justices owe a specific duty to Newsome to recuse themselves when “conflict of interest” exists. Whether Judges/Justices remained on the bench in legal actions where Newsome is a party with knowledge there was a “conflict of interest” due to their relationship with opposing parties and/or their counsel/counsel’s law firm.
27. Whether judges/justices assigned cases involving Newsome and having relationships to opposing parties (i.e. such as opposing law firms as *Baker Donelson Bearman Caldwell & Berkowitz*, their employees and/or clients) had a duty to recuse themselves from lawsuits – i.e. such as Judge Tom S. Lee [see **APPENDIX “11”** – Recusal Orders executed because of relationship to *Baker Donelson Bearman Caldwell & Berkowitz* - provided and incorporated herein by reference] – in which ***knowledge*** of CONFLICT OF INTEREST EXISTED. Whether judges/justices are allowed to discriminate in their compliance with laws governing recusal [see **APPENDIX “12”** – Docket Sheet (*Newsome v. Entergy* - wherein *Baker Donelson Bearman Caldwell & Berkowitz* appears as counsel of record - provided and incorporated herein by reference]. Whether judges/justices should be IMMEDIATELY removed from the bench

and/or the applicable legal actions initiated against judges/justices for removal when record evidence supports judges/justices failure to recuse. How does said failure of judges/judges to recuse themselves affect the public and/or Constitutional rights of citizen(s).

28. Whether Newsome, as a matter of Constitutional right, is entitled to JURY trial(s) when requested. Whether Newsome has been deprived of Constitutional right to jury trial(s).
29. Whether lower courts are required to protect “federal” rights of Newsome in the handling of lawsuit. Whether lower courts failed to protect Newsome’s federally protected rights.
30. Whether the Supreme Court of Ohio entered a decision in conflict with the decision of another state supreme court on the same important matter; has decided in important federal question in a way that conflicts with a decision by a state court of last resort; and/or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of the United States Supreme Court’s supervisory power and/or original jurisdiction.
31. Whether the Supreme Court of Ohio has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States court of appeals.

32. Whether Supreme Court of Ohio has decided an important question of federal law that has not been, but should be, settled by this Court; and/or has decided an important federal question in a way that conflicts with relevant decisions of the United States Supreme Court.
33. Whether the lower courts entered a decision in conflict with the decision of another state supreme court on the same important matter; has decided in important federal question in a way that conflicts with a decision by a state court of last resort; and/or has *so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure*, as to call for an exercise of the United States Supreme Court's supervisory power and/or original jurisdiction.
34. Whether the lower courts have decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States court of appeals.
35. Whether lower court decision(s) raise question(s) as to the validity of the federal statute or treaty; raise a question statute statute/law relied upon is repugnant to the Constitution, laws or treaties of the United States; or address the contention that a right, privilege or immunity is "set up or claimed under the Constitution or statutes of, or any commission held or authority exercised under, the United States."
36. Whether the United States Supreme Court's recent decision in *Citizens United v Federal*

***Election Commission**, 558 U.S. 50 (2010), have provide courts with a license and/or defense to engage in criminal acts – i.e. provide arbitrary/capricious decisions for purposes of covering up criminal/civil wrongs leveled against citizens/litigants – for purposes of protecting TOP/BIG/KEY Financial Campaign Contributors.*

37. Whether Newsome has been deprived equal protection of the laws, equal privileges and immunities of the laws, and due process of laws secured under the United States Constitution.
38. Whether Newsome is a victim of “Pattern-of-Practices,” “Pattern-of-Abuse,” “Pattern-of-Injustices” and/or “PATTERN” of unlawful/illegal practices as a direct and proximate result of her engagement in protected activities.
39. Whether Newsome is a victim of “Criminal Stalking.”
40. Whether Newsome is a victim of Government “BULLYING.” Whether the United States Government/Courts allow parties opposing Newsome in legal matters (judicial and administrative) to use their “political” and “financial wealth” for purposes of BULLYING Newsome. Whether said BULLYING is for purposes of intimidation, coercion, threats, bribery, blackmail, etc. to force Newsome to abandon protected rights and/or deprive Newsome equal protection of the laws, equal privileges and immunities of the laws and due process of laws.

41. Whether United States Government and Newsome's former employer(s) have engaged in criminal/civil wrongs leveled against her for purposes of **BLACKLISTING**. Whether the United States Government/Courts have placed information on the INTERNET regarding Newsome that it knew and/or should have known was false, misleading and/or malicious.
42. Whether Government agencies, their employees and others have engaged in **TERRORIST ACTS**.
43. Whether the United States citizens/public and/or Foreign Nations, their leaders and citizens are entitled to know of the crimes and civil injustices of the United States Government, its officials/employees and co-conspirators leveled against African-Americans and/or people of color.
44. Whether extraordinary circumstances exist to warrant granting of *Petition of Extraordinary Writ*.
45. Whether conspiracy(s) leveled against Newsome exist. Whether United States Government's/Court(s)' *failure and "neglect to prevent" has created a "threat to the public" in the allowing criminal(s) to remain at large in the general population.*
46. Whether Newsome is being subjected to further criminal/civil violations by the United States Government and its subsidiaries (i.e. such as the Ohio Attorney General's – Richard Cordray's – Office) in **RETALIATION** for

engagement in protected activities. Whether the United States Government and its subsidiaries are engaging in criminal acts of HARASSMENT, THREATS, COERCION, BLACKMAIL, INTIMIDATION, etc. in the providing of false/frivolous/sham legal process – i.e. such as 2005 Personal Income Tax claims wherein Newsome was NOT a resident of the State of Ohio in 2005 [see APPENDIX “10” – December 27, 2010 correspondence from Ohio *Attorney General*] – with knowledge that said actions are NOT *applicable to* Newsome and are PROHIBITED by law. Whether Government *records reflect documentation* to support/sustain timely, proper and adequate notification as to Newsome’s defenses to claims asserted.

47. Whether Newsome is required to pay the fees alleged in the Hamilton County Court of Common Pleas’ December 20, 2010, “CASE COST BILLING” [see APPENDIX “14” incorporated herein by reference]. Whether Newsome’s submittal of “EM/ORS” stays proceeding in the Hamilton County Court of Common Pleas. Whether Newsome’s filing of “*Opposition/Objection to November 8, 2010 Entry; Request for Findings of Fact, Conclusion of Law; and Vacating of Entry*” and filing of this instant “PFEW” with the United States Supreme Court stays and preserves the rights of Newsome – i.e. preclude the CRIMINAL/CIVIL violations of the Hamilton County Court of Common Pleas.
48. Whether Government Agencies (i.e. its employees) have violated Newsome’s Constitutional rights and other rights secured

under the laws of the United States. Whether the Government has engaged in criminal/civil violations in demanding monies from citizens to which it is NOT entitled. Whether it is lawful for Government agency(s) to demand monetary relief from citizen(s) under certain time restraints when it, itself owes citizens monies. Whether Government is required to compensate citizen(s) for monies owed when citizen(s) make timely demands – i.e. it has knowledge that citizen(s) are owed monies.

49. Whether citizens of the United States have the right to exercise First Amendment Rights and Rights secured/guaranteed under the United States Constitution and/or Rights secured under the laws of the United States *without fear of reprisal*.
50. Whether Courts and Judges/Justices have legal authority to interfere in matters where Newsome has requested the United States Congress' and/or United States Legislature's intervention. Whether said interference deprives Newsome equal protection of the laws, equal privileges and immunities of the laws and due process of laws – rights secured under the United States Constitution and/or laws of the United States.
51. Whether United States Government Agencies and their Officials/Employees have the right to retaliate against Newsome for exercising rights protected and secured under the laws of the United States and United States Constitution.

52. Whether opposing parties', their insurance providers, special interest groups, lobbyists, and their representatives have legal authority to retaliate against Newsome for her engagement in protected activities. Whether opposing parties and their conspirators/co-conspirators are allowed to stalk Newsome from job-to-job/employer-to-employer and state-to-state for purposes of terminating her employment, blacklisting, etc. in retaliation for Newsome having exercised and/or or engaged in protected activities.
53. What role (if any) has the law firm *Baker Donelson Bearman Caldwell & Berkowitz*, its employees, clients and others have played in the criminal/civil wrongs and conspiracies leveled against Newsome?
54. What relationship (if any) does the law firm *Baker Donelson Bearman Caldwell & Berkowitz*, its employees and clients have to United States President Barack Obama and his Administration?
55. What relationship (if any) does the law firm *Baker Donelson Bearman Caldwell & Berkowitz*, its employees and clients have to past Presidents of the United States and their Administration?
56. What relationship (if any) does the law firm *Baker Donelson Bearman Caldwell & Berkowitz*, its employees and clients have to officials/employees in the United States Senate and United States House of Representatives?

57. What relationship (if any) does the law firm *Baker Donelson Bearman Caldwell & Berkowitz*, its employees and clients have in the appointment of judges/justices to the courts?
58. What role (if any) did the law firm *Baker Donelson Bearman Caldwell & Berkowitz*, its employees and clients have in the handling of criminal/civil complaints Newsome filed with the *United States Department of Justice* – i.e. based on relationship and KEY position(s) held with the Commission on Civil Rights [Chairman, etc.] which serve as a national clearinghouse for information in respect to discrimination or denial of equal protection of the laws; submitting reports, findings and recommendations *to the President and Congress*; and issuing public service announcements to discourage discrimination or denial of equal protection of the laws . . . served as **Chief Counsel** to the *U.S. House Judiciary Committee's Subcommittee on the Constitution*, which responsibilities included advising the Chairman and Republican Members of the Judiciary Committee on legislation and Congressional **oversight** implicating civil and constitutional rights, Congressional authority, separation of powers, proposed constitutional amendments and *oversight of the Civil Rights Division of the Department of Justice and the U.S. Commission on Civil Rights* [see for instance APPENDIX “13” – Baker Doneslon information regarding Bradley S. Clanton]?
59. What role (if any) did *Baker Donelson Bearman Caldwell & Berkowitz*, its

employees, its clients and the United States Department of Justice play in the COVER-UP of criminal/civil violations leveled against Newsome reported on or about September 17, 2004 in **"Petitioner's Petition Seeking Intervention/Participation of the United States Department of Justice"** - i.e. styled *"VOGEL DENISE NEWSOME vs. ENTERGY SERVICES, INC."* [see EXHIBIT "34" of "EM/ORS"] in which Newsome timely, properly and adequately reported the criminal/civil violations of *Baker Donelson Bearman Caldwell & Berkowitz*, Judge G. Thomas Porteous Jr. and others - to no avail.

60. Whether the recent IMPEACHMENT of Judge G. Thomas Porteous, Jr. (i.e. having role as presiding judge in lawsuit involving Newsome) on or about December 8, 2010 [see APPENDIX "15" - Article *"Senate Removes Federal Judge in Impeachment Conviction"* and EXHIBIT "12" of "EM/ORS" incorporated herein by reference], is pertinent/relevant to this instant lawsuit.
61. What role (if any) did *Baker Donelson Bearman Caldwell & Berkowitz*, its employees, its clients, others and the United States Department of Justice play in the COVER-UP of criminal/civil violations leveled against Newsome reported on or about September 24, 2004 in **"Request for Department of Justice's Intervention/Participation in this Case"** - i.e. referencing *"Newsome v. Mitchell McNutt & Sams P.A."* [see EXHIBIT "169" of "EM/ORS"] in which Newsome timely, properly and adequately reported the criminal/civil

violations of Mitchell McNutt & Sams – to no avail.

62. Whether the INDICTMENT of Judge Bobby DeLaughter [i.e. having a role as presiding judge in lawsuit involving Newsome] on or about January 6, 2009, and his pleading GUILTY on or about July 30, 2009, is pertinent to this instant lawsuit.
63. Whether *Baker Donelson Bearman Caldwell & Berkowitz*, its employees and clients have an interest in the outcome of this lawsuit. If so, whether the United States Supreme Court is aware of said knowledge and/or information.
64. Whether lower court lawsuit in Hamilton County Court of Common Pleas was filed as a direct and proximate result of Respondent Stor-All's, its insurance provider's and/or representatives' knowledge of Newsome's engagement in protected activities.
65. Whether attorneys and their client(s) are allowed to engage in criminal and civil wrongs for purposes of obstructing the administration of justice.
66. Whether the EXTRAORDINARY and EXCEPTIONAL circumstances surrounding this lawsuit supports the establishment of special court(s) to litigate matters. Whether the SPECIAL relationships of Judges/Justices to opposing party(s) in litigation involving Newsome warrant the creation of special court(s) to afford Newsome rights secured and guaranteed under the United States Constitution and laws of the United States –

i.e. equal protection of the laws, equal privileges and immunities of the laws and due process of laws.

II. ¹LIST OF PARTIES

All parties appear in the caption of the case on the cover page along with contact information for each and their counsel/representative of record.

At all times relevant to this instant action, Respondents Does 1 through 250 served in respective positions with their employer and/or in their individual capacity. Newsome is ignorant of the true names and capacities of Does 1 through 250, inclusive, and therefore sue these Respondents by such fictitious names. Newsome is informed and believes and thereon alleges that Doe Respondent(s) so named (and/or to be named) is responsible and/or participated in the conspiracy² against Newsome and in such manner is responsible for the injuries and damages suffered by Newsome as set forth in this instant pleading. Newsome will amend *Petition for Extraordinary Writ* to state the true names and capacities of Respondents Does 1 through 250, inclusive, when they have been identified and/or ascertained. Due to the extraordinary circumstances and scope of CONSPIRACIES leveled against Newsome at the time of the filing of this “PFEW,” she is ignorant of the names and capacities of Doe Respondent(s) – i.e. believing that during the course of

¹ *BOLDFACE, ITALICS, UNDERLINE, etc.* of text in this *Petition for Extraordinary Writ* if for purposes of emphasis.

² Respondent (conspirator) becomes the agent of the other conspirator (s), and any act done by one of the combination is regarded under the law as the act of both or all. In other words, what one does, if there is this combination, becomes the act of both or all of them, no matter which individual may have done it. This is true as to each member of the conspiracy, even those whose involvement was limited to a minor role in the unlawful transaction, and it makes no difference whether or not such individual shared in the profits of the actions. (Am. Jur. Pleading and Practice Forms, Conspiracy § 9).

litigation of this matter and/or investigation by this Court into this matter, the identity(s) of Doe Respondent(s) may become known. By engaging in the conduct described in this "PFEW," Doe Respondent(s) acted under the course and scope of their employment with their respective employer as well as may have acted within their individual capacity. By engaging in the discriminatory conduct described in this "PFEW," Doe Respondent(s) exceeded the authority vested in them as an employee of their respective employer and committed acts of a personal nature, personal bias and/or for personal and financial interest and gain.

III. TABLE OF CONTENTS

In preservation of rights and issues raised, Newsome incorporates herein by reference her "EM/ORS" – See APPENDIX "5" – and the contents therein as well as the additional Table of Contents:

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John G. Roberts

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V. TABLE OF AUTHORITIES

In preservation of rights and issues raised, Newsome incorporates herein by reference her “EM/ORS” – See APPENDIX “5” - and the contents therein as well as the additional Table of Authorities:

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VI. CONCISE STATEMENT OF JURISDICTION

Ex parte Young, 209 U.S. 123, 165, 28 S.Ct. 441, 52 L.Ed. 714 (1908) - [HN1] The United States Supreme Court will not take jurisdiction if it should not; but it is equally true that it **must** take jurisdiction if it should. The judiciary cannot, as the legislature may, avoid a measure because it approaches the confines of the Constitution. The court cannot pass it by because it is doubtful. With whatever doubts, with whatever difficulties, a case may be attended, the court **must** decide it, if it is brought before it. The court has no more right to decline the exercise of jurisdiction, which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution.

Questions may occur which the court would gladly avoid, but the court cannot avoid them. All the court can do is to exercise its best judgment, and conscientiously perform its duty.

This is a matter that is birthed out of the Supreme Court of Ohio's denial of Newsome's Affidavit of Disqualification. Because of the EXTRAORDINARY and EXCEPTIONAL circumstances surrounding this matter, Newsome seeks the United States Supreme Court's Original Jurisdiction through Extraordinary

Writ. Newsome believes that the role of a sitting United States President (Barack H. Obama), his Administration as well as his SPECIAL INTEREST Groups, Lobbyist, etc. role in the lower court actions (which are clearly prohibited by law) supports the extraordinary and exceptional circumstances which exist warranting the relief sought through Extraordinary Writ and/or applicable action the United States Supreme Court deems appropriate. In further support of the United States Supreme Court's Original Jurisdiction, Newsome states:

- a. On or about **October 9, 2010**, Newsome filed with the United States Supreme Court her **timely "EM/ORS"** pursuant to Supreme Court Rules 22, 23 and 30 as well as applicable laws/statutes governing said matters. In compliance with said Rules, Newsome submitted said Motions to the attention of an "individual" justice – Chief Justice John G. Roberts. See **APPENDIX "8"** – October 9, 2010 Cover Letter incorporated by reference as if set forth in full herein.

IMPORTANT TO NOTE: United States Supreme Court Rule 22. *Applications to Individual Justices* states in part:

1. An application **addressed to an individual Justice** shall be filed with the Clerk, **who will transmit it promptly to the Justice concerned** if an individual Justice has authority to grant the sought relief.
2. The original and two copies of any application addressed to an individual Justice shall be

prepared as required by Rule 33.2,
and shall be accompanied by proof
of service as required by Rule 29.

United States Supreme Court Rule 23. *Stays*

1. A stay may be granted by a Justice as permitted by law.
2. A party to a judgment sought to be reviewed may present to a Justice an application to stay the enforcement of that judgment. See 28 U.S.C. § 2101(f).
3. An application for a stay shall set forth with particularity why the relief sought is not available from any other court or judge. Except in the most extraordinary circumstances, an application for a stay will not be entertained unless the relief requested was first sought in the appropriate court or courts below or from a judge or judges thereof. An application of stay shall identify the judgment sought to be reviewed and have appended thereto a copy of the order and opinion, if any, of the court or judge below denying the relief sought, and shall set out specific reasons why a stay is justified.

Thus, it is not clear to Newsome whether or not her October 9, 2010 Motion was submitted to the attention of Chief Justice John C.

Roberts as **MANDATED** and **REQUIRED** by Rule(s) of the United States Supreme Court.

It appears **from the October 14, 2010** letter submitted to Newsome under the direction of William K. Suter (Clerk of United States Supreme Court) and executed by Danny Bickell, that the Clerk's Office may have **USURPED authority and OBSTRUCTED the administration of justice which, as a DIRECT and PROXIMATE result, may have deprived Newsome rights secured under the United States Constitution as well as rights secured under the Rules of the United States Supreme Court.** In so doing, that Mr. Suter/Mr. Bickell may have **KNOWINGLY, DELIBERATELY and MALICIOUSLY** deprived Newsome equal protection of the laws, equal privileges and immunities of the laws, and due process of laws secured/guaranteed under the United States Constitution.

Suter/Bickell stating in October 14, 2010 letter, ***"The papers you submitted are not construed to be a petition for writ of certiorari."*** Actions clearly supporting that the Clerk's Office Suter/Bickell **USURPED** authority and obstructed the administration of justice for purposes of depriving Newsome **PROTECTED** rights afforded to her under the United States Constitution and Rules of the United States Supreme Court. Therefore, in efforts of avoiding dilatory and unlawful/illegal practices by Suter/Bickell and to preserve rights, Newsome has proceeded to file this instant pleading – i.e. without waiving her rights and **RE-assert** the relief sought in her **"EM/ORS"** herein. See **APPENDIX "5"** –

*Excerpt*³ of EM/ORS to support mailing and receipt by this Court.

- b. On or about **July 9, 2010**, a *timely Affidavit of Disqualification* was filed against Judge John Andrew West. A copy of said Affidavit is provided at EXHIBIT “9” of “EM/ORS” submitted for filing with this Court. See APPENDIX “5” EMORS Excerpt.
- c. On or about **July 17, 2010 (Saturday)**, the Supreme Court of Ohio denied *Affidavit of Disqualification*. A copy of that decision appears at APPENDIX “1.” Supporting how the Supreme Court of Ohio REPEATEDLY and DELIBERATELY withheld decisions and did not provide Newsome with a copy of rulings until SEVERAL days after execution. See copy of envelope.
- d. On or about **July 26, 2010**, a *timely Motion for Reconsideration* was submitted. A copy of said motion was provided at EXHIBIT “10” of October 9, 2010 “EM/ORS” submitted for filing with this Court and is hereby incorporated by reference.
- e. On or about **August 2, 2010**, the Supreme Court of Ohio denied *Motion for Reconsideration*. A copy that decision appears at APPENDIX “2.”
- f. On or about **August 11, 2010**, a *timely Notification of Intent to File Emergency Writ*

³ Cover page, Table of Contents, Table of Authorities, Table of Exhibits, Page 1, Relief Sought and Signature/Certificate of Service, and United States Postal Service PROOF of Mailing.

of Certiorari With The United States Supreme Court; Motion to Stay Proceedings – Request for Entry of Final Judgment/Issuance of Mandate As Well As Stay of Proceedings Should Court Insist on Allowing August 2, 2010 Judgment Entry to Stand (“NOITFEW/MTS”) was submitted. A copy of said Notification/Motion to Stay was provided at EXHIBIT “8” of October 9, 2010 “EM/ORS” submitted for filing with this Court and is hereby incorporated by reference.

- g. On or about August 18, 2010, the Supreme Court of Ohio executed *Judgment Entry on Defendant’s 8/11/10 Motion for Final Entry and Stay*. A copy of that decision appears at APPENDIX “3.”
- h. On or about October 14, 2010, William K. Suter (Clerk of the Supreme Court of United States)/Danny Bickell returned a portion of Newsome’s October 9, 2010 filing (i.e. not entire filing – Letter to Justice Roberts, Filing Fee, Original October 9, 2010 Brief and Exhibits 1 through 15 only [i.e. out of the 169 Exhibits provided]).
- i. On or about October 25, 2010, out of concerns that the Clerk’s Office of this Court was attempting to “Obstruct Justice” Newsome *re-submitted* the original letter provided with her October 9, 2010 filing to Chief Justice John G. Roberts via “*Registered Letter*” along with a copy of the October 14, 2010 letter from William K. Suter/Danny Bickell. See APPENDIX “8” and is incorporated hereto as if set forth in full.

- j. On or about November 8, 2010, Gail Johnson on behalf of William K. Suter (Clerk of Court) and Supreme Court of United States drafted letter advising corrections to the Petition for Extraordinary Writ. On or about January 6, 2011, Newsome submitted revised "PFEW." See APPENDIX "8" – *January 6, 2011 Cover Letter and copy of November 8, 2010 letter from the Clerk/Gail Johnson* – incorporated herein by reference.
- k. Because of the EXTRAORDINARY and EXCEPTIONAL circumstances surrounding this action, pursuant to Rule 17 – *Procedure in an Original Action* - of the Supreme Court of the United States, "A petition for an extraordinary writ in aid of the Court's appellate jurisdiction shall be filed as provided in Rule 20" of this Court.
- l. Pursuant to United States Supreme Court Rule 20 – *Procedure on a Petition for an Extraordinary Writ* – issuance by the Court of an extraordinary writ is authorized by 28 USC § 1651(a).
- m. The jurisdiction of the United States Supreme Court is invoked under 28 U.S.C. § 1257(a).
- n. The jurisdiction of the United States Supreme Court is invoked under 28 U.S.C. § 1251 – Original Jurisdiction:

(a) The Supreme Court shall have original and exclusive jurisdiction of all controversies between two or more states.. . .

- o. Jurisdiction is invoked under United States Supreme Court Rule 17(1) – *Procedure in an Original Action*:

This Rule applies only to an action invoking the Court's original jurisdiction *under Article III of the Constitution of the United States*. See also *28 U. S. C. §1251* and U. S. Const., Amdt.

11. A petition for an extraordinary writ in aid of the Court's appellate jurisdiction shall be filed as provided in Rule 20.

- p. The jurisdiction of this Court is further invoked pursuant to Article III, § 2, United States Constitution - - Section 2: *The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority*

...

§ 402.02 Article III Jurisdiction and Its Limitations

[1] – Original Jurisdiction of Supreme Court Under Article III

[a] Nature of Original Jurisdiction: The Supreme Court is generally a source of appellate review, but *it can act as a trial court in certain instances*. Original jurisdiction means the following, as Justice Marshall explained in *Marbury v. Madison*:

5 U.S. (1 Cranch) 137, 174, 2 L.Ed. 60 (1803):

[The Court has] the power to hear and decide a lawsuit in the **first** instance . . . [A]ppellate jurisdiction means the authority to review the judgment of another court which has already heard the lawsuit in the first instance. Trial courts are courts that exercise original jurisdiction; courts of appeals. . . exercise appellate jurisdiction.
Id.

Article III of the U.S. Constitution prescribes the Supreme Court's **original jurisdiction** (*See* U.S. Constitution, Article III, § 2 cl. 2). Under the first clause of Section 2 of Article III, federal courts have jurisdiction over the following: *[All Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority.*

- q. Vol. 22 Moore's Federal Practice, § 400.03 ***Relationship of Supreme Court to State Courts:***

[1] STATE COURT MUST PROTECT FEDERAL RIGHTS: The state courts existed before Congress created the federal courts. Their existence was not disturbed by the adoption of the Constitution. State courts ***are required to protect federal***, as well as state-created, rights.

See Testa v. Katt, 330 U.S. 386, 390-394, 67 S.Ct. 810, 91 L.Ed. 967 (1947) (state court *could not refuse to enforce federal claim*).

[2] SUPREME COURT MAY REVIEW DECISION OF HIGHEST STATE COURT IF SUBSTANTIAL FEDERAL QUESTION IS INVOLVED: If a party elects to litigate in state court, **the Supreme Court may review a final judgment or decree of the highest state court in which a decision can be had if it turns on a substantial federal question**. More specifically, the decision must:

- (1) raise a question as to the validity of the federal statute or treaty;
- (2) raise a question as to whether a state statute is repugnant to the Constitution, laws or treaties of the United States; or
- (3) address the contention that a title, right, privilege or immunity is "set up or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under, the United States." (*See* 28 USC § 1257(a)).

The constitutionality of this scheme was upheld early in the Court's history.

(*See Cohens v. Virginia*, 19 U.S. (6 Wheat.) 264, 421, 5 L.Ed. 257 (1821) (Court has supervising power over judgments of state courts that conflict with Constitution of federal laws or treaties); *Martin v. Hunter's Lessee*, 14 U.S. (1 Wheat.) 304, 342, 14 U.S. 304, 4 L.Ed. 97(1816) ("the appellate power of the United States must . . . extend to state tribunals").

The qualifying phrase "highest court of a state in which a decision could be had" means the highest court in the state with appellate power over the judgment.

See Flynt v. Ohio, 451 U.S. 619, 620, 101 S.Ct. 1958, 68 L.Ed 2d 489 (1981) (per curiam) (jurisdiction to review only final judgment of highest state court); *Nash v. Florida Indus. Comm'n*, 389 U.S. 235, 237 n.1, 88 S.Ct. 362, 19 L.Ed.2d 438 (1967) (decision of intermediate appellate court reviewed because Court was "unable to say" that court was not highest one in which decision could be had).

- r. Vol. 22 Moore's Federal Practice, § 400.04
***Supervisory Authority of Supreme Court Over
Inferior Federal Courts***

[1] SUPREME COURT HAS EXTENSIVE RULEMAKING POWER: The Supreme Court *has powers beyond its duty to entertain cases within its original and appellate jurisdiction.* The Court has extensive power to prescribe rules of practice and procedure for civil actions. . . . The Supreme Court, of course, *has the power to promulgate rules governing practice and procedure before itself, and has done so.*

- s. Newsome is not aware whether the Ohio Supreme Court complied with 28 U.S.C. § 2403(a) and certified to the Attorney General *the fact that the constitutionality of an Act of Congress was drawn into question.* Newsome knows that there was sufficient and timely/properly submitted information provided through pleadings filed to support that *the Ohio Supreme Court knew and/or should have known that the "constitutionality of an Act of Congress was drawn into question."* Nevertheless, it is a good thing that Newsome served copies of her filings on the United States Attorney General Eric Holder and United States President Barack Obama to support and sustain the Ohio Supreme Court's knowledge that "constitutionality of Act of Congress was drawn into question." See APPENDIX "9" supporting proof of mailing and receipt by United States Attorney General Eric Holder and United States President Barack Obama of: (a) July 9, 2010 Affidavit of Disqualification; (b) July 26, 2010 Motion for Reconsideration; and (c) August 11, 2010 "NOITFEW/MTS."

- t. Pursuant the United States Supreme Court Rule 29(b), 28 USC § 2403(a) may apply.⁴
- u. The following statute may further apply: 28 USC §2403 - ***Intervention by United States or a State; Constitutional Question:*** (a) In any action, suit or proceeding in a court of the United States to which the United States or any agency, officer or employee thereof is not a party, wherein the constitutionality of any Act of Congress affecting the public interest is drawn in question, the court shall certify such fact to the Attorney General, and shall permit the United States to intervene for presentation of evidence, if evidence is otherwise admissible in the case, and for argument on the question of constitutionality. The United States shall, subject to the applicable provisions of law, have all the rights of a party and be subject to all liabilities of a party as to court costs to the extent necessary for a proper presentation of the facts and law relating to the question of constitutionality.

It may be a good thing that Newsome continued to notify the United States Attorney

⁴ U.S. Supreme Court Rule 29(b): In any proceeding in this Court in which the constitutionality of an Act of Congress is drawn into question, and neither the United States nor any federal department, office, agency, officer, or employee is a party, the initial document filed in this Court shall recite that 28 U. S. C. § 2403(a) may apply and shall be served on the Solicitor General of the United States, Room 5614, Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001. In such a proceeding from any court of the United States, as defined by 28 U. S. C. § 451, the initial document also shall state whether that court, pursuant to 28 U. S. C. § 2403(a), certified to the Attorney General the fact that the constitutionality of an Act of Congress was drawn into question. See Rule 14.1(e)(v).

General Eric Holder and United States President Barack Obama as to what was taking place under their WATCH.

VII. CONSTITUTIONAL PROVISIONS, TREATIES,
STATUTES, ORDINANCES and REGULATIONS
INVOLVED IN CASE

CONSTITUTION:

- a. United States Constitution
- b. United States Constitution –
Amendments 1, 7, 13 through 15
- c.
Article III, § 2, United States
Constitution

STATUTES:

- d. 18 USC § 2 - *Principals*
- e. 18 USC § 241 - *Conspiracy against
rights*
- f. 18 USC § 242 - *Deprivation of
rights under color of law*
- g. 18 USC § 371 - *Conspiracy to
commit offense or to defraud
United States*
- h. 18 USC § 372 - *Conspiracy to
impede or injure officer*
- i. 18 USC § 666 - *Theft or bribery
concerning programs receiving
Federal funds*
- j. 18 USC § 1001 - *Statements or
entries generally*

- k. 18 USC § 1341 - *Frauds and swindles*
- l. 18 USC § 1346 - *Definition of "scheme or artifice to defraud"*
- m. 18 USC § 1509 - *Obstruction of court orders*
- n. 18 USC § 1512 - *Tampering with a witness, victim, or an informant*
- o. 18 USC § 1513 - *Retaliating against a witness, victim, or an informant*
- p. 18 USC § 1519 - *Destruction, alteration, or falsification of records in Federal investigations and bankruptcy*
- q. 18 USC § 1701 - *Obstruction of mails generally*
- r. 18 USC § 1702 - *Obstruction of correspondence*
- s. 18 USC § 1703 - *Delay or destruction of mail or newspapers*
- t. 18 USC § 1708 - *Theft or receipt of stolen mail matter generally*
- u. 18 USC § 1723 - *Avoidance of postage by using lower class matter*
- v. 18 USC § 1726 - *Postage collected unlawfully*
- w. 28 USC § 144 - *Bias or prejudice of judge*
- x. 28 USC § 455 - *Disqualification of justice, judge, or magistrate judge*
- y. 28 USC § 1651 - *Writs*

- z. 28 USC § 1915 - *Proceedings in forma pauperis*
- aa. 28 USC § 2101 - *Supreme Court; time for appeal or certiorari; docketing; stay*
- bb. 28 USC § 1257 - *State courts; certiorari*
- cc. 42 USC § 1983 - *Civil action for deprivation of rights*
- dd. 42 USC § 1985 - *Conspiracy to interfere with civil rights*
- ee. 42 USC § 1986 - *Action for neglect to prevent*⁵

STATUTES

28 U. S. C. § 2403(a)

28 U.S.C. § 1251

28 U.S.C. § 1651

28 U.S.C. § 2101

28 USC § 1257

Vol. 22 Moore's Federal Practice, § 400.03 *Relationship of Supreme Court to State Courts*

⁵ Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; . . .

Vol. 22 Moore's Federal Practice, § 400.04 *Supervisory
Authority of Supreme Court Over Inferior Federal Courts*

Vol. 23 Moore's Federal Practice, § 520.02[2] (Matthew
Bender 3d ed.)27

OTHER AUTHORITIES

Article III, § 2, United States Constitution

H.R.Rep.No.93-1453, 93d Cong., 2d Sess. (1974),
Reprinted in 1974 U.S.Code Cong. & Admin.News,
pp. 6351, 6352-54

Section 706(f)(2) of Title VII

RULES

United States Supreme Court Rule 14.1(e)(v)

United States Supreme Court Rule 17(1)

United States Supreme Court Rule 20

United States Supreme Court Rule 22

United States Supreme Court Rule 23

United States Supreme Court Rule 29(b)

VIII. CONCISE STATEMENT OF THE CASE

*For preservation purposes and **WITHOUT** waiving
defenses set forth in her October 9, 2010 "EM/ORS" –
Newsome incorporates the issues/arguments raised therein
as if set forth in full herein (see also excerpt of EM/ORS at
APPENDIX "5." Newsome further states the following:*

- a. See facts set forth at *Concise Statement
of Jurisdiction* above of this instant
pleading.

IX. REASONS FOR GRANTING THE PETITION

A. CONFLICT OF INTEREST REQUEST:

Prior to addressing the reasons for granting the Petition, Newsome, in the interest of justice as well as for PUBLIC/WORLDWIDE interest, Newsome request that the United States Supreme Court Justice(s)/Administration advise her of whether or not "CONFLICT OF INTEREST" exists in the handling of this matter.

Newsome has obtained information which will support that Respondent Stor-All Alfred LLC's/its insurance provider (Liberty Mutual Insurance Company) and Liberty Mutual's counsel - i.e. for instance, *Baker Donelson Bearman Caldwell & Berkowitz* [*"Baker Donelson"*]) has advertised its SPECIAL relationships/ties to "*highly distinguished individuals, people who have served as:*"

- Chief of Staff to the President of the United States
- United States Secretary of State
- United States Senate Majority Leader
- Members of the United States Senate
- Members of the United States House of Representatives
- Director of the Office of Foreign Assets Control for United States
- Department of Treasury
- Director of the Administrative Office of the United States
- Chief Counsel, Acting Director, and Acting Deputy Director of United States

Citizenship & Immigration Services within
the *United States Department of Homeland
Security*

- Majority and Minority Staff Director of
the *Senate Committee on Appropriations*
- Member of United States President's
Domestic Policy Council
- Counselor to the Deputy Secretary for
the United States Department of HHS
- Chief of Staff of the *Supreme Court of
the United States*
- Administrative Assistant to the *Chief
Justice of the United States*
- Deputy under Secretary of International
Trade for the United States Department of
Commerce
- Ambassador to Japan
- Ambassador to Turkey
- Ambassador to Saudi Arabia
- Ambassador to the Sultanate of Oman
- Governor of Tennessee
- Governor of Mississippi
- Deputy Governor and Chief of Staff for
the *Governor of Tennessee*
- Commissioner of Finance &
Administration (Chief Operating Officer) -
State of Tennessee
- Special Counselor to the Governor of
Virginia
- *United States* Circuit Court of Appeals
Judge
- *United States* District Court Judges
- United States Attorneys
- Presidents of State and Local Bar
Associations

EMPHASIS ADDED in that information is pertinent to establish the CONSPIRACY and PATTERN-OF-CRIMINAL/CIVIL wrongs leveled against Newsome out of which this instant relief is sought. This information originally located at:

<http://www.martindale.com/Baker-Donelson-Bearman-Caldwell/law-firm-307399.htm>

see attached at **APPENDIX "6"** attached hereto and incorporated by reference as if set forth in full herein. It is such information which had been posted for several years. See **APPENDIX "7"** listing pulled approximately September 11, 2004. However, *since Newsome has gone PUBLIC and is releasing this information, Baker Donelson has **SCRUBBED** this information from the Internet.*

Newsome believes this request is made in good faith in that the record evidence will support that in approximately a **one-year** period, Judges and/or their Aides associated in legal matters regarding Newsome have been "INDICTED" and/or "IMPEACHED" – i.e for instance Judge John Andrew West's (*Judge in the Hamilton County Court of Common Pleas matter former Bailiff, Damon Ridley, was recently found GUILTY for attempted bribery for taking monies for purposes of getting cases dismissed as Judge West and opposing parties in the lower court action are attempting to do without legal authority and cause*).⁶

⁶ *Potashnick v. Port City Const. Co.*, 609 F.2d 1101 (1980) - [n.4] A judge faced with a potential ground for disqualification ought to consider how his participation in a given case looks to the average person on the street; use of the word "might" in statute was intended to indicate that disqualification should follow if reasonable man, were he to know all the circumstances, would harbor doubts about judge's impartiality. 28 U.S.C.A. § 455(a).

Furthermore, two other Judges (i.e. Judge Bobby DeLaughter was INDICTED and pled GUILTY and Judge G. Thomas Porteous as of approximately **December 8, 2010**, has been IMPEACHED according to proceedings before the United States Senate) have been prosecuted for their unlawful/illegal practices. All acts in which the United States Department of Justice was fully aware of and clearly having knowledge of NEXUS and/or relationship of Judge(s) in matters involving Newsome because she reported concerns of criminal/civil wrongs by Judge(s) and/or their conspirators/co-conspirators. To no avail.

Our first ground for reversal results from the trial court judge's failure to disqualify himself from participation in the proceeding before him. . . . The parties do not allege that the judge exhibited any actual bias or prejudice in the case; they assert only that under the circumstances his impartiality might reasonably be questioned.

. . . The Applicable Statute

At the time this lawsuit was instituted, the . . . statute relating to judicial disqualification provided:

*1108 Any justice or judge . . .
shall disqualify himself in any case in
which he has a substantial interest, . . .
as to render it improper, in his opinion,
for him to sit on the trial, appeal, or
other proceeding therein.

28 U.S.C. § 455 (1970). While the case was pending, but prior to the commencement of trial, 28 U.S.C. § 455 was amended to bring the statutory grounds for disqualification of judges into conformity with the recently adopted canon of the Code of Judicial Conduct [FN2] relating to disqualification of judges for bias, prejudice, or conflict of interest. See **H.R.Rep.No.93-1453, 93d Cong., 2d Sess.** (1974), Reprinted in 1974 **U.S.Code Cong. & Admin.News**, pp. 6351, 6352-54 (hereinafter cited as 1974 U.S.Code Cong. & Admin.News). . . .

FN2. Canon 3C of the Code of Judicial Conduct was adopted by the Judicial Conference of the United States in April, 1973.

Court records will support for instance that Newsome had concerns regarding "*conflict of interest*" and requested RECUSAL of judges/magistrate in *Newsome vs. Melody Crews, et al.*; USDC Southern District of Mississippi (Jackson); Case No. 3:07-cv-00099 (see Docket Nos. 110, 104 and 160) due to relationship to opposing parties and/or their attorneys/attorneys' law firms. To no avail. Then Newsome finds that Judge Tom S. Lee (i.e. judge assigned her lawsuits) recused himself based upon his relationship to Baker Donelson:

"Pursuant to 28 U.S.C. §455(a), the undersigned is compelled to disqualify himself in the above styled and numbered proceedings for the reason that the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, counsel for the defendants, is on the recusal list of the undersigned United States district judge.

Accordingly, the undersigned does hereby recuse himself in this cause."

information which is of public record and can be found on the INTERNET and/or in court records for instance in *Joni B. Tyler, et al. vs. JPF1, LLC, et al.*; Civil Action No. 3:09-cv-338 TSL-FKB (Recusal Order dated **March 25, 2010**); and *Joyce Walker vs. Captain D's LLC, et al.*, Civil Action No. 3:09-cv-679 TSL-JCS (Recusal Order dated **November 13, 2009**); however, Judge Lee failed to recuse himself when presiding over said lawsuit with KNOWLEDGE that Baker Donelson was and its client(s) were involved.

Newsome further believes that a reasonable person/mind may conclude that with the recent assignment to the United States Supreme Court of Justices Sonia Sotomayor and Elena Kagen were recommended for appointment for vacancies which arose with this Court by

United States President Barack Obama; therefore, leaving Newsome and/or a reasonable person/mind with valid concerns whether the Justices of this Court can remain impartial in deciding this matter.

As a matter of law, Newsome is required to bring such concerns and to request DISCLOSURE of the United States Supreme Court as to whether or not "Conflict of Interest(s)" exists with its Justices and/or Court Administration.

B. REASONS FOR GRANTING PETITION:

For preservation purposes and WITHOUT waiving defenses set forth in her October 9, 2010 "EM/ORS," she herein incorporates the issues/arguments and relief sought in said pleading for purposes as to "reasons for granting the Petition for Extraordinary Writ" out of which this instant action arises. In further support thereof, Newsome states:

- a. Ohio Supreme Court has entered a decision in conflict with the decision of another state supreme court on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of the United States Supreme Court's supervisory power;
- b. Ohio Supreme Court has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States court of appeals;

- c. Ohio Supreme Court has decided an important question of federal law that has not been, but should be, settled by this Court; or has decided an important federal question in a way that conflicts with relevant decisions of this Court;
- d. Newsome hereby incorporates herein by reference "ISSUES" set forth in her October 9, 2010 "*EM/ORS*" which list the following:
 - 1. Affidavit of Disqualification;
 - 2. *Supremacist/Terrorist/Ku Klux Klan Act*;
 - 3. *Irreparable Injury/Harm*;
 - 4. Threats to Counsel/ Appointment of Counsel;
 - 5. Unfit for Office;
 - 6. Finding of Fact/Conclusion of Law;
 - 7. *Due Process of Fourteenth Amendment to U.S. Constitution*;
 - 8. *Equal Protection of Fourteenth Amendment to U.S. Constitution*;
 - 9. *U.S. Office of President/ Executive Office; United States Department of Justice/ Department of Labor Role In Conspiracy*;
 - 10. Selective Prosecution;
 - 11. "Serial Litigator" Issue;
 - 12. Congressional Investigation(s);
 - 13. Prohibition/Mandamus Action(s);

14. ~~*Pattern of Practice*~~; and

15. Relief Sought.

- e. **PREREQUISITES:** (i) Writ Will Be In Aid Of The Court's Appellate Jurisdiction; (ii) Exceptional Circumstances Warrant the Exercise of the Court's Discretionary Powers; (iii) Adequate Relief Cannot Be Obtained In Any Other Form or From Any Other Court; and (iv) for Other Reasons Known to this Court.

Newsome believes her PFEW support that there are extraordinary and exceptional circumstances which exist and meet the prerequisites required to support granting of relief sought herein - Vol. 23 Moore's Federal Practice, § 520.02 *Considerations Governing Issuance Of Extraordinary Writ*. [1] PREREQUISITES TO GRANTING EXTRAORDINARY WRIT: Supreme Court Rule 20 specifies that the issuance of an extraordinary writ "*is not a matter of right*, but of *discretion sparingly exercised*."⁷

The Rule then sets forth four prerequisites to the granting of extraordinary writ. It must be shown:

⁷ See *Wisconsin Right to Life, Inc. v. Federal Election Comm'n.*, 542 U.S. 1305, 125 S.Ct. 2, 159 L.Ed. 2d 805, 807 (2004) (Rehnquist, C.J., in chambers) (Supreme Court will issue extraordinary writ only in most critical and exigent circumstances, only when necessary or appropriate in aid of Court's jurisdiction, and only when legal rights at issue are indisputably clear); *Brown v. Gilmore*, 533 U.S. 1301, 122 S.Ct. 1, 2-3, 150 L.Ed. 2d 782 (2001) (Rehnquist, C.J., in chambers) (under All Writs Act, 28 U.S.C. § 1651, injunction against implementation of presumptively valid state statute pending Court's disposition of certiorari petition is appropriate only if legal rights at issue are indisputably clear).

- (1) the writ will be in aid of the
Court's appellate jurisdiction:

Newsome believes that Extraordinary Writ sought will be in aid of the U.S. Supreme Court's appellate jurisdiction – 28 U.S.C. § 1651(a) provides that the “Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.” The statute **does not** purport to restrict this Court to issuing writs sole in the aid of its appellate jurisdiction. This Court has chosen to limit the application of its Rule 20 to situations in which the writs are in aid to the Court's appellate jurisdiction, and thereby has left the matter of the extraordinary writs in aid of the Court's original jurisdiction unregulated so far as this Court's Rules are concerned. *Thus, the U.S. Supreme Court has a continuing power to issue extraordinary writs in aid of either its original jurisdiction⁸ including as a part of jurisdiction(s) the exercise of general*

⁸ See *Ex parte Hung Hang*, 108 U.S. 552, 553, 2 S.Ct. 863, 27 L.Ed. 811 (1883) (Court has authority to issue writ); *Pennsylvania v. Wheeling Belmont Bridge Co.*, 59 U.S. 421, 431, 15 L.Ed. 435 (1885) (“act of congress cannot have the effect and operation to annul the decision of the court already rendered); *Ex parte Siebold*, 100 U.S. 371, 374, 25 L.Ed. 717 (1879) (“Having this general power to issue the writ, the court may issue it in the exercise of original jurisdiction where it has original jurisdiction. . . .”); see also Wagner, *Original Jurisdiction of National Supreme Courts*, 33 St. John's L. Rev. 217 (1959); cf. *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 147, 2 L.Ed. 60 (1803) (“The term ‘appellate jurisdiction’ is to be taken in its larger sense, and implies in its nature the right of superintending the inferior tribunals.”).

supervisory control over the court system –
state or federal:⁹

- (2) exceptional circumstances
warrant the exercise of the
Court's discretionary powers:

Newsome believes that “exceptional circumstances” as set forth herein as well as in the “*EM/ORS*” and lower court records, warrant the exercise of the U.S. Supreme Court's discretionary powers.” While there need not be a laundry list of “exceptional circumstances,” the U.S. Supreme Court has repeatedly asserted that the peremptory writs are drastic and extraordinary remedies that must be reserved for only truly extraordinary cases.¹⁰ *In this instant action, the*

⁹See e.g., *Connor v. Coleman*, 440 U.S. 612, 624, 99 S.Ct. 1523, 59 L.Ed. 2d 619 (1979) (“When a lower. . . court refuses to give effect to, or misconstrues our mandate, its actions are controlled by this Court. . . .”); *McCullough v. Cosgrave*, 309 U.S. 634, 635, 60 S.Ct. 703, 84 L.Ed. 992 (1940) (Court directed . . . Court judge to vacate order and retry cases expediently); *Ex parte United States*, 242 U.S. 27, 52, 37 S.Ct. 72, 61 L.Ed. 129 (1916) (mandamus proper remedy for enforcing . . . when. . . Court that passed it has defeated its execution). - - Vol. 23 Moore's Federal Practice, § 520.02[2] (Matthew Bender 3d ed.).

¹⁰ See *Bagley v. Byrd*, 534 U.S. 1301, 122 S.Ct. 419, 419-420, 151 L.Ed. 2d 370 (2001) (Stevens, J., in chambers) (Court will deny applications for stay of lower-court proceedings pending Court's disposition of . . . petition unless application demonstrates that denial of stay will either cause irreparable harm or affect Supreme Court's jurisdiction to act on . . . petition); *In re Michael Sindram*, 498 U.S. 177, 179, 111 S.Ct. 596, 112 L.Ed. 2d 599 (1991) (petitioner “identifies no ‘drastic’ circumstances to justify extraordinary relief” as required by Sup. Ct. R. 20.1); *Will v. United States*, 389 U.S. 90, 95, 88 S.Ct. 269, 19 L.Ed. 305 (1967) (“only exceptional circumstances amounting to a judicial ‘usurpation of power’ will justify the invocation of this extraordinary remedy”); *Ex parte Fahey*, 332 U.S. 258, 260, 67 S.Ct.

“ORIGINAL” jurisdiction of this Court also sought because of the MULTIPLE parties involved and the MULTIPLE jurisdictions – i.e. DIVERSITY of parties and states involved.

- (3) adequate relief cannot be had in any other form; and

Newsome believes that the record evidence as well as the Extraordinary Writ she seeks to bring before the U.S. Supreme Court will support a PATTERN-OF-PRACTICE, PATTERN-OF-ABUSE, PATTERN-OF-OBSTRUCTION OF JUSTICE, PATTERN-OF-DEPRIVATION OF RIGHTS, PATTERN-OF-CORRUPTION, and many more unlawful/illegal PATTERN-OF-INJUSTICES leveled against Newsome will support that she has in GOOD FAITH sought relief through the appropriate administrative and judicial remedies prior to bringing this matter before this honorable court. Because of the EXCEPTIONAL circumstances set forth herein as well as in “*EM/ORS*” and lower court records which supports the action, Newsome seeks to bring, the writ sought in that it is permissible and warranted as a matter of law - *Ex parte Harding*, 219 U.S. 363, 374; 31 S.Ct. 324, 55 L.Ed. 252 (1911) (writ only applicable to exceptional cases) – and is sustained by facts, evidence and legal conclusions.

- (4) adequate relief cannot be had in any other court below:

1558, 91 L.Ed. 2041 (1947) (“These remedies should be resorted to only where appeal is a clearly inadequate remedy.”).

Newsome believes that the record evidence will support that without the U.S. Supreme Court's intervention through Extraordinary Writ sought, that "adequate relief cannot be had from any other court." Moreover, efforts by lower courts to "CLOSE DOORS OF COURT(S) to Newsome." Newsome further believes that the "EM/ORS" will sustain the legal avenues EXHAUSTED prior to bringing this instant Petition for Extraordinary Writ action. Further supporting that because of the PATTERN of criminal/civil wrongs as well as CONSPIRACIES leveled against Newsome; adequate relief cannot be had in any other Court and requires the intervention of the United States Supreme Court's original jurisdiction for the resolution. Thus, warranting and supporting the relief Newsome seeks through bringing Extraordinary Writ. [*Ex parte Young*, 209 U.S. 123, 165, 28 S.Ct. 441, 52 L.Ed. 714 (1908) (remedies at law not inadequate). Furthermore, *the "ORIGINAL" jurisdiction of this Court also sought because of the MULTIPLE parties involved and the MULTIPLE jurisdictions – i.e. DIVERSITY of parties and states involved – sustaining that this matter CANNOT be had in any single court below because said single court would LACK jurisdiction over parties/litigants because of the DIVERSITY of jurisdictions involved* wherein the "ORIGINAL" jurisdiction of the United States Supreme Court encompasses and allow for its JURISDICTION over multiple parties/litigants who reside in different states. Therefore requiring the United States Supreme Court's.

- f. Newsome believes it is of PUBLIC/WORLDWIDE interest that Extraordinary Writ sought be granted.
- g. Newsome believes here is/are question(s) of public importance that are involved, or where the question is of such a nature that it is peculiarly appropriate that such action by the U.S. Supreme Court should be taken.

X. CONCLUSION and RELIEF SOUGHT

For the above foregoing reasons and those set forth in Newsome's October 9, 2010 "EM/ORS" the *Petition for Extraordinary Writ* should be GRANTED. For preservation of issues and relief sought Newsome hereby incorporates the relief sought in her October 9, 2010 "EM/ORS" which includes the following (however, is not limited to same).¹¹

¹¹Dates provided below are those submitted in October 9, 2010 "EM/ORS" to support timely submittal; however, the United States Supreme Court allowed the deadline originally provided to lapse; therefore, requiring that it provide reasonable dates for persons/agencies to comply with relief sought. Newsome believes that in GOOD FAITH the United States Supreme Court should grant the applicable relief sought and make the necessary adjustment to dates for purposes of expedition of matters and mitigating damages/injuries already sustained by Newsome:

- i) In the interest of justice, grant a permanent injunction enjoining the following government agency(s); persons, businesses, law firms:
 - a) The United States Executive Office
(White House)/President Barack H. Obama;
 - b) United States Senate;
 - c) United States House of Representatives;

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- d) United States Department of Justice;
 - e) United States Department of Labor;
 - f) United States Department of Treasury;
 - g) United States Department of Education;
 - h) Ohio Supreme Court;
 - i) Ohio Attorney General;
 - j) Hamilton County Court of Common Pleas;
 - k) Hamilton County Municipal Court;
 - l) State of Louisiana;
 - m) State of Mississippi
 - n) Commonwealth of Kentucky;
 - o) State of Ohio;
 - p) United States District Court/Eastern Division (New Orleans Division);
 - q) United States District Court/Southern Division (Jackson, Mississippi);
 - r) United States District Court/Eastern Division (Covington, Kentucky);
 - s) United States District Court/Northern Division (Dallas, Texas);
 - t) Kenton County Circuit Court (Kenton County, Kentucky);
 - u) United States Fifth Circuit Court of Appeals;
 - v) Commonwealth of Kentucky Department of Revenue;
 - w) GMM Properties;
 - x) Spring Lake Apartments LLC;
 - y) Stor-All Alfred, LLC;
 - z) Floyd West & Company;
 - aa) Louisiana State University Medical Center (a/k/a Louisiana State University Health Science Center);

-
- bb) Christian Health Ministries;
 - cc) Entergy Corporation/Entergy New Orleans, Inc.;
 - dd) Wood & Lamping, LLP;
 - ee) Page Kruger & Holland;
 - ff) Mitchell McNutt & Sams;
 - gg) Liberty Mutual Insurance Company;
 - hh) Schwartz, Manes Ruby & Slovin, LPA;
 - ii) Markesbery & Richardson Co., LPA;
 - jj) Baker Donelson Bearman Caldwell & Berkowitz;
 - kk) Brunini Grantham Grower & Hewes;
 - ll) Baria Fyke Hawkins & Stracener (a/k/a Hawkins Stracener & Gibson PLLC);
 - mm) JP Morgan Chase Bank NA;
 - nn) PNC Bank NA;
 - oo) and others that the United States Supreme Court may be aware of that Newsome may have missed – i.e. based on the facts and evidence contained in this instant filing and/or record of those listed herein.

their subdivisions/departments/branches, their officers, agents, servants, employees, attorneys, successors, assigns, and all persons in active concert or participation with them, from engaging in any further employment violations and criminal/civil wrongs addressed of herein and/or known to them that is prohibited by Title VII.

ii) In the interest of justice, that the United States Supreme Court enter EMERGENCY Order(s)/Judgment(s) for permanent injunction enjoining the following government agency(s); persons, businesses, law firms - See Pages 281 thru 284 of "EM/ORS" and the *Motion for Leave* ("MFL") submitted with this instant filing respectively for remaining relief requested - their subdivisions/departments/branches, their officers, agents, servants, employees, attorneys, successors, assigns, and all persons in active

concert or participation with them, from engaging in any further conspiracies and/or criminal/civil wrongs leveled against Newsome addressed herein and/or known to them that is prohibited by statutes and laws of the United States and the States in which they reside and/or conduct business.

iii) In the interest of justice, Newsome request the United States Supreme Court issue the proper Order(s)/Judgment(s) and take the proper action to have the cases regarding Newsome in the following Courts "REOPENED" (if closed) and the record(s) "CERTIFIED:"

- a) Ohio Supreme Court;
- b) Hamilton County Court of Common Pleas;
- c) Hamilton County Municipal Court;
- d) United States District Court/Eastern Division (New Orleans Division);
- e) United States District Court/Southern Division (Jackson, Mississippi);
- f) United States District Court/Northern Division (Dallas, Texas);
- g) United States District Court/Eastern Division (Covington, Kentucky);
- h) Kenton County Circuit Court (Kenton County, Kentucky); and
- i) United States Fifth Circuit Court of Appeals.

iv) That the United States Supreme Court issue the applicable Order(s)/Judgment(s) for purposes of DETERRING and PREVENTING further conspiracies leveled against Newsome and the ***birthing/breeding*** of more CAREER CRIMINALS (i.e. CRIMINAL BULLIES) for purposes of mitigating damages and pursuant to 42 U.S.C. § 1986.

U.S. v. Jimenez Recio, 123 S.Ct. 819 (2003) - Essence of a conspiracy is an agreement to commit an unlawful act.

Agreement to commit an unlawful act, which constitutes the essence of a conspiracy, is a ***distinct evil*** that may exist and be

punished whether or not the substantive crime ensues. *Id.*

Conspiracy poses a threat to the public over and above the threat of the commission of the relevant substantive crime, both because the combination in crime makes more likely the commission of other crimes and because it decreases the probability that the individuals involved will depart from their path of criminality. *Id.*

v) In the interest of justice, Newsome request the United States Supreme Court issue the proper Order(s)/Judgment(s) and take the proper action to have the cases/charges brought by Newsome in the following Government/Administrative Agencies "REOPENED" (if closed) and the record(s) "CERTIFIED:"

- a) Executive Office of the United States/White House;
- b) United States Department of Justice;
- c) United States Department of Labor;
- d) United States Department of Treasury;
- e) United States Department of Education;
and
- f) United States Legislature/Congress.

vi) In the interest of justice, issue the proper Order(s)/Judgment to have the United States Department of Labor make available to Newsome ALL records regarding charges/cases brought by Newsome filed against:

- a) Floyd West & Company;
- b) Louisiana State University Medical Center (a/k/a Louisiana State University Health Science Center);
- c) Christian Health Ministries;
- d) Entergy Services, Inc./Entergy New Orleans;
- e) Mitchell McNutt & Sams; and

f) Wood & Lamping.

vii) Based upon the United States Department of Labor's failure to follow rules governing charges filed, Newsome is requesting that, in the interest of justice and under the laws governing jurisdiction to CORRECT legal wrongs made know, that the United States Supreme Court issue the proper Order(s)/Judgment(s) to the following former employers requiring the "OPENING" (if closed) and "CERTIFICATION" of employment records regarding Newsome. This request is made in good faith in that Newsome is entitled to said relief for purposes of mitigating damages until legal actions are resolved for the following employers and those this Court has become aware of through this instant filing:

- a) Floyd West & Company;
- b) Louisiana State University Medical Center (a/k/a Louisiana State University Health Science Center);
- c) Christian Health Ministries;
- d) Entergy Services, Inc/Entergy New Orleans;
- e) Mitchell McNutt & Sams;
- f) Page Kruger & Holland; and
- g) Wood & Lamping.

viii) That the United States Supreme Court issue Order(s) to Wood & Lamping LLP to reinstate Newsome's employment *for purposes of mitigating damages* until legal matters are resolved; however, instructing that in the interest, safety and wellbeing of Newsome she is not required to return to place of employment – i.e just returned to receipt of payroll and benefits restored to which she is entitled. Newsome presently seeks back pay/front pay in the amount in the amount of approximately \$88,888.53 as of November 5, 2010. Newsome request that Wood & Lamping be required to continue to pay her BI-WEEKLY from November 5, 2010, in the amount of \$1,882.85 (i.e. to be adjusted according to annual pay raises on anniversary date of employment) forward until legal matters are resolved. Newsome further seeks this Court's

intervention in that the injunctive relief sought herein is that in which she was entitled to; however, was deprived of by the United States Department of Labor's Wage and Hour Division's and EEOC's efforts to COVER-UP employment violations in its role in CONSPIRACIES leveled against Newsome.

*Section 706(f)(2) of Title VII **authorizes** the Commission to seek temporary injunctive relief before final disposition of a charge when a preliminary investigation indicates that prompt judicial action is necessary to carry out the purposes of Title VII.*

Temporary or preliminary relief allows a court to stop retaliation before it occurs or continues. Such relief is appropriate if there is a substantial likelihood that the challenged action will be found to constitute unlawful retaliation, and if the charging party and/or EEOC will likely suffer irreparable harm because of retaliation. Although courts have ruled that financial hardships are not irreparable, other harms that accompany loss of a job may be irreparable. - - For example, in one case forced retirees showed irreparable harm and qualified for a preliminary injunction where they lost work and future prospects for work consequently suffering emotional distress, depression, a contracted social life, and other related harms.

Newsome believes that the record evidence as well as the FALSE/MALICIOUS information posted on the INTERNET by the United States Government Agencies will support unlawful/illegal acts infringing upon her Constitutional Rights, Civil Rights and other protected rights for purposes of BLACKLISTING her and to see that Newsome ***is NOT*** employable.

In another case (*Lagies v. Copley*, 110 Cal App 3d 958, 16 Cal Rptr 368), the plaintiff, . . . alleged that officials and managerial employees of his corporate employer ***abused their positions*** of authority over him by ***conduct*** including demotions, ***discriminatory treatment***, denial of long-

accepted avenues of advancement, and defamation of his reputation to his coworkers, . . . and to the public generally, apparently in retaliation for a story which *offended the chairperson of the board*. The complaint further charged that the *individual defendants conspired to get plaintiff to quit, tarnish his reputation, and blackball him by preventing his being hired . . .*; that *they published his confidential sources thus destroying his credibility . . .*; that they *virtually isolated plaintiff in his place of employment rendering him a de facto pariah, . . .*, assigning him to more and more degrading tasks *Reversing a dismissal of the complaint, the court held the plaintiff alleged facts and circumstances which reasonably could lead trier of fact to conclude that defendants' conduct was extreme and outrageous*. The court noted that according to the pleadings, *defendants intentionally humiliated plaintiff, . . . singled him out for denial of merit raises, . . ., blackballed him, thus precluding other employment, . . . thus destroying his credibility . . ., all without just cause or provocation*. The court concluded that the pleadings charged more than insult and more than mere direction of job activities.

ix) That the United States Supreme Court issue Order(s)/Judgment(s) to *Mitchell McNutt & Sams* to pay Newsome *back pay and front pay in the amount of \$182,101.34* as of *November 5, 2010, for purposes of mitigating damages until legal matters are*. Newsome request that MM&S be required to continue to pay her BI-WEEKLY from November 5, 2010, *in the amount of \$1,515.53* (i.e. to be adjusted according to annual pay raises on anniversary date of employment) forward until legal matters are resolved. The record evidence supports MM&S admission of subjecting Newsome to *Discriminatory practices* and a *Hostile Work Environment* – See Pages 287 thru 288 of “EM/ORS” and “MFL”” respectively for remaining relief requested. **NOTE:** In preservation of her rights, on or about December 1, 2010, Newsome submitted for filing her complaint against Mitchell McNutt & Sams in the United States District Court of Mississippi – Southern (Jackson Division); Civil Action No. 3:10cv704 HTW-LRA.

x) That the United States Supreme Court issue Order(s)/Judgment(s) to **Page Kruger & Holland** to pay Newsome *back pay and front pay in the amount of \$168,321.38 as of November 5, 2010, for purposes of mitigating damages until legal matters are resolved.* Newsome request that PKH be required to continue to pay her BI-WEEKLY from November 5, 2010, *in the amount of \$1,560.99* (i.e. to be adjusted according to annual pay raises on anniversary date of employment) forward until legal matters are resolved. The record evidence supports PKH's admission of subjecting Newsome to **Discriminatory** practices and **Retaliation** *because of its learning of lawsuit filed by her and knowledge of Newsome's engagement in PROTECTED activities* - See Page 288 of "EM/ORS" and "MFL" respectively for remaining relief requested.

xi) That the United States Supreme Court issue Order(s)/Judgment to Kenton County Circuit Court to return monies by date set by this Court in **that it has allowed the November 5, 2010 deadline provided by Newsome to expire in the amount of approximately \$16,250.00 for monies embezzled and unlawfully/illegally released to opposing parties (GMM Properties and its counsel Gailen Bridges) in or about October 2008.** Returning of monies is sought in good faith for purposes of mitigating damages/injuries that Newsome has already sustained and continues to suffer.

xii) That the United States Supreme Court issue Order(s)/Judgment to GMM Properties awarding Newsome monies by date set by this Court in **that it has allowed the November 5, 2010 deadline provided by Newsome to expire in the amount of \$18,480.00 (i.e. which encompasses the amount of rent and storage from October 2008 to October 2010).** Furthermore, ordering that GMM Properties *is to continue to pay Newsome the amount of \$770.00 until the conclusion of all legal matters pending and/or to be brought for good-faith purposes and the mitigating of damages/injuries and irreparable harm sustained.*

xiii) That the United States Supreme Court issue Order(s)/Judgment to Spring Lake Apartments LLC awarding Newsome monies by the date set by this Court in **that it has allowed the November 5, 2010 deadline provided**

by Newsome to expire, in the amount of \$40,320.00 (i.e. which encompasses the amount of rent and storage from February 2006 to present/October 2010. Furthermore, ordering that Spring Lake Apartments LLC is to continue to pay Newsome the **amount of \$720.00 until the conclusion of all legal matters pending and/or to be brought for good-faith purposes and the mitigating of damages/injuries and irreparable harm sustained.**

xiv) That the United States Supreme Court issue Order(s)/Judgment to Wanda Abioto to return monies owed Newsome by date set by this Court in that it has allowed the **November 5, 2010 deadline provided by Newsome to expire in the amount of \$4,000.00 for monies embezzled and unlawfully/illegally retained.** Returning of monies is sought in good faith for purposes of mitigating damages/injuries that Newsome has already sustained and continues to suffer.

xv) That the United States Supreme Court issue Order(s)/Judgment to Richard Allen Rehfeldt to return monies owed Newsome by date set by this Court in that it has allowed the **November 5, 2010 deadline provided by Newsome to expire in the amount of \$700.00 for monies embezzled and unlawfully/illegally retained.** Returning of monies is sought in good faith for purposes of mitigating damages/injuries that Newsome has already sustained and continues to suffer.

xvi) That the United States Supreme Court issue Order(s)/Judgment to Brian Bishop to return monies owed Newsome by date set by this Court in that it has allowed the **November 5, 2010 deadline provided by Newsome to expire in the amount of \$1,500.00 for monies embezzled and unlawfully/illegally retained.** Returning of monies is sought in good faith for purposes of mitigating damages/injuries that Newsome has already sustained and continues to suffer.

xvii) That the United States Supreme Court issue Order(s)/Judgment to Commonwealth of Kentucky Department of Revenue to return monies owed Newsome by date set by this Court in that it has allowed the **November 5,**

2010 deadline provided by Newsome to expire in the amount of \$600.00 for monies embezzled and unlawfully/illegally retained through the use of SHAM LEGAL PROCESS. Returning of monies is sought in good faith for purposes of mitigating damages/injuries that Newsome has already sustained and continues to suffer - See Page 290 of "EM/ORS" and "MFL" respectively for remaining relief requested.

xviii) That the United States Supreme Court issue Order(s)/Judgment to United States Department of the Treasury to return monies owed Newsome by date set by this Court in **that it has allowed the November 5, 2010 deadline provided by Newsome to expire in the amount of \$1,800.00 for monies embezzled and unlawfully/illegally retained through the use of ABUSE OF POWER and Sham Legal Process.** Returning of monies is sought in good faith for purposes of mitigating damages/injuries that Newsome has already sustained and continues to suffer. See Page 290 of "EM/ORS" and "MFL" respectively for remaining relief requested.

xix) That the United States Supreme Court issue Order(s)/Judgment to Stor-All Alfred LLC to pay monies to Newsome by date set by this Court in **that it has allowed the November 5, 2010 deadline provided by Newsome to expire in the amount of \$5,500.00 for costs associated with replacing property unlawfully/illegally stolen through the use of SHAM LEGAL PROCESS, ABUSE OF POWER, OBSTRUCTION OF JUSTICE and other reasons known to it.** Reward of monies is sought in good faith for purposes of mitigating damages/injuries that Newsome has already sustained and continues to suffer. See Pages 290 thru 291 of "EM/ORS" and "MFL" respectively for remaining relief requested.

xx) That the United States Supreme Court request the United States Congress to create a "SPECIAL/INFERIOR Court" to handle ALL of the pending lawsuits and/or lawsuits filed on behalf of Newsome in the following Courts:

a) Ohio Supreme Court;

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- b) Hamilton County (Ohio) Court of Common Pleas;
 - c) United States District Court/Eastern Division (New Orleans Division);
 - d) United States District Court/Southern Division (Jackson, Mississippi);
 - e) United States District Court/Northern Division (Dallas, Texas);
 - f) United States District Court/Eastern Division (Covington, Kentucky);
 - g) Kenton County Circuit Court (Kenton County, Kentucky)
 - h) United States Fifth Circuit Court of Appeals; and
 - i) Commonwealth of Kentucky Department of Revenue.

xxi) That the United States Supreme Court issue the applicable Order(s)/Judgment(s) requiring that the following Government Agencies/Courts **"CERTIFY"** record(s) regarding Complaints/Charges filed by Newsome – i.e. providing a **DEADLINE** since it allowed the **November 23, 2010** provided by Newsome to expire and to make the record available for review in the Cincinnati, Ohio Offices of the:

- a) United States Department of Justice; and
- b) United States Department of Labor.

Said Government Agencies/Courts are to also provide this Court and Newsome with their *Findings of Fact and Conclusion of Laws* regarding the Complaints/Charges filed by Newsome by a date determined by this Court since it allowed the **November 23, 2010** deadline provided by Newsome to expire.

xxii) That the United States Supreme Court issue the applicable Order(s)/Judgment(s) requiring the United States Legislature and/or United States Congress to **"CERTIFY"** records regarding July 14, 2008 *"Emergency Complaint and Request for Legislature/Congress*

Intervention; Also Request for Investigations, Hearings and Findings” submitted by Newsome and to provide this Court and Newsome with the status of said Complaint and the *Findings of Fact and Conclusion of Laws* of said Complaint by date provided by this Court in **that it has allowed the November 30, 2010 deadline provided by Newsome to expire.** See EXHIBIT “38” (BRIEF Only and supporting “PROOF OF MAILING/RECEIPTS”) of “EM/ORS.” *Emergency Complaint* was submitted to the attention of the following for handling:

Original To:

- a) Senator Patrick Leahy;

Copies To:

- b) Representative John Conyers;
- c) President Barack Obama (i.e. then United States Senator);
- d) Senator John McCain; and
- e) Representative Debbie Wasserman-Schultz.

xxiii) In the interest of justice, that the United States Supreme Court based upon the facts, evidence and legal conclusions contained herein REPORT and/or INITIATE the appropriate actions (i.e. IMPEACHMENT, REMOVAL, SUSPENSION and/or DISBARMENT) against any/all of the following members of a Legal Bar for violations of ***CANON, Rules of Professional Conduct, Rules of Judicial Conduct*** and/or applicable Statutes/Rules:

- a) United States President Barack Obama;
- b) United States Vice President Joseph Biden;
- c) United States Attorney General Eric Holder;
- d) United States Senator Patrick Leahy;
- e) United States Representative John Conyers Jr.;
- f) United States Senator William Thad Cochran;
- g) Ohio Attorney General Richard Cordray;
- h) Judge John Andrew West;
- i) Judge Nadine L. Allen;
- j) Judge Gregory M. Bartlett;

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- k) Judge Ann Ruttle;
 - l) Justice Thomas J. Moyer;
 - m) Justice Robert R. Cupp;
 - n) Justice Judith Ann Lanzinger;
 - o) Justice Maureen O'Connor;
 - p) Justice Terrence O'Donnell;
 - q) Justice Paul E. Pfeifer;
 - r) Justice Evelyn Lunberg Stratton;
 - s) Justice W. Eugene Davis;
 - t) Justice John D. Minton, Jr.;
 - u) Judge William Barnett;
 - v) Judge Tom S. Lee;
 - w) Magistrate Judge Linda R. Anderson;
 - x) Judge G. Thomas Porteous, Jr. (i.e. on or about December 8, 2010, has recently been IMPEACHED as a result of proceedings before the United States Senate);
 - y) Magistrate Judge Sally Shushan;
 - z) Judge Morey L. Sear;
 - aa) Prosecuting Attorney Joseph T. Deters;
 - bb) Assistant Prosecuting Attorney Christian J. Schaefer;
 - cc) Attorney General Jack Conway;
 - dd) James Moberly West, Esq.;
 - ee) Gailen Wayne Bridges, Jr., Esq.;
 - ff) Brian Neal Bishop, Esq.;
 - gg) David M. Meranus, Esq.;
 - hh) Michael E. Lively, Esq.;
 - ii) Patrick B. Healy, Esq.;
 - jj) Molly G. Vance, Esq.;
 - kk) Raymond H. Decker, Jr., Esq.;
 - ll) C. J. Schmidt, Esq.;
 - mm) Thomas J. Breed, Esq.;
 - nn) Grover Clark Monroe II, Esq.;

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- oo) Benny McCalip May, Esq.;
 - pp) Lanny R. Pace, Esq.;
 - qq) Clifford Allen McDaniel II, Esq.;
 - rr) J. Lawson Hester, Esq.;
 - ss) Wanda Abioto, Esq.;
 - tt) Brandon Isaac Dorsey, Esq.;
 - uu) Richard Allen Rehfeldt, Esq.;
 - vv) Michelle Ebony Scott-Bennett, Esq.;
 - ww) Allyson Kessler Howie, Esq.;
 - xx) Renee Williams Masinter, Esq.;
 - yy) Amelia Williams Koch, Esq.;
 - zz) Jennifer F. Kogos, Esq.;
 - aaa) L. F. Sams Jr., Esq.;
 - bbb) Thomas Y. Page, Esq.;
 - ccc) Louis J. Baine, Esq.; and
 - ddd) Attorneys/Judges/Justices who become known to the United States Supreme Court through the handling of this matter.

xxiv) In the interest of justice and if the laws permit, Newsome requests the ***Granting of Motion to Stay and Granting Enlargement of Time*** and the relief sought therein – i.e. that as a matter of law is still pending before this Court – so that she may prepare to bring the appropriate action in the United States Supreme Court’s ***“ORIGINAL”*** jurisdiction if permissible by law due to the EXCEPTIONAL and EXTREME circumstances addressed in this instant filing – i.e. ***Granting Stay of the Hamilton County Court of Common Pleas lawsuit (Case No. A0901302) out of which this instant filing arises.*** Moreover, that based on Judge West’s/Hamilton County Court of Common Pleas’ – **ACTING TRUE TO FORM** – attempts to unlawfully/illegally dismiss lawsuit before it with knowledge that it lacked jurisdiction and with knowledge that this matter is still pending before the United States Supreme Court. Further sustaining that Newsome’s decision to file “EM/ORS” was the correct action to take to protect rights guaranteed and secured under the Constitution and other laws of the United States.

xxv) ALL costs associated, expended and/or to be expended in the litigation of this action; and

Respectfully submitted this 12th day of **March, 2011.**

Vogel Denise Newsome, Petitioner – Pro Se
Post Office Box 14731
Cincinnati, Ohio 45250
Phone: (513) 680-2922 or (601) 885-9536

xxvi) Any and all applicable relief known to the United States Supreme Court to correct legal wrongs and injustices complained of herein.

XI. APPENDIX

<u>APPENDIX</u>	<u>DESCRIPTION</u>
1.	July 17, 2010 Judgment Entry (Ohio Supreme Court)
2.	August 2, 2010 Judgment Entry on Defendant's 7/27/10 Motion for Reconsideration
3.	August 18, 2010 Judgment Entry on Defendant's 8/11/10 for Final Entry and Stay
4.	October 25, 2010 Letter to United States Supreme Court Chief Justice John G. Roberts, Jr.
5.	Excerpt from: <i>"<u>Emergency</u> Motion to Stay; <u>Emergency</u> Motion for Enlargement of Time and Other Relief The United States Supreme Court Deems Appropriate To Correct The Legal Wrongs/Injustices Reported Herein"</i> - Cover page, Table of Contents, Table of Authorities, Table of Exhibits, Page 1, Relief Sought and Signature/Certificate of Service, and United States Postal Service PROOF of Mailing.
6.	<i>Baker Donelson Bearman Caldwell & Berkowitz</i> Information – as of March 20 <u>10</u>
7.	<i>Baker Donelson Bearman Caldwell & Berkowitz</i> Information – as of September 20 <u>04</u>
8.	October 9, 2010 Cover Letter to Chief Justice John G. Roberts

APPENDIX DESCRIPTION

9. United States Postal Service PROOF-of-MAILING to United States President Barack Obama and United States Attorney General Eric Holder for: (1) July 9, 2010, (2) July 26, 2010 and August 11, 2010 filings with the Supreme Court of Ohio
10. December 27, 2010 Correspondence from Ohio Attorney General Richard Cordray's Office
11. Recusal Orders executed by Judge Tom S. Lee
12. DOCKET SHEET Excerpt — *Newsome v. Entergy*
13. Baker Donelson Information regarding "*Commission on Civil Rights Appointment*" of Bradley S. Clanton
14. Case Cost Billing — Hamilton County Court of Common Pleas
15. December 8, 2010 Article - *Senate Removes Federal Judge in Impeachment Conviction*
16. January 6, 2011 Cover Letter Accompanying Petition for Extraordinary Writ and providing RESPONSE to November 8, 2010 Letter from the Clerk (Gail Johnson/William K. Suter).

VOGEL DENISE NEWSOME

Mailing: Post Office Box 14731
Cincinnati, Ohio 45250
Phone: 513/680-2922 or 601/885-9536

August 31, 2011

VIA EMAIL & U.S. CERTIFIED MAIL: 7011 0110 0001 4148 6993

United States Senator Rand Paul
208 Russell Senate office Building
Washington, DC 20510

Copies To: U.S. Supreme Court - William K. Suter/Clerk - USPS Tracking No. 0310 3490 0000 4095 5050
United Congressional/Legislative Members/Executive Branch Members (via Email)
United States Representative Darrell Issa (via Email) - *Information To aid in his Investigations*
Foreign Nations/Leaders (via Email under concealment - to protect from U.S. Retaliation)
Media/Public Organizations (via email)
Gary G. Kreep - United States Justice Foundation (via Email) - Counsel For Petitioner
Alan Keyes, et al. v. Obama, Bowen, Biden, Huguenin, et al.;
U.S. Supreme Court No. 10-1351 - (Certificate Of Live Birth Issue)
<http://www.supremecourt.gov/Search.aspx?FileName=/docketfiles/10-1351.htm>
<http://usjf.net/2011/05/u-s-supreme-court-puts-obama-birth-case-on-docket/>
(NOTIFYING HOW THE U.S. SUPREME COURT IS STACKED)

RE: UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For Extraordinary Writ Filed; and Assistance In Receipt Of Relief PRESENTLY/IMMEDIATELY Due Newsome WRITTEN RESPONSE REQUESTED BY THURSDAY, SEPTEMBER 15, 2011

Dear Senator Rand Paul:

Attached please find Vogel Newsome's ("Newsome's") U.S. Postal Money Order No. 19256907306 made out of the Supreme Court of the United States ("S.Ct.U.S.") in the amount of \$300.00 to replace Check No. 1213 referenced in William K. Suter's (Clerk of Supreme Court of United States)/Ruth Jones' letter dated August 1, 2011, a copy of said letter is attached hereto. A copy of instant correspondence and Money Order will be placed on the Website:

http://vogeldenisenewsome.com/1_12.html

under the Section designated ("KY Senator Rand Paul") for you.



From the Supreme Court of the United States' ("S.Ct.U.S.") August 1, 2011 correspondence, you will find the following statement:

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VIA EMAIL & U.S. CERTIFIED MAIL: 7011 0110 0001 4148 6993

United States **Senator Rand Paul**
208 Russell Senate office Building
Washington, DC 20510

RE: UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For Extraordinary Writ Filed; and Assistance In Receipt Of Relief PRESENTLY/IMMEDIATELY Due Newsome

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"If you still intend to correct the petition as noted in my letter dated April 27, 2011, you must submit a fresh check."

Rather than keep going back-and-forth and entertaining the S.Ct.U.S.'s/Ruth Jones' **FOOLISHNESS** and continued OBSTRUCTION OF JUSTICE, as a Kentucky Constituent, Newsome is submitting to your attention **for handling** and **INSURING** the filing of her *Petition For Extraordinary Writ* and *subsequent pleadings* and/or *pleadings submitted for filing* regarding the above referenced matter, the above referenced U.S. Postal Money Order for the required FILING FEE and is requesting that you take up this matter as her Kentucky Senator and get the FILING and DOCKETING of this matter resolved IMMEDIATELY! Newsome is confident that you have SUFFICIENT evidence in your records to support her good-faith efforts and the problems she has encountered in getting this matter **filed and docketed since approximately October 2010** – i.e. **approximately ten (10) months/approaching almost a YEAR** now.

Senator Rand Paul ("Sen. Paul") your records should contain the following:

1. **January 30, 2011 Email** entitled, **"INVESTIGATION of UNITED STATES PRESIDENT BARACK OBAMA - Senator Paul's URGENT Assistance Is Being Requested"** – a copy of email only (w/o attachments – i.e. attachments referenced may be retrieved from website) is attached hereto and incorporated by reference. A copy has also been placed on the Website: http://vogeldenisenewsome.com/1_12.html, entitled, "01/30/11 Email To Senator Rand Paul"

PLEASE TAKE NOTICE: That Newsome is demanding a **"written"** STATUS update of this request **within 10 DAYS** and/or by **September 9, 2011**, and believes this deadline is SUFFICIENT given the facts, evidence and laws governing such matters. Moreover, Sen. Paul you have had approximately seven (7) months to get an INVESTIGATION started/underway and have sufficient and/or adequate information and VAST resources at your disposal to also get the proper INVESTIGATIONS underway based on the EVIDENCE and INFORMATION provided you.

While your Assistant Stacy (?sp), in your Kentucky Office, left a Voicemail message on or about April 22, 2011 (i.e. a copy of this Voicemail message may be retrieved from the following Website location:

http://vogeldenisenewsome.com/1_12.html

entitled, **"04/22/11 Voicemail – Stacy – Senator Rand Paul."** Sen. Paul, Newsome believes that you also have sufficient evidence supporting the DILIGENT efforts and projects taken by Newsome submitted to your attention following Stacy's Voicemail message which Newsome believes *a reasonable mind may conclude is SELF-EXPLANATORY* and further lays out what assistance she is seeking from

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you as her Kentucky Senator in regards to the INVESTIGATION(S) requested and the CRIMINAL/CIVIL wrongs timely, properly and adequately brought to your attention. Furthermore, according to U.S. Postal Service records, on or about May 9, 2011, Sen. Paul your Administration received Newsome's May 3, 2011 documents submitted to your attention entitled: **"Response To Voicemail Message of April 22, 2011 From Stacy In Your Kentucky Office"** (i.e. these documents may also be retrieved from Website at http://vogeldenisenewsome.com/1_12.html, entitled, **"050311 Letter To Rand Paul"** along with USPS PROOF-OF-MAILING Mailing Receipts).

Don't worry United States President Barack Obama will be okay. In his 2008 Campaign run for the White House he **REPEATEDLY** made mention that he *wanted a TRANSPARENT Administration* – i.e. OPEN Government – while he and Baker Donelson Bearman Caldwell & Berkowitz (Legal Counsel/Advisor) may be having SECOND thoughts now. But this Administration and Legal Counsel/Advisor wanted a **PUBLIC/WORLDWIDE CONFRONTATION** *that would play out before the WORLD* – i.e. which is why they have **REPEATEDLY** HIT THE INTERNET using **"YOU TUBE"** and many other **MEDIA outlets**. Not only that, Baker Donelson and its Government Ties/Relationships have POSTED information they KNOW to be FALSE, MISLEADING and MALICIOUS on the Internet regarding Newsome – i.e. **PICKING/STARTING THE WARS** – *Discrimination/Racist/Terrorist Attacks on Newsome*; and the **VENUE** – going **PUBLIC** through the *Internet for purposes of DESTROYING Newsome's life*. **"We have only BEGUN to FIGHT!!"**

2. Sen. Paul, according to USPS PROOF-OF-MAILING Receipt, you were also (in the *same* May 3, 2011 envelope with letter addressed to your attention) provided with Newsome's May 3, 2011 pleading entitled, **"Response To March 17, 2011 and April 27, 2011, Supreme Court Of The United States' Letters - Identifying Extraordinary Writ(s) To Be Filed and Writ(s) Under All Writs Act To Be Filed"** – a copy of which can also be retrieved from Website at: http://vogeldenisenewsome.com/1_12.html, entitled, **"050311-ResponseTo031711&042711SCtLetters"** – in response to the S.Ct.U.S.' April 27, 2011 letter advising:

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208 Russell Senate office Building
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Your letter and attachments were received in this office on April 26, 2011, and are returned for the reason set forth in my letter dated March 17, 2011, a copy enclosed.

You have failed to identify the type of extraordinary writ you are seeking to file.

Newsome believes a reasonable mind may conclude that there is SUFFICIENT evidence PROVIDED at Page 2 of the May 3, 2011 pleading ANSWERING the S.Ct.U.S.' April 27, 2011 requests and providing the following information in regards to *the Extraordinary Writs Newsome seeks to be filed:*

- | | |
|---------------------------------|------------------------------|
| 1) Original Writ | 2) Writ of Conspiracy |
| 3) Writ of Course | 4) Writ of Detinue |
| 5) Writ of Entry | 6) Writ of Exigi Facias |
| 7) Writ of Formedon | 8) Writ of Injunction |
| 9) Writ of Mandamus | 10) Writ of Possession |
| 11) Writ of Praecipe | 12) Writ of Protection |
| 13) Writ of Recaption | 14) Writ of Prohibition |
| 15) Writ of Review | 16) Writ of Supersedeas |
| 17) Writ of Supervisory Control | 18) Writ of Securitate Pacis |
| 19) Extraterritorial Writs | |

Moreover, that the LAWS of the United States support that Newsome's Issues Raised in the "*Petition For Extraordinary Writ*" are COVERED under the "*ALL WRITS ACT.*" Nevertheless, Sen. Paul the S.Ct.U.S. is attempting to DECEIVE Newsome and COERCE her into waiving her rights to bring the above referenced Extraordinary Writs in an ORIGINAL action under the "*All Writs Act;*" however, Newsome is NOT budging and therefore, Sen. Paul your assistance is needed in getting the Newsome's pleadings already submitted to the S.Ct.U.S attention filed *most URGENTLY!* Furthermore, that the S.Ct.U.S.' acts are an OBSTRUCTION OF JUSTICE and also appear to mirror similar CRIMINAL acts raised in Newsome's December 28, 2009 FBI Complaint *brought against Justices/Officials of the Ohio Supreme Court* and others for the following CRIMINAL ACTS:

- a) Conspiracy (18 USC§ 371);
- b) Conspiracy Against Rights (18 USC§ 241);
- c) Conspiracy to Defraud (statutes provided)
- d) Conspiracy to Interfere with Civil Rights (42 USC§ 1985);
- e) Public Corruption (provided information taken from FBI's website);
- f) Bribery (statutes cited);

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- g) Complicity (statutes cited);
- h) Aiding and Abetting (statutes cited);
- i) Coercion (statutes cited);
- j) Deprivation of Rights Under **COLOR OF LAW (18 USC§ 242)**;
- k) Conspiracy to Commit Offense to Defraud United States (**18 USC§ 371**);
- l) Conspiracy to Impede (**18 USC§ 372**);
- m) Frauds and Swindles (**18 USC§ 1341 and 1346**);⁶⁵
- n) Obstruction of Court Orders (**18 USC§ 1509**);
- o) Tampering with a Witness (**18 USC§ 1512**);
- p) Retaliating Against A Witness (**18 USC§ 1513**);
- q) Destruction, Alteration, or Falsification of Records (**18 USC§ 1519**);
- r) Obstruction of Mail (**18 USC§ 1701**);
- s) Obstruction of Correspondence (**18 USC§ 1702**);
- t) Delay of Mail (**18 USC§ 1703**);
- u) Theft or Receipt of Stolen Mail (**18 USC§ 1708**);
- v) Avoidance of Postage by Using Lower Class (**18 USC§ 1723**);
- w) Postage Collected Unlawfully (**18 USC§ 1726**);
- x) Power/Failure to Prevent (**42 USC§ 1986**);
- y) Obstruction of Justice

A copy of the December 28, 2009 FBI Complaint may be found at the Website:
http://vogeldenisenewsome.com/2_6.html, entitled, "**12/28/09 - FBI Complaint (OH Supreme Court).**" From Newsome's Research, information retained support that Baker Donelson Bearman Caldwell & Berkowitz PC's ("Baker Donelson" – a large U.S. law firm and lobbying group with offices in the Southeastern United States, Washington, D.C. and OVERSEAS) Client – i.e. such as **LIBERTY MUTUAL INSURANCE COMPANY** and/or its Attorneys/Lawyers/Legal Representative Firms – appears to OWN and/or CONTROL the Supreme Court of Ohio as that of the S.Ct.U.S.

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IN FACT: It is Liberty Mutual, its insured(s) and attorneys that have REPEATEDLY subjected Newsome to CRIMINAL Stalking and other crimes and civil violations it appears because of its RELATIONSHIPS to Baker Donelson — i.e. due to Baker Donelson's TIES to TOP/KEY Corrupt Government/Judicial Officials and ABILITY to BRIBE/PURCHASE/COERCE/BLACKMAIL/INFLUENCE, etc. the outcome of judicial/government agency decisions.

3. Sen. Paul, you will see that Newsome timely, properly and adequately requested that the S.Ct.U.S. advise her of any/all "**CONFLICT OF INTEREST;**" however, to date said Court has **NOT** done so. Furthermore, that the following facts are UNDISPUTABLE:

- a. That CONFLICT OF INTERESTS does exist in the S.Ct.U.S. handling of Newsome's *Petition For Extraordinary Writ*.
- b. That the S.Ct.U.S. is engaging in CRIMINAL/CIVIL violations in its **OBSTRUCTION OF JUSTICE, CONSPIRACIES**, etc. as it works FRANTICALLY to try and keep United States President Barack Obama, his Administration, etc. in Office — i.e. *subjecting Newsome to DILATORY practices in hopes of dragging this matter out beyond the 2012 Elections*.
- c. That the S.Ct.U.S. is **STACKED** and has been HEAVILY compromised which may not only WARRANT said "Court's SHUT DOWN" but a PURGING of the Supreme Court of the United States Justices and/or Court Officials/Employees. Therefore, in the meantime, WARRANTING the CREATION of Court (i.e. which is in the JURISDICTION of Congress to do so) to handle Newsome's legal matters as well as other citizens with matters presently pending before said Court. Newsome further believes that based upon the facts, evidence and case laws surrounding such matters, that this is one of **PUBLIC/WORLD Interest** to initiate DAMAGE CONTROL in that the INTEGRITY of the S.Ct.U.S. has been **BREACHED/COMPROMISED** as well as other lower courts will have to be PURGED because of the **TAINTED/STACKED/CORRUPTION**, etc. that exists due to Special Relationships/Ties to Baker Donelson and its LOBBYISTS/SPECIAL INTERESTS GROUPS, etc. that has played a ROLE in the selection of Justices to the

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Bench of not only the S.Ct.U.S. but that of other courts in the United States.

PLEASE TAKE NOTICE: It appears from the record of the S.Ct.U.S. that in the case of *Alan Keyes et al. vs. Debra Bowen, California Secretary of State, et al.*; Case No. 10-1351, this is a matter regarding **"President Barack Obama's eligibility to be president."** A case that has been **"confirmed to Gary Kreep, of the United States Justice Foundation, that *Alan Keyes, et al. v. Obama, Bowen, Biden, Huguenin, et al.*, was placed on the docket on May 4, 2011"** (EMPHASIS ADDED as to date of ENTRY – i.e. see Newsome's April 22, 2011 pleading entitled, **"Response To March 17, 2011 Supreme Court of the United States' Letter"** and May 3, 2011 S.Ct.U.S. pleadings which address the FAKE/FORGED Certificate of Live Birth) at Website:

http://www.vogeldenisenewsome.com/newsome_v_goliath4.html

It is of **PUBLIC/WORLD** interest that the reasons why President Barack Obama continues to come out before the PUBLIC/WORLD/MEDIA as a **"GLOATING GOAT"** is because he is under a HEAVY Delusion that his Empire is safe – i.e. when it **is not** and has refused to see (while his Democratic Party has) that his Empire is CRUMBLING down around him! You see Sen. Paul, President Obama and his Administration/Baker Donelson **DID NOT** realize that Newsome through the pursuit of the S.Ct.U.S. **Petition for Extraordinary Writ** action would:

- i) Provide through this correspondence to Gary Kreep/United States Justice Foundation with additional PROOF to support legal action brought on behalf of Petitioners (Alan Keyes, et al.). Furthermore, from research it appears that there is a matter docketed in the S.Ct.U.S. regarding President Obama's "Certificate of Live Birth" issue:

<http://usjf.net/2011/05/u-s-supreme-court-puts-obama-birth-case-on-docket/>

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- ii) Through this correspondence NOTIFY Gary Kreep and others that the S.Ct.U.S. is **STACKED/TAINTED/CORRUPT** and said Court *may* **NOT** have notified Mr. Kreep/United States Justice Foundation of the potential **"CONFLICT OF INTERESTS"** that exist - i.e. due to Baker Donelson's TIES/RELATIONSHIPS and what appears to be its ROLE in the **reproduction of the FAKE/FALSE/FORGED Certificate of Live Birth** - - Baker Donelson (who appears to be the *behind-the-scene* counsel and advisor to President Obama) having **FREE-WILL** access to GOVERNMENT Agencies **records and RESOURCES** because of its having person(s) in ROLES as **Chief** Counsel, Acting **Director**, and Acting **Deputy** Director of United States **Citizenship & Immigration Services** within the **United States Department of Homeland Security** (see Website:

[http://vogeldenisenewsome.com/newsome v goliath 4.html](http://vogeldenisenewsome.com/newsome_v_goliath_4.html)

- document entitled, **"Baker Donelson Government Ties."** President Obama's and Baker Donelson's MISTAKE was releasing the "fake/false/forged" Certificate of Live Birth on or about April 27, 2011, in that by doing so, they have opened up the FLOOD Gates to SUBPOENAS which they knew and/or should have known as ATTORNEYS would follow.

- d. That the S.Ct.U.S. had a DUTY to advise Newsome of any/all potential CONFLICT OF INTERESTS; however, has made a DELIBERATE, WILLFUL and MALICIOUS decision not to. Furthermore, that it appears that the S.Ct.U.S. has allowed one law firm, Baker Donelson, to take CONTROL of this Court through CORRUPT and CRIMINAL acts and through such unlawful/illegal practices have subjected Newsome REPEATEDLY to TAINED decisions rendered by Justices/Officials of this Court having a PERSONAL/FINANCIAL INTERESTS in outcome of legal matters involving Newsome.

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RE: *UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For Extraordinary Writ Filed; and Assistance In Receipt Of Relief PRESENTLY/IMMEDIATELY Due Newsome*

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- e. That the S.Ct.U.S./Government has in its employment a person by the name of **James C. Duff** - who was a former employee and/or still may *be on the PAYROLL/TAKE* of Baker Donelson. From Newsome's Research, Mr. **Duff** has been in the S.Ct.U.S. environment for quite some time (i.e. beginning about *as early as 1996 as the Administrative Assistant to the Chief Justice*). It appears Duff has been placed in a PROMINENT/KEY position as *"Director of the Administrative Office of the United States Courts"* with the S.Ct.U.S. for purposes as the **"FOX Guarding the Hen House!"** Duff holding positions in the S.Ct.U.S. during periods in which Newsome has brought matters before said Court. It appears working **back-in-forth** between employment with the S.Ct.U.S. **and** Baker Donelson in time periods in which Newsome brought her Appeal in which CORRUPT/TAINTED/IMPEACHED Judge G. Thomas Porteous presided over

http://www.vogeldenisenewsome.com/newsome_v_goliath_4.html

see Page 2 of document at this Website entitled, **"The ROAD That LED To United States DOWNFALL."**

- f. There is SUFFICIENT evidence in Congressional/Government records to further support that **Baker Donelson** CONVENIENTLY places itself on Judicial Nomination Committee Panels in charge of NOMINATING Judges/Justices and then use other CRIMINAL means/practices to get them APPOINTED to the Bench to provide Baker Donelson and its clients with an UNDUE/ILLEGAL advantage when matters are brought before Judge/Justices to which Baker Donelson may have played a role in having assigned to the Bench and/or Judges'/Justices' knowledge of Baker Donelson's influence regarding such positions - i.e. such as the Supreme Court of the United States and the **ROLE** played in getting **Chief Justice John Roberts**, Justice **Sonia Sotomayer**, and Justice **Elena Kagen** appointed to the Bench as well as the **MAJORITY** and/or ALL Justices of said Court.

4. Sen. Paul while you may be a Freshman Senator, Newsome sees that you are also on the **Committee on Homeland Security and Governmental Affairs**:

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***Ad Hoc Subcommittee on Contracting Oversight; and
Permanent Subcommittee on Investigations***

http://en.wikipedia.org/wiki/Rand_Paul

Therefore, because this matter as well as the INVESTIGATION(s) Newsome is requesting is of PUBLIC/WORLD interest and NATIONAL/HOMELAND SECURITY for the following reasons (i.e. while not just limited to these):

- a) The S.Ct.U.S./President Obama/Baker Donelson and/or their Conspirators/Co-Conspirators realizes that the **EXPOSURE** of the UNITED STATES Government's role on September 11, 2001, *in the BOMBING of its own World Trade Centers and downing of planes is at stake and is trying to do everything possible to keep the PUBLIC/WORLD in the dark. CRIMINAL acts which clearly will be EXPOSED through the ORIGINAL Lawsuit Newsome seeks through the "Petition For Extraordinary Writ" that has been submitted to the S.Ct.U.S. for filing.*
- b) **MEANS/OPPORTUNITY/MOTIVES:** It appears that Baker Donelson and those with whom it CONSPIRED needed planes – i.e. *planes used in 9/11 attacks being American Airlines and Continental Airlines.* This appears to be where Baker Donelson's TOP LOBBYIST (Linda Daschle) comes in and her position as:

Deputy Administrator of the Federal Aviation Administration - chief lobbyist for the Air Transport Association, the airline industry's main lobby; she then became the *senior vice president of the American Association of Airport Executives* - Linda Daschle was nominated FAA Deputy Administrator **by President Clinton**, and approved unanimously by the Senate, including her husband U.S. Senator Tom Daschle.

Baker Donelson also later SCOOPING up and utilizing Read Van de Water who served as the **"Assistant Secretary for Aviation and International Affairs at the United States Department of Transportation** after being UNANIMOUSLY CONFIRMED by the United States Senate."

Appears to be how American/Continental Airlines Flight Plans/Schedules may have been obtained and the ROLE the Daschle's may have played in the PLANNING of 9/11. This matter will further be addressed through

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PowerPoint Presentation entitled, "**07/23/11 – Request President Obama STEP DOWN**" that is being DRAFTED at Website:

http://www.vogeldenisenewsome.com/newsome_v_goliath_4.html

However, Newsome releases/post a copy of the "**07/23/11 Email**" that has been released and will continue to be released to Foreign Nations/Leaders – i.e. thus perhaps explaining why Vice President Joseph Biden looked so STUPID and had to keep putting on FAKE smiles during his recent August 2011 visit to CHINA. Not knowing which Foreign Nations/Leaders are receiving documents to AVOID them being subjected to RETALIATION, Newsome has **CONCEALED** information of those Foreign Nations/Leaders that are getting **INFORMATION and can see for THEMSELVES** that President Obama, his Administration, Congress and the Media are aware of the problems. Moreover, Foreign Nations/Leaders can allow their attorneys/lawyers to see and report the **VALIDITY** of Newsome's claims.

It also appears Baker Donelson may have provided former President William (Bill) Clinton with an **APHRODISIAC (Monica Lewinsky)** to keep him occupied as it and other CONSPIRATORS/CO-CONSPIRATORS planned 9/11 attacks under his watch!

It appears the United States Government needing an EXCUSE to go into Foreign Countries/Nations and STEAL their resources (i.e. oil, coal, gold, monies, etc.); therefore, 9/11 was planned. Laying the ground work to GENERATE "ANTI-MUSLIM/ISLAM" sentiments and to get not only American citizens but Foreign nations and their citizens on board to the "ANTI-MUSLIM/ISLAM" sentiments. It appears that 9/11 was orchestrated by Baker Donelson/United States Government to instill FEAR and cause people to RESENT Muslims/Islam and to get people to believe these groups may have been behind 9/11 when ACTUALLY it was the United States Government all along needing to INSTILL fear in the American people and to provide them with FALSE/MALICIOUS reasons to unlawfully/illegally invade foreign nations for purposes of gaining access to their RESOURCES (i.e. oil, coal, gold, monies, etc.).

http://trade.gov/iraq/iraq_doc_successbaker.asp

- c) For those who may wonder how the supposedly 9/11 Terrorist Hijackers may have been targeted and supposedly gained control of the airplanes used – again look at Baker Donelson and/or CONSPIRATORS/CO-

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CONSPIRATORS TIES/RELATIONSHIPS to Government Agencies/Officials such as **Chief** Counsel, Acting **Director**, and Acting **Deputy** Director of United States **Citizenship & Immigration Services** within the **United States Department of Homeland Security**.

As with everything else basically associated with 9/11 attacks, the PUBLIC/WORLD were shown photographs and names and most likely documents CREATED/GENERATED by the United States Government who had a PERSONAL/FINANCIAL interest in the carrying out of 9/11. Using the Citizenship & Immigration Services (i.e. providing it with means and ACCESS again) to obtain PERSONAL information on citizens and/or foreign citizens that may be in the United States. All Americans and/or the PUBLIC/WORLD heard in regards to 9/11 were the TAPE RECORDINGS created and/or generated by the United States Government and pictures of the alleged hijackers. The United States' 9/11 appears to have been carried out by the United States Government looking for unlawful/illegal means of STEALING monies/resources from smaller Middle East Nations that it thought could be DEFEATED; however, has proven to the CONTRARY because there were those who were NOT going to allow the United States to just come into their countries and take what it wanted without a fight.

- d) For those who may be wondering how the United States Government's DEMOLITION of the World Trade Centers and downing of planes was carried out, **again look at the positions/ties** to Government Agencies/Officials - **Chief** Counsel, Acting **Director**, and Acting **Deputy** Director of United States **Citizenship & Immigration Services** within the **United States Department of Homeland Security**. As well as positions Baker Donelson employees (i.e. such as **W. Lee Rawls - who worked on Capitol Hill for more than 30 years** as a government official, lobbyist, lawyer, chief of staff and senior counsel to FBI Director Robert Mueller - Mueller was put into office on September 4, 2001 (7 days **BEFORE** 9/11 it appears to assist with the 9/11 Conspiracy and has RECENTLY been given an extension of term for approximately another two (2) years).

Under the **CIA's (Central Intelligence Agency)** watch President Obama brought in *former President William (Bill) Clinton's "Chief of Staff" - Leon Panetta* - who *has recently been PROMOTED* to **United States Secretary of Defense**.

http://en.wikipedia.org/wiki/Leon_Panetta

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So now you Leon Panetta as Secretary of Defense and Baker Donelson's former employee **Raymond (Ray) Edwin Mabus Jr.** as the United States *Secretary of the Navy*. – under former President Bill Clinton's Administration. Mabus was *United States Ambassador to Saudi Arabia*.

http://en.wikipedia.org/wiki/Ray_Mabus

Individuals it appears having KNOWLEDGE and may have played a ROLE in the PLANNING of the 9/11 attacks. Furthermore, why they may have been placed in positions to aid and abet in the COVER-UP/CLEAN-UP of the 9/11 attacks:

<http://articles.latimes.com/2011/aug/06/world/la-fg-afghanistan-chopper-20110807>

President Obama/Baker Donelson/Panetta/Mabus **wasting NO time** (*Penatta taking his post as the Secretary of Defense on or about July 1, 2011*) in trying to “clean up loose” ends in regards to the alleged May 1, 2011 “*killing of Osama Bin Laden*” – which *was a LIE told* to the PUBLIC/WORLD – i.e. most likely the United States having a ROLE in the recent DOWNING on or about **August 6, 2011** (approximately one month since Penatta took Office) of a helicopter that just **COINCIDENTALLY shot down** had members of the Navy Seals of the alleged “Seal Six Operation Team” that supposedly played a role in the killing of Osama Bin Laden.

<http://articles.latimes.com/2011/aug/06/world/la-fg-afghanistan-chopper-20110807>

Most likely the United States **PAID** to the Taliban/a group to shoot down this helicopter:

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<http://www.msnbc.msn.com/id/44171605/ns/politics/t/taliban-criminals-get-million-us-taxes/>

<http://www.veteransnewsnow.com/2011/08/17/taliban-criminals-get-360-million-from-us-taxes/>

because it appears the United States Government KNEW that those on the helicopter killed had KNOWLEDGE of the truth behind the LIES told about the "killing of Osama Bin Laden" and wanted to make sure they REMAINED silent – i.e. did NOT talk! The United States seeing that they can NO LONGER pay for its ROLES in such CONSPIRACIES appear to move days later and allegedly killed the group that took down the helicopter.

<http://articles.latimes.com/2011/aug/11/world/la-fg-afghan-helicopter-20110811>

Like 9/11 those Navy Seal Soldiers lives meant NOTHING to the United States Government. They were merely a CASUALTY of CORRUPT practices the United States is trying to COVER-UP and keep from being EXPOSED!

- e) For those who may not know Newsome's ORIGINAL lawsuit (sought to be filed through the *Petition For Extraordinary Writ*) that the S.Ct.U.S. and/or the Government is OBSTRUCTING JUSTICE and trying to keep from being filed list the following in the List of "QUESTIONS PRESENTED FOR REVIEW:"

. . . (42) Whether Government agencies, their employees and others have engaged in TERRORIST ACTS.

(43) Whether the United States citizens/public and/or Foreign Nations, their leaders and citizens are entitled to know of the crimes and civil injustices of the United States Government, its officials/employees and co-conspirators leveled against African- Americans and/or people of color.

(45) Whether conspiracy(s) leveled against Newsome exist. Whether United States Government's/Court(s)' failure and "neglect to prevent" has created a "*threat to the public*" in the allowing criminal(s) to remain at large in the general population.

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(53) What role (if any) has the law firm Baker Donelson Bearman Caldwell & Berkowitz, its employees, clients and others have played in the criminal/civil wrongs and conspiracies leveled against Newsome?

(54) What relationship (if any) does the law firm Baker Donelson Bearman Caldwell & Berkowitz, its employees and clients have to United States President Barack Obama and his Administration?

(55) What relationship (if any) does the law firm Baker Donelson Bearman Caldwell & Berkowitz, its employees and clients have to past Presidents of the United States and their Administration?

(56) What relationship (if any) does the law firm Baker Donelson Bearman Caldwell & Berkowitz, its employees and clients have to officials/employees in the United States Senate and United States House of Representatives?

(57) What relationship (if any) does the law firm Baker Donelson Bearman Caldwell & Berkowitz, its employees and clients have in the appointment of judges/justices to the courts?

(58) What role (if any) did the law firm Baker Donelson Bearman Caldwell & Berkowitz, its employees and clients have in the handling of criminal/civil complaints Newsome filed with the United States Department of Justice – i.e. based on relationship and KEY position(s) held with the Commission on Civil Rights [Chairman, etc.] which serve as a national clearinghouse for information in respect to discrimination or denial of equal protection of the laws; submitting reports, findings and recommendations to the President and Congress; and issuing public service announcements to discourage discrimination or denial of equal protection of the laws . . . served as **Chief Counsel to the U.S. House Judiciary Committee's** Subcommittee on the Constitution, which responsibilities included advising the Chairman and Republican Members of the Judiciary Committee on legislation and Congressional oversight implicating civil and constitutional rights, Congressional authority, separation of powers, proposed constitutional amendments and oversight of the Civil Rights Division of the Department of Justice and the U.S. Commission

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on Civil Rights [see for instance APPENDIX "13" – Baker Donelson information regarding Bradley S. Clanton]?

(59) What role (if any) did *Baker Donelson Bearman Caldwell & Berkowitz*, its employees, its clients and the United States Department of Justice play in the COVER-UP of criminal/civil violations leveled against Newsome reported on or about September 17, 2004 in "Petitioner's Petition Seeking Intervention/Participation of the United States Department of Justice" - i.e. styled "VOGEL DENISE NEWSOME vs. ENTERGY SERVICES, INC." [see EXHIBIT "34" of "EM/ORS"] in which Newsome timely, properly and adequately reported the criminal/civil violations of Baker Donelson Bearman Caldwell & Berkowitz, Judge G. Thomas Porteous Jr. and others – to no avail.

(60) Whether the recent IMPEACHMENT of Judge G. Thomas Porteous, Jr. (i.e. having role as presiding judge in lawsuit involving Newsome) on or about December 8, 2010 [see APPENDIX "15" – Article "Senate Removes Federal Judge in Impeachment Conviction" and EXHIBIT "12" of "EM/ORS" incorporated herein by reference], is pertinent/relevant to this instant lawsuit.

(61) What role (if any) did *Baker Donelson Bearman Caldwell & Berkowitz*, its employees, its clients, others and the United States Department of Justice play in the COVER-UP of criminal/civil violations leveled against Newsome reported on or about September 24, 2004 in "Request for Department of Justice's Intervention/Participation in this Case" - i.e. referencing "Newsome v. Mitchell McNutt & Sams P.A." [see EXHIBIT "169" of "EM/ORS"] in which Newsome timely, properly and adequately reported the criminal/civil violations of Mitchell McNutt & Sams – to no avail.

(62) Whether the INDICTMENT of Judge Bobby DeLaughter [i.e. having a role as presiding judge in lawsuit involving Newsome] on or about January 6, 2009, and his pleading GUILTY on or about July 30, 2009, is pertinent to this instant lawsuit. . . .

Sen. Paul, a copy of Newsome's "Petition For Extraordinary Writ" can be retrieved from Website:

http://www.vogeldeniseneWSome.com/newsome_v_goliath_4.html

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entitled, ***"031211-PetitionForExtraordinaryWrit_FINAL."*** Furthermore, Baker Donelson's role in **TERRORIST/SUPREMACIST/RACIST/DISCRIMINATORY/RACIST** practices are also addressed in Newsome's October 9, 2010 pleading entitled, ***"Emergency Motion To Stay; Emergency Motion For Enlargement Of Time and Other Relief The United States Supreme Court Deems Appropriate To Correct The Legal Wrongs/Injustices Reported Herein"*** that the S.Ct.U.S. has been doing its best to **OBSTRUCT JUSTICE** and keep from being filed, may also be found at this Website location. This pleading was timely and properly submitted and **to DATE**, Newsome is awaiting a **"STAMPED"** filed copy of ***in which your ASSISTANCE is also needed on in obtaining her copy.***

- f) What the PUBLIC/WORLD may not know is that Baker Donelson and/or their CONSPIRATORS/CO-CONSPIRATORS relied upon **RELATIONSHIPS/TIES** to Kentucky Senator Mitchell McConnell and his wife Elaine Chao (former Secretary of the Department of Labor) to use the INTERNET to post what the Department of Labor knew and/or should have known (***under Chao's watch***) was a FALSE report obtained through **CRIMINAL** practices – i.e. see

<http://www.scribd.com/doc/1815544/Department-of-Labor-04-082>

http://en.wikipedia.org/wiki/Elaine_Chao

document retrieved from the Internet as well as Chao's Bio. This was in the matter of *Newsome vs. Mitchell, McNutt & Sams*. A matter in which **INDICTED Judge Bobby DeLaughter resided over** and Newsome sought the United States Department of Justice's **INTERVENTION** as early as September 2004 on. See Website - **CORRUPT JUDGES: http://www.vogeldenisenewsome.com/4_8.html**, documents entitled, ***"DeLaughter INDICTMENT"*** and ***"092304-InterventionRequest(MMS)"*** also a letter supporting Judge Bobby DeLaughter's role in case entitled, ***"030905-LetterToBobbyDeLaughter(MMS)." Baker Donelson and/or its CLIENTS/EMPLOYEES are BIG CAMPAIGN/LOBBYIST of Kentucky Senator Mitchell McConnell.***

- g) What the PUBLIC/WORLD may not know is that Baker Donelson and/or their CONSPIRATORS/CO-CONSPIRATORS relied upon **RELATIONSHIPS/**

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TIES to Justices/Court Officials/ Employees of the Supreme Court of the United States in its handling of lawsuits Newsome has brought before it in the past – i.e. such as *Newsome vs. Entergy* in which CORRUPT/TAINTED and **IMPEACHED** Judge G. Thomas Porteous presided. Newsome reported the CRIMINAL/CIVIL wrongs of Baker Donelson, Judge Porteous and others involved in their CONSPIRACIES and CRIMINAL acts, etc. as early as September 2004 as well. See Website - CORRUPT JUDGES: http://www.vogeldenisenewsome.com/4_8.html, documents entitled, “*IMPEACHMENT-PorteousArticle(1);*” . . . “*PorteousArticle(2);*” and . . . “*PorteousArticle(3)*”

“two attorneys who once worked with Porteous had testified that they gave him thousands of dollars in cash, including about \$2,000 stuffed in an envelope **in 1999**, just before Porteous decided a major civil case in their client's favor . . .”

EMPHASIS ADDED: *Newsome v. Entergy* was filed on or about **November 3, 1999**.

In fact, Baker Donelson loves to rave on how its attorney(s) CLERK with judges such as Porteous prior to coming into its employment – i.e. *information PLASTERED on the Internet and on Baker Donelson's website for SUBLIMINAL motives to let Clients/Opposing parties, etc. know where there CLOUT and PULLS are*. For instance:

- (i) **Clerkship with Judge G. Thomas Porteous** (Judge in the *Newsome v. Entergy* matter who has since been **IMPEACHED** - <http://www.bakerdonelson.com/erin-pelleteri/>) This article entitled, “Baker Donelson & Porteous” as well as additional IMPEACHMENT Articles may also be found in the **CORRUPT JUDGES** Section of Website.
- (ii) **Clerkship with Judge Morey Sear** (Judge also in the *Newsome v. Entergy* matter who FAILED to advise Newsome of Conflict of Interest and “*handed the baton off to Porteous;*” however, name appears on Baker Donelson’s “**Voluminous**” LIST OF JUDGES: <http://www.bakerdonelson.com/appellate-practice-sub-practice-areas/>) This article as well as additional IMPEACHMENT may also be found in the **CORRUPT JUDGES** Section of Website.

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(iii) **Clerkship with Judge Tom S. Lee** (Judge in the *Newsome v. Spring Lake Apartments, et al.* matter who FAILED to advise Newsome of Conflict of Interest while doing so for other LAWSUITS with ties to Baker Donelson: <http://www.bakerdonelson.com/appellate-practice-sub-practice-areas/>; <http://www.bakerdonelson.com/jon-stephen-kennedy/>) (Spring Lake Apartments being an **INSURED** of Liberty Mutual Insurance Company – one Baker Donelson's **BIG/TOP** Client's)

h) **HOMELAND SECURITY:** Because while Baker Donelson and the United States Government were allowed to engage in **CORRUPTION** and the **COVER-UP** of their Crimes, they felt a **LIBERTY** to move forward and carry out the 9/11 attacks and downing of their **OWN** planes – i.e. **NEWS FLASH - - Similar Crimes AGAINST Humanity** and many other **CRIMINAL** violations that United States President Obama and his Administration are seeking/pursuing Libya's Leader Colonel Muammar Gaddafi for.

i) **HOMELAND SECURITY:** Because while Newsome *timely, properly and adequately REPORTED* Criminal/Civil Wrongs of Baker Donelson, Corrupt Judges/Justices to the proper Government Agencies/Officials as early as **September 2004**, **NOTHING** was done; therefore, as a **direct and proximate result** of the United States Government's **FAILURE to act** and working with Baker Donelson to **COVER-UP their crimes**, CITIZENS lives were JEOPARDIZED through incidents such as:

(i) **Carl Brandon who REPEATEDLY complained of being wronged through the judicial process;** however, because of what appears to have been **CORRUPTION** and **CRIMINAL** acts at its best, Brandon gave in to such criminal pressures as the Government and those with whom it **CONSPIRED** with wanted him to do – **in March 2006** going on a shooting spree against those with whom he blamed.

See Website: http://www.vogeldenisenewsome.com/2_6.html, **FBI COMPLAINTS** Section – document entitled, **"BRANDON-Carl Articles"**

(EMPHASIS ADDED – This shooting incident taking place in Port Gibson, Mississippi approximately **60 miles from Jackson, Mississippi** where on February 14, 2006, Newsome was the

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victim of a KIDNAPPING and the **EGREGIOUS/EXTREME criminal acts of Government Officials and those with whom they CONSPIRED!** Newsome being subjected to Criminal Acts in which Football Great, Orenthal James Simpson ("O.J. Simpson" – **African American/Black Male**) was INDICTED on:

- (1) Conspiracy to Commit a Crime
- (2) Conspiracy to Commit Kidnapping
- (3) Conspiracy to Commit Robbery
- (4) First Degree Kidnapping With Use Of A Deadly Weapon
- (5) Assault With a Deadly Weapon
- (6) Coercion With Use Of A Deadly Weapon

See Website – **FBI COMPLAINTS** Section:
<http://www.vogeldenisenewsome.com/26.html>, document entitled,
"O.J. Simpson-CRIMINAL COMPLAINT" and "O.J. Simpson-BIO."

<http://www.thesmokinggun.com/file/oj-simpson-charged>

[http://en.wikipedia.org/wiki/O. J. Simpson](http://en.wikipedia.org/wiki/O._J._Simpson)

O.J. Simpson was given approximately a **total of 33 Years** for the crimes he was found GUILTY of. Therefore, Newsome as well as the **PUBLIC-AT-LARGE** needs to know how those who are in **engaging in similar criminal acts that O.J. Simpson was accused of**, are still being allowed to remain in the Public-At-Large WITHOUT being prosecuted – i.e. are the laws being **DISCRIMINATORALLY** applied because those (Baker Donelson, Liberty Mutual Insurance, Judges/Justices, etc.) involved are of a **"WHITE" MAJORITY?**

NO Foreign Nations/Leaders have REASONS to DISTRUST the United States and to seek its REMOVAL from their Nations/Countries:

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<http://www.asharq-e.com/news.asp?section=3&id=16701>

In a statement to Asharq Al-Awsat, Muhammad Habib, first deputy to the general guide of the Muslim Brotherhood, said: "*The US Administration employs all cards to serve its own interests.*"

He said that the speech that Obama intends to deliver in Egypt is "**of no value.**" He added: "*Statements and speeches must be associated with, or preceded by real change in policy on the ground, because policy is judged by deeds, not words.*"

http://news.yahoo.com/s/mcclatchy/20090603/pl_mcclatchy/3245281

However, Gamal Eid , the head of the Arabic Network for Human Rights Information, said he planned to decline the invitation. The Israeli ambassador to Egypt also is invited, and Eid said he didn't want to be in the same room as a representative of what he called a "**criminal**" government.

IMPORTANT TO NOTE: Many of the earlier settlers of the United States was that **"CRIMINAL TRASH" discarded by Great Britain.** Now it appears that not only Newsome, but the PUBLIC-AT-LARGE may be VICTIMS of these "Criminal-Trash" descendants (Baker Donelson, Liberty Mutual Insurance, Judges/Justices, Senators/Representatives, etc.) discarded into society. Descendants who have arisen to heights of **TERRORISTS/SUPREMACISTS/RACISTS!** See Website – CIVIL R Section: http://www.vogeldenisenewsome.com/2_11.html, entitled, **"Criminals In Our Past"**

- (ii) **Omar Thornton who REPEATEDLY complained of being subjected to DISCRIMINATION and RACIAL**

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practices at his place of employment with Hartford Distributors; however, because of what appears to have been CORRUPTION and CRIMINAL acts at best to COVER-UP such employment violations, Thornton too gave in to such criminal pressures as his employer (Hartford Distributors) and those with whom it CONSPIRED wanted him to do. In **August 2010**, Thornton taking the laws into his own hands went on a shooting spree into his place of employment where he killed numerous co-workers prior to turning the gun on himself and taking his life. Of course Hartford Distributors (**white employer**) DENIED Thornton's claim and denied having knowledge that Thornton felt that way. **(EMPHASIS ADDED**
– for **OVER 20 years** Newsome have **REPEATEDLY** been stalked by the likes of Baker Donelson, its clients (i.e. Liberty Mutual, etc.) from *job-to-job/employer-to-employer* and *state-to-state* and **REPEATEDLY** subjected to RACIAL DISCRIMINATION, CRIMINAL STALKING, etc. Such criminal acts being carried out by white employers who employed Newsome; however, **when Newsome filed Complaints of course her white employers (i.e. as with the Carl Brandon and Omar Thornton matters) DENIED her claims.** Had it not been for Newsome's recordkeeping she would not have any evidence to support her claims. **Even with such EVIDENCE (i.e. which Newsome provided to Government Agencies/ Officials), Government Agencies/Officials CONSPIRED with white employers to COVER-UP the criminal/civil/employment violations of Newsome's white employers.** For instance, in the *Newsome vs. Mitchell McNutt & Sams ("MMS")* matter, *Newsome was able to get MMS' witness(es) to admit that she was not ONLY DISCRIMINATED against, but was SUBJECTED to a HOSTILE WORK ENVIRONMENT.* See Website – **EMPLOYER COMPLAINTS:** <http://www.vogeldenisenewsome.com/test 5.html>, entitled, **"MMS Transcript."**

However, upon an INVESTIGATION into the Department of Labor's handling of this matter, Newsome is CONFIDENT that the Government records will **REVEAL TAMPERING and COMPROMISING of evidence – this being the reason the Department of Labor has NOT released to Newsome the ENTIRE files for review.** Moreover, has **REPEATEDLY** subjected Newsome to **UNLAWFUL seizures and is PRESENTLY trying to obtain**

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Newsome's property through UNLAWFUL/ILLEGAL
"Seizures"/"Liens" for purposes of DESTROYING evidence it
is FULLY aware of is INCRIMINATING REVEALS the
United States Government's/Officials'/Employees' ROLE in
CORRUPTION and COVER-UP of criminal/civil violations
leveled against Newsome.

For instance, in the Newsome vs. Wood & Lamping
matter, this white employer also LIED and/or provided
FALSE information during a "federal" investigation
advising that Newsome had not informed
Personnel/Human Resources Representative of need for
medical leave and/or medical procedure when in fact,
Newsome had and Newsome's supervisor and/or attorneys
with whom she worked APPROVED her leave that had
been scheduled to begin the process. Furthermore, Newsome
retained email(s) surrounding her discussion with the Human
Resources Representative (Andrea Griffin) to support Wood &
Lamping's ("W&L") TIMELY Notification PRIOR to Newsome
beginning to have matter attended to. See Website -**EMPLOYER**
COMPLAINTS: http://www.vogeldenisenewsome.com/test_5.html,
entitled, "10/15/08-Email Documents To Andrea Griffith"
Nevertheless, during the United States Department of Labor's (Wage
& Hour) and (Equal Employment Opportunity Commission ["EEOC"])
handling of Newsome's Charges, Government Officials/Employees
CONSPIRED with W&L to COVER-UP the white employer's
CRIMES. Wood & Lamping advising Government Agency that
Newsome had not requested leave although documentation was NOT
only in the possession of W&L but that of the Wage & Hour
Division/EEOC would PROVE to the CONTRARY. Not only that,
Newsome retained a copy of the Voicemail Message left by Wood &
Lamping's Paul Berninger which clearly supports its
KNOWLEDGE (Andrea Griffin's KNOWLEDGE) that Newsome
had timely, properly and adequately advised of medical issue and
requested "Leave" to begin the process. See copy of Voicemail
Message at Website - **EMPLOYER COMPLAINTS:**
http://www.vogeldenisenewsome.com/test_5.html, entitled,
"02/01/09- Voicemail Message Transcribed" and "020101-Voicemail
Recording" as well as the Department of Labor/Wage &
Hour's documentation SUPPORTING and
COVERING-UP Wood & Lamping's

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208 Russell Senate office Building
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**LYING/FALSIFYING information during a
"federal investigation" entitled, "WHD
(FMLA InfoFor W&L)."**

(iii)

*Joseph Stack appears to have complained of being subjected to UNLAWFUL/ILLEGAL practices by the Internal Revenue Service ("IRS"); however, because of what appears to have been CORRUPTION and CRIMINAL acts by the Government in its HARASSMENT/THREATS/INTIMIDATION, etc. of citizens regarding taxes, Stack too gave in to such criminal pressures of the Government and those with whom it CONSPIRED to destroy his life. See Website - **FBI COMPLAINTS:** http://www.vogeldenisnewsome.com/2_6.html, document entitled, "Joseph Stack Articles."*

EMPHASIS ADDED: As early as August 2009, Newsome NOTIFIED United States President Obama and United States Attorney General Eric Holder of the HARASSMENT and UNLAWFUL/ILLEGAL practices she was being subjected to regarding Tax issues and the Government's FAILURE to comply with the laws in getting the matters resolved. INSTEAD, Newsome in July 2010, was subjected to RETALIATION and the UNLAWFUL/ILLEGAL seizure and EMBEZZLEMENT (i.e. claiming monies were for CHILD SUPPORT with knowledge that Newsome does NOT have a child/children and neither has there been an Order issued by a court to such claims) of monies she entrusted to J.P. Morgan Chase Bank as a DIRECT and PROXIMATE result of her July 13, 2010 email entitled, "U.S. PRESIDENT BARACK OBAMA: THE DOWNFALL/DOOM OF THE OBAMA ADMINISTRATION - Corruption/Conspiracy/Cover-Up/Criminal Acts Made Public." See Website: http://www.vogeldenisnewsome.com/3_7.html. Approximately four (4) days later (in **RETALIATION**) on or about July 17, 2010, President Obama and his Administration CONSPIRED with the Commonwealth of Kentucky Department of Revenue and ISSUED a

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FRAUDULENT Lien/SHAM LEGAL Process against Newsome alleging "CHILD SUPPORT" – wherein Newsome has no child(ren). See Website – CORRUPT Banks: [http:// http://www.vogeldenisenewsome.com/3_7.html](http://http://www.vogeldenisenewsome.com/3_7.html), entitled, **"07/10/10-KYDOR(JPMorganChase)." Criminal acts CLEARLY not ONLY in violation of Kentucky laws but that of FEDERAL laws governing such matters.**

It was a good thing Newsome MEMORIALIZED this matter and retained records to SUPPORT her good-faith efforts to have it resolved. Furthermore, will support that Newsome on or about **August 12, 2009**, timely, properly and adequately advised Commission Thomas B. Miller of the Kentucky Department of Revenue to:

That the Commonwealth of Kentucky Department of Revenue provide its response to this instant Complaint and Rebuttal to August 1, 2009, FINAL NOTICE BEFORE SEIZURE - providing U.S. Attorney Eric Holder with a copy of said response as well.

Sen. Rand Paul therefore, your ASSISTANCE and INVESTIGATION into U.S. Bank's handling of this matter is greatly appreciated to determine whether Newsome has been subjected to CRIMINAL/CIVIL violations and is a VICTIM of Criminal Stalking and other CRIMES – i.e. clearly a PATTERN-OF-PRACTICE has been established!

Then AGAIN, as recent as May 2011, **AFTER** Newsome's May 3, 2011 pleading filed with the S.Ct.U.S., United States President Obama and his Administration **RETALIATED AGAIN**, and

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*subjected Newsome to ANOTHER UNLAWFUL/ILLEGAL seizure and EMBEZZLEMENT (i.e. most likely claiming monies were for CHILD SUPPORT with knowledge that Newsome does **NOT** have a child/children and neither has there been an Order issued by a court to such claims) of monies entrusted to U.S. Bank.*

See

http://www.vogeldenisenewsome.com/3_7.html,
under Section entitled, "**U.S. Bank.**"

Website:

documents

The record EVIDENCE will support that while Newsome requested that U.S. Bank provide her with documentation to support actions taken, to DATE, U.S. Bank has **FAILED** to comply with Newsome's demand and in fact when providing her with information did WILLFULLY, KNOWINGLY and MALICIOUSLY withhold documentation to which Newsome is entitled because it is a WILLING PARTICIPANT in the CONSPIRACIES and unlawful/illegal practices leveled against Newsome. Sen. Rand Paul therefore, your ASSISTANCE and INVESTIGATION into U.S. Bank's handling of this matter is greatly appreciated to determine whether Newsome has been subjected to CRIMINAL/CIVIL violations and is a VICTIM of Criminal Stalking and other CRIMES – i.e. clearly a PATTERN-OF-PRACTICE has been established!

Upon Newsome's research, she found out that Banks (**J.P. Morgan Chase, U.S. Bank and PNC**) that she has recently encountered problems with have **ALL** been **RECIPIENTS of the BILLIONS of Dollars** distributed in **BAILOUTS**. Why is this IMPORTANT? Because these Banks also appear to be CLIENTS of Baker Donelson and/or have Ties/Relationships to it. Therefore, a reasonable mind may conclude that as a FAVOR/DUTY/OBLIGATION to Baker Donelson, these Banks have elected to engage in CRIMINAL/CIVIL wrongs for purposes of FINANCIALLY devastating and DESTROYING Newsome's life so that she CANNOT litigate lawsuit against United States President Barack Obama, Baker Donelson and their other CONSPIRATORS/CO-CONSPIRATORS.

BY THE WAY: People may want to know how Bernie Madoff was able to "**MAKE OFF**" with so many investor's money – well **J.P. Morgan Chase** appears to have been the BANK

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involved and its TIES/ RELATIONSHIPS to Baker Donelson who has
INSIDE DEALS/ RELATIONSHIPS not only to WALL STREET, but
GOVERNMENT AGENCIES/OFFICIALS! In fact, when there were
those who questioned Madoff's practices and reported concerns to the
proper Government Agencies/Officials, these Agencies/Officials
LOOKED the other WAY!

See Website **CORRUPT BANKS:**

http://www.vogeldenisenewsome.com/3_7.html, documents
under Section entitled, "*Bernie Madoff Article(s)*"

- (iv) The most recent **June 2011**, RACIST killing of James Craig
Anderson (*because he was black and/or an African-*
American) in Jackson, Mississippi may have been a death
that could have been prevented had United States President
Barack Obama and United States Attorney General Eric
Holder not FAILED to heed and/or IGNORE Newsome's
warning and NOTIFICATION just how bad the RACIAL
INJUSTICES are in this State.

<http://www.cnn.com/2011/CRIME/08/06/mississippi.hate.crime/index.html>

There is evidence in the Government's records (i.e. United States
White House and United States Department of Justice) supporting that
as early as approximately June 2009, Newsome
NOTIFIED the United States President (Obama) and
United States Attorney General (Holder) of the problems
that existed in Mississippi. However, *both elected to*
IGNORE Newsome's Complaint and as a direct and
proximate result in June 2011 (EMPHASIS ADDED –
approximately 2 Years Later), you had WHITE people
determined to take the life of an African-American and
SUCCEEDED because the Government and its
Officials/Employees **CONDONED** such practices and the
COVER-UP of such crimes.

See Website – **FBI COMPLAINTS:**

http://www.vogeldenisenewsome.com/2_6.html ; entitled, "*James
Craig Anderson Murder.*"

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For instance, Newsome reported how a white Judge by the name of William Louise Skinner II ("Judge Skinner") was engaging in CRIMINAL/CIVIL wrongs leveled against African-Americans and/or people of color – i.e. concerned that Judge Skinner was TARGETING African-Americans/People-of-Color in RETALIATION for the death of his father. While **SEVERAL** violations were found under FEDERAL and STATE law, the GOVERNMENT allowed Judge Skinner to carry on. In fact, Judge Skinner sought to get an INJUNCTION because he was DETERMINED and OBSESSED with continuing his CRIMINAL BEHAVIOR behind his Robe. See the June 24, 2009 Letter to United States President Barack Obama and United States Attorney General Eric Holder requesting a FEDERAL Investigation:

See Website – FBI COMPLAINTS:

http://www.vogeldenisewnsome.com/2_6.html,
document entitled, "062409 Request Federal
Investigation (HYJDC)."

5. **HOMELAND SECURITY:** Because it appears that in the August 16, 2011, **CODED** speech of the likelihood of a **"LONE WOLF"** attack:

<http://www.huffingtonpost.com/2011/08/16/obama-lone-wolf-terror n 928880.html>

<http://www.reuters.com/article/2011/08/16/us-usa-obama-security-idUSTRE77F6XI20110816>

given by United States President Barack Obama he and his Administration are **NOW attempting to INSTILL fear in Americans and/or PUBLIC-AT-LARGE warning of future attacks being carried out by "LONE WOLVES" as in the Norway incident.**

The IRONY is - that Newsome WARNED Norway Leaders of concerns that the United States may have had a ROLE in the Norway attack.

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See Website – FBI COMPLAINTS:

http://www.vogeldenisenewsome.com/2_6.html, entitled, “072711-EmailTo
NorwayLeaders/Media.” Newsome **DID NOT** provide
President Obama and his Administration with this Email.

Until such NOTIFICATION it appears that Norway
and the United States Government were trying to get the
PUBLIC/WORLD to think that ONE guy was
involved in that crime (i.e. as the U.S. Oklahoma
Bombing) - *when he was NOT!*

Only AFTER Newsome’s NOTIFICATION has
“Al Qaeda” (i.e. what appears to be one of the United
States secret operative groups) come forth claiming
responsibility.

CONFLICT EXIST: PRIOR to Newsome’s
NOTIFICATION, reports had it that this ONE guy
(Anders Behring Breivik)



pulled of crimes similar to U.S. Oklahoma Bomber
Timothy McVeigh and that Breivik was a member of
group(s) SHARING similar RACIST ideology to his. Is
it COINCIDENTAL that President Obama has come out
with **“LONE WOLF” claims? NO!**

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**The United States has run out of monies/options to keep
paying/fronting its TERRORISTS:**

See Website – FBI COMPLAINTS:

http://www.vogeldenisenewsome.com/2_6.html; documents
entitled, “U.S. Using Taxpayers Monies To Pay
Terrorists(1)” and “. . .(2)”

**President Obama, it appears, has *CLEARLY made it
known* on how the United States (i.e. *though
WEAKENED for LACK OF MONIES*) intends to carry
out **FUTURE** attacks on its citizens and Foreign
Nations abroad!**

6. **HOMELAND SECURITY:** Because *had Newsome not* sent the
July 13, 2010 Email to United States President Barack Obama entitled, “U.S.
**PRESIDENT BARACK OBAMA: THE DOWNFALL/DOOM OF THE
OBAMA ADMINISTRATION - Corruption/Conspiracy/Cover-Up/Criminal Acts
Made Public,**” the United States would have CONTINUED on its LIES regarding
Osama Bin Laden. The July 13, 2010 Email ***set off a CHAIN-
OF-EVENTS*** in regards to the United States
Government MOVING QUICKLY to COVER-UP its
CORRUPTION and 9/11 CONSPIRACIES:

- (a) **Only AFTER Newsome’s July 13, 2010 Email** did
President Obama and his Administration ***engage in CONSPIRACIES and
RETALIATED by seizing and EMBEZZLING monies of Newsome***
entrusted to J.P. Morgan Chase Bank for safekeeping to make available to
her in accordance with laws. Instead, the Obama Administration, Kentucky
Department of Revenue, J.P. Morgan Chase Bank (i.e. **BIG/TOP Client of
Baker Donelson** and bank being a **RECIPIENT** of MILLIONS of dollars
in BAILOUT monies)

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- (b) **Only AFTER** Newsome's July 13, 2010 Email do President Obama and his Administration *claim to have located Osama Bin Laden* in August 2010 living in Pakistan when the MAJORITY of News cover **prior** had Osama Bin Laden **HIDING OUT** in **MOUNTAINS** and **CAVES!** ☺
- (c) **Only AFTER** Newsome's July 13, 2010 Email is were **TUNNELS** allegedly DUG into Afghanistan Prisons to help Prisoners escape.
- (d) **Only AFTER** Newsome's successful Campaign to **Clean out Congress** and seeing the POSITIVE results of the November 2010 Elections that it appears President Obama and his Administration may *have begun to PURGE those with CRITICAL/KNOWLEDGE and the TRUTH behind the 9/11 Attacks:*
- (i) **W. Lee Rawls** - Chief of Staff and Senior Counsel to FBI Director Robert Mueller. . . *Managing partner in Baker Donelson* (the law firm that provides President Obama with Legal Advice/Counsel and the law firm of former Senator Majority Leader Howard H. Baker, Jr.) - **Died 12/05/10.**
- (ii) **Richard Holbrooke** - Special Envoy to Pakistan and Afghanistan. . . *was in a meeting with Secretary of State Hillary Clinton.* . . **DIED 12/13/10.**
- (iii) **John Wheeler II** - A U.S. Military expert who served THREE Republican Presidents . . . Wheeler also had been scheduled to take an Amtrak train from **Washington** to **Wilmington** on December 28. . . **BODY FOUND DEAD about 12/31/10**

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- (iv) **Lawrence Eagleburger** - Senior Foreign Policy Advisor *with Baker Donelson Bearman & Caldwell* (i.e. law firm that provides President Obama with Lega Advice/Counsel). . . Member of the Board of Directors of the Halliburton Company. . . served as Chief of Staff to former President of the United States (friend of Bill & Hillary Clinton) - **DIED 06/04/11.**

- (v) Then approximately **TWO (2) months later on or about August 6, 2011,** the ***DOWNING of Navy Seal helicopter*** carrying alleged members of the *Unit associated* with the May 1, 2011 ***"Killing of Osama Bin Laden."***

- (e) **Only AFTER** Newsome's March 12, 2011 submittal of *"Petition For Extraordinary Writ"* received by the Supreme Court of the United States on or about **March 16, 2011**, did United States Secretary of State Hillary Clinton announce on **March 16, 2011**, that she would not be running for President of the United States in 2012. It appears from information and research **Hillary Clinton's "HANDS are FILLED/TAINTED WITH BLOOD!"**

<http://politicalticker.blogs.cnn.com/2011/03/16/clinton-running-for-president/>

<http://www.politico.com/news/stories/0311/51425.html>

- (f) **Only AFTER** Newsome's April 22, 2011 submittal of *"Response To March 17, 2011 Supreme Court of the United States' Letter"* which addresses and EXPOSES ***"Fake/False"*** Certification of Live Birth provided by United States President Barack Obama. Said pleading setting off the following in the United States Government efforts to COVER-UP its 9/11 Crimes – CRIMES AGAINST HUMANITY:

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- (i) On or about **April 25, 2011**, the Supreme Court of the United States receives Newsome's April 22, 2011 submittal.

See Website – NEWSOME V. GOLIATH:

http://www.vogeldenisenewsome.com/newsome_v_goliath_4.html, document entitled, "042211-SCt_Filing(StorAll)-Part1" and ". . . Part2"

- (ii) On or about **April 25, 2011**, the United States Government appears to have taken over 450 prisoners (i.e. allegedly associated with **TERRORIST**) to their **DEATHS** claiming and/or alleging they escaped through a TUNNEL that took approximately six (6) months to build

http://articles.cnn.com/2011-04-25/world/afghanistan.prison.break_1_free-prisoners-escapees-kandahar?_s=PM:WORLD

<http://www.guardian.co.uk/world/2011/apr/25/afghanistan-great-escape-taliban>

– i.e. therefore, being about October/November (2 to 3 months from receipt of Newsome's July 13, 2010 Email). A PRISON ran by the United States NAVY (**Emphasis Added**). Branch of the United States military in which United States Secretary of Navy Raymond Edwin Mabus (**EMPLOYEE of Baker Donelson** – former Governor of Mississippi) **COINCIDENTALLY** is over. **Stay with Newsome here because it may help you understand the recent DOWNING of helicopter of Navy Seals on or about August 6, 2011 – i.e. which was part of the United States MASSIVE efforts to clean of its 9/11 LIES and CRIMES AGAINST HUMANITY!**

<http://articles.latimes.com/2011/aug/06/world/la-fg-afghanistan-chopper-20110807>

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- (iii) On or about **April 25, 2011**, Mississippi Governor Haley Barbour – one of the TOP Contenders for the 2012 United States President run **ANNOUNCES** he will not be running. Claiming, ***"No FIRE in his BELLY!"***

<http://www.rollcall.com/news/Haley-Barbour-Statement-Not-Running-205130-1.html>

<http://www.pbs.org/newshour/rundown/2011/04/haley-barbour-not-running-for-president.html>

Newsome's February 14, 2006 KIDNAPPING occurring under the WATCHFUL eyes of Governor Haley Barbour – i.e. moreover, Governor Barbour assigned one of Newsome's Kidnappers (**Jon Lewis**) to a post in his Administration.

http://www.msboxing.org/About_Us_Contact_Us.html

See Website: www.vogeldenisenewsome.com, documents UNDER "HALEY BARBOUR" Section entitled:

**06/26/06-FBI Complaint (Kidnapping)
CIVIL Complaint Against Lewis and Others
Jon Lewis-Crime 1
Jon Lewis-Crime 2
Jon Lewis-Crime 3**

Clearly a reasonable mind can see that Jon Lewis is a *"PROFESSIONAL" CAREER THUG/CRIMINAL!*** A CRIMINAL/THUG that Governor Haley Barbour is ***CLOSELY*** associated with!**

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- (iv) On or about **April 27, 2011**, United States President Barack Obama releases his FAKE/FALSE **"Certificate of Live Birth."**

See Website: www.vogeldenisenewsome.com, document entitled, **"04/27/11 COLB DISCREPANCIES"**

- (v) On or about **May 1, 2011**, United States President Barack Obama comes out and ANNOUNCES the **"Killing of Osama Bin Laden"** – i.e. a CHAIN of events that began the LIES and VERSION-OF-EVENT changing NUMEROUS times as President Obama attempted to claim "Lack of Intelligence" not complete when he and Members watched the alleged 40-MINUTE SHOOT OUT (which too was a LIE in the United States efforts to COVER-UP 9/11 Crimes/CRIMES AGAINST HUMANITY)

- (g) On or about **May 3, 2011**, Newsome submits her pleading to the S.Ct.U.S. entitled, *"Response To March 17, 2011 and April 27, 2011, Supreme Court Of The United States' Letters - Identifying Extraordinary Writ(s) To Be Filed and Writ(s) Under All Writs Act To Be Filed;"* which was received by Supreme Court on or about May 6, 2011.

United States President Barack Obama receiving his copy on or about **May 17, 2011 (EMPHASIS ADDED)** – because the VERY NEXT DAY (**May 18, 2011**), the S.Ct.U.S. being in such a HURRY to AID and ABET in the COVER-UP of President Obama and United States Government CORRUPTION/CRIMES just threw an UNEXECUTED copy of its April 27, 2011 letter and copy of Newsome's May 3, 2011 submittal.

Then on or about **May 20, 2011 (approximately 3 days later)**, **AGAIN** President Barack Obama/Obama Administration and Kentucky Department of Revenue CONSPIRED to come after Newsome's monies and on or about CONSPIRED with U.S. Bank to seize and EMBEZZLE monies Newsome entrusted to U.S. Bank for safekeeping in accordance with laws governing said matters. U.S. Bank is a BIG/TOP Client of Baker Donelson and bank being a RECIPIENT of MILLIONS of dollars in BAILOUT monies.

See Website – CORRUPT Banks:

http://www.vogeldenisenewsome.com/3_7.html, documents UNDER **"U.S. Bank"** Section.

- (h) On or about **July 18, 2011**, Newsome submitted correspondence entitled, *"Response To May 18, 2011 Mailing RETURNED Containing Chief Justice John G. Roberts, Jr. Copy Of May 3, 2011 Pleading;"* wherein she advises AGAIN what Writs she seeks to file with the S.Ct.U.S. as well as launching of her NEW Website – www.vogeldenisenewsome.com – NOTIFICATION

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that the S.Ct.U.S. FAILED to NOTIFY of "Conflict of Interest," Newsome's request that the Justices of the Supreme Court of the United States STEP DOWN IMMEDIATELY!

See Website – NEWSOME V. GOLIATH:

[http://www.vogeldenisenewsome.com/newsome v goliath_4.html](http://www.vogeldenisenewsome.com/newsome_v_goliath_4.html), UNDER Section entitled, "*United States Supreme Court Filings*" – 071811-ResponseTo051811SCtReturn.

- (i) On or about **August 1, 2011**, the S.Ct.U.S. returns Newsome's January 6, 2011 Check No. 1213 that was provided for the "Filing Fee" stating in part,

Returned is check number 1213, dated January 6, 2011,
in the amount of \$300.00.

If you still intend to correct the petition as noted in my letter dated April 27, 2011, you must submit a fresh check.

See Website – NEWSOME V. GOLIATH:

[http://www.vogeldenisenewsome.com/newsome v goliath_4.html](http://www.vogeldenisenewsome.com/newsome_v_goliath_4.html), UNDER Section entitled, "*United States Supreme Court Filings*" – 080111-SCt Letter(RuthJones).

On or about **August 6, 2011 (EMPHASIS ADDED – approximately 5 days later)** a United States military helicopter allegedly carrying members of the Unit of Navy Seals involved in the May 1, 2011 "Killing of Osama Bin Laden" was shot down – killing ALL members on board. Newsome believes (considering the facts and evidence set forth in this letter) that a reasonable mind may conclude that members on this helicopter may have had some insights into the LIES told about the "Killing of Osama Bin Laden." **The downing of this helicopter APPEARS to be the United States AGAIN attempting to CLEAN-UP and COVER-UP its 9/11 Crimes/CRIMES AGAINST HUMANITY!** The United States Government having a **HISTORY of "Killing INNOCENT people and FRAMING people/groups to take the blame."**

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<http://latimesblogs.latimes.com/chatter/2011/04/pat-tillmans-mother-says-generals-appointment-on-panel-for-military-families-is-a-slap-in-the-face.html>

<http://www.zimbio.com/Public+Enemy/articles/138/History+Republic+New+Afrika+RNA+Including>

http://en.wikipedia.org/wiki/Republic_of_New_Afrika

- (k) On or about August 11, 2011 **(EMPHASIS ADDED – approximately 5 days later)** the United States claimed to have “KILLED the Insurgents behind the August 6, 2011 downing of Navy Seals helicopter.” *The United States AGAIN attempting to CLEAN-UP and COVER-UP its 9/11 Crimes/CRIMES AGAINST HUMANITY! A reasonable mind may conclude that the United States allege killing of these Insurgents were merely its attempt to CLEAN-UP loose ends of those who it may have paid to bring down the helicopter.*

The United States having PAID Pakistan approximately \$2 BILLION a year since 9/11 for what appears may be for Pakistan’s ROLE in the United States’ 9/11 CONSPIRACIES/CRIMES AGAINST HUMANITY!

Senator Rand Paul, Newsome prays that the above information and that contained in documents already submitted to your attention as well as the Court(s) and those in the records of Government Agencies (i.e. including the Executive Offices of United States President Barack Obama and Legislature/Congress, United States Department of Justice, United States Department of Labor, etc.) will provide you with the proper information to get INVESTIGATION(S) and IMPEACHMENT proceedings underway. At this time Newsome is requesting the following relief; however, relief is not to be limited to this list and is to be in accordance to any/all other relief applicable under the laws of the United States to CORRECT the INJUSTICES/CONSPIRACIES/CORRUPTION and COVER-UPS addressed herein as well as in the records of the Courts and Government Agencies:

- 1) Senator Rand Paul’s assistance in submittal of **FILING FEE** to the Supreme Court of the United States – i.e. seeing that Newsome’s *Petition for Extraordinary Writ* as well as other pleadings submitted to the attention of said Court are filed **IMMEDIATELY** and that Newsome receive “STAMPED” Filed Copies of pleadings in the matter “*In Re Vogel Denise Newsome.*” A copy of the Supreme Court of the United States’ August 1, 2011 letter is attached for your review.

United States Senator Rand Paul
208 Russell Senate office Building
Washington, DC 20510

RE: UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For Extraordinary Writ Filed; and Assistance In Receipt Of Relief PRESENTLY/IMMEDIATELY Due Newsome

August 31, 2011

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- 2) **WRITTEN Status Report by THURSDAY, September 15, 2011**, in regards to my request for Investigation(s) *as set out in my January 30, 2011 Email to Senator Rand Paul's attention*. As well as the initiation of the proper INVESTIGATION(s) to address the Crimes/Civil wrongs addressed herein as well as in reported in pleadings/records of the Courts/Government Agencies by Newsome. *A copy of the January 30, 2011, Email (Only w/o attachments) submitted to your is attached for your review.*

- 3) Receipt of "PAST Due/Back" Employment WAGES in the amount of approximately **\$558,336.13** by **Friday, September 30, 2011:**

Wood & Lamping = \$134,076.93 (computation thru 09/2011 – then \$1,882.85 bi-weekly and will be adjusted with the proper annual increase shortly)

Mitchell, McNutt & Sams = \$218,474.06 (computation thru 09/2011 – then \$1,515.53 bi-weekly and will be adjusted with the proper annual increase shortly)

Page, Kruger & Holland = \$205,785.14 (computation thru 09/2011 – then \$1,560.99 bi-weekly and will be adjusted with the proper annual increase shortly)

While there are WAGES due from other employers, said wages will be determined at a later date and provided (if necessary). These are also monies that were due Newsome IMMEDIATELY along with the proper INJUNCTION – i.e. Orders – issued in accordance with the laws and may be collected now in the interest of justice and to mitigate/correct injustices sustained until all matters are resolved. While the United States Department of Labor had a DUTY and OBLIGATION to seek said relief on behalf of Newsome, it FAILED to do as a DIRECT and PROXIMATE result of the role played in CONSPIRACIES LEVELED AGAINST NEWSOME. Therefore, Senator Rand Paul, you (as Newsome's U.S. Senator) are being requested to seek said relief on Newsome's behalf due to the IRREPARABLE injury/harm and CONTINUED injury/harm she will sustain. The record evidence will support that Newsome has REPEATEDLY lost employment and it is UNLIKELY that she will be able to obtain gainful employment based on her employers' CRIMINAL/CIVIL violations leveled against her as well as the CONSPIRACIES they have entered into with the United States Department of Labor and other Government Agencies/Employees, CONSPIRATORS/CO-CONSPIRATORS.

United States Senator Rand Paul
208 Russell Senate office Building
Washington, DC 20510

RE: UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding
United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For
Extraordinary Writ Filed; and Assistance In Receipt Of Relief **PRESENTLY/IMMEDIATELY** Due Newsome

August 31, 2011

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Section 706(f)(2) of Title VII authorizes . . .to seek temporary injunctive relief before final disposition of a charge when a preliminary investigation indicates that prompt judicial action is necessary to carry out the purposes of Title VII. . . .However, the EEOC can seek such relief as part of a lawsuit for permanent relief, pursuant to Rule 65 of the Federal Rules of Civil Procedure. Temporary or preliminary relief allows a court to stop retaliation before it occurs or continues. Such relief is appropriate if there is a substantial likelihood that the challenged action will be found to constitute unlawful retaliation, and if the charging party . . . will likely suffer irreparable harm because of the retaliation. Although courts have ruled that financial hardships are not irreparable, other harms that accompany loss of a job may be irreparable. For example, in one case . . . showed irreparable harm and qualified for a preliminary injunction where they lost work and future prospects for work, consequently suffering emotional distress, depression, a contracted social life, and other related harms. 53 A temporary injunction also is appropriate if the respondent's retaliation will likely cause irreparable harm to the Commission's ability to investigate the charging party's original charge of discrimination. For example, the retaliation may discourage others from providing testimony or from filing additional charges based on the same or other alleged unlawful acts.

Rather than play games and act ignorant to the laws Newsome believes, Senator Paul, that you have VAST resources as a United States Senator (i.e. Freshman or not) available to you TO MOVE/SHAKE MOUNTAINS and get such requests RESOLVED IMMEDIATELY!

Newsome further request the **IMMEDIATE** return to EMPLOYEE Benefits to which is legally and lawfully entitled that were unlawfully/illegally discontinued as a DIRECT and PROXIMATE result of CONSPIRACIES and Criminal/Civil wrongs leveled against her.

- 4) Newsome believes that there is SUFFICIENT EVIDENCE not ONLY in the records of the Courts but that of Government Agencies to support that she has suffered **IRREPARABLE** injury/harm in being unlawfully/illegally **"Thrown Out On The Streets"** and her property/residences UNLAWFULLY/ILLEGALLY taken from her – i.e. resulting in Homelessness – **WARRANTING Emergency/Injunctive Relief IMMEDIATELY** in the amount of Approximately **\$91,440.00** from the following:

- a) GMM Properties = \$26,950.00 (then approximately \$770 per month until matter is concluded)
- b) Spring Lake Apartments = \$48,240.00 (then approximately \$720 per month until matter is concluded)

United States Senator Rand Paul
208 Russell Senate office Building
Washington, DC 20510

RE: UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For Extraordinary Writ Filed; and Assistance In Receipt Of Relief PRESENTLY/IMMEDIATELY Due Newsome

August 31, 2011

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- c) Escrow Account Monies EMBEZZLED (Kenton County/KY Court) =
\$16,250.00

To MITIGATE damages and to provide Newsome with compensation for costs associated with having to find NEW residence/home until the conclusion of these matters. The record EVIDENCE will support that the proper LEGAL actions have been initiated by Newsome; however, have become TAINTED by CORRUPT Judges/Justices – i.e. Government Officials.

- 5) That the proper IMPEACHMENT proceedings against United States President Barack Obama and his Administration be initiated **IMMEDIATELY – i.e. No LATER than Friday, September 30, 2011.**
- 6) That the proper CRIMINAL prosecution against United States President Barack Obama (i.e. to include legal representatives/attorneys/lobbyists who played role in crimes/civil wrongs complained of) be initiated.
- 7) That the proper **COURT(s) and/or TRIBUNAL(s)** be created **IMMEDIATELY** to handle matters addressed herein and/or Criminal/Civil Complaints initiated by Newsome that have been OBSTRUCTED due to TAINTED/CORRUPT Government Officials.
- 8) That the proper legal actions (i.e. IMPEACHMENT/REMOVAL from office, etc.) be brought against the following Congressional/Legislative Members:
- | | |
|------------------------------------|---|
| a) U.S. Senator Patrick Leahy | b) U.S. Representative John Conyers |
| c) U.S. Senator John McCain | d) U.S. Representative Debbie Wasserman-Schultz |
| e) U.S. Senator Mitchell McConnell | f) U.S. Representative John Boehner |

This list will be updated accordingly; however, Sen. Paul, if you need somewhere to start, let's begin here. Leahy, McCain, Conyers, Wasserman-Schultz ALL received a copy of the July 14, 2008 Complaint submitted to their attention. **In the September 15, 2011 STATUS Report, Newsome is requesting that you provide her with the STATUS and/or what happened to this**

United States Senator Rand Paul
208 Russell Senate office Building
Washington, DC 20510

RE: UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For Extraordinary Writ Filed; and Assistance In Receipt Of Relief **PRESENTLY/IMMEDIATELY Due Newsome**

August 31, 2011

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Complaint. Newsome believes that you will find that this request has been made in GOOD FAITH and that prior to her submitting this request to you, that in December 2008, she came to Washington, D.C. to determine the STATUS of said Complaint. Newsome's visit was met with **RETALIATION** and the **LOSS of her EMPLOYMENT** as a DIRECT and PROXIMATE result of her seeking justice.

Newsome believes that an investigation into this matter will also YIELD results as to what MAJOR roles Senator McConnell and his wife (Elaine Chao – U.S. former Secretary of the Department of Labor) have played in CONSPIRACIES and relationships to Baker Donelson. United States Senator John Boehner out of concerns that he may also be aware of the CORRUPTION and COVER-UP of 9/11 as many others that may come out during the INVESTIGATION(s).

- 9) That the proper INVESTIGATION(S)/LEGAL PROSECUTION - i.e. Impeachment/Removal, etc. - be brought (as applicable) against:
- a) The State of Mississippi – i.e. Governor Haley Barbour/his Administration
 - b) The Commonwealth of Kentucky – i.e. Governor Steve Beshear/his Administration
 - c) Supreme Court of the United States – i.e. Justices/Staff/Clerk of Court/Employees (Purging of the Court)
 - d) Supreme Court of Ohio – i.e. Justices/Clerk of Court/Staff/Employees (Purging of the Court)
 - e) United States Fifth Circuit Court of Appeals – i.e. Justices/Clerk of Court/Staff/Employees (Purging of the Court)
 - f) United States District Court – Southern District (Jackson, Mississippi) – i.e. Judges/Clerk of Court/Staff/Employees (Purging of the Court)
 - g) United States District Court – Eastern District of Louisiana – i.e. Judges/Clerk of Court/Staff/Employees (Purging of the Court)
 - h) Kentucky: Kenton County Circuit Court/District Court – i.e. Judges/Clerk of Court/Staff/Employees (Purging of the Court)
 - i) Ohio: Hamilton County Court of Common Pleas/Hamilton County Municipal Court – i.e. Judges/Clerk of Court/Staff/Employees (Purging of the Court)

United States Senator Rand Paul
208 Russell Senate office Building
Washington, DC 20510

RE: *UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For Extraordinary Writ Filed; and Assistance In Receipt Of Relief PRESENTLY/IMMEDIATELY Due Newsome*

August 31, 2011

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j) Others as the Investigation(s) may yield to CLEAN up such CORRUPTION and TAINTED Officials.

10) That the proper INVESTIGATION(S)/LEGAL PROSECUTION be initiated against:

- a) J.P. Morgan Chase Bank – i.e. Its Shareholders, Officers, Executives, Counsel, Employees, etc.
- b) U.S. Bank – i.e. Its Shareholders, Officers, Executives, Counsel, Employees, etc.
- c) PNC Bank – i.e. Its Shareholders, Officers, Executives, Counsel, Employees, etc.

As to the Role(s) carried out in the CONSPIRACIES and/or Criminal/Civil wrongs leveled against Newsome.

11) That the proper INVESTIGATION(S)/LEGAL PROSECUTION be initiated against:

- a) United States Department of Justice (i.e. the applicable Divisions/Government Officials/Employees);
- b) United States Department of Labor (i.e. the applicable Divisions/Government Officials/Employees);
- c) United States Department of Treasury (i.e. the applicable Divisions/Government Officials/Employees);
- d) United States Department of Education (i.e. the applicable Divisions/Government Officials/Employees);
- e) Commonwealth of Kentucky Department of Revenue (i.e. the applicable Divisions/Government Officials/Employees)

As to the Role(s) carried out in the CONSPIRACIES and/or Criminal/Civil wrongs leveled against Newsome.

VIA EMAIL & U.S. CERTIFIED MAIL: 7011 0110 0001 4148 6993

United States Senator Rand Paul
208 Russell Senate office Building
Washington, DC 20510

RE: UNITED STATES KENTUCKY SENATOR RAND PAUL: Request Of Status Of INVESTIGATION(S) Request Regarding United States President Barack Obama and Government Agencies/Officials; Assistance In Getting Petition For Extraordinary Writ Filed; and Assistance In Receipt Of Relief **PRESENTLY/IMMEDIATELY Due Newsome**

August 31, 2011

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- 12) That the proper Legal Action/PROSECUTION be initiated to RESTORE/RETURN the Government back to the United States Citizens in that it appears that it has been taken hostage by the likes of Baker Donelson Bearman Caldwell & Berkowitz PC.

INVESTIGATION(s) as to the Role Baker Donelson has played in the CONSPIRACIES leveled against Newsome. Clearly the record evidence will support that Baker Donelson has left a TRAIL of DEVASTATION/DESTRUCTION/RUIN in its wake and as a DIRECT and PROXIMATE RESULT has brought down a ONCE "Powerful" country like the United States through its FAILED POLICIES and PRACTICES. Moreover, whose Policies and Practices have brought down the ECONOMY across the GLOBE/WORLD! All will be coming out in the WASH!!

- 13) Any and all other relief Senator Paul known to you and/or your Staff to CORRECT the injustices complained of herein and/or in Government/Court records.

As always, Senator Rand Paul, if you/your Administration have any questions or comments please do not hesitate to contact me at mailing address: **Post Office Box 14731, Cincinnati, Ohio 45250** – (513) 680-2922 or (601) 885-9536.

Thank you for your assistance in this matter. Should you have questions or comments, please do not hesitate to contact me at **513/680-2922** or **601/885-9536**.

Sincerely,


Vogel Denise Newsome

cc: U.S. Supreme Court –William K. Suter/Clerk – USPS Tracking No. 0310 3490 0000 4095 5050
United Congressional/Legislative Members/Executive Branch Members (via Email)
United States Representative Darrell Issa (via Email) – **Information To aid in his Investigations**
Foreign Nations/Leaders (via Email under concealment – to protect from U.S. Retaliation)
Media/Public Organizations (via email)
Gary G. Kleep - United States Justice Foundation (via Email)



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**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

August 1, 2011


Vogel D. Newsome
P.O. Box 14731
Cincinnati, OH 45250

RE: In Re Vogel Denise Newsome

Dear Ms. Newsome:

Returned is check number 1213, dated January 6, 2011, in the amount of \$300.00.

If you still intend to correct the petition as noted in my letter dated April 27, 2011,
you must submit a fresh check.

Sincerely,
William K. Suter, Clerk
By: 
Ruth Jones
(202) 479-3022

14-17 100 1213
650
712830590
1/6/11 Date

Pay to the order of Supreme Court of United States \$ 300.00
Three Hundred & 00/100

PPCW

121355

Enclosures

----- Forwarded message -----

From: **Den**

Date: Jan 30, 2011

Subject: INVESTIGATION of UNITED STATES PRESIDENT BARACK OBAMA - Senator Paul
URGENT Assistance Is Being Requested

To: senator@paul.senate.gov, Denise Newsome

Cc: doug_stafford@paul.senate.gov, jessica_jelgerhuis@paul.senate.gov,
william_henderson@paul.senate.gov, moria_bagley@paul.senate.gov

Dear Senator Rand Paul:

My name is Vogel Denise Newsome (Newsome) and I am a constituent of yours (i.e. Kentucky Registered Voter). Because Newsome does not want you to think that she is an Ohio resident (i.e. because of the cell phone number and mailing addressed used), she has attached a copy of my Driver's License. Newsome is requesting an INVESTIGATION and if necessary the IMPEACHMENT and INDICTMENT of United States President Barack Obama, his Administration and others who are found to have engaged in the criminal/civil wrongs reported. From News reports, Newsome believes that Representative Darrell Issa may be handling the initiation of INVESTIGATIONS against President Obama and his Administration. You may want to begin there to determine what the process is in getting my issues addressed in an **EXPEDITED** manner – i.e. considering that it appears President Obama's people are looking to cause IMMEDIATE harm within this week or very shortly against Newsome.

President Obama's people came in and had Newsome unlawfully/illegally removed from her residence without legal authority – i.e. although there was a legally authorized INJUNCTION and RESTRAINING Order in place and over \$16,000 in Escrow in that Newsome was ordered to place her rent in escrow, she was still thrown out on the streets. However, President Obama's people (i.e. Baker Donelson Bearman Caldwell & Berkowitz P.C.) and those they conspired with have engaged in criminal acts which resulted in Newsome's filing of criminal complaint with the FBI. Now President Obama and his people are attempting to cover-up these crimes. Nevertheless, there is record evidence to support that official criminal actions have been filed. Senator Paul, will you check into this matter?

Newsome is also contacting you because Senator Mitch McConnell is one of Baker Donelson's Senator's and his wife Elaine Chao, had a role in the FALSE and MALICIOUS information that has been posted on the Internet regarding Newsome. Some of the criminal/civil wrongs leveled against Newsome happened under Chao's watch when she was Secretary of Labor and employment violations were reported directly to her. **This information and the correspondence Newsome submitted is of PUBLIC RECORD!** As you know, Mitch McConnell is part of the "CAREER POLITICIANS" that have been in the way, way too long and has profited off of hiding the crimes of President Obama, Baker Donelson and others – i.e.

8/30/2011

having knowledge of crimes; however, doing nothing to correct it.

In light of the recent attacks on Newsome's life and liberties by President Obama and his Administration in RETALIATION for her bringing criminal/civil complaints against him, his Administration and BIG MONEY supporters, Newsome has come under heavy attacks and has been REPEATEDLY subjected to criminal activities by President Obama, his Administration and BIG MONEY SUPPORTER. While this may sound crazy, it is true!

It has gone as far as engaging the United States Government's role in BLACKLISTING Newsome and posting false and malicious information on the INTERNET regarding her for purposes of seeing that she does not ever work again and destroying her life. Acts which clearly violate Newsome's rights under the 14th Amendment, Civil Rights Act and other laws of the United States.

Will you please let Newsome know when it is a good time to talk and discuss this matter. For your information, Newsome attaches the following:

- 1) Copy of Driver's License;
- 2) Copy of Job Resume – to support work qualifications;
- 3) Copy of PowerPoint Presentation – “November 2010/2012 Change”;
- 4) October 2010 Pleading submitted for filing with the Supreme Court of the United States;
- 5) January 2011 Petition for Extraordinary Writ; and
- 6) January 30, 2011 Filings.

This information is pertinent and relevant in that President Obama, his Administration and BIG MONEY supporters are intending to subject Newsome to further CRIMINAL/CIVIL wrongs for speaking out about the CORRUPTION and CRIMINAL/CIVIL wrongs he and his Administration are engaged in.

You will see that while Newsome has approximately 60 days from date of Supreme Court of United States letter to make the corrections to *Petition of Extraordinary Writ*, President Obama and his people are trying to get their hands on her personal property and other personal affects for purposes of OBSTRUCTING justice, OBSTRUCTING court proceedings, and other reasons known to them.

In a one-year period there have been criminal actions brought against Judges involved in matters in which Newsome is a litigant/party: **a)** In Mississippi, Judge DeLaughter has been INDICTED; **b)** in Ohio, Judge West's Bailiff has been found guilty of crimes – the complaint/petition to be filed in the Supreme Court of the United States addresses Judge West's crimes; and **c)** in Louisiana, Judge G. Thomas Porteous on or about December 8, 2010, has been IMPEACHED by the United States Senate and removed from office. All of this information is of PUBLIC RECORD. Also, it is of PUBLIC RECORD just how early Newsome reported the crimes of these Judges; however, because of President Barack Obama's legal counsel's (Baker Donelson Bearman Caldwell & Berkowitz P.C.) deep roots and ties to the White House and D.C., nothing is done. Baker Donelson also has DEEP ROOTS and CONNECTIONS in the United States Department of Justice and has used such relationships to IMPEDE and OBSTRUCT justice. Will you look into this for Newsome and advised the status of her FBI Criminal Complaints that have been filed? The FBI Criminal Complaints are addressed in the attached October 2010 document attached to this email.

Newsome voted for you because she wanted to believe that there would be action to clean out the CORRUPTION, “Career Politicians,” “taking back our government,” etc.

President Nixon was IMPEACHED for his role in “Watergate.” Newsome's concern, is why is President Obama and his Administration being allowed to remain in office although she has submitted

NUMEROUS Complaints regarding his role in CORRUPTION, CRIMES and CIVIL wrongs not only leveled against her, but other citizens of the United States.

Newsome request that you place this matter regarding her as one of URGENCY to be dealt with. Senator Paul, should you have any further questions or comments, please do not hesitate to contact Newsome on her cell phone (513) 680-2922.

With Warmest Regards,

Denise Newsome

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Vogel Denise Newsome
P.O. Box 14731
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

United States Senator Rand Paul
208 Russell Office Building
Washington, DC 20510

2. Article Number

(Transfer from service label)

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PS Form 3811, February 2004

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A. Signature

X *[Signature]*

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☐ Addressee

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C. Date of Delivery

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If YES, enter delivery address below: ☐ No

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☐ Registered

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70110110000141406993	Priority Mail®	Delivered	September 08, 2011, 7:52 am	WASHINGTON, DC 20510	Expected Delivery By: September 2, 2011 Certified Mail™ Return Receipt
		Arrival at Unit	September 08, 2011, 6:32 am	WASHINGTON, DC 20022	
		Processed through Sort Facility	September 02, 2011, 6:01 pm	WASHINGTON, DC 20066	
		Acceptance	August 31, 2011, 1:56 pm	CINCINNATI, OH 45242	



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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
0310349000040965050	Priority Mail®	Delivered	September 07, 2011, 11:15 am	WASHINGTON, DC 20543	Expected Delivery By: September 2, 2011 Delivery Confirmation™
		Notice Left (No Authorized Recipient Available)	September 07, 2011, 11:14 am	WASHINGTON, DC 20543	
		Arrival at Unit	September 07, 2011, 11:05 am	WASHINGTON, DC 20022	
		Processed through Sort Facility	September 02, 2011, 6:01 pm	WASHINGTON, DC 20066	
		Processed through Sort Facility	September 01, 2011, 5:37 pm	CINCINNATI, OH 45235	
		Acceptance	August 31, 2011, 1:56 pm	CINCINNATI, OH 45242	

November 12, 2011

TO: Sandy Sullivan/HR
FROM: Denise Newsome
RE: Meeting With Sandy Sullivan/HR

Sandy Sullivan, here are some concerns and questions (i.e. while not an exhaustive list of everything) that I (Denise Newsome) want to discuss:

- 1) What is the PURPOSE of the Garretson "CORE VALUES?" Is this just a document to provide information that looks good on paper or is it actually to be applied in the carrying out of employees everyday duties and treating of others?
- 2) As a Project Coordinator, need to know what my Job Responsibilities are?
- 3) TRAINING: (a) Who makes the decision regarding what people are trained? (b) How are Project Coordinators/Data Analysts trained/taught the tools/processes needed to perform their duties?

(b) Who have been providing on-hand training/teaching of tools/processes?

(c) Have Denise been provided with the training/teaching in the use of the tools/programs of Garretson as that, that has been given to other Program Coordinators?
- 4) From Denise's observation, other Project Coordinators/Data Analysts have been provided with people (i.e. Tiffany Jansen, Chris Swansen, etc.) to train them in the tools/programs used by Garretson to perform their jobs? Has Denise been provided with a person to train/teach her the tools/programs used by Garretson to perform the tasks assigned her? If not, why?
- 5) When there are processes/procedures in the performance of job task that are implemented, how are they shared and/or passed on to employees to assure they have the proper information needed to perform job tasks?
- 6) What are the Projects that Denise will be working on? Who will the Project Manager be?

According to the Organization Chart, which Project Manager will Denise be working with? Why was the Anderson Project not transferred to Denise? Who is the Project Manager on the Anderson Project? Has Denise been trained and/or brought up-to-date on the Anderson Project?

RCR Project? Who is the Project Manager? Who are the Data Analysts on this Project? Has Denise been trained on the procedures/processes to be used on this Project? If not, why? Who should be providing this training?
- 7) Need to deal with the Brandy Jansen issue – i.e. NOT willing to work on Projects with Denise and the reason for it. Discuss attitude and emails where it appears Brandy is assigning which Project Coordinator she is or is not going to work with.

PRIOR to meeting providing the new JOB CHANGES/ORGANIZATION CHART, Lorianna was told to bring Denise documents in the Anderson Project because Denise would be working with her; however, only AFTER a Temper Tantrum from Brandy Jansen and what appears to be a REFUSAL of Brandy's objection to working with Denise as the Project Coordinator did Lorianna come and get the documents from Denise and advise her that Mike would continue as the Project Coordinator in Anderson. - Emails of 09/27/11 and 09/29/11 will better clarify

Brandy's RESISTANCE to change. Then the next day (about 9/30/11) rather than continue to work with Denise on the Anderson Project, Lorianna came and pulled the documents from Denise and advised her that Mike will be handling – i.e. although from the Organization Chart Denise is the Project Coordinator for Lorianna.

- 8) Need to know what happened with the A [REDACTED] Project that Denise was brought in. Who were the Project Manager and Data Analysts working this Project when it was messed up so bad?

Address the losing of A [REDACTED] documents – i.e. documents being LEFT by the back door, documents NOT being delivered.

See 09/14/11 and 09/30/11 Email.

Concerns of efforts taken to obstruct/hinder Denise's ability to perform tasks.

Concerns that documents delivered about 9/2, 9/6 or 9/9 disappeared and just happen to be the side of the A [REDACTED] Project that Denise is working on. These documents did NOT just disappear. Do NOT recall S [REDACTED] having a problem with their deliveries before. **It appeared that Heather took the time to go through the Spreadsheets kept by Denise in efforts to find something to pin the lost documents on Denise when all along she very well may have known where the CD and documents were.**

IMPORTANT TO NOTE from 09/14/11 and 09/30/11 Email
– That Heather and Brandy may be aware of who received the CD and documents delivered by S [REDACTED]

In the 09/14/11 Email that Denise sent, she addresses seeing a Spreadsheet from S [REDACTED] regarding the 09/02/11 documents and inquiry as to handling of documents. Brandy responds to Email entitled, "A [REDACTED] Mailing Tracking_20110902 Award Release Packets," by stating, "*Heather gave me a S [REDACTED] disc yesterday morning. I'm taking it to Jacob now.*"

TAKING A FAR DEPARTURE FROM THE PROCEDURE – i.e. to deliver A [REDACTED] Packages to Denise (in which Denise would handle delivery the CD to Jacob and let the Project Manager know how she handled). *So why would Heather and Brandy appear to be TAMPERING with the process of handling of S [REDACTED] deliveries and then act as if they have NO IDEA how the 09/02/11 delivery or other deliveries in question were handled when according to Brandy she was holding an [REDACTED] CD that should have been delivered to Jacob? A simple question was presented to Heather, to inquire of S [REDACTED] who signed for these deliveries and how they were handled because S [REDACTED] should have a record of this?*

ANOTHER INCIDENT: S [REDACTED] made a delivery and it appears that Adam Hurley (i.e. what appears to be a close friend of Brandy's) handled this matter. Dion called Denise to inquire about a delivery to which Denise was clueless. However, upon checking into the matter, Denise found the S [REDACTED] delivery by the back door (downstairs) undelivered. See Email 09/20/11.

Were there any OTHER Projects other than [REDACTED] that the documents disappeared?

- 9) Job Change/Organization Chart – Concerns of those who appear to be upset that Denise is a Program Coordinator – from observation noticed an INCREASE and RESISTANCE in not wanting to train/teach Denise in the tools/programs to carry out her duties. Concerns that other Project Coordinators are being trained/taught the tools/processes in the performance of their jobs; however, Denise is EXCLUDED from such training – i.e. one-on-one training.
- 10) **Discuss why other Project Coordinators/Data Analysts have been provided with tools/programs used to MOVE/TRANSFER documents to individual claimant's folders – i.e. so that this does not require having to move one file at a time (manually) to the individual claimant's folder – however, EACH time Denise has inquired and/or requested training and the use of tool/program to perform her job duties, she has been met with LIES, EXCUSES and/or DENIED this training while other Project Coordinators/Data Analysts (i.e. who just happen to be White) are afforded the benefit and use of such programs/tools. - 10/4/11 Email from Kati, "I will respond to this in detail a bit later. Funny – I was just having a meeting about this!!"**
- 11) Discuss the MOVES/CHANGE that Kati Payne advised is to take place – i.e. Denise will be moving into the Conference Room where Lisa Martin is and Lisa Martin will be moving to Denise's present work station (for approximately 2 weeks). Concerns that this is merely a MASK/SHIELD to hide what is really going on and ONGOING practices to those who have OBJECTED to the fact Denise is a Project Coordinator and clearly VOICED their opposition to such an assignment and UNWILLINGNESS to work with Denise.

What were the OTHER options (if any) presented before making a FINAL decision to take away Denise's work station and give it to another Project Coordinator (i.e. who just happens to be White) AFTER what appears to have been FAILED efforts – i.e. misplacing of A [REDACTED] documents, withholding of policies/procedures and NOT notifying Denise of changes then providing emails of policies/procedures that appear to have been in place or discussed which EXCLUDED Denise and is pertinent/relevant information needed for her to perform her job/duties, and other reasons known to those carrying out such acts.

Was the work station where Earnest just placed considered? Kati mentioned that the work station by John is taken.

Kati mentioned that move is for about two weeks. Were there NOT other options or work areas that could have had a phone set up to accommodate Lisa for these 2 weeks? For instance, adding of phone lines/extensions where she currently is? It's just for 2 weeks.

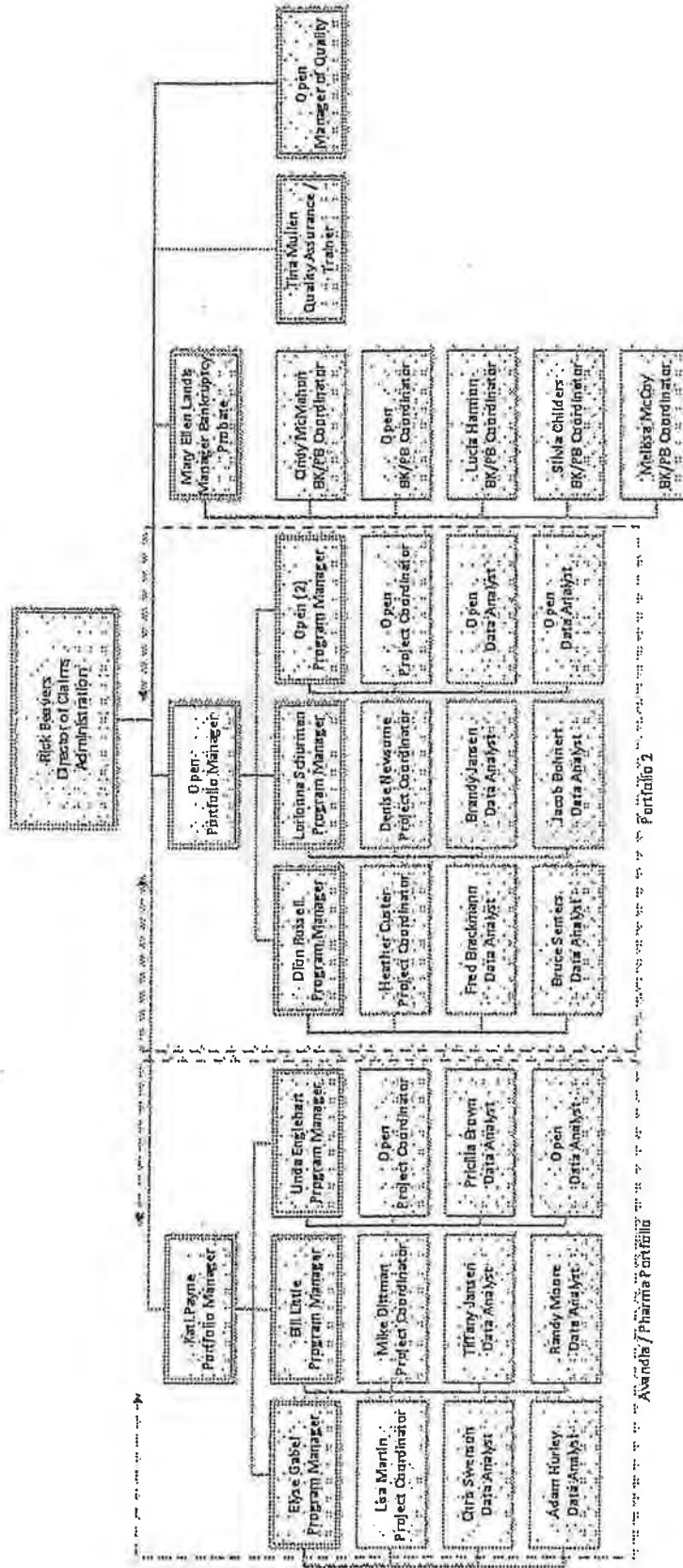
- 12) Discuss Cindy's email of 10/11/11 – i.e. her later coming down and providing training and acknowledging Denise's NOT being provided training and procedures for handling.
- 13) **Before this meeting, Denise discussed concerns of being EXCLUDED from training and/or not provided with opportunities as that given to others with Tina Mullen and Kati Payne.**
- 14) *Concern that while Denise was provided with a job opportunity as Project Coordinator, that there are efforts to now take away this job opportunity without good cause and through practices/procedures that do not afford equal job opportunities to all.*

With Warmest Regards,
Denise Newsome

Attachments: Claims Administration Organization Chart, Emails of 09/14/11, 09/20/11, 09/27/11, 09/30/11, 09/29/11, 10/04/11.

Claims Administration

Future



Denise Newsome

From: Brandy Jansen
Sent: Wednesday, September 14, 2011 9:34 AM
To: Denise Newsome; Jacob Bohnert
Cc: Dion Russell; Heather Custer
Subject: RE: [REDACTED] Mailing Tracking_20110902_Award_Release Packets

Heather gave me a Salix disc yesterday morning. I'm taking it to Jacob now.

From: Denise Newsome
Sent: Wednesday, September 14, 2011 9:33 AM
To: Jacob Bohnert
Cc: Dion Russell; Heather Custer; Brandy Jansen
Subject: RE: [REDACTED] Mailing Tracking_20110902_Award_Release Packets

If it helps, the attached Spreadsheet is what I pulled to do my verification when box was received from S [REDACTED]. The "orange" colored cells represent receipt of document. Color coded just in case I get pulled away, I'll know where I stopped and am not repeating checking documents and also to verify that each document was *actually seen* and noted as received.

Thanks,
Denise

From: Jacob Bohnert
Sent: Wednesday, September 14, 2011 9:26 AM
To: Dion Russell; Denise Newsome; Brandy Jansen
Cc: Heather Custer
Subject: RE: [REDACTED] Mailing Tracking_20110902_Award_Release Packets

The only CD that hasn't been loaded that I know of is one from 9/2, the naming conventions were all messed up so I've been working on fixing those, those two people in the email below however I do not see on this CD.. I'll look and see if there is something else that I missed.

From: Dion Russell
Sent: Wednesday, September 14, 2011 9:23 AM
To: Denise Newsome; Jacob Bohnert; Brandy Jansen
Cc: Heather Custer
Subject: RE: [REDACTED] Mailing Tracking_20110902_Award_Release Packets

Thanks Denise

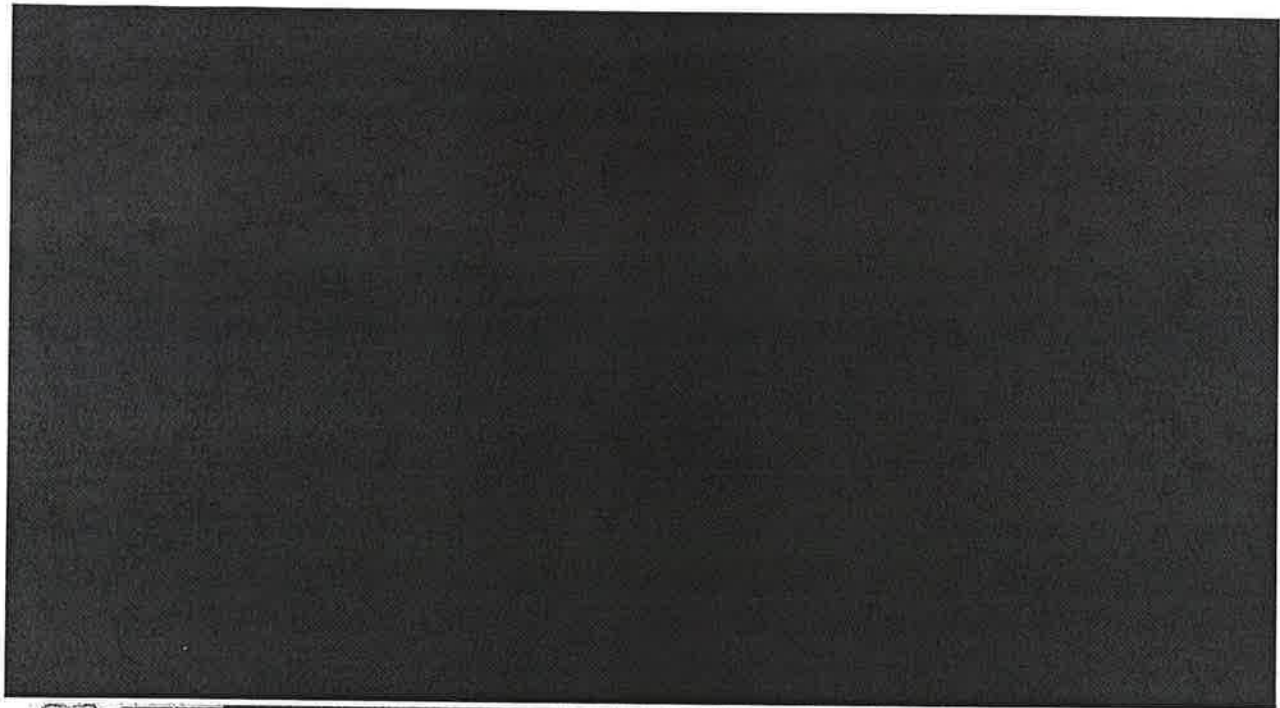
This was extremely helpful. Jacob just make sure that we have all the documents loaded b/c we will need to send copies to the firm by the end of the week.

From: Denise Newsome
Sent: Wednesday, September 14, 2011 9:18 AM
To: Jacob Bohnert; Brandy Jansen
Cc: Dion Russell; Heather Custer
Subject: [REDACTED] Mailing Tracking_20110902_Award_Release Packets

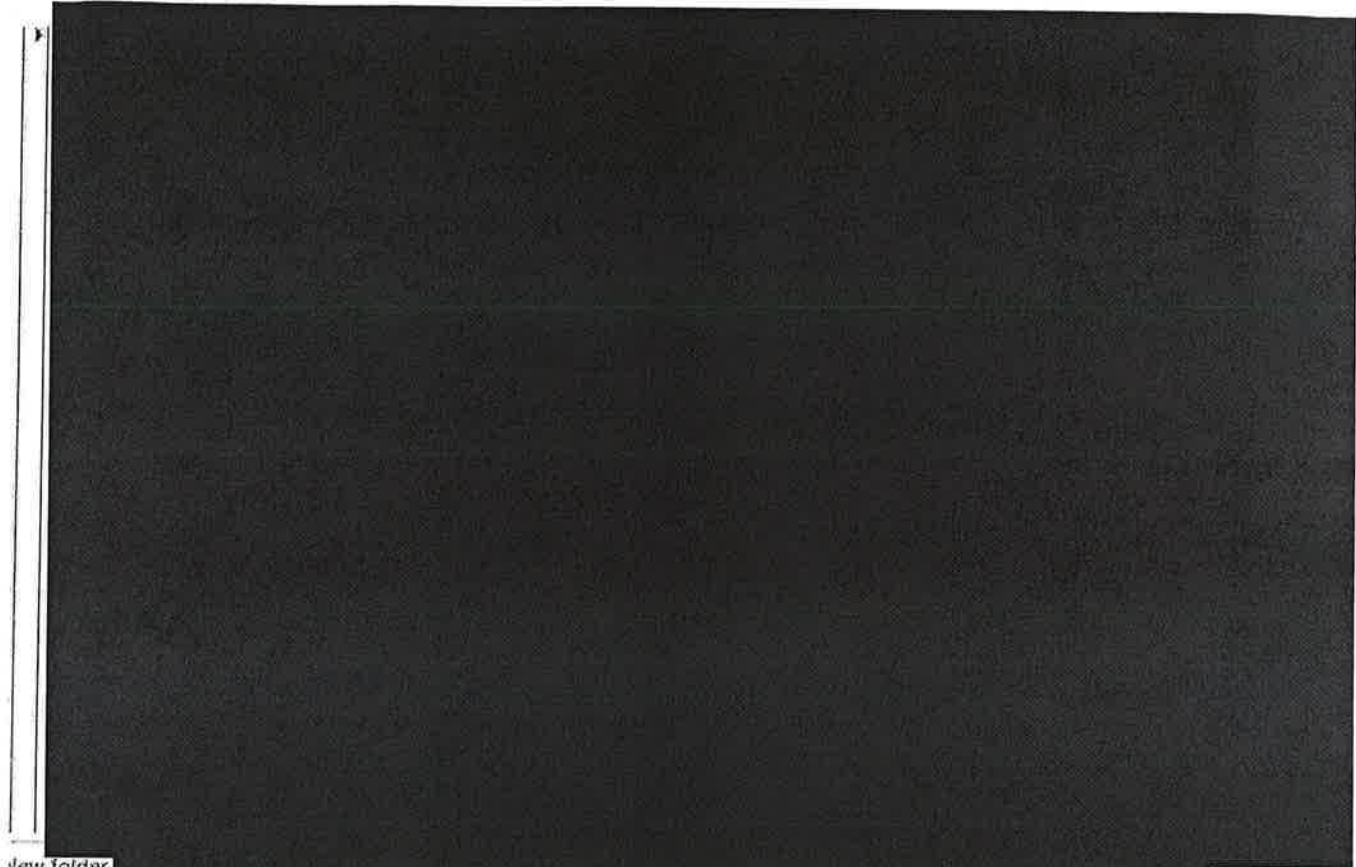
Jacob/Brandy:

This may answer Heather's question asked in the meeting on yesterday as to what she and Jacob were seeing (i.e. documents showing received but there are no scanned documents in the Claimants' folders). Will you please check and see whether the files on S[REDACTED] CD referenced above have been uploaded into CDS. Here is the problem: CDS is showing that documents were received (i.e. providing a date); however, documents are not in the Claimants' folders. An example are these:

AVN0010[REDACTED] – Wil[REDACTED]



AVN27[REDACTED] – James[REDACTED]



New Folder

Name

Grat

Grat

Grat

CDS is showing the document as received. I checked the spreadsheets that I keep to verify we actually received the hard copies as referenced by S [REDACTED] and we did receive these; however, the scanned documents do not appear to have been uploaded in to CDS. From the name given to the file by S [REDACTED] I gather we received this CD about September 2, 2011. Will you please check to be sure the files on the September 2, 2011 have been uploaded into CDS.

Thanks,
Denise

Denise Newsome

From: Denise Newsome
Sent: Tuesday, September 20, 2011 1:45 PM
To: Dion Russell
Cc: Heather Custer
Subject: RE: A [REDACTED]

OK. Just a reminder that because it may show up in CDS that it was received, some of these were simply "uploaded" from S [REDACTED] CD and not actually updated as received by anyone here. I have those that were provided to me from Fred on yesterday (i.e. that he said came in on Friday) and then the ones S [REDACTED] mentioned dropping off last night that I shared with you was simply placed with the S [REDACTED] "return" boxes by the back door down here without delivering.

These will be provided today. Other than these, I brought all that I have upstairs yesterday as you requested.

Thanks,
Denise

From: Dion Russell
Sent: Tuesday, September 20, 2011 1:36 PM
To: Denise Newsome
Cc: Heather Custer
Subject: RE: A [REDACTED]

They were placed in Heather's draw last night with a note on them, but Fred also has a stack.

From: Denise Newsome
Sent: Tuesday, September 20, 2011 1:35 PM
To: Dion Russell
Cc: Heather Custer
Subject: RE: A [REDACTED]

Dion,
Is there a way to get a list of the "few" that you are looking for?

From: Dion Russell
Sent: Tuesday, September 20, 2011 1:32 PM
To: Heather Custer; Denise Newsome
Subject: FW: A [REDACTED]

Heather,
Please be sure to have documents in CA for people to work on after 5:00 pm today. You will need to take a trip downstairs to make sure that all previously logged AAFs are provided to us for pulling releases. Also, I think releases may be floating around downstairs as well. We could not find a few of them in the file cabinet.

From: Lorionna Schurman
Sent: Tuesday, September 20, 2011 12:43 PM
To: Dion Russell

Cc: Kati Payne
Subject: A [REDACTED]

Dion,

I will be here as late as I need to be tomorrow, Thursday and Friday. I will come in on Saturday as well, but I need to let you know what times as I have a couple of kiddo ball games to attend.

Thanks!
Lorionna

LORIONNA SCHURMAN, PROJECT MANAGER
Garretson Resolution Group

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Phone: 513.794.0400, ext - 143 | Direct: 513-575-7208 | Fax: 513.575.7201
www.garretsongroup.com
lschurman@garretsongroup.com

Denise Newsome

From: Brandy Jansen
Sent: Tuesday, September 27, 2011 3:08 PM
To: Denise Newsome; Jacob Bohnert
Cc: Lorionna Schurman; Tina Mullen; Mike Dittman
Subject: RE: ANDERSON - S [REDACTED] Scanned Documents of 09/15/11

Denise,

The tracking information gets uploaded into the CDS – which is not uploaded yet. I just received confirmation today from Mike to upload because we had questions about missing data within them. All documents I have received as of this morning have been moved into the CDS folders. I just received the new disc from the last shipment about a half hour ago from Lorionna since it was not shipped with the box of documents.

I completed a report for Anderson detailing these shipments for Lorionna. It shows the total received as well as the total NOT received as of this morning at 11. S [REDACTED] did not include a disc with the last shipment. This is why the documents for these specific people are not in the CDS folders. Per Lorionna, this can be done any time before Friday morning. Do I need to be copying you on my emails regarding Anderson correspondence? I was not aware that you are working on this project since Mike is the coordinator.

Thanks,

Brandy

From: Denise Newsome
Sent: Tuesday, September 27, 2011 2:54 PM
To: Jacob Bohnert; Brandy Jansen
Cc: Lorionna Schurman; Tina Mullen
Subject: ANDERSON - S [REDACTED] Scanned Documents of 09/15/11

Jacob/Brandy:

Are either of you handling Anderson?

If so, looking at the Spreadsheet provided by S [REDACTED] (A [REDACTED] Mailing Tracking_2011015) I do not see where these documents have been uploaded into the Claimants' folders in CDS.

This was from S [REDACTED] submittal of about 9/15/11.

S:\ [REDACTED] Mailing Tracking_20110915.xls

Do you know when these documents will be uploaded into CDS?

Thanks,
Denise

Denise Newsome

From: Denise Newsome
Sent: Friday, September 30, 2011 4:37 PM
To: Heather Custer
Cc: Dion Russell; Lisa Martin; Fred Brackmann; Jacob Bohnert
Subject: RE: Missing Documents - A [REDACTED] AVN

Heather,

As I shared, my confirmation of receipt of documents are my (VERIFICATION) kept on in my folder on the s:/ drive – a backup on my D: drive.

My VERIFICATION of receipt of documents are kept there. If you do not see the Spreadsheets there and my marking of documents as received, then I did not get them.

Who did S [REDACTED] say (if at all) signed for these deliveries?

Thanks,
Denise

From: Heather Custer
Sent: Friday, September 30, 2011 4:23 PM
To: Denise Newsome
Cc: Dion Russell; Lisa Martin; Fred Brackmann; Jacob Bohnert; Heather Custer
Subject: FW: Missing Documents - A [REDACTED] AVN
Importance: High

Denise,

Can you confirm whether or not you received a box from S [REDACTED] on 9/7...I believe most of the missing documents below were delivered on 9/2, 9/6, or 9/9. We need to locate that box b/c S [REDACTED] confirmed that they do not have the hard copies at their location.

Please let me know your thoughts.

HEATHER M. CUSTER, PROJECT COORDINATOR
Garretson Resolution Group

7775 Cooper Rd | Cincinnati, OH 45242
Phone: 513.794.0400 | Fax: 513.575.7202
www.garretsongroup.com

From: Lisa [REDACTED]
Sent: Friday, September 30, 2011 10:00 AM
To: Heather Custer
Subject: RE: Missing Documents - A [REDACTED] AVN

Thanks. I will get back with you shortly.

Lisa [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] The Content Company
Customer Focused. Quality Driven.

From: Heather Custer [mailto:hcuster@garretsongroup.com]
Sent: Friday, September 30, 2011 9:53 AM
To: Lisa [REDACTED]
Subject: RE: Missing Documents - A [REDACTED] AVN

I see them for some but not all...I didn't go through all of the claimants.

HEATHER M. CUSTER, PROJECT COORDINATOR
Garretson Resolution Group

7775 Cooper Rd | Cincinnati, OH 45242
Phone: 513.794.0400 | Fax: 513.575.7202
www.garretsongroup.com

[REDACTED]

From: Lisa [REDACTED]
Sent: Friday, September 30, 2011 9:33 AM
To: Heather Custer
Subject: RE: Missing Documents - A [REDACTED] AVN

Heather,

Quick question: do you have the scanned images for the below claimants?

Thanks

Lisa [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] The Content Company
Customer Focused. Quality Driven.

From: Heather Custer [mailto:hcuster@garretsongroup.com]
Sent: Friday, September 30, 2011 9:10 AM
To: Lisa [REDACTED]
Cc: Heather Custer
Subject: Missing Documents - A [REDACTED] AVN
Importance: High

CaseNum	RefAttyCd	Claimants.LstNam	Claimants.FstNam
AVN001	A	A [REDACTED]	Fe [REDACTED]
AVN000	M	A [REDACTED]	Be [REDACTED]
AVN000	A	B [REDACTED]	Re [REDACTED]
AVN001	A	B [REDACTED]	Re [REDACTED]
AVN001	A	B [REDACTED]	G [REDACTED]
AVN001	A	B [REDACTED]	Jo [REDACTED]
AVN000	A	B [REDACTED]	Ca [REDACTED]
AVN001	A	B [REDACTED]	En [REDACTED]
AVN001	A	B [REDACTED]	Te [REDACTED]
AVN001	A	B [REDACTED]	Al [REDACTED]
AVN001	M	C [REDACTED]	Th [REDACTED]
AVN001	A	C [REDACTED]	V [REDACTED]
AVN000	A	C [REDACTED]	La [REDACTED]
AVN000	M	C [REDACTED]	Jo [REDACTED]
AVN001	A	C [REDACTED]	Ca [REDACTED]
AVN000	A	C [REDACTED]	Ed [REDACTED]
AVN010	A	C [REDACTED]	Je [REDACTED]
AVN000	A	C [REDACTED]	Jo [REDACTED]
AVN001	A	C [REDACTED]	Je [REDACTED]
AVN001	A	C [REDACTED]	Fr [REDACTED]
AVN000	A	C [REDACTED]	W [REDACTED]
AVN001	A	D [REDACTED]	R [REDACTED]
AVN010	A	D [REDACTED]	Ja [REDACTED]
AVN000	A	D [REDACTED]	Re [REDACTED]
AVN001	A	D [REDACTED]	B [REDACTED]
AVN001	A	D [REDACTED]	E [REDACTED]
AVN000	M	E [REDACTED]	Jo [REDACTED]
AVN000	A	E [REDACTED]	M [REDACTED]
AVN001	A	F [REDACTED]	V [REDACTED]
AVN001	A	F [REDACTED]	C [REDACTED]
AVN001	A	F [REDACTED]	K [REDACTED]
AVN001	A	F [REDACTED]	Ja [REDACTED]
AVN000	A	F [REDACTED]	D [REDACTED]
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Denise Newsome

From: Denise Newsome
Sent: Thursday, September 29, 2011 10:48 AM
To: Brandy Jansen
Cc: Lorionna Schurman; Tina Mullen; Mike Dittman
Subject: RE: ANDERSON - S████ Scanned Documents About 09/15/2011 - WHEN WILL THEY BE UPLOADED INTO CDS?

Don't believe I did. This is the 2ND time you have responded in such a tone.
All is well.

From: Brandy Jansen
Sent: Thursday, September 29, 2011 10:47 AM
To: Denise Newsome
Cc: Lorionna Schurman; Tina Mullen; Mike Dittman
Subject: RE: ANDERSON - S████ Scanned Documents About 09/15/2011 - WHEN WILL THEY BE UPLOADED INTO CDS?

Denise,

I think you took my email out of context.. The statement you copied below simply means that we know what is being done with the MISC files - we know where they are, what is being done with them, and why. This was to assure you that the files were included on the discs and that they were not missing.

I just need clarification of who is the Coordinator on this only so that I can make sure everyone is included with the emails that are exchanged between Lorionna, myself, and Mike. I was trying to prevent anyone from double-working on this because if Lorionna or myself would have known you were working on this, we would have told you what we were doing and why files we not out there. We have been working on these MISC files for weeks.

I am aware that there have been changes, but when there is already an active project coordinator working on this very subject of this project, I have concerns that there is a lag in communication. I simply suggested that maybe you and Mike need to touch base on the project.

I did not provide you with the answer of "MISC files are not being placed into the CDS" because that's not entirely true. Any MISC file that is correspondence (such as a letter from the claimant) will be placed in the CDS folders. This is why I provided such a detailed response.

If I need to sit with you to catch you up to speed with this project, I don't mind doing that. Again, we do not know to include you in communications about a project if we are unaware that you are working on it..

Thanks,

Brandy

From: Denise Newsome
Sent: Thursday, September 29, 2011 10:30 AM
To: Brandy Jansen
Cc: Lorionna Schurman; Tina Mullen; Mike Dittman
Subject: RE: ANDERSON - S████ Scanned Documents About 09/15/2011 - WHEN WILL THEY BE UPLOADED INTO CDS?

Brandy,

My request was simple and I do not believe warranted the email nor the response you just provided.

If the documents are not being placed into CDS, that explanation would have been sufficient.

From: Brandy Jansen
Sent: Thursday, September 29, 2011 10:24 AM
To: Denise Newsome; Mike Dittman
Cc: Lorionna Schurman; Tina Mullen
Subject: RE: ANDERSON - S██████████ Scanned Documents About 09/15/2011 - WHEN WILL THEY BE UPLOADED INTO CDS?

Again, Anderson's files from [REDACTED] are up to date. ALL correspondence files have been moved to their *appropriate* locations. ALL tracking has been updated for ALL correspondence. ALL MISC files are being looked through so we can tell what they are so we know where to place them. You do NOT need to go through these MISC files. ALL MISC files have been placed into a report. Someone else is already working on this.

Thanks.

Brandy:

S:\[REDACTED]Tracking 20110915.xls

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Thanks,
Denise

Denise Newsome

From: Denise Newsome
Sent: Tuesday, October 04, 2011 11:39 AM
To: Kati Payne
Subject: RE: TRAINING: On Program/Tool That Can Transfer Documents To Claimants' Folders

That is funny. I was going to talk to you after the Training yesterday but figured you had other things on your plate.

From: Kati Payne
Sent: Tuesday, October 04, 2011 11:35 AM
To: Denise Newsome
Subject: RE: TRAINING: On Program/Tool That Can Transfer Documents To Claimants' Folders

I will respond to this in detail a bit later. Funny – I was just having a meeting about this!! :-0

KATI PAYNE
PORTFOLIO MANAGER
Garretson Resolution Group

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Phone: 513.794.0400 | Fax: 513.575.7202
www.garretsongroup.com

From: Denise Newsome
Sent: Tuesday, October 04, 2011 11:34 AM
To: Kati Payne
Subject: TRAINING: On Program/Tool That Can Transfer Documents To Claimants' Folders

Kati:

Do you think you can help on this request? See email(s) below to see where my prior efforts have led to. ☺

There is a program that aids in the transferring of "renamed" scanned documents to the individual Claimants' folders. I have run up against a "brick wall" on this issue in trying to gain access and learn how to use it. So what I have been doing is renaming and asking Lisa to use that "Program/Tool" to transfer the files to the Claimants' folders. Lisa mentioned that it was Chris Swensen that showed her how to use this "Program/Tool."

Yet, when Tina asked Jacob about the program (i.e. he knowing what she was asking, see for yourself what excuse he gave her).

Your assistance is needed on this task because I figured coming from you, there *may not* be opposition – i.e. in that I gathered the excuses I was given was merely to make things difficult for me to get tasks accomplished. So rather than entertain, I have merely been renaming and manually transferring the files *one-at-a-time* and/or, as I mentioned asking Lisa to assist me with the transfer after the scanned documents have been renamed.

So I figured with the "NEW" Team Members that you can request that either Lisa or Chris take the time to show the "NEW" Team Members and myself where this "Program/Tool" is and how to use it.
I believe that Lisa would be very willing to take this on; however, again your assistance will be needed I believe in getting this "Cross-Training" done.

Thanks,
Denise

From: Denise Newsome
Sent: Wednesday, August 24, 2011 2:02 PM
To: Tina Mullen
Subject: RE: GOOD MORNING - Just a Reminder.

That's okay. I'll work through it.
Remember, I asked about this times before so I kinda had a feeling there would still be a problem.

Thanks though,
Denise

P.S.
I still have more questions that I need to talk to you about.

From: Tina Mullen
Sent: Wednesday, August 24, 2011 1:55 PM
To: Denise Newsome
Subject: RE: GOOD MORNING - Just a Reminder.

Apparently that tool is not working at this time. I asked Jacob to work on it so that we can get it back in action.

Sorry for now you will have to continue to rename manually. If you need some help let me know and I will see about getting some assistance from the other PM's.

Thanks,

T

From: Denise Newsome
Sent: Wednesday, August 24, 2011 8:34 AM
To: Tina Mullen
Subject: GOOD MORNING - Just a Reminder.



Tina: Just a reminder you were going to check on the program used to rename scanned documents. I thought there should have been one and have asked a few times, but was told that there was NOT one or program is only used for BIG jobs. So I just continued to march forward. ☺

Thanks,
Denise

Denise Newsome

From: Denise Newsome
Sent: Tuesday, October 11, 2011 12:08 PM
To: Cindy McMahon; Fred Brackmann
Cc: Heather Custer; Dion Russell; Kati Payne; Mary Ellen Landis
Subject: RE: re: A [REDACTED] No [REDACTED]

Cindy:

These documents were on the CD that was provided by S [REDACTED] and have been uploaded into CDS.
It was my misunderstanding and I was going to shoot you an email (i.e. upon completing processing) to let you know about:

De [REDACTED] - AVN0014 [REDACTED]
[REDACTED] ller - AVN010 [REDACTED]
Sal [REDACTED] - AVN0015 [REDACTED] - Mentioned this to Mary Roden and gave her the original for handling (i.e. as I see from your email you received).

documents being received by S [REDACTED]. From Fred's email documents *are not* to be placed in CDS – i.e. however, this is where S [REDACTED] CD documents *are uploaded to* and are often the "MISC" documents on the CD.
From my *understanding* of the email the documents were placed on the S:/ drive *for you to see* (i.e. as it appears you have done from your email). So *my apologies* for the misunderstanding of the emails sent to me on this.
So I do not see the need for any internal investigation and, *as I shared with you*, if there are any procedures, it is about letting me know and *getting and understanding of the processes as they change* with the different projects while I process the mail because as you know I *have not* been provided with the changes in the processes on the various projects when they were made. My way of *FIRST* learning about changes in processes/procedures have been through emails as that sent by Fred on Friday.

Thanks,
Denise

From: Cindy McMahon
Sent: Tuesday, October 11, 2011 11:33 AM
To: Denise Newsome; Fred Brackmann
Cc: Heather Custer; Dion Russell; Kati Payne; Mary Ellen Landis
Subject: re: A [REDACTED] No [REDACTED]

All,

I was moving documents I received in today's mail for Sa [REDACTED] into the A [REDACTED] PRCD No [REDACTED] folder and noticed 2 items that do not belong in there. I'm hoping I did not inadvertently put these items into this folder. Can you delete the 2 items below from S:\ [REDACTED]? Remember the only items in this folder are copies of "estate docs" returned by the claimant when Garretson is not hired for probate services. The documents in this folder are sent to A [REDACTED] for verification and acceptance. There is no need to send the below to A [REDACTED]. It may be worth investigating how our internal procedure failed so it does not happen again. Please let me know if our procedures have changed and we are moving additional items into the No [REDACTED] folder.

- 1) [REDACTED] iller – copy of death certificate is in folder. Death certificate does not belong in there – it is not an estate doc. We are waiting to be engaged by PR for probate services.
- 2) [REDACTED] bins – we are hired for probate coordination and I have put a copy of the estate docs in the claimant's folder – that is the procedure when Garretson is hired for probate. Estate docs should not be in No Services folder. They do not need to go to A [REDACTED] for acceptance and review.

Thanks,
Cindy

CINDY McMAHON
PROBATE AND BANKRUPTCY COORDINATOR

Garretson Resolution Group
7775 Cooper Rd. | Cincinnati, Ohio 45242
Phone: 513-794-0400 | Fax: 513-575-7202
www.garretsongroup.com

JAMES C. DUFF

DIRECTOR of Administrative Office of the United States Courts
(RESIGNED September 15, 2011) – i.e. **APPOINTED** by United States Supreme Court's Chief

Justice John Roberts; Administrative Assistant (*now COUNSELOR to Chief Justice*) to United States Supreme Court's Chief Justice William H. Rehnquist (i.e. assisting Rehnquist in his roles as Chair of the Judicial Conference of the United States and the Federal Judicial Center Board and

as Presiding Officer of the United States Senate's 1999 PRESIDENTIAL "IMPEACHMENT"

Trial of United States President William "Bill" Clinton; and

Aide of United States Supreme Court's Chief Justice Warren E. Burger. *It*

appears that Duff has served on and off in positions with

associated with United States Supreme Court Justices since

1975 (i.e. approximately 36 Years). So when Baker Donelson employed

him, he would prove to be the **"GOLDEN BOY"** in the role he would play in the

CONSPIRACIES leveled against Newsome *as well as the FALSE, MALICIOUS and*

MISLEADING information placed on the INTERNET in regards to Newsome's Legal Actions

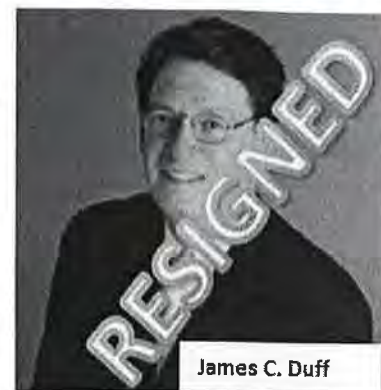
(JUDICIAL and ADMINISTRATIVE proceedings). In between assignments associated with United States

Supreme Court Justices, it appears **Duff served as MANAGING PARTNER** with Baker

Donelson Bearman Caldwell & Berkowitz – i.e. *the Law Firm that provides LEGAL*

COUNSEL and ADVICE to United States Presidents (i.e. which is presently Barack

Obama).



Though it was probably a no-lose case for the Supreme Court -- *anyone who sues the high court is fighting an uphill battle* -- Rider's handling of it impressed Duff, and he encouraged her to apply to be his successor.

At the time, *Duff held the record as Rehnquist's longest-serving administrative assistant.* The chief justice had treated the position as a two-year job until 1998, *when Duff was reappointed and went on to assist the chief justice as he presided over the Senate impeachment trial of President Bill Clinton.* - <http://www.washingtonpost.com/wp-dyn/articles/A3163-2005Feb6.html>

Now United States President Barack Obama, his Administration, Baker Donelson and others with whom they have CONSPIRED are looking the for SPECIAL FAVORS from the United States Supreme Court, United States Senate, United States House of Representatives and MEDIA to keep Newsome's LAWSUIT which involves President Obama, Baker Donelson and other CONSPIRATORS from the PUBLIC/WORLD.

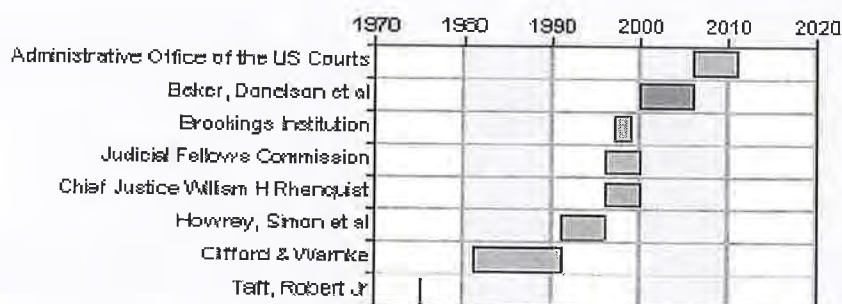


Duff, James C (individual profile)

Administrative Office of the US Courts







Director, Administrative Office of the US Courts

Employment Timeline



☒ Lobbying Firm
☐ Private Sector
☐ Federal Govt.
☐ State/Local Govt.

Employment History

Period	Employer	Title	Additional Info
2006-	Administrative Office of the US Courts Revolving Door Personnel: (2)	Director	
2000-2006	Baker, Donelson et al Revolving Door Personnel: (40)	Managing Partner	 Firm lobbying profile  Major Donor profile
1997-1999	Brookings Institution Revolving Door Personnel: (50)	Adjunct Faculty	
1996-2000	Chief Justice William H Rhenquist Revolving Door Personnel: (1)	Administrative Assistant	
1996-2000	Judicial Fellows Commission Revolving Door Personnel: (1)	Executive Director	
1991-1996	Howrey, Simon et al Revolving Door Personnel: (1)	Attorney	
1981-1991	Clifford & Wamke Revolving Door Personnel: (2)	Attorney	
1975-1975	Taft, Robert Jr Revolving Door Personnel: (3)	Legislative Staff	
 Lobbying Firm  Private Sector  Federal Govt.  State/Local Govt.			

James C. Duff

From Wikipedia, the free encyclopedia

James C. Duff is the the president and CEO of the Freedom Forum, the nonpartisan foundation dedicated to the First Amendment and media issues and which runs Washington, D.C.'s Newseum, the First Amendment Center, and the Diversity Institute at Vanderbilt University in Nashville, Tennessee.

Contents

- 1 Education and early career
- 2 Legal and political career
- 3 Personal life
- 4 References
- 5 External links

Education and early career

Duff graduated magna cum laude from the University of Kentucky Honors Program in 1975 with a degree in political science and philosophy, where he was Phi Beta Kappa and was a "walk-on" on the university's basketball team. After studying at the University of Edinburgh in Scotland in 1974, he returned to the U.S. in 1975 and worked for four years as an aide in the chambers of Chief Justice Warren E. Burger.^[1] He graduated from Georgetown Law School in 1981,^[2] then worked at the law firm *Clifford and Warnke*, where in 1990 he became a partner. In 1991, a large contingent of *Clifford and Warnke* lawyers and staff, including Mr. Duff, merged with the firm of Howrey and Simon.^[3] Duff's practice focused on antitrust and commercial litigation and international trade.

Legal and political career

From 1996 to 2000, Duff was Chief Justice William Rehnquist's Administrative Assistant, now called "Counselor to the Chief Justice,"^[2] serving as his liaison with the other branches of government and as Executive Director of the Judicial Fellows Commission. Preceding Sally Rider as the equivalent of the Chief Justice's chief of staff,^[4] Duff assisted Rehnquist in his roles as chair of the Judicial Conference of the United States and the Federal Judicial Center Board and as presiding officer of the U.S. Senate's 1999 presidential impeachment trial.

From 2000 to 2006, Duff served as the managing partner of the Washington office of Baker, Donelson, Bearman, Caldwell & Berkowitz, a law firm based in Memphis, Tennessee.^{[5][6]} There he represented the Federal Judges Association before Congress^[7] as well as the Freedom Forum.^[citation needed] He also represented the University of Kentucky's federal government interests in Washington and at the request of NCAA President Dr. Myles Brand, in 2006 he authored an overview and report to the NCAA on its rules and procedures. Duff has taught Constitutional Law at Georgetown University as an adjunct

James C. Duff



President and CEO of the Freedom Forum

Incumbent

Assumed office

September 15, 2011

professor for ten years.

In September 2005, Duff was a pallbearer at Rehnquist's funeral,^{[1][8]} alongside seven of Rehnquist's former law clerks. Duff authored a tribute to Chief Justice Rehnquist in the November 2005 edition of the *Harvard Law Review* ^[9] and spoke at the unveiling Ceremony for the William H. Rehnquist bust in the Great Hall of the Supreme Court in December 2009.

From July 2006 through September 15, 2011, Duff served as Director of the Administrative Office of the United States Courts. He was appointed in April 2006 by United States Chief Justice John Roberts.^[10] On May 31, 2011, Duff announced ^[11] that he was stepping down to assume his current position at Freedom Forum.

Personal life

Duff and his wife, Kathleen Gallagher Duff, live in Bethesda, Maryland, and have three children.^[10]

References

- ↑ ***a b*** Davis, Marcia (September 5, 2005). "One Man's Unwavering Constitution". *The Washington Post*. pp. C1. http://www.washingtonpost.com/wp-dyn/content/article/2005/09/04/AR2005090401523.html. Retrieved 2008-05-08.
- ↑ ***a b*** "New Administrative Assistant Begins Duties at Supreme Court". http://www.uscourts.gov/ttb/augttb96/duff.htm. Retrieved 2008-05-02.
- ↑ Walsh, Sharon (December 1991). "Warnke, Others Leave Clark Clifford Law Firm." *The Washington Post*. C1. ProQuest. Retrieved on 2008-05-02.
- ↑ "New Administrative Assistant at Supreme Court". http://www.uscourts.gov/ttb/aug00ttb/newasst.html. Retrieved 2008-05-02.
- ↑ "Chief Justice Roberts Appoints Jim Duff of Baker Donelson to U.S. Courts Director Position". *www.BakerDonelson.com*. 2006-05-12. http://www.bakerdonelson.com/News.aspx?NodeID=196&NewsID=137. Retrieved 2008-05-06.
- ↑ "Noted" *Wall Street Journal*. April 25, 2006: B11. ProQuest. Retrieved on 2008-05-08.
- ↑ "Federal Judges Association Newsletter". November 30, 2004. http://fja.fed.egovapps.com/egov/apps/egov/connect.egov?path=printable&id=24. Retrieved 2008-05-06.
- ↑ McGough, Michael (September 7, 2005). "Rehnquist lies in state". *Post Gazette*. http://www.post-gazette.com/pg/05250/566885.stm. Retrieved 2008-05-08.
- ↑ Duff, James C. 2005. "In Memoriam: William H. Rehnquist." *Harvard Law Review*, volume 119, issue 1, p. 16-19 [1]
- ↑ ***a b*** Arberg, Kathy (April 2006). Press Release. (PDF), (HTML). Retrieved on 2008-05-08.
- ↑ "Administrative Office Head, Jim Duff, Announces Resignation". *United States Courts*. May 31, 2011. http://www.uscourts.gov/news/NewsView/11-05-31/Administrative_Office_Head_Jim_Duff_Announces_Resignation.aspx. Retrieved July 8, 2011.

External links

- The Supreme Court Fellows Program
- Serving in the Chief Justice's Shadow (Information about Sally Rider)

LANCE B. LEGGITT



Lance B. Leggitt
Baker Donelson

SENIOR Advisor to the Executive Office of the United States President; **COUNSEL** to the Deputy Secretary of the United States Department of Health & Human Services; **CHAIR** Federal Health Policy Group at Baker Donelson Bearman Caldwell & Berkowitz.



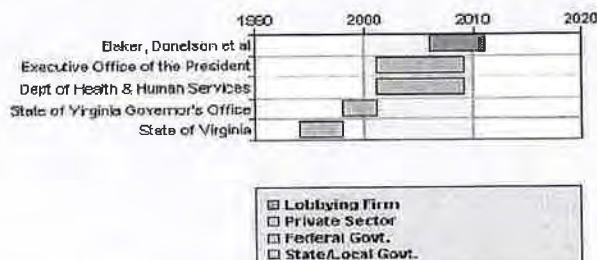
Leggitt, Lance B (individual profile)

Lobbyist

Baker, Donelson et al (firm profile)

Former Senior Advisor, Executive Office of the President

Employment Timeline



Employment History

Period	Employer	Title	Additional Info
2006-	Baker, Donelson et al Revolving Door Personnel: (40)	Chair Federal Health Policy Group	Firm lobbying profile Major Donor profile
1998-2001	State of Virginia Governor's Office Revolving Door Personnel: (1)	Senior Policy Advisor & Special Counsel	
1994-1998	State of Virginia Revolving Door Personnel: (5)	Assistant Attorney General	
	Dept of Health & Human Services Revolving Door Personnel: (154)	Counsel to the Deputy Secretary	Agency lobbying profile
	Executive Office of the President Revolving Door Personnel: (108)	Senior Advisor	Agency lobbying profile

Legend: Lobbying Firm Private Sector Federal Govt. State/Local Govt.

For registered lobbyists, employment histories may be incomplete prior to 1998 because the Senate Office of Public Records does not make registrations and reports available electronically for those years.

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Politicians & Elections

Docket as of June 23, 2004 9:29 pm

Web PACER (v2.4-EDLA)

**U.S. District Court
USDC for the Eastern District of Louisiana (New Orleans)**

CIVIL DOCKET FOR CASE #: 99-CV-3109

Newsome v. Entergy NO Inc, et al

Filed: 11/03/99
Assigned to: Judge G. Thomas Porteous, Jr.
Jury demand: Plaintiff
Demand: \$0,000
Nature of Suit: 442
Lead Docket: None
Jurisdiction: Federal Question
Dkt# in other court: None
Cause: 42:2000 Job Discrimination (Race)

VOGEL DENISE NEWSOME
plaintiff

Michelle Ebony Scott-Bennett
[term 04/03/02]
504-368-1790 FAX
[COR LD]
Justice for All Law Center, LLC
Gretna Plaza Bldg.
1500 Lafayette St.
Suite 140-A
Gretna, LA 70053
504-368-1711

Vogel Denise Newsome
[COR LD NTC] [PRO SE]
P. O. Box 31265
Jackson, MS 39286-1265
601-885-9536

v.

ENTERGY NEW ORLEANS, INC.
defendant
[term 01/18/00]

Renee Williams Masinter
[term 01/18/00]
504-576-4150 FAX
[COR]
Allyson Kessler Howie
[term 01/18/00]
504-576-4150 FAX
[COR LD]
Entergy Services, Inc.
639 Loyola Ave.
P. O. Box 61000
26th Floor
New Orleans, LA 70161
504-529-5262

9/11/2004

ENTERGY SERVICES INC
defendant

Jennifer A. Faroldi
[COR NTC]
Jones, Walker, Waechter,
Poitevent, Carrere & Denegre
Place St. Charles
201 St. Charles Ave.
50th Floor
New Orleans, LA 70170-5100
(504) 582-8000

Renee Williams Masinter
(See above)
[COR LD NTC]
Allyson Kessler Howie
[term 06/13/00]
(See above)
[COR LD]

Amelia Williams Koch
504-636-4000 FAX
[COR NTC]
Baker Donelson Bearman Caldwell
& Berkowitz, PC
201 St. Charles Ave.
Suite 3600
New Orleans, LA 70170
504-566-5200

DOCKET PROCEEDINGS

DATE	# IMG	DOCKET ENTRY
11/3/99	1	COMPLAINT (1 summons(es) issued) (daf) Entry date 11/04/99]
11/3/99	2	ORDER granting pla leaveto proceed in forma pauperis by Magistrate Sally Shushan (daf) [Entry date 11/04/99]
11/3/99	--	Automatic Referral (Utility Event) to Magistrate Sally Shushan (daf) [Entry date 11/04/99]
11/10/99	3	RETURN OF SERVICE of summons and complaint upon defendant Entergy NO Inc on 11/10/99 (cca) [Entry date 11/12/99]
11/18/99	4	Motion by defendant Entergy NO Inc and ORDER extending time through 12/20/99 to answer pla's original cmp by Judge Morey L. Sear Date Signed: 11/19/99 (nn) [Entry date 11/23/99]
12/1/99	5	Response by plaintiff Vogel Denise Newsome to defendant's

ex parte motion for extension of time within which to answer, plead, or otherwise respond [4-1] (tbl)
[Entry date 12/02/99]

- 12/9/99 6 MINUTE ENTRY (12/8/99): MEMO & ORDER re: dft's mtn for ext of time to file an answer to pla's cmp by Judge Morey L. Sear Date Signed: 12/8/99 (gw) [Entry date 12/09/99]
- 12/20/99 7 ANSWER by defendant Entergy NO Inc to complaint by plaintiff Vogel Denise Newsome [1-1] (sup)
[Entry date 12/23/99]
- 12/28/99 8 MINUTE ENTRY(12/27/99): A Preliminary Telephone Conference is set 2:00 1/11/00 before mag by Magistrate Sally Shushan (nn) [Entry date 12/28/99]
- 12/29/99 9 Motion by plaintiff Vogel Denise Newsome and ORDER granting leave to file a response to dft's ans to their original cmp by Magistrate Sally Shushan Date Signed: 1/3/00 (nn) [Entry date 01/03/00]
- 1/3/00 10 Response by plaintiff Vogel Denise Newsome [7-1] to dft's answer to his cmp (nn) [Entry date 01/03/00]
- 1/12/00 11 MINUTE ENTRY(1/11/00): A telephone status conf was held this date; the parties advised that they do not wish to consent to trial before the mag; pla's deposition is scheduled for 3/15/00 at 9:30am by Magistrate Sally Shushan (nn) [Entry date 01/12/00]
- 1/14/00 12 NOTICE/ORDER that a preliminary conference is scheduled by telephone before courtroom deputy at 3:15 1/25/00 by Clerk (cbn) [Entry date 01/14/00]
- 1/18/00 13 Notice of Deposition by defendant Entergy NO Inc of Vogel Denise Newsome on 3/15/00. (gw) [Entry date 01/18/00]
- 1/18/00 14 NOTICE by plaintiff Vogel Denise Newsome of temporary change of address (nn) [Entry date 01/20/00]
- 1/18/00 15 Motion by plaintiff Vogel Denise Newsome and ORDER amending his original cmp by substituting Entergy Services Inc in lieu of dft Entergy New Orleans Inc Magistrate Sally Shushan Date Signed: 1/20/00 - 1 sms issd. (nn)
[Entry date 01/20/00]
- 1/26/00 16 ORDER ; Preliminary Conference held 3:15 1/25/00 ; Pre-Trial Conference set 4:30 7/19/00 ; Settlement conference set 10:20 6/15/00 ; jury trial set 8:30 8/14/00 by Judge Morey L. Sear Date Signed: (cbn)
[Entry date 01/26/00]
- 2/7/00 17 RETURN OF SERVICE of summons and complaint upon defendant Entergy Services Inc on 1/26/00 (nn) [Entry date 02/07/00]

[Edit date 04/28/00]

2/8/00 18 ANSWER by defendant Entergy Services Inc to amended complaint by plaintiff Vogel Denise Newsome [1-1] (nn) [Entry date 02/09/00] [Edit date 04/28/00]

2/9/00 21 PLAINTIFF'S AMENDED complaint [1-1]; no new parties added (nn) [Entry date 02/29/00]

2/11/00 19 MOTION by plaintiff Vogel Denise Newsome for appointment of counsel to be heard before mag (nn) [Entry date 02/16/00]

2/16/00 20 MINUTE ENTRY(2/15/00): setting hrg on pla's motion for appointment of counsel [19-1] at 8:30 1/22/00 by telephone by Magistrate Sally Shushan (nn) [Entry date 02/16/00]

2/28/00 23 Motion by plaintiff Vogel Denise Newsome and ORDER extending time for pla to respond to disc by 3/13/00; pla's deposition is rescheduled for a mutually convenient date for pla and defense counsel by Magistrate Sally Shushan Date Signed: 2/29/00 (nn) [Entry date 03/01/00]

2/29/00 22 MINUTE ENTRY(2/22/00): A conf was held this date; ORDER denying pla's motion for appointment of counsel [19-1] by Magistrate Sally Shushan (nn) [Entry date 02/29/00]

3/8/00 24 MOTION by plaintiff Vogel Denise Newsome to appeal order entered denying pla's application for appointment of attorney to be heard before Judge Sear; no hrg date (tbl) [Entry date 03/13/00]

4/11/00 25 MINUTE ENTRY(4/10/00): [24-1] Hrg on pla's motion to appeal order entered denying pla's application for appointment of attorney is AFFIRMED by Judge Morey L. Sear Date Signed: 4/10/00 (nn) [Entry date 04/12/00]

4/17/00 26 NOTICE by plaintiff Vogel Denise Newsome of change of address (nn) [Entry date 04/17/00]

4/17/00 27 Motion by plaintiff Vogel Denise Newsome to stay execution of judgment of order denying his mtn for appointment of counsel and ORDER denying same; there is no provision in federal law for such appointment by Judge Morey L. Sear Date Signed: 4/18/00 (nn) [Entry date 04/19/00]

4/18/00 28 Motion by plaintiff Vogel Denise Newsome and ORDER granting his request for information from Mag Shushan by Magistrate Sally Shushan Date Signed: 4/18/00 (nn) [Entry date 04/19/00]

4/25/00 29 Notice of appeal by plaintiff Vogel Denise Newsome from Dist. Court decision of 4/10/00 and 4/18/00 [27-1] [25-1] (nn) [Entry date 04/26/00]

4/25/00 30 Motion by plaintiff Vogel Denise Newsome and ORDER granting leave to appeal in forma pauperis by Judge Morey L. Sear Date Signed: 4/16/00 (nn) [Entry date 04/27/00]

5/2/00 31 MOTION by defendant Entergy Services Inc to compel disc referred to Magistrate Sally Shushan to be heard before mag at 9:00 5/17/00 (nn) [Entry date 05/03/00]

5/8/00 32 Memo in opposition by plaintiff Vogel Denise Newsome to motion to compel disc [31-1] filed by defendant Entergy Services Inc. (sek) [Entry date 05/08/00]

5/12/00 -- Record on Appeal sent to Circuit Court [29-1] (nn) [Entry date 05/15/00]

5/12/00 -- Notification by Circuit Court of Appellate Docket Number [29-1] 00-30521 (nn) [Entry date 05/15/00]

5/15/00 33 MOTION by plaintiff Vogel Denise Newsome for summary judgment referred to Magistrate Sally Shushan to be heard before mag at 9:00 5/31/00 (nn) [Entry date 05/15/00]

5/16/00 34 MINUTE ENTRY(5/16/00): granting dft Entergy Services' motion to compel disc [31-1] by Magistrate Sally Shushan (nn) [Entry date 05/16/00]

5/17/00 35 Notice of Deposition by defendant Entergy Services Inc of Vogel Denise Newsome on 6/1/00 (nn) [Entry date 05/18/00]

5/19/00 36 Plaintiff's objections to Mag's granted motion to defendant to compel (cbn) [Entry date 05/22/00]

5/19/00 37 Witness and exhibit list submitted by defendant Entergy Services Inc (cbn) [Entry date 05/23/00]

5/22/00 38 MOTION by plaintiff Vogel Denise Newsome for protective order and staying of taking of depo to be heard before Mag Judge Shushan at 9:00 6/7/00 (pck) [Entry date 05/23/00]

5/22/00 39 Response by plaintiff Vogel Denise Newsome the 5/19/00 filing of dft's wit & exh [37-1] list (pck) [Entry date 05/23/00]

5/23/00 40 Memo in opposition by defendant Entergy Services Inc to motion for summary judgment [33-1] filed by defendant Entergy Services Inc (cbn) [Entry date 05/24/00]

5/30/00 41 Motion by plaintiff Vogel Denise Newsome and ORDER granting leave to file their response to dft's memo in opp to their mtn for summary judgment by Judge Morey L. Sear Date Signed: 6/1/00 (nn) [Entry date 06/02/00]

6/1/00 42 Reply by plaintiff Vogel Denise Newsome to dft's response to their motion for summary judgment [33-1] (nn)

[Entry date 06/02/00]

- 6/7/00 43 Memo in opposition by defendant Entergy Services Inc to motion for protective order and staying of taking of depo [38-1] filed by plaintiff Vogel Denise Newsome (cbn) [Entry date 06/08/00]
- 6/9/00 44 MINUTE ENTRY (6/8/00): ORDERED that pla's motion for protective order staying the taking of her depo [38-1] is denied; Pla is to submit for her depo w/in 20 days of entry of this order at a time & place agreed to with counsel for Entergy by Magistrate Sally Shushan (gw) [Entry date 06/09/00]
- 6/9/00 45 MINUTE ENTRY(6/9/00): ORDER referring to Magistrate Sally Shushan the motion for summary judgment [33-1] filed by plaintiff Vogel Denise Newsome by Judge Morey L. Sear (nn) [Entry date 06/12/00]
- 6/12/00 46 Objections by plaintiff Vogel Denise Newsome to Mag's order denying pla's mtn for protective order & staying of taking of deposition [44-1] (nn) [Entry date 06/12/00]
- 6/12/00 47 MINUTE ENTRY(6/12/00): Status conference set 10:20 6/15/00 is continued to be reset pending resolution of pla's mtn for summary judgment by Judge Morey L. Sear (nn) [Entry date 06/13/00]
- 6/13/00 48 Motion by defendant Entergy Services Inc and ORDER withdrawing attorney Allyson Kessler Howie and substituting attorneys Amelia Williams Koch, Jennifer A. Faroldi for same by Judge Morey L. Sear Date Signed: 6/14/00 (nn) [Entry date 06/15/00]
- 6/19/00 49 Report and Recommendation: It is recommended that pla's mtn for summary judgment be denied by Magistrate Sally Shushan Date of Mailing: 6/20/00 (nn) [Entry date 06/20/00]
- 6/19/00 50 Motion by defendant Entergy Services Inc to extend pre-trial mtn & disc deadlines and ORDER denying same as ex-parte by Judge Morey L. Sear Date Signed: 6/20/00 (nn) [Entry date 06/21/00]
- 6/21/00 51 Notice of Deposition by defendant Entergy Services Inc of Vogel Denise Newsome on 6/28/00 (nn) [Entry date 06/21/00]
- 6/21/00 52 Motion by defendant Entergy Services Inc and ORDER granting their mtn to supplement their mtn to ext pre-trial mtn & disc deadlines, extending the deadlines to 7/31/00 by Judge Morey L. Sear Date Signed: 6/22/00 (nn) [Entry date 06/23/00]
- 6/23/00 53 MOTION by plaintiff Vogel Denise Newsome for Objection to Findings/Report and Recommendation to be heard before

Judge Sear at 9:15 7/19/00 (ck) [Entry date 06/26/00]

- 6/26/00 54 MOTION by plaintiff Vogel Denise Newsome to stay execution of judgment pending appeal to be heard before judge at 9:15 7/19/00 (nn) [Entry date 06/27/00] [Edit date 07/20/00]
- 6/26/00 55 MOTION by plaintiff Vogel Denise Newsome to disqualify Mag Shushan where she is bias or prejudice toward a party to be heard before judge at 9:15 7/19/00 (nn) [Entry date 06/27/00]
- 7/3/00 56 MOTION by defendant Entergy Services Inc for summary judgment to be heard before judge at 9:15 7/19/00 (jd) [Entry date 07/03/00]
- 7/5/00 57 Memo in opposition by plaintiff Vogel Denise Newsome to motion for summary judgment [56-1] filed by defendant Entergy Services Inc (plr) [Entry date 07/05/00]
- 7/5/00 58 Memo in opposition by defendant Entergy Services Inc to Objections to Findings/Report and Recommendation [53-1] filed by plaintiff Vogel Denise Newsome (nn) [Entry date 07/06/00]
- 7/5/00 59 Motion by defendant Entergy Services Inc and ORDER to cont the Pre-Trial Conference scheduled for 7/19/00 is granted by Judge A. J. McNamara Date Signed: 7/10/00 (gw) [Entry date 07/11/00]
- 7/11/00 60 Memo in opposition by defendant Entergy Services Inc to motion to stay execution of judgment pending apeal [54-1] filed by plaintiff Vogel Denise Newsome (cbn) [Entry date 07/12/00]
- 7/11/00 61 Memo in opposition by defendant Entergy Services Inc to motion to disqualify Mag Shushan where she is bias or prejudice toward a party [55-1] filed by plaintiff Vogel Denise Newsome (cbn) [Entry date 07/12/00]
- 7/12/00 62 Motion by pla Vogel Denise Newsome & ORDER for leave to file resp to dft's opp to pla's petn to stay execution of jgm pending appeal by Judge Morey L. Sear (ijg) [Entry date 07/18/00]
- 7/18/00 63 Resp by pla Vogel Denise Newsome to dft's opp to pla's motion to stay execution of judgment pending appeal [54-1] (ijg) [Entry date 07/18/00]
- 7/19/00 64 MINUTE ENTRY (7/17/00): ORDERED that pla's motion to stay execution of judgment pending appeal of the denial of appointment of counsel [54-1] is granted by Judge Morey L. Sear Date Signed: 7/18/00 (gw) [Entry date 07/20/00]
- 8/3/00 -- Record on appeal returned from U.S. Court of Appeals [0-0] (nn) [Entry date 08/04/00]

8/4/00 65 Judgment from Court of Appeals remanding the matter back to District Court [29-1]; the district court's order denying appointment of trial counsel is Vacated; pla's mtn for appointment of appellate counsel is denied (JOLLY, DAVIS & BENAVIDES) Issued as mandate on 8/3/00 (nn) [Entry date 08/04/00] [Edit date 08/04/00]

8/29/00 66 . MINUTE ENTRY (8/29/00) Hearing set 9/14/00 at 2:00 pm to determine whether pla Vogel Denise Newsome should be granted an atty to represent her in this litigation by Judge Morey L. Sear (gw) [Entry date 08/30/00]

9/6/00 67 Memo in opposition by defendant Entergy Services Inc to appointment of counsel for plaintiff (cbn) [Entry date 09/08/00]

9/14/00 68 SMOOTH MINUTES: Reported/Recorded by Vicky Hollard; Hrg to determine whether pla should be granted an attorney to represent her in this litigation was submitted this date by Judge Morey L. Sear (nn) [Entry date 09/15/00]

9/26/00 69 . MINUTE ENTRY (9/25/00) MEMO & ORDER: ORDERED that pla's application for appointment of trial counsel is denied by Judge Morey L. Sear (gw) [Entry date 09/27/00] [Edit date 09/27/00]

9/29/00 72 Petition by plaintiff Vogel Denise Newsome to stay execution of judgment of order denying pla's mtn for appointment of counsel (nn) [Entry date 10/24/00]

10/11/00 70 MINUTE ENTRY (10/10/00) ORDERED that the hearing of 9/14/00 be transcribed & certified as true & correct & returned to the judge by 10/25/00 by Judge Morey L. Sear Date Signed: 10/10/00 (nn) [Entry date 10/11/00]

10/18/00 71 Transcript of hearing to determine whether pla should be granted an atty to represent her held 9/14/00 before Judge Sear (nn) [Entry date 10/19/00]

10/24/00 73 MINUTE ENTRY (10/24/00) denying pla's mtn for reconsideration of the m.e. of 9/26/00 [72-1] by Judge Morey L. Sear (nn) [Entry date 10/24/00]

10/25/00 74 NOTICE case reallocated effective November 1, 2000, to Judge G. T. Porteous Jr. by Clerk (nn) [Entry date 10/26/00]

10/30/00 75 Notice of appeal by plaintiff Vogel Denise Newsome from Dist. Court [73-1] minute entry entered 10/24/00, [69-1] minute entry entered on 9/26/00 (rg) [Entry date 10/31/00]

10/31/00 76 MOTION by plaintiff Vogel Denise Newsome for leave to appeal in forma pauperis & UNSIGNED ORDER. (gw) [Entry date 11/03/00]

11/3/00 77 ORDERED that in accordance with Rule 7201E, referring to Magistrate Sally Shushan the motion for leave to appeal in forma pauperis [76-1] filed by plaintiff Vogel Denise Newsome by Judge G. T. Porteous Jr. Date Signed: 11/1/00 (gw) [Entry date 11/03/00] [Edit date 11/28/00]

11/9/00 78 MINUTE ENTRY (11/9/00) Re pla's mtn to proceed in forma pauperis on appeal, pla to provide addl info provided in Form 4 of the Fed Rules of Appellate Procedure w/in 10 days of the date of this order; by Magistrate Sally Shushan (rg) [Entry date 11/13/00]

11/20/00 79 Response by defendant Entergy NO Inc to [78-1] the Court's 11/9/00 minute entry (rg) [Entry date 11/21/00]

11/28/00 80 MINUTE ENTRY (11/28/00) Pla's motion to disqualify Mag Shushan where she is bias or prejudice toward a party is DENIED [55-1]. Pla's mtn to appeal in forma pauperis is GRANTED; by Magistrate Sally Shushan (rg) [Entry date 11/29/00]

12/6/00 -- Record on Appeal sent to Circuit Court [75-1] USCA Number: 00-31299 (rg) [Entry date 12/11/00]

12/7/00 81 NOTICE/ORDER that a preliminary conference is scheduled by telephone before courtroom deputy at 3:00 12/14/00 by Clerk (rew) [Entry date 12/07/00]

12/18/00 82 ORDER: ORDERED that the Clerk close case for statistical purposes; by Judge G. T. Porteous Jr. Date Signed: 12/14/00 (CASE CLOSED) (rg) [Entry date 12/19/00]

12/19/00 83 NOTICE by plaintiff Vogel Denise Newsome of change of address (rg) [Entry date 12/19/00]

1/30/01 84 ORDER from Court of Appeals: Pla's mtn for appointment of counsel for appeal is DENIED; (Clerk USCA) (rg) [Entry date 01/31/01]

5/29/01 85 Judgment from Court of Appeals affirming the decision of the District Court [75-1]; (HIGGINBOTHAM, WIENER, BARKSDALE) Issued as mandate on 5/29/01 (dw) [Entry date 06/01/01]

5/29/01 -- Record on appeal returned from U.S. Court of Appeals [0-0] (dw) [Entry date 06/01/01]

10/15/01 -- LETTER from U.S. Supreme Court regarding denial of Writ of Certiorari as to plaintiff Vogel Denise Newsome (rg) [Entry date 10/22/01]

10/24/01 86 Motion by defendant Entergy Services Inc and ORDER to reopen case; by Judge G. T. Porteous Jr. Date Signed: 10/25/01 (rg) [Entry date 10/26/01]

10/30/01 87 Renotice of Hearing by defendant Entergy Services Inc setting its motion for summary judgment [56-1] at 10:00 11/21/01 (rg) [Entry date 10/31/01]

11/13/01 88 . Motion by plaintiff Vogel Denise Newsome and ORDER re-setting dft's motion for summary judgment [56-1] to 12/19/01 by Judge G. T. Porteous Jr. Date Signed: 11/14/01 (ck) [Entry date 11/19/01]

11/13/01 89 Motion by plaintiff Vogel Denise Newsome and ORDER that the name of attorney Michelle Ebony Scott-Bennett be entered as counsel of record for same by Judge G. T. Porteous Jr. Date Signed: 11/14/01 (dw) [Entry date 11/19/01]

12/10/01 90 , Memo in opposition by plaintiff Vogel Denise Newsome to motion for summary judgment [56-1] filed by defendant Entergy Services Inc (rg) [Entry date 12/11/01]

3/20/02 91 ORDER & REASONS: ORDERED that dft Entergy's motion for summary judgment is GRANTED pursuant to Rule 56 of the FRCP; [56-1] by Judge G. T. Porteous Jr. Date Signed: 3/18/02 (rg) [Entry date 03/20/02]

3/20/02 92 JUDGMENT: ORDERED that there be jgm in favor of dft Entergy New Orleans, Inc. and agst the pla Vogel Newsome, dismissing pla's claims w/prej; by Judge G. T. Porteous Jr. Date signed: 3/18/02 (CASE CLOSED) (rg) [Entry date 03/20/02]

4/1/02 93 , MOTION by plaintiff Vogel Denise Newsome to stay proceedings to enforce a jgm; mtn to amd jgm & mtn to set aside jgm to be heard before Judge Porteous at 10:00 4/24/02 (rg) [Entry date 04/03/02] [Edit date 04/16/02]

4/3/02 94 Motion by plaintiff Vogel Denise Newsome and ORDER withdrawing attorney Michelle Ebony Scott-Bennett for Vogel Denise Newsome; by Judge G. T. Porteous Jr. Date Signed: 4/8/02 (rg) [Entry date 04/09/02]

4/10/02 95 Memorandum by plaintiff Vogel Denise Newsome in opposition to [94-1] the motion & order granting the withdrawal of attorney Michelle Ebony Scott-Bennett for Vogel Denise Newsome (rg) [Entry date 04/11/02]

4/16/02 96 Memo in opposition by defendant Entergy Services Inc to

motion to stay proceedings to enforce a jgm; mtn to amd jgm & mtn to set aside jgm [93-1] filed by plaintiff Vogel Denise Newsome & response to pla's response to mtn to w/draw filed by atty Michelle Scott-Bennett (rg)
[Entry date 04/17/02] [Edit date 04/17/02]

- 5/6/02 97 ORDER & REASONS: ORDERED that pla's motion to stay proceedings to enforce a jgm; mtn to amd jgm & mtn to set aside jgm is DENIED; [93-1]; by Judge G. T. Porteous Jr. (rg)
[Entry date 05/06/02]
- 5/13/02 98 MOTION by plaintiff Vogel Denise Newsome for reconsideration of the Court's denial of pla's mtn to stay proceedings to enforce a jgm, mtn to amd jgm; and mtn to set aside jgm to be heard before Judge Porteous at 10:00 6/5/02 (rg) [Entry date 05/17/02]
- 5/20/02 99 Memo in opposition by defendant Entergy Services Inc to motion for reconsideration of the Court's denial of pla's mtn to stay proceedings to enforce a jgm, mtn to amd jgm; and mtn to set aside jgm [98-1] filed by plaintiff Vogel Denise Newsome (rg) [Entry date 05/20/02]
- 6/11/02 100 ORDER & REASONS: ORDERED that pla's motion for reconsideration of the Court's denial of pla's mtn to stay proceedings to enforce a jgm, mtn to amd jgm; and mtn to set aside jgm is DENIED. [98-1] Pla Vogel Newsome is to file no further pleadings in this Court, as set forth in this order. Pla instructed to seek further relief w/the USCA; by Judge G. T. Porteous Jr. (rg) [Entry date 06/11/02]
- 7/10/02 101 Notice of appeal by plaintiff Vogel Denise Newsome from Dist. Court [100-1] order entered on 6/11/02, [97-1] order entered on 5/6/02, [92-2] judgment entered on 3/20/02 (rg)
[Entry date 07/11/02]
- 7/10/02 103 MOTION by plaintiff Vogel Denise Newsome for leave to appeal in forma pauperis; no ntc of hrg. (rg)
[Entry date 07/24/02]
- 7/18/02 102 AMENDED JUDGMENT: The Court's jgm signed 3/18/02, doc #92, is amended: ORDERED that there be jgm in favor of dft Entergy Services, Inc., and agst pla Vogel Newsome, dismissing pla's claims w/prej; in all other respects the jgm signed 3/18/02 remains unchanged; by Judge G. T. Porteous Jr. Date signed: 7/17/02 (rg) [Entry date 07/18/02]
- 7/23/02 104 Motion by plaintiff Vogel Denise Newsome and ORDER for leave to appeal in forma pauperis; by Judge G. T. Porteous Jr. (rg) [Entry date 07/24/02]
- 7/24/02 -- Record on Appeal sent to Circuit Court [101-1] USCA Number: 02-30705 (rg) [Entry date 07/25/02]

1/17/03 -- Record on appeal returned from U.S. Court of Appeals [0-0]
rg) [Entry date 01/21/03]

1/17/03 105 ORDER from Court of Appeals: the mtn of appellee to dismiss the appeal for lack of jurisdiction is granted; the mtn of appellant to strike or deny appellee's mtn to dismiss the appeal for lack of jurisdiction is denied; the motions of appellant for sanctions against appellee are denied; [101-1]
(BARKSDALE, DEMOSS, BENAVIDES) (rg) [Entry date 01/21/03]

10/21/03 -- LETTER from U.S. Supreme Court denying Writ of Certiorari as to plaintiff Vogel Denise Newsome (lg)
[Entry date 10/23/03]

Case Flags:
TERMED
MAG-1
FR/R
2000E

END OF DOCKET: 2:99cv3109

FILED FEB 09 2000

LORETTA G. WHYTE
Clerk

IN THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA

Vogel Denise Newsome
Plaintiff

vs.

Entergy New Orleans, Inc.
d/b/a - Entergy Service, Inc.
Defendant

CIVIL ACTION NO. 99-3109

SECTION "G" - JUDGE SEARS

MAGISTRATE "1"

PLAINTIFF'S AMENDED COMPLAINT

1. This is an action for damages based on unlawful employment discrimination practices committed by the defendant, Entergy Services, Inc. and jurisdiction of this court is invoked pursuant to the provisions of 28 USC § 1343 (a) (4); 28 USC § 2000e-5(f). This is a suit in equity authorized and instituted pursuant to the Civil Rights Act of 1991, 42 USC § 2000e, et seq. and 42 USC § 1981. It seeks declaratory relief pursuant to 28 USC § 2201, § 2202.

The pendent jurisdiction of this court is invoked to redress violations of the Louisiana Commission on Human Rights Act, LSA-R.S. 51:2231 A, which Act's purpose is to safeguard all individuals within the state from discrimination because of race, creed, color, religion, sex, age, disability, or national origin in connection to employment. To protect their interest in personal dignity and freedom from humiliation. Also Section 4 of Acts 1997, No. 1409, § 1.

2. The claims asserted in this complaint arose in the State of Louisiana, Eastern District, Parish of Orleans. Plaintiff is a citizen of the United States, and has been a resident in the Parish of Orleans, State of Louisiana during the course of her employment with defendant.
3. Employer pursuant Louisiana Commission on Human Rights (LCHR), see LSA-R.S. 23:331 B, means "a person, association, legal or commercial entity, or the state, its agencies, boards, commissions, or political subdivision *receiving services from an employee* and, in return, *giving compensation of any kind to an employee*. The provisions of this Part shall apply only to an employer who employs more than fifteen employees within this state for each working day in each of twenty or more calendar weeks in the current or preceding calendar year", Section 4 of Acts 1997, No. 1409, § 1.

Fee _____
Process _____
X Dkt'd _____
X CtRmDep _____
Doc.No. _____

4. Employment Agency pursuant LCHR, see LSA-R.S. 23:302 means, "any person or agency, public or private, regularly undertaking, with or without compensation, *the procurement of employees for an employer or the procurement of opportunities for employees to work for an employer*".
5. Plaintiff brings this action for declaratory judgment, injunction and other relief pursuant to 42 USC § 2000e, et seq., 42 USC § 1981, and LCHR R.S. 51:2264. This action is brought to prevent defendant from maintaining a policy, practice, custom or usage, of discriminating against Plaintiff in regard to compensation, terms, conditions and privileges of employment. Plaintiff seeks damages to compensate her for the economic loss, humiliation, damage to reputation and other damages caused by defendant's unlawful employment practice committed against Plaintiff because Plaintiff is a member of the African-American race.
6. This is an action for damages based on Interference With Civil Rights and Deprivation of Rights against Plaintiff because of her race committed by her Contract Employer, Entergy Services, Inc. and jurisdiction of this court is invoked pursuant 28 USC § 1343(a) and 28 USC § 1331.
7. This is an action for damages based on Conspiracy To Interfere With Civil Rights Through Obstruction Of Justice, wherein Defendant when requested to provide the Equal Employment Opportunity Commission (EEOC) with response to Charge of Discrimination filed by Plaintiff, submitted frivolous responses willfully, maliciously and wanton to impede, hinder, frustrate and obstruct the investigation by the EEOC. Actions by the Defendant being done to deprive Plaintiff Rights secured under the Civil Rights Act of 1991 and the 14th Amendment to the U.S. Constitution pursuant 42 USC § 1985.
8. Defendant is a corporation, incorporated by virtue of the laws of the State of Louisiana, and licensed to do business in the Parish of Orleans, State of Louisiana. Defendant at all material times has been doing business in the Eastern District of Louisiana, Parish of Orleans. Defendant maintains and administers records relevant to unlawful employment practices within said district and division. Defendant is an employer within meaning of the Civil Rights Act of 1991, 42 USC § 2000e(b), in that defendant is engaged in an industry affecting commerce and employs at least fifteen (15) persons. Defendant is an employer within meaning of the LCHR R.S. 23:331. Defendant may be served in this cause by serving its registered agent for service of process Mr. Frank M. Wagar, Director - HR Litigation Support - Human Resources, Entergy Services, Inc., 639 Loyola Avenue, New Orleans, LA 70161.
9. On November 6, 1998, Plaintiff filed a Charge Of Discrimination with EEOC in the Parish of Orleans, State of Louisiana - (SEE Appendix A). Charge being timely filed.
10. On November 25, 1998, the EEOC served Defendant with Notice of Charge of Discrimination. (SEE Appendix B) Defendant being requested to "submit information and records relevant to the subject charge of discrimination". The Commission being clear to let the Defendant know that, "the enclosed request for information does not necessarily represent the entire body of evidence which we need..."

11. On December 3, 1998. Defendant's Director of Human Resources Litigation Support, Frank M. Wagar files response. (SEE Appendix C). Actions in furtherance of conspiracy.
12. On January 19, 1999, EEOC submits request for materials from Defendant. (SEE Appendix D)
13. On February 25, 1999, Defendant's, Gail Elgiar fax response. Actions by Ms. Elgiar being done in bad faith and to impede justice. Actions being to deprive Plaintiff rights secured under the Constitution and Civil Rights Act of 1991. (SEE Appendix E). Actions in furtherance of conspiracy.
14. On March 9, 1999, EEOC request answers to questionnaire. (SEE Appendix F)
15. On March 19, 1999, Defendant's, Gail Elgiar files frivolous response to Charge of Discrimination and Information Requested By The Commission. Actions by Ms. Elgiar being done in bad faith and to impede justice. Actions being to deprive Plaintiff rights secured under the Constitution and Civil Rights Act of 1991. (SEE Appendix G and H). Actions in furtherance of conspiracy.
16. This charge was timely filed. Plaintiff has received her Dismissal and Notice Of Rights (SEE Appendix J). The EEOC closed Plaintiff's file without allowing her to rebut the information provided by the Defendant. The EEOC clearly states "*This does not certify that the respondent is in compliance with the statutes*".
17. Plaintiff being a contract employee through Employment Agency – Amicus Staffing, was assigned to work at Entergy Services, Inc. in a clerical capacity.
18. Although Plaintiff was a contract employee, she actually reported to work at the offices of Defendant. Compensation for services rendered by Plaintiff were provided by the Defendant through Amicus Staffing. Defendant assumed full responsibility for any and all liability that may arise out of supervisor employee(s) conduct – SEE Appendix I - Conditions of Assignment, which states:

CLAUSE 2): If during the first eight hours of the assignment you are dissatisfied with the AMICUS employee assigned you, AMICUS will credit you up to the first eight hours worked, provided that AMICUS replaces the individual assigned you with another qualified AMICUS employee. ... *Without such notice, you agree that our employee's performance of the assignment is satisfactory to you and you further agree to these Conditions of Assignment.*

CLAUSE 6): *Supervision of an AMICUS employee's work on your premises (or wherever you assign the AMICUS employee) is the Client's sole responsibility. Since AMICUS is not a professional association or law firm,...Accordingly, the assigned AMICUS employee and you, the Client, hereby release AMICUS from any liability therein.*

Any and all benefits associated with Plaintiff were the responsibility of Amicus staffing See CLAUSE 1). However, Defendant received services from Plaintiff and compensated her financially for such as an employer (See #3 and #4 above). Actions which constitutes employment. The EEOC advised Defendant, "*our analysis shows that Entergy exercised control over Ms. Newsome's employment with regard to job location, work hours, work assignments, supervision, and the*

determination to continue or discontinue her work relationship with Respondant." The Defendant misrepresented themselves as an Equal Employment Opportunity Employer. Because of misrepresentation, Plaintiff was subjected to unlawful employment practices of discrimination because of her race and sex.

19. In mid August 1998, Amicus Staffing contacted Plaintiff and advised her that Defendant was interested in interviewing her for a position. Amicus Staffing provided Defendant with Resume of Plaintiff. (SEE Appendix W - Example Resume of Plaintiff Defendant may have received from agency. Plaintiff updates periodically and do not know which one they were provided). Plaintiff having over ten (10) years of experience in a clerical support capacity. Plaintiff coming through the Clerical Division of Amicus Staffing. It is because of the skills and experience that Plaintiff possesses that Defendant selected her for the vacancy filled. Amicus Staffing posses documentation on Plaintiff's clerical skills. Testing given by Amicus will yield the following regarding Plaintiff's abilities:

Microsoft PowerPoint	100%	Microsoft Access	95%
Excel	97%	WordPerfect 6.0	100%
Microsoft Word	92%	WordPerfect 7.0	89%
WordPerfect 6.1	93%	WordPerfect 8.0	84%
Typing	63 WPM		

Evidence that Plaintiff possess the skills necessary and could use the applications used by Defendant to perform the work assigned her. Plaintiff having worked prior assignments for the Defendant at other locations and enjoyed them, accepted this assignment. Plaintiff prides herself on doing a good job. (SEE Appendix U - Letter Of Recommendation).

20. During contract employment with Defendant, Plaintiff was subjected to a **HOSTILE WORK ENVIRONMENT!!** The law requires that Plaintiff's claim must answer the following to establish and prove a Prima Facie Case for Hostile Work Environment:

- a) *Plaintiff is a member of a group protected under Title VII:* Plaintiff, Vogel Denise Newsome is a Female, African-American and a member of a group protected under Title VII.
- b) *Plaintiff was subjected to unwelcomed racial harassment by supervisors and co-workers:* Plaintiff was subjected to unwelcomed harassment by co-worker, Philip Conn (white male - Human Resources Representative, permanent employee of Defendant). The unlawful employment practices of Mr. Conn were sanctioned by the Human Resources Employee **RELATIONS** Manager - Jerald Bailey.

Within the last few weeks of Plaintiff's assignment of Defendant brought in Philip Conn to fill the vacancy created by Randy Floyd (white male, former permanent employee) who left the company. Philip Conn was brought in under the hiring manager - Jerald Bailey. Mr. Conn hitting the ground running with his *bulldog tactics*, began to subject Plaintiff to *strict and oppressive supervision*. **HOVERING** over the Plaintiff as means of intimidation, interrupting her work constantly with such supervision ranging in intervals of 5-10 minutes. The actions by Mr. Conn being violation of the Defendant's Policies & Procedures (P&P) - Page 2 of 4 entitled Equal Employment Opportunity under 3.0 DEFINITIONS 3.1 (See Appendix L) which states:

HARASSMENT is defined as any annoying act or persistent actions that single out an employee, to that employee's objection or detriment, because of but not limited to race, sex, religion, national origin, age disability, or other personal characteristics. HARASSMENT is generally a pattern of behavior that interferes with an individual's work performance or creates a hostile, offensive or intimidating work environment. This also includes sexual harassment.

Plaintiff had several conversations with Mr. Conn advising objection to such supervision. To no avail. Plaintiff also had conversations with Mr. Bailey advising objection to such behavior. Although plaintiff during her discussions may not have stated the word harassment, it is implied from statements made such as "hovering", "constantly walking back-and-forth", etc. used by Plaintiff - SEE Appendix G, Pg 2 - Dated 3/18/99 Response To Charge Of Discrimination. Neither Mr. Bailey or Mr. Conn conducted themselves in a business-like and professional manner, to discourage any harassing activity and to report any suspected harassment. A violation to P&P entitled "Harassment Prevention" - SEE Appendix M, Pg 1 Titled: HARRASSMENT PREVENTION, Pg 1 of 3 4.0 RESPONSIBILITY (4.2). Plaintiff was never advised during contract employment that she was hostile. Defendant never advised Employment Agency - Amicus Staffing, that Plaintiff acted in a hostile manner.

Plaintiff also had a conversation with Mr. Bailey in regards to concerns of racial remarks, obscenity being used in the workplace - SEE Appendix A pg. 4 - Complaint Filed With The EEOC. Mr. Bailey never addressed Plaintiff's concerns.

Mr. Bailey and Mr. Conn met just about every morning at 8:00 a.m. Plaintiff believes it was during some of these meeting that the two conspired to subject her to further harassment with knowledge that Mr. Conn's unlawful behavior affected her work. Plaintiff believes these meetings were used by Mr. Bailey and Mr. Conn to force her out of the workplace because she was not willing to end her assignment. Several times when Plaintiff complained of the strict supervision, she was asked by Mr. Bailey and Mr. Conn whether she wanted to continue to work with Entergy. Plaintiff answered in the Affirmative - See Appendix A pg. 3 (C). When Plaintiff failed to leave, Bailey and Conn continued their plan to harass Plaintiff and find petty work-rule violations in efforts to conceal unlawful employment practices. Behavior they thought were safe to use in termination - See Francis vs. AT&T, 55 FRD 202, 4 FEP 777:

The process of documenting a case against a particular person whom the employer wants to terminate safely and legally can itself be a discriminatory term and condition of employment. In this case it had been found by the Court that employer documented "scores" of lateness and "petty work-rule violations" against Plaintiff because of her filing of a charge of discrimination. The Plaintiff in whom is Black. The supervisor who had done the documenting also black. However, the company did not document against everyone similarly situated. The Court held that the very process of FAULT FINDING had been discriminatory and that the absence of similar documentation against other employees was evidence of an intent to discriminate against the Plaintiff.

Strict and oppressive supervision has been found to be discriminatory when it is found that no other employee was subjected to such behavior or when such actions

occur directly after complaint. Defendant's creating situations which they felt could be grounds to terminate Plaintiff or force her out of the workplace.

The law finding such tactics (singling Plaintiff out) by Mr. Bailey and Mr. Conn to be discriminatory actions alone. Plaintiff being the "ONLY" employee treated in such a manner to address such behavior. Actions by the Defendant intensified when she complained (first verbally) of the unlawful practice. Although one other female African-American contract employee (Crystal Lowe) also felt she was being harassed and verbally expressed so, she chose to remain silent when questioned by the Defendant. Ms. Lowe was asked, "AFTER" termination of Plaintiff.

The Defendant strongly supporting the actions of Mr. Bailey and Mr. Conn stating, "Under the circumstances, close supervision was not only warranted, but also required. (SEE Appendix G pg. 1). According to documentation provided by the Defendant, their own admission being Plaintiff being the *only* one subjected to such harassment.

- c) *The harassment mentioned is based on race. Had Plaintiff been white, she would not have been subjected to overtures:* (See Appendix A - Complaint Filed With The EEOC pg. 1 (C))

Plaintiff believes that such harassment is based on race and sex. Had Plaintiff been white, she would not have been subjected to overtures by Mr. Conn and sanctioned by Mr. Bailey. All African-American employees in the Human Resources Employee Relations Department during Plaintiff's assignment served in a clerical support capacity. The members of the Employee Relations during Plaintiff's assignment being as follows:

Jerald Bailey - White Male (Manager, Human Resources - Employee Relations)
Philip Conn - White Male (Filling vacancy created by Randy Floyd - White Male - HR Rep)
Kristen Cobb - White Female (HR Representative)
Marty Bonck - White Female (HR Representative)
Angelic Dottery - African-American Female (Clerical - Administrative Assistant)
Crystal Lowe - African-American Female (Contract Worker)
Vogel Newsome - African-American Female (Contract Worker)

In efforts to shield an illegal animus of unlawful employment discrimination under the management of Mr. Bailey, Defendant falsified information requested by the EEOC. The EEOC requested that Defendant "Identify every individual in the Employee Relations/Human Resources department with Ms. Newsome and include each person's name, race, gender, position, and last known address and telephone number" - (SEE #12 EEOC Request).

In their response dated 3/18/99 (Information Requested By The Commission) - SEE Appendix H pg. 5, Defendant provided names of two female African-Americans (Adironke Izon and Sarina Giles) not working in the department during Plaintiff's assignment. Defendant provided this information with knowledge that it being false. Actions merely to impede, frustrate and obstruct justice. Actions willful, malicious and wanton in furtherance of conspiracy began by Mr. Bailey and Mr. Conn to deprive Plaintiff rights secured under the Civil Rights Act of 1991 and the 14th Amendment to the U. S. Constitution.

Based on the statement provided in response, Defendant acknowledges that Mr. Bailey was the manager of Human Resources/Employee Relations from August 1997, until January 28, 1999. In efforts to clean-up Mr. Bailey's tainted actions, Defendant mentions, "*Specifically, Mr. Bailey selected Angelic (Angie) Dottery to work as his administrative assistant. He selected Sarina Giles and Adironke (Ronnie) Izon to work as human resources representatives. He assisted Sarina Giles in obtaining a position in the Human Resources Benefits Department, an area of interest to Ms. Giles.*" Based on this information, by the time Plaintiff accepted contract assignment, neither of the African-American Human Resources Representatives were in the department. Defendant acknowledges Mr. Bailey's assistance in Ms. Giles obtaining another position outside his department. By the time Plaintiff arrived, Mr. Bailey was reaching approximately one year with Defendant and neither of these Human Resources Representatives were a part of the department. There were two white female Human Resources Representatives (Ms. Bonck and Ms. Cobb) and one white male (Mr. Floyd) when Plaintiff began assignment. When a vacancy arose due to the departure of Mr. Floyd, Mr. Bailey filled the vacancy with another white male (Philip Conn). Therefore, all allegedly Human Resources Representative vacancies created after the two African-Americans left continued to be filled by whites. Supporting that Human Resources Representative replacements due to vacancies being 100% white. It appears Mr. Bailey used African-Americans until he could get white representatives to replace them.

From the information provided by the Defendant in response to EEOC's request for a "*List of all temporary employees hired in the Human Resources, Employee Relations Department since November 1, 1998*" (not November 1, 1997). Since Defendant was so gracious to provide this information, documentation shows that all positions were in the clerical capacity. During Mr. Bailey's tenure as Manager, Employee Relations, listing shows that there was a high turnover in contract employees. Out of 12 contract employees, only two were white. 17 % white vs. 83% black. List shows that Mr. Bailey was obtaining new contract workers in the clerical capacity just about every other month.

Defendant provided information that a contract employee, female African-American (Debra Jefferson) was discharged. "*Ms. Jefferson had hoped to be offered a permanent job with Energy. She was disappointed when this did not happen, and she and Randy Floyd (white, male, lead human resources representatives) mutually agreed that it would be best for her to leave the assignment.*" Ms. Jefferson being with the Defendant for approximately 15 months and having over a year of experience in the Defendant's Employee Relations Department environment. However, Defendant willfully withheld information as to the position that Ms. Jefferson had hoped to be offered her. Plaintiff believes it was a Human Resources Representative vacancy that the Defendant filled with a white applicant.

Mr. Floyd could not perform the job duties of Human Resources Representative. Mr. Bailey expressed his disappointment in Mr. Floyd's work and that indeed his time was running out and that he was on to him. Mr. Bailey stating such in a meeting with Crystal Lowe and Plaintiff. (SEE Appendix A, pg. 3)

- d) *The harassment complained of affected a "term condition or privilege of employment". The relationship at Defendant changed toward Plaintiff for the filing of charge: (See Appendix A pg. 2 - Complaint Filed With The EEOC)*

On November 4, 1998, because prior discussions with Mr. Bailey and Mr. Conn regarding the strict and oppressive supervision seem to be falling on deaf ears, Plaintiff submitted an E:mail note to the attention of Mr. Bailey, with a copy of note to Mr. Conn and a bcc copy to Crystal Lowe. Plaintiff providing a copy of note to Ms. Lowe in that she expressed concerns about the supervision as well. Plaintiff's E:mail note's Subject being, HARASSMENT. (See Appendix N - E:mail note and Receipt Notification for Jerald Bailey)

Plaintiff is very clear in her note in stating to Mr. Bailey concerns of unlawful behavior by Mr. Conn: *"I have attempted to sit down and discuss matters regarding us working together and have expressed my discontent in what I believe to be strict and oppressive behavior by Philp....Such behavior I find to be unprofessional and very demeaning in nature. Plaintiff advises Mr. Bailey, "I believe Mr. Conn's behavior, is due to his lack of understanding in what Workplace Harassment encompasses....It appears to me that Mr. Conn has a misunderstanding of the working relationship that 'Entergy' requires of it's employees and contractors.... One should not have to be subjected to such harassment be they contractor or employee.... I believe it is important to put the fire out before it starts and continue to work towards the environment Entergy wants. One free of harassment, etc. I understand that we all bring assets to the table; however, when we cross the lines into harassment, etc.; then we make ourselves a liability to the company".*

Plaintiff never was not provided any Policies & Procedures (P&P) from the Defendant. Evidence supports that Plaintiff immediately addressed harassment and when all failed she put it in writing. In obtaining copies of documents from the EEOC, Plaintiff finds the following regarding Defendant's P&P regarding HARASSMENT PREVENTION (SEE Appendix M):

6.0 PROCEDURES – 6.1 Reporting and Investigation of Harassment or Suspected Harassment: *It is each employee's responsibility to ensure that his or her conduct does not include or imply harassment in any form...*

6.1.1: *An employee should immediately report harassment or suspected harassment to his or her supervisor... If the harassment involves a supervisor, then the employee should report it to the next higher level of management, to the Director of Human Resources, or to a Human Resources representative in his or her business unit.*

As a result of this E:mail note, Plaintiff was terminated immediately. Plaintiff was replaced by another female African-American (Denise Leonard) it appears from documentation provided EEOC by Defendant – SEE Appendix H pg. 2.

- e) *Complainant reported to Respondent Superior:* (SEE Appendix A - Complaint Filed With The EEOC) Plaintiff reported the unlawful behavior to Jerald Bailey (See Appendix N). During meeting, Mr. Bailey advised Plaintiff he has held conversations with Mr. Conn. He made it clear to Plaintiff that Mr. Conn is a permanent employee he would like to keep and work with. Mr. Bailey advised Plaintiff that he would like to train Mr. Conn. So at the hands of a trainee, Plaintiff was subjected to such unlawful harassment. Mr. Conn having no prior Human Resources Representative experience. According to the HR Representative Job Duties Performed provided by the Defendant for Mr. Conn, supervising Plaintiff is not listed. (SEE Appendix O). In past situation when a female African-American (Debra Jefferson) had hoped to

be offered a permanent job with Entergy, she was deprived this opportunity. There was no willingness to train at all.

During meeting following receipt of E:mail note, Plaintiff asked Mr. Bailey the name of his supervisor. Mr. Bailey advised Plaintiff that Jerry Jackson was his supervisor. Plaintiff asked for the name of Mr. Jackson's supervisor. Mr. Bailey advised Mr. Jackson's supervisor being Mr. Clary. When Plaintiff wanted to provide Mr. Jackson and Mr. Clary a copy of her E:mail note, Mr. Bailey refused to let her do so. He advised Plaintiff that company equipment was not to be used to address such issues. Plaintiff left a voice mail message for Mr. Jackson. A message Mr. Jackson chose to ignore. Plaintiff contacted Mr. Clary via telephone. However, he was in a meeting so she left a message with his assistant. Mr. Clary returned the call and advised Plaintiff that he would speak with Mr. Bailey.

Mr. Bailey's office being a few doors away from the Director, Human Resources Litigation Support (Frank Wagar) - (SEE Appendix P - Sketch of layout as Plaintiff remembers). Evidence to support that Mr. Bailey willfully violated Defendant's P&P. Evidence to support that not even the Director or Litigation support was aware of Plaintiff's allegedly hostile actions by the Plaintiff. Mr. Wagar approving hours worked by Plaintiff - SEE Appendix I - Timesheet of Plaintiff.

21. Because Plaintiff reported harassment to Manager of Human Resources - Employee Relations, the Defendant RETALIATED!! The law requires that Plaintiff's claim must answer to following to establish and prove a Prima Facie Case for Retaliation:
 - a) *Plaintiff is a member of protected group under Title VII: Plaintiff, Vogel Denise Newsome is a female African-American and member of protected group under Title VII.*
 - b) *That an adverse employment by the Defendant occurred because of the filing of charge: SEE #20 above of this Claim. (SEE Appendix A - Complaint Filed With The EEOC)*
 - c) *There was a casual connection between the participation in the protected activity and the adverse employment decision: SEE #20 above of this Claim. (SEE Appendix A - Complaint Filed With The EEOC)*
22. Plaintiff's claim provides evidence to substantiate Defendant's actions are PRETEXTUAL and have been done to shield an illegal animus.
 - a) *Past and Present prejudice toward Plaintiff and members of her race: SEE #20 above of this Claim.*
 - b) *The articulated reasons given did not apply when members of other races or genders were involved. This being compelling evidence that reasons were indeed pretextually applied to cover-up/mask an illegal animus: SEE #20 above of this Claim. Defendant stated the facts behind termination being (SEE Appendix H pg. 3):*
 - i. *Excessively used company time for personal activities. This reason being provided is false. Plaintiff did not conceal her activities during assignment. Plaintiff's Daily Logs submitted indicates: Miscellaneous, Open, "Personal" Development, etc. Daily Logs for Plaintiff are in*

the records of the Defendant. Personal activities were approved by Defendant's Manager and Director. (SEE Appendix Q). Defendant's response being pretextual.

- ii. *Refused to perform work assignments:* Plaintiff was persistent in obtaining work to keep her busy. As a result of her willingness and determination to work and fill-in the extra time she had, Mr. Bailey had Marty Bonck (female, white) prepare Job Responsibilities for Ms. Lowe (female, African American) and Plaintiff. Plaintiff being Temp II. SEE Appendix R. In efforts to cover-up their unlawful actions, the Defendant withheld pertinent information regarding the Job Responsibilities assigned after Plaintiff's persistency from the EEOC investigation. Evidence supporting Defendant's actions being pretextual.
- iii. *Stated she was too qualified to do clerical work:* People of color were limited to clerical support roles in this department. Mr. Bailey was fully aware of Plaintiff's educational background from the resume received from Employment Agency - Amicus Staffing. Plaintiff has been doing contract work in the clerical field for over Five years. She enjoys doing so. Plaintiff worked for Defendant before in the clerical capacity at other locations. Prior assignment with Defendant being at their Jefferson Highway location. Plaintiff working with Mr. Joseph Pulizzano in a clerical capacity. Assisting with Senior Day event sponsored by Defendant. So, in efforts to shield their unlawful practices, Defendant states Plaintiff said this. A statement being made only "AFTER" receiving Complaint filed by Plaintiff with the EEOC. (SEE Appendix A pg. 4) Wherein it was Mr. Bailey who advised Plaintiff she was over qualified for the job. The person who interviewed Plaintiff for the position. Prior to coming to Defendant on this assignment, Plaintiff having over 20 months in the clerical field with another company.
- iv. *Refused to work with Mr. Conn:* This statement is false. Defendant states knowledge of Plaintiff's attempt to work with Mr. Conn in requesting a meeting. (SEE Appendix G pg. 2). Mr. Conn being a white, male and Plaintiff being a female, African-American. No prior problems with Plaintiff's work or activities during the day. It was Mr. Conn's prejudice and bias towards Plaintiff because of her race and sex that he felt the need to harass her. Methods used of intimidation. Being the professional she is, Plaintiff being willing to see if the two could resolve whatever issues Mr. Conn had against her. Willingness to work with Mr. Conn is evident in the E-mail note submitted the day she was terminated (SEE Appendix N).
- v. *Exhibited extreme hostility to Mr. Conn:* A statement which is false. Mr. Conn did everything he could do to provoke Plaintiff. Plaintiff advised Mr. Conn on a few occasions that she "was not going to entertain his spirit". It was *only after* receipt of the Complaint filed that Defendant struggled to shield the actions of their employees. In seeing that Plaintiff had established Prima Facie Case of Hostile Work Environment, chose to use "hostility" to describe Plaintiff's work relation with Mr. Conn. Plaintiff remained at her desk and performed the work assigned her. Defendant's Internet Logs supports time spent at her desk. Plaintiff was not a party to any of unlawful practices rendered but a victim of such. Plaintiff's sign she created during her assignment depicts the life that she leads. (SEE Appendix S - Personal Development Sign). A sign Plaintiff had hanging in her cubicle. A motivational sign needed when working under such unlawful conditions to encourage Plaintiff. Plaintiff complained of the racial remarks and obscenity used in the workplace by co-workers she believed to be offensive with Mr. Bailey in hopes that he would discuss in meetings with the department, Mr. Bailey chose not to do so. (SEE Appendix A pg. 4) It was Plaintiff who

was excluded from meetings, etc. because of peculiarity or as Defendant may put it, "other personal characteristics". (SEE Appendix L 3.0, 3.1 and Appendix A pg. 5).

- c) *Plaintiff has shown that Defendant's reasons are unworthy of belief:* SEE #20 above of this Claim. After the termination of Plaintiff, the Defendant paid her for the remainder of the week terminated and the following week. (SEE Appendix K - Pay Stubs) Internet usage is not the reason for dismissal. Plaintiff was terminated due to bias and prejudice toward her because of her race and sex. Being terminated out of unlawful discriminatory practices by the Defendant. Evidence to support that she was not terminated on the grounds provided the Commission. Daily Work Logs withheld from the Commission during their investigation supports Defendant's knowledge of Plaintiff's prior use and reason given was not sufficient. Therefore, their effort merely coming to shield the unlawful actions of their employees.

Plaintiff's timesheets were approved/signed by Director - Human Resources Litigation Support (Frank Wagar), Manager-Human Resources Employee Relations (Jerald Bailey), Human Resources Representatives, etc. (SEE Appendix J). Verification of the work Plaintiff for that week were kept for a period of time. Plaintiff turning in Daily Work Logs to Mr. Bailey. (SEE Appendix Q). In fact the evidence appendix displayed here is for the week that Mr. Wagar approved Plaintiff's timesheet. In efforts to conceal his unlawful practices, Mr. Bailey obtained Plaintiff's copies from the Personal Day Sorter she left behind. When Plaintiff returned to get her Day Sorter and saw that her copies had been removed, she was advised by Ms. Angelic Dottery that Mr. Bailey advised her that they were company documents. A statement which is false. Plaintiff submitted the originals and kept copies of logs for herself. Periodically bringing them home. In the meeting on November 4, 1998, with Mr. Bailey, he advised Plaintiff that she could use him as a reference.

The Defendant provided no documents regarding the alleged hostile conduct. Defendant reported no violations of employment policies by Plaintiff to Employment Agency - Amicus Staffing. Amicus Staffing has no reports from the Defendant in Plaintiff's files of such allegations. Such allegations by the Defendant being done to defame/slander Plaintiff and ruin her reputation.

- d) *Plaintiff has shown additional evidence in documents of improper motivation by the Defendant:* Evidence supports that although upper management of the Defendant may not have been aware of the unlawful actions of Mr. Bailey and Mr. Conn until after the fact, they chose to engage in the conspiracy began by the two *when providing false and misleading information* to impede, hinder and unlawfully influence the outcome of a federal investigation by the EEOC. Actions willful, malicious and wanton to deprive Plaintiff equal protection of the laws and due process of laws. Actions which are a clear Obstruction Of Justice.

Evidence supports, that although the EEOC advised the Defendant, "*Your organization is hereby requested to submit information and records relevant to the subject charge of discrimination*"; the Defendant chose to withhold relevant records, logs, etc. from the EEOC to assist them in their investigation. The Defendant singled out the Plaintiff again and provided only information regarding log usage on her. Actions which clearly supports discriminatory actions. Actions in furtherance of conspiracy birthed by Mr. Bailey and Mr. Conn.

23. Tacit agreement occurs when two or more persons pursue by their acts the same object by the same means. One person performing one part and the other another part, so that upon completion they have obtained the object pursued. Regardless of whether each person knew of the details or what part each was to perform, the end results being they obtained the object pursued. Agreement is implied or inferred from actions or statements.
24. To establish a Prima Facie Case of conspiracy pursuant 42 USC § 1985 the following is required:
- a) *Defendant's tacitly agreed with at least one other person and participated or caused something to be done in furtherance of agreement:* SEE #20 and #22 above of this Claim. Substantiated by the evidence.
 - b) *That agreement was to deprive Plaintiff of protected rights:* SEE #20 and #22 above of this Claim. Substantiated by the evidence.
 - c) *That Defendant(s) were motivated by dislike or hateful attitude towards specific class of people and that Plaintiff is a member of that class:* SEE #20 and #22 above of this Claim.
 - d) *That conspiracy caused deprivation or injury to Plaintiff:* SEE #20 and #22 above of this Claim. The unlawful actions by the Defendant has ruined her reputation with them and with Employment Agency – Amicus. Since this incident, although Plaintiff has reported availability to the agency, she has not worked an assignment with them since her termination with Defendant. Evidence supports that Plaintiff worked other assignments with Defendant in the past and was never accused of the acts they allege in their response to the Commission.
25. Defendant's actions being intentional, willful and malicious. Therefore, under Plaintiff is allowed under law Punitive Damages. The following is required in evaluating whether damage is proportionally excessive:
- a) *Nature of wrong:* Race Discrimination, Sex Discrimination and Retaliation
 - b) *Character of conduct involved:* Plaintiff being assigned to the Human Resources Department, Employee Relations Division. Those involved in depriving Plaintiff federally protected rights were the Manager (Mr. Bailey) and co-worker (Mr. Conn). Days prior to the unlawful discharge, Plaintiff worked with Mr. Bailey on making revisions to Defendant's Affirmative Action Policy Manual. Mr. Bailey had to proof and read to insure revisions, etc. were completed by Plaintiff. Evidence to support that Mr. Bailey was fully aware (having knowledge) that his actions were unlawful and that of Mr. Conn. Even with their *hands caught in the cookie jar and crumbs all around their mouth*, Defendant chose to lie. Defendants are not trustworthy. Actions willful, malicious, wanton and reckless disregard to federally protected rights.
 - c) *Degree of culpability of the wrongdoer:* Very SEVERE! When Plaintiff complained, supervisor (Mr. Bailey) and co-worker (Mr. Conn) intensified their unlawful behavior. Plaintiff being assigned to the Human Resources Employee Relations department. Employees of Defendant clearly aware of the wrong they were doing. Upper management when made aware of the situation, chose to engage in the conspiracy instituted by Mr. Bailey and Mr. Conn's actions

when providing false information to the EEOC. Evidence which goes to prove malice and reckless disregard to federally protected rights. Mr. Conn was so obsessed with harassing Plaintiff that he used working hours to do so. Actions requiring that he work late to make up for the time used to harass Plaintiff. Mr. Conn taking Friday he was to be off to come in and harass Plaintiff. Demanding fax request when Plaintiff was given specific instructions by Mr. Bailey to work with Ms. Dottery on a project because of a deadline provided.

- d) *Situation & Sensibilities of the parties:* Parties involved were fully aware of their conduct and behavior. They were bent on forcing Plaintiff to leave when she advised them she wanted to continue working for Defendant. Plaintiff being a contract employee. Parties could have ended the assignment; however, chose to subject her to unlawful discriminatory actions. Parties were advised prior to termination that their actions were unlawful in the E-mail note and that such practices will result in a liability to the company. Parties were not sensitive to Plaintiff's concerns at all. They were cold, uncaring and placed themselves above the law.
- e) *Extent to which Defendant's conduct offends public sense of justice and propriety:* The only person(s) subjected to such unlawful behavior were people of color. All clerical staff being people of color and positions above clerical support all were white. When vacancies occurred in higher positions, they were filled with whites. Evidence supports that Plaintiff immediately reported unlawful practices; however, for doing so, Defendant retaliated and terminated her assignment. When upper management was made aware of the situation, they failed Plaintiff as well. Plaintiff was not returned to the assignment. Evidence supports that she was replaced by another female African-American. Disparate treatment is prevalent under the administration of Mr. Bailey. When Plaintiff exercised her rights as a citizen of the United States and filed Charge of Discrimination with the EEOC, Defendant in furtherance of conspiracy and unlawful employment practices, chose to shield the illegal actions by Mr. Bailey and Mr. Conn. Defendant provided false and misleading information to Obstruct Justice in a federal investigation.

This unlawful discriminatory practice occurred at the CORPORATE office of the Defendant. This unlawful discriminatory practice occurred in the HUMAN RESOURCES department in the EMPLOYEE RELATIONS division. A department and division that is suppose to prevent and deter such actions. However such unlawful practices were sanctioned. The Defendant is responsible for the actions of their supervisor(s).

26. In July 1999, at the request of the EEOC, Plaintiff and Defendant's representatives went into mediation. The mediation was not successful. Parties could not come to an agreement on settlement. Defendant with knowledge they failed to refute the prima facie case, came to mediation with approximately a 2 to 3 inch binder of internet log usage by Plaintiff. Defendant offered \$500 for their unlawful actions. Plaintiff refused this offer. Defendant producing voluminous Internet log usage as a means to coerce and intimidate Plaintiff into a settlement. In attempts to add coal to this offer, stated that they have witnesses. Witnesses, Plaintiff is sure are among the group that excluded her from meetings and activities (SEE Appendix A pg. 5). Plaintiff at the time was asking for \$300,000 in damages as required by law. Plaintiff having no knowledge of the false and misleading information provided the Commission by the Defendant produced in this claim. Defendant refused Plaintiff's demands. Determined to take Plaintiff through a long and drawn out bout in the courts. Willingness to subject her to further harm.

27. The court can expect Defendant to attempt to build a baseless/shaky-foundation case around what they say is excessive internet usage. Actions being in furtherance of Conspiracy to Interfere With Civil Rights Through The Obstruction Of Justice. Actions to take Plaintiff through the Discovery Process (interrogatories, depositions, etc.) and inflict additional harm and financial burdens upon her.
28. The actions by the Defendant has ruined Plaintiff's reputation with Employment Agency – Amicus Staffing. Since termination from assignment. Plaintiff has not worked through this agency. Plaintiff has made herself available.
29. As a direct and proximate result of defendant's acts, Plaintiff has suffered economic and extreme emotional harm. Plaintiff has devoted a great deal of attention and care to performing a job well done (SEE Appendix U). At all times she conducted herself in a professional manner and reported concerns she had to the Manager. Because of the hostile and discriminatory work environment created by Defendant, Plaintiff was required during the last few weeks of her assignment to suffer indignities which were outlawed many years ago.
30. Because of Plaintiff's failure to support, condone, and conform to such unlawful work environment created by defendant, Defendant took retaliatory actions against her and terminated the assignment.
31. The above described conduct of the Defendant violates the Civil Rights Act of 1991, 42 USC § 2000e et seq. and the Louisiana Commission on Human Rights Acts 1997, No. 1409, -1. Further, this conduct also violates 42 USC § 1981 by constituting intentional discrimination against the Plaintiff in the making and enforcement of her contract of employment on account of her race (African-American) and sex (female). Thus, Plaintiff is also entitled to compensatory and punitive damages as a result of the Defendant's intentional, willful, malicious and/or wanton conduct in violation of 42 USC § 1981, LSA-R.S.51:2264, LSA-R.S. 23:332.
32. Plaintiff alleges further that defendant intentionally inflicted mental anguish and/or emotional distress upon her as a result of the above-described conduct. Such conduct by the defendant was intentional, willful, malicious and/or wanton and justifies the imposition of punitive damages. Such actions by the defendant caused the plaintiff damages for which she sues. *Information of defendant's net worth or financial condition is relevant in action which punitive damages are sought – MidContinent Cabinetry, Inc. vs. George Koch Sons, Inc., 130 F.R.D. 149 (D.C. KS 1990). Under Louisiana Law, nature and extent of harm to plaintiff is relevant consideration to assess defendant's wrongdoing in determining amount of punitive damages- Duhon vs. Conoco, Inc., 937 F.Supp. 1216.*

"A punitive damages award of 6.3 million was reasonable for a former employee who endured almost three and one-half years of severe, pervasive sexual harassment...the harassers were never reprimanded, employer lied in response to employee's charges of discrimination and conducted no meaningful investigation of her complaints, employer had net income in fiscal year before trial of \$12 million, and actual damages for the harassment were \$473,775.

Joint award of punitive damages to former employee and her recruiting company in the amount of \$1,149,504 was warranted for her former employer's defamation of employee and its tortious interference with company's contract with client, both which involved lies told by two of former employer's executives to client regarding circumstances of employee's termination...conduct of

executives was either condoned or sanctioned in advance by the highest levels of employer's management, *the baseless attacks* forced employee to relive the embarrassment and despair that she suffered when she was abruptly and wrongfully terminated, and actual damages for her mental anguish were \$119,500.

Conduct such as lying under oath and suborning perjury to cover up intentional torts may be taken into account in establishing punitive damages. Scribner vs. Waffle House, Inc., 14 F.Supp.2d 873 (1998)

Defendant's (Entergy) New Orleans location in one report reporting earnings of \$34,386,000, and Approximate Revenues of \$474,670,000 – (SEE Appendix V – 1999 U.S. Public Companies, pg. 593)

33. Plaintiff has no plain or adequate remedy at law to correct the wrongs complained of herein, and this suit for declaratory and injunctive relief is Plaintiff's only means of securing relief. Further, Plaintiff is suffering and will continue to suffer irreparable harm from defendant's policies, practices, customs and usages set forth herein.

"Victims of discrimination suffer an irreparable injury regardless of actual pecuniary damage – Vietnamese Fishermen's Assn. vs. Knights of Ku Klux Klan, 518 F.Supp 993)"

34. Defendant's "Mere Denial" (stating for example, "Defendant denies...") by way of rebuttal is not sufficient as a matter of law. Defendant must produce *sufficient factual evidence* to rebut the prima facie case and evidence provided by Plaintiff.

"Mere denial of illegal motivation will not suffice to carry defendant's burden of articulating a specific reason. Nor will Defendant's burden of articulating a specific reason. Nor will Defendant's burden of coming forward with evidence be satisfied by vague subjective conclusions. – Wright vs. Metropolitan Hospitals, Inc., 726 F.2d 1346 (9th Cir 1984)."

"Unless Defendant produces legally adequate evidence to meet and refute the inference of illegal motivation drawn by the prima facie case, the fact-finder is required AS A MATTER OF LAW, to render judgment in favor of the Plaintiff. – Texas Dept of Community Affairs vs. Burdine, 450 U.S. 248, 101 S.Ct. 1089"

35. Plaintiff's claim is being filed in good faith and is not being filed to burden this court in any way. Plaintiff brings her claim before the court to obtain justice.
36. Plaintiff's claim is being timely filed. Plaintiff was denied equal protection of the laws and due process of the laws when the Commission failed to investigate charge as required by law. Plaintiff files this claim as she begins to research actions under 28 USC § 1361 – Action To Compel An Officer Of The United States To Perform His Duty. Based upon the Preponderance of the evidence provided in this complaint, had the EEOC opened up the files of the Defendant, further evidence of disparate treatment would have been found. The law requiring compensation to the victims of Defendant's actions.

WHEREFORE, Plaintiff respectfully prays that this Court advance this case on the docket and grant the following relief:

- a) Grant plaintiff a permanent injunction enjoining defendant, its agents, employees, successors, assigns and all persons in active concert or participation with it, from discriminating against her in violation of the Civil Rights Act of 1991, 42 USC § 1981, and the Louisiana Commission on Human Rights Acts of 1997;
- b) Grant plaintiff a declaratory judgment declaring defendant's practices complained of herein to be in violation of 42 USC § 2000e, et seq., 42 USC § 1981, and LSA-R.S. 51:2231;
- c) Grant plaintiff compensatory and punitive damages and any other necessary equitable and legal relief on account of said violation in an amount exceeding this court's minimum jurisdictional limits.
- d) Grant attorney fees appropriately recoverable, and costs of Court;
- e) Grant such other and further relief, at law or in equity, as the Court deems necessary and proper.

JURY DEMAND:

Plaintiff demands a jury on all issues so triable.

The purpose of the prima facie case consist of sufficient evidence in the type of case to get Plaintiff past a motion for directed verdict in a jury case or a motion to dismiss in a nonjury case, it is the evidence necessary to require defendant to proceed with his case - White vs. Abrams, 495 F.2d 724, 729 (9th Cir 1974); FRCP Rule 41(b).

Respectfully Submitted,

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Senate removes federal judge in impeachment conviction

By the CNN Wire Staff
December 8, 2010 12:46 p.m. EST



Judge G. Thomas Porteous is "forever disqualified to hold and enjoy any office of honor, trust or profit under the United States."

(CNN) -- The U.S. Senate found Federal Judge G. Thomas Porteous of Louisiana guilty on four articles of impeachment on Wednesday, which will remove him from the federal bench.

He had been accused of accepting kick-backs and lying to the Senate and FBI.

The vote makes Porteous, 63, only the eighth federal judge in the nation's history to be impeached and convicted.

Porteous is also "forever disqualified to hold and enjoy any office of honor, trust or profit under the United States," Sen. Daniel Inouye said during Wednesday's Senate hearing.

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The Senate adopted the motion barring Porteous from holding a future federal office by a vote of 94 to 2.

In March, the House of Representatives voted unanimously to impeach Porteous on corruption charges.

"Our investigation found that Judge Porteous participated in a pattern of corrupt conduct for years," U.S. Rep. Adam Schiff, D-California, chairman of the House Judiciary Committee Task Force on Judicial Impeachment.

In a statement at the time, Porteous' lawyer, Richard W. Westling, said the Justice Department had decided not to prosecute because it did not have credible evidence.

"Unfortunately, the House has decided to disregard the Justice Department's decision and to move forward with impeachment," he said. "As a result, we will now turn to the Senate to seek a full and fair hearing of all of the evidence."

Porteous, who turns 64 this year, was appointed to the federal bench in 1994. He has not worked as a judge since he was suspended with pay in the fall of 2008, Westling said.

The most recent previous impeachment of a federal judge by the House was last year.

Judge Samuel B. Kent of the U.S. District Court for the Southern District of Texas resigned after being impeached on charges of sexual assault, obstructing and impeding an official proceeding and making false and misleading statements, according to the website of the Federal Judicial Center.

Before then, Judge Walter L. Nixon of U.S. District Court for the Southern District of Mississippi was impeached in 1989 on charges of perjury before a federal grand jury. The Senate convicted him and removed him from office that year.

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- Allisa J. Allison, U.S. District Court, Northern District of Mississippi, Judge L.T. Senter
- Brian M. Ballay, U.S. District Court, Eastern District of Louisiana, Judge Carl J. Barbier
- Kate Bogard, U.S. District Court, Western District of Tennessee, Honorable S. Thomas Anderson
- Joy Boyd, U.S. District Court, Middle District of Georgia, Honorable C. Ashley Royal and Honorable Duross Fitzpatrick
- Spencer Clift, U.S. Bankruptcy Court, Western District of Tennessee, Honorable David S. Kennedy
- Laurie Clark, U.S. District Court, Eastern District of Louisiana, Judge Morey L. Sear and U.S. District Court, Middle District of North Carolina, Judge P. Trevor Sharp
- Caldwell Collins, U.S. District Court, Eastern District of Missouri, Judge Audrey G. Fleissig
- Joann Coston-Holloway, U.S. District Court, Eastern District of Louisiana, Honorable Ivan L.R. Lemelle
- Jacob Dickerson, U.S. District Court, Western District of Tennessee, Honorable Jon P. McCalla
- Kevin Garrison, U.S. District Court, Middle District of Alabama, Honorable W. Keith Watkins
- Russell Gray, U.S. District Court, Eastern District of Tennessee, Honorable Allan Edgar
- Clay Gunn, U.S. District Court, Southern District of Mississippi, Honorable Daniel P. Jordan, III
- Whitney Harmon, U.S. District Court, Eastern District of Kentucky, Honorable Karl S. Forester
- Russell Headrick, U.S. District Court, Western District of Tennessee, Honorable Harry W. Wellford
- Cameron Hill, U.S. District Court, Eastern District of Tennessee, Honorable Curtis L. Collier
- J. Forrest Hinton, U.S. District Court, Southern District of Alabama, Honorable Virgil Pittman
- Frank James, U.S. District Court, Southern District of Alabama, Honorable Virgil Pittman

- Brandon Jolly, United States District Judge for the Southern District of Mississippi, Judge William H. Barbour Jr.
- Stephen Kennedy, U.S. District Court, Southern District of Mississippi, Honorable Tom S. Lee, Chief Judge
- Kenneth Klemm, U.S. District Court, Eastern District of Louisiana, Judge George Arceneaux Jr.
- William Lawrence, U.S. District Court, Northern District of Alabama, Honorable Robert B. Propst, (also sitting by designation on Eleventh Circuit)
- Erno D. Lindner, U.S. Bankruptcy Court, Western District of Tennessee, Honorable David S. Kennedy
- C. Lee Lott, U.S. District Court, Northern District of Mississippi, Honorable Glen H. Davison
- Gabriel P. McGaha, U.S. District Court, Western District of Tennessee, Honorable Jon P. McCalla
- Brad C. Moody, U.S. District Court, Southern District of Mississippi, Honorable David C. Bramlette
- Matt Mulqueen, U.S. District Court, Southern District of New York, Chief Judge Loretta A. Preska
- Kathlyn Perez, U.S. District Court, Eastern District of Louisiana, Honorable G. Thomas Porteous Jr.
- Paul Peyronnin, U.S. District Court, Eastern District of Louisiana, Honorable Henry A. Mentz Jr.
- Andrew Potts, U.S. Bankruptcy Court, Southern District of Alabama, Honorable Gordon B. Kahn, Chief Judge
- Anna Powers, U.S. District Court, Northern District of Mississippi, Chief Judge Michael P. Mills
- Damany Ransom, U.S. District Court, Eastern District of Louisiana, Honorable Karen Wells Roby
- Fredrick N. Salvo, III, U.S. District Court, Southern District of Mississippi, Honorable John M. Roper, Chief U.S. Magistrate
- Eric Thiessen, U.S. District Court, Western District of Virginia, Honorable Cynthia D. Kinser, Magistrate (currently Justice, Supreme Court of Virginia)
- Susan Wagner, U.S. District Court, Northern District of Alabama, Honorable Sam C. Pointer Jr.
- Emily Walker, U.S. District Court, Western District of Tennessee, Honorable Samuel H. Mays, Jr.
- Melanie C. Walker, U.S. District Court, Eastern District of Tennessee, Honorable Curtis L. Collier

State Court Clerks

State Supreme Court Clerks

- Jonathan Geisen, Alabama Supreme Court, Honorable Harold F. See
- Steven Griffith Jr., Louisiana Supreme Court, Honorable Pascal Calogero, Chief Justice
- Mary Ann Jackson, Arkansas Supreme Court, Honorable Robert Brown
- George Lewis, Tennessee Supreme Court, Honorable Frank Drowota
- Stacy Thomas, Mississippi Supreme Court, Honorable Dan M. Lee
- Michael F. Weiner, Louisiana Supreme Court, Honorable James L. Dennis
- Anne Winter, Mississippi Supreme Court, Honorable Neville Patterson
- Adam Zuckerman, Louisiana Supreme Court, Honorable Pascal Calgero, Chief Justice

State Court of Appeals Clerks

- Sam Blair, Tennessee Court of Appeals, Western Section, Honorable W. Frank Crawford
- John Burns, Tennessee Court of Appeals Staff Attorney
- Jay Ebelhar, Tennessee Court of Appeals, Honorable Holly M. Kirby
- Aubrey "Copper" Hirsch, Louisiana Third Circuit Court of Appeals, Appellate Clerk, Judge William A. Culpepper
- Nolan Johnson, Tennessee Court of Appeals, Honorable Holly M. Kirby
- Steven W. King, Tennessee Court of Criminal Appeals, Judge Wedemeyer
- Sharon Kolb, Tennessee Court of Appeals, Judge Holly Kirby
- Randal Mashburn, Tennessee Court of Appeals, Honorable Lewis H. Conner Jr.
- Brett McCall, Mississippi Court of Appeals, Honorable David Ishee
- Carla Peacher-Ryan, Tennessee Court of Appeals, Honorable Charles E. Nearn
- Gary Shockley, Tennessee Court of Appeals

- Alan Lee Smith, Mississippi Court of Appeals
- D. Nathan Smith, Mississippi Court of Appeals, Honorable Donna Barnes
- Stephen P. Spann, Tennessee Court of Appeals, Honorable Ben Cantrell
- William West, Tennessee Court of Appeals, Honorable Kirby Matherne
- Kyle Wiggins, Tennessee Court of Criminal Appeals, Honorable Alan Glenn

State Circuit Court Clerks

- James Delanis, Sixth Circuit Court, Davidson County, Tennessee, Honorable James M. Swiggart
- Doreen Edelman, Circuit Court of Prince Georges County, Maryland, Honorable William Mccullough, Chief Judge
- John Hicks, Tennessee Chancery Court, Shelby County, Honorable George T. Lewis Jr.
- Joshua Powers, Shelby County, Tennessee Circuit Court, Honorable Janice Holder
- Carolyn Schott, Second Judicial Circuit Court, Berrien County Michigan, Honorable Ronald J. Taylor & Honorable Casper O. Grathwohl
- Megan Sutton, Hamilton County, Tennessee Chancery Court, Honorable W. Frank Brown, III and Honorable Jeffrey M. Atherton

BEFORE THE UNITED STATES DEPARTMENT OF JUSTICE

VOGEL DENISE NEWSOME

PETITIONER/PLAINTIFF

VS.

CASE NO. _____

ENTERGY SERVICES, INC.

RESPONDENT/DEFENDANT

PETITIONER'S PETITION SEEKING INTERVENTION/PARTICIPATION OF
THE UNITED STATES DEPARTMENT OF JUSTICE

TO: Office of the Solicitor General
c/o Paul D. Clement
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Telephone: 202/514-2203

COPY: Office of the Assistant Attorney General
Civil Rights Division
c/o R. Alexander Acosta
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Telephone: 202/514-2151

COME NOW Vogel D. Newsome ("Newsome") before the United States Department of Justice ("DOJ") to file Petition Seeking Intervention/Participation of the United States Department of Justice to:

- (a) seek DOJ's intervention and participation in a private litigation styled *Vogel Denise Newsome v. Entergy Services, Inc.*; in the United States District Court, Eastern District of Louisiana ("EDC-LA"); Civil Action No. 99-3109; assigned to Judge G. Thomas Porteous, Jr. ("Judge Porteous" or "Porteous") and Magistrate Judge Sally Shushan ("Shushan");
- (b) seek the DOJ's intervention and participation in private litigation in preparing the appropriate Petition/Pleading required to present this matter to the United States Congress;
- (c) prepare and present a Petition to the United States Congress ("Congress") on behalf of Newsome, requesting Congress exercise its jurisdiction over the pending Court action and issue order instructing the EDC-LA to resume/proceed with this matter to trial and/or enter an Order and Reasons in compliance with Federal Rules of Civil Procedure ("FRCP") Rule 52, its Local Rule 62(c) and a Final Judgment on post motion(s) pursuant to FRCP 58 and

other applicable laws governing rulings on said motions addressing all issues: (i) separately stating each issue raised in the post motions filed by Newsome and rule expressly on each issue stating the reason for each ruling made, and (ii) separately stating each issue raised in Newsome's Amended Complaint and rule expressly on each issue stating the reason for each ruling made;

- (d) seek the DOJ's intervention/participation in bringing *criminal* and *civil* actions against Defendant, Entergy Services, Inc. ("Entergy"), its in-house counsel – Renee Williams Masinter ("Masinter") and Allyson K. Howie ("Howie"); outside counsel – Locke, Liddell & Sapp, L.L.P ("LLS"), *Amelia Williams Koch ("Koch"), *Steven F. Griffith, Jr. ("Griffith") and *Phyllis Cancienne ("Cancienne"); and outside counsel – Jones, Walker, Waechter, Poitevent, Carrère & Denègre, L.L.P ("JWW") and Jennifer A. Faroldi, for any and all unlawful actions resulting in an obstruction of the administration of justice and deprivation of Newsome's Constitutional Rights and Civil Rights;

NOTE: *According to information Newsome received on September 11, 2004, after checking the website at "www.martindale.com Lawyer Locator," Koch, Griffith and Cancienne are no longer with the law firm of Locke, Liddell & Sapp, L.L.P, but are presently at the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C. ("Baker Donelson") in New Orleans, Louisiana.

It is important to note that although Newsome is proceeding *pro se* in the action *sub judice*,¹ to date, she has not been provided with any documentation and/or pleading advising of changes to Entergy's counsel's information. However, when Newsome checked the docket sheet of the EDC-LA, sure enough the change to Koch's information had been updated; but nothing showing an entry on the docket of the Court for said change (none other than at the top where parties are listed). Thus, it is important to Newsome to find out how the EDC-LA received said information and when said information was received. Moreover, why Koch failed to notify *pro se* Newsome of said

¹ Action presently pending before the Eastern District Court of Louisiana – New Orleans.

changes. Moreover, it supports awareness by Entergy that the issues are still alive and pending before the EDC-LA.

- (e) seek the DOJ's intervention and participation in bringing *criminal* and *civil* actions against Newsome's attorney, Michelle Ebony Scott-Bennett ("Bennett"), in the action *sub judice* for knowingly submitting a Motion to Withdraw in representation of Newsome, with knowledge that said Motion to Withdraw contained false and misleading information, and that such false and misleading information was done for the purposes of obstructing the administration of justice in the EDC-LA, and, to obtain granting of Motion to Withdraw and deprive Newsome Constitutional Rights and Civil Rights. As a direct and proximate result of Bennett's actions, Newsome has been deprived equal protection of the laws and due process of laws. Furthermore, Bennett's actions supports and constitute fraud not only upon the EDC-LA, but upon Newsome - taking of Newsome's money, etc. with no intentions by Bennett to represent her throughout Court proceedings and unto the conclusion of the action;
- (f) seek the DOJ's intervention and participation in filing the applicable pleadings/complaints for appointment of counsel for Newsome or that the DOJ provide Newsome with legal representation throughout the lawsuit in the action *sub judice*.
- (g) seek the DOJ's intervention and participation in bringing *criminal* and *civil* actions against Judges/Magistrates under the applicable laws governing their unlawful conduct/practices - if after an investigation into the handling of the action *sub judice* warrants such to correct the wrongs rendered Newsome as governed by the laws of the United States.

Newsome seeks the DOJ's intervention and participation in the action before the EDC-LA – **Q: How does the Division decide whether to participate in a case as amicus curiae or to intervene in private litigation?** A: *Attorneys in the Appellate Section make a preliminary assessment of a case's suitability for amicus participation or intervention. Recommendations to participate or to intervene must be approved by the Assistant Attorney General for Civil Rights and by the Solicitor General (obtained*

information from Appellate Section FAQs at DOJ's website at <http://www.usdoj.gov/crt/app/faq.htm> (italics added).² See **Exhibit 10** attached hereto. *It is important to note that in this Petition, Newsome uses underlining, boldfacing and italics for special emphasis.* This Petition is submitted in good faith and is by no means being provided to hinder, impede or obstruct the administration of justice. In support of this Petition for intervention/participation by the DOJ in the action *sub judice*, Newsome submits the following request(s), reason(s) and/or statement(s):

1. Newsome through filing this Petition, request written findings – on each numbered issue and the government's position on the matters addressed herein, and on the EDC-LA's handling of the matter presently pending before said Court.
2. Newsome request the intervention/participation of the DOJ in this matter requestng it prepare the appropriate petition(s)/pleading(s)/document(s) required by law to bring this matter before the United States Congress, seeking Congress's intervention in the action *sub judice*. Thus, requesting Congress to enter the appropriate pleading(s) which will allow the Court action (Case No. 99-3109) to proceed to trial as required by law.
3. The EDC-LA in its handling of the action *sub judice* has violated Newsome's United States Constitutional Rights and Civil Rights. Newsome because of the unlawful practices occurring in said action. Newsome has been deprived equal protection of the laws and due process of laws. Newsome is a citizen of the United States. Thus, such violation supports and warrants the DOJ's jurisdiction over said matter under the applicable laws governing said matters.
4. The EDC-LA matter, Civil Action No. 99-3109, is still an active matter and pending before said Court pursuant to FRCP Rule 54(b):

In the absence of such determination and direction, any order or other form of decision, however designated which adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties shall not terminate the action as to any of the claims or parties, and the order or other form of decision is subject to revision at any time

² The submittal of this Petition to the DOJ will also support and show to Congress (if need be), that Newsome has exhausted administrative remedy prior to bringing matter directly to it for intervention.

before the entry of the judgment adjudicating all the claims and the rights and liabilities of all the parties.

Because the EDC-LA's Order and Reasons entered on post motions fail to adjudicate all of the claims or the rights and liabilities of all of the parties, and because there **has never** been a *Final* Judgment entered on the timely raised, and filed, post motions brought by Newsome pursuant to Rule 54(b) and any and all applicable laws governing said matters, the Order and Reasons entered the action *sub judice* is amendable. Newsome demands that the Order and Reasons be amended to comply with federal laws governing said matters and a *Final* Judgment be entered in the action *sub judice* in compliance with FRCP Rule 52, Rule 58 and any other applicable laws. Moreover, *Newsome demands that the EDC-LA in the requested amended Order and Reasons and Final Judgment address all issues raised within the Amended Complaint and its findings on each issue raised*. Said findings by the Court is to be supported by "factual/substantial" evidence and legal conclusions to support its findings as required by laws pursuant to FRCP Rule 52 and other applicable laws governing said matter. Newsome is also demanding that EDC-LA, as a matter of law, address all issues raised in post motions.

FEDERAL STATUTE – FRCP RULE 52

Rule 52. Findings by the Court; Judgment on Partial Findings

(a) Effect.

In all actions tried upon the facts without a jury or with an advisory jury, *the court shall find the facts specially and state separately its conclusions of law thereon, and judgment shall be entered pursuant to Rule 58*; and in granting or refusing interlocutory injunctions the court shall similarly set forth the findings of fact and conclusions of law which constitute the grounds of its action. Requests for findings are not necessary for purposes of review. Findings of fact, whether based on oral or documentary evidence, shall not be set aside unless clearly erroneous, and due regard shall be given to the opportunity of the trial court to judge of the credibility of the witnesses. The findings of a master, to the extent that the court adopts them, shall be considered as the findings of the court. It will be sufficient if the findings of fact and

conclusions of law are stated orally and recorded in open court following the close of the evidence or appear in an opinion or memorandum of decision filed by the court. Findings of fact and conclusions of law are unnecessary on decisions of motions under Rule 12 or 56 or any other motion except as provided in subdivision (c) of this rule.

(italics added).

(b) Amendment.

On a party's motion filed no later than 10 days after entry of judgment, the court may amend its findings -- or make additional findings -- and may amend the judgment accordingly. The motion may accompany a motion for a new trial under Rule 59. When findings of fact are made in actions tried without a jury, the sufficiency of the evidence supporting the findings may be later questioned whether or not in the district court the party raising the question objected to the findings, moved to amend them, or moved for partial findings.

(c) Judgment on Partial Findings

If during a trial without a jury a party has been fully heard on an issue and the court finds against the party on that issue, the court may enter judgment as a matter of law against that party with respect to a claim or defense that cannot under the controlling law be maintained or defeated without a favorable finding on that issue, or the court may decline to render any judgment until the close of all the evidence. Such a judgment shall be supported by findings of fact and conclusions of law as required by subdivision (a) of this rule.

5. On or about **April 1, 2002**, Newsome entered post motion entitled, Plaintiffs [sic] Motion to Stay Proceedings to Enforce a Judgment; Motion to Amend Judgment; and Motion to Set Aside Judgment ("Combined Motions"), pursuant to FRCP Rule 62(a)(b), Rule 59(a) and Rule 52. Pleading attached hereto as **Exhibit 3** – Brief only.
6. Newsome filed Combined Motions in a timely manner as required and/or governed by law after Judge Porteous entered an Order and Reasons along

with Judgment on March 20, 2002, granting Defendant's Motion for Summary Judgment. Within 10 days, Newsome on March 30, 2002, submitted for filing her Combined Motions. EDC-LA filed Combined Motions on April 1, 2002. See Record Document Nos. ("Rec. Doc. No.") 91 and 92. – Docket Sheet at **Exhibit 1**. Thus, supporting that Newsome did not waive the right to contest ruling by the EDC-LA.

7. If litigant desires to preserve argument for appeal, litigant must press and not merely intimate the argument during proceedings before district court; if argument is not raised in such a degree that district court has opportunity to rule on it, Court of Appeals will not address it on Appeal. *FDIC v. Mijalis*, 15 F.3d 1314, 1327 rehearing denied (5th Cir. 1994); citing *Butler Aviation Int'l Inc. v. Whyte (In Re Fairchild Aircraft Corp.)*, 6 F.3d 1119, 1128 (5th Cir. 1993).
8. There is no "bright line rule" which exist to determine whether a matter has been properly raised below. However, "a workable standard, is that the argument must be raised sufficiently for the EDC-LA to rule on it." *In Re E.R. Fegert, Inc.*, 887 F.2d 955, 957 (9th Cir. 1989). This principle accords the EDC-LA the opportunity to reconsider its ruling and correct its errors. *Morrow v. Greyhound Lines, Inc.*, 541 F.2d 713, 724 (8th Cir. 1976).
9. On or about **May 6, 2002**, EDC-LA simply entered an Order and Reasons only (with no Final Judgment). Said Order and Reasons is not in compliance with the federal rules pursuant to FRCP Rule 52(d). Moreover, Order and Reasons entered by Porteous, was certain to omit and not address the Rule 52 Motion filed by Newsome. See **Exhibit 7** attached hereto.
10. On or about **May 13, 2002**, Newsome timely, properly and adequately notified the EDC-LA of the error in its handling of the matter *sub judice*, to no avail. Moreover, Newsome addresses Court's failure to address Rule 52 Motion, and its failure to address *all* issues raised in Combined Motions and Amended Complaint. Nevertheless, to date, there has not been a **Final** Judgment on the post motions filed in the action *sub judice*. See **Exhibit 6** – Brief only, attached hereto.
11. As a direct and proximate result of Newsome bring the errors in Porteous' Order and Reasons to his attention, Porteous became upset and knowingly ill-advised Newsome to take the matter to the Fifth Circuit. Such instructions, which are clearly erroneous, because EDC-LA had never entered an Order and Reasons and a Final Judgment in compliance with federal rules on the post motions. See **Exhibit 8** attached hereto. Said filing by Judge Porteous will support his hostility towards Newsome for her bringing errors in his ruling to the Court's attention. Moreover,

through said instructions issued by Porteous, it is evidenced that he does not want to address the post motions issues in the action *sub judice*. Thus, supporting the need for his disqualification in the action *sub judice* and this lawsuit be reassigned to another Judge other than Judge Morey L. Judge A. J. McNamara and Judge Ivan L. R. Lemelle.

12. The EDC-LA misapplied the law when addressing Newsome's Combined Motions addressing the errors of the EDC-LA. However, the Combined Motions is an acceptable legal recourse to address errors in the Court's Order and Reasons. For instance, the Fifth Circuit Court of Appeals found in *McCrea v. Harris County Houston Ship Channel Nav. Dist.*, 423 F.2d 605, 610 (n. 19)(5th Cir. 1970) cert. Denied, 1970, 400 U.S. 927, 91 S.Ct. 189, 27 L.Ed.2d 186³:

It does not appear that appellant objected to this failure in the court below. ***She made no motion to amend the judgment under Rule 52(b) Fed.R.Civ.Proc.***, no motion for new trial, and approved the judgment as to form.

13. Even assuming that the remarks stated the law incorrectly . . . attorney made no objection to them at that point nor at any other point prior to his appeal. ***It is important that the parties make known to the trial court what omissions or commissions are objected to and why so that the trial court can act to correct errors if they are present . . .*** Moreover, since the trial court corrected himself *sua sponte* in his final instructions, we are unconvinced that a miscarriage of justice results from our refusal to consider the issue now. *Delesdernier v. Porterie*, 666 F.2d 116 (n. 6), 124, 125. ***Thus, supporting a miscarriage of justice by the EDC-LA in its failure and refusal to consider issues raised and correct errors brought to its attention by Newsome.***
14. Given the fact that it has been over two years that this issue has been before the EDC-LA, it is unlikely that Judge Porteous is going to move and correct his errors on his own. Thus, the intervention/participation of the United States Department of Justice and Congress is needed to aid Judge Porteous and insure that the laws are enforced and upheld. Moreover, the Department of Justice is needed by Newsome to investigate Judge Porteous' behavior and conduct in this matter to determine whether or not he has also engaged with Defendant to conspire to deprive Newsome rights secured under the Constitution of the United States. ***Moreover, whether Porteous' behavior and/or conduct, towards Newsome, is arbitrary and individious – prejudicial/discriminative.***

³ This case provides an example of the wisdom of that rule. *McCrea* at 658 (n. 47).

15. Since the EDC-LA is adamant and insist on ignoring and passing over the issues without comments and thus insist, through its actions, on rendering Newsome a clear injustice and depriving her equal protection of the laws and due process of laws - which are secured under the United States Constitution, and the Fifth Circuit refuses to hear the appeal - Newsome brings this matter before the United States Department of Justice to address and bring the unlawful handling of this lawsuit to the attention of Congress on her behalf or bring the applicable legal action it knows to bring to correct wrong complained of.
16. EDC-LA **LOCAL RULE 62(c)** states:

This court's opinion in any such action shall separately state each issue raised in the petition and rule expressly on each issue stating the reason for each ruling made.
17. There are approximately 13 numbered issues raised in the Combined Motions filed by Newsome on April 1, 2002 in the action *sub judice*. To date, the EDC-LA has not entered an opinion or **final** judgment on the Combined Motions separately stating each issue raised, and has failed to rule expressly on each issue and provide its reason for each ruling made as required by law. See **Exhibit 3** – Brief only, pp. 2-3, (Rec. Doc. 93).
18. There are approximately 12 numbered issues raised in Reconsideration of Denial of Combined Motions filed by Newsome on May 13, 2002, in the action *sub judice*. To date, the EDC-LA has not entered an opinion or **final** judgment on the Reconsideration of Denial of Combined Motions separately stating each issue raised, and has failed to rule expressly on each issue and provide its reason for each ruling made as required by law. See **Exhibit 4** – Brief only, pp. 2-3, (Rec. Doc. 98).
19. There are approximately 36 numbered issues raised in the Amended Complaint filed by Newsome on February 9, 2000, in the action *sub judice*. To date, there has not been a trial on this matter; neither has the EDC-LA entered an opinion or **final** judgment separately stating each issue raised, and has failed to rule expressly on each issue and provide its reason for each ruling made as required by law. See **Exhibit 2** – Brief only, (Rec. Doc. 21).
20. The Order and Reasons entered by the EDC-LA on the post motions under the controlling laws can be defeated by a more favorable finding; and, Order and Reasons cannot be maintained under controlling laws governing said matters.

21. There are no legal findings of facts and conclusion of law to support Order and Reasons entered by the EDC-LA on Newsome's post motions.
22. There is no evidence to support the findings of the Order and Reasons entered by the EDC-LA on the post motions filed.
23. The record evidence will support that the EDC-LA took a far departure from its Local Rules and federal statutes/laws governing said matter and ill-advised Newsome to take this matter before the Fifth Circuit with full knowledge that Order and Reasons entered was not in compliance with laws, and a **Final** Judgment had not been entered in this action.
24. Newsome has exhausted the judicial process on the EDC-LA's failure to enter Order and Reasons in compliance with the laws and the EDC-LA's failure to enter a **Final** Judgment on the Combined Motions – as required by law. Therefore, Newsome may now proceed to bring this matter before Congress, and request that Congress exercise its jurisdictional authority and instruct the EDC-LA to comply with laws governing said matters.

**UNITED STATES CONSTITUTION
AMENDMENT XIV
AMENDMENT VII – CIVIL TRIALS**

14th Amendment to United States Constitution – Citizenship; Privilege and Immunities; Due Process; Equal Protection; Apportionment of Representation; Disqualification of Officers; Public Debt; Enforcement:

Section 1 – All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and the state wherein they reside. *No State shall make or enforce any law which abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person, life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

CASE LAW:

The due process clause of the Fourteenth Amendment was intended to prevent the government from abusing its power, or employing it as an instrument of oppression. *Collins v. City of Harker Heights*, 112 S.Ct. 1061 (1992).

Due process expresses requirement of fundamental fairness. *Lassiter v. Department of Social Services of Durham County, N.C.*, 101 S.Ct. 2153 (1981).

There are pure questions of law involved in this action and refusal to consider them would result in a manifest/miscarriage of justice. *Guerra v. Manchester Terminal Corporation*, 498 F.2d 641, 658 (n.47) citing *Triple R. Welding & Oil Field Maintenance Corp.*, 472 F.2d 713, 716 (5th Cir. 1973).

Amendment VII – Civil Trials:

In suits at common law, where the value in controversy shall exceed twenty dollars, the right to trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of common law.

CASE LAW:

Without waiver of the right of trial by jury, by consent of parties, the court errs if it substitutes itself for the jury, and, passing upon the effect of the evidence, finds the facts involved in the issue and renders judgment thereon. *Baylis v. Travelers' Ins. Co.*, 5 S.Ct. 494, 113 U.S. 316, 28 L.Ed. 989.

A defendant has no right under this amendment to a trial by court without a jury. *Hurwitz v. Hurwitz*, 136 F.2d 796, 78 U.S. App. D.C. 66.

When evidence against a defendant affords a rational choice for competing inferences, this amendment requires that the claim be submitted to a jury. *Moore v. Guthrie Hospital, Inc.*, 403 F.2d 366.

An exception to the scope of review applicable only in cases where the defendant availed himself of his right to trial by jury, but not when he agreed to a bench trial, moreover, might be held to offend . . . fourteenth amendments' protection of the right to trial by jury. See Comment, Removal of Supreme Court Appellate Jurisdiction: A Weapon Against Obscenity?, 1969

Duke L. J. 291, cf. *United States v. Jackson*, 390 U.S. 570 (1968).

25. This is a civil litigation matter wherein Newsome sought to have her case tried before a jury pursuant to the Seventh Amendment of the United States Constitution. Newsome ***did not*** waive said right. Newsome never agreed, in the action *sub judice* to have her lawsuit decided by one Judge, but clearly requested a jury in this action. The Amended Complaint/Complaint (original) filed in the action *sub judice* clearly states:

JURY DEMAND:

Plaintiff demands a jury on all issues so triable.

The purpose of the prima facie case consist of sufficient evidence in the type of case to get Plaintiff past a motion for directed verdict in a jury case or a motion to dismiss in a nonjury case, it is the evidence necessary to require defendant to proceed with his case. White v. Abrams, 495 F.2d 724, 729 (9th Cir. 1974); FRCP Rule 41(b).

See **Exhibit 2** – Brief only, p. 16.

26. Newsome's Amended Complaint (and the original Complaint filed in the action *sub judice*) clearly and distinctly sets forth *prima facie* cases and is accompanied by factual statements and/or substantial evidence for (a) Hostile Work Environment at pp. 4-9; (b) Retaliation at p. 9; (c) Pretext at pp. 9-11; (d) Conspiracy at p. 12; and (e) Punitive Damages at pp.12-13. See **Exhibit 2** – Brief only (documents referenced as exhibits are in the records of the lower court(s)) - attached hereto.
27. Judge Porteous, in the action *sub judice* did not have the consent of parties to pass on a jury trial and to decide the issues presented in this action himself (*self-appointed judge & jury*). Neither is there any documentation in the record to support that Newsome consented to a nonjury action. Thus, Porteous has erred for substituting himself for the jury, failing to produce any evidence to support his ruling, and entering Order and Reasons which is not in compliance with laws governing said matters.
28. **Under the Seventh Amendment of the United States Constitution, Defendant Entergy, in the action *sub judice*, has no right to a trial without a jury, nor to have the pending lawsuit decided on its motion for summary motion,**
29. Because of the competing inferences and Newsome's challenges (a) to Entergy's proffered reasons for her unlawful discharge; (b) to the *perjured* testimony of Entergy's key witness, Jerald Bailey; and (c) to other

arguments presented or raised by Entergy in the action *sub judice*, the law and the Constitution supports that Newsome's claims are to be submitted to a jury.

30. In granting Entergy's Motion for Summary Judgment the EDC denied Appellant her right to a jury trial. There are contested issues and evidence in the record to support that the proffered reasons provided by Entergy for Newsome's termination are false and unsubstantiated by any evidence. Thus, it is not the purpose of FRCP relating to summary judgment to deny litigants right to trial if they really have issues to try. *United States v. Burket*, 402 F.2d 426, 427 [n. 10] (5th Cir. 1968) citing *National Screen Service Corporation v. Poster Exchange, Inc.*, 305 F.2d 647 (5th Cir. 1962).
31. In order to assure that Newsome's Seventh Amendment rights are not violated, the federal courts are to take great care not to deny Newsome a full trial once she has provided/produced "substantial evidence" to prove that the proffered reasons provided by Entergy is false and that genuine issues of fact exists. *Devex Corp. v. Houdaille Indus., Inc.*, 382 F.2d 17 (7th Cir. 1967) and/or judgment might depend on the credibility of the witnesses. . . . where the credibility is, or may be crucial, summary judgment becomes improper and **a trial is indispensable**. *Cales v. Chesapeake & Ohio Ry. Co.*, 46 F.R.D. 36, 40 (D.C. VA 1969).
32. The intervention/participation of the DOJ and the United States Congress is needed to aid Newsome in correcting the wrongs rendered her, in that plain error when examined in the context of entire case, is so obvious and substantial that failure to correct it would affect fairness, integrity, or public reputation of judicial proceedings. *Peaches Entertainment Corp. v. Entertainment Repertoire Associates, Inc.*, 62 F.3d 690 (5th Cir. 1995).

**APPOINTMENT OF COUNSEL ISSUE AND
WITHDRAWAL OF NEWSOME'S COUNSEL
MICHELLE E. SCOTT-BENNETT**

Newsome submits the instant Petition requesting the intervention and participation of the United States Department of Justice to submit to the United States Congress and/or that the DOJ file the applicable pleadings/complaints to correct the wrongs rendered her in the EDC-LA's refusal to appoint counsel, and then once Newsome retained counsel on her own, its granting/allowing her attorney to withdraw in

the action *sub judice*. Moreover, Newsome seeks the DOJ to file the applicable pleadings/complaints with the appropriate agency for the disbarment of her attorney, Michelle Ebony Scott-Bennett, if it is found that her Motion to Withdraw in the action *sub judice* was unlawful under rules/laws governing attorney practices/conduct and said withdrawal infringed upon Newsome's Constitutional Rights. In support of said request(s), Newsome states the following:

Congress's View:

Although there is no constitutional right to an appointment of counsel in civil cases, federal courts are empowered by statute to appoint counsel when circumstances justify it. *Armstrong v. Snyder*, 103 F.R.D. 96 (D.C. Wis. 1984).

In *Castner v. Colorado Springs Cablevision*, 979 F.2d 1417, 1421 (10th Cir. 1992), the decision whether to appoint counsel requires accommodation of two competing considerations. **First, the court must consider Congress's "special . . . concern with legal representation with Title VII actions."** *Jenkins v. Chemical Bank*, 721 F.2d 876, 879 (2d Cir. 1983). In enacting the attorney appointment provision of the Civil Rights Act of 1964 and later reaffirming the importance of that provision in the legislative history of the Equal Employment Opportunity Act of 1972, Congress demonstrated its awareness that Title VII claimants might not be able to take advantage of the federal remedy without appointment of counsel. As explained in House Report No. 92-238:

By including this provision in the bill, the *committee emphasizes that the nature of Title VII actions more often than not pits parties of unequal strength and resources against each other. The complainant, who is usually a member of the disadvantaged class, is opposed by an employer who infrequently is one of the nations major producers, and who has at his disposal a vast of resources and legal talent.*

H.R. Rep. No. 238, 92nd Cong., 2d Sess., reprinted in 1972 U.S.C.C.A.N. 2137, 2148.

The Court, therefore, must give “serious consideration” to a plaintiff’s request for counsel in a Title VII action. *Jenkins* at 880 and *Castner* at 1421.

[C]ourts have an obligation to consider request for appointment with care . . . remain[ing] mindful that appointment of an attorney may be essential for a Plaintiff to fulfill “the role of ‘a private attorney general,’ vindicating a policy ‘of the highest authority.’” Quoting *New York Gaslight Club, Inc. v. Carey*, 447 U.S. 54, 63, 100 S.Ct. 2024, 2030, 64 L.Ed. 2d 723 (1980).

[W]hen a litigant unable to afford counsel and unable to present his case is forced to proceed *pro se*, there is little guarantee that a civil rights action will be successfully prosecuted to appeal so that the denial of counsel may be reviewed. *Robbins v. Maggio*, 413 (5th Cir. 1985).

33. Despite supporting Congressional and federal laws/decisions addressing such matters, the EDC-LA elected to pit *indigent pro se* Newsome against a giant corporation – Entergy and its vast legal *dream team*. See Nos. 46 and 47 of this instant Petition.
34. On or about **April 3, 2002**, Counsel for Newsome, Michelle E. Scott-Bennett (“Bennett”) filed a Motion to Withdraw as counsel in the action *sub judice*. Bennett submitted said motion with full knowledge that Newsome contested the withdrawal. Bennett submitted said motion with full knowledge that the information contained in Motion to Withdraw was false and misleading. See **Exhibit 5** attached hereto.
35. **Michelle Ebony Scott-Bennett** (Attorney for Newsome in the action *sub judice*); **Louisiana Bar No. 25342**; Admitted 1998 (approximately 6 yrs. of experience in the legal profession as an attorney); Undergraduate education: Louisiana State University, B.A.; Law School: Loyola University- New Orleans, LA, J.D. See **Exhibit 12**, p. 7 – from martindale.com Lawyer Locator information – attached hereto.
36. The unlawful actions of Bennett resulting approximately **two** days **after** Newsome had submitted her Combined Motions (Plaintiffs [sic] Motion to Stay Proceedings to Enforce a Judgment; Motion to Amend Judgment; and Motion to Set Aside Judgment). Combined Motions was filed on or about April 1, 2002. *Had Newsome not moved when she did to file the applicable post motions, this lawsuit and the issues contained in her*

Amended Complaint and post motions would not have been preserved for
addressment by the DOJ or the United States Congress.

37. Amongst all the drama surrounding the unlawful actions of Bennett, Newsome immediately contacted the EDC-LA (via telephone) and advised said Court that she would be filing a rebuttal to the Motion to Withdraw. An Administrator of the Court advised Newsome she had 10 days to file her response.
38. On or about **April 8, 2004** – only *five* days since filing of Motion to Withdraw - the EDC-LA with knowledge that Newsome would be filing a rebuttal to Motion to Withdraw, moved *swiftly* (before 10 days to file response had expired) to enter an Order granting Bennett's Motion to Withdraw. Said actions by the EDC-LA is unlawful and was done to deprive Newsome protected rights secured under the United States Constitution and the Civil Rights Act.
39. EDC-LA unlawfully allowed the withdrawal of Newsome's attorney, Michelle Ebony Scott-Bennett. EDC-LA erred in the granting of said withdrawal. Prior to entering ruling granting withdrawal, the EDC failed to afford Newsome the appropriate time required by law to respond to the motion. The EDC moved *swiftly/quickly to grant dismissal with knowledge that Ms. Newsome had notified the Court she would be filing her objections*. Furthermore, the record evidence will support there was never an agreed Order between the parties agreeing to withdrawal. Thus, the law requires that party(s) be afforded the opportunity to object within the time frame allotted by law.
40. On or about **April 10, 2004**, despite the injustice rendered by the EDC-LA granting Bennett's Motion to Withdraw, Newsome promptly submitted a timely pleading entitled – Plaintiff's Response to Motion to Withdraw Filed by Attorney Michelle E. Scott-Bennett. See **Exhibit 6** – Brief only. Said pleading addresses unlawful practices of Bennett. *Thus, by said filing, Newsome has preserved this issue for review by the DOJ and the United States Congress.* An issue still alive and pending in the action *sub judice*. A Final Judgment on the Motion has not been entered.
41. It is important to note, that after the Courts refused to appoint Newsome counsel, after timely submittal of motion for such and exhaustion of appeal on the matter, Ms. Newsome retained legal representation on her own. Newsome retained the legal services of Attorney Michelle Ebony Scott-Bennett/Justice For All Law Center, LLC.
42. Bennett did not have the consent of Newsome to withdraw as counsel. The law requires said consent. Bennett failed to abide by the laws governing withdrawal when such request was contested. There is a valid

and legal contract between Newsome and Bennett/Justice for All Law Center, LLC for legal representation. *Thus, Bennett is now subject to the punishment allotted for such unlawful practices.*

43. It may be inferred (and a reasonable mind/person on the street may conclude) from the EDC-LA's granting of unlawful withdrawal, said actions were done in the furtherance of aiding Entergy and it's counsel in this lawsuit. *A reasonable mind/person on the street* may conclude from the Court's unlawful conduct in granting Bennett's unlawful withdrawal, said actions were done to *intentionally throw* the case or *intentionally tip-the-scale* in favor of Entergy. CONGRESS calls it, pitting parties of unequal strengths and resources against each other – House Report No. 92-238.
44. The record evidence will support that Bennett was offered legal assistance in Newsome's lawsuit via *pro bono* services by the Owens Law Firm, PLLC, in Justice For All Law Center's representation of Newsome. However, Bennett turned down the generous offer of the Owens Law Firm. See the Affidavit of Rajita Iyer Moss, staff attorney (now a Partner in the firm) at the Owens Law Firm attached hereto as **Exhibit 9**.
45. The reasons offered by Owens Law Firm, PLLC for not being able to represent Newsome, yet offering their services as stated:

We could not represent Ms. Newsome because our firm does not specialize in employment discrimination cases. However, we informed Ms. Newsome that we were willing to provide her attorney, Michelle Bennett, with any assistance, pro bono, discovery or research, that she might need with regard to the litigation that she was handling for Ms. Newsome.

See **Exhibit 9** attached hereto.

46. Further support of timely exhaustion of this issue through the courts is evidenced in the Courts' records, see **Exhibit 1** - Notice of Appeal. EDC Record Doc. No. 29, pp 10-1; Rec. Doc. 85; and 10/15/01 EDC-LA Docket Entry. Fifth Circuit Court of Appeals, Case No. 00-31299. Supreme Court Writ of Certiorari Brief in Case No. 01-5882.
47. *Pro Se* Newsome came under scrutiny and attacks by the EDC-LA because she prepared her own pleadings. The EDC-LA subjecting Newsome to such attacks in efforts of justifying denial of counsel. However, said reasons – Newsome preparing own pleadings – is unacceptable as a matter of law:

Armstrong v. Snyder, 103 F.R.D. 96, 105 (1984) – Although as the court has already observed, the Plaintiff has demonstrated a considerable aptitude for and understanding the judicial process, it has no doubt that the complexity of the constitutional and factual issues he has perhaps unwittingly raised in his complaint would be best argued by one schooled in the law . . . Accordingly, the court will appoint an attorney to prosecute this action on the plaintiff's behalf. Because it is hopeful that counsel can be secured readily and *in the interest of ensuring* that the record in this case remains unblemished both procedurally and substantially.

48. In the action *sub judice*, the record evidence will support that EDC-LA's reasons for depriving Newsome legal counsel *in 2000*, was because she (a) is college educated; (b) prepared 16-page Complaint; (c) is single, (d) has no dependents; and (e) drives a new car. Supporting clear and blatant prejudice by the EDC-LA towards Newsome. Reasons presented by the EDC-LA to deprive Newsome counsel are baseless and holds no merits to support its denial of counsel. Further supporting the bias/prejudice of the EDC-LA towards Newsome.

Congress has made explicit findings that Title VII litigants are presumptively incapable of handling properly the complexities involved in Title VII cases . . . Title VII plaintiffs are usually members of a disadvantaged class and face opponents who command vastly superior resources. *Wilborn v. Escalderon*, 789 F.2d 1328, 1330 (fn. 2)(9th Cir. 1986).

49. The evidence attached as Exhibits hereto will support that Entergy's outside legal counsel combined consist of the following:
- a. Approximately **296 years** combined of practice in the law;
 - b. Approximately **970 attorneys** combined; and
 - c. Approximately **73 years** of experience combined for attorneys assigned in this lawsuit. Areas of practice is in employment law.

Thus, supporting a clear disadvantage for pro se Newsome, yet the EDC-LA refused to allow her legal representation in this lawsuit. Then as soon as Newsome did retain counsel to represent her, the

EDC-LA sought to aid Bennett's unethical practices and grant the Motion to Withdraw filed by Bennett – without Newsome's consent.

50. The record evidence clearly supports that Newsome in good faith sought to obtain counsel on her own before exhausting original request for appointment of counsel to represent her. Then when she did retain counsel after exhausting said appeal on appoint of attorney issue, the EDC-LA moved quickly to grant an *unlawful* withdrawal of her attorney from the action *sub judice*.
51. *Pro Se* Newsome is an African-American female suing Entergy, an opponent who commands vastly superior resources. Newsome holds a B.S. degree from Florida A&M University. Newsome holds no degree in the legal profession.
52. **Entergy Corporation** is an integrated energy company engaged primarily in electric power production, retail distribution operations, energy marketing and trading, and gas transportation.

Entergy owns and operates power plants with approximately 30,000 megawatts of electric generating capacity, and it is the **second-largest nuclear generator in the United States**.

Entergy delivers electricity to 2.6 million utility customers in Arkansas, Louisiana, Mississippi and Texas.

Entergy has **annual revenues of over \$9 billion** and approximately 14,000 employees.

See **Exhibit 11** – information retrieved from Entergy's website - attached hereto.

53. In the action *sub judice* before the EDC-LA, the record evidence will support that Newsome has been pitted against a corporation/opponent with vast legal and financial resources – Entergy Services, Inc. and its legal counsel. Furthermore, the following facts will shed additional light on such disadvantage, yet Newsome (until another attorney is appointed her) has been able to weather the discriminatory/prejudicial treatment in the handling of the action *sub judice* and keep the matter alive so that it could be addressed by the United States Department of Justice and Congress:

Entergy's In-house Counsel:

- a. **Renee Williams Masinter, Louisiana Bar No. 19831**, Admitted 1989 (approximately 15 yrs. of experience in the legal profession

as an attorney). See **Exhibit 12**, p. 2 – from martindale.com Lawyer Locator information – attached hereto.

- b. Allyson K. Howie, **Louisiana Bar No. 20574**, Admitted 1991 (approximately 13 yrs. of experience in the legal profession as an attorney). See **Exhibit 12**, p. 3 – from martindale.com Lawyer Locator information– attached hereto.

Entergy's **Outside Counsel**:

- c. **Locke, Liddell & Sapp, LLP** (“LLS”) – formed on January 1, 1999, from Dallas-based Locke Purnell Rain Harrell which was formed founded in 1891 and Houston-based Liddell, Sapp, Zivley, Hill & LaBoon which was founded in 1916. Approximately 113 yrs. of practice in the legal profession/field. The combination results in a firm of **over 400 lawyers**. See **Exhibit 13**, pp. 1-3– attached hereto.
 - i. **Amelia Williams Koch** (“Koch”) (Lead Attorney in action *sub judice*); **Louisiana Bar No. 2186**; Admitted 1983 (approximately 21 yrs. of experience in the legal profession as an attorney); Undergraduate education: University of Georgia, B.A.; Law School: University of Virginia, J.D. See **Exhibit 12**, p. 1 – from martindale.com Lawyer Locator information– attached hereto.
 - ii. **Phyllis Cancienne** (“Cancienne”); **Louisiana Bar No. (not known at this time)**; Admitted 1989 (approximately 15 yrs. of experience in the legal profession as an attorney); Undergraduate education: Louisiana State University, B.A.; Law School: Louisiana State University, J.D. See **Exhibit 12**, p. 6 – from martindale.com Lawyer Locator information– attached hereto.
 - iii. **Steven F. Griffith, Jr.** (“Griffith”); **Louisiana Bar No. 27232**; Admitted 2001 (approximately 3 yrs. of experience in the legal profession as an attorney); Undergraduate education: Rhodes College, B.A., *cum laude*; Law School: Loyola University, New Orleans, LA, J.D., *magna cum laude*. See **Exhibit 12**, p. 5 – from martindale.com Lawyer Locator information – attached hereto.
- d. **Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.** (“Baker Donelson”)– Year established: 1888. Approximately 116 yrs. of practice in the legal profession/field. Was ranked in 2003

as the fastest growing law firm in the United States by The National Law Journal and is one of the 200 largest law firms in the country. Through strategic acquisitions and mergers over the past century, the firm has grown to include **over 370** attorneys and public policy advisors in 10 offices across the southeastern United States. See **Exhibit 13**, pp. 4-13 – attached hereto.

- i. Koch, who is presently a shareholder in Baker Donelson. See **Exhibit 12** attached hereto.
- ii. Cancienne, who is presently a shareholder in Baker Donelson. See **Exhibit 12** attached hereto.
- iii. Griffith, who is presently a member in Baker Donelson. See **Exhibit 12** attached hereto.

NOTE: At this time, it is not known to Newsome when Koch, Cancienne and Griffith joined the law firm of Baker Donelson. However, it is apparent that said change occurred **only after** the filing of Newsome's legal briefs exposing the unethical practices of Koch. All three, Koch, Cancienne and Griffith are closely associated in the action *sub judice* and familiar with Newsome's most recent exhaustion of the appeal process. Thus, such actions by attorneys, may lead one to believe the LLS was aware of the unethical practices of Koch, Cancienne and Griffith and elected to terminate its relationships with them. Even if this were the case, LLS did nothing to come forward to address such practices. Now, Koch, Cancienne and Griffith have moved on to Baker Donelson and taken their client, Entergy's business and its financial support, with them. The record evidence will show however, Koch and Cancienne are now **shareholders** at Baker Donelson (**Exhibit 12**) – leaving Newsome with concerns as to how Koch and Cancienne went about establishing and obtaining the money to finance such an endeavor. Moreover, whether or not Baker Donelson were made aware of Koch's and Cancienne's unethical/unlawful practices in federal proceedings while employed by LLS. Or, whether

Koch and Cancienne (and perhaps LLS) purposely, knowingly and intentionally withheld/concealed such pertinent information, regarding the allegations in the action *sub judice* relating to their obstructing justice in federal proceedings, from their new employer (Baker Donelson) in order to obtain employment at Baker Donelson and become shareholders in the firm of their new employer. Thus, said actions by Koch and Cancienne, may be taken as their buying their position for job/financial security in light of the allegations that have been raised by Newsome of possible criminal actions on Koch, Cancienne, their client(s) and co-counsels part in the action *sub judice*. A move by Koch and Cancienne coming in less than a year and/or a few months after Newsome addressed allegations of unethical and unlawful practices in pleadings.

- e. **Jones, Walker, Waechter, Poitevent, Carrère & Denègre, L.L.P.** ("Jones Walker")- Year established: 1937. Approximately 67 yrs. of practice in the legal profession/field. Is a full-service law firm with over 200 lawyers. See **Exhibit 13** attached hereto.
- i. **Jennifer A. Faroldi** ("Faroldi"); **Louisiana Bar No. 25668**; Admitted 1998 (approximately 6 yrs. of experience in the legal profession as an attorney); Undergraduate education: Louisiana State University, B.A.; Law School: Loyola University, J.D., *cum laude*. See **Exhibit 12**, p. 4 – from martindale.com Lawyer Locator information – attached hereto.

NOTE: However, despite the prejudicial treatment and discriminatory practices by the EDC-LA, Newsome was able to file required pleadings in the action *sub judice* and keep this lawsuit alive and pending before the EDC-LA. It is important to note that the arguments presented here, as to Congress's stance on such issues, are not new and have also been properly preserved as required by law. In fact, the record evidence will support that Newsome timely, properly and adequately raised the appointment of counsel issue and exhausted said issue through the appeal process. It was after the EDC-LA's

refusal to appoint counsel and Newsome's exhausting the appeal process on the issue, that Newsome obtained legal representation on her own. Newsome hired attorney Michelle Ebony-Scott Bennett. A *legal and binding* contract confirming legal representation was entered into by Newsome and Bennett/Justice For All Law Center, LLC.

**OBSTRUCTION OF JUSTICE
PATTERN-OF-ABUSE IN FEDERAL PROCEEDINGS**

Newsome request the United States Department of Justice's intervention/participation in preparing the applicable pleadings/complaints to the Congress and/or other appropriate entities to address and punish the wrongs of Entergy and its attorneys and/or other willing participants for the obstruction and justice and deprivation of Newsome's Constitutional and Civil Rights. In support of Entergy's and its attorneys' obstructing of justice in the action *sub judice*, Newsome relies on the record evidence in the Courts, that presented in the instant Petition before the DOJ, and the following:

54. Counsel for Entergy, Amelia Williams Koch, has established through evidence in the record of the lower Courts that when required to provide responses to legal actions on behalf of Entergy, Koch provides information she knows is false and misleading. Information provided for purposes of impeding, hindering and obstructing the administration of justice. Actions by Koch are willful, malicious and wanton. Warranting the United States Department of Justice's and/or Congress's intervention, participation and exercise of authority/jurisdiction to correct the unlawful behavior of Koch.
55. Koch having full knowledge that the testimony provided in the Affidavit of Entergy's key witness, Jerald Bailey, was perjured testimony. Moreover, that Howie who produced the pleading submitting said affidavit to the Court also, knew that the testimony of Bailey was perjured. Yet, neither Koch nor Howie came forth to notify the Court of the perjured

testimony of its client's key witness. Neither did any of the other attorneys associated in the action *sub judice*.

56. There is evidence to support Koch has a history and/or has begun a pattern-of-abuse in obstructing the administration of justice. Koch has knowingly provided false and/or frivolous responses/information to federal entities during Entergy's handling of Newsome's legal actions.
57. A reasonable mind may conclude, from information in the lower Courts' records, that Koch has an obsession with Newsome. Koch's obsession is fueled by her bias and prejudice towards Newsome. Moreover, from the evidence in the record, it appears Koch has a one-sided-vendetta (on her behalf) against Newsome.
58. Because of the unethical and unlawful practices of Koch, the record evidence now supports that Koch has an independent personal stake and with the financial assistance of Entergy and/or other client(s) being sued by Newsome - her past/present employer law firms, and co-counsel - Koch knowingly conspired to obstruct the administration of justice in achievement of her goal to deprive Newsome rights secured under the United States Constitution and Civil Rights Act.
59. At no given time in the action *sub judice*, has Entergy, Koch's former and/or present employer, or attorneys come forward to bring to the attention of the Court(s) or governmental agency(s) pursuant to the applicable laws, the unethical and unlawful practices of Koch or themselves. Therefore, it may be concluded that Koch's clients, employer(s) and co-counsel were aware of the unethical and unlawful practices of Koch. Yet, elected to do nothing to correct and/or deter Koch's unlawful behavior. Moreover, through said failure, it may be implied that attorneys and others aided Koch in her advancing the endeavors of Entergy.
60. Koch in legal actions involving Newsome, invited herself into all actions. Neither Koch nor the law firm wherein she is employed was ever counsel for Newsome's former employer(s). However, the record will reflect in legal actions brought by Newsome, Koch voluntarily brings herself, and the law firm wherein she is employed, and any other willing participants into the legal actions involving Newsome. Said participants provide Koch with either the financial means or other support to further enhance her mission in obstructing justice and depriving Newsome rights secured under the Civil Rights Act and the United States Constitution. Actions by Koch may lead a reasonable mind/person to conclude that Koch has a need and/or addiction to compete with Newsome. It is unclear why Koch has taken it upon herself to pursue cases filed by Newsome and obtain permission from Newsome's former employers allowing Koch to enter an

appearance as Counsel on their behalf. [For instance, in the action *sub judice*, Entergy had its own in-house counsel. Nevertheless, about **June 13, 2000**, Koch felt a need to enter herself in this lawsuit. See **Exhibit 1**, Docket Sheet, EDC-LA Rec. Doc. 48. This request coming about the same time she was providing the Equal Employment Opportunity Commission ("EEOC") with false and misleading information in a federal investigation brought by Newsome against Christian Health Ministries ("CHM"). See letter dated **June 16, 2000**, attached hereto as **Exhibit 14**. It is important to note that neither Koch nor her employing law firm are listed as counsel for CHM in documents provided the Internal Revenue Service. CHM shows through documentation that Emmett, Cobb, Waits & Kessenich is counsel. See **Exhibits 15, 16, and 17 - Schedule A, Part II** of this Petition. CHM's IRS documents are for the years 1998, 1999 and 2000.

§1985. - Conspiracy to interfere with civil rights

(2) Obstructing justice; intimidating party, witness, or juror

... or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(3) Depriving persons of rights or privileges

If two or more persons in any State or Territory conspire . . . *or for the **purpose of preventing or hindering the constituted authorities** of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of **having and exercising any right or privilege of a citizen of the United States**, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.*

§241. - Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, . . . in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or . .

They shall be fined under this title or imprisoned not more than ten years, or both; . . .

61. Thus, for the purposes of said statute and record evidence, case law supports Entergy, its attorneys and others conspired for the purposes of impeding, hindering, obstructing and defeating, in any manner, the due course of justice in Louisiana and/or the United States, with the intent to deny Newsome, who is a citizen of the United States, for lawfully enforcing, or attempting to enforce, her right to the equal protection of the laws.
62. Thus, for the purposes of said statute and record evidence, case law supports Entergy, its attorneys and others conspired for the purposes of preventing or hindering the constituted authorities of Louisiana and/or the United States from giving or securing to Newsome within Louisiana and/or the United States the equal protection of the laws; as set forth in § 1985. Entergy, its attorneys and others engaged therein to do, or cause to be done, any act in furtherance of the object of said conspiracy, whereby Newsome has been injured in her person or deprived of having and exercising any right or privilege of as a citizen of the United States. Therefore, Newsome may have an action for recovery of damages occasioned by such injury or deprivation, against conspirators - Entergy, its attorneys and others.
63. Thus, for the purposes of said statute and record evidence, case law supports Entergy, its attorneys and others conspired to injure, oppress, threaten or intimidate Newsome in Louisiana and/or the United States . . . in the free exercise or enjoyment of any right or privilege secured to Newsome by the Constitution or laws of the United States, or because of Newsome having so exercised the same. Therefore, for the purposes of said statute, the record evidence and case law supports, Entergy, its attorneys and others, shall be fined under this title and other applicable laws governing said matters, or imprisoned not more than 10 years, or both. . .
64. Through the unlawful actions of Entergy, its attorneys and others involved in said conspiracy, Newsome has been deprived rights secured under the Civil Rights Act and the United States Constitution.

65. The United States Supreme Court defines deprivation of rights in *Griffin v. Breckenridge*, 403 U.S. 88, 101-102, 91 S.Ct. 1790, 1798, 29 L.Ed.2d 338 (1971) - The language requiring intent to deprive of equal protection, or equal privileges and immunities, mean that there must be some . . . individually discriminatory animus behind the conspirators' actions. The record evidence in the action sub judice supports same.
66. Black's Law Dictionary (Sixth Edition) defines "*individuous discrimination.*" Term "individuous" in context of claim that difference in treatment amounts to "individuous" discrimination in violation of the Fourteenth Amendment, means *arbitrary*, irrational and not reasonably related to a legitimate purpose. The record evidence in the action sub judice supports same.
67. *Arbitrary* defined - Without fair, solid, and substantial cause; that is without cause based upon the law, *U.S. v. Lotempio*, 58 F.2d 358, 359 (D.C. NY); not governed by any fixed rules or standard. Willful and unreasoning action, without consideration and regard for facts and circumstances presented. *In re West Laramie*, 457 P.2d 498, 502 (WY). Ordinarily "*arbitrary*" is **synonymous** with *bad faith* or *failure to exercise honest judgment* and an arbitrary act would be performed without adequate determination of principle and one not founded in nature of things. *Huey v. Davis*, 556 S.W.2d 860, 865 (Tex. Civ. App. 1977). The record evidence in the action sub judice supports same.
68. Under the *Louisiana Rules of Professional Conduct*, Rule 8.4 addresses **Misconduct:**

It is professional misconduct for a lawyer to:

- (a) Violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) Commit a criminal act especially one that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- (c) Engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (d) Engage in conduct that is prejudicial in the administration of justice;

- (e) State or imply an ability to influence improperly a judge, judicial officer, governmental agency or official . . .

69. From the action/conduct of Koch, it may be inferred and/or implied from said behavior, that Koch has knowingly breached/violated the Rules of Professional Conduct, and has: (a) herself or induced another to do so; (b) committed a federal criminal act that reflects adversely on her honesty, trustworthiness or fitness as a lawyer; (c) engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation; (d) engaged in conduct that is prejudicial in the administration of justice; (e) through her legal skills and/or ties to the legal arena, has displayed an ability to influence and/or manipulate improperly a judge, judicial officer, governmental agency or official. . .

NOTE: For instance, how was Koch able to get the EDC-LA in the action *sub judice* to update her current employment/firm information and not be required to file the appropriate pleading so that such change is in the record of the EDC as a docket entry. Why was Koch not required to notify all parties to this action of the firm/address change information through the filing of the appropriate pleading. Moreover, how has Entergy/Koch and others been able to get rulings, contrary to law on the subject matter, from the EDC-LA which clearly goes against the Constitution and other laws governing this lawsuit.

70. Under the Louisiana Rules of Professional Conduct, Rule 3.3 - **Candor Toward the Tribunal:**

- (a) A lawyer shall not knowingly;
 - (1) Make a false statement of material fact or law to a tribunal;
 - (2) Conceal or knowingly fail to disclose that which he is required by law to reveal; however, if a lawyer discovers that his client has perpetrated a fraud on a tribunal, he shall promptly call on his client to rectify same and, if the

client shall refuse to do so or be unable to do so, the lawyer shall reveal the fraud to the affected person or tribunal;

(3) Fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or

(4) Offer evidence that the lawyer knows to be false. If a lawyer has offered material evidence and comes to know of its falsity, the lawyer shall take reasonable remedial measures.

(b) The duties stated in Paragraph (a)(1) and (3) continue to the end of the hearing or proceeding. The duties stated in Paragraph (a)(2) and (4) are unlimited in time and apply, even if compliance requires disclosure of information otherwise protected by Rule 1.6.

(c) A lawyer may refuse to offer evidence that the lawyer reasonably believes is false.

71. The evidence in this instant motion and the lower Courts' records will support that Koch has knowingly: (a) made false statements of material fact or law to tribunal(s); (b) has concealed or knowingly failed to disclose that which she was required by law to reveal; (c) was aware that Entergy has perpetrated a fraud and/or has been deceptive in the action *sub judice*, yet, Koch failed to promptly call on Entergy to rectify same, but instead proceeded to further enhance the unlawful actions of Entergy of her own free will/choice, and in fact, took the initiative to proceed further in the action *sub judice* providing legal advice to Entergy condoning the unlawful and illegal practices before the tribunal(s); failed to disclose to the tribunal(s) legal authority and evidence she knew was available in the controlling jurisdiction to be directly adverse to the positions she was taking on behalf of Entergy and not disclosed by Newsome; and (d) has repeatedly and knowingly relied upon evidence and perjured testimony she knew was falsified for the sole purpose of misleading the tribunal(s), but took no reasonable remedial measures to correct said errors or advise the tribunal(s) of such.

72. Employer(s) of Koch, and co-counsel – Masinter, Howie, Faroldi, Griffith and Cancienne – knew or should have known of the unethical and unlawful practices of Koch and client Entergy. However, to date, has done nothing in the action *sub judice* to deter such practices of Koch; but, according to the law, may have joined in such conspiracy with Koch to obstruct the administration of justice. From said failure of Koch's employer(s) and co-counsel to abide and uphold the Louisiana Rules of Professional Conduct – wherein, as attorneys, they are governed – Newsome has been injured and deprived rights secured under the United States Constitution and Civil Rights Act.
73. Failure of Koch's employer(s) and co-counsel to deter or take the applicable actions to prevent such unethical and unlawful practices by Koch resulted in obstructing the administration of justice known to be committed by Koch, Entergy or oneself. Thus, said failure, may constitute an agreement to engage in the unethical and unlawful conduct to obstruct the administration of justice and involves dishonesty, fraud, deceit and/or misrepresentations upon the tribunal(s)/court(s).
74. Koch's employer(s) and co-counsel engaged in conduct that is prejudicial and discriminative in nature for the purposes of obstructing the administration of justice.
75. A conspiracy under civil rights conspiracy statute [42 U.S.C. §1985] may be implied from the circumstances; a plaintiff need not show that agreement between two or more persons to commit an illegal act was express.
76. Under statutes prohibiting conspiracy to deprive persons of rights or privileges, a corporate entity and its employees constitute a single entity which is incapable of conspiracy with itself; *however, a possible exception to such doctrine exist where corporate employees act for their own personal purposes.* – 42 U.S.C. § 1985. *Benningfield v. The City of Houston*, 157 F.3d 369 (5th Cir. 1998). **The record evidence will support that parties involved in the action *sub judice* acted for their own personal purposes. Moreover, what began with unlawful employment discrimination and conspiracy between two of Entergy's employees, has turned into a massive conspiracy involving many co-conspirators in the enhancement of Entergy's endeavors.**
77. The one arguable exception to the general rule that a corporation cannot conspire with its own employee in violation . . . occurs in the rare instances in which employees have an independent personal stake in achieving the object of the conspiracy. *Domed Stadium Hotel, Inc. v. Holiday Inns, Inc.*, 732 F.2d 480, 486 (n.5)(5th Cir. 1984) citing, *Poller v. Columbia Broadcasting System, Inc.*, 368 U.S. 464, 470, 82 S.Ct. 486,

489, 7 L.Ed.2d 458 (1962). The record evidence in the action *sub judice* and other legal actions involving Newsome, will support an independent personal stake of conspirators in achieving the object of the conspiracy.

78. The "Hartman" court concluded that a conspiracy could only be established if the employees' actions were solely the result of personal bias. *Hartman v. Board of Trustees of Community College Dist. No. 508, Cook County, Ill.*, 4 F.3d 465, 470 (7th Cir. 1993). The record evidence supports that actions by Entergy's employees and co-conspirators were solely the result of personal bias and prejudice towards Newsome.
79. Conspiracy in the realm of "Civil" law (not Criminal) pursuant to 42 U.S.C. §1985 when addressing civil rights violations, "means that co-conspirators must have agreed at least tacitly, to commit acts which will deprive plaintiff of equal protection of laws. *Santiago v. City of Philadelphia*, 435 F.Supp. 136 (E.D. PA 1971). The record evidence in the action *sub judice* supports a *tacit* agreement amongst the conspirators.
80. *Tacitly* under federal civil law means, "that two person pursue by their acts the same object by the same means, one performing one part of act and the other another, so as to complete it with a view to the attaining of the object they are pursuing, is sufficient to constitute a conspiracy regardless of whether each conspirator know of the details of the conspiracy or of the exact part to be performed by the conspirators, or whether the details were completely worked out in advance. *Picking v. Pennsylvania R. Co.*, 5 F.R.D. 76, 79 (M.D. PA 1946).

LIABILITY/ACCOUNTABILITY:

81. Federal officials can be sued under civil rights conspiracy statute. *Baird v. Haith*, 724 F.Supp. 367 (D.C. Miss. 1988)
82. **§ 1985 – Action For Neglect to Prevent:** *Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this 'title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action;*

PATTERN-OF-ABUSE (VIOLATION OF RULES OF PROFESSIONAL CONDUCT):

It is important to note that after leaving Entergy, Newsome was approached by Hibernia National Bank to see whether or not she was interested in a position at the bank. A job wherein there was a vacancy and Newsome did apply. However, at the last minute, Hibernia decided to go with another candidate. Who is Hibernia's legal counsel? Locke, Liddell & Sapp, LLP and Jones Walker - based on information on their websites:

LLS' website information:

REPRESENTATIVE CLIENTS: A.H. Belo Corporation; Amoco; AT&T; Baxter Healthcare; Caremark, Inc.; Chase Bank of Texas, N.A.; CIGNA Companies; Crescent Real Estate Equities Trust; Crow Family Holdings; El Paso Energy Corporation; Friedkin Companies; Garden Ridge Corporation; **Hibernia Corporation**; . . .

See **Exhibit 13**, p. 2 - information retrieved from martindale.com Lawyer Locator website – attached hereto.

Walker Jones website information:

BANKING AND FINANCE: Bank One NA; Enhanced Capital Partners, LLC; First Bank and Trust; **Hibernia National Bank**; Johnson Rice & Company L.L.C.; Legg Mason, Inc.; Whitney National Bank.

REPRESENTATIVE CLIENTS: A.H. Belo Corporation; Amoco; AT&T; Baxter Healthcare; Caremark, Inc.; Chase Bank of Texas, N.A.; CIGNA Companies; Crescent Real Estate Equities Trust; Crow Family Holdings; El Paso Energy Corporation; Friedkin Companies; Garden Ridge Corporation; **Hibernia Corporation**; Houston Chronicle; John Hancock Mutual Life Insurance; Kimberly-Clark Corporation; King Ranch; Lowe's Companies, Inc.; Lumbermen's Investment Corporation; Merrill Lynch; Metropolitan Life Insurance Co.; New York Life Insurance; North Texas Tollway Authority; Phillip Morris; Phillips Petroleum Company; Prudential Life Insurance; SCI/Provident Services; Seton Healthcare Network; Software Spectrum, Inc.; Trammell Crow Company; Wyndham Hotels & Resorts.

See **Exhibit 13**, p. 15 and 16 - information retrieved from martindale.com Lawyer Locator website – attached hereto.

Shortly after, the Hibernia incident, Newsome was contacted by Christian Health Ministries to see if she was interested in a job position there. Newsome had worked for Baptist Community Ministries, an affiliate of Christian Health Ministries, earlier that year. Newsome was later offer full-time employment at Christian Health Ministries. However, like at Entergy, she was also deprived employment with Christian Health Ministries due to Title VII violations. Christian Health Ministries discriminated against Newsome. Based upon the information contained within this Petition, and upon thinking upon circumstances surrounding Newsome's unlawful discharge and Christian Health Ministries relationship with Koch, it is possible that Newsome's employment may have been affected, as well, based upon Entergy's and/or Koch's relationship and the and/or influence upon Christian Health Ministries. In light of the conspiracy allegations and the record evidence supporting same, Newsome believes this is pertinent information thus warranting and/or requiring the United States Department of Justice to intervene/participate in the action *sub judice* as well as investigate the circumstances surrounding the unlawful discharge of Newsome from the employment of Christian Health Ministries ("CHM") and Koch's/LLS's providing of false information to obstruct, hinder and impede the EEOC's investigation to determine whether there exists violations under the laws. In support of such arguments, Newsome states the following:

83. There are common links between Entergy, Jones Walker, Baker Donelson, Hibernia, and Christian Health Ministries – Koch/Locke Liddell & Sapp, LLP. Of two, the record evidence supports Entergy's and Christian Health

Ministries' counsel, Koch/Locke Liddell & Sapp, LLP, is closely associated as legal counsel for these former employers of Newsome.

84. The record evidence will support that Entergy and Christian Health Ministries share the same counsel Locke, Liddell & Sapp, LLP/Koch.
85. The record evidence will support that Newsome filed a lawsuit against Entergy on November 3, 1999.
86. Newsome was offered employment with CHM on or about November, 1999. Newsome began job opportunity with CHM on or about November 22, 1999.
87. On or about **December 3, 1999**, Newsome complained to Supervisor, Dr. Valeria Granger ("Granger) regarding concerns of being required to attend Granger's mandatory devotional services and how it was affecting her job. Granger's mandatory devotional services were not a policy of CHM.
88. On or about **December 6, 1999**, Granger sought to have Newsome terminated.
89. On or about **December 8, 1999**, Newsome discussed Granger's retaliatory actions with Executive, Eugene Huffstatler, and Human Resources Coordinator, Jo Laxton.
90. On or about **December 21, 1999**, CHM advised Newsome that **December 24, 1999**, would be her last day of employment.
91. Newsome filed a Charge of Discrimination based on Religion against CHM with the EEOC on or about **January 11, 2000**.
92. On or about **June 13, 2000**, Entergy filed Motion to substitute Koch as counsel in the action *sub judice*. See **Exhibit 1** – Rec. Doc. No. 48.
93. On or about **June 16, 2000**, *approximately three (3) days later*, on behalf of CHM, Koch/Locke Liddell & Sapp, LLP provided a response to the EEOC regarding Newsome's Charge. See **Exhibit 14** attached hereto. **Koch having full knowledge that information contained in her response, on behalf of CHM, to the EEOC was false and misleading. Thus, supporting a conspiracy to interfere with protected rights of Newsome through the obstruction of justice.**
94. It is indisputable, based on the evidence provided in this Petition and lower Courts' record, that Christian Health Ministries (CHM) is not a church. CHM is not exempt from Title VII actions. However, Koch (*on*

behalf of herself, employer law firm, BCM⁴, CHM, etc.) knowingly provided false and misleading information during a federal investigation to the EEOC. In another action brought by Newsome (Newsome v. Christian Health Ministries) before the EEOC, Koch knowingly provides a false statement noting, "Title VII's prohibition against discrimination in employment does not apply to employees of religious organizations, and such, CHM is exempt from liability pursuant to Title VII of the Civil Rights Act of 1964, as amended." See Exhibit 14 attached hereto.

95. Koch (*on behalf of herself, employer law firm, BCM, CHM, etc.*) falsified information provided the EEOC denying her client, CHM, discriminated against Newsome with knowledge that her client indeed discriminated against Newsome. In aiding her client she states, "CHM emphatically denies that it discriminated against Ms. Newsome on the basis of her religion, or in any way. Even if, however, there were merit to Ms. Newsome's Charge of Discrimination, she could not recover against a religious organization, such as CHM, under Title VII. Additionally, *because CHM is a religious organization*, the Equal Employment Opportunity Commission (EEOC) and the Louisiana Commission on Human Rights (LPRH) are deprived of jurisdiction to investigate Ms. Newsome's Charge of Discrimination." **Exhibit 14** – attached hereto. Koch was fully aware and/or having access to information/documentation to support that CHM was not a religious organization immuned from Title VII actions. See **Exhibits 15, 16 and 17** - Schedule A, Part IV – Reasons for Non-Private Foundation Status.
96. The jurisdiction argument used by Koch is a *commonly used* frivolous argument entered by her on behalf of her client(s). Although the Fifth Circuit was properly, timely and adequately notified of Koch's pattern-of-abuse of the judicial process, it did nothing to assure that Newsome's rights would be protected from such unlawful practices of Koch. For instance:

About September 16, 2002, Newsome placed the Fifth Circuit on notice and requested that sanctions be issued against Entergy for frivolous pleadings presented the Court during appeal. To no avail. The Fifth Circuit as the EDC-LA allowed the Entergy (through counsel) to come before it and practice in a manner unbecoming to a member of the bar. *Supporting Koch's ability to influence improperly a judge, judicial officer, governmental agency or official.*

About September 19, 2002, Entergy through its attorney, filed a frivolous Motion to Dismiss the appeal alleging that Newsome's Notice of Appeal was untimely. Such

⁴ Baptist Community Ministries.

assertion is unsubstantiated by the evidence in the record in the action *sub judice*. See EDC Docket Sheet **Exhibit 1** of this Petition. Moreover, Entergy's pleadings ***did not*** have any legal conclusions to support it that could not be defeated by a more favorable ruling on the subject matter. Supporting Koch's ability to influence improperly a judge, judicial officer, governmental agency or official.

About September 27, 2002, Newsome timely filed Appellant Brief. Newsome believes the Entergy's frivolous September 19, 2002, filing was done to throw her off and prevent her from submitting a timely brief. However, such efforts by Entergy also failed.

About September 30, 2002, Newsome timely filed her rebuttal to Entergy's frivolous Motion to Dismiss. About the same time, Newsome submitted her Motion to Strike Entergy's Motion to Dismiss. To no avail.

About January 15, 2003, Fifth Circuit entered order granting Entergy's frivolous and unsubstantiated Motion to Dismiss. Fifth Circuit alleging it lacked jurisdiction in this action/appeal. The ruling by the Fifth Circuit contained no legal conclusions, evidence, etc. to support its findings as the law requires. The Fifth Circuit ruling is not in compliance with the Federal Rules governing said actions and is contrary to law. Said ruling can be defeated by a more favorable ruling on the subject matter. Supporting Koch's ability to influence improperly a judge, judicial officer, governmental agency or official.

About January 28, 2003, Newsome timely filed a Petition for Rehearing.

About February 25, 2003, Fifth Circuit denied Newsome's Petition for Rehearing. *Supporting Koch's ability to influence improperly a judge, judicial officer, governmental agency or official.*

97. Koch (*on behalf of herself, employer law firm, BCM, CHM, etc.*) states, "Title VII reads in pertinent part, 'This subchapter shall not apply . . . to a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities.' Additionally, the United States Supreme Court acknowledged that

‘[s]ection 702 of the Civil Rights Act of 1964, 78 Stat. 255, as amended, 42 U.S.C. §2000e-1, exempts religious organizations from Title VII’s prohibition against discrimination in employment on the basis of religion.” Knowingly misapplying the United States Supreme Court’s decision in *Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints v. Amos*. Evidence further supporting Koch’s skills in twisting and misapplying the laws to mislead and/or obstruct justice in a federal matter. Supporting Koch’s ability to influence improperly a judge, judicial officer, governmental agency or official. Koch being an attorney with many years of practice in the legal profession and having knowledge that her actions were unethical and unlawful. Exhibit 14 attached hereto.

98. Koch (*on behalf of herself, employer law firm, BCM, CHM, etc.*) knowingly provides false information in misapplying the decision of the Fifth Circuit Court of Appeals in *Equal Employment Opportunity Commission v. Mississippi College*, stating, “Furthermore, the Fifth Circuit instructs that when ‘a religious institution of the kind described in §702 presents convincing evidence that the challenged employment practice resulted from discrimination on the basis of religion, §702 deprives the EEOC of jurisdiction to investigate further . . .’” Exhibit 14 attached hereto. Supporting Koch’s ability to influence improperly a judge, judicial officer, governmental agency or official. Koch being an attorney with many years of practice in the legal profession (employment law) and having knowledge that her actions were unethical and unlawful.
99. Koch (*on behalf of herself, employer law firm, BCM, CHM, etc.*) states, “Thus, in order to be exempt, the complaint must be 1) religious discrimination and 2) brought against a religious organization, as provided by section 2000e-1 of Title VII. In her Charge of Discrimination, Ms. Newsome alleges that she was discriminated against because of her religion, non-denominational. Thus, Ms. Newsome’s complaint is of religious discrimination.” Exhibit 14 attached hereto. Information Koch knew to be false and is not applicable to CHM. Supporting Koch’s ability to influence improperly a judge, judicial officer, governmental agency or official. Koch being an attorney with many years of practice in the legal profession (employment law) and having knowledge that her actions were unethical and unlawful.
100. Koch (*on behalf of herself, employer law firm, BCM, CHM, etc.*) states, “Additionally, CHM qualifies as a ‘religious corporation, association, educational institution, or society’ exempt from liability under Title VII for religious discrimination. CHM is a Louisiana not-for-profit corporation, exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.” Exhibit 14 attached hereto. Supporting Koch’s ability to influence improperly a judge, judicial officer, governmental

agency or official. Koch being an attorney with many years of practice in the legal profession (employment law) and having knowledge that her actions were unethical and unlawful.

101. See **Exhibit 18** (dated 7/2/96). Information clearly in the possession of Koch, employer law firm, BCM and CHM, and/or she having access to her client's file wherein she could have retrieved this information. Newsome is not an attorney and was able to obtain this information.

It is indisputable that CHM is not a church. CHM was "an organization exempt from federal income tax under section 501(c)(3) of the Code and **is not** a private foundation because it is an organization described in section 509(a)(1) of the Code and 170(b)(1)(A)(iii) of the Income Tax Regulations" which states:

170(b)(1)(A)(iii) - "an organization the *principal purpose or functions* of which are the providing of *medical or hospital care or medical research . . .*

It is indisputable that the 990 Tax Returns of CHM received by the Internal Revenue Service on or about **May 11, 1999** shows under Part IV - "Reason for Non-Private Status," Box No. 6 "X'ed" - indicating "**A school**. Section 170(b)(1)(A)(ii). (Also complete Part V, page 4)" which states:

Advertisement of the nondiscriminatory policy is published in local newspaper. Also nondiscriminatory policy tagline printed on brochures, applications and appears on Webpage."

It is indisputable that the 990 Tax Returns of CHM received by the Internal Revenue Service on or about **May 22, 2000**, shows under Part IV - "Reason for Non-Private Status," Box No. 6 "X'ed" - indicating "**A school**. Section 170(b)(1)(A)(ii). (Also complete Part V, page 4)" which states:

Advertisement of the nondiscriminatory policy is published in local

newspaper. Also nondiscriminatory policy tagline printed on brochures, applications and appears on Webpage."

It is indisputable that the 990 Tax Returns of CHM received by the Internal Revenue Service on or about **August 20, 2001**, shows under Part IV - "Reason for Non-Private Status," Box No. 6 "X'ed" - indicating "**A school**. Section 170(b)(1)(A(ii). (Also complete Part V, page 4)" which states:

Advertisement of the nondiscriminatory policy is published in local newspaper. Also nondiscriminatory policy tagline printed on brochures, applications and appears on Webpage."

It is indisputable that the 990 Tax Returns of CHM received by the Internal Revenue Service on or about **July 18, 2002**, shows under Part IV - "Reason for Non-Private Status," Box No. 6 "X'ed" - indicating "**A school**. Section 170(b)(1)(A(ii). (Also complete Part V, page 4)" which states:

Advertisement of the nondiscriminatory policy is published in local newspaper. Also nondiscriminatory policy tagline printed on brochures, applications and appears on Webpage."

102. It is indisputable from evidenced provided in **Exhibits 15, 16 and 17**, that CHM does not claim exemption reason for Non-Private Foundation status as a Church, Convention of Churches or Association of Churches under Section 170(b)(1)(A)(i).
103. It is indisputable, like Entergy had its own counsel (in-house), CHM also has its own counsel, Emmett, Cobb, Waits & Kessenich. See Exhibits **Exhibits 15, 16 and 17**, Part II of Schedule A. Nevertheless, evidence in the record of the federal entities handling matter(s) will find that Koch voluntarily appearing as counsel or requesting entry to appear as counsel.

104. ***Pattern-of-abuse and breach of the Rules of Professional Conduct*** in the federal sector is evidenced in Koch's 3/17/00 letter to the EEOC wherein she ask for extra time to respond to Newsome's Charge of Discrimination noting, "***My firm*** represents Baptist Community Ministries ("BCM") in connection with the above-referenced Charge of Discrimination brought by Ms. Vogel Newsome. While BCM has received notice of Ms. Newsome's charge, it has not yet received a signed charge of employment discrimination. As a result, BCM has been unable to furnish your office with a comprehensive position statement. . . . So that BCM may respond fully and properly to Ms. Newsome's complaint, we request that you extend the deadline for our response until two weeks following our receipt of her signed charge. If we do not hear otherwise, we will assume that your office has agreed to this extension. Meanwhile, because my firm represents BCM in this matter, please direct all future materials pertaining to Ms. Vogel's charge to me at the above address." Supporting BCM was brought into this matter with Koch, her employer law firm, and any other willing participant, for the purposes of obstructing justice and depriving Newsome rights secured under the Civil Rights Act and United States Constitution. Under federal law, said actions constitutes a ***civil conspiracy. Supporting Koch's ability to influence improperly a judge, judicial officer, governmental agency or official.***
105. Koch is not a rookie in the legal profession. Koch has been in the legal profession for approximately 21 years, was admitted to the bar in Louisiana in 1983 and thus, is bound by the Rules of Professional Conduct. See **Exhibit 12**.
106. From the evidence Newsome has found, it appears that Koch married into a prominent family ("Koch") perhaps known and very well established in the legal community in the state of Louisiana. See **Exhibit 19**. ***Furthermore, pertinent evidence to support the influence and financial ties Koch has to the community and the legal system.***
107. Koch has held prominent positions as a member of the bar and her legal experience further supports her strength and ties to the legal community (Federal & State). In New Orleans - Treasurer; Louisiana - Chair. In Federal Bar Association - New Orleans Chapter President, etc. See **Exhibit 12**. Moreover, her new employer, Baker Donelson has many ties to present and/or former government officials:

Current and former Baker Donelson attorneys and public policy advisors include, among many other highly distinguished individuals, people who have served as Chief of Staff to the President of the United States; the U.S. Senate Majority Leader; the U.S. Secretary of State; a member of the United

States Congress; the Federal Aviation Administrator; Chief of Staff at the Supreme Court of the United States and Administrative Assistant to the Chief Justice of the United States; the Deputy Under Secretary for International Trade for the U.S. Department of Commerce; the Ambassador to Turkey; the Ambassador to the Sultanate of Oman; Chief Operating Officer and Commissioner of Finance and Administration for the State of Tennessee; the Deputy Governor and Chief of Staff for the Governor of Tennessee, the Governor of Mississippi, and the Chairman of the Alabama Securities Commission.

See **Exhibit 13**, pp. 4 - 5 - information retrieved from martindale.com Lawyer Locator website – attached hereto.

108. Koch is a white female with a profession in the legal field. She is an attorney. One skilled and schooled in the laws of this country. Specializing in employment law. Thus, familiar with the laws governing conduct of attorneys and ethical practices required of members of the bar.
109. The evidence in the lower Courts' records will support that Newsome has been held to strict and stringent rules of the Courts and laws of this Country, while Koch, her client(s) and co-counsel are held to less stringent rules of the Courts and laws of this Country. Furthermore, the Courts are lenient/lax when dealing with Koch, her client(s) and co-counsel. Moreover, the evidence in the record will support that the Court's are more abrupt and abusive and geared more to unlawfully sanctioning Newsome while allowing Koch, her client(s) and co-counsel to practice before the Court(s) in an unethical and unlawful manner. Yet the Court(s) have repeatedly failed to sanction Koch for such. Supporting Koch's ability to influence improperly a judge, judicial officer, governmental agency or official.
110. Newsome is subjected to bias, prejudicial and discriminatory treatment by the lower Courts because she is an African-American; while Koch is allowed to practice before the Court's in an unlawful manner because she is a white female professional schooled in the law. Moreover, Koch has been extended special privileges and given better treatment in the handling of this lawsuit than Newsome because of her race and because she represents a client who is majority-owned and operated by members of a race other than Newsome. Moreover, a client with vast financial resources and other ties to the community, than that of Newsome.

**REQUEST FOR DISQUALIFICATION OF JUDGE/MAGISTRATE
REQUEST FOR REASSIGNMENT OF CASE IN ACTION *SUB JUDICE***

Based on the information contained in the lower courts' record and this instant Petition, Newsome petitions the United States Department of Justice to intervene/participate in the action *sub judice* and file the applicable pleadings in said action, or a separate action, addressing the errors and wrongs rendered her by the Judge(s)/Magistrate(s) assigned her actions. Newsome seeks the disqualification of said Judge(s) and Magistrate(s) if permissible by law. Newsome request that in the action *sub judice*, that it be reassigned to Judge/Magistrate that has not, and will not, exhibit discriminatory, retaliatory and/or prejudicial treatment towards her, but will decide the issues brought before it in Newsome's motions and Amended Complaint based on the applicable laws and the evidence contained therein that governs said lawsuits. **Moreover, it is Newsome's preference, if at all possible, that this matter be taken out of the hands of the EDC-LA and assigned to another Court – if Congress and the law permits such request(s).** Newsome believes given the magnitude of prejudice, hostility and discriminatory treatment exhibited her by the EDC-LA, Entergy and others, such request for removal (*if applicable*) is appropriate – given the facts of this case and the handling thereof. In support thereof, Newsome states:

111. Objections to the Order and Reasons and notification of errors in said ruling in the action *sub judice* was timely, properly and adequately presented to the EDC-LA. Therefore, only if Newsome had failed to call District Court Judge Porteous' attention to any errors in proposed findings of fact and conclusion of law, would preclude Newsome from attempting to object to it on appeal or now before the DOJ or Congress. *Pendleton v. Rumsfeld*, 682 F.2d 102, 202 U.S. App. D.C. 102 (1980).
112. If Newsome felt that Court rulings were objectionable on the ground that they contained allegedly prejudicial comments, Newsome should have

called such matters to the court's attention to give the EDC-LA opportunity to take corrective action. *Albee Homes, Inc. v. Lutman*, 274 F.Supp. 875 (D.C. PA 1967). Thus, the record evidence will support that Newsome, indeed, in post motions addressed the EDC-LA's prejudicial comments and treatment of the action *sub judice*. See **Exhibit 3**, pp. 11 – 20; and **Exhibit 4**, pp. 7 – 8.

113. The lower Courts' record will support that it was Entergy's legal counsel, Koch, who provided information about Newsome in other unrelated matters to prejudice the EDC-LA against Newsome. Supporting Koch's ability to influence improperly a judge, judicial officer, governmental agency or official. Moreover, what was the reason for Koch providing information regarding other legal actions by Newsome, if it were not for prejudicial reasons.
114. Case law precludes such discriminatory treatment of Newsome because of the EDC-LA's knowledge of past or present lawsuits by Newsome. Each case is to be decided on its own merits.
115. It should never be presumed without considering the facts – as the EDC-LA has done in the action *sub judice* – and the evidence provided by Newsome that she will never bring a meritorious claim – as Newsome has brought a meritorious claim in the action *sub judice*. Nor should the EDC-LA lose sight on the important role *in forma pauperis/pro se* claims have played in shaping constitutional doctrine. *Gideon v. Wainwright*, 372 U.S. 335, 83 S.Ct. 792, 9 L.Ed.2d 799 (1963).
116. Justice Brennan warned, “if . . . continue on the course we chart today, we will end by closing the doors to a litigant with a meritorious claim.” *In Re McDonald*, supra, 489 U.S. 180, 187, 109 S.Ct. 993, 998:

It is rare, but it does happen that the Supreme Court grant review and even decide in favor of a litigant who has *previously presented multiple unsuccessful petitions on the same issue*. See, e.g., *Chessman v. Teets*, 354 U.S. 156, 77 S.Ct. 1127, 1 L.Ed.2d 1253 (1957); see *id.*, at 173-177, 77 S.Ct. at 1136-1138.

117. The record evidence will support that Koch's eagerness to come forth and address Newsome's legal matters, clearly blinded her against the many lawsuits that have been brought against her client Entergy for discrimination. Cases in which Entergy settled – *Walker v. Entergy LA Inc, et al*, Eastern District, Civil Action No. 97-736; and *Hassan, et al. v. Entergy Corp. et al.*, Civil Action No. 89-2794. Said discriminatory actions of others against Entergy are in the record the lower Courts.

Moreover, Koch thinking she was opening up a can of worms on Newsome resulted in exposure of other lawsuits against Entergy for discrimination and Entergy's settling thereof, as well as, the conspiracy actions on behalf herself and co-conspirators.

118. The due process clause of the Fourteenth Amendment was intended to prevent the government from abusing its power, or employing it as an instrument of oppression. *Collins v. City of Harker Heights*, 112 S.Ct. 1061 (1992). **Yet the Judge(s)/Magistrate(s) in the action *sub judice*, infringed upon Newsome's Constitutional and Civil Rights and abused their power or employed such power for purpose of oppressing Newsome and depriving her equal protection of the laws and due process of laws.**
119. Court of Appeals has found, party is entitled to a trial before a judge who is not biased against him at any point of the trial. . . *United States v. Thompson*, 483 F.2d 527, 529 (3rd Cir. 1973). The Fifth Circuit Court of Appeals, "held that trial judge displayed such bias and prejudice as to require new trial before different judge." *United States v. Holland*, 655 F.2d 244 (5th Cir. 1981). **The record evidence in the action *sub judice*, will support EDC-LA's bias and prejudice towards Newsome which warrants disqualification of Judge(s)/Magistrate(s) associated with this lawsuit; thus warranting issuance of removal of case to a different court and venue outside the Fifth Circuit Court of Appeals jurisdiction.**
120. The record evidence supports the EDC-LA bias and prejudice towards Newsome because of its knowledge of past and/or pending litigation brought by her, as well as other unlawful underlying factors. The EDC-LA's knowledge of and addressing other lawsuits by Newsome, violates Newsome's Constitutional and Civil Rights, in that the EDC-LA used said information for the purposes of depriving Newsome rights secured under the United States Constitution and Civil Rights Act. Thus, sufficient evidence to support it has rendered the Judges assigned Newsome's lawsuit(s) inability to remain impartial and decide matters brought before it in a fair, just and honest manner and inability to apply and uphold the applicable laws governing her lawsuit(s). Thus, warranting disqualification of Judge(s)/Magistrate(s) that are bias and prejudice against Newsome.
121. The record evidence will support that Newsome repeatedly made it known to the lower Courts concerns of prejudicial/discriminatory treatment in the handling of her lawsuit. Yet the Judges/Justices did nothing to recuse themselves. The record evidence will support when Newsome questioned the unlawful behavior of Magistrate Sally Shushan in the action *sub judice*, she requested information from Shushan. See **Exhibit 1, Rec.**

Doc. 28. Moreover, Newsome filed a Motion to have Shushan disqualified because of belief of bias and prejudice on her part. The EDC-LA set this matter to *be hard before judge at 9:15 7/19/00*. See **Exhibit 1**, Rec. Doc. 55. However, upon review of the record evidence, it will be found that no such hearing or findings on Newsome's Motion was ever held and the action *sub judice*.

122. The EDC-LA frivolous and unlawful efforts to dispose of this lawsuit in the action *sub judice*, is an infringement upon Newsome's Seventh Amendment and Fourteenth Amendment under the United States Constitution.
123. Federal law makes provisions which addresses disqualification in matters pursuant to 28 U.S.C. §455 which states: (a) Any justice, judge or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. (b) He shall also disqualify himself in the following circumstances: (1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceedings;¹¹ . . .
124. A Judge faced with a potential ground for disqualification ought to **consider *how his participation in a given case looks to the average person on the street***; use of the word "might" in this section was intended to indicate that disqualification should follow if reasonable man, were he to know all the circumstances, would harbor doubts about judges impartiality. §455. *Postashnick v. Port City Const. Co.*, 609 F.2d 1101 (5th Cir. 1980).

Fact: Given the nature of the case, evidence presented in the record of the Courts, an average person on the street may conclude that Judges/Courts are bias and prejudice towards Newsome and have subjected her to discriminatory practices in the handling of her charge. *Moreover, it appears that justice is tainted.*

125. General rule is that bias sufficient to disqualify judge must stem from extrajudicial sources but there is exception where such pervasive bias and prejudice is shown by otherwise judicial conduct as would constitute bias against party. *Whitehurst v. Wright*, 592 F.2d 834 (5th Cir. 1979). **The**

¹¹**Fact:** The impartiality of the Judges' handling of this lawsuit, might reasonably be questioned. Such questionability is supported by the unlawful behavior, conduct and unsubstantiated rulings of the Courts. Behavior which is unbecoming for a member of the bench. The Judges that have been assigned the pleadings in Ms. Newsome's lawsuit have developed a personal bias and prejudice towards her resulting in her being subjected to additional discriminatory practices on top of those addressed in the lawsuit before the Courts

record evidence in the action *sub judice* supports disqualification of Judge(s)/Magistrate(s).

126. Negative bias or prejudice that requires disqualification of judge exists only if it is attitude or state of mind that belies aversion of hostility of kind or degree that fair-minded person could not entirely set aside when judging certain persons or causes. §455(b)(1). *U. S. v. Professional Air Traffic Controllers Organization (PATCO)*, 527 F.Supp. 1344 [n.19], 1360 (N.D. IL 1981).¹² The record evidence and legal conclusion in the action *sub judice* and this instant Petition supports disqualification of Judge(s)/Magistrate(s). In regards to the Judge(s)/Magistrate(s) of the EDC-LA, this case has been dormant for over/approximately two (2) years without an Amended Order and Reasons being entered or a Final Judgment. Furthermore, Newsome believes given the instant Petition, and the requests to correct the wrong contained therein, she finds it highly impossible – given the Judge(s)/Magistrate(s) attitude towards her for exposing their unlawful practices – that with Justices attitude and state of mind, it would be difficult for them to set aside these facts and issues presented here and when judging certain issues, persons or causes, judge it fairly and honestly without bias, prejudice and or discriminatory intent towards her.
127. Personal bias or prejudice refers to some sort of antagonism or animosity toward party arising from sources or events outside scope of particular proceeding. 28 U.S.C. §144. *U.S. v. Professional Air Traffic*. [n. 14]. The record evidence will support that Judge(s)/Magistrate(s) in the action *sub judice* have a personal bias and prejudices towards Newsome. Moreover, said bias and prejudices are antagonistic and there is animosity toward Newsome as a result of her filing post motions and the EDC-LA's knowledge of matters involving Newsome that are outside the realm of the action *sub judice*.
128. Even if no bias or prejudice of judge may actually exist, it is enough to disqualify that there be mere appearance of partiality. *Limeco, Inc. v. Division of Lime*, 571 F.Supp. 710 [n. 1] (N.D. MS 1983). To say that one has no present recollection falls short of meeting the acid test required of a judge whose impartiality may be reasonably drawn into question. It is

¹²FACT: Judges handling of Ms. Newsome's lawsuit have formed a bias and prejudice towards her because of her pursuit of justice in several other lawsuits (past or present) totally unrelated to this matter. Acknowledgment of any other lawsuit are in the record of the Court(s). Therefore, it may be concluded from the behavior and/or conduct of Judges "attitude" and/or "state of mind" belies aversion of hostility towards Ms. Newsome. Information Judges may have obtained (whether true or false) has affected their ability to remain impartial and inability to remain fair and just in deciding this matter. Thus, affecting the outcome of this lawsuit and Appellant being deprived justice. In further support of this argument, the prejudicial and discriminatory treatment is evidenced by the lack of and/or acknowledgment of any prior lawsuits filed in this Court or any other Court against Entergy for employment discrimination.

well settled by all legal authorities that even if no bias or prejudice of a judge may actually exist, it is enough to disqualify that there be the mere appearance of partiality. Judicial ethics "exact more than virtuous behavior; they command impeccable appearance. Purity of heart is not enough. Judges' robes must be as spotless as their actual conduct." *Limeco* citing *Hall v. Small Business Administration*, 695 F.2d 175, 176 (5th Cir. 1983). Every justice, judge and magistrate is required to disqualify himself in any proceeding in which his impartiality might reasonably be questioned. *Hall*. The record evidence supports disqualification of Judge(s)/Magistrate(s) in the action *sub judice* because its partiality for Entergy and its co-conspirators. The bias and prejudice exhibited by the Judge(s)/Magistrate(s) in this lawsuit is not merely speculation, but is fact. Said bias and prejudice by Justices are fueled by the fact that Newsome is an African-American who is college-educated, single, has no dependents, has typed and prepared the majority of her own pleadings (except that presented by Bennett) in this lawsuit, and drives a nice car. Justices in this lawsuit cannot take the fact that Newsome, an *indigent pro se African-American* – who is not schooled in the law – has managed to maintain the action *sub judice* against a Defendant (Entergy), whose legal defense counsel are the white majority with superior credentials – yet has failed to successfully defend this lawsuit against an *African-American*. The record evidence will support that the reasons for Entergy's success in this lawsuit, thus far, is due to the fact opposing counsel, Koch, and her co-counsel(s) are *white* with vast legal and financial resources. Newsome believes that had she been white, this matter would have long been resolved in her favor based upon the evidence presented in this lawsuit.

129. Court of Appeals has found, party is entitled to a trial before a judge who is not biased against him at any point of the trial. . . *United States v. Thompson*, 483 F.2d 527, 529 (3rd Cir. 1973). The Fifth Circuit Court of Appeals, "held that trial judge displayed such bias and prejudice as to require **new trial before different judge.**" *United States v. Holland*, 655 F.2d 244 (5th Cir. 1981). **Based upon the record evidence and conduct of Judge(s)/Magistrate in the action *sub judice*, Newsome is entitled to a trial before a Jury and Judge who is not biased against her at any point in the trial. Thus, Newsome does not believe that any EDC-LA Judge or Fifth Circuit Court of Appeals Judge – based on the factual evidence involved in this lawsuit and their relationship with each other and Entergy and its counsel – can remain unbiased, fair and just in litigating this lawsuit and/or any in which Newsome is a party.**

130. The EDC-LA's handling of the action *sub judice* is discriminatory, prejudicial. Said unlawful actions by the EDC-LA have adversely affected Newsome.

CONGRESS'S JURISDICTION OVER THE LOWER FEDERAL COURTS

For informational purposes, through the filing of this instant Petition, Newsome provides the United States Department of Justice with statutes and legal conclusions to support the jurisdiction of the United States Congress to intervene in the action *sub judice* because of the Constitutional violations and deprivation of equal protection of the laws and due process of laws rendered Newsome. Because of the EDC-LA's unlawful actions towards Newsome regarding appointment of counsel for Newsome and said Court's unlawful granting of Newsome's attorney, Bennett's, withdrawal and other abuses launched against her, Newsome is requesting that the DOJ intervene/participate in the preparation and submittal of the required pleading/complaint required to bring the matters addressed within this Petition and the action *sub judice* before the United States Congress. In support thereof, Newsome states:

JURISDICTION:

§ 3526 Congressional Control of Lower Federal Court Jurisdiction:⁵

Congress has considerable discretion in dealing with the jurisdiction of the lower federal courts. It can provide that a particular court hear certain questions and deny all other courts the power to consider the questions referred to that court.⁶

Simply stated, Congress may impart as much or as little of the judicial power as it deems appropriate and the Judiciary may not thereafter on its own motion recur to the Article III storehouse for additional jurisdiction. When it comes to jurisdiction of the federal courts, truly, to

⁵ *Wright, Miller & Cooper, Federal Practice and Procedure: Jurisdiction* 2d § 3526.

⁶ *Lockerty v. Phillips*, 63 S.Ct. 1019, 319 U.S. 182, 87 L.Ed. 1339.

paraphrase the scripture, the Congress giveth, the Congress taketh away.⁷

⁸Finally, however, no more than is true of the commerce power or any other power of Congress, does any of this imply an absence of constitutional limitations lying outside the exceptions clause but still fully applicable to its every use. Without doubt, the Bill of Rights applies as do the several limitations flowing from article I, section 9. . . An exception to the scope of review applicable only in cases where the defendant availed himself of his right to trial by jury, but not when he agreed to a bench trial, moreover, might be held to offend the sixth or fourteenth amendments' protections of the right to trial by jury.⁹ Perhaps the simplest illustration would be an "exception" of cases based upon the appellant's race: an exception certain to be held offensive to the fifth amendment's dimension of equal protection.¹⁰ Expanding upon this example, one may plausibly argue that *whatever* basis of classification for excepting certain cases from the Court's appellate jurisdiction Congress may have used, it is necessarily subject to review to determine whether the class thus described is "arbitrary" or "invidious" in the sense condemned by whatever standards of equal protection appropriately applies to the subject matter.¹¹

CASE LAW:

Lockerty v. Phillips, 1943, 63 S.Ct. 1019, 319 U.S. 182, 87 L.Ed. 1339 – (n.5) Congress had authority to require that a plaintiff seeking equitable relief against enforcement of . . . Act, or of regulations promulgated under it, resort to the Emergency Court of Appeals only after first pursuing prescribed administrative procedure. *Id.* 1020.

Article III left Congress free to establish inferior federal courts or not as it thought appropriate. It could have declined to create any such courts, leaving suitor to the remedies afforded by state courts, with appellate review by this Court as Congress might prescribe. *Kline v. Burke*

⁷ Judge Sirica – 366 F.Supp. at 55. (D.C.D.C. 1973). Wright, Miller & Cooper, *Federal Practice and Procedure: Jurisdiction* 2d § 3526, p 241

⁸ 15 Ariz. L.Rev. 229, 263 – Van Alstyne, *A critical Guide to Ex Parte*.

⁹ See Comment, *Removal of Supreme Court Appellate Jurisdiction: A Weapon Against Obscenity?*, 1969 Duke L.J. 291; cf. *United States v. Jackson*, 390 U.S. 570 (1968).

¹⁰ This intriguing possibility I first heard suggested years ago by Mr. Lawrence Wallace (formerly of the Duke faculty and currently with the Office of Solicitor General).

¹¹ See generally Goodpaster, *The Constitution and Fundamental Rights*, 15 Ariz. L.Rev. 479 (1973).

Construction Co., 260 U.S. 226, 234, 43 S.Ct. 79, 82, 67 L.Ed. 226, 24 A.L.R. 1077, and cases cited. *Lockerty v. Phillips*, 1943, 63 S.Ct. 1019, 319 U.S. 182, 87 L.Ed. 1339 – (n.3) The congressional power to “ordain and establish” inferior courts includes the power of investing them with jurisdiction either limited, concurrent, or exclusive, and of withholding jurisdiction from them in the exact degrees and character which Congress may seem proper for public good. U.S.C.A. Const. Art. 3, § 1. *Cary v. Curtis*, 3 How. 236, 245, 11 L.Ed 576; *Lauf v. E. G. Shinner & Co.*, 303 U.S. 323, 330, 58 S.Ct. 578, 582, 82 L.Ed. 872.

Decision with respect to inferior federal courts, as well as task of defining their jurisdiction, was left by Judiciary Article to discretion of Congress. U.S.C.A. Const. Art. 3, § 1 et seq. *Palmore v. U. S.*, 93 S.Ct. 1670, 411 U.S. 389, 36 L.Ed.2d 342.

Federal courts are courts of limited jurisdiction and only Congress may retract or expand the limits of federal judicial power. U.S.C.A. Const. art 3, § 1 et seq., *United Gas Pipe Line Co. v. Whitman*, 595 F.2d 323 (1979)

Congress has power to define jurisdiction of federal courts. *Morgan v. Melchar*, 442 F.2d 1082, vacated 92 S.Ct. 1280, 405 U.S. 1014, 31 L.Ed.2d 477, on remand 467 F.2d 133.

Congress has the power to limit the jurisdiction of the federal courts in whatever extent it deems fit, with the sole possible limitation on that power which may be opposed by the requirements of due process. *Government Emp. Ins. Co. v. Le Bleu*, 272 F.Supp. 421 (1967).

Congress has constitutional authority to define jurisdiction of lower federal courts. *Keene Corp. v. U.S.*, 113 S.Ct. 2035, 508 U.S. 200, 124 L.Ed.2d 118

UNITED STATES CONSTITUTION:

Section 1. *Judicial Power, Tenure and Compensation*

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish . . .

RELIEF SOUGHT/DESIRED FROM FILING OF PETITION

Newsome prays that upon review of the Eastern District Court's record involving *Vogel Denise Newsome v. Entergy Services, Inc.*; in the United States District Court, Eastern District of Louisiana; Civil Action No. 99-3109; other federal actions brought by Newsome and the evidence contained within this instant Petition - which supports the allegations brought - that the following relief and any other relief that the United States Department of Justice and/or United States Congress has knowledge of to correct the injustice/wrongs complained of, be hereby granted to correct the wrongs/injuries sustained by Newsome – from Entergy and Co-Conspirators - as a direct and proximate result of her exercising rights protected under the United States Constitution and Civil Rights Act:

131. that the United States Department of Justice and/or Congress retain jurisdiction in the action *sub judice* and see that Newsome is provided legal representation/counsel for the duration of this lawsuit;
132. that pursuant to the Seventh Amendment of the United States Constitution, that this lawsuit be allowed to proceed to trial;
133. that this lawsuit be assigned to another Judge, Court and venue that can decide the issues in a legal, lawful, fair and just manner without any bias and prejudice towards Newsome because of its knowledge of other lawsuits by her;
134. that the United States Department of Justice prepare and submit the applicable pleadings for the disqualification of the following Judge(s)/Magistrate(s):
 - a. Honorable G. Thomas Porteous, Jr. (District Court Judge)
 - b. Honorable Morey L. Sear (District Judge)
 - c. Magistrate Judge Sally Shushan
135. that the United States Department of Justice, on behalf of Newsome, file the applicable Criminal lawsuits or actions (if warranted) for Obstructing

Justice, conspiracy, fraud, etc. – *under the applicable laws governing said violations or the likes* - against any or all of the following:

- a. Honorable G. Thomas Porteous, Jr. (District Court Judge)
 - b. Honorable Morey L. Sear (District Judge)
 - c. Magistrate Judge Sally Shushan
136. that the United States Department of Justice intervene/participate in the action *sub judice* and prepare the appropriate pleading on behalf of Newsome to correct the wrongs/injustice complained and rendered her in her pursuit for justice;
137. Request, if the law permits, that the following corporations, businesses and person(s) release to the United States Department of Justice their financial statements:
- a. Entergy Services, Inc.
 - b. Locke, Liddell & Sapp, LLP
 - c. Justice For All Law Center, LLC
 - d. Jones, Walker, Waechter, Poitevent, Carrère & Denègre, LLP
 - e. Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
 - f. Christian Health Ministries
 - g. Baptist Community Ministries
 - h. Michelle Ebony Scott-Bennett
 - i. Renee Williams Masinter
 - j. Allyson K. Howie
 - k. Amelia Williams Koch
 - l. Steven F. Griffith, Jr.
 - m. Phyllis Cancienne
 - n. Jennifer A. Faroldi
138. That the United States Department of Justice, on behalf of Newsome, file the applicable Criminal lawsuits (if warranted) for Obstructing Justice, conspiracy, fraud, etc. – *under the applicable laws governing said violations or the likes* - against any or all of the following:
- a. Entergy Services, Inc.
 - b. Locke, Liddell & Sapp, LLP
 - c. Justice For All Law Center, LLC
 - d. Jones, Walker, Waechter, Poitevent, Carrère & Denègre, LLP
 - e. Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
 - f. Christian Health Ministries
 - g. Baptist Community Ministries
 - h. Michelle Ebony Scott-Bennett
 - i. Renee Williams Masinter
 - j. Allyson K. Howie

- k. Amelia Williams Koch
- l. Steven F. Griffith, Jr.
- m. Phyllis Cancienne
- n. Jennifer A. Faroldi

139. That the United States Department of Justice, on behalf of Newsome, file the applicable Civil lawsuit(s) (if warranted) for Obstructing Justice, conspiracy, fraud, etc. – *under the applicable laws governing said violations or the likes* - against any or all of the following:

- a. Entergy Services, Inc.
- b. Locke, Liddell & Sapp, LLP
- c. Justice For All Law Center, LLC
- d. Jones, Walker, Waechter, Poitevent, Carrère & Denègre, LLP
- e. Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
- f. Christian Health Ministries
- g. Baptist Community Ministries
- h. Michelle Ebony Scott-Bennett
- i. Renee Williams Masinter
- j. Allyson K. Howie
- k. Amelia Williams Koch
- l. Steven F. Griffith, Jr.
- m. Phyllis Cancienne
- n. Jennifer A. Faroldi

140. That the United States Department of Justice, on behalf of Newsome, file the applicable pleadings (if warranted) for sanctions for Obstructing Justice, conspiracy, fraud, etc. – *under the applicable laws governing said violations or the likes* - against any or all of the following:

- a. Entergy Services, Inc.
- b. Locke, Liddell & Sapp, LLP
- c. Justice For All Law Center, LLC
- d. Jones, Walker, Waechter, Poitevent, Carrère & Denègre, LLP
- e. Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
- f. Christian Health Ministries
- g. Baptist Community Ministries
- h. Michelle Ebony Scott-Bennett
- i. Renee Williams Masinter
- j. Allyson K. Howie
- k. Amelia Williams Koch
- l. Steven F. Griffith, Jr.
- m. Phyllis Cancienne
- n. Jennifer A. Faroldi

141. That the United States Department of Justice, on behalf of Newsome, file the applicable pleadings/documents (if warranted) for disbarment for Obstructing Justice, conspiracy, fraud, etc. – *under the applicable laws governing said violations or the likes* - against any or all of the following:
- a. Locke, Liddell & Sapp, LLP
 - b. Justice For All Law Center, LLC
 - c. Jones, Walker, Waechter, Poitevent, Carrère & Denègre, LLP
 - d. Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
 - e. Michelle Ebony Scott-Bennett - **Louisiana Bar No. 25342**
 - f. Renee Williams Masinter- **Louisiana Bar No. 19831**
 - g. Allyson K. Howie - **Louisiana Bar No. 20574**
 - h. Amelia Williams Koch - **Louisiana Bar No. 2186**
 - i. Steven F. Griffith, Jr. - **Louisiana Bar No. 27232**
 - j. Phyllis Cancienne - **Louisiana Bar No. (not known at this time)**
 - k. Jennifer A. Faroldi - **Louisiana Bar No. 25668**
142. Grant Newsome a permanent injunction enjoining Entergy, its agents, employees, successors, assigns and all persons in concert or participation with it in its conspiracy against Newsome, from conspiring against her in violation of her Constitutional and Civil Rights pursuant to any and all applicable laws governing conspiracy issues.
143. Grant Vogel D. Newsome the relief sought in her Amended Complaint which is as follows:
- a. Grant Plaintiff a permanent injunction enjoining Defendant, its agents, employees, successors, assigns and all persons in concert or participation with it, from discriminating against her in violation of the Civil Rights Act of 1991, 42 U.S.C. § 1981, and the Louisiana Commission on Human Rights Act of 1997;
 - b. Grant plaintiff a declaratory judgment declaring defendant's practices complained of herein to be in violation of 42 U.S.C. § 2000e, et seq., 42 U.S.C. § 1981, and LSA-R.S. 51:2231;
 - c. Grant plaintiff compensatory and punitive damages and any other necessary equitable and legal relief on account of said violation in an amount exceeding this court's minimum jurisdictional limits;
 - d. Grant attorney fees appropriately recoverable , and costs of Court.
 - e. Grant such other and further relief, at law or in equity, as the Court deems necessary and proper.

See **Exhibit 2**, attached hereto at page 16.

Respectfully submitted,

Vogel Newsome 9/17/04

Vogel Newsome
Post Office Box 31265
Jackson, Mississippi 39286
(601) 885-9536 or 362-4910

CERTIFICATE OF SERVICE

A copy of the above-referenced document was sent to the following persons on
September 17, 2004.

FIRST CLASS MAIL

United States District Court
Honorable G. Thomas Porteous, Jr.
United States District Judge
c/o Pro Se Unit Division
500 Camp Street
New Orleans, LA 70130

Justice For All Law Center, LLC
Michelle E. Scott-Bennett
1500 Lafayette Street, Suite 140-A
Gretna, LA 70053

Rutledge C. Clement, Jr.,
Amelia Williams Koch
Locke Liddell & Sapp LLP
601 Poydras Street, Suite 2400
New Orleans, Louisiana 70130-6036

Roy C. Cheatwood
Amelia Williams Koch
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
201 St. Charles Avenue, Suite 3600
New Orleans, Louisiana 70170-1000

Robert B. Acomb, Jr.,
Jennifer A. Faroldi
Jones, Walker, Waechter, Poitevent, Carrère & Denègre, L.L.P.
201 St. Charles Avenue
New Orleans, Louisiana 70170-5100

Vogel Newsome 9-17-04
VOGEL D. NEWSOME



IF CONGRESS DOESN'T ACT,
MIDDLE CLASS TAXES
INCREASE IN:

16:21:51:21

DAYS

HOURS

MINUTES

SECONDS

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For Immediate Release

September 15, 2011

President Obama to Travel to Cincinnati, Deliver Remarks at Brent Spence Bridge

WASHINGTON – On Thursday, September 22, the President will travel to Cincinnati, Ohio, to deliver remarks at the Brent Spence Bridge, urging Congress to pass the American Jobs Act now so that we can make much-needed investments in infrastructure projects across the country and put more Americans back to work.

The Brent Spence Bridge is on one of the busiest trucking routes in North America, yet it is considered 'functionally obsolete' because it is in need of so many significant repairs. If Congress passes the American Jobs Act, we can put more Americans back to work while getting repairs like this done.

BLOG POSTS ON THIS ISSUE

December 14, 2011 2:53 PM EST

Louisville Leaders Discuss Jobs, Food and Innovation with White House

Mayor Greg Fischer and local leaders from Louisville discussed jobs, local food and innovation with White House and Administration officials in our Virtual Town Hall Series.

December 14, 2011 1:14 PM EST

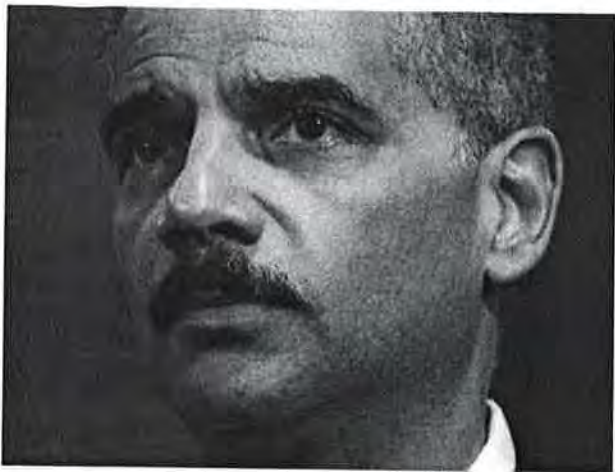
Open for Questions: Women's Entrepreneurship

Women-owned businesses are one of the fastest growing segments of the small business community, but women continue to face challenges, including access to capital and lack of opportunities to grow. Ask questions and learn more about the federal government's policies and

FROM: http://www.kypost.com/dpps/news/region_west_cincinnati/price_hill/Attorney-General-Eric-Holder-brings-money-to-save-Cincinnati-police-jobs_6795960

In accordance with Federal Laws provided For Educational and Information Purposes – i.e. of PUBLIC Interest

Attorney General Eric Holder brings money to save Cincinnati police jobs



Posted: 10/05/2011



• By: Bill Price

CINCINNATI - We'll find out exactly how much the federal government will give to the Cincinnati Police Department, when U.S. Attorney General Eric Holder visits Cincinnati Wednesday afternoon.

At 1 p.m., the Attorney General will hold a news conference at the Cincinnati Police Academy at Spinney Field to announce a multi-million dollar grant for the hiring and retention of Cincinnati police officers.

Media releases promoting the news conference only say Holder will be here to promote a new COPS program grant for the city.

It's believed that the Attorney General will formally announce that the U.S. Justice Department is giving Cincinnati as much as \$6.5 million to hire, re-hire and train as many as 15 police officers.

That's good news for the city, but it's not the \$13 million that city administrators originally asked for this past spring.

Under their larger proposal, it was believed as many as 50 police officer salaries could be covered.

Cincinnati City Manager Milton Dohoney originally proposed having to lay off as many as 44 police officers to reduce a looming budget deficit.

We'll have the Attorney General's news conference covered for you starting at 1 p.m. with updates here at WCPO.com and stories later on 9 News.

Read more: http://www.kypost.com/dpps/news/region_west_cincinnati/price_hill/Attorney-General-Eric-Holder-brings-money-to-save-Cincinnati-police-jobs_6795960#ixzz1gArWibmy

RE: REQUEST MEETING WITH YOU ABOUT 11:30 - Need About an Hour

From: **Denise Newsome** (dnewsome@garretsongroup.com)

Sent: Thu 10/20/11 2:30 PM

To: Sandy Sullivan (ssullivan@garretsongroup.com)

Thanks. ☺ Gotcha.

From: Sandy Sullivan

Sent: Thursday, October 20, 2011 10:26 AM

To: Denise Newsome

Subject: RE: REQUEST MEETING WITH YOU ABOUT 11:30 - Need About an Hour

Please see below...thanks.

Sandy

From: Denise Newsome

Sent: Thursday, October 20, 2011 10:16 AM

To: Sandy Sullivan

Subject: RE: REQUEST MEETING WITH YOU ABOUT 11:30 - Need About an Hour

Sandy:

Okay. As I shared with you, prior to bringing the matter to your attention, my efforts to talk to Managers about my concern.

So yes, while you may want to go back to August, it is to give you some idea of my going to those Managers I thought could assist with the matter before bringing it to your attention.

I understand that not all jobs may entail the same responsibilities; however, I believe that the training I am requesting is understandable and that needed to carry out job responsibilities and those used across the board.

It doesn't clarify how there are Project Coordinators being provided training on certain programs and processes and I have been excluded and not provided with training as others that are Project

17

10/21/2011

Coordinators and the reason why I have been excluded.

If other Project Coordinators are being assigned "Projects" and trained in all aspects or processing and assisting the Project Manager on the Project – i.e. reports, payments, etc. – then I'm just wondering why have I not been given the same opportunities.

What, are the Projects that I am assigned will not require reports, payments, etc. and will not require training on how to carry out the generating reports, payments, etc.? Will I not be needed to assist on other Projects and be required to perform similar task as the Project Coordinator that may be assigned that Project? Hopefully, that's not confusing. **[Sandy Sullivan]** no not confusing, this is what I'm trying to understand – how, why, what, when, and who training occurs/projects are assigned.

I guess I'll just look forward to clarification and an explanation for all that has been going on as shared in my memorandum.

Thanks,

Denise

From: Sandy Sullivan
Sent: Thursday, October 20, 2011 9:54 AM
To: Denise Newsome
Subject: RE: REQUEST MEETING WITH YOU ABOUT 11:30 - Need About an Hour

I appreciate you bringing concerns to my attention and yes this is the first time that you have approached me about any issues/concerns. When reading through your documentation, some of your concerns go back to August; therefore I'm working with others to understand what has occurred over the last two months and devise a plan for what should occur.

The department has had a number of changes recently and I'm working closely with the management team to ensure that clear and concise communication occurs regarding roles, responsibilities and training associated with those responsibilities.

During our discussion last week I indicated to you that there are different levels of Data Analysts and different levels of Project Coordinators (this communication was also shared in a group discussion when Rick made the promotion/change announcements on 9/16/11, because some people were

10/21/2011

confused about the alignment of Project Coordinators and Data Analysts). Again, you and I discussed that there can be higher level Analysts than Coordinators based on skill set, experience, technical ability, etc.

Assignments are designated based upon a number of factors and job requirements outlined in the job descriptions. Not every Data Analyst does payments, just like not every Project Coordinator handles certain aspects that others do; therefore not everyone is the same level and not everyone receives the same type of training. These are some of the differences that I'm trying to understand to ensure that communication is clear for everyone.

As far as designating this as an EEO concern, this is something that we will both discuss in our follow up meeting, once I have all of the facts from all parties involved in the decision of what is assigned to who and why. I look forward to following up with you once I have more information. Thanks for your patience and understanding during the research process.

SANDY SULLIVAN, PHR, DIRECTOR OF HR & CI CHAMPION

Garretson Resolution Group

7775 Cooper Road | Cincinnati, OH 45242

Phone: 513.794.0400 | Fax: 513.575.7200

www.garretsongroup.com

From: Denise Newsome
Sent: Thursday, October 20, 2011 9:30 AM
To: Sandy Sullivan
Subject: RE: REQUEST MEETING WITH YOU ABOUT 11:30 - Need About an Hour

Good Morning Sandy

10/21/2011

All is well and I am staying dry.

Thank you for your response. From my understanding when there are concerns which I have addressed, I am to bring them to your attention so that Garretson is aware of the issue(s). So this is what I have done.

While I am a Contractor/Employee of Messina staffing, when there are issues as those in which I have raised that may involve EEO issues then it is to be brought to Garretson's attention as I have. It matters not if I am a "Contractor" or "Employee of Garretson."

It appears that there is a mistake with thinking that I am "**discontent**" with working here. I don't believe that neither you nor I believe this to be true. I have been here *approximately nine (9) months* and the **FIRST** time that I bring what I believe to be serious concerns in efforts to **hinder/obstruct my work** and **denial of opportunities** to be trained, **DISAPPEARANCE of documents** involving project that I am working on as well as other concerns – it is being masked to appear that I am discontent when clearly that is not the case. **It is just my wanting equal opportunities that have been afforded to others to help them carry out their job responsibilities and an EXPLANATION as to why I have NOT been afforded the same opportunities.**

I am happy with working here and happy to say that in the period of time I have been working here that I have not had to come to Human Resources on such issues. I truly believe that I have been given a job opportunity (i.e. Project Coordinator) that is no secret **that has been OPPOSED by many** while well-received when given to others. If sharing concerns about not being provided the same opportunities that have been afforded to others and I have been denied although REPEATEDLY requesting to be included (i.e. rather than EXCLUDED) in training and provided with opportunities as that afforded to others to help them perform their job responsibilities wants to be taken by Garretson as DISCONTENT, then there is nothing I can say on how Garretson wants to "fix up" such serious EEO concerns. It is my responsibility (contractor or employee) to bring these issues to the attention of the Human Resources and I have done so.

Hopefully, this answers any concerns that you may have so that you are "not caught off guard" ☺ I look forward to receiving your feedback and upon receipt will communicate this information to Messina.

Thanks,

10/21/2011

Denise

From: Sandy Sullivan
Sent: Wednesday, October 19, 2011 4:58 PM
To: Denise Newsome
Subject: FW: REQUEST MEETING WITH YOU ABOUT 11:30 - Need About an Hour

Hi Denise –

Hope all is going well and that you're staying warm & dry on this rainy day.

I have had the opportunity to review the 24 page document that you provided to me last Wednesday regarding concerns and questions you have about your temporary assignment with GRG. Because some of your concerns are department specific, I have reached out to Rick and Kati to assist with clarification regarding the following:

- Job responsibilities & communicating expectations
- Training
- How are processes & procedures and changes to these communicated

Once I have received feedback, I would like to schedule a follow up meeting to discuss all of your concerns. If a Manager from the CA team needs to be part of this discussion due to specific detail, I'll be sure to let you know in the meeting invitation.

Because you are an employee with Messina, can you tell me what, if anything you have communicated with their staff regarding your concerns? I will need to let them know of your discontent once our team has had the opportunity to discuss and provide a comprehensive report to Messina. Thank you for any clarification you can provide so that I'm not caught off guard.

SANDY SULLIVAN, PHR, DIRECTOR OF HR & CI CHAMPION

Garretson Resolution Group

10/21/2011

7775 Cooper Road | Cincinnati, OH 45242

Phone: 513.794.0400 | Fax: 513.575.7200

www.garretsongroup.com

From: Sandy Sullivan

Sent: Wednesday, October 12, 2011 1:39 PM

To: Denise Newsome

Subject: RE: REQUEST MEETING WITH YOU ABOUT 11:30 - Need About an Hour

Hi Denise –

It's been a busy day with meetings. I thought you were going to schedule time on the calendar, so I'm just seeing this for the first time. You're welcome to come up now while I'm eating lunch. I have a conference call @ 2:30 today.

SANDY SULLIVAN, PHR, DIRECTOR OF HR & CI CHAMPION

Garretson Resolution Group

7775 Cooper Road | Cincinnati, OH 45242

Phone: 513.794.0400 | Fax: 513.575.7200

www.garretsongroup.com

10/21/2011

From: Denise Newsome
Sent: Wednesday, October 12, 2011 9:11 AM
To: Sandy Sullivan
Subject: REQUEST MEETING WITH YOU ABOUT 11:30 - Need About an Hour

Sandy,

Please let me know if this is a good time or provide me with a time you can meet with me for about an hour.

Thanks,

Denise

This transmission is intended for the sole use of the individual or entity to whom it is addressed, and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited. If your receipt of this transmission is in error, please notify the Garretson Resolution Group immediately by calling 1-888-556-7526, or by reply to this transmission.

10/21/2011

Garretson Resolution Group: TERMINATION OF CONTRACT

From: **Den Newsome**

Sent: Sat 10/22/11 12:59 AM

To: j.i ssullivan

Cc:

2 attachments

GARRETSON-Email102011.pdf (2.5 MB) , GARRETSON-101211Memorandum.pdf (10.6 MB)

Justin:

This will confirm that I am in receipt of your voicemail message of this evening regarding the above referenced matter – i.e. ***Garretson Resolution Group: TERMINATION OF CONTRACT.***

Let me say that I am disappointed in Garretson's decision but nevertheless, will address appropriately.

This will confirm that during my conversation with you on this morning (10/21/11), you advised that Sandy Sullivan mentioned:

- 1) Garretson would honor the agreement reached with me – i.e. that Assignment will be through **December 2011**;
- 2) Sandy acknowledged that I have brought **"VALID"** concerns to her attention that will be addressed, that she will be talking to management (i.e. Dion, etc.) and will get back with me;
- 3) Addressed the issue with you regarding matter involving employee raised in my Memorandum;
- 4) Concerns of failure to include me or provide me with training as that, that had been afforded to others;
- 5) Destruction/Disappearance of documents in the project I was working on;
- 6) That while I was brought on for "Claims Review" that now being assigned "Project

Coordinator" ***was NOT*** a promotion; therefore, additional monies would not be paid; and

7) Other matters with you – i.e. which are not limited to this list.

However, this evening I received your voicemail message advising that Garretson has decided to TERMINATE Contract. **Attached is a copy of a 10/20/11 Email entitled, "REQUEST MEETING WITH YOU ABOUT 11:30 – Need About an Hour"** where you will see from the 9:54 a.m. email from Sandy stating:

*"As far as designating this as an **EEO concern**, this is something that **we will both discuss** in our **follow up meeting**, once I have **all of the facts** from **all parties involved** in the decision of what is assigned to who and why. I look forward **to following up with you** once I have more information. Thanks for your patience and understanding during the **research** process."*

So you can see that Garreston/Sandy knew and/or should have known of the requirement to let me know of their findings; however, I have been left with believing that this ABRUPT decision to TERMINATE my Contract AFTER telling you that it would be **HONORED through December 2011** and revisited then, that Garretson's failure may be in **RETALIATION** to my **October 12 Memorandum** (i.e. incorrectly dated November 12, 2011) entitled, "Meeting With Sandy Sullivan/HR." **A copy of this Memorandum is attached for Messina's information and understanding as to what was reported to Garretson/Sandy Sullivan** – Human Resources.

PERSONAL ITEMS LEFT AT GARRETSON: Please be advised Justin that you/Messina **will NOT** need to get any personal items that I left behind. As far as I am concerned, those items can be replaced! So please **do NOT** waste your time with going to get them for me to return, I **do NOT** need them. I have what I need. So thanks for offering to get them for me!

TIMESHEET: *I did not get my Timesheet signed on today. It is for 40 hours. So if you can make sure that you take care of this for me, it is greatly appreciated!*

In the meantime, **"ALL IS WELL"** and life goes on. I am a TRUE Believer that one REAPS from what they SOW!!

Please do not hesitate to contact me with any questions or concerns that you may have.

With Warmest Regards,

Denise Newsome

P.O. Box 14731

Cincinnati, Ohio 45250

(513) 680-2922

Attachments: 10/20/11 Emails and 10/12/11 Meeting With Sandy Sullivan/HR

APB - In Search of S !!

From: **Denise Newsome** (dnewsome@garretsongroup.com)

Sent: Wed 5/11/11 9:05 PM

To: St



APB Out for - ARE YOU THERE?

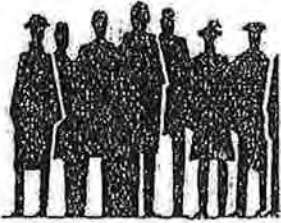
Sandy just told me this morning that Garretson wants me through December for now and will follow-up with me in November.

Jeff is not at Messina as of yesterday. He called me to let me know and mentioned he is going back to his old job.

I miss hearing and talking with you. I hope that all is well with you.

A BIG HUG is being sent to you and hopefully it will bring a SMILE! J

19



We Fill Jobs

MESSINA STAFFING

Messina Staffing

11811 Mason-Montgomery Rd.
Cincinnati, Ohio 45249
Phone # (513) 774-9187
Fax # (513) 774-9023

Weekly Time Report

Week-Ending: 10-16-11 Regular Hours Worked: 40 Overtime Hours Worked: 0

Employee Name: (PLEASE PRINT): Denise Newsome Home Phone # (513) 680-2922

Social Security Number: _____

Work Phone # _____

Cell Phone # _____

****Please indicate how you would like to receive your check, failure to do so will result in a mailed check****

Mail Check: ☐

Direct Deposit: ☒

Pick-Up Check ☐

Hours and Dates Worked - (Round to nearest ¼ hour)

	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.	Sun.
Dates:	10-10	10-11	10-12	10-13	10-14		
Start Time:	8:50	8:00	8:00	8:00	8:00		
Lunch Out:	12:25	1:50	12:25	2:50	12:25		
Lunch In:	1:25	2:50	1:25	3:50	1:50		
End Time:	5:25	5:25	5:00	5:50	5:00		
Total Hours:	7.50	8.25	8.0	8.50	7.75		

We certify that the above-indicated hours are correct and the assignment was fulfilled satisfactorily. It is agreed that an acceptance of a referral for temporary or full-time employment from MMS Extensions, Inc. dba Messina Staffing is in effect for twelve (12) months after the date of referral.

If full-time employment should occur as a result of a temporary assignment, we will notify MMS Extensions, Inc. dba Messina Staffing in all matters pertaining to employment and applicable fees due.

Company Name: Garretson Date: 10/14/11

Supervisors Name: (PLEASE PRINT) Terrell H. Muller

Supervisors Signature: Terrell H. Muller Supervisor's Title: Sr. Proj. Mgr.

Employee Signature: Denise Newsome

Signatures confirm accuracy of all information provided herein.

*****Failure to get your timesheet into our office by noon on Monday will result in a delay of your paycheck until the next pay date.*****

K:\Common\Temp Department\Monday-MMS-MGMT\Common\Temp Department\Foms\Time Sheets\Monday-Sunday Template.doc.doc

20

FROM: http://en.wikipedia.org/wiki/Jim_Messina_%28politician%29

In accordance with Federal Laws provided For Educational and Information Purposes – i.e. of PUBLIC Interest

Jim Messina (political staffer)

From Wikipedia, the free encyclopedia

(Redirected from [Jim Messina \(politician\)](#))

Jim Messina



Jim Messina in May 2009

**Presidential Campaign Manager
of the Re-election Campaign of Barack Obama**

Incumbent

Assumed office

January 26, 2011

President [Barack Obama](#)

Deputy [Jennifer O'Malley Dillon](#),
[Julianna Smoot](#)

Preceded by [David Plouffe](#)

**White House Deputy Chief of Staff
for Operations**

In office

January 20, 2009 – January 26, 2011

Served alongside [Mona Sutphen](#)

President [Barack Obama](#)

Preceded by [Blake Gottesman](#)

Succeeded by [Alyssa Mastromonaco](#)

Personal details

Born 1969 (age 41–42)
[Denver, Colorado](#)

Political party [Democratic](#)

Alma mater [University of Montana \(B.A.\)](#)

Occupation political staffer

Website www.barackobama.com

Jim Messina (born 1969)^[1] is campaign manager for President Barack Obama's 2012 reelection campaign.^[2] He previously served as the Deputy Chief of Staff for Operations for President Obama from 2009 to 2011.^{[3][4]} Prior to taking up that post he was Director of Personnel for the transition team.

Contents

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- 1 Early life, education, and early career
- 2 Political career
 - 2.1 1990s
 - 2.2 2000s
 - 2.3 Obama's 2012 re-election campaign
- 3 References
- 4 External links

[edit] Early life, education, and early career

Messina was born in Denver, Colorado, and raised in Boise, Idaho. In 1980, as a fourth grader, he volunteered to represent Jimmy Carter in a class mock election. He graduated from Boise High School in Boise, Idaho in 1988 and earned his B.A. in political science from the University of Montana in 1993.^[5] In 1993, as a college senior, Messina managed Democrat Mayor Dan Kemmis's successful re-election bid for Mayor of Missoula, Montana.^[6]

[edit] Political career

[edit] 1990s

In 1995, Messina was hired by Democrat U.S. Senator Max Baucus of Montana. They describe their relationship as father-son-like. In 1999, he became Chief of Staff to Democratic U.S. Congressman Carolyn McCarthy of New York.

[edit] 2000s

In 2002, he ran Baucus's 2002 re-election campaign. Messina refused to let Baucus attend any debate that didn't include a third-party candidate whose skin had turned blue from drinking an anti-infection solution, a distraction to help take attention away from the credible Republican candidate.^[7]

He then became Chief of Staff to U.S. Senator Byron Dorgan of North Dakota, from 2002 to 2004. In 2004, he made \$80,510 and in 2005 made \$128,936^{[8][9]}

In 2005, he re-united with Baucus and became his Chief of Staff. Messina was integral in devising the Democratic strategy that prevented the allowance of private accounts within Social Security.^[10]

Messina has also managed and consulted on many other political campaigns from Alaska to New York, including Montana State Senator Jon Tester's successful election in 2006.^[10]

Messina became President Obama's White House Deputy Chief of Staff and earned the nickname "the fixer."^[11] Dan Pfeiffer calls Messina "the most powerful person in Washington that you haven't heard of."^[12] He also said that Messina and Rahm Emanuel had a "crazy relationship" and explained that "You'd be in a meeting, and Rahm

would bark out that something needed to be done; Jim would disappear from Rahm's office, pop through the door a few minutes later and say, 'Got it!' or 'Got him!'"^[13]

[edit] Obama's 2012 re-election campaign

He said that Obama may compete in states he lost in 2008 such as Georgia and Arizona.^[14]

[edit] References

- ¹ ↑ "Obama's People". *The New York Times Magazine*. Retrieved 2009-01-19.
- ² ↑ Zeleny, Jeff (2011-04-02). "An Obama Insider, Running the Race From Afar". *The New York Times*.
- ³ ↑ "Obama makes early appointments". marcambinder.theatlantic.com. Retrieved 2008-11-18.^[*dead link*]
- ⁴ ↑ Tapper, Jake (2011-01-27). "Jay Carney Picked as New White House Press Secretary". *ABC News*. Retrieved 2011-01-27.
- ⁵ ↑ "Obama Hires Boise High Graduate as Chief of Staff". New West Boise. Retrieved 2009-11-24.
- ⁶ ↑ http://www.politico.com/news/stories/1108/15811.html
- ⁷ ↑ http://www.politico.com/news/stories/1211/70276_Page4.html#ixzz1gKa91luK
- ⁸ ↑ http://www.muckety.com/James-A-Messina/165642.muckety
- ⁹ ↑ http://www.legistorm.com/person/James_A_Messina/2056.html
- ¹⁰ ↑ ^a ^b Kornblut, Anne E. (2009-02-21). "Low-Profile Aide Messina Tackles Obama's Tough Political Problems". *The Washington Post*. Retrieved 2010-05-06.
- ¹¹ ↑ http://www.usnews.com/news/articles/2011/04/11/10-things-you-didnt-know-about-jim-messina
- ¹² ↑ http://www.thenation.com/article/159577/jim-messina-obamas-enforcer
- ¹³ ↑ http://www.politico.com/news/stories/1211/70276.html#ixzz1gKaq0sbS
- ¹⁴ ↑ http://content.usatoday.com/communities/theoval/post/2011/11/jim-messina-obama-is-he-toast/1

[edit] External links

- 2012 BarackObama.com official campaign site
- Jim Messina at *WhoRunsGov* at *The Washington Post*
- Appearances on C-SPAN
- Jim Messina collected news and commentary at *Bloomberg News*
- Jim Messina collected news and commentary at *The New York Times*
- Deputy Chief of Staff Jim Messina official White House site (archived)
- [http://www.weeklystandard.com/blogs/obama-campaign-says-gop-blocking-jobs-bill-after-reid-blocks-jobs-bill_595022.html

PINK SLIP

30-DAY NOTICE

TO: UNITED STATES OF AMERICA PRESIDENT BARACK HUSSEIN OBAMA II YOU ARE HEREBY FIRED/TERMINATED

For the following (i.e. however, NOT limited to this list alone):

- 1) You have **FAILED** to **PROVE** that you a **NATURAL Born Citizen** in a "COURT" of Law - MEDIA Releases of a **FAKE/FORGED** Certificate of Live Birth on or about April 27, 2011, CANNOT be used to **EVAD**E the Judicial Process and RESOLVE matters that are of a PUBLIC Interest. Such matters are to be determined in a Court of Law wherein

DISCOVERY, etc. may be conducted - Evidence has surfaced that your Legal Counsel/Advisor (i.e. **Baker Donelson Bearman Caldwell & Berkowitz PC**) may be using its employees' (i.e. such as Robert Devine who served as CHIEF COUNSEL, Acting DIRECTOR and Acting DEPUTY DIRECTOR of the United States Department of Citizenship & Immigration within the United States Department of Homeland Security) and such CONNECTIONS which may have provided you with means, access and opportunities in the CREATION of the FAKE/FORGED Certificate of Live Birth you released to the Media on April 27, 2011.

DISCOVERY defined: (a) The act or process of finding or learning something that was previously unknown. (b) Compulsory disclosure, at a party's request, of information that relates to the litigation. • The primary discovery devices are interrogatories, depositions, requests for admissions, and request for production. Although discovery typically comes from parties, courts also allow limited discovery from nonparties. (c) The facts or documents disclosed. -- Black's Law Dictionary (Second Pocket Edition).

In other words, the reason for the JUDICIAL process is provide LEGAL remedies under the laws - i.e. subject United States of America President Barack Obama, his Administration, Legal Counsel/Advisors, etc. - which allow for DISCOVERY and requests that DOCUMENTATION be produced and/or access to certain documents through the use of SUBPOENAS, etc. if NOT VOLUNTARILY surrendered that President Obama and his CONSPIRATORS/Co-CONSPIRATORS are attempting to SHIELD/HIDE from the Public/World.

- 2) For **CORRUPTION** - You have **FAILED** to **COMPLY** with *Freedom of Information Act*; as well as Memorandum(s) executed by you in accordance with the Laws on such matters and "TRANSPARENCY" - President Obama's Memorandum concerning transparency and open government was issued on Jan. 21, 2009, www.whitehouse.gov/the_press_office/FreedomofInformationAct. Attorney General Holder's FOIA Guidelines were issued on March 19, 2009 -- www.justice.gov/ag/foia-memo-march2009.pdf.
- 3) For **IMPEACHMENT** under the 25th AMENDMENT of the United States Constitution; in that you are UNFIT FOR DUTY, an EMBARRASSMENT, DISGRACE and SHAME and failed to provide in a "COURT of Law" your Citizenship.
- 4) Violations under the **KU KLUX KLAN ACT** and/or Civil Rights Act of 1871.
- 5) Prosecution under the LAWS - i.e. which may include the **NUREMBERG PRINCIPLE**:

(a) **PRINCIPLE I**: "Any person who commits an act which constitutes a crime under international law is responsible therefor and liable to punishment."

(b) **PRINCIPLE II**: "The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law."

(c) **PRINCIPLE III**: "The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible government official does not relieve him from responsibility under international law."

(d) **PRINCIPLE IV**: "The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him."...

Excuses such as "I was just following my superior's orders" CANNOT be used as a defense. . .

. . . principles deal with the conditions under which conscientious objectors can apply for refugee status in another country if they face persecution in their own country for refusing to participate in an illegal war.

(e) **PRINCIPLE V**: "Any person charged with a crime under international law has the right to a fair trial on the facts and law."

(i) **PRINCIPLE VI**: "The crimes hereinafter set out are punishable as crimes under international law: (i) Crimes against peace; (ii) War crimes; and (iii) Crimes against humanity."

(f) **PRINCIPLE VII**: "Complicity in the commission of a crime against peace, a war crime, or a crime against humanity as set forth in Principle VI is a crime under international law."

- 6) For **FAILURE TO REPORT CRIMES**: For instance, while some of the crimes (i.e. such as War Crimes, CRIMINAL Conflict-Of-Interest, etc.) for which you may be prosecuted occurred prior to assuming the Office of the President of the United States of America, President Obama you had a DUTY and/or OBLIGATION to report Crimes and Civil/Human Rights Violations made known to you:

United States of America President Barack Hussein Obama II became the agent of the other conspirator(s), and any act done by one of the combination is regarded under the law as the act of both or all. In other words, what one does, if there is this combination, becomes the act of both or all of them, no matter which individual may have done it. This is true as to each member of the conspiracy, even those whose involvement was limited to a minor role in the unlawful transaction, and it makes no difference whether or not such individual shared in the profits of the actions. (Am. Jur. Pleading and Practice Forms, Conspiracy § 9)

- 7) For **EXTRADITION** to Foreign Nations/Countries (i.e. such as Afghanistan, Iraq and Iran) for PROSECUTION of Crimes.
- 8) For **FRAUD, IMPERSONATING** a Government Official (i.e. such as United States of America President) **WITHOUT** Legal Authority and "**FAILURE**" to **prove in a COURT of Law** proof of "**NATURAL Citizenship**." Therefore, any acts (i.e. signing documents into law) taken by President Barack Obama while acting as President of the United States of America may be NULL/VOID!
- 9) For OBSTRUCTION OF JUSTICE/OBSTRUCTION OF THE ADMINISTRATION OF JUSTICE.
- 10) For OTHER Reasons to be determined in a COURT of LAW and/or TRIBUNAL.

Your TERMINATION is EFFECTIVE IMMEDIATELY!

President Barack Obama, you and your Administration, Legal Counsel/Advisors are being given **through FRIDAY, FEBRUARY 10, 2012 - 11:59 p.m., to VACATE** Offices (i.e. which includes the United States White House)

PLEASE BE ADVISED: United States of America President Barack Obama that if you **FAIL to Comply** with this TERMINATION/FIRING Notice, the **CITIZENS of the United States of America** may have the right UNITE and perform a **CITIZENS' ARREST** and/or to request the **use of MILITARY Force** to have you REMOVED in that its Military/Soldiers took an OATH to: "support and defend the **CONSTITUTION** of the United States against ALL enemies, foreign and DOMESTIC. . ." - 5 United States Code § 3331.

Respectfully submitted, this 10th day of JANUARY, 2012 by

Vogel Denise Newsome
Vogel Denise Newsome

22

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*President Barack Obama
U.S. Office of the President
1600 Pennsylvania Ave, NW
Washington, DC 20500*

2. Article Number

(Transfer from service label)

PS Form 3811, February 20

Domestic Reg

7011 2000 0001 0122 1679

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature X		WHITE HOUSE OFFICE WASHINGTON, D.C. 20500	
B. Received by (Printed Name)		C. Date of Delivery JAN 25 2012	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No			
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail		<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee)		<input type="checkbox"/> Yes	

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Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

*V. D. Newson
P.O. Box 14731
Cincinnati, OH 45250*

10/11/11 11:11 AM

CINCINNATI MAIN POST OFFICE
CINCINNATI, Ohio
452348902
3216070214 -0097 07:04:45 PM
(800)275-8777

01/10/2012

Sales Receipt

Product	Qty	Unit Price	Final Price
WASHINGTON DC 20500			\$4.95
Zone 4 Priority Mail			
Flat Rate Env			
3.30 oz			
Flat Rate			
Card			

WASHINGTON DC 20500
Zone 4 Priority Mail
Flat Rate Env
3.30 oz
Flat Rate
Card
Fri 01/13/12

701120000001
\$2.30
\$2.85
\$2.10

WASHINGTON DC 20500
Zone 4 Priority Mail
Flat Rate Env
3.30 oz
Expected Delivery: Fri 01/13/12
Delivery Confirmation
Label # 03111660000045557725
\$5.65
\$4.95

Issue PVI:

WASHINGTON DC 20510
Zone 4 Priority Mail
Flat Rate Env
3.40 oz
Expected Delivery: Fri 01/13/12
Delivery Confirmation
Label # 03111660000045557718
\$5.65
\$21.40

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See Reverse for Instructions

PS Form 3800, August 2006

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(See Reverse)

PS Form 162, May 2002

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1/10/12

Joint Chiefs of Staff Michael Mulligan

4949 Joint Chiefs of Staff Pentagon

Washington DC 20318

DELIVERY CONFIRMATION NUMBER: 9722 5554 0000 0997 TTEO

POSTAL CUSTOMER: Keep this receipt. For inquiries: Access internet web site at www.usps.com or call 1-800-222-1811

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(See Reverse)

PS Form 162, May 2002

VOGEL DENISE NEWSOME

Mailing Address: Post Office Box 14731
Cincinnati, Ohio 45250
(513) 680-2922 or (601) 885-9536

January 10, 2012

United States Office Of The President (Via Email & US CERTIFIED MAIL: 70112000000101221679)
ATTN: United States of America President **Barack Hussein Obama II** ("President Obama")
1600 Pennsylvania Ave NW
Washington, DC 20500

United States Senate (Via Email & US MAIL PRIORITY: 03111660000045557718)
ATTN: United States Kentucky **Senator Rand Paul** ("Senator Paul")
208 Russell Senate office Building
Washington, DC 20510

United States Department of Defense (Via Email & US MAIL PRIORITY: 03111660000045557725)
JOINT CHIEFS OF STAFF
ATTN: Admiral **Michael G. Mullen** (Chairman)
9999 Joint Chiefs Of Staff Pentagon
Washington, DC 20318

**RE: NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF
PRESIDENT BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON
FLORIDA A&M UNIVERSITY REGARDING ALLEGED HAZING INCIDENT –
REQUEST FOR INTERNATIONAL MILITARY INTERVENTION MAY BE NECESSARY**

Dear President Obama, Senator Rand Paul and Admiral Michael Mullen:

Attached please find a PINK SLIP issued to United States of America ("United States") President Barack Hussein Obama II ("President Obama") advising that, **"YOU ARE HEREBY FIRED/TERMINATED!"** - i.e. **ORIGINAL** of document (PINK SLIP) is being submitted to the attention of President Obama with **COPIES** to Senator Rand Paul and Joint Chiefs of Staff Admiral Michael Mullen. For purposes of saving costs and/or expenses, this letter is being provided to the three of you on CD/DVD; however, a SIGNED and EXECUTED original of the PINK SLIP and an executed FINAL page of this document is being provided to the attention of United States President Barack Hussein Obama II – i.e. with COPIES to both Senator Rand Paul and Joint Chiefs of Staff Admiral Michael Mullen. By copy of this letter **via Email and INTERNET**, Vogel Denise Newsome ("Newsome") is providing **FOREIGN NATIONS/LEADERS** (under **CONCEALMENT** – bcc) and the **PUBLIC/MEDIA** with a copy of this Correspondence so that they are aware of what is going on.

PLEASE NOTE: *Boldface, CAPS, Italics, Underline, Highlights, etc. have been added for EMPHASIS!*

Attached to the attention of United States of America's Kentucky Senator Rand Paul is
MONEY ORDER No. 19256593937 *dated 2012-01-04 in the amount of \$300*

UNITED STATES POSTAL SERVICE
POSTAL MONEY ORDER
 Serial Number: 19256593937
 Year, Month, Day: 2012-01-04
 Post Office: 452021
 U.S. Dollar and Cents: \$300.00
 Amount: THREE HUNDRED DOLLARS & 00¢
 PAY TO: U.S. Supreme Court
 Address: 114 Street NE, Washington, DC 20003
 From: Viced Denise Newson
 Address: P.O. Box 14731, Cincy, OH 45250
 SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS
 19256593937

to **REPLACE** the prior Money Order No. 19256907306 dated 2011-08-27 in the amount of \$300 submitted to Senator Rand Paul's attention for the filing of the PETITION FOR EXTRAORDINARY WRIT!

President Obama is *hereby* **SERVED** this **"PINK SLIP"** in accordance with the 25th Amendment of the United States Constitution, United States Constitution and the laws of the United States governing International Laws, War Crimes, Fraud, Conspiracies, Corruption, Blackmail, Bribery, Extortion, Embezzlement, and other applicable laws for President Obama's **CRIMINAL** and **CIVIL/HUMAN** Rights violations that have **ALREADY** been committed as well as those he may continue to commit should he remain in Office. Furthermore, criminal acts that may become known during INVESTIGATIONS into this matter.

President Obama, as you know, *there have been* **NUMEROUS** Lawsuits filed against you in a **"COURT"** of Law **CHALLENGING** your **ELIGIBILITY** to serve as the President of the United States of America because you may **NOT** have been born on United States soil - i.e. termed **"NATURAL"** born citizen under Article II, Section 1, Clause 5 of the United States Constitution.

Your **"PROOF"** of Citizenship is of **PUBLIC** and/or **WORLDWIDE** importance as evidenced by the News/Media coverage given to it and the **NUMEROUS** Lawsuits that have been filed challenging your **ELIGIBILITY** to serve as the President of the United States of America. For instance, according to United States Supreme Court records and **OTHER FEDERAL COURTS**, your **"Eligibility"** is being challenged. Therefore, President Obama, it is of **PUBLIC** and **WORLDWIDE** concern that you **PROVE** in a **"COURT"** of Law your Citizenship **and** Eligibility to serve as the President of the United States of America. These are matters that **CANNOT** be decided *simply by releasing what appears to be a* **FAKE/FORGED** "Certificate of Live Birth" on April 27, 2011, to the **MEDIA** (i.e. who may be **PRO**-Obama and **SHAREHOLDERS** of Corporation/Media sources who may have a "Personal," "Business," and "Financial" interest should the **TRUTH** come out). This **"BIRTHING ISSUE,"** as it has been called *is of* **NATIONAL SECURITY** and/or **HOMELAND SECURITY!**

Certificate of Live Birth DISCREPANCIES:
www.scribd.com/fullscreen/63544435?access_key=key-2b6e9nr2zv7ytwv7z4rl

Vogel Denise Newsome reserves the right to amend and/or correct this correspondence and the relief sought herein as a matter of laws and in the interests of justice and the **PUBLIC** in that it has been submitted in **GOOD FAITH!**

A **CHILD** of **GOD** and JUST ANOTHER
"GIANT/TERRORIST" SLAYER,

Vogel Denise Newsome
Vogel Denise Newsome

Attachment: PINK SLIP Issued to President Barack Hussein Obama II

cc: United States Senators/United States House of Representatives *via Email (To be shared with Others)*
United States Media *via Email (To be shared with Others)*
Foreign Nations/Leaders/Media *via Email Under CONCEALMENT (To be shared with Others)*
PUBLIC/WORLD Citizens *via Email Under CONCEALMENT (To be shared with Others)*



You **REFUSED** to **HEAR** the **RATTLE**, so **NOW FEEL** the **BITE!**

From: vogel@vogeldenisenews.com

To: allyson_bell@lee.senate.gov; ablinken@who.eop.gov; ahoffman@who.eop.gov; bpmckee@who.eop.gov; chogan@who.eop.gov; rlove@who.eop.gov; mrobama@who.eop.gov; jtbiden@who.eop.gov; contact@whitehouse.gov; jrbiden@who.eop.gov; wdaly@who.eop.gov; moira_bagley@paul.senate.gov; william_henderson@paul.senate.gov; gary_howard@paul.senate.gov; cayce_moffett@paul.senate.gov; nan_mosher@mccconnell.senate.gov; robert_steurer@mccconnell.senate.gov; sarah_arbes@mccconnell.senate.gov; senator@akaka.senate.gov; senator@alexander.senate.gov; senator@ayotte.senate.gov; senator@barrasso.senate.gov; senator@baucus.senate.gov; senator@begich.senate.gov; senator@bennelson.senate.gov; senator@bennet.senate.gov; senator@bingaman.senate.gov; senator@blumthal.senate.gov; senator@blunt.senate.gov; senator@boozman.senate.gov; senator@boxer.senate.gov; senator@brown.senate.gov; senator@burr.senate.gov; senator@cantwell.senate.gov; senator@caper.senate.gov; senator@cardin.senate.gov; senator@casey.senate.gov; senator@chambliss.senate.gov; senator@coburn.senate.gov; senator@cochran.senate.gov; senator@collins.senate.gov; senator@conrad.senate.gov; senator@coons.senate.gov; senator@corker.senate.gov; senator@cornyn.senate.gov; senator@demint.senate.gov; senator@ensign.senate.gov; senator@enzi.senate.gov; senator@feinstein.senate.gov; senator@franken.senate.gov; senator@gillibrand.senate.gov; senator@lgraham.senate.gov; senator@grassley.senate.gov; senator@hagan.senate.gov; senator@harkin.senate.gov; senator@hatch.senate.gov; senator@hoevan.senate.gov; senator@hutchison.senate.gov; senator@isakson.senate.gov; senator@johanns.senate.gov; senator@johnson.senate.gov; senator@kerry.senate.gov; senator@klobuchar.senate.gov; senator@kohl.senate.gov; senator@kyl.senate.gov; senator@landrieu.senate.gov; senator@lautenbert.senate.gov; senator@leahy.senate.gov; senator@lee.senate.gov; senator@levin.senate.gov; senator@lieberman.senate.gov; senator@lugar.senate.gov; senator@manchin.senate.gov; senator@markudall.senate.gov; senator@mccain.senate.gov; senator@mccaskill.senate.gov; senator@menendez.senate.gov; senator@merckley.senate.gov; senator@mikulski.senate.gov; senator@moran.senate.gov; senator@murray.senate.gov; senator@nelson.senate.gov; senator@portman.senate.gov; senator@pryor.senate.gov; senator@paul.senate.gov; senator@reed.senate.gov; senator@reid.senate.gov; senator@roberts.senate.gov; senator@rockefeller.senate.gov; senator@ronjohnson.senate.gov; senator@rubio.senate.gov; senator@sanders.senate.gov; senator@scottbrown.senate.gov; senator@shaheen.senate.gov; senator@shumer.senate.gov; senator@snow.senate.gov; senator@stabenow.senate.gov; senator@testor.senate.gov; senator@thune.senate.gov; senator@toomey.senate.gov; senator@udall.senate.gov; senator@vitter.senate.gov; senator@warner.senate.gov; senator@webb.senate.gov; senator@whitehouse.senate.gov; senator@wicker.senate.gov; senator@wyden.senate.gov; orlando_watson@paul.senate.gov

CC: abelaval@tribune.com; agavrilos@tribune.com; ahorlick@wusa9.com; aisha.karimah@nbc.com; amessina@tribune.com; amessina@tribune.com; apayne@tribune.com; barbara.harrison@nbc.com; bill.kistner@foxtv.com; bjordan@tribune.com; bob.ryan@nbc.com; brendan.williams-kief@nbc.com; carlos.martinez@nbc.com; cgottlieb@wusa9.com; charlie.bragale@nbc.com; chris.gordon@nbcuni.com; Claudia.coffey@foxtv.com; cschneider@ajc.com; cshenkan@tribune.com; csnyder@wusa9.com; dave.feldman@foxtv.com; dbroedeur@tribune.com; derrick.ward@nbcuni.com; donna.weston@nbc.com; doreen.gentzler@nbc.com; droan@tribune.com; eclavijo@entravision.com; ede.jermin@nbc.com; emeyrowitz@tribune.com; ermoss@hbcuconnect.com; eun.yang@nbc.com; frank.caskin@nbc.com; gjcarter@howard.edu; glenn.dyer@foxtv.com; hakem.dermish@nbcuni.com; holly.burdick@foxtv.com; holly.morris@foxtv.com; holly.morris@foxtv.com; hswygert@howard.edu; james.adams@nbc.com; jason.gittlen@nbcuni.com; jbange@tribune.com; jbyrne@tribune.com; jbyrne@tribune.com; jeremy.howard@nbcuni.com; jhoover@tribune.com; jim.handly@nbcuni.com; jim.roland@foxtv.com; jim.vance@nbc.com; jlyons@tribune.com; joe.krebs@nbc.com; jramsey@tribune.com; julie.carey@nbc.com; karen.houston@foxtv.com; kleslie@ajc.com; kenny.martin@foxtv.com; kkerr@wusa9.com; kojo@wamu.org; laura.evans@foxtv.com; lgasparello@kingpublishing.com; liz.crenshaw@nbc.com; lking@kingpublishing.com; lpotash@tribune.com; lvance@wusa9.com; margie.ruttenberg@nbc.com; mark.stephens@nbc.com; matt.gaffney@foxtv.com; matt.glassman@nbc.com; maureen.umeh@foxtv.com; mcontreras@entravision.com; melanie.alnwick@foxtv.com; michael.flynn@nbcuni.com; michael.jack@nbc.com; mike.lewis@foxtv.com; milton.shockley@nbc.com; msuppelsa@tribune.com; mward@wusa9.com; nancy.krantz@foxtv.com; nancy.krantz@foxtv.com; natasha.copeland@nbc.com; nmitrovich@tribune.com; nmitrovich@tribune.com; nmontenegro@univision.net; orodriguez@entravision.com; pat.collins2@nbcuni.com; pat.corcoran@foxtv.com; pat.muse@nbc.com; patrick.mcgrath@foxtv.com; patrick.notley@nbc.com; paul.bruton@nbc.com; paul.rufelle@foxtv.com; pkonrad@tribune.com; ptomasulo@tribune.com; rbaumgarten@tribune.com; rguernica@entravision.com; rguernica@entravision.com; rking@tribune.com; roby.chavez@foxtv.com; rrivero@wusa9.com; sara.vanaernum@foxtv.com; sbaldwin@wusa9.com; sean.mcgarry@foxtv.com; editor@sfbayview; shawn.yancy@wtg.com; sherri.ly@foxtv.com; shyder@howard.edu; sleidig@tribune.com; sonya.shaw@foxtv.com; spudar@tribune.com; sreed@wusa9.com; steve.handelsman@nbc.com; steve.shenevey@foxtv.com; steve.villanueva@nbcuni.com; tcastrilli@wusa9.com; tisha.thompson@foxtv.com; tom.duerr@nbc.com; tom.sherwood@nbc.com; tony.perkins@foxtv.com; tskilling@tribune.com; veronica.johnson@nbc.com; wendy.rieger@nbc.com; wisdom.martin@foxtv.com; yianis.fournelis@foxtv.com; andrew@palfound.net;

kylehence@earthlink.net; tips@abovethelaw.com; info@aaregistry.org; info@answercoalition.org;
 info@blackisbackcoalition.org; CIT@CitizenInvestigationTeam.com; dapac@declarationalliance.org;
 info@declarationalliance.org; customerservices@incisivemedia.com; mfetters@newseum.org; office@gp.org;
 info@judicialwatch.org; membership@ncnw.org; ncnwbethune@gmail.com; info@ncnwocca.org;
 9.17occupywallstreet@gmail.com; occupycincinnati007@gmail.com; general@occupywallst.org;
 isham.christie@gmail.com; info@renewamerica.com; news@worldnetdaily.com

Subject: UPDATE - - NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF PRESIDENT
 BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON FLORIDA A&M UNIVERSITY REGARDING
 ALLEGED HAZING INCIDENT – REQUEST FOR INTERNATIONAL MILITARY INTERVENTION MAY BE
 NECESSARY

Date: Wed, 1 Feb 2012 17:03:41 -0500

This message has been TRANSLATED (using computer tool translator) in:

Arabic	العربية	http://www.scribd.com/fullscreen/80152361?access_key=key-112zvl0qln0fhcb3ulbq http://www.scribd.com/fullscreen/80152433?access_key=key-2mcl4d4unyjfoqcjg68fs
Persian	مالای	http://www.scribd.com/fullscreen/80152358?access_key=key-142qh9j7095u9kenbhen http://www.scribd.com/fullscreen/80152431?access_key=key-1yxx1kl80g6hfdykatvu
Chinese (Simplified)	中文)	http://www.scribd.com/full/80137028?access_key=key-2kqnd1g7zfvqbs57gfd
Chinese (Traditional)	中文 (繁體)	http://www.scribd.com/full/80137147?access_key=key-923kl944jzcyxv8vi5n
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German	Deutsch	http://www.scribd.com/fullscreen/80138636?access_key=key-1hqf73j0s0ho3718b42m
Russian	русско	http://www.scribd.com/fullscreen/80140392?access_key=key-2f21bq1fe24jnrk3wr23
Spanish	español	http://www.scribd.com/fullscreen/80140610?access_key=key-2oi4bsu9efvrjg5lg26t
Afrikaans	Afrikaans	http://www.scribd.com/fullscreen/80136238?access_key=key-201tqhh3hhqpnvhtd47z
Albanian	Shqiptar	http://www.scribd.com/fullscreen/80136238?access_key=key-201tqhh3hhqpnvhtd47z
Azerbaijani	Azərbaycan	http://www.scribd.com/fullscreen/80136699?access_key=key-2g13urj6zdwzobtwehq2
Basque	Euskal	http://www.scribd.com/fullscreen/80136864?access_key=key-g2rmuqiov9zbiv2wexe
Belarusian	Беларускі	http://www.scribd.com/fullscreen/80136760?access_key=key-2atr9o7d1w3rszwjoaae
Bengali	বাঙ্গালী	http://www.scribd.com/fullscreen/80136765?access_key=key-yby7epy50hwuqy3hz3u
Bulgarian	Български	http://www.scribd.com/fullscreen/80136790?access_key=key-w1v2xlxoplo69h0j0ev
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Croatian	hrvatskih	http://www.scribd.com/fullscreen/80137208?access_key=key-262ra7pglmmelxxnorwe
Czech	český	http://www.scribd.com/fullscreen/80137283?access_key=key-12dzrdm16llw8l99d5kl
Danish	Dansk	http://www.scribd.com/fullscreen/80137730?access_key=key-1c77jrk57kzo33s2xnh

Dutch	Nederlands	http://www.scribd.com/fullscreen/80137743?access_key=key-1o8rpduzorlx4pb3rgg
Estonian	Eesti	http://www.scribd.com/fullscreen/80137777?access_key=key-11etkltnzhkowgbyd9h1
Filipino	Filipino	http://www.scribd.com/fullscreen/80137794?access_key=key-15pmna8ny1mn9qr1x5va
Finnish	Suomen	http://www.scribd.com/fullscreen/80137811?access_key=key-qoxz7bnfvn4b93d8jfp
Galician	Galego	http://www.scribd.com/fullscreen/80138833?access_key=key-1vmv1mw2pivkn12715o9
Georgian	საქართველოს	http://www.scribd.com/fullscreen/80138619?access_key=key-2cqzian7ftn9kqoxlvp9
Greek	ελληνική	http://www.scribd.com/fullscreen/80138737?access_key=key-uvl9iseyvvzgo0su38jq
Gujarati	ગુજરાતી	http://www.scribd.com/fullscreen/80138773?access_key=key-2d44hdl8j35gztr1igpr
Haitian Creole	kreyòl ayisyen	http://www.scribd.com/fullscreen/80139067?access_key=key-1muhuimobllgdwz5i7ai
Hebrew	עברית	http://www.scribd.com/fullscreen/80139119?access_key=key-15qrk6m7g6vmp43bjpdb
Hindi	हिन्दी	http://www.scribd.com/fullscreen/80139146?access_key=key-2dxj89oclovyp115otga
Hungarian	magyar	http://www.scribd.com/fullscreen/80139203?access_key=key-svncwidodtiilo38mvh
Icelandic	íslenska	http://www.scribd.com/fullscreen/80139408?access_key=key-pct43uzmffo971zy3nv
Indonesian	Bahasa Indonesia	http://www.scribd.com/fullscreen/80139373?access_key=key-1p95w9vep4olc5jauv8u
Irish	Gaeilge	http://www.scribd.com/fullscreen/80139399?access_key=key-1fkhyjvtkdq2d8r0gbgu
Italian	italiano	http://www.scribd.com/fullscreen/80139431?access_key=key-1go5uprye5gj4aouth50
Japanese	日本語	http://www.scribd.com/fullscreen/80139609?access_key=key-9x9uza2usgzj1obthbk
Kannada	ಕನ್ನಡ	http://www.scribd.com/fullscreen/80139635?access_key=key-xzv7euz5x6l2vz80lq7
Korean	한국	http://www.scribd.com/fullscreen/80139686?access_key=key-291pzx5mksixxbpb95jq
Latin	latine	http://www.scribd.com/fullscreen/80139921?access_key=key-1yr78esy62ftavhg40q
Latvian	Latvijas	http://www.scribd.com/fullscreen/80139763?access_key=key-jfcu2kdj40h1jwvob9z
Lithuanian	Lietuvos	http://www.scribd.com/fullscreen/80139793?access_key=key-1nw8lwffe9r843pc8mvz
Macedonian	македонскиот	http://www.scribd.com/fullscreen/80139997?access_key=key-rwtglklv4tog1u2cpl5
Malay	Melayu	http://www.scribd.com/fullscreen/80140020?access_key=key-lfabplgu11n8n2swxit
Maltese	Malti	http://www.scribd.com/fullscreen/80140063?access_key=key-14yww5dcrsxd1apfgwez
Norwegian	Norsk	http://www.scribd.com/fullscreen/80140087?access_key=key-5dtmwpvppt95vpy061pg
Polish	Polska	http://www.scribd.com/fullscreen/80140280?access_key=key-3k69twgjdtkdab5tlpu

Portuguese	Português	http://www.scribd.com/fullscreen/80140291?access_key=key-j3wde00xjwz3u7i1dbv
Romanian	Romanian	http://www.scribd.com/fullscreen/80140316?access_key=key-key-27y9vifw7bj796emt8fx
Serbian	Српски	http://www.scribd.com/fullscreen/80140514?access_key=key-key-16pphsxbv0gxd93w7d1n
Slovak	Slovenské	http://www.scribd.com/fullscreen/80140531?access_key=key-key-2btv08ugwstug3l8c6cg
Slovenian	slovenska	http://www.scribd.com/fullscreen/80140587?access_key=key-key-28zolvo0vtg5xqo3bm0j
Swahili	Swahili	http://www.scribd.com/fullscreen/80140623?access_key=key-key-4teh05i70uyovvqd0x
Swedish	svenska	http://www.scribd.com/fullscreen/80140634?access_key=key-key-28610zu75g26plh55w2o
Tamil	தமிழ்	http://www.scribd.com/fullscreen/80140791?access_key=key-key-q10ow9g4rzeu7b69rm4
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Turkish	Türk	http://www.scribd.com/fullscreen/80140941?access_key=key-key-22v655ou02tkqb5mzs1g
Ukrainian	Український	http://www.scribd.com/fullscreen/80141637?access_key=key-key-1t6ugpc8jf4lei86fkoo
Urdu	Urdu	http://www.scribd.com/fullscreen/80152357?access_key=key-key-13xwm6vflfduuoyp2lc4 http://www.scribd.com/fullscreen/80152352?access_key=key-key-2arjy0q1oozhv99cja85
Vietnamese	Việt Nam	http://www.scribd.com/fullscreen/80141377?access_key=key-key-v63ak6wg4zukug4vf2d
Welsh	Cymraeg	http://www.scribd.com/fullscreen/80141404?access_key=key-key-1bjhduxci8szb5u6z7bt
Yiddish	ייִדיש	http://www.scribd.com/fullscreen/80141450?access_key=key-key-2as5ffc057p9cn91sc4n

WORSE Than The WATERGATE Scandal!!! **NOT “Fiction” – This Is REAL LIFE TRUTH!!** **President Obama COMPROMISING Mail Process** **Regarding Service of PINK SLIP/30-DAYS NOTICE**

Pink Slip Issued: http://www.scribd.com/fullscreen/79375286?access_key=key-17z5mzoex8abc7j3skh2

President Barack Obama’s TAMPING with MAIL process, etc.:

http://www.scribd.com/fullscreen/79891915?access_key=key-m4o8acadtqtsl5im1gk

UNITED STATES PRESIDENT BARACK OBAMA'S ROLE IN THE FLORIDA A&M UNIVERSITY HAZING INCIDENT: CRIMINALS IN THE WHITE HOUSE – ATTACKS ON FLORIDA A&M UNIVERSITY – IS THIS WHAT UNITED STATES CITIZENS VOTED FOR?

The **PUBLIC/WORLD** needs to know the **HISTORY** of President Barack Obama's **SENIOR** Legal Counsel/Advisor (Baker Donelson Bearman Caldwell & Berkowitz ["Baker Donelson"]) with Vogel Denise Newsome:

http://www.scribd.com/fullscreen/77595375?access_key=key-2lmp8r3mrw36ruhviej

Baker Donelson Bio of Lance B. Leggitt:

http://www.scribd.com/fullscreen/77595250?access_key=key-1nj7tnt0y17u3pvl28br

and how in RETALIATION against Newsome they are attempting to go after Florida A&M University; however, President Obama has **DELIBERATELY** failed to tell the **PUBLIC/WORLD** about the **MAJOR ROLE** he, his Counsel/Advisors and **CORRUPT Government Officials** are playing in the recent attacks on Florida A&M. For instance:

- 1) Did the **PUBLIC/WORLD** know President Obama's Counsel/Advisor ("Baker Donelson") are Legal Counsel/Advisors for Democrat **and** REPUBLICAN Presidents – i.e. **they NEVER LEAVE – i.e. a SINGLE Law Firm has been allowed to MONOPOLIZE the United States' Government for their OWN Malicious and CRIMINAL purposes, etc.?** For instance, Baker Donelson at one time placed *its* **LEADING Patriarch** (Howard Baker) in the White House and wanted him to run for the President of the United States:

http://www.scribd.com/fullscreen/76922766?access_key=key-1c6youu747vhj2vhdkn6

- 2) Did the **PUBLIC/WORLD** know President Obama's Counsel/Advisors played a **MAJOR/KEY** role in the February 14, 2006, **KIDNAPPING** and other criminal acts leveled against Vogel Denise Newsome – i.e. *engaging in similar crimes as that of former NFL/Hall of Fame Football Player Orenthal James ("O.J.") Simpson who is has been sentenced to 33 Years in Prison?*
- 3) Did the **PUBLIC/WORLD** know President Obama's Counsel/Advisor Baker Donelson in efforts to **COVER UP** their criminal acts (i.e. in having Newsome **KIDNAPPED**, etc.) relied upon their **TIES/CONNECTIONS** to former **"CORRUPT"** Mississippi Governor Haley Barbour's *"CHAIRMAN Of the Mississippi Athletic Commission/Hinds County Constable Jon Lewis"* to carry out the criminal acts *while they HID behind the scenes?* Then had Jon Lewis bring **FALSE/MALICIOUS** Criminal Charges against Vogel Denise Newsome for **"RESISTING ARREST"** and **"DISORDERLY CONDUCT - FAILURE TO COMPLY WITH LAW ENFORCEMENT"**

http://www.scribd.com/fullscreen/76450839?access_key=key-2lpr5not3hu5tk84ohk1

Newsome *did not have time for such* **FOOLISHNESS** and **CRIMINAL BEHAVIOR!!** Newsome **NEVER** made an appearance and **NEVER** had to enter a plea! The Judge in this matter knew these charges were **BOGUS/SHAM/FRIVOLOUS!** Therefore, the Judge **DISMISSED** without Newsome **EVER** having to appear before the court for the criminal charges brought against her:

http://www.scribd.com/fullscreen/76451037?access_key=key-gi9e39f4z34acmfibyu

Newsome **TAPE RECORDED** February 14, 2006 Ordeal; however, Baker Donelson *worked with the KIDNAPPERS to have this evidence taken* from Newsome and then file the criminal charges against her:

http://www.scribd.com/fullscreen/77562528?access_key=key-cvihl6nxatx8qmmtti7

President Obama will **NOT** tell the **PUBLIC/WORLD** that his **SENIOR** Legal Counsel/Advisor is the same Legal Counsel/Advisor for Former Mississippi Governor Haley Barbour:

http://www.scribd.com/fullscreen/76919089?access_key=key-iwpmh253asqsrdiverdu

Governor Haley Barbour was considering running for the President of the United States in 2012! Governor Barbour recently (about January 9, 2012) making the News for **RELEASING/PARDONING** approximately 200 "**HARD**" *Criminals* back onto the streets prior to leaving Office:

http://www.scribd.com/fullscreen/78836793?access_key=key-rlhg5ggg7acxv2x15dx

Neither will President Obama tell the **PUBLIC/WORLD** that Baker Donelson has placed its people in **TOP/KEY** Government positions for purposes of **CONTROLLING** Judicial, Congressional, and Federal Agency [i.e. FBI matters], etc. For instance, look see for yourself:

Baker Donelson's Advertisements of the **GOVERNMENT** positions **CONTROLLED**:

United States Congress, United States Department of Justice (United States Attorney, Federal Bureau of Investigations/FBI. . .) - Information at this link is provided so the **PUBLIC/WORLD** can also see Baker Donelson's ***ROLE in the OIL INDUSTRY*** as well:

http://www.scribd.com/fullscreen/77583733?access_key=key-24dndert1cc22kkzwashand

http://www.scribd.com/fullscreen/75190526?access_key=key-2jb6xa51zt4anwxddgw

FBI: http://www.scribd.com/fullscreen/78842916?access_key=key-1l5l8fa0q6k9f5q2jqm9

CONTROL over the Judiciary – i.e. holding positions such as ***DIRECTOR of Administrative Office of the United States Courts***:
http://www.scribd.com/fullscreen/75346315?access_key=key-1zr9r10108nvee1llx49

Baker Donelson can be **LINKED** to Judges handling lawsuits involving Newsome. For instance, one of Baker Donelson's Judges (J. Thomas Porteous) was **IMPEACHED** on or about December 8, 2010, *for taking **BRIBES/KICKBACKS***, etc. to "**Throw Lawsuits.**"
http://www.scribd.com/fullscreen/75206083?access_key=key-13wrrbzsk4of7ibfcqbs

Judge Porteous was used in the New Orleans, Louisiana matter along with others on Baker Donelson's **LIST** of Judges/Justices:
http://www.scribd.com/fullscreen/77591475?access_key=key-244y95vhrtevl975556q

and then Baker Donelson saw to it that another one of their **Judges (i.e. Tom S. Lee)** was placed in the Civil Actions Newsome arising out of the February 14, 2006 **KIDNAPPING**, etc. of Newsome. While Newsome requested to be advised of **CONFLICT-OF-INTERESTS**, Judge Lee **REFUSED**. Nevertheless, Judge Lee **RECUSED/REMOVED** himself from other lawsuits in which Baker Donelson had an interests:

http://www.scribd.com/fullscreen/77601741?access_key=key-2bv1oebbtp4knpsxy5u

such refusal led to Newsome bringing an **EMERGENCY** Complaint to the attention of the United States Legislature's/Congress' attention; however, based upon research Newsome found that Baker Donelson **CONTROLS** the United States Congress and places its people positions to **OBSTRUCT JUSTICE** not only in Judicial proceedings, but **CONGRESSIONAL** – i.e. “serving as a **NATIONAL Clearinghouse for information in respect to DISCRIMINATION or DENIAL of 'EQUAL Protection of the Laws';' submitting Reports, Findings and Recommendations to the PRESIDENT and CONGRESS.**”

http://www.scribd.com/fullscreen/76930811?access_key=key-1qc0klvzq7uqe70pdge7

- 4) Did the PUBLIC/WORLD know that President Obama will **NOT** tell them that Vogel Denise Newsome provided a **DEADLINE of September 15, 2011**, to United States Kentucky Senator Rand Paul to obtain a **STATUS REPORT** regarding Investigations of Complaint(s) to be initiated against him:

www.scribd.com/fullscreen/74244987?access_key=key-2foz08yrb8l04tblhvb5

- 5) Did the PUBLIC/WORLD know that on or about **September 14, 2011** (i.e. day **before DEADLINE** provided), President Obama released information regarding his “**ATTACK**” Website to report websites as www.vogeldenisenewsome.com?

- 6) Did the PUBLIC/WORLD know that on **September 15, 2011** (i.e. **SAME date “Status Report” was due**), President Obama *worked with other CONSPIRATORS* to sneak Baker Donelson’s employee James Duff out of his position as “**DIRECTOR of Administrative Office of the United States Courts**”

http://www.scribd.com/fullscreen/76927316?access_key=key-1jomuhjddljabippqc1f

WITHOUT advising Newsome, although through pleadings and **VOICEMAIL** Messages she has *repeatedly* requested to be advised of any such **CONFLICTS-OF-INTERESTS** not being conveyed as required by the laws of the United States. <http://youtu.be/KcXm8mgjD60>

Did the PUBLIC/WORLD know that on this same date of **September 15, 2011**, President Obama **ANNOUNCED** coming to Cincinnati, Ohio on **September 22, 2011**:

http://www.scribd.com/fullscreen/74292786?access_key=key-96o3ie0t7cisiwi5k9s

in that it appears President Obama was aware that his Counsel/Administration/Campaign Manager had located where Vogel Denise Newsome was working and had entered a **CONSPIRACY** to commit crimes against her (i.e. **DESTROYING Claimants' documents and FRAMING** Newsome for destroying documents. However, what they did not know was that Newsome had a process in place out of concerns of such **CONSPIRACIES** as well as **RACIST motives by coworkers**) for purposes of getting her terminated. ***This document was placed on SCRIBD.COM for easy access; however, President Obama and Garretson Resolution Group worked to have this document removed;*** nevertheless, the PUBLIC can still view it because Newsome has placed this NOTICE on Scribd.com explaining the situation and directing the PUBLIC where this information can be found – i.e. document entitled “Meeting With Sandy Sullivan/HR:” http://www.scribd.com/fullscreen/79690633?access_key=key-xtej49b1l8x85mqyebn

- 7) Did the **PUBLIC/WORLD** know that President Obama’s United States Attorney General (Eric Holder) followed up his visit on or about **October 5, 2011**, and brought **BRIBERY/EXTORTION** monies, etc. (i.e. masked as to be used to save Cincinnati Police jobs; however, a reasonable mind may conclude based upon the above **FACTS and EVIDENCE**, monies were brought and given in exchange to **conceal/hide** the planning and **CONSPIRACIES** entered into with Garretson Resolution Group and others Conspirators leveled against Newsome). http://www.scribd.com/fullscreen/75348088?access_key=key-pp6esfdd7fihuabymwi

- 8) Did the **PUBLIC/WORLD** know that approximately **16 DAYS later (September 21, 2011)**, President Obama's, Eric Holder's and their Legal Counsel's/Advisor's purposes for coming to Cincinnati was fulfilled. On September 21, 2011, Garretson Resolution Group unlawfully/illegally **TERMINATED** Vogel Denise Newsome's **"CONTRACT"** of employment although on or about May 11, 2011 and as recent as October 21, 2011, had lead Newsome to believe that employment would continue through December 2011, as AGREED upon – they have had this information **SCRUBBED** as well; however, have **FAILED** because it can be accessed at another location – i.e. see Email dated May 11, 2011: http://www.scribd.com/fullscreen/79878452?access_key=key-12jdv3ly8x1u0pw01eyv and October 21, 2011 memorializing conversations of the day – i.e. see Email dated October 21, 2011: http://www.vogeldenisewsnome.com/test_5.html and Garretson Resolution Group **BREACHING** Contract for purposes of fulfilling its role in Conspiracies leveled against Newsome although it had advised her that Complaint submitted would be investigated and her being provided determination – i.e. see Email Threads of October 20, 2011:

http://www.vogeldenisewsnome.com/test_5.html

- 9) Did the **PUBLIC/WORLD** know, that it wasn't enough that President Obama and his Counsel/Advisor (Baker Donelson) and other Conspirators had succeeded in **TERMINATING** Newsome's employment, when they heard of the death of a Florida A&M University Band Member (Robert Champion) they **POUNCED** on this sad loss for purposes of **RETALIATION** and **REVENGE** against Vogel Denise Newsome; however, they **NEVER** saw Newsome being **"SO OPEN"** and **EXPOSING** President Obama's and his Counsel/Advisor's (Baker Donelson's) connection to the **MEDIA to EXPLOIT** the death of Robert Champion. Not only that, because of Newsome's ability to **CONNECT/TIE** Baker Donelson to **JUDICIAL CORRUPTION** which led to the removal of their **UNDERCOVER** Operative (James C. Duff) as the Director of Administrative Office of the United States Courts to leave his post in **DISGRACE** since being **EXPOSED** and moving over to the **FREEDOM FORUM** which is **HEAVILY** connected to the Media. James C. Duff going into the Freedom Forum in a **VERY HIGH POSITION** – i.e. President and **CHIEF** Executive Officer:

http://www.scribd.com/fullscreen/77568449?access_key=key-7xggphm1tvmfhfbc203

many wondering why the Robert Champion matter was getting so much attention – i.e. **EXCESSIVELY** more than those of **WHITE-Majority Universities** such as Georgia State University, Indiana State University, Tennessee State University, etc: http://www.scribd.com/fullscreen/76408609?access_key=key-w1irp8q9q2twqi8m2t0

Did the **PUBLIC/WORLD** see these **WHITE-Majority** get almost a FULL month of coverage for their alleged hazing incidences? **NO!** Furthermore, it is going to be interesting to **compare** the handling of the alleged Florida A&M University hazing with those of WHITE-Majority Universities since it appears such practices are **HIGHLY** common with them and **MANY** deaths noted **compared to** that of **AFRICAN-American Universities**.

The answer being President Obama's, Baker Donelson's and James Duff's **DETERMINATION** to **RETALIATE** and take down an **AFRICAN-American University** with **RACIST, MALICIOUS** and **UNLAWFUL** motives and relying upon their **HEAVY** connections to the media to do so: http://www.scribd.com/fullscreen/80010464?access_key=key-2gpn4cl9zml1ctzbpfbd

- 10) Did the **PUBLIC/WORLD** know that Vogel Denise Newsome has submitted a Lawsuit against President Barack Obama, Baker Donelson Bearman Caldwell & Berkowitz and their **CONSPIRATORS/CO-CONSPIRATORS**: http://www.scribd.com/fullscreen/75549771?access_key=key-tewtyklhrnvud2ogh5

and this is the **TRUE MOTIVE** behind the recent **MALICIOUS** and alleged criminal charges to be brought against Florida A&M University Officials/Students.

The **ILL and MALICIOUS** motives of the attacks on Florida A&M University are clear. Not only that the **INVESTIGATIONS** are **"TAINTED"** and **"MOTIVATED"** by **RETALIATION** against Vogel Denise Newsome for bringing legal actions against United States President Barack Obama and his Counsel/Advisor Baker Donelson. In other words, those pursuing any such **BOGUS and MALICIOUS** criminal acts against Florida A&M University and/or University Officials/Students will be coming with **DIRTY HANDS and WELL-ESTABLISHED ILL**

MOTIVES of RETALIATION/REVENGE as a direct and proximate result of Vogel Denise Newsome's exercising of rights secured under the United States Constitution and other laws of the United States and therefore, may LACK MERITS for prosecution on **FALSE CRIMINAL CHARGES** (i.e. *as Baker Donelson tried to have brought against Newsome*) and Civil claims. The Laws are clear and the matter has been REPEATEDLY decided by the United States Supreme Court

DIRTY HANDS POLICY
IN ACCORDANCE TO LAW

Precision Instrument Mfg. Co. v. Automotive Maintenance Machinery Co., 65 S.Ct. 993 (1945) - An equity court may exercise wide range of discretion in refusing to aid litigant coming into court with UNCLEAN hands.

New York Football Giants, Inc. v. Los Angeles Chargers Football Club, Inc., 291 F.2d 471 (C.A.5.Miss.,1961) - He who comes into equity **MUST** come with clean hands.

Bein v. Heath, 47 U.S. 228 (1848) - One who asks relief in chancery **MUST** have acted in good faith, since the equitable powers can NEVER be exerted in behalf of one who has acted FRAUDULENTLY, or who, by deceit or any unfair means, has gained an advantage.

- 11) Vogel Denise Newsome, just briefly has **ESTABLISHED** a "PATTERN-OF-PRACTICE" used by President Obama and/or his Legal Counsel/Advisor (Baker Donelson), **MOTIVES** and he has been provided with **NUMEROUS** criminal **FBI COMPLAINTS** in which Baker Donelson is **LINKED/CONNECTED** - i.e. ALL in which Baker Donelson has a **FINANCIAL, PERSONAL** and/or **BUSINESS** interest.

June 26, 2006 - **FBI COMPLAINT** (Mississippi KIDNAPPING Matter):

http://www.scribd.com/fullscreen/76913813?access_key=key-pxi8m9ciae2nbxd8b5a

10/13/08 - **FBI COMPLAINT** (Kentucky GMM Matter):

http://www.scribd.com/fullscreen/76914151?access_key=key-16e0ghht2lymlvoak7f4

09/24/09 - **FBI COMPLAINT** (Ohio STOR-ALL Matter):

http://www.scribd.com/fullscreen/76915789?access_key=key-1dgd78gtrjcvslr57t

12/28/09 **FBI Complaint** Against Ohio Supreme Court Justices:

http://www.scribd.com/fullscreen/75738227?access_key=key-11jr0ommxpak4oxk9oth

06/09/10 **FEDERAL BUREAU OF INVESTIGATION COMPLAINT - PUBLIC STORAGE:**

http://www.scribd.com/fullscreen/77578285?access_key=key-1xvi5mijwrsv9mtj1jwb

It appears that **FOREIGN/INTERNATIONAL MILITARY FORCE** to assist with the **STEP DOWN/REMOVAL** of United States President Barack Obama may be necessary! From News coverage, *clearly Citizens in Egypt, Syria, Tunisia, Libya, etc. know how to go about removing their CORRUPT DICTATORSHIP/TERRORIST Regimes*. America wants to be seen as a **Leader**; however, how is it going to be able to explain to **FOREIGN Nations/Leaders** how the United States of America's Citizens **KNEW** and/or **should have KNOWN of its Government Officials role in DOMESTIC TERRORIST Acts, GENOCIDE practices, NUREMBERG PRINCIPLE violations** (i.e. **WAR CRIMES, CRIMES AGAINST HUMANITY, CRIMES AGAINST PEACE**) as that being shared with Foreign Nations/Leaders in the email below? The

below email is being sent to Foreign Nations/Leaders under CONCEALMENT (i.e bcc) to provide them with **OPPORTUNITIES** to make their own evaluations **WITHOUT** *“abusive/bullying” tactics from United States Government Officials and their Allies.*

No while President Barack Obama is GALLOPING across country working on his second term bid for the White House and LAUNCHING SHAM/BOGUS/FRIVOLOUS attacks against Florida A&M University and its Staff/Students, Newsome intends to reach out to Foreign Nations/Leaders (i.e. as Citizens did in the Middle East) to assist with returning the Government of the United States back into the hands of its Citizens. There is *“more than one way to skin the cat!”* Vogel Denise Newsome has in **GOOD-FAITH REPEATEDLY DEMANDED** Justice and has **REPEATEDLY** *come under ATTACK by the United States TERRORIST Government Officials who have been DETERMINED to destroy her life.* Therefore, it appears leaving Newsome *with VALID and LEGAL justification* to seek **OUTSIDE** participation to get these **TERRORISTS** off her back, *Florida A&M University and other VICTIMS of the Obama TERRORIST Regime!* Taking back the United States Government which has been **HIJACKED** by the **RICH/WEALTHY, Jewish (ZIONISTS)/White SUPREMACISTS!**

The American people need to understand that the United States of America’s Government is just that, **GOVERNMENT**. However, it is the **POLITICIANS** and/or Government **OFFICIALS** that have committed and/or engaged in the carrying out of such **HIDEOUS crimes** described in the email below *as well as the 911 Attacks* and **FALSIFIED** Reports and *has kept HIDDEN from Americans the TRUTH behind such DOMESTIC Terrorists acts.* Therefore, it appears that while Egypt’s, Syria’s, Libya’s . . . Leaders were criticized and **DEMANDED** to step down by President Obama and his Administration for **CORRUPTION and other CRIMES**, he is playing the **HYPOCRITE** *and is now REFUSING to STEP DOWN* and take his Administration *with him!* Therefore, **FOREIGN/INTERNATIONAL Military INTERVENTION** appears to be **INEVITABLE!**

It appears that **PAKISTAN** *has also begun to address the United States* **TERRORISTS/GENOCIDE** practices addressed in the email below – i.e. in the arrest of **Pakistan doctor (Shakil Afridi)** who **AIDED and ABETTED** in the United States Central Intelligence Agency (“CIA”) going into their country and **injecting** Pakistan Citizens with an **UNKNOWN CHEMICAL** substance *(i.e most likely Syphilis, Gonorrhea, AIDS and who knows what else as done in the Tuskegee, Guatemala, and other experiments in foreign countries)* promoting its **EUROGENICS/GENOCIDE practices and beliefs to CONTROL the POPULATION!** While United States Secretary of Defense (Leon Panetta) *wants to appear clueless* as to Dr. Afridi’s **ARREST and being tried for TREASON**, it appears Dr. Afridi **worked with Pakistan’s ENEMY** (i.e. enemy due to the fact that the United States of America if it used **FAKE**

VACCINATIONS to infect Pakistan Citizens – furthermore, **FAILURE to NOTIFY** of his role in such **INHUMANE, CRIMES AGAINST HUMANITY**, etc.) The United States used **another LIE** saying that such **INHUMANE** practices were used to find Osama Bin Laden; however, News reports **CONFIRM** that Osama Bin Laden **was NOT** found! Furthermore, PAKISTAN's government officials **KNOW** that **there was NO 40-MINUTE FIERY/EXPLOSIVE SHOOTOUT** (i.e. a shootout that **NOBODY HEARD nor SAW** alleged by the United States Government. There was **NO FIERY** and **NO EXPLOSIVE** *destruction of a Stealth Helicopter* as alleged that **NEIGHBORING** residents and **MILITARY/Pakistan Law Enforcement WITHIN DISTANCE** of the alleged compound and **NOBODY HEARD, SAW nor KNEW ABOUT** this **40-MINUTE FIERY/EXPLOSIVE SHOOTOUT** until **AFTER** the whole attack was completed and the **ANNOUNCEMENT** by President Obama – other Americans may be **STUPID** and **believe the LIES** about the May 1, 2011 attack claimed to have **KILLED/MURDERED** Osama Bin Laden – Newsome is **NOT** that **STUPID** and **NEITHER** are **FOREIGN NATIONS/LEADERS!** This **COVER-UP** by the United States of America began **AFTER** the receipt of Newsome's **July 13, 2010** Email entitled, "*U.S. PRESIDENT BARACK OBAMA: THE DOWNFALL/DOOM OF THE OBAMA ADMINISTRATION - Corruption/Conspiracy/Cover-Up/Criminal Acts Made Public*" - http://www.scribd.com/fullscreen/75750705?access_key=key-k8yieizp8nip1onf916

Then the **VERY NEXT** month – i.e. **couple of weeks later (August 2010)**, President Obama alleges that Osama Bin Laden was found) http://www.scribd.com/fullscreen/75806267?access_key=key-20gv8p87weo72uwzgocp - again other Americans may be just that **IGNORANT** and/or **STUPID** to believe that **LIE**; however, the **RETALIATORY** attacks by President Obama, his Administration, Baker Donelson and others involved in the **LONGSTANDING CONSPIRACIES leveled against Newsome supports otherwise** – i.e. **four days after** receipt of the **July 13, 2010** Email, the **UNLAWFUL/ILLEGAL** seizure of Newsome's Bank Account(s) for **"CHILD SUPPORT"** http://www.scribd.com/fullscreen/77003989?access_key=key-1467vl7cj7nu842qfkwv with **J.P. Morgan Chase Bank** (i.e. a **TOP/MAJOR** Client of Baker Donelson – counsel/advisor to President Obama) - - When Newsome has **NO** Children, **NEVER** birthed/aborted any children **nor MARRIED!** What a **JOKE!**

Videos released by President Obama's Administration **were STAGED** by him and his Legal Counsel/Advisor (Baker Donelson) who relied upon the alleged use of the United States' **NAVY** – i.e. a branch of the **MILITARY OWNED** and **RAN** by Baker Donelson's employee (Secretary of the Navy Raymond Mabus):

http://www.scribd.com/fullscreen/76926914?access_key=key-21v3oiev15yktesqjarr

http://www.scribd.com/fullscreen/76926957?access_key=key-p81v8g6etf0p5sr77d1

BAKER DONELSON INFORMATION ACKNOWLEDGING EMPLOYMENT OF
RAYMOND MABUS:

http://www.scribd.com/fullscreen/76926785?access_key=key-2het6irg8rnxdfanrwp

to fulfill **RACISTS/TERRORISTS attacks on Foreign Nations/Leaders of Color!** Furthermore, **LIES told to aid and abet Jewish (ZIONISTS)/White SUPREMACISTS** efforts to **COVER-UP** their use of the United States Military to **help ISRAEL** launch attacks against countries Israel despises and sees as enemies. **MEANS, MOTIVES** and **OPPORTUNITY** used by the United States of America Government to **COVER-UP** the **LIES** told by President Barack Obama of the May 1, 2011 attacks on the Pakistan Compound (i.e. where there was **NO** such attack – i.e. **was CREATED and GENERATED on a COMPUTER**). That's **JUST HOW BAD** it is going to get for the United States. They have produced **NO** evidence **nor was PROOF that Osama Bin Laden** was **KILLED/MURDERED** on May 1, 2011 been released! Newsome is **CONFIDENT** that when the Foreign/International Communities get to the bottom of such issues, the United States of America **WILL BE RUINED!** So **NO**, Pakistan, Iran and others are **NO longer trusting** the United States of America because their **CRIMES** are being exposed and Americans' **REFUSAL** to get **CONTROL** of their government officials and **ALLOWING** these crimes to **CONTINUE without INTERVENTION** and/or **removal and punishment of government officials for their crimes** – i.e. especially when Legal actions have **REPEATEDLY** been brought not only by Newsome but those of other Citizens/Victims (as those in the **911 DOMESTIC Terrorists'** acts and others).

While the United States of America is **SUPPOSED** to be **one of DEMOCRACY**, how is it that Americans **CONTINUE to just sit on their hands and do NOTHING?** How long did Americans think that **FOREIGN NATIONS/LEADERS** that have become victims of the United States' **CRIMINAL** practices were going to continue to allow these United States government officials and their **CONSPIRATORS/CO-CONSPIRATORS to continue their crimes without bringing it to JUSTICE?** The United States of America **is facing SERIOUS** problems **as discussed in the email below** and **Vogel Denise Newsome is CONFIDENT** that the United

States of America **Government Officials** involved in the committal of such *Nuremberg Principle violations* and other crimes, when **TRIED** by other Nations as Iran, Pakistan, Iraq, Afghanistan, etc., will **NOT** be able to **PROVE** *prior to beginning wars* that government officials (i.e. United States President and his Administration and the United States Senate/House of Representative) **KNEW** that there were “*NO Weapons of Mass Destruction*” as well as “*911 appears to be the DOMESTIC Terrorists acts of the United States of America’s CORRUPT Government Officials!*” Prosecution of the United States of America’s Officials involved may be **SWIFT and BRIEF** in that the United States of America **WILL NOT** be able to defend its actions because *Baker Donelson and others have seen to it to have documents DESTROYED* – known as “*Tampering with Evidence*” (i.e. well-established practices as that shown in its and **CORRUPT** Government Officials attacks on Newsome to **REPEATEDLY** come after Newsome through *unlawful/illegal* practices for purposes of getting *their hands on her EVIDENCE* to keep the **PUBLIC/WORLD** from knowing). These corrupt officials’ **TIME HAS EXPIRED** and the **FRIDAY**, February 10, 2010 **DEADLINE** is **FAST** APPROACHING!!!!!!

Vogel Denise Newsome encourages Americans not to rely upon the United States MEDIA coverage – i.e. do your INTERNET research – because it is TAINED: __

Again, while lengthy (i.e. due to the **SERIOUS NATURE OF THE CRIMES**) the “**NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF PRESIDENT BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON FLORIDA A&M UNIVERSITY REGARDING ALLEGED HAZING INCIDENT – REQUEST FOR INTERNATIONAL MILITARY INTERVENTION MAY BE NECESSARY**” is SUPPORTED by FACTS and EVIDENCE to sustain the relief that Vogel Denise Newsome is seeking! http://www.scribd.com/fullscreen/77819207?access_key=key-2de2ord1clj5mn9r66m8

Now the **ABUSE OF POWER being used AGAINST Florida A&M University and its Staff/Students** regarding the Robert Champion matter in **RETALIATION** to Vogel Denise Newsome’s exercise of First Amendment Rights and other rights secured under the laws in **EXPOSING and SHARING** the criminal practices of United States Government Officials - - **this is UNACCEPTABLE!** *If the United States Citizens are AFRAID to CONFRONT these Jewish (ZIONISTS)/White SUPREMACISTS behind such attacks, then by whatever MEANS possible, Vogel Denise Newsome may consider pursuing FOREIGN/INTERNATIONAL intervention as that used on Libya’s leader Colonel Muammar Gaddafi when he REFUSED to leave/step down from POWER and cease TERRORIST practices.* The United States of America’s President Obama and his Administration are **NOT** to be given **SPECIAL TREATMENT** and are to be **BROUGHT TO JUSTICE** as a

matter of the laws of the United States as well as **INTERNATIONAL LAWS!**

Note: This email is also being translated and made available to **FOREIGN NATIONS/ LEADERS** and Citizens for review and consideration as done with the email below! From the HITS from foreign nations on such documents, it appears that this idea to reach out to Foreign Nations/Leaders/Citizens may be **BENEFICIAL** in assisting Newsome with her efforts since **AMERICANS** may **COWARD down** – i.e. they have been **OPPRESSED/BRAINWASH** for so long that they don't realize their **FREEDOM and LIBERTIES** because of the **TERRORIST/ REGIME/BIG MONEY INTEREST** groups that have **HIJACKED** the United States Government. *Thank* *GOD* other nations are waking up (i.e. especially after the recent U.S. Marine/Navy **Affiliate URINATION Scandal**)!

What is the expression, “**TALK** is cheap but **ACTION** Speaks!”

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Sent: Friday, January 27, 2012 8:18 PM

Subject: NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF PRESIDENT BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON FLORIDA A&M UNIVERSITY REGARDING ALLEGED HAZING INCIDENT – REQUEST FOR INTERNATIONAL MILITARY INTERVENTION MAY BE NECESSARY

This message has been TRANSLATED (using computer tool translator) in:

العربية -- 中文 -- 中文 (繁體) -- Française -- Deutsch -- русско -- español -- Afrikaans -- Shqiptar --
 Беларускі -- Български -- català -- hrvatskih -- český -- Dansk -- Nederlands -- Eesti -- Filipino -- Suomen --
 Galego -- ελληνική -- kreyòl ayisyen -- עברית -- हिन्दी -- Magyar -- íslenska -- Bahasa Indonesia -- Gaeilge --
 italiano -- 日本語 -- 韓国 -- Latvijas -- Lietuvos -- македонскиот -- Melayu -- Malti -- Norsk -- ملايى -- Polska --
 - - Português -- Romanianian -- Српски -- Slovenské -- slovenska -- Swahili -- svenska -- ئىنگلىز -- Türk -- Український --
 - Việt Nam -- Cymraeg -- וועטנאַמעזיש

Arabic	العربية	http://www.scribd.com/fullscreen/79454824?access_key=key-30v36yihwz7q8o5q73
Persian	ملايى	http://www.scribd.com/fullscreen/79455992?access_key=key-2agqsfoyu9qqtlvexvcm
Chinese (Simplified)	中文)	http://www.scribd.com/full/79455155?access_key=key-23a1p9x2xiohw28kmgua
Chinese (Traditional)	中文 (繁體)	http://www.scribd.com/full/79455155?access_key=key-23a1p9x2xiohw28kmgua
French	Française	http://www.scribd.com/fullscreen/79455192?access_key=key-25oxrfsd8n8kmlt83bej
German	Deutsch	http://www.scribd.com/fullscreen/79455200?access_key=key-168jq9iafk1hotqxczzl
Russian	русско	http://www.scribd.com/fullscreen/79456048?access_key=key-1ndxlp1jod0zdbnkqfw3
Spanish	español	http://www.scribd.com/fullscreen/79456099?access_key=key-2abwsbpz3ppopdn4l2x8
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Albanian	Shqiptar	http://www.scribd.com/fullscreen/79454811?access_key=key-2aj4ol2fz2cllrfqcx8i
Belarusian	Беларускі	http://www.scribd.com/fullscreen/79454831?access_key=key-10gzrn0ipnadftyn6qzl
Bulgarian	Български	http://www.scribd.com/fullscreen/79454853?access_key=key-ltwl85381z9rol7kvs7
Catalan	català	http://www.scribd.com/fullscreen/79455142?access_key=key-4u9mt5x6i978ruk9bjc
Croatian	hrvatskih	http://www.scribd.com/fullscreen/79455158?access_key=key-1vtf3ayomzrz7ribhngk
Czech	český	http://www.scribd.com/fullscreen/79455168?access_key=key-1wpiihex1glrfil5157q
Danish	Dansk	http://www.scribd.com/fullscreen/79455171?access_key=key-yq2cdxyywlh59jfahhm
Dutch	Nederlands	http://www.scribd.com/fullscreen/79455174?access_key=key-nvopddqoaz0hfa1nfpt

Estonian	Eesti	http://www.scribd.com/fullscreen/79455181?access_key=key-q89t3wj71zod4x64e5u
Filipino	Filipino	http://www.scribd.com/fullscreen/79455184?access_key=key-key-99mxp0o17w9nmkju7r3
Finnish	Suomen	http://www.scribd.com/fullscreen/79455188?access_key=key-key-1kbvc5eta96kvg6mnni6
Galician	Galego	http://www.scribd.com/fullscreen/79455197?access_key=key-key-a5sb1xmhofm0d3jnymx
Greek	ελληνική	http://www.scribd.com/fullscreen/79455205?access_key=key-key-rwm3xc2iljv6wsbu61i
Haitian Creole	kreyòl ayisyen	http://www.scribd.com/fullscreen/79455720?access_key=key-key-1hn2qglf0jv0pt73ioh7
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Hindi	हिन्दी	http://www.scribd.com/fullscreen/79455742?access_key=key-key-1nijicnh3g4ke9bflgz
Hungarian	magyar	http://www.scribd.com/fullscreen/79455757?access_key=key-key-24qlp0d0ju2vz6qkwxom
Icelandic	íslenska	http://www.scribd.com/fullscreen/79455766?access_key=key-key-17obb9fdh70gmvy9rtox
Indonesian	Bahasa Indonesia	http://www.scribd.com/fullscreen/79455772?access_key=key-key-1gxys229lg0ceoigeb8t
Irish	Gaeilge	http://www.scribd.com/fullscreen/79455776?access_key=key-key-13mtxp74l12lh34dwx73
Italian	italiano	http://www.scribd.com/fullscreen/79455783?access_key=key-key-1ar5vibe67aamvt4wv85
Japanese	日本語	http://www.scribd.com/fullscreen/79455798?access_key=key-key-vxclwl1nk42r95ka4k9t
Korean	한국	http://www.scribd.com/full/79455820?access_key=key-key-289ijjs6ue0y0us5i24g
Latvian	Latvijas	http://www.scribd.com/fullscreen/79455833?access_key=key-key-g2o8bywl7lp5b9vvfrb
Lithuanian	Lietuvos	http://www.scribd.com/fullscreen/79455846?access_key=key-key-1jiciq0p77cgc8ia5d6f
Macedonian	македонскиот	http://www.scribd.com/fullscreen/79455864?access_key=key-key-2bki0rqdgtyfichrfe7w
Malay	Melayu	http://www.scribd.com/fullscreen/79455871?access_key=key-key-2fmd85ag28rxwl0ps05
Maltese	Malti	http://www.scribd.com/fullscreen/79455885?access_key=key-key-29y2emyfiv5rj80orxq4
Norwegian	Norsk	http://www.scribd.com/fullscreen/79455892?access_key=key-key-22vjm9kzq7d9oss3g2t
Polish	Polska	http://www.scribd.com/fullscreen/79456007?access_key=key-key-1y7bty3y0w8ipj0sjtdo
Portuguese	Português	http://www.scribd.com/fullscreen/79456014?access_key=key-key-20pacm8u2lr5mf8f7km6
Romanian	Romanianian	http://www.scribd.com/fullscreen/79456034?access_key=key-key-1n7lt2fkspqw2gxsl5vj
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Slovak	Slovenské	http://www.scribd.com/fullscreen/79456078?access_key=key-key-140vda44txipxfaz39rv
Slovenian	slovenska	http://www.scribd.com/fullscreen/79456088?access_key=key-key-q4sdmszqc6wdm8dmlfdf
Swahili	Swahili	http://www.scribd.com/fullscreen/79456106?access_key=key-key-1j5xob1aoixorylrobws

Swedish	svenska	http://www.scribd.com/fullscreen/79456117?access_key=key-61de7t3okkbqolem1g1
Thai	ไทย	http://www.scribd.com/fullscreen/79456125?access_key=key-ei5kml1ui0xlx2ln42m
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Ukrainian	Український	http://www.scribd.com/fullscreen/79456147?access_key=key-zpi19vxzmq8ic2986ot
Vietnamese	Việt Nam	http://www.scribd.com/fullscreen/79456159?access_key=key-prgx4f7fnmezvyfoftw
Welsh	Cymraeg	http://www.scribd.com/fullscreen/79456172?access_key=key-2hpx6m10919bxx6w6jxi
Yiddish	ייִדיש	http://www.scribd.com/fullscreen/79456182?access_key=key-dgoycv3pz0nlp92ihxm

www.vogeldenisenewsome.com

January 27, 2012

**TO: United States Of America President Barack Hussein Obama II
United States Kentucky Senator Rand Paul
United States Joint Chiefs Of Staff Chairman Michael Mullen**

**COPIES: FOREIGN NATIONS/LEADERS (Under Concealment)
United States Senators/United States House of Representatives (Please share with your colleagues)
MEDIA/PUBLIC-AT-LARGE**

RE: NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF PRESIDENT BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON FLORIDA A&M UNIVERSITY REGARDING ALLEGED HAZING INCIDENT – REQUEST FOR INTERNATIONAL MILITARY INTERVENTION MAY BE NECESSARY

Attached please find the “**PINK SLIP**” (30-DAY NOTICE) issued on United States of America [hereafter “United States”] *President Barack Hussein Obama II* with copies to *United States Kentucky Senator Rand Paul* and *Joint Chiefs of Staff Chairman Admiral Michael Mullen*:

This can be translated in your country’s language at: **http://vogeldenisenewsome.com/3_14.html**

A copy of what was submitted to United States President Barack Obama is at:

http://www.scribd.com/fullscreen/79375286?access_key=key-17z5mzoex8abc7j3skh2

and “**NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF PRESIDENT BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON FLORIDA A&M UNIVERSITY REGARDING ALLEGED HAZING INCIDENT – REQUEST FOR INTERNATIONAL MILITARY INTERVENTION MAY BE NECESSARY**” issued on United States President *Barack Hussein Obama II* with copies to United States Kentucky Senator *Rand Paul* and Joint Chiefs of Staff Chairman *Admiral Michael Mullen*:

This can be translated in your country’s language beginning at:

http://vogeldenisenews.com/obama-0_24.html

A copy of what was submitted to United States President Barack Obama is at:

http://www.scribd.com/fullscreen/77819207?access_key=key-2de2ord1clj5mn9r66m8

PROOF OF MAILING and RECEIPT by President Barack Obama, Senator Rand Paul and Joint Chiefs of Staff Chairman Michael Mullen: http://www.scribd.com/fullscreen/79424379?access_key=key-1qo34v7qjzxmwbuiwnt

COMMENTS ON 01/24/12 STATE OF THE UNION ADDRESS: The PUBLIC/WORLD may want to know that the CHARADE between President Obama and Secretary of Defense Leon Panetta was ALL STAGED for the cameras. All was POLITICAL and for CAMPAIGN BOOSTING to DECEIVE the PUBLIC/WORLD! President Obama thinks that Americans and people around the World are just that STUPID! Notice how they ONLY used alleged footage of Navy Seals "TRAINING" procedures and again COMPUTER-GENERATED FOOTAGE. If you were to go to **NUMBER 10 of PAGE 183** of the "Notification of Termination. . ." hopefully it will shed additional light on the **TIMING** (i.e. how **COINCIDENTALLY** such an alleged rescue of Jessica Buchanan comes on the day of the "State of the Union Address" and then President Obama **PLAYS** to the cameras in CONGRATULATING Leon Panetta because he knew his **STAGED ALLY MEDIA** Networks would use it and play it over and over again for purposes of helping him get in for a **SECOND TERM** and knowledge of an INEVITABLE IMPEACHMENT and/or REMOVAL FROM THE WHITE HOUSE as President of the United States!

At the end of President Barack Obama's January 24, 2012 "State of the Union Address" he kept sending a SUBLIMINAL Message trying to see how many of the Congress had his back. Apparently, President Barack Obama is aware that he may be "Thrown Under The Bus" as each of the **CORRUPT** Politicians may try to fend for themselves in the little time they have left! A President so **FULL** of **ARROGANCE/PRIDE** that he is trying to find a SAFE HAVEN when he is **OUSTED!**

On January 18, 2012, the White House was put on **LOCKDOWN** because of **PROTESTERS**. President Barack Obama has been served and is **DEMANDED to STEP DOWN by FRIDAY, February 12, 2012,** or be removed through **MILITARY FORCE** – i.e. this can be domestic or **FOREIGN!** This is a **DEMOCRACY**, so the American people can weigh in on whether or not they are going to allow President Barack Obama's REFUSAL to leave Office subject them to **POTENTIAL MILITARY ACTION** – i.e. when was the last time the United States came under **MILITARY ATTACK** from FOREIGN Nations on its soil – i.e. 911 appears to be the United States Government's **DOMESTIC** attacks on its OWN people and has **NOT** been **DISPUTED** through evidence to **PROVE** otherwise? The United States wants to be seen as a **LEADER**. Is it necessary for President Barack Obama to be **DRAGGED out into the streets** through **MILITARY ATTACKS** (i.e. Domestic [which may include CITIZENS' ARREST] and/or foreign) because he is refusing to **STEP DOWN** as he has requested of other Nation Leaders (i.e. *Egypt, Libya, Syria, etc.*)

In light of the **RECENT** United States Marines Scandal (i.e. **URINATION** on "Dead" Afghanistan Citizens) and other **INHUMANE** acts which VIOLATES the Nuremberg Principles and other International Laws, Vogel Denise Newsome believes such criminal behavior further **SUPPORTS** the **FIRING** and **PROSECUTION** of the "Commander-In-Chief" (President Barack Obama), **TOP/KEY** Military Officials along with the Marine Soldiers involved, and the **EXPOSURE** of the Jewish (**ZIONISTS**)/White (**SUPREMACISTS**) Groups which may be behind not only the **RECENT TERRORISTS** acts in Iran, Pakistan, Afghanistan, and Iraq but those leveled against Vogel Denise Newsome and People of Color. Furthermore, **REVEAL** the **KEY/TOP** positions that such **ZIONISTS/SUPREMACISTS** Groups hold in the running of the United States WHITE HOUSE/Government, Media, FINANCIAL Institutions and ECONOMY!

IMPORTANT TO NOTE: Is how **LONG** will the United States of America (i.e. and **ITS ALLIES** who supports such *War Crimes, Crimes Against Humanity, Crimes Against Peace*, **INHUMANE** and **GENOCIDE** practices) be allowed to continue such Crimes and remain **UNPUNISHED** for:

- 1) **URINATING** on the Dead:

Video: <http://youtu.be/ZZWVxEy-BFE>

Obama URINATION SCANDAL:

http://www.scribd.com/fullscreen/79300172?access_key=key-15ivk4b07sovli9o5p60

- 2) **Abu Ghraib PRISONER** Violations:

http://www.scribd.com/fullscreen/79331643?access_key=key-16u6rlsoigcklonvip82

- 3) **INJECTING/INFECTING** People of Color with Diseases such as **SYPHILIS**, **GONORRHEA** and yes, most likely the reports you have been hearing **AIDS** for purposes of **GENOCIDE**— spearheaded by America's **CORPORATE GIANT** Proctor & Gamble's Dr. Clarence Gamble an advocate of **BIRTH CONTROL** and **EUGENICS** and founded **PATHFINDER INTERNATIONAL**— i.e. which focuses on **REPRODUCTIVE** health, **FAMILY** Planning, **HIV/AIDS**. . .operating in more than **25** **DEVELOPING** countries throughout **AFRICA**, **ASIA**, the Near **EAST**, and **LATIN** America. . .in **1996** was **AWARDED** the United **NATIONS** **POPULATION** Award (i.e. an award to individual[s] and/or institution[s] in recognition of outstanding contributions to increasing awareness of **POPULATION** issues and their **SOLUTIONS**)

Clarence Gamble Information:

http://www.scribd.com/fullscreen/79298475?access_key=key-22ogv57wdfsi6hnqmovd

http://www.scribd.com/fullscreen/79298639?access_key=key-1r242zpyx7bpfz5b5436

Tuskegee Tests:

http://www.scribd.com/fullscreen/76906997?access_key=key-293361gdrea17grnwszs

Barack Obama's and Baker Donelson's **HEALTH CARE PLAN**:

http://www.scribd.com/fullscreen/76905515?access_key=key-2fjrcaup9ukrruwtoe3v

Baker Donelson's **HEALTH LAW**:

http://www.scribd.com/fullscreen/76905799?access_key=key-12p02sgqmy3jz94n0vsc

United States **INHUMANE** Guatemala **EXPERIMENTS**:

http://www.scribd.com/fullscreen/76903715?access_key=key-2b0fhxu0qj0656eqrbe9

- 4) **INJECTING** Citizens of Pakistan with a **FAKE VACCINE** — i.e. who know what **POISONS** were injected; however, the United States Central Intelligence ("CIA") was involved:

United States **INHUMANE** Pakistan **EXPERIMENTS** — Fake Vaccine:

http://www.scribd.com/fullscreen/76903801?access_key=key-17yz9p8fb5p55rxka38n

http://www.scribd.com/fullscreen/76903881?access_key=key-vox8fxj4sg4ckqr35mt

- 5) **GENOCIDE PRACTICES** in the **Sterilization/Gutting** of People of Color:

Videos:

<http://youtu.be/gDuGrN1pivE>

<http://youtu.be/8xkuDPD3A1Y>

<http://youtu.be/SI-68j-LLk4>

- 6) **INTENTIONALLY FAILED** to repair the Levees in New Orleans, Louisiana for purposes of causing such **CASUALTIES** of Hurricane Katrina because People of Color **REFUSED** to give up their land to the **WEALTHY/RICH** for **DEVELOPMENT**: <http://youtu.be/XIlogreab3I>

- 7) **DOMESTIC TERRORISTS** Acts in the **BOMBING** of its **OWN** World Trade Center on *September 11, 2001*, and **BLAMING** and/or **FALSIIFYING** Reports and **blaming it on Muslims** for *purposes of causing DIVISIONS and Needless/Senseless WARS*: The United States Government used its **TAXPAYERS** monies to pay for these **TERRORISTS** Acts:

AFGHANISTAN: United States of America's
GOVERNMENT uses **TAXPAYERS' Monies** To Pay
TERRORISTS:

http://www.scribd.com/fullscreen/75164576?access_key=key-y-2dj8ur8mk2tjibkn2den

July 27, 2009 United States Department of Justice **PRESS RELEASE**: "*Seven Charged With Terrorism Violations. . .*" Seven individuals have been charged with **CONSPIRING** to provide **MATERIAL SUPPORT** to **TERRORISTS** and **CONSPIRING** to murder, kidnap, maim and *injure persons abroad. . .*

"The indictment alleges that . . . a **VETERAN of TERRORIST training camps** in **PAKISTAN** and **AFGHANISTAN** who, over the past **THREE** years, **has CONSPIRED** with others in **THIS COUNTRY** to **RECRUIT** and **help young men TRAVEL OVERSEAS** in order to **KILL. . .**"

"These charges hammer home the point that **TERRORISTS** and their **SUPPORTERS** are not confined to the remote regions of some far away land but can **GROW** and **FESTER** right here at **HOME**. **TERRORISTS** and their **SUPPORTERS** are **RELENTLESS** and constant in their efforts to **HURT** and **KILL INNOCENT** people across the globe. We **MUST** be **EQUALLY** relentless and constant in our efforts to **STOP** them. . ."

http://www.scribd.com/fullscreen/77045133?access_key=key-y-25622u8zp85u4kcb469I

- 8) **RELEASING FALSE REPORTS** that the *United States Economy and Employment situation* is **IMPROVING** when it is **NOT**. These reports are **FALSE** and are **generated/created by Jewish (ZIONISTS)/White SUPREMACISTS** who are **BEHIND** the **COLLAPSE of the WORLD Economy and BANKING Systems**.

Look at how the United States of America in **RETALIATION** to Iran President *Mahmoud Ahmadinejad's September 22, 2011 United Nations Speech (i.e. addressing the United States role in the 911 Attacks on its people)*:

'By using their **IMPERIALISTIC Media Network** which is under the influence of colonialism, they **THREATEN ANYONE** who **QUESTIONS** the Holocaust and the **September 11** event with sanctions and **MILITARY** actions. . .

The Iranian leader said this **made the US and its ALLIES UNFIT** to **DOMINATE** the international system, and called for **CHANGE** to the **STRUCTURE** of the UN Security Council."

http://www.scribd.com/fullscreen/77060617?access_key=key-1ihkjin2favvcg0vz4w6x

and in **RETALIATION** to President Ahmadinejad's speech the United States of America on or about October 11, 2011, **NINETEEN (19) DAYS** later made **up a LIE** that Iran was plotting the assassination of Saudi Arabia's Ambassador Adel al-Jubeir

http://www.scribd.com/fullscreen/79298796?access_key=key-2853bon2wbwn514gkof5

and then approximately ten (10) days later (in **RETALIATION**) came after Vogel Denise Newsome's job with Messina Staffing – i.e. is it a **COINCIDENT** that President Barack Obama 2012 Presidential Campaign Manger's name is Jim "MESSINA." So rather than provide Newsome with her September 15, 2011 Report requested,

http://www.scribd.com/fullscreen/74244987?access_key=key-2foz08vrb8104tblhvb5

this time was used to track and hunt down Newsome in **RETALIATION** for speaking out. Not only that the **DAY before** the September 15, 2011 deadline, President Barack Obama and his Administration to go **AFTER Iran and its President**, as well as launch a Website to report those such as Vogel Denise Newsome:

http://www.scribd.com/fullscreen/75190887?access_key=key-1qts3d24ihxp2tlvo370

Then in **November/December 2011** President Barack Obama with his Jewish (**ZIONISTS**)/White **SUPREMACISTS** connections sought to launch an "ALL-OUT ATTACK on Newsome's Alma Mater – Florida A&M University – in efforts to take this **AFRICAN-American** University down in **RETALIATION** to Newsome's speaking out and **EXPOSING** the United States Crimes **AGAINST** her as well as **FOREIGN** Nations.

9) And **MANY. . . MANY. . . MANY. . .MANY. . .other CRIMES . . .**
BRING THE UNITED STATES OF AMERICA TO JUSTICE!!

When the President Barack Hussein Obama II (**BLACK-American**) and the United States Government decided to come after Vogel Denise Newsome, they came after the **WRONG AFRICAN-American**. There is a **DIFFERENCE between Black-American and AFRICAN-American!**

Furthermore, when President Barack Hussein Obama II and his **HARVARD** University (**WHITE-Majority**) Colleagues with the use of **JEWISH (Zionist)/WHITE Supremacists** decided to come after the **TOP ("NO. 1") AFRICAN-American** University (**Florida A&M University and Alma Mater of Vogel Denise Newsome**) in **RETALIATION last month** – i.e. as recent as **DECEMBER 2011**, they messed with the **WRONG University!**

RACE CARD is VOID: It is important to know that President Barack Hussein Obama II **CANNOT** use the "Race Card" in Newsome's reporting of these crimes. Newsome is **AFRICAN-American** and **VOTED** for President Barack Obama. Newsome is **NEITHER "Democrat" NOR "Republican!"** However, like **JUDAS** – i.e. who is known in history for **BETRAYING Jesus Christ and turned Christ over to the JEWS and GOVERNMENT to be prosecuted** – President Barack Obama is a **TRAITOR** and has **BETRAYED** the American people. President Barack Obama **PROMISED** Change and then got into the White House thinking that he could play the **Jewish (ZIONISTS)/White SUPREMACISTS Politics** and survive like all other Presidents. However, President Barack Obama has **UNDERESTIMATED** the **WRONG** people. Just as the United States of America has **UNDERESTIMATED the Citizens in the Middle East!**

It is also **IMPORTANT** to **EXPOSE** and/or **REVEAL** the Counsel/Advisors (i.e. Law Firm of **Baker Donelson Bearman Caldwell & Berkowitz** ["Baker Donelson"]) of United States President Barack Obama for the **PUBLIC/WORLD** to see for themselves the **DRIVING FORCES** behind the **COLLAPSE** of the United States Economy and the World Economy – i.e. it appears to be this Law Firm's **FAILED POLICIES** that it drafted and had **FORCED** on American Citizens and the **WORLD** that has brought about the **COLLAPSE** of the **FINANCIAL** and **ECONOMIC** Markets! Yes,

President *Mahmoud Ahmadinejad* Baker Donelson has a location in the United Kingdom (i.e. London) and one of its MAJOR/TOP Banking Clients is **J.P. Morgan Chase Bank** (i.e. HEADED by Jewish [ZIONISTS]) whose MAJOR/TOP Client was **Bernard "Bernie" Madoff** (i.e. Jewish (ZIONIST) known for his **PONZI Scheme – LARGEST Financial Fraud in United States History**). It is NO Secret that the **"WORLD BANK" is CONTROLLED** by Jewish (ZIONISTS)/White SUPREMACISTS Groups – i.e. **WORLD BANK which now appears to be falling into DIRE HARDSHIPS!** However, *that is JUST what Foreign Countries and their Leaders get* for ENTRUSTING their monies to the United States' ORGANIZED "World Bank idea!" Then to allow this the **WORLD BANK to be controlled** by people such as Jewish (ZIONISTS)/White SUPREMACISTS Groups that harbor **RACISTS** (i.e. **ANTI-Muslim/ANTI-Christian** and **ANTI-African American/ANTI-People Of Color**) Agendas to **DESTROY** cultures and/or nations of people.

THE DOWNFALL OF THE UNITED STATES OF AMERICA PREDICTED:

As foretold by **RUSSIAN Leader Nikita Khrushchev at the October 16, 1960**
United Nations Assembly: "We do not have to destroy America with missiles;
America will **DESTROY** itself from WITHIN!" -- -Hah, Hah, Hah -- - Oh what JOY!

United States President ABRAHAM LINCOLN: "America will **NEVER** be
destroyed from the **OUTSIDE**. If we **FALTER** and **LOSE** our
FREEDOMS, it will be because we **DESTROYED OURSELVES!**" --- Hah,
Hah, Hah -- - Oh what JOY!

Baker Donelson keeps its people in the United States White House **REGARDLESS** of which Political Party (i.e. **REPUBLICAN** or **DEMOCRAT**) wins. Baker Donelson is a **RACIST/White SUPREMACIST** Organization with **DEEP-ROOTS** in the Southern Region and *members of the INVISIBLE Ku Klux Klan – i.e. a White Supremacist Group in the United States of America*. The **Secretary** of the United States Navy (i.e. United States **MARINE** affiliation) **Raymond Mabus** is an employee of Baker Donelson and was the person it relied upon to carry out the **FRAUDULENT** May 1, 2011 Attack on Osama Bin Laden – which is a **LIE!** **BOTCHED** efforts by United States President Barack Obama and Baker Donelson to **"KILL THE LIE"** thinking that it had succeeded in **COVERING UP** the United States **DOMESTIC TERRORISTS'** Acts of September 11, 2001, that it blamed on Osama Bin Laden and *used such LIES to begin Wars in the Middle East!*

Vogel Denise Newsome is seeking **JUSTICE** and the **CORRECTION** of such **INJUSTICES** that Jewish (ZIONISTS)/White (SUPREMACISTS) Groups have caused through their **CRIMINAL** acts *not ONLY on United States soil but that on FOREIGN soil* – i.e. through such **LIES** as **"Weapons of Mass Destruction"** where there were **NONE**; **"Attacks of September 11, 2001"** ("911") in which this appears to have all been **DOMESTIC** Terrorists acts **ORCHESTRATED** by Jewish (ZIONISTS)/White (SUPREMACISTS) Groups *with interests of ISRAEL in mind, etc.*

As Citizens of Libya reached out to the United States and **NATO** for assistance, Vogel Denise Newsome does likewise in reaching out to Foreign Nations such as Iran (i.e. President *Mahmoud Ahmadinejad*), its Allies (*China, Germany, France, Russia, etc.*) and others to deal with these United States of America's **Jewish (ZIONISTS)/White (SUPREMACISTS) Groups** that have **INFILTRATED** and/or **HIJACKED** the United States Government for purposes of carrying out their **RACISTS/TERRORISTS** Agendas and have used the United States Citizens' **TAXPAYERS** monies to **FINANCE** their **TERRORISTS** Acts unbeknownst to Americans. *Reaching out to Iran's President Ahmadinejad because he appears to be the one MOST visible* and **NOT AFRAID**, as Newsome, to **SPEAK OUT** against the United States of America and the **ZIONISTS/SUPREMACISTS** Groups they are operating behind!

Vogel Denise Newsome would also like the **PUBLIC/WORLD** to see that these are **NOT** Christians (i.e. Newsome is a Christian) *behind the TERRORISTS* Acts of the United States but those of **Jewish (ZIONISTS)/White (SUPREMACISTS) Groups** which are clearly **ANTI-Muslims** and **ANTI-Christians** and just as with the 911 Attacks on the World Trade Center these **ZIONISTS/SUPREMACISTS** Groups have used **LIES** on Muslims and Christians *to cause DIVISIONS and needless Wars in the regions* because *by getting* Muslims and Christians *to fight against each other, it takes the ATTENTION off of the Jews (ZIONISTS)/White (SUPREMACISTS) Groups to allow them to carry out their WAR CRIMES, etc. in their quests*

for CONTROL of the Middle Eastern Regions/Africa and their **RESOURCES: Oil, Gold, Coal, Jewels, etc.**

Vogel Denise Newsome would also like to make it **CLEAR** that there are **WHITE SUPREMACISTS Groups** in the United States **MASKING/HIDING behind "Christianity,"** however, they are **NOT** Christians! Furthermore, these **WHITE SUPREMACISTS Groups/Leaders** carry out attacks not **ONLY against Muslims but also against Christians** (i.e. **People of Color/African-Americans**) and *want to mislead the WORLD to think that they are Christians when they are NOT!* Reiterating the **FACT** that the **WARS** abroad have been **UNDER THE DIRECTION** and **LEADERSHIP** of **Jewish (ZIONISTS)/White SUPREMACISTS Groups!** The following information may help **CLARIFY** how these **TERRORISTS** (i.e. **Jewish [ZIONISTS]/White SUPREMACISTS**) operate:

1) The **September 11, 2001 ("911")** Attacks appears to have been carried out by the United States Government (i.e. with today stands at **100% ALL White Senate**; and **90% ALL White House of Representatives**). It was **DELIBERATELY** and **MALICIOUSLY** blamed on Osama Bin Laden for purposes of causing **HATRED** towards **Muslims** (i.e. **Muslim Nations and their Leaders**) and a **DIVISION**. It was the **MOST HIDEOUS Domestic Terrorist Attacks** carried out by the United States Government to provide it with an **EXCUSE to go into the Middle East under FALSE PRETENSE/LIES!**

2) Christians believe that the **JEWS and the GOVERNMENT** were behind the **CRUCIFIXION of Jesus Christ**. Jews which to Christians are **KNOWN** to be **ANTI-CHRISTIANS** and **White Supremacists** also **ANTI-CHRISTIANS** and rally behind the **BURNING of Crosses** which symbolizes the **BURNING/CRUCIFIXION of Christian at the stake** - i.e. and are symbols **REPEATEDLY** used in the **TORTURE** and **MURDER/KILLING of African-Americans in the United States of America**. However, they don't want people to know the **TRUE meaning behind** such **HATEFUL rituals**. These **White SUPREMACISTS** then use "**Church buildings**" and/or "**Religion**" to **HIDE/MASK their hate crimes and TARGETED the Christian Faith to mislead the WORLD to think that they are Christians when they are NOT!** There is **NOTHING** in the "**Holy Bible**" which supports that **TRUE Christians would have been behind the United States Government's DOMESTIC Terrorists Acts on 911**. There is **NOTHING** in the "**Holy Bible**" which supports that **TRUE Christians would be behind attacks on MUSLIMS and/or Muslim Nations or the BURNING of the "Holy Qur'an"** - i.e. these are the practices of **WHITE SUPREMACIST Groups** that use "**church(es) as a FRONT/MASK**" and that **TEACH HATRED against Muslims/People Of Color** claiming to be Christians *when they are NOT!* Jesus Christ was **NOT** insecure in his **FAITH!** **TRUE** Christians are **NOT** insecure in their **FAITH or those of others!**

3) Many of the **CHURCHES** in the United States of America may have merely been **built as FRONTS to MASK/SHIELD White SUPREMACISTS Groups**. Of course if many **Foreign Nations/Leaders** were to visit the United States of America rather than watch what a **Jewish (ZIONISTS) Media** portray on television, they will find that in the year 2012, that the **SUPPOSED Christian Churches** in the United States of America are **SEGREGATED** - i.e. many that promote **ALL WHITE/MAJORITY WHITE** with a **FALSE image** of some **White man** with long **STRAIGHT** brown hair and **BLUE** eyes claimed to be **Jesus Christ** when it is **NOT** and has been a **LONG-TIME** practice of **White Supremacists Groups** who **CANNOT** accept the **fact** that **Jesus Christ was a man of color, hair of WOOL**, etc. and the region from which he was born and raised **CONTRADICTS** this "**long brown straight hair and blue eyed**" image *that they have portrayed to whites* who would find it hard to believe in a man who **SKIN COLOR** was **NOT** white!

4) It is the acts of **Jewish (ZIONISTS)/White SUPREMACISTS** and **their CHILDREN** they raise that bring about such attacks as the **URINATION on Afghanistan Citizens** as that recently portrayed by **WHITE RACISTS** United States Marine Soldiers. Many of these **White Supremacists' Children** enlist in the United States Military **for purposes of going to Wars to carry out their HATRED against People of Color:**

July 27, 2009 United States Department of Justice PRESS RELEASE:
"Seven Charged With Terrorism Violations. . ." Seven individuals have been charged with **CONSPIRING** to provide **MATERIAL SUPPORT** to **TERRORISTS** and **CONSPIRING** to murder, kidnap, maim and injure persons **abroad**. . .

"The indictment alleges that . . . a **VETERAN of TERRORIST training camps in PAKISTAN** and **AFGHANISTAN** who, over the past **THREE** years, **has CONSPIRED**

with others in **THIS COUNTRY** to **RECRUIT** and **help young men TRAVEL OVERSEAS** in order to **KILL** . . ."

"These charges hammer home the point that **TERRORISTS** and their **SUPPORTERS** are not confined to the remote regions of some far away land but can **GROW and FESTER right here at HOME**. **TERRORISTS** and their **SUPPORTERS** are **RELENTLESS** and constant in their efforts to **HURT** and **KILL INNOCENT** people across **the globe**. We **MUST** be **EQUALLY** relentless and constant in our efforts to **STOP** them. . ."

http://www.scribd.com/fullscreen/77045133?access_key=key-25622u8zp85u4kcb469l

It is important for the **PUBLIC/WORLD** to see that the United States Government is **FULLY** aware of the **CRIMES** of the United States Soldiers; however, have decided to do **NOTHING!** This is **WHY** the United States of America did **NOT** want to subject itself to the International Criminal Courts; however, such **FAILURE** to join and/or comply appears may have backfired and now may allow Foreign Countries as Iran, Afghanistan, Iraq, Pakistan etc. to **NOT** have to seek intervention through the International Criminal Court but **may take DIRECT action against the United States of America** and **PROSECUTE** Criminals of such crimes in their **OWN** Tribunals and **NOT** await United States **MILITARY** Tribunals! Does it make sense that the United States of America **REPEATEDLY** made **WARS** in foreign Countries and then is **NOT HELD ACCOUNTABLE?** How many times are **FOREIGN NATIONS/LEADERS/CITIZENS** **supposed to look the other way** and **NOT** hold the United States of America's Government Officials **ACCOUNTABLE** for such crimes as the **URINATION on "Dead" Afghanistan Citizens** and the **BRUTAL/CRIMINAL/INHUMANE treatment of Prisoners as those in the ABU GHRAIB Prison Scandal?**

Unless countries such as Iran/President **Mahmoud Ahmadinejad** and its allies (China, Germany, Russia, France, etc.) **STAND UP** to the United States of America and **DEMAND the surrendering of their HEADS OF STATES and other prominent Officials** (i.e. *United States President Barack Obama; Former United States Presidents George W. Bush – William "Bill" Clinton – George H. W. Bush; United States Vice President Joseph Biden; United States Former Vice Presidents Richard "Dick" Cheney – Albert "Al" Gore; United States Speaker of the House John Boehner; United States Former Speaker of the House Nancy Pelosi; United States Secretary of State Hillary Clinton; United States Former Secretary of State Condoleezza Rice – Colin Powell; United States Secretary of Defense Leon Panetta; Former United States Secretary of Defense Robert Gates; Secretary of the Navy Raymond Mabus; United States Attorney General Eric Holder; United States Senate Majority Leader Harry Reid; United States Senate Minority Leader Mitchell McConnell; United States Senator John McCain; Federal Bureau of Investigation Director Robert Mueller; Central Intelligence Agency Director David Petraeus; United States First Lady Michelle Obama and former First Ladies Laura Bush and Barbara Bush; and BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ' Shareholders/Officers. . .) **they will CONTINUE** to engage in such **WAR CRIMES, CRIMES AGAINST HUMANITY, CRIMES AGAINST PEACE, etc.** By surrendering these **TOP/KEY** United States Government Officials to Foreign Nations/Leaders for **PROSECUTION**, it is the beginning of showing to work **GOOD FAITH** efforts **with Middle Eastern Nations/Leaders to CORRECT the injustices that such TERRORISTS Regimes have caused!** They should **NOT** be allowed to **HIDE OUT** in the United States of America or other Countries!*

TERRORIST Defined - A radical who employs **TERROR** as a **POLITICAL** weapon; usually organizes with other Terrorists **in small cells**; often **USES RELIGION** as a **COVER** for Terrorist activities.

5) The **Year 2011** saw the **FALL** of **TERRORISTS/OPPRESSIVE** Regime Leaders in the regions of **Egypt, Tunisia, Yemen and Libya, etc.**

6) Let the **Year of 2012** be the year that **Foreign Nations/Leaders UNITE** together and see to it that the United States of America's **TERRORIST/RACIST** Regime **is brought to justice** and **NOT** given special treatment because it is a **JEWISH (Zionists)/WHITE Supremacists Runned Government!**

7) **IRAN** has already obtained a United States of America **DRONE!** Therefore, Iran may want to quit talking and **SHOW "ACTION"** in the **CLOSING** of the **"STRAIT of HORMUZ."** **PROTECT** their **RESOURCES** that the United States and its **ALLIES are after!** Determine whether the United States of America are in their **REGIONS LEGALLY** and/or on **FALSE PRETENSES!** If **ILLEGALLY**, Iran and its allies may want to consider giving the United States a **DEADLINE** to **GET OUT** of the **REGION** or suffer the **CONSEQUENCES!** Who knows, Iran has a **DRONE** already – so there may be **United States SHIPS** ready for the **TAKING!**

8) The **IRONY** of the United States of America's **DOWNFALL** is that it comes at the hands of its **HATRED** towards **MUSLIMS** and **CHRISTIANS**. Approximately **47 Years ago**, the United States Government **pitted** the Nation of Islam against another Muslim/AFRICAN-American Civil Rights Leader – **Malcolm X** (i.e. also known as **El-Hajj Malik El-Shabazz**) in wanting to make it appear that Malcolm X was **TOO Violent** and a **THREAT** because of the support he was getting in **SPEAKING OUT** and **EXPOSING** the United States for its crimes. **TODAY**, you have the United States of America **TARGETING** Muslim/Islam Leader and President of Iran **Mahmoud Ahmadinejad** and **AGAIN** attempting to take him out for **SPEAKING OUT** and **EXPOSING** the United States' Crimes. The United States going as far as trying to get Iran's **ALLIES** to **TURN AGAINST** them through **LIES**! President Ahmadinejad **projects himself as a STRONG/TENACIOUS/STEADFAST Leader that will NOT be BULLIED nor INTIMIDATED by the FALSE illusion that the United States has projected for decades as being the MOST POWERFUL Nation!** President Ahmadinejad can see through the **COWARDNESS** of the United States of America and how **it has only survived through MANIPULATION, CORRUPTION and TERRORISTS acts against those with whom it thought it could defeat "one-on-one!"** Now that the **"DAY of RECKONING"** is here, watch the United States of America **CRUMBLE/COLLAPSE** when having to go **"One-on-One" WITHOUT** Allies' assistance! Yes, the United States **Jewish (ZIONISTS)/White SUPREMACISTS** Government preyed on the **"WEAK MINDS" and IGNORANCE** of White-Americans and **FALSIFIED the 911 Attacks and blamed it on Muslims** when the September 11, 2001 Attacks appear to be **the WORKS/MASTERMIND of Jewish ZIONISTS/White SUPREMACISTS!**

The **IRONY** of the United States of America's **DOWNFALL** is that it comes at the hands of its **HATRED** towards **CHRISTIANS** and **AFRICAN-Americans**. Approximately **44 Years ago**, the United States Government sought to see that one of its **RACISTS/WHITE SUPREMACIST** Members **ASSASSINATE** a **Christian/AFRICAN-American Civil Rights Leader** – **Martin Luther King Jr.** – to **SILENCE** him. **Martin Luther King Jr.** ("King" and/or "Dr. King") being a man that promoted action in a **NON-VIOLENT** manner and believing in the law of the land. The United States Federal Bureau of Investigation ("FBI") attempted to **BLACKMAIL** Dr. King in efforts to get him to shut up. Dr. King **REFUSED** to be purchased and was **DETERMINED** to fulfill his mission/purpose. **TODAY, in 2012**, you have the United States of America **TARGETING Christian/Civil Rights Activist Vogel Denise Newsome ("Newsome")** and **AGAIN** attempting to take her out for **SPEAKING OUT** and **EXPOSING** the United States' Crimes. The United States Government going as far as **CRIMINAL STALKING, HARASSING, THREATENING, DISCRIMINATING, EMBEZZLING MONIES from Bank Accounts, UNLAWFULLY SEIZING Bank Accounts to financially devastate Newsome to keep her from sharing information regarding the United States Government's Criminal Acts, BLACKMAIL, EXTORTION, KIDNAPPING, CONTACTING EMPLOYERS to have Newsome Terminated, etc.** However, Vogel Denise Newsome has remained **STEADFAST/STRONG/TENACIOUS** and will **NOT** be **BULLIED** or **INTIMIDATED** by the United States Government Corrupt Officials. In fact, Newsome **LAUGHS in their face because this is supposed to be the MOST POWERFUL Country in the World** and the United States Government/White House and Congress appears to receive **Legal Counsel/Advice from the Law Firm of Baker Donelson Bearman Caldwell & Berkowitz and UNDER SUCH COUNSEL/ADVICE, President Obama and his Legal Counsel/Advisors have a LOSING STREAK of approximately 0wins-6losses** against Newsome. It is important for the **PUBLIC/WORLD** to see that President Barack Obama seeks **Legal Counsel/Advice** from a Law Firm (Baker Donelson) which has **LOST EVERY** legal action involving Newsome that **it RESORTED** to **CRIMINAL** behavior (i.e. **BRIBES, BLACKMAIL, etc. of Judges/Justices and/or Government Officials**) to obtain an **UNLAWFUL/ILLEGAL** advantage. **No wonder the United States of America LOST THE WARS in Afghanistan, Iraq and Iran!** No wonder the United States of America has **SUCCEEDED** in **bringing down** the **GLOBAL MARKETS** and **ECONOMY around the World** - - Look to the Law Firm (Baker Donelson) which has been **VERY INSTRUMENTAL** in the **COLLAPSE** and **DOWNFALL** of the United States of America! The United States of America and its **CORRUPT President and Attorneys** thought that by coming after Vogel Denise Newsome's job and bank accounts **it would stop her from releasing this information;** however, **now are 0wins-7losses in FAILING to achieve its goal.** Newsome has **SUCCEEDED** in releasing information that the United States Government did **NOT** want the **PUBLIC/WORLD** to see!

Yes, the United States Senate is **100% White** and the United States House of Representatives is approximately **90% White!** So please do **NOT blame the AFRICANS and/or AFRICAN-Americans and/or People of Color** for the **WARS** that the United States of America started in *Afghanistan, Iraq, Iran and other regions*. The United States is **NOW** running out of **MONIES** to continue to **FINANCE** their War Crimes and to continue to pay Terrorist Cells that it was relying upon.

PLEASE TAKE NOTICE: That United States of America President Barack Hussein Obama II has been asked to **STEP DOWN IMMEDIATELY** and/or **no later than FRIDAY, February 10, 2012**, and **his Administration IMMEDIATELY!**

That United States Kentucky Senator Rand Paul was requested to get Vogel Denise Newsome's Lawsuit filed **IMMEDIATELY** – i.e. **no later than FRIDAY, January 13, 2012** – which includes legal actions against President Barack Obama. Senator Rand Paul is being requested to **STEP DOWN** by **WEDNESDAY, February 29, 2012**.

That **ALL** members of the United States House of Representatives **with FIVE (5) Years of more** service are demanded to **STEP DOWN** by **MONDAY, April 16, 2012**.

That **ALL** members of the United States Senate **with FIVE (5) Years of more** service are demanded to **STEP DOWN** by **FRIDAY, June 15, 2012**.

A CONFLICT-OF-INTEREST with the United States LEGISLATURE/CONGRESS may be present in that they KNEW of the 911 CONSPIRACY and did NOTHING to protect Americans and/or Victims from such DOMESTIC Attacks as well as the FRAUDULENT/CRIMINAL/ILLEGAL practices in putting President Barack Obama in the White House (i.e. 25th Amendment of United States Constitution VIOLATIONS!)

The United States of America's *Joint Chiefs of Staff* have been advised **through the attention of CHAIRMAN Admiral Michael Mullen** of the situation and assistance is being requested to help with the **TRANSITION** of the United States Government back into the hands of the American people.

Vogel Denise Newsome in the meantime is demanding (i.e. as with Libya Leader Colonel Muammar Gaddafi) that proper **SANCTIONS, SEIZURE** of United States Bank Accounts (i.e. as the United States did with Vogel Newsome's accounts), **INVESTIGATIONS/PROSECUTION** by International Tribunals into the United States of America's roles in not only the recent War Crimes, Crimes Against Humanity, Crimes Against Peace, etc. of the United States Marine Soldiers Scandal but those in which have become known through the **"NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF PRESIDENT BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON FLORIDA A&M UNIVERSITY REGARDING ALLEGED HAZING INCIDENT – REQUEST FOR INTERNATIONAL MILITARY INTERVENTION MAY BE NECESSARY"** and/or in the records of Foreign Nations and/or United States' allies.

PLEASE TAKE NOTICE: That the United States of America **IS NOT** to be given special treatment and **HARSH/SWIFT PUNISHMENTS** for its crimes are **NECESSARY** to assure the Public/World that the United States of America **is NOT** above the laws and its Powers/Influence **will NOT shield it nor its HEADS OF STATE** – Present and Past (i.e. which include *President Barack Obama*; former Presidents: *George W. Bush, William "Bill" Clinton, George H.W. Bush*; Vice President Joseph Biden and former Vice Presidents: *Richard "Dick" Cheney, Albert Gore*, former Chiefs of Staff *Rahm Emanuel, Howard Baker*, etc.; Secretary of State *Hillary Clinton*, Secretary of Defense *Leon Panetta*, Secretary of the Navy *Raymond Mabus*, Director of Federal Bureau of Investigations *Robert Mueller*, Director of CIA *David Petraeus, Baker Donelson* **TOP/KEY Executives/Shareholders**, etc.) **against PROSECUTION abroad.**

PLEASE TAKE NOTICE: That if United States President Barack Hussein Obama II, his Administration, etc. **REFUSE** to **STEP DOWN by the February 10, 2012 Deadline** that **FOREIGN NATIONS/LEADERS** consider bringing **MILITARY ACTION** as that done for Middle East Leaders such as Libya's Colonel

Muammar Gaddafi and Iraq's former President Saddam Hussein, etc. *to have him removed from office.* Moreover, while the United States supposedly operates under DEMOCRACY, **Military FORCE** may be necessary in that **ALL good-faith LEGAL and CONGRESSIONAL Recourse appears to have failed.** In other words, **PRIOR** to Vogel Denise Newsome's REQUESTS for President Barack Obama and **CORRUPT** Government Officials **STEP DOWN**, she has sought to file **LEGAL LAWSUITS** as well as **CONTACTED** the United States LEGISLATURE/CONGRESS and the **United States JOINT CHIEFS OF STAFF** to intervene to NO AVAIL and therefore, **INTERNATIONAL** intervention may be necessary – i.e. President Barack Obama through is **PRIDE/ARROGANCE**, etc. is willing to **JEOPARDIZE** the national **security** and **safety** of American Citizens!

LEGAL DOCUMENTS are provided in the “NOTIFICATION FOR TERMINATION - REQUEST FOR IMPEACHMENT OF PRESIDENT BARACK HUSSEIN OBAMA II – RESPONSE TO THE ATTACKS ON FLORIDA A&M UNIVERSITY REGARDING ALLEGED HAZING INCIDENT – REQUEST FOR **INTERNATIONAL MILITARY INTERVENTION MAY BE NECESSARY**” so that FOREIGN NATIONS/LEADERS with **Lawyers/Attorneys** that practice and/or are familiar with United States of America Law **can verify the VALIDITY** of Vogel Denise Newsome's claims and **that she has followed proper LEGAL RECOURSE** – i.e. via **Government Agencies, Courts and/or United States Congress**, etc. - **prior** to **requesting INTERNATIONAL INTERVENTION!**

With Warmest Regards,

Vogel Denise Newsome

Anti-SLAPP Law in California

Note: This page covers information specific to California. For general information concerning Strategic Lawsuits Against Public Participation (SLAPPs), see the overview section of this guide.

You can use California's anti-SLAPP statute to counter a SLAPP suit filed against you. The statute allows you to file a special motion to strike a complaint filed against you based on an "act in furtherance of [your] right of petition or free speech under the United States or California Constitution in connection with a public issue." Cal. Civ. Proc. Code § 425.16. If a court rules in your favor, it will dismiss the plaintiff's case early in the litigation and award you attorneys' fees and court costs. In addition, if a party to a SLAPP suit seeks your personal identifying information, California law allows you to make a motion to quash the discovery order, request, or subpoena.

Activities Covered By The California Anti-SLAPP Statute

Not every unwelcome lawsuit is a SLAPP. In California, the term applies to lawsuits brought primarily to discourage speech about issues of public significance or public participation in government proceedings. To challenge a lawsuit as a SLAPP, you need to show that the plaintiff is suing you for an **"act in furtherance of [your] right of petition or free speech under the United States or California Constitution in connection with a public issue."** Although people often use terms like "free speech" and "petition the government" loosely in popular speech, the anti-SLAPP law gives this phrase a particular legal meaning, which includes four categories of activities:

1. any written or oral statement or writing made before a legislative, executive, or judicial proceeding, or any other official proceeding authorized by law;
2. any written or oral statement or writing made in connection with an issue under consideration or review by a legislative, executive, or judicial body, or any other official proceeding authorized by law;
3. **any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest;** or
4. any other conduct in furtherance of the exercise of the constitutional right of petition or the constitutional right of free speech in connection with a public issue or an issue of public interest.

Cal. Civ. Proc. Code § 425.16(e)(1-4). As an online publisher, you are most likely to rely on the third category above, which applies to a written statement in a **public forum** on an **issue of public interest**.

Under California law, a publicly accessible website is considered a public forum. See Barrett v. Rosenthal, 146 P.3d 510, 514 n.4 (Cal. 2006). The website does not have to allow comments or other public participation, so long as it is publicly available over the Internet. See Wilbanks v. Wolk, 121 Cal. App. 4th 883, 897 (Cal. Ct. App. 2001).

Many different kinds of statements may relate to an issue of public interest. California courts look at factors such as whether the subject of the disputed statement was a person or entity in the public eye, whether the statement involved conduct that could affect large numbers of people beyond the direct participants, and whether the statement contributed to debate on a topic of widespread public interest. Certainly, statements educating the public about or taking a position on a controversial issue in local, state, national, or international politics would qualify. Some other examples include:

- Statements about the character of a public official, see Vogel v. Felice, 127 Cal. App. 4th 1006 (2005);

- Statements about the financial solvency of a large institution, such as a hospital, see Integrated Healthcare Holdings, Inc. v. Fitzgibbons, 140 Cal. App. 4th 515, 523 (2006);
- Statements about a celebrity, or a person voluntarily associating with a celebrity, see Ronson v. Lavandeira, BC 374174 (Cal. Super. Ct. Nov. 1, 2007);
- Statements about an ideological opponent in the context of debates about the Israeli-Palestinian conflict, see Neuwirth v. Silverstein, SC 094441 (Cal. Super. Ct. Nov. 27, 2007); and
- Statements about the governance of a homeowners association, see Damon v. Ocean Hills Journalism Club, 85 Cal. App. 4th 468 (2000).

In contrast, California courts have found other statements to be unrelated to an issue of public interest, including:

- statements about the character of a person who is not in the public eye, see Dyer v. Childress, 147 Cal. App. 4th 1273, 1281 (2007); and
- statements about the performance of contractual obligations or other private interests, see Ericsson GE Mobile Communs. v. C.S.I. Telcoms. Eng'rs, 49 Cal. App. 4th 1591 (1996).

Although the anti-SLAPP statute is meant to prevent lawsuits from chilling speech and discouraging public participation, you do not need to show that the SLAPP actually discouraged you from participating or speaking out. Nor do you need to show that the plaintiff bringing the SLAPP intended to restrict your free speech.

Protections for Personal Identifying Information Sought in a SLAPP suit

In addition to providing a motion to strike, California law also allows a person whose identifying information is sought in connection with a claim arising from act in exercise of anonymous free speech rights to file a **motion to quash** -- that is, to void or modify the subpoena seeking your personal identifying information so you do not have to provide that information. Cal. Civ. Pro. Code § 1987.1.

How To Use The California Anti-SLAPP Statute

The California anti-SLAPP statute gives you the ability to file a **motion to strike** (i.e., to dismiss) a complaint brought against you for engaging in protected speech or petition activity (discussed above). If you are served with a complaint that you believe to be a SLAPP, you should seek legal assistance immediately. Successfully filing and arguing a motion to strike can be complicated, and you and your lawyer need to move quickly to avoid missing important deadlines. You should file your motion to strike under the anti-SLAPP statute within **sixty days** of being served with the complaint. A court may allow you to file the motion after sixty days, but there is no guarantee that it will do so. Keep in mind that, although hiring legal help is expensive, you can recover your attorneys' fees if you win your motion.

One of the benefits of the anti-SLAPP statute is that it enables you to get the SLAPP suit dismissed quickly. When you file a motion to strike, the clerk of the court will schedule a hearing on your motion within thirty days after filing. Additionally, once you file your motion, the plaintiff generally cannot engage in "discovery" -- that is, the plaintiff generally may not ask you to produce documents, sit for a deposition, or answer formal written questions, at least not without first getting permission from the court.

In ruling on a motion to strike, a court will first consider whether you have established that the lawsuit arises out of a protected speech or petition activity (discussed above). Assuming you can show this, the court will then require the plaintiff to introduce evidence supporting the essential elements of its legal claim. Because a true SLAPP is not meant to succeed in court, but only to intimidate and harass, a plaintiff bringing such a lawsuit will not be able to make this showing, and the court will dismiss the case. On the other hand, if the plaintiff's case is strong, then the court will not grant your motion to strike, and the lawsuit will move ahead like any ordinary case.

If the court denies your motion to strike, you are entitled to appeal the decision immediately.

In addition to creating the motion to strike, the statute also allows a person whose personal identifying information is sought in connection with a claim arising from act in exercise of anonymous free speech rights to file a **motion to quash** -- that is, to void or terminate the subpoena, request, or discovery order seeking your personal identifying information so you do not have to provide that information.

When you make your motion to quash, the court "may" grant your request if it is "reasonably made." In reviewing your motion, the court will probably require the plaintiff to make a **prima facie showing**, meaning he or she must present evidence to support all of the elements of the underlying claim (or, at least, all of the elements within the plaintiff's control). See *Krinsky v. Doe 6*, 159 Cal. App. 4th 1154, 1171 fn. 12 (Cal. App. 6 Dist. 2008). If the plaintiff cannot make that showing, the court will probably quash the subpoena and keep your identity secret.

If you are served with a SLAPP in California, you can report it to the California Anti-SLAPP Project and request assistance. The California Anti-SLAPP Project also has two excellent guides on dealing with a SLAPP suit in California, Survival Guide for SLAPP Victims and Defending Against A SLAPP. In addition, the First Amendment Project has an excellent step-by-step guide to the legal process of defending against a SLAPP in California.

What Happens If You Win A Motion To Strike

If you prevail on a motion to strike under California's anti-SLAPP statute, the court will dismiss the lawsuit against you, and you will be entitled to recover your **attorneys' fees and court costs**. See Cal. Civ. Proc. Code § 425.16(c).

Additionally, if you win your motion to strike and believe that you can show that the plaintiff filed the lawsuit in order to harass or silence you rather than to resolve a legitimate legal claim, then consider filing a "SLAPPback" suit against your opponent. A "SLAPPback" is a lawsuit you can bring against the person who filed the SLAPP suit to recover compensatory and punitive damages for abuse of the legal process. See Cal. Civ. Proc. Code § 425.18 (setting out certain procedural rules for "SLAPPback" suits). Section 425.18 contemplates bringing a SLAPPback in a subsequent lawsuit after the original SLAPP has been dismissed, but you might be able to bring a SLAPPback as a counterclaim in the original lawsuit. You should not underestimate the considerable expense required to bring a SLAPPback, like any lawsuit, to a successful conclusion.

If your successful motion to quash arises out of a lawsuit filed in a California court, the judge has discretion to award expenses incurred in making the motion. The court will award fees if the plaintiff opposed your motion "in bad faith or without substantial justification," or if at least one part of the subpoena was "oppressive." Cal. Civ. Pro. Code § 1987.2(a). But note that if you lose your motion to quash, and the court decides that your motion was made in bad faith, you may have to pay the plaintiff's costs of opposing the motion.

If you successfully quash a California identity-seeking subpoena that relates to a lawsuit filed in another state, the court "shall" award all reasonably expenses incurred in making your motion - including attorneys' fees - if the following conditions are met:

- the subpoena was served on an Internet service provider or other Section 230 computer service provider;
- the underlying lawsuit arose from your exercise of free speech on the Internet; and
- the plaintiff failed to make his prima facie showing.

Cal. Civ. Pro. Code § 1987.2(b).

CODE OF CIVIL PROCEDURE

SECTION 425.10-425.18

425.10. (a) A complaint or cross-complaint shall contain both of the following:

(1) A statement of the facts constituting the cause of action, in ordinary and concise language.

(2) A demand for judgment for the relief to which the pleader claims to be entitled. If the recovery of money or damages is demanded, the amount demanded shall be stated.

(b) Notwithstanding subdivision (a), where an action is brought to recover actual or punitive damages for personal injury or wrongful death, the amount demanded shall not be stated, but the complaint shall comply with Section 422.30 and, in a limited civil case, with subdivision (b) of Section 70613 of the Government Code.

425.11. (a) As used in this section:

(1) "Complaint" includes a cross-complaint.

(2) "Plaintiff" includes a cross-complainant.

(3) "Defendant" includes a cross-defendant.

(b) When a complaint is filed in an action to recover damages for personal injury or wrongful death, the defendant may at any time request a statement setting forth the nature and amount of damages being sought. The request shall be served upon the plaintiff, who shall serve a responsive statement as to the damages within 15 days. In the event that a response is not served, the defendant, on notice to the plaintiff, may petition the court in which the action is pending to order the plaintiff to serve a responsive statement.

(c) If no request is made for the statement referred to in subdivision (b), the plaintiff shall serve the statement on the defendant before a default may be taken.

(d) The statement referred to in subdivision (b) shall be served in the following manner:

(1) If a party has not appeared in the action, the statement shall be served in the same manner as a summons.

(2) If a party has appeared in the action, the statement shall be served upon the party's attorney, or upon the party if the party has appeared without an attorney, in the manner provided for service of a summons or in the manner provided by Chapter 5 (commencing with Section 1010) of Title 14 of Part 2.

(e) The statement referred to in subdivision (b) may be combined with the statement described in Section 425.115.

425.115. (a) As used in this section:

(1) "Complaint" includes a cross-complaint.

(2) "Plaintiff" includes a cross-complainant.

(3) "Defendant" includes a cross-defendant.

(b) The plaintiff preserves the right to seek punitive damages pursuant to Section 3294 of the Civil Code on a default judgment by serving upon the defendant the following statement, or its substantial equivalent:

NOTICE TO _____:
(Insert name of defendant or cross-defendant)
_____ reserves the right to seek
(Insert name of plaintiff or cross-complainant)
\$ _____ in punitive damages
(Insert dollar amount)
when _____ seeks a judgment in the
(Insert name of plaintiff
or
cross-complainant)
suit filed against you.

(Insert name of attorney
or
party appearing in propria
persona)
(Date)

(c) If the plaintiff seeks punitive damages pursuant to Section 3294 of the Civil Code, and if the defendant appears in the action, the plaintiff shall not be limited to the amount set forth in the statement served on the defendant pursuant to this section.

(d) A plaintiff who serves a statement on the defendant pursuant to this section shall be deemed to have complied with Sections 425.10 and 580 of this code and Section 3295 of the Civil Code.

(e) The plaintiff may serve a statement upon the defendant pursuant to this section, and may serve the statement as part of the statement required by Section 425.11.

(f) The plaintiff shall serve the statement upon the defendant pursuant to this section before a default may be taken, if the motion for default judgment includes a request for punitive damages.

(g) The statement referred to in subdivision (b) shall be served by one of the following methods:

(1) If the party has not appeared in the action, the statement shall be served in the same manner as a summons pursuant to Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the Code of Civil Procedure.

(2) If the party has appeared in the action, the statement shall be served upon his or her attorney, or upon the party if he or she has appeared without an attorney, either in the same manner as a summons pursuant to Article 3 (commencing with Section 415.10) of Chapter 4 or in the manner provided by Chapter 5 (commencing with Section 1010) of Title 14.

425.12. (a) The Judicial Council shall develop and approve official forms for use in trial courts of this state for any complaint, cross-complaint or answer in any action based upon personal injury, property damage, wrongful death, unlawful detainer, breach of contract or fraud.

(b) The Judicial Council shall develop and approve an official form for use as a statement of damages pursuant to Sections 425.11 and 425.115.

(c) In developing the forms required by this section, the Judicial Council shall consult with a representative advisory committee which shall include, but not be limited to, representatives of the plaintiff's bar, the defense bar, the public interest bar, court administrators and the public. The forms shall be drafted in nontechnical language and shall be made available through the office of the clerk of the appropriate trial court.

425.13. (a) In any action for damages arising out of the

professional negligence of a health care provider, no claim for punitive damages shall be included in a complaint or other pleading unless the court enters an order allowing an amended pleading that includes a claim for punitive damages to be filed. The court may allow the filing of an amended pleading claiming punitive damages on a motion by the party seeking the amended pleading and on the basis of the supporting and opposing affidavits presented that the plaintiff has established that there is a substantial probability that the plaintiff will prevail on the claim pursuant to Section 3294 of the Civil Code. The court shall not grant a motion allowing the filing of an amended pleading that includes a claim for punitive damages if the motion for such an order is not filed within two years after the complaint or initial pleading is filed or not less than nine months before the date the matter is first set for trial, whichever is earlier.

(b) For the purposes of this section, "health care provider" means any person licensed or certified pursuant to Division 2 (commencing with Section 500) of the Business and Professions Code, or licensed pursuant to the Osteopathic Initiative Act, or the Chiropractic Initiative Act, or licensed pursuant to Chapter 2.5 (commencing with Section 1440) of Division 2 of the Health and Safety Code; and any clinic, health dispensary, or health facility, licensed pursuant to Division 2 (commencing with Section 1200) of the Health and Safety Code. "Health care provider" includes the legal representatives of a health care provider.

425.14. No claim for punitive or exemplary damages against a religious corporation or religious corporation sole shall be included in a complaint or other pleading unless the court enters an order allowing an amended pleading that includes a claim for punitive or exemplary damages to be filed. The court may allow the filing of an amended pleading claiming punitive or exemplary damages on a motion by the party seeking the amended pleading and upon a finding, on the basis of the supporting and opposing affidavits presented, that the plaintiff has established evidence which substantiates that plaintiff will meet the clear and convincing standard of proof under Section 3294 of the Civil Code.

Nothing in this section is intended to affect the plaintiff's right to discover evidence on the issue of punitive or exemplary damages.

425.15. (a) No cause of action against a person serving without compensation as a director or officer of a nonprofit corporation described in this section, on account of any negligent act or omission by that person within the scope of that person's duties as a director acting in the capacity of a board member, or as an officer acting in the capacity of, and within the scope of the duties of, an officer, shall be included in a complaint or other pleading unless the court enters an order allowing the pleading that includes that claim to be filed after the court determines that the party seeking to file the pleading has established evidence that substantiates the claim. The court may allow the filing of a pleading that includes that claim following the filing of a verified petition therefor accompanied by the proposed pleading and supporting affidavits stating the facts upon which the liability is based. The court shall order service of the petition upon the party against whom the action is proposed to be filed and permit that party to submit opposing affidavits prior to making its determination. The filing of the petition, proposed pleading, and accompanying affidavits shall toll the running of any applicable statute of limitations until the final

determination of the matter, which ruling, if favorable to the petitioning party, shall permit the proposed pleading to be filed.

(b) Nothing in this section shall affect the right of the plaintiff to discover evidence on the issue of damages.

(c) Nothing in this section shall be construed to affect any action against a nonprofit corporation for any negligent action or omission of a volunteer director or officer occurring within the scope of the person's duties.

(d) For the purposes of this section, "compensation" means remuneration whether by way of salary, fee, or other consideration for services rendered. However, the payment of per diem, mileage, or other reimbursement expenses to a director or officer shall not constitute compensation.

(e) (1) This section applies only to officers and directors of nonprofit corporations that are subject to Part 2 (commencing with Section 5110), Part 3 (commencing with Section 7110), or Part 4 (commencing with Section 9110) of Division 2 of Title 1 of the Corporations Code that are organized to provide charitable, educational, scientific, social, or other forms of public service and that are exempt from federal income taxation under Section 501(c)(1), except any credit union, or Section 501(c)(4), 501(c)(5), 501(c)(7), or 501(c)(19) of the Internal Revenue Code.

(2) This section does not apply to any corporation that unlawfully restricts membership, services, or benefits conferred on the basis of political affiliation, age, or any characteristic listed or defined in subdivision (b) or (e) of Section 51 of the Civil Code.

425.16. (a) The Legislature finds and declares that there has been a disturbing increase in lawsuits brought primarily to chill the valid exercise of the constitutional rights of freedom of speech and petition for the redress of grievances. The Legislature finds and declares that it is in the public interest to encourage continued participation in matters of public significance, and that this participation should not be chilled through abuse of the judicial process. To this end, this section shall be construed broadly.

(b) (1) A cause of action against a person arising from any act of that person in furtherance of the person's right of petition or free speech under the United States Constitution or the California Constitution in connection with a public issue shall be subject to a special motion to strike, unless the court determines that the plaintiff has established that there is a probability that the plaintiff will prevail on the claim.

(2) In making its determination, the court shall consider the pleadings, and supporting and opposing affidavits stating the facts upon which the liability or defense is based.

(3) If the court determines that the plaintiff has established a probability that he or she will prevail on the claim, neither that determination nor the fact of that determination shall be admissible in evidence at any later stage of the case, or in any subsequent action, and no burden of proof or degree of proof otherwise applicable shall be affected by that determination in any later stage of the case or in any subsequent proceeding.

(c) (1) Except as provided in paragraph (2), in any action subject to subdivision (b), a prevailing defendant on a special motion to strike shall be entitled to recover his or her attorney's fees and costs. If the court finds that a special motion to strike is frivolous or is solely intended to cause unnecessary delay, the court shall award costs and reasonable attorney's fees to a plaintiff prevailing on the motion, pursuant to Section 128.5.

(2) A defendant who prevails on a special motion to strike in an action subject to paragraph (1) shall not be entitled to attorney's fees and costs if that cause of action is brought pursuant to Section

6259, 11130, 11130.3, 54960, or 54960.1 of the Government Code. Nothing in this paragraph shall be construed to prevent a prevailing defendant from recovering attorney's fees and costs pursuant to subdivision (d) of Section 6259, 11130.5, or 54690.5.

(d) This section shall not apply to any enforcement action brought in the name of the people of the State of California by the Attorney General, district attorney, or city attorney, acting as a public prosecutor.

(e) As used in this section, "act in furtherance of a person's right of petition or free speech under the United States or California Constitution in connection with a public issue" includes:

(1) any written or oral statement or writing made before a legislative, executive, or judicial proceeding, or any other official proceeding authorized by law, (2) any written or oral statement or writing made in connection with an issue under consideration or review by a legislative, executive, or judicial body, or any other official proceeding authorized by law, (3) any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest, or (4) any other conduct in furtherance of the exercise of the constitutional right of petition or the constitutional right of free speech in connection with a public issue or an issue of public interest.

(f) The special motion may be filed within 60 days of the service of the complaint or, in the court's discretion, at any later time upon terms it deems proper. The motion shall be scheduled by the clerk of the court for a hearing not more than 30 days after the service of the motion unless the docket conditions of the court require a later hearing.

(g) All discovery proceedings in the action shall be stayed upon the filing of a notice of motion made pursuant to this section. The stay of discovery shall remain in effect until notice of entry of the order ruling on the motion. The court, on noticed motion and for good cause shown, may order that specified discovery be conducted notwithstanding this subdivision.

(h) For purposes of this section, "complaint" includes "cross-complaint" and "petition," "plaintiff" includes "cross-complainant" and "petitioner," and "defendant" includes "cross-defendant" and "respondent."

(i) An order granting or denying a special motion to strike shall be appealable under Section 904.1.

(j) (1) Any party who files a special motion to strike pursuant to this section, and any party who files an opposition to a special motion to strike, shall, promptly upon so filing, transmit to the Judicial Council, by e-mail or facsimile, a copy of the endorsed, filed caption page of the motion or opposition, a copy of any related notice of appeal or petition for a writ, and a conformed copy of any order issued pursuant to this section, including any order granting or denying a special motion to strike, discovery, or fees.

(2) The Judicial Council shall maintain a public record of information transmitted pursuant to this subdivision for at least three years, and may store the information on microfilm or other appropriate electronic media.

425.17. (a) The Legislature finds and declares that there has been a disturbing abuse of Section 425.16, the California Anti-SLAPP Law, which has undermined the exercise of the constitutional rights of freedom of speech and petition for the redress of grievances, contrary to the purpose and intent of Section 425.16. The Legislature finds and declares that it is in the public interest to encourage continued participation in matters of public significance, and that this participation should not be chilled through abuse of the judicial process or Section 425.16.

(b) Section 425.16 does not apply to any action brought solely in the public interest or on behalf of the general public if all of the following conditions exist:

(1) The plaintiff does not seek any relief greater than or different from the relief sought for the general public or a class of which the plaintiff is a member. A claim for attorney's fees, costs, or penalties does not constitute greater or different relief for purposes of this subdivision.

(2) The action, if successful, would enforce an important right affecting the public interest, and would confer a significant benefit, whether pecuniary or nonpecuniary, on the general public or a large class of persons.

(3) Private enforcement is necessary and places a disproportionate financial burden on the plaintiff in relation to the plaintiff's stake in the matter.

(c) Section 425.16 does not apply to any cause of action brought against a person primarily engaged in the business of selling or leasing goods or services, including, but not limited to, insurance, securities, or financial instruments, arising from any statement or conduct by that person if both of the following conditions exist:

(1) The statement or conduct consists of representations of fact about that person's or a business competitor's business operations, goods, or services, that is made for the purpose of obtaining approval for, promoting, or securing sales or leases of, or commercial transactions in, the person's goods or services, or the statement or conduct was made in the course of delivering the person's goods or services.

(2) The intended audience is an actual or potential buyer or customer, or a person likely to repeat the statement to, or otherwise influence, an actual or potential buyer or customer, or the statement or conduct arose out of or within the context of a regulatory approval process, proceeding, or investigation, except where the statement or conduct was made by a telephone corporation in the course of a proceeding before the California Public Utilities Commission and is the subject of a lawsuit brought by a competitor, notwithstanding that the conduct or statement concerns an important public issue.

(d) Subdivisions (b) and (c) do not apply to any of the following:

(1) Any person enumerated in subdivision (b) of Section 2 of Article I of the California Constitution or Section 1070 of the Evidence Code, or any person engaged in the dissemination of ideas or expression in any book or academic journal, while engaged in the gathering, receiving, or processing of information for communication to the public.

(2) Any action against any person or entity based upon the creation, dissemination, exhibition, advertisement, or other similar promotion of any dramatic, literary, musical, political, or artistic work, including, but not limited to, a motion picture or television program, or an article published in a newspaper or magazine of general circulation.

(3) Any nonprofit organization that receives more than 50 percent of its annual revenues from federal, state, or local government grants, awards, programs, or reimbursements for services rendered.

(e) If any trial court denies a special motion to strike on the grounds that the action or cause of action is exempt pursuant to this section, the appeal provisions in subdivision (i) of Section 425.16 and paragraph (13) of subdivision (a) of Section 904.1 do not apply to that action or cause of action.

425.18. (a) The Legislature finds and declares that a SLAPPback is distinguishable in character and origin from the ordinary malicious prosecution action. The Legislature further finds and declares that a

SLAPPback cause of action should be treated differently, as provided in this section, from an ordinary malicious prosecution action because a SLAPPback is consistent with the Legislature's intent to protect the valid exercise of the constitutional rights of free speech and petition by its deterrent effect on SLAPP (strategic lawsuit against public participation) litigation and by its restoration of public confidence in participatory democracy.

(b) For purposes of this section, the following terms have the following meanings:

(1) "SLAPPback" means any cause of action for malicious prosecution or abuse of process arising from the filing or maintenance of a prior cause of action that has been dismissed pursuant to a special motion to strike under Section 425.16.

(2) "Special motion to strike" means a motion made pursuant to Section 425.16.

(c) The provisions of subdivisions (c), (f), (g), and (i) of Section 425.16, and paragraph (13) of subdivision (a) of Section 904.1, shall not apply to a special motion to strike a SLAPPback.

(d) (1) A special motion to strike a SLAPPback shall be filed within any one of the following periods of time, as follows:

(A) Within 120 days of the service of the complaint.

(B) At the court's discretion, within six months of the service of the complaint.

(C) At the court's discretion, at any later time in extraordinary cases due to no fault of the defendant and upon written findings of the court stating the extraordinary case and circumstance.

(2) The motion shall be scheduled by the clerk of the court for a hearing not more than 30 days after the service of the motion unless the docket conditions of the court require a later hearing.

(e) A party opposing a special motion to strike a SLAPPback may file an ex parte application for a continuance to obtain necessary discovery. If it appears that facts essential to justify opposition to that motion may exist, but cannot then be presented, the court shall grant a reasonable continuance to permit the party to obtain affidavits or conduct discovery or may make any other order as may be just.

(f) If the court finds that a special motion to strike a SLAPPback is frivolous or solely intended to cause unnecessary delay, the court shall award costs and reasonable attorney's fees to a plaintiff prevailing on the motion, pursuant to Section 128.5.

(g) Upon entry of an order denying a special motion to strike a SLAPPback claim, or granting the special motion to strike as to some but less than all causes of action alleged in a complaint containing a SLAPPback claim, an aggrieved party may, within 20 days after service of a written notice of the entry of the order, petition an appropriate reviewing court for a peremptory writ.

(h) A special motion to strike may not be filed against a SLAPPback by a party whose filing or maintenance of the prior cause of action from which the SLAPPback arises was illegal as a matter of law.

(i) This section does not apply to a SLAPPback filed by a public entity.

California Anti-SLAPP Project

A law firm fighting SLAPPs, protecting the First Amendment

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FROM: <http://www.casp.net/sued-for-freedom-of-speech-california/is-my-defamation-libel-slander-internet-speech-lawsuit-a-slapp/>

In accordance with Federal Laws provided For Educational and Information Purposes – i.e. of PUBLIC Interest

If you've been sued, how do you know if you've been SLAPPED?

SLAPPs all arise out of expressive activity which is directed to public concerns and protected by the First Amendment. Often, SLAPPs are “camouflaged” as ordinary civil lawsuits; among the most often used legal theories are the following:

Defamation. Broadly defined, this is an alleged intentional false communication, which is either published in a written form (**libel**) or publicly spoken (**slander**), that injures one's reputation.

Malicious Prosecution or Abuse of Process. A “malicious prosecution” is a criminal or civil lawsuit which is begun with knowledge that the case lacks merit, and which is brought for a reason (such as, to harass or annoy) other than to seek a judicial determination of the claim. The use of the legal process to intimidate or to punish the person against whom the suit is brought is generally referred to as “abuse of process.”

Invasion of Privacy. This refers to the unlawful use or exploitation of one's personality, the publicizing of one's private affairs with which the public has no legitimate concern, or the wrongful intrusion into one's private activities.

Conspiracy. A conspiracy is an alleged agreement between two or more persons to commit an illegal, unlawful, or wrongful act.

Interference With Contract or Economic Advantage. This is based on the alleged commission of an act with the intent to interfere with or cause a breach of a contract between two people, or hinder a business relationship which exists between those persons.

Intentional or Negligent Infliction of Emotional Distress. This is based on an alleged commission of some outrageous act with the intent and knowledge that the act will result in severe mental or emotional anguish of another.

Nuisance. This includes everything that endangers, or may endanger, life or health, gives offense to the senses, violates the laws of decency, or obstructs, or may obstruct, the use and enjoyment of property.

Injunction. The lawsuit seeks a temporary restraining order or an injunction against First Amendment activity.

This list is not exhaustive. The specific legal theory upon which a suit is based does not necessarily determine whether a particular case is a SLAPP, although malicious prosecution and abuse of process claims will generally be subject to the anti-SLAPP law. The other claims listed above are not necessarily SLAPPs. If the lawsuit arises from constitutionally protected speech or petition activity, then the suit is a SLAPP.

The U.S. Equal Employment Opportunity Commission

EEOC DIRECTIVES TRANSMITTAL

Number 915.003

Date 5/20/98

SUBJECT: EEOC COMPLIANCE MANUAL

PURPOSE: This transmittal covers the issuance of Section 8 of the new Compliance Manual on "Retaliation". The section provides guidance and instructions for investigating and analyzing claims of retaliation under the statutes enforced by the EEOC.

EFFECTIVE

DATE: Upon receipt

DISTRIBUTION: EEOC Compliance Manual holders

OBSOLETE

DATA: Section 614 of Compliance Manual, Volume 2

FILING

INSTRUCTIONS: This is the first section issued as part of the new Compliance Manual. Section 614 of the existing Compliance Manual should be discarded.

/s/

Paul M. Igasaki
Chairman

SECTION 8: RETALIATION
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CHARGE-PROCESSING OUTLINE

In processing a charge involving an allegation of retaliation, consider the following issues (for a detailed discussion of each issue, see accompanying chapter at referenced pages):

There are three essential elements of a retaliation claim:

- 1) protected activity -- opposition to discrimination or participation in the statutory complaint process
- 2) adverse action
- 3) causal connection between the protected activity and the adverse action

I. Protected Activity

A. Did CP oppose discrimination?3

1. Did the charging party (CP) explicitly or implicitly communicate to the respondent (R) or another covered entity a belief that its activity constituted unlawful discrimination under Title VII, the ADA, the ADEA, or the EPA?

- If the protest was broad or ambiguous, would CP's protest reasonably have been interpreted as opposition to such unlawful discrimination?

Did someone closely associated with CP oppose discrimination?

2. Was the manner of opposition reasonable? Was the manner of opposition so disruptive that it significantly interfered with R's legitimate business concerns?

- If the manner of opposition was not reasonable, CP is not protected under the anti-retaliation clauses.

3. Did CP have a reasonable and good faith belief that the opposed practice violated the anti-discrimination laws?

- If so, CP is protected against retaliation, even if s/he was mistaken about the unlawfulness of the challenged practices.
- If not, CP is not protected under the anti-retaliation clauses.

B. Did CP participate in the statutory complaint process?... 9

Did CP or someone closely associated with CP file a charge, or testify, assist, or participate in any manner in an investigation, proceeding, hearing, or lawsuit under the statutes enforced by the EEOC?

- If so, CP is protected against retaliation

regardless of the validity or reasonableness of the original allegation of discrimination.

- CP is protected against retaliation by a respondent for participating in statutory complaint proceedings even if that complaint involved a different covered entity.

II. Adverse Action

Did R subject CP to any kind of adverse treatment? 11

- Adverse actions undertaken after CP's employment relationship with R ended, such as negative job references, can be challenged.
- Although trivial annoyances are not actionable, more significant retaliatory treatment that is reasonably likely to deter protected activity is unlawful. There is no requirement that the adverse action materially affect the terms, conditions, or privileges of employment.

III. Causal Connection

A. Is there direct evidence that retaliation was a motive for the adverse action? 15

1. Did R official admit that it undertook the adverse action because of the protected activity?
2. Did R official express bias against CP based on the protected activity? If so, is there evidence linking that statement of bias to the adverse action?
 - Such a link would be established if, for example, the statement was made by the decision-maker at the time of the challenged action.

If there is direct evidence that retaliation was a motive for the adverse action, "cause" should be found. Evidence as to any additional legitimate motive would be relevant only to relief, under a mixed-motives analysis.

B. Is there circumstantial evidence that retaliation was the true reason for the adverse action?16

1. Is there evidence raising an inference that retaliation was the cause of the adverse action?
 - Such an inference is raised if the adverse action took place shortly after the protected activity and if the decision-maker was aware

of the protected activity before undertaking the adverse action.

- If there was a long period of time between the protected activity and the adverse action, determine whether there is other evidence raising an inference that the cause of the adverse action was retaliation.
- 2. Has R produced evidence of a legitimate, nondiscriminatory reason for the adverse action?
- 3. Is R's explanation a pretext designed to hide retaliation?
 - Did R treat similarly situated employees who did not engage in protected activity differently from CP?
 - Did R subject CP to heightened scrutiny after s/he engaged in protected activity?

If, on the basis of all of the evidence, the investigator is persuaded that retaliation was the true reason for the adverse action, then "cause" should be found.

IV. Special Remedies Issues

A. Is it appropriate to seek temporary or preliminary relief pending final disposition of the charge?.....19

- 1. Is there a substantial likelihood that the challenged action will be found to constitute unlawful retaliation?
- 2. Will the retaliation cause irreparable harm to CP and/or the EEOC?
 - Will CP likely incur irreparable harm beyond financial hardship because of the retaliation?
 - If the retaliation appears to be based on CP's filing of a prior EEOC charge, will that retaliation likely cause irreparable harm to EEOC's ability to investigate CP's original charge of discrimination?

If there is a substantial likelihood that the challenged action will constitute retaliation and if that retaliation will cause irreparable harm to CP and/or the EEOC, contact the Regional Attorney about pursuing temporary or preliminary relief.

B. Are compensatory and punitive damages available and appropriate?..... 20

Compensatory and punitive damages are available for retaliation claims under all of the statutes enforced by the EEOC, including the ADEA and the EPA. Compensatory and punitive damages for retaliation claims under the ADEA and the EPA are not subject to statutory caps.

Punitive damages often are appropriate in retaliation claims under any of the statutes enforced by the EEOC.

8-I INTRODUCTION

A. OVERVIEW

Title VII of the Civil Rights Act of 1964\1, the Age Discrimination in Employment Act\2, the Americans with Disabilities Act\3, and the Equal Pay Act\4 prohibit retaliation by an employer, employment agency, or labor organization because an individual has engaged in protected activity. Protected activity consists of the following:

PROTECTED ACTIVITY

- (1) opposing a practice made unlawful by one of the employment discrimination statutes (the "opposition" clause); or
- (2) filing a charge, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under the applicable statute (the "participation" clause).

This chapter reaffirms the Commission's policy of ensuring that individuals who oppose unlawful employment discrimination, participate in employment discrimination proceedings, or otherwise assert their rights under the laws enforced by the Commission are protected against retaliation. Voluntary compliance with and effective enforcement of the anti-discrimination statutes depend in large part on the initiative of individuals to oppose employment practices that they reasonably believe to be unlawful, and to file charges of discrimination. If retaliation for such activities were permitted to go unremedied, it would have a chilling effect upon the willingness of individuals to speak out against employment discrimination or to participate in the EEOC's administrative process or other employment discrimination proceedings.

The Commission can sue for temporary or preliminary relief before completing its processing of a retaliation charge if the charging party or the Commission will likely suffer irreparable harm because of the retaliation. The investigator should contact the Regional Attorney early in the investigation if it appears that it may be appropriate to seek such relief. See Section 8-III A. for guidance on the standards for seeking temporary or preliminary relief.

B. BASIS FOR FILING A CHARGE

A charging party who alleges retaliation under Title VII, the ADA, the ADEA, or the EPA need not also allege that he was treated differently because of race, religion, sex, national origin, age, or disability\6. A charging party who alleges retaliation in violation of the ADA need not be a qualified individual with a disability\7. Similarly, a charging party who alleges retaliation for protesting discrimination against persons in the protected age group need not be in the protected age group in order to bring an ADEA claim.\8

A charging party can challenge retaliation by a respondent even if the retaliation occurred after their employment relationship ended\9. S/he can also challenge retaliation by a respondent based on his/her protected activity involving a different employer, or based on protected activity by someone closely related to or associated with the charging party.\10

A charging party can bring an ADA retaliation claim against an individual supervisor, as well as an employer. This is because Section 503(a) of the ADA makes it unlawful for a "person" to retaliate against an individual for engaging in protected activity.\11

8-II. ELEMENTS OF A RETALIATION CLAIM

A. OVERVIEW

There are three essential elements of a retaliation claim:

ELEMENTS OF RETALIATION

- 1) opposition to discrimination or participation in covered proceedings
 - 2) adverse action
 - 3) causal connection between the protected activity and the adverse action
-

B. PROTECTED ACTIVITY: OPPOSITION

1. Definition

The anti-retaliation provisions make it unlawful to discriminate against an individual because s/he has opposed any practice made unlawful under the employment discrimination statutes\12. This protection applies if an individual explicitly or implicitly communicates to his or her employer or other covered entity a belief that its activity constitutes a form of employment discrimination that is covered by any of the statutes enforced by the EEOC.

While Title VII and the ADEA prohibit retaliation based on opposition to a practice made unlawful by those statutes, the ADA prohibits retaliation based on opposition to "any act or practice made unlawful by this chapter." The referenced chapter prohibits not only disability-based employment discrimination, but also disability discrimination in state and local government services, public accommodations, commercial facilities, and telecommunications. Thus, the ADA prohibits retaliation for opposing not just allegedly discriminatory employment practices but also practices made unlawful by the other titles of the statute.

2. Examples of Opposition

- * Threatening to file a charge or other formal complaint alleging discrimination

Threatening to file a complaint with the Commission, a state fair employment practices agency, union, court, or any other entity that receives complaints relating to discrimination is a form of opposition.

Example - CP tells her manager that if he fails to raise her salary to that of a male coworker who performs the same job, she will file a lawsuit under either the federal Equal Pay Act or under her state's parallel law. This statement constitutes "opposition."

- * Complaining to anyone about alleged discrimination against oneself or others

A complaint or protest about alleged employment discrimination to a manager, union official, co-worker, company EEO official, attorney, newspaper reporter, Congressperson, or anyone else constitutes opposition. Opposition may be nonverbal, such as picketing or engaging in a production slow-down. Furthermore, a complaint on behalf of another, or by an employee's representative, rather than by the employee herself, constitutes protected opposition by both the person who makes the complaint and the person on behalf of whom the complaint is made.

A complaint about an employment practice constitutes protected opposition only if the individual explicitly or implicitly communicates a belief that the practice constitutes unlawful employment discrimination¹³. Because individuals often may not know the specific requirements of the anti-discrimination laws enforced by the EEOC, they may make broad or ambiguous complaints of unfair treatment. Such a protest is protected opposition if the complaint would reasonably have been interpreted as opposition to employment discrimination.

Example 1 - CP calls the President of R's parent company to protest religious discrimination by R. CP's protest constitutes "opposition."

Example 2 - CP complains to co-workers about harassment of a disabled employee by a supervisor. This complaint constitutes "opposition."

Example 3 - CP complains to her foreman about graffiti in her workplace that is derogatory toward women. Although CP does not specify that she believes the graffiti creates a hostile work environment based on sex, her complaint reasonably would have been interpreted by the foreman as opposition to sex discrimination, due to the sex-based content of the graffiti. Her complaint therefore constitutes "opposition."

Example 4 - CP (African-American) requests a wage increase from R, arguing that he deserves to get paid a higher salary. He does not state or suggest a belief that he is being subjected to wage discrimination based on race. There also is no basis to conclude that R would reasonably have interpreted his complaint as opposition to race discrimination because the challenged unfairness could have been based on any of several reasons. CP's protest therefore does not constitute protected "opposition."

* Refusing to obey an order because of a reasonable belief that it is discriminatory

Refusal to obey an order constitutes protected opposition if the individual reasonably believes that the order requires him or her to carry out unlawful employment discrimination.

Example - CP works for an employment agency. His manager instructs him not to refer any African-Americans to a particular client, based on the client's request. CP refuses to obey the order and refers an African-American applicant to that client. CP's action constitutes "opposition."

Refusal to obey an order also constitutes protected opposition if the individual reasonably believes that the order makes discrimination a term or condition of employment. For example, in one case a court recognized that a correction officer's refusal to cooperate with the defendant's practice of allowing white but not black inmates to shower after work shifts constituted protected opposition. Even if the inmates

were not "employees," the plaintiff could show that his enforcement of the policy made race discrimination a term or condition of his employment. Thus, his refusal to obey the order constituted opposition to an unlawful employment practice.\14

* Requesting reasonable accommodation or religious accommodation

A request for reasonable accommodation of a disability constitutes protected activity under Section 503 of the ADA. Although a person making such a request might not literally "oppose" discrimination or "participate" in the administrative or judicial complaint process, s/he is protected against retaliation for making the request. As one court stated,

It would seem anomalous . . . to think Congress intended no retaliation protection for employees who request a reasonable accommodation unless they also file a formal charge. This would leave employees unprotected if an employer granted the accommodation and shortly thereafter terminated the employee in retaliation\15.

By the same rationale, persons requesting religious accommodation under Title VII are protected against retaliation for making such requests.

3. Standards Governing Application of the Opposition Clause

Although the opposition clause in each of the EEO statutes is broad, it does not protect every protest against job discrimination. The following principles apply:

a. Manner of Opposition Must Be Reasonable

The manner in which an individual protests perceived employment discrimination must be reasonable in order for the anti-retaliation provisions to apply. In applying a "reasonableness" standard, courts and the Commission balance the right of individuals to oppose employment discrimination and the public's interest in enforcement of the EEO laws against an employer's need for a stable and productive work environment.

Public criticism of alleged discrimination may be a reasonable form of opposition. Courts have protected an employee's right to inform an employer's customers about the employer's alleged discrimination, as well as the right to engage in peaceful picketing to oppose allegedly discriminatory employment practices.\16

On the other hand, courts have found that the following activities were not reasonable and thus not protected: searching and photocopying confidential documents relating to alleged ADEA discrimination and showing them to co-workers\17; making an overwhelming number of complaints based on unsupported allegations and bypassing the chain of command in bringing the complaints\18; and badgering a subordinate employee to give a witness

statement in support of an EEOC charge and attempting to coerce her to change her statement.\19 Similarly, unlawful activities, such as acts or threats of violence to life or property, are not protected.

If an employee's protests against allegedly discriminatory employment practices interfere with job performance to the extent that they render him or her ineffective in the job, the retaliation provisions do not immunize the worker from appropriate discipline or discharge\20. Opposition to perceived discrimination does not serve as license for the employee to neglect job duties.

b. Opposition Need Only Be Based on Reasonable and Good Faith Belief

A person is protected against retaliation for opposing perceived discrimination if s/he had a reasonable and good faith belief that the opposed practices were unlawful. Thus, it is well settled that a violation of the retaliation provision can be found whether or not the challenged practice ultimately is found to be unlawful\21. As one court has stated, requiring a finding of actual illegality would "undermine[] Title VII's central purpose, the elimination of employment discrimination by informal means; destroy[] one of the chief means of achieving that purpose, the frank and non-disruptive exchange of ideas between employers and employees; and serve[] no redeeming statutory or policy purposes of its own."\22

Example 1 - CP complains to her office manager that her supervisor failed to promote her because of her gender. (She believes that sex discrimination occurred because she was qualified for the promotion and the supervisor promoted a male instead.) CP has engaged in protected opposition regardless of whether the promotion decision was in fact discriminatory because she had a reasonable and good faith belief that discrimination occurred.

Example 2 - Same as above, except the job sought by CP was in accounting and required a CPA license, which CP lacked and the selectee had. CP knew that it was necessary to have a CPA license to perform this job. CP has not engaged in protected opposition because she did not have a reasonable and good faith belief that she was rejected because of sex discrimination.

c. Person Claiming Retaliation Need Not Be the Person Who Engaged in Opposition

Title VII, the ADEA, the EPA, and the ADA prohibit retaliation against someone so closely related to or associated with the person exercising his or her statutory rights that it would discourage that

person from pursuing those rights\23. For example, it is unlawful to retaliate against an employee because his son, who is also an employee, opposed allegedly unlawful employment practices. Retaliation against a close relative of an individual who opposed discrimination can be challenged by both the individual who engaged in protected activity and the relative, where both are employees. See Section 8-II C.3. for discussion of similar principle under "participation" clause.

d. Practices Opposed Need Not Have Been Engaged in by the Named Respondent

There is no requirement that the entity charged with retaliation be the same as the entity whose allegedly discriminatory practices were opposed by the charging party. For example, a violation would be found if a respondent refused to hire the charging party because it was aware that she opposed her previous employer's allegedly discriminatory practices.

C. PROTECTED ACTIVITY: PARTICIPATION

1. Definition

The anti-retaliation provisions make it unlawful to discriminate against any individual because s/he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, hearing, or litigation under Title VII, the ADEA, the EPA, or the ADA. This protection applies to individuals challenging employment discrimination under the statutes enforced by EEOC in EEOC proceedings, in state administrative or court proceedings, as well as in federal court proceedings, and to individuals who testify or otherwise participate in such proceedings\24. Protection under the participation clause extends to those who file untimely charges. In the federal sector, once a federal employee initiates contact with an EEO counselor, (s)he is engaging in "participation."\25

2. Participation Is Protected Regardless of Whether the Allegations in the Original Charge Were Valid or Reasonable

The anti-discrimination statutes do not limit or condition in any way the protection against retaliation for participating in the charge process. While the opposition clause applies only to those who protest practices that they reasonably and in good faith believe are unlawful, the participation clause applies to all individuals who participate in the statutory complaint process. Thus, courts have consistently held that a respondent is liable for retaliating against an individual for filing an EEOC charge regardless of the validity or reasonableness of the charge\26. To permit an employer to retaliate against a charging party based on its unilateral determination that the charge was unreasonable or otherwise unjustified would chill the rights of all individuals protected by the anti-discrimination statutes.

3. Person Claiming Retaliation Need Not Be the Person Who Engaged in Participation

The retaliation provisions of Title VII, the ADEA, the EPA, and the

ADA prohibit retaliation against someone so closely related to or associated with the person exercising his or her statutory rights that it would discourage or prevent the person from pursuing those rights. For example, it would be unlawful for a respondent to retaliate against an employee because his or her spouse, who is also an employee, filed an EEOC charge\27. Both spouses, in such circumstances, could bring retaliation claims.

4. The Practices Challenged in Prior or Pending Statutory Proceedings Need Not Have Been Engaged in by the Named Respondent

An individual is protected against retaliation for participation in employment discrimination proceedings even if those proceedings involved a different entity\28. For example, a violation would be found if a respondent refused to hire the charging party because it was aware that she filed an EEOC charge against her former employer.

D. ADVERSE ACTION

1. General Types of Adverse Actions

The most obvious types of retaliation are denial of promotion, refusal to hire, denial of job benefits, demotion, suspension, and discharge. Other types of adverse actions include threats, reprimands, negative evaluations, harassment, or other adverse treatment.

Suspending or limiting access to an internal grievance procedure also constitutes an "adverse action." For example, in *EEOC v. Board of Governors of State Colleges & Universities*\29, a university's collective bargaining agreement provided for a specific internal grievance procedure leading to arbitration. The agreement further provided that this procedure could be terminated if the employee sought resolution in any other forum, such as the EEOC. The Seventh Circuit ruled that termination of the grievance process constituted an adverse employment action in violation of the anti-retaliation clause of the ADEA\30.

2. Adverse Actions Can Occur After the Employment Relationship Between the Charging Party and Respondent Has Ended

In *Robinson v. Shell Oil Company*,\31 the Supreme Court unanimously held that Title VII prohibits respondents from retaliating against former employees as well as current employees for participating in any proceeding under Title VII or opposing any practice made unlawful by that Act. The plaintiff in *Robinson* alleged that his former employer gave him a negative job reference in retaliation for his having filed an EEOC charge against it. Some courts previously had held that former employees could not challenge retaliation that occurred after their employment had ended because Title VII, the ADEA, and the EPA prohibit retaliation against "any employee." \32 However, the Supreme Court stated that coverage of post-employment retaliation is more consistent with the broader context of the statute and with the statutory purpose of maintaining unfettered access to the statute's remedial mechanisms. The Court's holding applies

to each of the statutes enforced by the EEOC because of the similar language and common purpose of the anti-retaliation provisions.

Examples of post-employment retaliation include actions that are designed to interfere with the individual's prospects for employment, such as giving an unjustified negative job reference, refusing to provide a job reference, and informing an individual's prospective employer about the individual's protected activity.³³ However, a negative job reference about an individual who engaged in protected activity does not constitute unlawful retaliation unless the reference was based on a retaliatory motive. The truthfulness of the information in the reference may serve as a defense unless there is proof of pretext, such as evidence that the former employer routinely declines to offer information about its former employees' job performance and violated that policy with regard to an individual who engaged in protected activity. See Section 8-II E. below.

Retaliatory acts designed to interfere with an individual's prospects for employment are unlawful regardless of whether they cause a prospective employer to refrain from hiring the individual³⁴. As the Third Circuit stated, "an employer who retaliates cannot escape liability merely because the retaliation falls short of its intended result."³⁵ However, the fact that the reference did not affect the individual's job prospects may affect the relief that is due.

3. Adverse Actions Need Not Qualify as "Ultimate Employment Actions" or Materially Affect the Terms or Conditions of Employment to Constitute Retaliation

Some courts have held that the retaliation provisions apply only to retaliation that takes the form of ultimate employment actions³⁶. Others have construed the provisions more broadly, but have required that the action materially affect the terms, conditions, or privileges of employment.³⁷

The Commission disagrees with those decisions and concludes that such constructions are unduly restrictive. The statutory retaliation clauses prohibit any adverse treatment that is based on a retaliatory motive and is reasonably likely to deter the charging party or others from engaging in protected activity. Of course, petty slights and trivial annoyances are not actionable, as they are not likely to deter protected activity. More significant retaliatory treatment, however, can be challenged regardless of the level of harm. As the Ninth Circuit has stated, the degree of harm suffered by the individual "goes to the issue of damages, not liability."³⁸

Example 1 - CP filed a charge alleging that he was racially harassed by his supervisor and co-workers. After learning about the charge, CP's manager asked two employees to keep CP under surveillance and report back about his activities. The surveillance constitutes an "adverse action" that is likely to deter protected activity, and is unlawful if it was conducted because of CP's protected activity.

Example 2 - CP filed a charge alleging that she was denied a promotion because of her gender. One week later, her supervisor invited a few employees out to lunch. CP believed that the reason he excluded her was because of her EEOC charge. Even if the supervisor chose not to invite CP because of her charge, this would not constitute unlawful retaliation because it is not reasonably likely to deter protected activity.

Example 3 - Same as Example 2, except that CP's supervisor invites all employees in CP's unit to regular weekly lunches. The supervisor excluded CP from these lunches after she filed the sex discrimination charge. If CP was excluded because of her charge, this would constitute unlawful retaliation since it could reasonably deter CP or others from engaging in protected activity.

The Commission's position is based on statutory language and policy considerations. The anti-retaliation provisions are exceptionally broad. They make it unlawful "to discriminate" against an individual because of his or her protected activity. This is in contrast to the general anti-discrimination provisions which make it unlawful to discriminate with respect to an individual's "terms, conditions, or privileges of employment." The retaliation provisions set no qualifiers on the term "to discriminate," and therefore prohibit any discrimination that is reasonably likely to deter protected activity³⁹. They do not restrict the actions that can be challenged to those that affect the terms and conditions of employment⁴⁰. Thus, a violation will be found if an employer retaliates against a worker for engaging in protected activity through threats⁴¹, harassment in or out of the workplace, or any other adverse treatment that is reasonably likely to deter protected activity by that individual or other employees.⁴²

This broad view of coverage accords with the primary purpose of the anti-retaliation provisions, which is to "[m]aintain[] unfettered access to statutory remedial mechanisms."⁴³ Regardless of the degree or quality of harm to the particular complainant, retaliation harms the public interest by deterring others from filing a charge⁴⁴. An interpretation of Title VII that permits some forms of retaliation to go unpunished would undermine the effectiveness of the EEO statutes and conflict with the language and purpose of the anti-retaliation provisions.

E. PROOF OF CAUSAL CONNECTION

In order to establish unlawful retaliation, there must be proof that the respondent took an adverse action because the charging party engaged in protected activity. Proof of this retaliatory motive can be through direct or circumstantial evidence. The evidentiary framework that applies to other types of discrimination claims also applies to retaliation claims.

1. Direct Evidence

If there is credible direct evidence that retaliation was a motive for the challenged action, "cause" should be found. Evidence as to any legitimate motive for the challenged action would be relevant only to relief, not to liability.\45

Direct evidence of a retaliatory motive is any written or verbal statement by a respondent official that s/he undertook the challenged action because the charging party engaged in protected activity. Such evidence also includes a written or oral statement by a respondent official that on its face demonstrates a bias toward the charging party based on his or her protected activity, along with evidence linking that bias to the adverse action. Such a link could be shown if the statement was made by the decision-maker at the time of the adverse action\46. Direct evidence of retaliation is rare.

Example - CP filed a charge against Respondent A, alleging that her supervisor sexually harassed and constructively discharged her. CP subsequently sued A and reached a settlement. When CP applied for a new job with Respondent B, she received a conditional offer subject to a reference check. When B called CP's former supervisor at A Co. for a reference, the supervisor said that CP was a "troublemaker," started a sex harassment lawsuit, and was not anyone B "would want to get mixed up with." B did not hire CP. She suspected that her former supervisor gave her a negative reference and filed retaliation charges against A and B. The EEOC investigator discovered notes memorializing the phone conversation between A and B. These notes are direct evidence of retaliation by A because they prove on their face that A told B about CP's protected activity and that A gave CP a negative reference because of that protected activity. These notes are not direct evidence of retaliation by B because they do not directly prove that B rejected CP because of her protected activity. However, the fact that B gave CP a conditional job offer and then decided not to hire her after learning about her protected activity is strong circumstantial evidence of B's retaliation. (See Section 8-II E.2. below.)

2. Circumstantial Evidence

The most common method of proving that retaliation was the reason for an adverse action is through circumstantial evidence. A violation is established if there is circumstantial evidence raising an inference of retaliation and if the respondent fails to produce evidence of a legitimate, non-retaliatory reason for the challenged action, or if the reason advanced by the respondent is a pretext to hide the retaliatory motive.

CIRCUMSTANTIAL EVIDENCE OF RETALIATION

1. Evidence raises inference that retaliation was the cause of the challenged action;
2. Respondent produces evidence of a legitimate, non-retaliatory reason for the challenged action; and
3. Complainant proves that the reason advanced by the respondent is a pretext to hide the retaliatory motive.

An initial inference of retaliation arises where there is proof that the protected activity and the adverse action were related.\47 Typically, the link is demonstrated by evidence that: (1) the adverse action occurred shortly after the protected activity, and (2) the person who undertook the adverse action was aware of the complainant's protected activity before taking the action.

An inference of retaliation may arise even if the time period between the protected activity and the adverse action was long, if there is other evidence that raises an inference of retaliation. For example, in *Shirley v. Chrysler First, Inc.*\48, a 14-month interval between the plaintiff's filing of an EEOC charge and her termination did not conclusively disprove retaliation where the plaintiff's manager mentioned the EEOC charge at least twice a week during the interim and termination occurred just two months after the EEOC dismissed her charge.\49

Common non-retaliatory reasons offered by respondents for challenged actions include: poor job performance; inadequate qualifications for the position sought; violation of work rules or insubordination; and, with regard to negative job references, truthfulness of the information in the reference. For example, in one case, the plaintiff claimed that she was discharged for retaliatory reasons but the employer produced un rebutted evidence that she was discharged because of her excessive absenteeism\50. In another case, the plaintiff alleged that his former employer's negative job reference was retaliatory, but the defendant established that the evaluation was based on the former supervisor's personal observation of the plaintiff during his employment and contemporary business records documenting those observations.\51

Even if the respondent produces evidence of a legitimate, nondiscriminatory reason for the challenged action, a violation will still be found if this explanation is a pretext designed to hide the true retaliatory motive. Typically, pretext is proved through evidence that the respondent treated the complainant differently from similarly situated employees or that the respondent's explanation for the adverse action is not believable. Pretext can also be shown if the respondent subjected the charging party's work performance to heightened scrutiny after she engaged in protected activity\52.

Example 1- CP alleges that R denied her a promotion because she opposed the under-representation of women in management jobs and was therefore viewed as a "troublemaker." The promotion went to another female employee. R asserts that the selectee was better qualified for the job because she had a Masters in Business Administration, while CP only had a college degree. The EEOC investigator finds that this explanation is pretextual because CP has significantly greater experience working at R Company and experience has always been the most important criterion for selection for management jobs.

Example 2 - CP alleges that R gave him a negative job reference because he had filed an EEOC charge. R produces evidence that its negative statements to CP's prospective employer were honest assessments of CP's job performance. There is no proof of pretext, and therefore the investigator finds no retaliation.

Example 3 - Same as Example 2, except there is evidence that R routinely declines to offer information about former employees' job performance. R fails to offer a credible explanation for why it violated this policy with regard to CP. Therefore, pretext is found.

8-III SPECIAL REMEDIES ISSUES

A. TEMPORARY OR PRELIMINARY RELIEF

Section 706(f)(2) of Title VII authorizes the Commission to seek temporary injunctive relief before final disposition of a charge when a preliminary investigation indicates that prompt judicial action is necessary to carry out the purposes of Title VII. Section 107 of the ADA incorporates this provision. The ADEA and the EPA do not authorize a court to give interim relief pending resolution of an EEOC charge. However, the EEOC can seek such relief as part of a lawsuit for permanent relief, pursuant to Rule 65 of the Federal Rules of Civil Procedure.

Temporary or preliminary relief allows a court to stop retaliation before it occurs or continues. Such relief is appropriate if there is a substantial likelihood that the challenged action will be found to constitute unlawful retaliation, and if the charging party and/or the EEOC will likely suffer irreparable harm because of the retaliation. Although courts have ruled that financial hardships are not irreparable, other harms that accompany loss of a job may be irreparable. For example, in one case forced retirees showed irreparable harm and qualified for a preliminary injunction where they lost work and future prospects for work, consequently suffering emotional distress, depression, a contracted social life, and other related harms\53. A temporary injunction also is appropriate if the respondent's retaliation will likely cause irreparable harm to the Commission's ability to investigate the charging party's original charge of discrimination. For example, the retaliation may discourage others from providing testimony or from filing additional

charges based on the same or other alleged unlawful acts\54.

The intake officer or investigator should notify the Regional Attorney when a charge of retaliation is filed and where temporary or preliminary relief may be appropriate.\55

B. COMPENSATORY AND PUNITIVE DAMAGES

1. Availability of Damages for Retaliation Under ADEA and EPA

A 1977 amendment to the Fair Labor Standards Act authorizes both legal and equitable relief for retaliation claims under that Act\56. Compensatory and punitive damages therefore are available for retaliation claims brought under the EPA and the ADEA, as well as under Title VII and the ADA\57. The compensatory and punitive damages obtained under the EPA and the ADEA are not subject to statutory caps.

2. Appropriateness of Punitive Damages

Proven retaliation frequently constitutes a practice undertaken "with malice or with reckless indifference to the federally protected rights of an aggrieved individual." Therefore, punitive damages often will be appropriate in retaliation claims brought under any of the statutes enforced by the EEOC\58.

1 Section 704(a) of Title VII, 42 U.S.C. § 2000e-3(a).

2 Section 4(d) of the ADEA, 29 U.S.C. § 623(d).

3 Section 503(a) of the ADA, 42 U.S.C. § 12203(a). Section 503 (b) of the ADA, 42 U.S.C.12203(b), further provides that it is unlawful "to coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by this chapter."

4 Section 15(a)(3) of the Fair Labor Standards Act (FLSA), 29 U.S.C. § 215(a)(3).

5 Federal employees are also protected against retaliation under each of the employment discrimination statutes. See, e.g., *Hale v. Marsh*, 808 F.2d 616, 619 (7th Cir. 1986) (recognizing retaliation cause of action for federal employees under Title VII); *Bornholdt v. Brady*, 869 F.2d 57, 62 (2d Cir. 1989) (recognizing retaliation cause of action for federal employees under ADEA).

6 Where it appears that a charging party's allegation of unlawful retaliation may also be subject to the jurisdiction of another federal agency or a state or local government, s/he should be referred promptly to

the appropriate office. For example, if the charging party is covered by a collective bargaining agreement and is a member of the union, s/he should be referred to the NLRB to be counseled on unlawful retaliation under the National Labor Relations Act. Non-payment of overtime pay should be directed to the Department of Labor, Wage and Hour Division. The EEOC office should proceed with its investigation of allegations under its jurisdiction, and refer to any applicable memorandum of understanding or coordination rule with the agency that also has jurisdiction over the matter.

7 Krouse v. American Sterilizer, 126 F.3d 494 (3d Cir. 1997).

8 Anderson v. Phillips Petroleum, 722 F. Supp. 668, 671-72 (D. Kan. 1989).

9 See Section 8-II D.

10 See Sections 8-II B.3.c. and d. and 8-II C.3. and 4.

11 Ostrach v. Regents of University of California, 957 F. Supp. 196 (E.D. Ca. 1997) (individual can be sued for retaliation under section 503 of ADA).

12 The anti-retaliation provision of the Fair Labor Standards Act, which applies to the Equal Pay Act, does not contain a specific "opposition" clause. However, courts have recognized that the statute prohibits retaliation based on opposition to allegedly unlawful practices. See, e.g., EEOC v. Romeo Community Sch., 976 F.2d 985, 989-90 (6th Cir. 1992); EEOC v. White & Son Enterprises, 881 F.2d 1006, 1011 (11th Cir. 1989). Contra Lambert v. Genessee Hospital, 10 F.3d 46, 55 (2d Cir. 1993), cert. denied, 511 U.S. 1052 (1994).

13 See, e.g., Barber v. CSX Distrib. Services, 68 F.3d 694 (3d Cir. 1995) (plaintiff's letter to defendant's human resources department complaining about unfair treatment and expressing dissatisfaction that job he sought went to a less qualified individual did not constitute ADEA opposition because letter did not explicitly or implicitly allege that age was reason for alleged unfairness).

14 Moyo v. Gomez, 40 F.3d 982 (9th Cir. 1994), cert. denied, 513 U.S. 1081 (1995).

15 Soileau v. Guilford of Maine, 105 F.3d 12, 16 (1st Cir. 1997). See also Garza v. Abbott Laboratories, 940 F. Supp. 1227, 1294 (N.D. Ill. 1996) (plaintiff engaged in statutorily protected expression by requesting accommodation for her disability). The courts in Soileau and Garza only considered whether accommodation requests fall within the opposition or participation clause in Section 503(a) of the ADA. Note, however, that Section 503(b) more broadly makes it unlawful to interfere with "the exercise or enjoyment of . . . any right granted or protected" by the statute.

16 See, e.g., Sumner v. United States Postal Service, 899 F.2d 203 (2d Cir. 1990) (practices protected by opposition clause include writing letters to customers criticizing employer's alleged discrimination).

17 O'Day v. McDonnell Douglas Helicopter Co., 79 F.3d 756 (9th Cir. 1996).

18 Rollins v. Florida Dep't of Law Enforcement, 868 F.2d 397 (11th Cir. 1989).

19 Jackson v. St. Joseph State Hospital, 840 F.2d 1387 (8th Cir.), cert. denied, 488 U.S. 892 (1988).

20 See, e.g., Coutu v. Martin County Bd. of Comm'rs, 47 F.3d 1068, 1074 (11th Cir. 1995) (no retaliation found where plaintiff was criticized by her supervisor not because she was opposing discrimination but because she was spending an inordinate amount of time in "employee advocacy" activities and was not completing other aspects of her personnel job).

21 This standard has been adopted by every circuit that has considered the issue. See, e.g., Little v. United Technologies, 103 F.3d 956, 960 (11th Cir. 1997), and Trent v. Valley Electric Association, Inc., 41 F.3d 524, 526 (9th Cir. 1994).

22 Berg v. La Crosse Cooler Co., 612 F.2d 1041, 1045 (7th Cir. 1980).

23 See, e.g., Murphy v. Cadillac Rubber & Plastics, Inc., 946 F. Supp. 1108, 1118 (W.D. N.Y. 1996) (plaintiff stated claim of retaliation where he was subjected to adverse action based on his wife's protected activities).

24 The participation clause protects those who testify in an employment discrimination case about their own discriminatory conduct, even if such testimony is involuntary. For example, in Merritt v. Dillard Paper Co., 120 F.3d 1181 (11th Cir. 1997), the defendant fired the plaintiff after he reluctantly testified in his co-worker's Title VII case about workplace sexual activities in which he participated. The president of the defendant company told the plaintiff at the time of his termination that his testimony was "the most damning" to the defendant's case. The court found that this comment constituted direct evidence of retaliation.

25 Hashimoto v. Dalton, 118 F.3d 671, 680 (9th Cir. 1997).

26 See, e.g., Wyatt v. Boston, 35 F.3d 13, 15 (1st Cir. 1994).

27 See, e.g., EEOC v. Ohio Edison Co., 7 F.3d 541, 544 (6th Cir. 1993) (agreeing that plaintiff's allegation of reprisal for relative's protected activities states claim under Title VII); Thurman v. Robertshaw Control Co., 869 F. Supp. 934, 941 (N.D. Ga. 1994) (plaintiff could make out first element of prima facie case of retaliation by showing that plaintiff's close relative participated in the complaint process).

The Commission disagrees with the Fifth Circuit's holding in Holt v. JTM Indus., 89 F.3d 1224 (5th Cir. 1996), cert. denied, 117 S.Ct. 1821 (1997), that there was no unlawful retaliation where the plaintiff was put on paid administrative leave because his wife had filed an age discrimination charge.

28 See, e.g., Christopher v. Stouder Memorial Hosp., 936 F.2d 870, 873-74 (6th Cir.) (defendant's frequent reference to plaintiff's sex

discrimination action against prior employer warranted inference that defendant's refusal to hire was retaliatory), cert. denied, 502 U.S. 1013 (1991).

29 957 F.2d 424 (7th Cir.), cert. denied, 506 U.S. 906 (1992).

30 See also Johnson v. Palma, 931 F.2d 203 (2d Cir. 1991) (union's refusal to proceed with plaintiff's grievance after he filed race discrimination complaint with state agency constituted unlawful retaliation).

31 ___ U.S. ___, 117 S. Ct. 843 (1997).

32 The ADA, unlike the other anti-discrimination statutes, prohibits retaliation against "any individual" who has opposed discrimination based on disability or participated in the charge process. 42 U.S.C. § 12203.

33 See, e.g., EEOC v. L. B. Foster, 123 F.3d 746 (3d Cir. 1997), cert. denied, 66 U.S. L.W. 3388 (U.S. March 2, 1998); Ruedlinger v. Jarrett, 106 F.3d 212 (7th Cir. 1997).

34 Hashimoto v. Dalton, 118 F.3d 671, 676 (9th Cir. 1997).

35 EEOC v. L. B. Foster, 123 F.3d at 754.

36 See Ledergerber v. Stangler, 122 F.3d 1142 (8th Cir. 1997) (reassignment of plaintiff's staff, with attendant loss of status, did not rise to level of ultimate employment decision to constitute actionable retaliation); Mattern v. Eastman Kodak Co., 104 F.3d 702 (5th Cir.) (anti-retaliation provisions only bar "ultimate employment actions" that are retaliatory; harassment, reprimands, and poor evaluation could not be challenged), cert. denied, 118 S. Ct. 336 (1997).

37 See, e.g., Munday v. Waste Management of North America, 126 F.3d 239 (4th Cir. 1997) (employer's instruction to workers to shun plaintiff who had engaged in protected activity, to spy on her, and to report back to management whatever she said to them did not adversely affect plaintiff's terms, condition, or benefits of employment and therefore could not be challenged), cert. denied, 118 S. Ct. 1053 (1998).

38 Hashimoto, 118 F.3d at 676. See also EEOC v. L. B. Foster, 123 F.3d at 754 n.4 (plaintiff need not prove that retaliatory denial of job reference caused prospective employer to reject her; such a showing is relevant only to damages, not liability); Smith v. Secretary of Navy, 659 F.2d 1113, 1120 (D.C. Cir. 1981) ("the questions of statutory violation and appropriate statutory remedy are conceptually distinct. An illegal act of discrimination -- whether based on race or some other factor such as a motive of reprisal -- is a wrong in itself under Title VII, regardless of whether that wrong would warrant an award of [damages]").

39 See, e.g., Knox v. State of Indiana, 93 F.3d 1327, 1334 (7th Cir. 1996) ("[t]here is nothing in the law of retaliation that restricts the type of retaliatory act that might be visited upon an employee who seeks to invoke her rights by filing a complaint"); Passer v. American Chemical Society, 935 F.2d 322, 331 (D.C. Cir. 1991) (Section 704(a) broadly prohibits an employer from discriminating against its employees in any way for engaging

in protected activity and does not "limit its reach only to acts of retaliation that take the form of cognizable employment actions such as discharge, transfer or demotion").

40 Even if there were a requirement that the challenged action affect the terms or conditions of employment, retaliatory acts that create a hostile work environment would meet that standard since, as the Supreme Court has made clear, the terms and condition of employment include the intangible work environment. *Meritor Savings Bank v. Vinson*, 477 U.S. 57, 64-67 (1986). For examples of cases recognizing that retaliatory harassment is unlawful, see *DeAngelis v. El Paso Municipal Police Officers Ass'n.*, 51 F.3d 591 (5th Cir.), cert. denied, 116 S. Ct. 473 (1995); *Davis v. Tri-State Mack Distributor*, 981 F.2d 340 (8th Cir. 1992).

41 See *McKnight v. General Motors Corp.*, 908 F.2d 104, 111 (7th Cir. 1990) ("[r]etaliation or a threat of retaliation is a common method of deterrence"), cert. denied, 499 U.S. 919 (1991); *Garcia v. Lawn*, 805 F.2d 1400, 1401-02 (9th Cir. 1986) (threatened transfer to undesirable location); *Atkinson v. Oliver T. Carr Co.*, 40 FEP Cases (BNA) 1041, 1043-44 (D.D.C. 1986) (threat to press criminal complaint).

42 For examples of cases finding unlawful retaliation based on adverse actions that did not affect the terms or conditions of employment, see *Hashimoto*, 118 F.3d at 675-76 (retaliatory job reference violated Title VII even though it did not cause failure to hire); *Berry v. Stevinson Chevrolet*, 74 F.3d 980, 986 (10th Cir. 1996) (instigating criminal theft and forgery charges against former employee who filed EEOC charge found retaliatory); *Passer*, 935 F.2d at 331 (canceling symposium in honor of retired employee who filed ADEA charge found retaliatory).

43 *Robinson v. Shell Oil Co.*, 117 S. Ct. 843, 848 (1997).

44 *Garcia*, 805 F.2d at 1405.

45 The basis for finding "cause" whenever there is credible direct evidence of a retaliatory motive is Section 107 of the 1991 Civil Rights Act, 42 U.S.C. §§ 2000e-2(m) and 2000e-5(g)(2)(B). Section 107 provides that an unlawful employment practice is established whenever race, color, religion, sex, or national origin was a motivating factor, even though other factors also motivated the practice. It further provides that a complainant who makes such a showing can obtain declaratory relief, injunctive relief, and attorneys fees but no damages or reinstatement if the respondent proves that it would have taken the same action even absent the discrimination. Section 107 partially overrules *Price Waterhouse v. Hopkins*, 490 U.S. 228 (1989), which held that a respondent can avoid liability for intentional discrimination in mixed-motives cases if it can prove that it would have made the same decision in the absence of the discrimination.

Some courts have ruled that Section 107 does not apply to retaliation claims. See, e.g., *Woodson v. Scott Paper*, 109 F.3d 913 (3d Cir.), cert. denied, 118 S. Ct. 299 (1997). Those courts apply *Price Waterhouse v. Hopkins*, and therefore absolve the employer of liability for proven retaliation if the establishes that it would have made the same decision

in the absence of retaliation. Other courts have applied Section 107 to retaliation claims. See, e.g., *Merritt v. Dillard Paper Co.*, 120 F.3d 1181, 1191 (11th Cir. 1997).

The Commission concludes that Section 107 applies to retaliation. Courts have long held that the evidentiary framework for proving employment discrimination based on race, sex, or other protected class status also applies to claims of discrimination based on retaliation. Furthermore, an interpretation of Section 107 that permits proven retaliation to go unpunished undermines the purpose of the anti-retaliation provisions of maintaining unfettered access to the statutory remedial mechanism.

46 For example, in *Merritt v. Dillard Paper Company*, 120 F.3d 1181 (11th Cir. 1997), the plaintiff testified in a co-worker's Title VII action about sexual harassment in the workplace. Shortly after the case was settled, the president of the company fired the plaintiff. The court found direct evidence of retaliation based on the president's statement to the plaintiff, "[y]our deposition was the most damning to Dillard's case, and you no longer have a place here at Dillard Paper Company."

47 *Simmons v. Camden County Bd. of Educ.*, 757 F.2d 1187, 1189 (11th Cir.), cert. denied, 474 U.S. 981 (1985).

48 970 F.2d 39 (5th Cir. 1992).

49 See *Kachmar v. Sunguard Data Systems*, 109 F.3d 173 (3d Cir. 1997) (district court erroneously dismissed plaintiff's retaliation claim because termination occurred nearly one year after her protected activity; when there may be reasons why adverse action was not taken immediately, absence of immediacy does not disprove causation).

50 *Miller v. Vesta, Inc.*, 946 F. Supp. 697 (E.D. Wis. 1996).

51 *Fields v. Phillips School of Business & Tech.*, 870 F. Supp. 149 (W.D. Tex.), aff'd mem., 59 F.3d 1242 (5th Cir. 1994).

52 See, e.g., *Hossaini v. Western Missouri Medical Center*, 97 F.3d 1085 (8th Cir. 1996) (reasonable person could infer that defendant's explanation for plaintiff's discharge was pretextual where defendant launched investigation into allegedly improper conduct by plaintiff shortly after she engaged in protected activity).

53 *EEOC v. Chrysler Corp.*, 733 F.2d 1183, 1186 (6th Cir.), reh'g denied, 738 F.2d 167 (1984). See also *EEOC v. City of Bowling Green, Kentucky*, 607 F. Supp. 524 (D. Ky. 1985) (granting preliminary injunction preventing defendant from mandatorily retiring police department employee because of his age; although plaintiff could have collected back pay and been reinstated at later time, he would have suffered from inability to keep up with current matters in police department and would have suffered anxiety or emotional problems due to compulsory retirement).

54 See, e.g., *Garcia v. Lawn*, 805 F.2d 1400, 1405-06 (9th Cir. 1986) (chilling effect of retaliation on other employee's willingness to exercise their rights or testify for plaintiff constitutes irreparable

harm).

55 29 C.F.R. § 1601.23 sets forth procedures for seeking preliminary or temporary relief. Section 13.1 of Volume I of the EEOC Compliance Manual sets forth procedures for selecting, developing, and obtaining approval of such cases.

56 29 U.S.C. § 216(b).

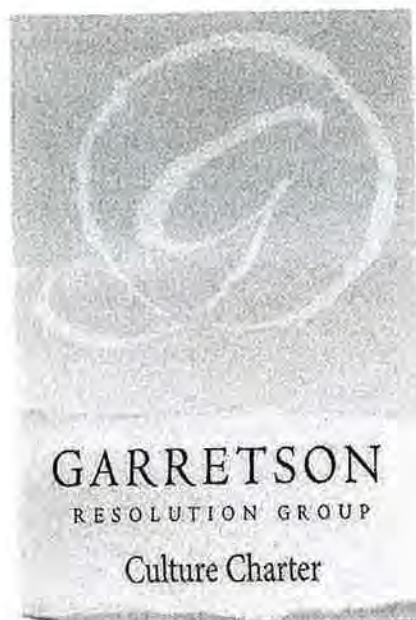
57 See *Moskowitz v. Trustees of Purdue University*, 5 F.3d 279 (7th Cir. 1993) (FLSA amendment allows common law damages in addition to back wages and liquidated damages where plaintiff is retaliated against for exercising his rights under the ADEA); *Soto v. Adams Elevator Equip. Co.*, 941 F.2d 543 (7th Cir. 1991) (FLSA amendment authorizes compensatory and punitive damages for retaliation claims under the EPA, in addition to lost wages and liquidated damages).

58 See *Kim v. Nash Finch Co.*, 123 F.3d 1046 (8th Cir. 1997) (evidence of retaliation supported jury finding of reckless indifference to plaintiff's rights; although \$7 million award for punitive damages was excessive, district court's lowered award of \$300,000 was not).

This page was last modified on July 6, 2000.



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GRG Core Values

Our company culture and focus on client service is rooted in GRG's core values:

Humility

We seek input from our clients and co-workers, we listen to their advice and we are able to admit when we are wrong.

Accessibility

We are genuinely responsive and proactive in providing information to our clients and coworkers.

Advocacy

We commit passionately to the client's cause.

Gratitude

We thank each client for every opportunity.

Empathizing with the Client

At GRG, Client Service means all behaviors, interactions and information that demonstrates to the client that we truly *empathize* with their emotional predisposition toward the subject of lien resolution and claim administration.

Empathy *Yom-puh-thee\ n* : the capability to share and understand one another's emotions and feelings

Simply put - Apply the Golden Rule and ask yourself if you would be satisfied if someone gave the same degree of service on behalf of you, your spouse, parent or child.

Understanding Where the Client is Coming From

When a lawyer or claim-handling professional phones our office for lien resolution or claims administration, he or she already has a strong negative emotional predisposition. This is a negative perception associated with the traditional process of lien resolution and claims administration in general.

Words used to describe attorney's feelings include:

*confusion
frustration
anxiety
stress
time consuming
aggravation
delays and barriers
paperwork and bureaucracy*

Showing empathy helps ease their frustration.

The "Golden Rule"

In addition to our clients, we want to ensure we are applying the Golden Rule to how we treat each other at GRG. We are a company of high performing individuals that work well as a team. In order to do so, we must treat each other professionally, with mutual respect and trust. This includes dealing with conflicts as they arise.

We all know that we will not always see "eye to eye" on all business decisions or issues. When we have conflict, we agree that we will work to resolve our differences directly and discreetly, maintaining the respect we have for each other.

If we cannot resolve the issue, we will "agree to disagree" and seek out a third party to hear both sides and make a decision. Once a decision is made, all parties will support the decision.

GRG's "Non-Negotiable" List of Client Service Standards

The following "counter-culture behaviors" will not be tolerated within GRG's culture:

Not Following the Golden Rule

Dishonesty

Broken Promises

"Not My Job"


Not Addressing Mistakes

Not Adhering to Service Standards


Not Attending Daily Stand-Up Meetings


Poor Communication Practices


Not Engaging in GRG's mandatory programs




GARRETSON RESOLUTION GROUP

**SERVICES**

**LEARNING & RESOURCE CENTER**

**ABOUT US**


**CLIENT LOGIN / CLAIMANT INQUIRY**

**LEADERSHIP TEAM****OUR PEOPLE***Knowledge**Experience**Compliance*


About Us


Founded in 1998, the Garretson Resolution Group (GRG) is a neutral provider of services to parties who are settling personal injury claims. Each year we resolve over 100,000 healthcare obligations for thousands of firms and companies across the country. Our Resolution & Compliance Program includes: Healthcare Lien Resolution; Medicare Set-Aside (MSA); Medicare Secondary Payer (MSP) Consulting & Mandatory Insurer Reporting; and Complex Settlement Administration. Whether we are engaged to provide services in a single event personal injury settlement or as the Administrator in a mass tort settlement program, GRG's specialized administrative offerings utilize proven technology and processes to serve all settling parties' interests including defendant, carrier, plaintiff counsel, claimant, court and healthcare agencies. Our practice areas can independently or collectively assist in any settlement. Our qualifications are straight-forward:


<http://garretsongroup.com/services/Pages/default.aspx>




GARRETSON RESOLUTION GROUP

**SERVICES**

**LEARNING & RESOURCE CENTER**

**ABOUT US**

**CLIENT LOGIN / CLAIMANT INQUIRY**

**HEALTHCARE LIEN RESOLUTION****MEDICARE SET-ASIDE****MSP CONSULTING & MANDATORY INSURER REPORTING****COMPLEX SETTLEMENT ADMINISTRATION**

GRG Resolution & Compliance Program

Settlement obligations produce an overwhelming sea of paperwork as you chart your way to closure. Employing GRG's firm-wide Resolution & Compliance program allows you to expedite the process and achieve more favorable results. Moreover, our people, processes, and technology significantly lower your internal costs while eliminating post-settlement liability and ensuring compliance.



```
graph LR
    subgraph Plaintiff_Path [Plaintiff Path]
        P1[Healthcare Lien Resolution]
        P2[Medicare Set-Aside]
    end
    subgraph Defendant_Path [Defendant Path]
        D1[Complex Settlement Administration]
        D2[MSP Consulting & Mandatory Insurer Reporting]
    end
    subgraph Process [Process Steps]
        direction LR
        S1[Date of Injury (DOI)] --> S2[Case Intake/Referrals] --> S3[Send Demand/Offers] --> S4[Arbitration] --> S5[Date of Settlement (DOS)] --> S6[Disbursement of Funds] --> S7[Distribution of Payments (DOP)]
    end
    P1 -.-> S1
    P2 -.-> S1
    D1 -.-> S2
    D2 -.-> S2
    S2 -.-> S3
    S3 -.-> S4
    S4 -.-> S5
    S5 -.-> S6
    S6 -.-> S7
```

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Employee		Last Name	First Name	Loc	Dept	Position	Email	Phone	Fax	Cell	Manager
Abney		Meghan		OH	CD	Marketing Coordinator					Erin Hively
Allen		Karla		NC	CORP	Executive Assistant					Jeff Wolverton & Jason Wolf
Almerico		Kristen		NC	LR - MT	Sr. Mass Tort Associate					Terri Shaner
Andino		Maribel		NY	LR - SE	F & P Coordination Specialist					Mark Maughan
Bainum		Paige		OH	CORP	QSF Treasury Manager					Zach Eckert
Balekcljian		Sonia		NC	LR - SE	Mass Management Analyst					Mark Maughan
Barkley		Colleen		NC	MMSEA	Nurse Allocator					Marlene Wilson
Bauer		Ben		OH	MT	Contractor / MT Associate					Rick Beavers
Beavers		Rick		OH	SA	Director of Claims Administration					Jeff Wolverton
Beehler		Doug		NC	LR - MT	Operational Integrity Manager					Rick Beavers
Bennen		Denise		NC	LR-MT	Contractor / Accountant					Doug Beehler
Berens		Anne		CA	LR-SE	Client Development Manager					Dan Docherty
Blackwell		Donna		NC	CORP	Temporary / Billing Analyst					Wanda Douglas
Bohnert		Jacob		OH	CA	Data Analyst					Heather Custer
Bohnert		Sheila		OH	CA	Temporary / Record Reviewer/ WTC					Bev Rosiello
Brackmann		Fred		OH	CA	Contractor / Data Analyst					Dan Knecht
Brett		Drew		NC	MSA	MSA Client Analyst					Marlene Wilson
Brock		Jeff		NC	LR - MT	Sr. Mass Tort Associate					Jim Foye
Brown		Carol		TN	LR - SE	Client Service Manager					Mark Maughan
Brown		Erin		NC	LR-MT	Contractor / Contract Review Nurse					Matt Francis
Brown		Lauren "Jorey"		OH	Corp	Receptionist					Sandy Sullivan
Brown		Priscilla		OH	CA	Data Analyst III					Tina Mullen
Brown		Tameaka		NC	LR-SE	Lien Resolution Analyst					Mark Maughan / Jennifer Kendrick
Bruemmer		Joe		NC	Corp	Associate General Counsel / Compliance Officer					Jeff Wolverton
Brunfield		Justin		NY	CD	Client Development Manager					Dan Docherty
Bruner		Brian		OH	PC	Contractor / Probate/Bankruptcy					Kati Payne
Burdette		Pam		NC	LR-MT	Contractor / Claims Auditor					Matt Francis
Burns		Lori		TN	LR-SE	Client Service Analyst					Rebecca Spear
Burroughs		Randi		NC	LR-SE	Client Service Specialist					Mike Russell
Caldwell		Brandi		NC	LR-SE	Client Service Specialist					Mark Maughan
Carl		Ryan		NC	LR-MT	Manager of Lien Resolution Operations					Dan Docherty
Carmack		Jon		NC	LR - SE	Client Service Analyst					Andrea Morlon
Carr		Rashawn		NC	LR-MT	Agency Operations Specialist					Matt Francis / Kevin Elmhann
Callie		John		NC	MMSEA	Future Cost of Care Attorney					Marlene Wilson
Chandler		Sharonda		NC	LR-MT	Claims Auditor					Matt Francis
Childers		Silvia		OH	PC/BC	Bankruptcy/Probate Coordinator					Kati Payne
Clark		Meshella		NC	LR-MT	Contract Nurse Review					Doug Beehler/ Rhonda Green
Clarke		Nicole		NC	LR-MT	Mass Tort Call Center					Doug Beehler
Clarkson		Jeff		NC	CORP	Mass Tort Technical Analyst					Carol Brown
Cooper		Leigh Ann		TN	LR - SE	Client Service Analyst					Joe Juenger
Custer		Heather		OH	CA	Project Manager					Dan Docherty
Davies		Evan		OH	SE-CD	Client Development Associate					Libby Vish
Delaney		Courtney		NC	LR - MT	Independent Contractor / Summer Law Clerk					Andrea Morlon
Diamond		Megan		NC	LR-SE	Client Service Analyst					Heather Custer
Dibbini		Jed		OH	CA	Tenn - Data Entry Analyst					Sandy Sullivan
Dibbini		Monied		OH	CORP	Facilities					Mark Maughan
Dingler		Chris		NC	LR-SE	Client Development Manager					Dan Knecht
Dittman		Mike		OH	CA	Contractor / Project Coordinator					Jason Wolf
Docherty		Dan		OH	CORP	Senior VP of Commercial					Jason Morsch
Dougherty		Tim		OH	CORP	Temporary / Financial Analyst					Zach Eckert
Douglas		Wanda		NC	CORP	Lien Resolution Billing Specialist					Matt Francis
Downing		Ben		NC	LR-MT	Sr. State Operations, Attorney					Jeff Wolverton
Duever		Scott		NC	LR-MT	Litigation Manager					Rebecca Spear
Duncan		Christina		TN	LR-SE	Client Service Analyst					Libby Vish/ Dan Docherty
Early		Bethany		NC	LR-MT	Client Development Coordinator					Carol Brown / Ryan Carl
Eaton		John		TN	LR - SE	Lien Resolution Analyst					Matt Francis
Ehmann		Kevin		NC	LR - MT	Supervisor of Agency Operations					Dan Docherty
Ellsworth		Ryan		OH	BD	Client Development Manager					Doug Beehler
Engle		Wes		NC	LR-MT	Mass Tort Program Coordinator					Matt Francis
Ennis		Lisa		NC	LR-MT	Claims Auditor					

Employee Last Name	First Name	Loc	Dept	Position	Email	Phone	Fax	Cell	Manager
Ewing	Billy	NC	MMSEA	MSA Nurse Allocator / Contractor					John Callie
Fagg	Laura	NC	BD	MT Client Development Coordinator					Libby Vish
Faircloth	Sara	NC	MT OP	MT Program Coordinator					Doug Beehler
Farrelly	Sandra	NC	LR-MT	Contract Nurse Review - WTC					Matt Francis
Farror	Tamara	NC	CORP	Temporary / Billing Clerk					Zach Eckert
Fitzgerald	Cher	OH	CORP	Accounting Administrator					Zach Eckert
Foye	Jim	NC	LR-MT	Litigation Manager					Jeff Wolverton
Francis	Matt	NC	LR - MT	Director of Agency Operations					Jeff Wolverton
Fraser	Tiffany	TX	BD	Client Development Manager					Dan Docherty
Frye	TJ	NC	LR - MT	Contractor / Associate Developer					Philip Jenkins
Gabel	Elise	OH	CA	Project Manager					Rick Beavers
Garrelson	Matt	OH	CORP	Founder/CEO					
Gaskins	Zac	OH	IT	Intern - IT					Philip Jenkins
Georhart	Daniel	OH	CORP	Accounts Payable / Payroll Accountant					Jason Morsch
Grande	Elizabeth	MN	BD	Client Development Manager, Attorney					Dan Docherty
Green	Rhonda	NC	LR - MT	Supervisor of Shared Services					Jeff Wolverton
Haigler	Tammy	NC	LR-MT	Claims Auditor					Matt Francis
Hale	Kristen	NC	LR-SE	Client Service Analyst					Mike Russell
Harmon	Lucia	OH	BC	Bankruptcy/ Probate Coordinator					Kati Payne
Harris	Chivare	NC	LR-SE	Lien Resolution Analyst					Mark Maughan/ Jennifer Kendrick
Harris	Emily	UT	LR-SE	S & J Coordination Specialist					Mark Maughan
Hedlund	Stefan	OH	CORP	Contractor / Data Analyst					Matt Francis
Henderson	Sonia	OH	CORP	Temporary / Treasury Analyst / Accounting					Paige Bannum
Hively	Erin	OH	CORP	Marketing Leader					Dan Docherty
Hoffer	Joey	NC	IT	Contractor / Jr. Software Developer					Johnny Largin
Hoffman	Matthew	OH	CA	WTC - Financial Program Manager- Temp					Rick Beavers
Hong	Yuri	NC	MT OP	MT Program Coordinator					Doug Beehler
Hough	Nancy	NC	LR-SE	Client Service Analyst					
Hughes	Shavavia	NC	MT OP	MT Program Coordinator					Tina Mullen
Hurley	Adam	OH	CA	Temporary / Data Analyst					Dan Knecht
Jansen	Brandy	OH	CA	Temporary / Data Analyst					Jeff Wolverton
Jansen	Tiffany	OH	CA	Temporary / Data Analyst					Dan Docherty
Jenkins	Philip	NC	CORP	IT Director					Rebecca Spear
Johnson	Tate	OH	CORP	Director of Business Development Mega Clients					Jeff Wolverton
Jolley	Christina	OH	CA	Contractor/ Intern Claims Administration					Johnny Largin
Jordan	Sandra "Allison"	TN	LR - SE	Client Service Analyst					Zach Eckert
Juenger	Joe	NC	CA	Director of MT Program Structure					Mark Maughan
Kalkunda	Rakesh	NC	IT	Contractor / IT Developer					Doug Beehler
Karl	Chris	OH	Corp	Accounting Contractor					Johnny Largin
Kendrick	Jennifer	NC	LR-SE	Client Service Manager					Philip Jenkins
Kerr	Sheri	NC	MT OP	MT Program Coordinator					Joe Juenger
Kelchel	Arthur	NC	IT	Contractor/ Application Developer Intermediate					Jason Wolf
Khan	Rumana	OH	CA	Database Designer					Kati Payne
Knechi	Dan	OH	CA	Project Manager, Attorney					Philip Jenkins
Kocher	Shawn	OH	CORP	Chief Financial Officer					Jennifer Kendrick
Landis	Mary Ellen	OH	BC	Bankruptcy/Probate Coordinator					Doug Beehler
Largin	Johnny	NC	IT	Manager of IT Services					Sylvius von Saucken
Lavallee	Chalsea	NC	LR-SE	Client Service Specialist					Rick Beavers
Lee	Stephen	NC	MT OP	MT Program Manager					Matt Francis
Leen	Sue	OH	CORP	Executive Assistant					Rebecca Spear
Little	Bill	OH	CA	Temporary / Project Manager					Philip Jenkins
Long	Matthew	NC	LR-MT	State Operations Associate					Sandy Sullivan
Long	Stephanie	TN	LR - SE	Client Service Analyst					Jeff Wolverton
Loosle	Reed	NC	IT	Contractor / Intermediate Developer					Jeff Wolverton
Mack	Barbara	NC	CORP	HR Generalist					Matt Francis
Mancuso	Jamiee	NC	LR - MT	Litigation Manager					Rebecca Spear
Mar	Bernice	NC	LR - MT	Litigation Manager					Philip Jenkins
Marino	Kristen	NC	LR-MT	Medicare Coordinator, Attorney					Sandy Sullivan
Marlin	Laura	NC	LR-MT	Contractor / WTC Project Coordinator					Jeff Wolverton
Martin	Lisa	OH	CA	Temporary / Project Coordinator					Matt Francis
									Tina Mullen

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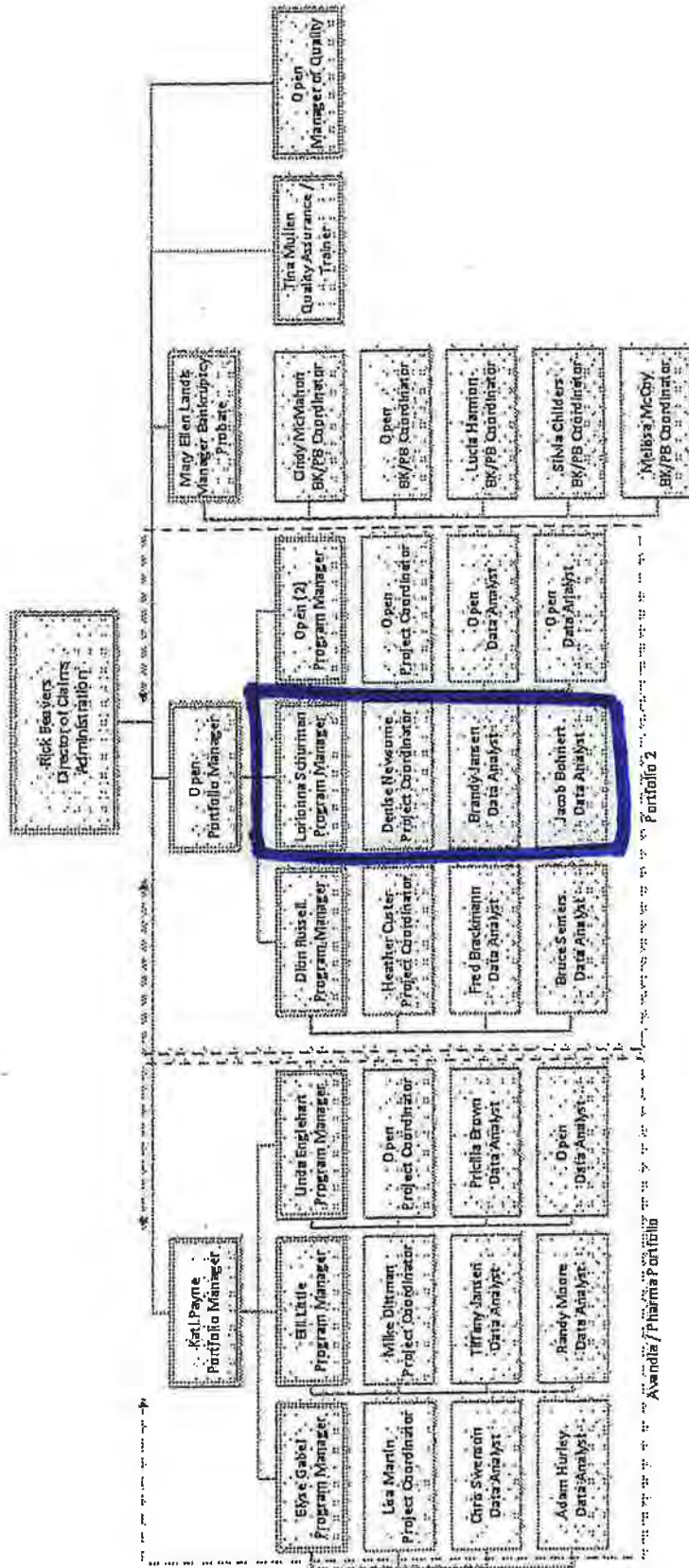
Employee		Last Name	First Name	Loc	Depart	Position	Email	Phone	Fax	Cell	Manager
Massey	Jennifer	TN	LR - SE	Client Service Analyst		Rebecca Spear					
Maughan	Mark	NC	LR - SE	Director of Single Event		Jeff Wolverton					
McCan	Ashley	NC	LR-MT	Intermediate Developer		Johnny Largin					
McCoy	Melissa	OH	BC	Bankruptcy/Probate Coordinator; Attorney		Kati Payne					
McCullough	Michael	OH	BD	Client Development Manager		Dan Docherty					
McDaniel	Leah	TN	LR-SE	Client Service Analyst		Carol Brown					
McKenna	Theresa	NC	LR-MT	Contract Review Nurse		Matt Francis					
McLean	Barbara	NC	CORP	Temporary / Billing Clerk		Zach Eckert					
McMahon	Cindy	OH	PC	Bankruptcy/Probate Coordinator		Kati Payne					
Medlin	Charles	NC	LR-SE	Summer Legal Intern		Mike Russell					
Merkle	Crystal	OH	CA	Temporary / Records Reviewer- WTC		Bev Rosiello					
Miller	Aisha	NC	LR-MT	Temporary/ Call Center Representative		Doug Beehier/ Rhonda Green					
Miranda	Amy	NC	LR-MT	Claims Auditor		Matt Francis					
Montgomery	Leslie	NC		Temporary / Billing Clerk		Zach Eckert					
Moore	Randy	OH	CA	Data Analyst		Dion Russell					
Morsche	Jason	OH	CORP	Accounting Manager		Zach Eckert					
Morton	Andrea	NC	LR - SE	Client Service Manager		Mark Maughan					
Morton	Mark	NC	LR - MT	Mass Tort Associate		Jaimae Mancuso					
Mullen	Tina	OH	CA	Sr. Project Manager		Joe Juenger					
Nasser	Sammy	NC	IT	Contractor / IT Developer		Johnny Largin					
Nesbitt	David	OH	CA	Contractor / Project Manager		Heather Custer					
Newsome	Denise	OH	CA	Temporary / Data Entry		Bev Rosiello					
Niehous	John	OH	CA	Temporary / Accounting Auditor		Casey Scullin					
Nowacki	Jamieson	NC	IT	Associate Systems Administrator		Philip Jenkins					
Ocana	Somer	NC	LR-SE	Client Service Specialist		Mike Russell					
Oliver	Kim	TN	LR-SE	Client Service Specialist		Rebecca Spear					
Olsen	Kimberly	NC	MT OP	Contractor / MT Analyst		Doug Beehier					
Owens	Christy	NC	LR SE	Client Service Specialist		Mike Russell					
Pagano	Ruth	NC	LR-SE	Client Service Analyst		Mike Russell					
Parikh	Jay	NC	IT	IT Summer Intern		Johnny Largin					
Parrish	Jeff	NC	LR-MT	Project Manager		Matt Francis					
Patterson	Cathy	NC	LR-MT	Call Center Representative		Rhonda Green					
Payne	Kati	OH	PC	Manager of Bankruptcy & Probate		Joe Juenger					
Pasce	Lori	NC	LR-SE	Client Service Analyst		Jennifer Kendrick					
Philips	Rachel	NC	LR - SE	Client Service Analyst		Mike Russell					
Pierce	Michelle	OH	CORP	Business Development Coordinator		Tate Johnson					
Post	Ryan	OH	BC	Contractor/ Intern Bankruptcy/ Probate		Kati Payne					
Prince	Michelle	NC	BD	Client Development Manager		Dan Docherty					
Proctor	Brent	OH	CORP	Contractor / IT Developer		Philip Jenkins					
Rapland	Laura	NC	LR-SE	Client Service Analyst		Mark Maughan					
Ramseur	Raquel	NC	LR-MT	Agency Operations Associate		Kevin Ehmman					
Reddy	Tina	NY	LR-SE	F & P Coordination Specialist		Mark Maughan					
Robbins	Joseph	NC	CORP	Systems Administrator		Philip Jenkins					
Roden	Mary	OH	SA	Contractor/ Records Recorder/ WTC		Bev Rosiello					
Rosa	Audrey	OH	CORP	Financial Analyst		Jason Morsch					
Rousa	Janet	TN	LR-SE	Client Service Specialist		Carol Brown					
Russell	Dion	OH	CA	Project Manager		Joe Juenger					
Russell	Michael	NC	LR-SE	ERISA & Private Health Ins. LR Atty.		Mark Maughan					
Sanning	Karen	OH	MSA	MSA Fund Administrator; Affiance Partners		Marlene Wilson					
Scamardo	Patricia	NC	MMSEA	MMSEA Client Analyst		Marlene Wilson					
Scullin	Casey	OH	SA	Independ. Contractor/ Project Manager		Rick Beavers					
Santers	Bruce	OH	CA	Project Coordinator		Tina Mullen					
Shearer	Jim	NC	CORP	Database Developer/ Administrator		Johnny Largin					
Shrey	Kim	NC	LR-SE	Client Service Specialist		Jennifer Kendrick					
Simmons	Christina	NC	CORP	Intake/ Billing Specialist		Mark Maughan					
Simon	Margaret	NC	LR-SE	Lien Resolution Analyst		Mark Maughan					
Sims	Verlita "Leri"	NC	LR - SE	Case Intake Specialist		Dan Docherty					
Skinner	Mary	NY	CORP	Senior Medicare Consultant		Mark Maughan					
Spear	Rebecca	TN	LR - SE	Client Service Manager		Mark Maughan					
Sprang	Josh	OH	CORP	Intermediate Developer		Philip Jenkins					

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Employee		Loc	Depart	Position		Email		Phone	Fax	Cell	Manager
Last Name	First Name										
Stelson-Baker	Michelle	OH	SA	Temporary / Data Analyst							Matthew Garretson
Sullivan	Sandy	OH	CORP	Director of Human Resources							Rick Beavers
Swensen	Chris	OH	CA	Temporary / Data Analyst							Carol Brown
Taylor	Darlene	TN	LR - SE	Client Service Analyst							Johnny Largin/ Matt Francis
Thaker	Vishal	NC	IT	Contractor / Supporting Agency Operations							Ryan Carl / Carol Brown
Thomas	Joe	TN	LR-SE	Lien Resolution Specialist							Matt Francis
Tieman	Meghan	NC	LR-MT	Claims Auditor							Matt Francis
Tobias	Valencia	NC	LR-MT	Contractor / Agency Ops Clerk							Carol Brown
Urso	Kim	TN	LR-SE	Client Service Analyst							Matt Francis
Utley	Crystal	NC	LR-MT	Contractor / Medical Review Nurse Coordinator							Matt Garretson
Valentine	Suzi	OH	CORP	Exec Asst to Matt Garretson							Jaimee Mancuso
Veit	Leslie	NC	LR-MT	Mass Tort Associate							Dan Docherty
Vish	Libby	NC	LR-MT	MT Business Development & Medicaid SME							Matthew Garretson
von Saucken	Sylvius	OH	CORP	Fiduciary							Jeff Brock
Wagner	Susan	NC	LR - MT	Client Service Analyst							Sylvius von Saucken
Warner	Annie	OH	CORP	Compliance Attorney							Matt Francis
Weekes	Ashika	NC	LR-MT	Claims Auditor							Andrea Morton
Weiler	Rachel	NC	LR-SE	Lien Resolution Analyst							Andrea Morton
West	Michelle "Neecy"	NC	LR-SE	Client Service Analyst							Jeff Wolverton
Williams	Melissa	NC	LR-MT	Client Service Specialist							Doug Beehler
Wilson	Marlene	NC	MMSEA	Director of MMSEA Compliance							Matthew Garretson
Wittmer	Anber	NC	MT OP	MT Coordinator							Matthew Garretson
Wolf	Jason	NC	CORP	Managing Director							Barbara Mack
Wolverton	Jeff	NC	CORP	Senior VP of Operations & Systems							
Zammarrelli	Rosemary	NC	CORP	Receptionist							

Claims Administration

Future




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Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

BAKER DONELSON
BEARMAN, CALDWELL & BERKOWITZ, PC

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Size of Organization: 550

Year Established: 1888

Main Office: Memphis, Tennessee

Web Site: <http://www.bakerdonelson.com>

Telephone: 901-526-2000

Telecopier: 901-577-2303



Law Firm Snapshot

Martindale-Hubbell has augmented a firm's provided information with third-party sourced data to present a more comprehensive overview of the firm's expertise.

Profile Visibility

#42 in weekly profile views out of 233,261 total law firms Overall



Bar Register Practice Areas ▼

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, is ranked by The National Law Journal as one of the 100 largest law firms in the country. Through strategic acquisitions and mergers over the past century, the Firm has grown to include more than 550 attorneys and public policy and international advisors. Baker Donelson has offices located in five states in the southern U.S. as well as Washington, D.C., plus a representative office in London, England.

Current and former Baker Donelson attorneys and advisors include, among many other highly distinguished individuals, people who have served as: Chief of Staff to the President of the United States; U.S. Senate Majority Leader; U.S. Secretary of State; Members of the United States Senate; Members of the United States House of Representatives; Acting Administrator and Deputy Administrator of the Federal Aviation Administration; Director of the Office of Foreign Assets Control for the U.S. Department of the Treasury; Director of the Administrative Office of the United States Courts; Chief Counsel, Acting Director, and Acting Deputy Director of U.S. Citizenship & Immigration Services within the United States Department of Homeland Security; Majority and Minority Staff Director of the Senate Committee on Appropriations; a member of President's Domestic Policy Council; Counselor to the Deputy Secretary for the United States Department of HHS; Chief of Staff of the Supreme Court of the United States; Administrative Assistant to the Chief Justice of the United States; Deputy Under Secretary for International Trade for the U.S. Department of Commerce; Ambassador to Japan; Ambassador to Turkey; Ambassador to Saudi Arabia; Ambassador to the Sultanate of Oman; Governor of Tennessee; Governor of Mississippi; Deputy Governor and Chief of Staff for the Governor of Tennessee; Commissioner of Finance & Administration (Chief Operating Officer), State of Tennessee; Special Counselor to the Governor of Virginia; United States Circuit Court of Appeals Judge; United

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States District Court Judges; United States Attorneys; and Presidents of State and Local Bar Associations.

Baker Donelson represents local, regional, national and international clients. The Firm provides innovative, results-oriented solutions, placing the needs of the client first. Our state-of-the-art technologies seamlessly link all offices, provide instant information exchange, and support clients nationwide with secure access to our online document repository.

Baker Donelson is a member of several of the largest legal networks that provide our attorneys quick access to legal expertise throughout the United States and around the world.

BakerDonelson.com is a law firm with locations on the US east coast & London, UK

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Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Description for BakerDonelson.com

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC was ranked in 2004 as one of the 10 fastest growing law firms in the U.S. by The National Law Journal and is one of the 100 largest law firms in the country. Through strategic acquisitions and mergers over the past century, the Firm has grown to include more than 440 attorneys, and public policy and international advisors, in 10 U.S. markets, as well as a representative office in Beijing, China. Baker Donelson represents clients across the U.S. and abroad from offices in Memphis, Nashville, Chattanooga, Knoxville and Johnson City, Tennessee; Atlanta, Georgia; Birmingham, Alabama; Jackson, Mississippi; New Orleans and Mandeville, Louisiana; Washington, D.C.; and Beijing, China.

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Senator Lamar Alexander (TN)

Current Office: U.S. Senate
Seniority: Senior Seat
First Elected: 11/05/2002
Last Elected: 11/04/2008
Next Election: 2014
Party: Republican

Background Information

Gender: Male
Family: Wife: Honey Buhler
4 Children: Andrew, Leslee, Kathryn, William.
Birth Date: 07/03/1940
Birthplace: Maryville, TN
Home City: Nashville, TN
Religion: Presbyterian

Education:

JD, New York University Law School, 1965
BA, Latin American History, Vanderbilt University, 1962.

Professional Experience:

Lawyer, Law Firm of Fowler, Roundree and Robertson, 1993-present
Lawyer, Law Firm of Baker, Worthington, Crossley, Stansberry and Woolf, 1998
Lawyer, Law Firm of Baker, Donelson, Bearman and Caldwell, 1993-1995
Chair, Republican Exchange Satellite Network, 1993-1995
President, University of Tennessee, 1988-1991
Chair, Leadership Institute at Belmont University, 1987-1988
Co-Founder, Corporate Child Care Services with 1200 employees today, 1987
Special Counsel to Senate Minority Leader Howard Baker, 1977
Commentator, WSM Television in Nashville, 1975-1977
Lawyer/Founding Partner, Law Firm of Dearborn and Ewing, 1970-1976
Executive Assistant to Bryce Harlow, White House Congressional Liaison for President Richard Nixon, 1969-1970
Legislative Assistant, Tennessee Republican Senator Howard Baker, 1967-1968
Law Clerk, United States Circuit Court Judge John Minor Wisdom, 5th Circuit Court of Appeals, New Orleans, 1965-1966

Author

Goodman Professor, Harvard University Kennedy School of Government.

Political Experience:

Senator, United States Senate, 2002-present
Primary candidate, United States President, 2000
Candidate for United States President, 1996
Secretary, Department of Education, 1991-1993
Governor of Tennessee, 1979-1987
Candidate for Governor of Tennessee, 1974
Director, Tennessee Governor Winfield Dunn's Election Campaign, 1970
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Member, Phi Beta Kappa
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Chairman, Senate Republican Conference
Chairman, Tennessee Valley Authority Caucus, 2003-2004.

Committees:

Appropriations, Member
Budget, Member
Environment and Public Works, Member
Health, Education, Labor and Pensions, Member
Rules and Administration, Member
Subcommittee on Children and Families, Ranking Member
Subcommittee on Commerce, Justice, Science, and Related Agencies, Member
Subcommittee on Energy And Water Development, Member
Subcommittee on Financial Services and General Government, Member
Subcommittee on Interior, Environment, and Related Agencies, Ranking Member
Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, Member
Subcommittee on Public Sector Solutions to Global Warming, Oversight, and Children's Health Protection, Member
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Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, Member
Subcommittee on Water and Wildlife, Member

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Telecopier: 901-577-2303

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States District Court Judges; United States Attorneys; and Presidents of State and Local Bar Associations.

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ELECTIONS - POLITICS

Obama Campaign Launches 'Attack' Site to Defend President's Record

Published September 14, 2011 | FoxNews.com

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Tuesday: President Obama waves to supporters during an event at Fort Hayes Arts and Academics High School in Columbus, Ohio.

President Obama's reelection team, looking to portray opposition to the health care law and other administration policies as part of a larger "smear" campaign, has launched a new website aimed at defending the president from criticism.

Obama for American [Campaign Manager](#) [Jim Messina](#) wrote in an email to supporters released Tuesday that he is looking for scouts to collect and report "phony attacks" on the president to a site called [Attack Watch](#).

"Here's the deal: We all remember the birth certificate smear, the GOP's barrage of lies about the Affordable Care Act and the string of other phony attacks on President Obama that we've seen over the past few years," Messina wrote.

"There are a lot of folks on the other side who are chomping (sic) at the bit to distort the [president's record](#). It's not a question of if the next big lie will come, just when -- and what we're prepared to do about it."

The site, a compendium of claims with rebuttals by the president's team, is a throwback to the 2008 campaign's Fight the Smears site.

AttackWatch lists a "news feed" where people can click over to find analyses from liberal groups like [Media Matters](#) and Think Progress that offer defenses of the president's position.

Among the "attack files" cited so far are those from Republican candidates Mitt Romney and Rick Perry and others, who've suggested Obama is not a strong ally to Israel. Another rebuttal is aimed at criticisms by Republican [congressional](#) leaders like Mitch McConnell and Eric Cantor, who accuse the president of creating job-killing regulations.

In each instance of an "attack," the site gives news articles explaining the president's side of the story.

In the email, which also solicits donations to the president's reelection campaign, Messina writes that the site is a resource that "allows us to nip these attacks in the bud before they show up on the airwaves and in emails."

The scouts will then become the first line of defense to "spread the truth" to friends.

The new campaign site also lets people vote whether they've seen the "attack," and has a Twitter feed, [@AttackWatch](#), for people to follow for updates.