

Renoe, Curtis

From: [REDACTED] on behalf of Walter Brudzinski [REDACTED] #6
Sent: Sunday, June 12, 2011 6:42 PM
To: Renoe, Curtis; [REDACTED] #6
Subject: RE: Final Draft Letter
Attachments: Retraction Letter to JAMs re Swartwood Report v 4[1].doc x

Follow Up Flag: Follow up
Flag Status: Flagged

2 with 4.12 #5

I made a few more editorial changes to make it a little tighter. wjb

> Subject: RE: Final Draft Letter
> Date: Fri, 10 Jun 2011 15:51:05 -0700
> From: Curtis.E.Renoe@USCG.MIL
> To: Megan.H.Allison@USCG.MIL; [REDACTED]
> Joseph.N.Ingolia@USCG.MIL; George.J.Jordan@USCG.MIL; [REDACTED] #6
> CC: [REDACTED]

> Judge McKenna asked that I pass along this slightly revised version.

> V/R,

> -Curtis

> Curtis E. Renoe
> Attorney-Advisor to the
> Hon. Parlen L. McKenna
> USCG ALJ
> Coast Guard Island, Building 54A
> Alameda, CA 94501-5100
> Tel: (510) 437-3359
> Fax: (510) 437-2717

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> -----Original Message-----

> From: [REDACTED] #6
> Sent: Friday, June 10, 2011 8:24 AM
> To: Renoe, Curtis; Allison, Megan; Brudzinski, Walter; Devine, Michael; Ingolia, Joseph; Jordan, George AL3; Metry, Dean C.; Smith, Bruce T.
> Subject: Final Draft Letter

Reno, Curtis

From: Brudzinski, Walter
Sent: Wednesday, June 08, 2011 5:08 PM
To: Reno, Curtis
Subject: RE: Retraction Letter to JAMs re Swartwood Report.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks. Hope this works.

Sent with Good (www.good.com)

-----Original Message-----

From: Reno, Curtis
Sent: Wednesday, June 08, 2011 06:46 PM Eastern Standard Time
To: Brudzinski, Walter
Subject: RE: Retraction Letter to JAMs re Swartwood Report.doc

Thank you Judge Brudzinski for these comments. Judge McKenna wants me to incorporate these and send out a new version today.

-Curtis

Curtis E. Reno
Attorney-Advisor to the
Hon. Parlen L. McKenna
USCG ALJ
Coast Guard Island, Building 54A
Alameda, CA 94501-5100
Tel: (510) 437-3359
Fax: (510) 437-2717

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-----Original Message-----

From: Brudzinski, Walter
Sent: Wednesday, June 08, 2011 2:25 PM
To: [REDACTED] Reno, Curtis
Subject: Retraction Letter to JAMs re Swartwood Report.doc

Gentlemen:

Here's my input for the letter. As you can see, I made several changes and included some language as discussed in our phone conversation this afternoon. I could make more changes but I ran out of time to get it to you by COB today. I will be out of the office tomorrow and

6
Friday but am available via CG e-mail walter.j.brudzinski@uscg.mil or cell phone [REDACTED]
[REDACTED]

I hope this helps.

wjb

Reno, Curtis

From: Brudzinski, Walter
Sent: Wednesday, June 08, 2011 2:25 PM
To: #6 [REDACTED] Reno, Curtis
Subject: Retraction Letter to JAMs re Swartwood Report.doc
Attachments: Retraction Letter to JAMs re Swartwood Report.doc x
Follow Up Flag: Follow up
Flag Status: Flagged

↑ with 1.12 #5

Gentlemen:

Here's my input for the letter. As you can see, I made several changes and included some language as discussed in our phone conversation this afternoon. I could make more changes but I ran out of time to get it to you by COB today. I will be out of the office tomorrow and Friday but am available via CG e-mail walter.j.brudzinski@uscg.mil or cell phone [REDACTED]

#6

I hope this helps.

wjb

Renoe, Curtis

From: Brudzinski, Walter
Sent: Thursday, June 02, 2011 2:25 PM
To: Renoe, Curtis
Subject: RE: Draft Demand Letter to JAMS

Follow Up Flag: Follow up
Flag Status: Flagged

Great letter! I left a message on your voice mail advising that Megan is working on a letter from the CG to DHS on this very issue. You might want to check with her on the status. wjb

-----Original Message-----

From: Renoe, Curtis
Sent: Thursday, June 02, 2011 5:07 PM
To: Ingolia, Joseph; Brudzinski, Walter; Devine, Michael; Jordan, George AL3; Metry, Dean C AL3; Smith, Bruce T; Allison, Megan
Cc: McKenna, Parlen Judge; Melendres, Cindy; [REDACTED] #6
Subject: Draft Demand Letter to JAMS #5

Judge McKenna asked that I send this draft for your review and comment. [REDACTED]
[REDACTED]

Judge McKenna also asked that you please review the following link, which discusses the Swartwood Report and the alleged "dirty judges."

<http://bore-head007.new.newsvine.com/news/2011/05/19/6676446-hey-ive-got-dirty-cops-dirty-judges-dirty-witnesses-pounding-the-snot-out-of-their-victimswwhy-cant-i-get-your-attention?commentId=54338812>

V/R

-Curtis

Curtis E. Renoe
Attorney-Advisor to the
Hon. Parlen L. McKenna
USCG ALJ
Coast Guard Island, Building 54A
Alameda, CA 94501-5100
Tel: (510) 437-3359
Fax: (510) 437-2717

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Renoë, Curtis

From: Brudzinski, Walter
Sent: Wednesday, May 25, 2011 12:37 PM
To: Renoë, Curtis
Subject: RE: Peter Pan Order re Swartwood's Report final1.doc

Follow Up Flag: Follow up
Flag Status: Flagged

#5

You're welcome! T [REDACTED]

wjb

-----Original Message-----

From: Renoë, Curtis
Sent: Wednesday, May 25, 2011 2:11 PM
To: Brudzinski, Walter
Subject: RE: Peter Pan Order re Swartwood's Report final1.doc

Thank you for these and earlier comments Judge Brudzinski.

-Curtis

-----Original Message-----

From: Brudzinski, Walter
Sent: Wednesday, May 25, 2011 7:23 AM
To: McKenna, Parlen Judge; [REDACTED] Renoë, Curtis
Subject: Peter Pan Order re Swartwood's Report final1.doc

#6

#5

Attached is the Show Cause Order you sent to me yesterday afternoon for final review. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Hope my comments are helpful. Good job and good luck!

Walt

Walter J. Brudzinski
Administrative Law Judge
U.S. Coast Guard
Battery Park Building
1 South Street
New York, NY 10004
Phone: (212) 668-2970
Fax: (212) 825-1230

Johns, John

From: Brudzinski, Walter
Sent: Wednesday, May 25, 2011 10:27 AM
To: Devine, Michael; McKenna, Parlen Judge
Cc: Ingolia, Joseph; Smith, Bruce T; Metry, Dean C ALJ; Jordan, George AL3; Allison, Megan
Subject: RE: News from FALJC

Agree. [REDACTED] wjb

-----Original Message-----

From: Devine, Michael
Sent: Wednesday, May 25, 2011 7:53 AM
To: McKenna, Parlen Judge
Cc: Ingolia, Joseph; Brudzinski, Walter; Smith, Bruce T; Metry, Dean C ALJ; Jordan, George AL3; Allison, Megan
Subject: FW: News from FALJC

Parlen: [REDACTED]

MJD

M. J. Devine

U.S. Administrative Law Judge

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From: [REDACTED]
Sent: Tuesday, May 24, 2011 9:14 PM
To: Devine, Michael
Subject: FW: News from FALJC

Date: Tue, 24 May 2011 11:00:12 -0400
From: james.g.gilbert@usps.gov
To: [REDACTED]
Subject: News from FALJC

Having trouble viewing this email? Click here
<http://campaign.r20.constantcontact.com/render?11r=6wa664dab&v=001Sr5a1LSTp600oICxbbDh3YhWBBMy81A-DNU3hXSSvye-ELT19k1H8XAYKk9_tDRKTGjZfj-4EeRHH9c7TpsmaT37--KQFE4MeVE->

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ejBSmGddsts6e2cwcbKCqrZsihakwzlaqFnwafNhC0IRG6s9fo0vRTyMmhtH7S8JInSvBsGxyl70E01e6-bBDDpVeD-
xJEaIEFGLs-6JNdEDKmCFkcTmV4EH901uQmUKT_foZ1qggF1CITbZDo32h4%3D>

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Federal Administrative Law Judges Conference Member Newsletter

April/May 2011

In This Issue

FALJC Meets with OPM General Counsel Elaine Kaplan

<<http://sn122w.snt122.mail.live.com/mail/RteFrame.html?v=15.4.3103.0517&pf=pf#LETTER.BLOCK15>>

ABA Judicial Division Chair-elect Richard Goodwin Addresses April Luncheon

<<http://sn122w.snt122.mail.live.com/mail/RteFrame.html?v=15.4.3103.0517&pf=pf#LETTER.BLOCK17>>

Chairman of the Administrative Conference of the United States Paul Verkuil Speaks to FALJC

<<http://sn122w.snt122.mail.live.com/mail/RteFrame.html?v=15.4.3103.0517&pf=pf#LETTER.BLOCK18>>

FALJC Meets with OPM to Discuss New ALJ Exam

<<http://sn122w.snt122.mail.live.com/mail/RteFrame.html?v=15.4.3103.0517&pf=pf#LETTER.BLOCK9>>

2011 Annual FALJC Conference Update

<<http://sn122w.snt122.mail.live.com/mail/RteFrame.html?v=15.4.3103.0517&pf=pf#LETTER.BLOCK12>>

ALJ Moves and Appointments

<<http://sn122w.snt122.mail.live.com/mail/RteFrame.html?v=15.4.3103.0517&pf=pf#LETTER.BLOCK13>>

Dear Judge Devine,

Now that a potential government shutdown is in the rearview mirror, FALJC has turned its sights on the upcoming Annual Conference in September. Mark your calendars for Sunday, September 11, 2011, in Ocean City, Maryland. Details will follow in your annual dues notice.

Speaking of dues, don't forget to mail your dues check before June 30th to take advantage of the payment discount. The Annual Dues Mailing went out last week and should have arrived at your home or office by now. If you have not received the mailing, please contact Secretary James Gilbert at james.g.gilbert@usps.gov. Also in the mailing is a ballot for changes to our Constitution and Bylaws. Please fill it out and return it with your dues payment.

This is my last Newsletter as FALJC President. I want to thank all of you for your support and encouragement the past year. I will remain as the FALJC representative on ACUS (See

Chairman Verkuil's story below). I look forward to working with the new officers, including President Rick Pearson, as they embark on the 2011-2012 membership year.

Also, if you have any news or information you would like in our next newsletter, please drop Judge Gilbert a note at the above email.

See you in Ocean City in September!

Dan Solomon, President

Federal Administrative Law Judges Conference

FALJC Meets with

OPM General Counsel Elaine Kaplan

FALJC Officers, along with Legislative Consultant Lillian Gaskin, met with OPM General Counsel Elaine Kaplan and her staff to discuss various issues of ALJ concern. On the positive side, we were encouraged that Ms. Kaplan and her staff were significantly more receptive to our presence and concerns than previous Administrations. On the negative side, we were disappointed to hear that the Obama Administration is following the prior Administration's lead by denying ALJs full annual leave benefits under the Federal Workforce Flexibility Act of 2004. 5 U.S.C. 6303(f).

As many of you know, OPM previously singled out ALJs as the only senior government officials to be denied the 8 hour per pay period leave benefit first instituted by Congress in 2004 for all senior government officials. At the time, OPM's odd defense for this action relied on the unrelated fact that the APA does not permit ALJs to be subject to performance appraisals. Before the meeting, based upon earlier representations made to FALJC by OPM Director Berry, we had high hopes that a change in Administration and ALJ policy would lead to a resolution of this issue in favor of equal treatment of ALJs with other senior government officials. However, in our meeting, we were surprised when GC Kaplan strongly defended OPM's past interpretation of the statute, again linking the benefit to OPM's "Pay for Performance" reviews when nothing in the statute or legislative history supports or addresses any such linkage.

After much discussion in the meeting where FALJC representatives repeatedly expressed our frustration with the ongoing policy application, Ms. Kaplan invited FALJC to submit a legal analysis of the statute to support our position that OPM is acting unfairly in "interpreting" the statute to exclude ALJs to further some unrelated OPM policy goal. FALJC is currently drafting an appropriate response that we hope will assist OPM in abandoning its current position on this issue.

On another issue of concern, we discussed OPM's role in challenges by some senior officials in federal agencies to ALJ independence under the APA. We explained that OPM has, in the past, failed to respond whenever there was an assault on ALJ independence by a federal agency, leaving ALJs to fight their agency alone and defend the APA without support or intervention by OPM. We referenced the most recent assault on ALJ independence that led to a federal lawsuit by two HUD ALJs. That lack of support for ALJs has led to litigation that might have been avoided had OPM intervened in the matter in accordance with its statutory obligations in an earlier stage when called upon to do so. After discussion, Ms. Kaplan requested that FALJC make a proposal about how OPM might address such issues in the future. FALJC is preparing a proposal for review by the Executive Committee before submission to OPM.

Additional issues raised included discussions about potential advisory committees involving ethics and other matters of interest to ALJs. In the end, although none of the officers in attendance would characterize the meeting as successful, we do expect that the dialogue with OPM will continue in 2011. Ms. Kaplan's open approach to ALJ issues was a welcome departure from FALJC's previous experiences with other Administrations. On that basis, we will continue to work with OPM to improve the OPM/ALJ relationship, and address issues that remain unique to the ALJ community.

ABA Judicial Division Chair-elect Richard Goodwin

Addresses April Luncheon

Image removed by sender. Judge Richard Goodwin

Judge Richard Goodwin

ABA Judicial Division Chair-elect, and DOT ALJ Richard Goodwin was the guest speaker at the April 2011 FALJC Luncheon held at Maggiano's Italian Restaurant on April 15, 2011. Judge Goodwin discussed his recent trip to Japan following the country's devastating earthquake and shared his experiences and thoughts on post-earthquake Japan.

The April Luncheon is also our traditional salute to our retired ALJs. We had terrific attendance from some local retired ALJs, including Judge Lillian McEwen, whose recent book has caused quite a sensation. Judge McEwen's book is now available for purchase on Amazon.com

<http://r20.rs6.net/tn.jsp?llr=6wa664dab&et=1105398857363&s=148&e=001qqQmrOoQc027kCzVu2zsuasytgKYPYclm8tI_QG2xS-

TEywlbm20DVtSIs0JA0dyqTBxsjq4GPylMPvqYpyWEF5AIrg3_7uj52gZl2m1_D1GbRa_64cVXBvJ0RASWJgrZL4iYhZK o0yDyDhP0k6d14RlORS14CDdWQCg9rbL0xbWewNz6p9tmHbVNI3DAKWg0BIBa8sezaowU7tpCi3l8olwcfEAEIHE6VxDu L7iGyv5HH3M4GsElNwXHe-ftbLgqAplSprneg8Su0TFfMQmEA=> . We invite you to read it for yourself and see what all the buzz is about.

Chairman of the Administrative Conference of the United States Paul Verkuil Speaks to FALJC at May Luncheon

Image removed by sender. Paul Verkuil

Chairman Paul Verkuil

FALJC was honored to have ACUS Chairman Paul Verkuil address the May Monthly Luncheon meeting in Rosslyn, Virginia, on May 20, 2011. Chairman Verkuil spoke about a number of issues that ACUS plans to undertake in 2011 that may impact ALJs, focusing on their most recent work on video hearings. Chairman Verkuil took several questions from the audience, and expressed his hope that ALJs would continue to be involved with ACUS as they proceed with their interesting agenda. FALJC is represented on ACUS by Judge Dan Solomon. If you think you might like to get involved, contact Judge Solomon at [REDACTED] #6

For more information about ACUS, take a look at their website at www.acus.gov
<http://r20.rs6.net/tn.jsp?llr=6wa664dab&et=1105398857363&s=148&e=001qqQmrOoQc02Z5oMzJrUs3QNh7nbwLCJG9TNrhg__3uMSuPC7nIsA1X6EPLUI08mZDl66iYsBwAi6V1oAmwhyDXU58aVENgX15ZIj_xtNka4=> .

FALJC Meets with OPM to Discuss New ALJ Exam

FALJC joined a number of ALJ related organizations at a meeting with OPM staff to discuss OPM's plans to revise the ALJ examination process. A meeting earlier in the day was held with the various Chief Judges. Both meetings focused on the need to tighten ALJ qualifications, particularly with respect to prior trial experience. The Chief Judges were unanimous in their position that prior courtroom trial experience is a necessity as a basic qualification for ALJs. A recent change in the ALJ selection process allowed for administrative experience to be substituted for trial experience. Both groups stated that while administrative trial experience is relevant to the trial experience qualification, a lack of any trial experience should be a disqualifying factor for an ALJ applicant.

For its part, OPM listened to the concerns and criticisms expressed by the groups, and promised to insure that both the organizations and the Chief Judges will remain in close contact with OPM as the process progresses.

2011 Annual FALJC Conference Update

At the March Executive Committee meeting, the Executive Committee authorized Judge Pearson to continue to negotiate with Dunes Manor Hotel for the September Annual Conference. At the May luncheon, Judge Pearson announced the meeting plans, and included all the registration information, which was forwarded to all FALJC members in the May mailing. The meeting will be held at the Dunes Manor Hotel

<http://r20.rs6.net/tn.jsp?llr=6wa664dab&et=1105398857363&s=148&e=001qqQmrOoQc02sRtIN6zTtajxfJ7uJhuM_yg7I19yenEnTqiDC0ashIfId9vxo2MJr8o8UE061GPZtvk-jntIK5bQ01SH2EEtJGa5SIq0__m2CKQYEcaqG5A==> in Ocean City, Maryland, starting on Sunday, September 11, 2011. The Annual Conference Schedule is attached. The Registration Form is

also attached. Please fill out your registration form today and mail it to FALJC, P.O. Box 1772, Washington, D.C. 20003.

If you have any thoughts, suggestions, or comments about this year's Annual Meeting, please contact First VP Judge Rick Pearson at rpears@flra.gov.

See you in Ocean City!

ALJ Moves and Appointments

Judge Cameron Elliot Joins SEC

On Monday, April 25, 2011, the Securities and Exchange Commission announced
<http://r20.rs6.net/tn.jsp?llr=6wa664dab&et=1105398857363&s=148&e=001qqQmrOoQc02H21wByGm0Qgbk1lqnfxmqHtfhN0cI5eKMdGZks-0CtdPvt64lhiNxSifJcbvY3wsYfSf7jSs6UJIwnMI4kHUosYNEBrTQpzR5y4DCu92ltarn9UEgusiv-du8yLKln_kh47MJ3oeP5w==> the appointment of Judge Cameron Elliot as an Administrative Law Judge. Prior to his appointment, Judge Elliot was an ALJ with SSA in New York. Judge Elliot is a current FALJC member and attended his first monthly luncheon meeting in May. FALJC congratulates Judge Elliot on his appointment. If you want to congratulate Judge Elliot directly, he can be reached at elliottc@sec.gov.

Do You Have News, Updates, or Information to Share with Your FALJC Colleagues?

We are happy to add your information for our next newsletter! Contact Secretary James Gilbert at

james.g.gilbert@usps.gov with your news and information.

Also, send your comments and suggestions for future newsletters to Judge Gilbert.

Forward email

<[http://ui.constantcontact.com/sa/fwtf.jsp?llr=6wa664dab&m=1103804400349&ea=\[REDACTED\]co m&a=1105398857363](http://ui.constantcontact.com/sa/fwtf.jsp?llr=6wa664dab&m=1103804400349&ea=[REDACTED]co m&a=1105398857363)>

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<<http://ui.constantcontact.com/roving/CCPrivacyPolicy.jsp>> .

Federal Administrative Law Judges Conference | 2020 Pennsylvania Avenue, NW | Box 260 | Washington | DC | 20006

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Renoe, Curtis

From: Brudzinski, Walter #6
Sent: Wednesday, May 25, 2011 7:23 AM
To: McKenna, Parlen Judge; [REDACTED]; Renoe, Curtis
Subject: Peter Pan Order re Swartwood's Report final1.doc
Attachments: Peter Pan Order re Swartwood's Report final1.doc x

Follow Up Flag: Follow up
Flag Status: Flagged

withhold #5

#5

Attached is the Show Cause Order you sent to me yesterday afternoon for final review. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Hope my comments are helpful. Good job and good luck!

Walt

Walter J. Brudzinski
Administrative Law Judge
U.S. Coast Guard
Battery Park Building
1 South Street
New York, NY 10004
Phone: (212) 668-2970
Fax: (212) 825-1230

Johns, John

From: #6 [REDACTED] on behalf of Walter Brudzinski [REDACTED] #6
Sent: Tuesday, May 24, 2011 10:55 PM
To: Brudzinski, Walter
Attachments: Peter Pan Order re Swartwood's Report final[1].doc x
Follow Up Flag: Follow up
Flag Status: Flagged 2 with hold #5

E-Mail from
Judge McKenna
(USCG ALJ)
to
Chief Judge Ingolia and/or
others
in reference to the special
masters report.

Responsive to subparts 1, 4, 8,
and 13 of Mr. Paul Muniz's
June 7, 2011 FOIA request.

Reno, Curtis

From: [REDACTED] #6
Sent: Saturday, June 11, 2011 5:47 PM
To: Reno, Curtis
Subject: plm letter.
Attachments: Retraction Letter to JAMs re Swartwood Report v 4.1.doc x

2w;+44e1} - #5

Follow Up Flag: Follow up
Flag Status: Flagged

What do you think of these changes?

Johns, John

From: [REDACTED] #6
Sent: Friday, June 10, 2011 1:31 AM
To: Allison, Megan; Ingolia, Joseph; Jordan, George AL3; Jordan, George
Subject: CALJ and judges retraction letter
Attachments: Retraction Letter to JAMs re Swartwood Report v.3 (2).doc, plm.doc X
20110610 #5

Here is the draft with most of the judges changes. The ones that are not included were not accepted at this time. We discussed them with the sponsor. Parlen

Reno, Curtis

From:

[REDACTED] #6
Friday, June 10, 2011 11:12 AM

Sent:

To:

Reno, Curtis

Subject:

latest in yellow with the Chief Judges additions

Attachments:

Retraction Letter to JAMs re Swartwood Report v.3 (2).doc, plm.doc x

↑ withheld #5

Follow Up Flag:

Follow up

Flag Status:

Flagged

Renoe, Curtis

From: ██████████ #6
Sent: Friday, June 10, 2011 8:24 AM
To: Renoe, Curtis; Allison, Megan; Brudzinski, Walter; Devine, Michael; Ingolia, Joseph; Jordan, George AL3; Metry, Dean C.; Smith, Bruce T.
Subject: Final Draft Letter
Attachments: Retraction Letter to JAMs re Swartwood Report v.3 (2).doc, plm.doc X
C with held #5
Follow Up Flag: Follow up
Flag Status: Flagged

Reno, Curtis

From: [REDACTED] #6
Sent: Thursday, June 09, 2011 9:25 PM
To: Reno, Curtis
Subject: retraction letter 6/9 as modified at 9:33 p.m. by plm
Attachments: Retraction Letter to JAMs re Swartwood Report v.3 (2).doc, plm.doc x
 withheld #5
Follow Up Flag: Follow up
Flag Status: Flagged

Johns, John

From: [REDACTED]
Sent: Sunday, June 05, 2011 2:14 PM
To: Bruce and [REDACTED] Smith; [REDACTED]
Cc: Allison, Megan; Walter Brudzinski; Michael Devine; Ingolia, Joseph; Jordan, George AL3; Dean C. Metry; Renoe, Curtis
Subject: Re: Revised demand letter

Thank you. Regardless of what form this letter ultimately takes and who signs it, I think we need to focus on the [REDACTED]

I submit these thoughts now so that you can consider them prior to our conference call.

Parlen

Renoe, Curtis

From: [REDACTED] ^{bl}
Sent: Saturday, June 04, 2011 3:30 PM
To: Allison, Megan; Brudzinski, Walter; Devine, Michael; Ingolia, Joseph; Jordan, George AL3; Metry, Dean C.; Renoe, Curtis; Smith, Bruce T.
Subject: Revised demand letter
Attachments: Demand Letter re Swartwood Report v.2.doc=plm.doc X
Follow Up Flag: Follow up ^{withheld #5}
Flag Status: Flagged

This is the latest version. Parlen

Renoe, Curtis

From: McKenna, Parlen Judge
Sent: Wednesday, May 25, 2011 4:38 PM
To: AL [REDACTED] Ingolia, Joseph; Allison, Megan
Cc: Renoe, Curtis
Attachments: Order to Show Cause re Swartwood Report 1.5.doc; Lobsters Inc. Order.pdf; Exhibit C.PDF
Follow Up Flag: Follow up
Flag Status: Flagged

withheld #5

The first 2 pages are slightly changed. Megan, look at fn 1--I hope this is ok with you. Also, pg 2, 4th line and 2nd paragraph. Happy trails. P

Renoe, Curtis

From: [REDACTED] #6
Sent: Sunday, May 22, 2011 7:11 PM
To: Renoe, Curtis
Subject: Fwd: pp latest
Attachments: Swartwood Order.doc x
Curtis held #5
Follow Up Flag: Follow up
Flag Status: Flagged

Curtis: The intro is alright if we modify it to include Lobster Inc. I don't care one way or the other. What do you think?

----- Forwarded Message -----

From: "Walter Brudzinski" [REDACTED] #6
To: [REDACTED] #6
Sent: Sunday, May 22, 2011 5:18:25 PM
Subject: RE: pp latest

Parlen - here's some language I suggest for the opening. It could even be shorter but it gives the parties an upfront sense of where you're going with this Order. Walt

Date: Sun, 22 May 2011 22:30:25 +0000
From: [REDACTED] #6
To: joseph.n.ingolia@uscg.mil; Megan.H.Allison@uscg.mil; Curtis.E.Renoe@uscg.mil
Subject: pp latest

Here is a revised draft that is toned down. P

Reno, Curtis

From: [REDACTED] #6
Sent: Sunday, May 22, 2011 3:31 PM
To: Reno, Curtis
Subject: Fwd: Swartwood Order
Attachments: Smartwood Order.doc x
Follow Up Flag: Follow up
Flag Status: Flagged

----- Forwarded Message -----

From: "Walter Brudzinski" [REDACTED] #6
To: [REDACTED] #6
Sent: Sunday, May 22, 2011 11:25:58 AM
Subject: Swartwood Order

Parlen - attached is your Order with my comments highlighted in red. I did not delete any of your language. It's good order but we need to discuss further so we can tighten it up a bit. It seems to be too long in certain areas and I think we can shorten it without losing effect.

Also, I would assert up front, in two or three sentences max, exactly what the purpose of the order is and what you want the parties to do. That will keep them focused through the next 25 to 30 pages or so. I will call you later today.

Walt

Reno, Curtis

From: [REDACTED]
Sent: Sunday, May 22, 2011 3:30 PM
To: Ingolia, Joseph; Allison, Megan; Reno, Curtis
Subject: pp latest
Attachments: Order re Swartwood's Report 4.5.doc X
Follow Up Flag: Follow up
Flag Status: Flagged

2 withheld #5

Here is a revised draft that is toned down. P

Renoe, Curtis

From: [REDACTED] #6
Sent: Sunday, May 22, 2011 11:00 AM
To: Renoe, Curtis
Subject: Fwd: Special master Report order for Peter Pan Case

Follow Up Flag: Follow up
Flag Status: Flagged

----- Forwarded Message -----

From: "Dean C. Metry" [REDACTED] #6
To: [REDACTED] #6
Sent: Sunday, May 22, 2011 10:37:14 AM
Subject: Re: Special master Report order for Peter Pan Case

got it parlen, starting out good, but this is a first draft. #5

[REDACTED] ...this is my
initial impression.

your buddy,
d

--- On Sun, 5/22/11, [REDACTED] #6 [REDACTED] #6 wrote:

From: [REDACTED] #6 <[REDACTED]> #6
Subject: Re: Special master Report order for Peter Pan Case
To: "Walter Brudzinski" [REDACTED] #6, "ingolia, joseph"
<joseph.n.ingolia@uscg.mil>, "Allison, Megan" <Megan.H.Allison@uscg.mil>, "Johns, John"

#6 Date: Sunday, May 22, 2011, 8:26 AM #6

----- Original Message -----

From: "Walter Brudzinski" [REDACTED] #6
To: [REDACTED] #6
Sent: Sunday, May 22, 2011 4:13:55 AM
Subject: RE: Special master Report order for Peter Pan Case

Parlen - The e-mail I received did not have an attachment. Please send again. Thanks.

Walt

Date: Sun, 22 May 2011 03:39:32 +0000

From: [REDACTED] #6
To: joseph.n.ingolia@uscg.mil; Megan.H.Allison@uscg.mil; [REDACTED]
Subject: Special master Report order for Peter Pan Case

#5

Attached is a draft order for your review and comment. [REDACTED]

Renoë, Curtis

From: [REDACTED] #6
Sent: Sunday, May 22, 2011 6:27 AM
To: Walter Brudzinski; Ingolia, Joseph; Allison, Megan; Johns, John; [REDACTED] #6
Subject: Re: Special master Report order for Peter Pan Case
Attachments: Order re Swartwood's Report 4.5.doc
Follow Up Flag: Follow up
Flag Status: Flagged

Withheld #5

----- Original Message -----

From: "Walter Brudzinski" [REDACTED] #6
To: [REDACTED] #6
Sent: Sunday, May 22, 2011 4:13:55 AM
Subject: RE: Special master Report order for Peter Pan Case

Parlen - The e-mail I received did not have an attachment. Please send again. Thanks. Walt

Date: Sun, 22 May 2011 03:39:32 +0000
From: [REDACTED] #6
To: joseph.n.ingolia@uscg.mil; Megan.H.Allison@uscg.mil; [REDACTED] #6
Subject: Special master Report order for Peter Pan Case

Attached is a draft order for your review and comment. [REDACTED] #5
[REDACTED]

Reno, Curtis

From: [REDACTED] # 6
Sent: Saturday, May 21, 2011 12:47 AM
To: Reno, Curtis
Subject: pp
Attachments: Order re Swartwood's Report 4 0.doc x

Follow Up Flag: Follow up
Flag Status: Flagged

2011-05-21 # 5

Looks good

Johns, John

From: [REDACTED] #6
Sent: Friday, May 20, 2011 9:10 AM
To: Ingolia, Joseph; Allison, Megan
Subject: Swartwood
Attachments: Order re Swartwood's Report v.2.5.docplm.doc X

2 withheld #5

Here is 2 of the 3 sections. The second section is still rough and needs additional facts and a reorg. Parlen

Reno, Curtis

From:

#6

Sent:

Thursday, May 19, 2011 10:39 PM

To:

Reno, Curtis

Subject:

pp

Attachments:

Order re Swartwood's Report v.2.5.docplm.doc x

Follow Up Flag:

Follow up

Flag Status:

Flagged

↑ withheld #5

coming along very nicely.

Reno, Curtis

From:

[REDACTED] #6
Thursday, May 19, 2011 4:02 PM

Sent:

To:

Reno, Curtis

Subject:

pp

Attachments:

Order re Swartwood's Report.docx

withheld #5

Follow Up Flag:

Follow up

Flag Status:

Flagged

Reno, Curtis

From: [REDACTED] #6
Sent: Thursday, May 19, 2011 3:31 PM
To: Reno, Curtis
Subject: pp
Attachments: Order re Swartwood's Report.doc x
Follow Up Flag: Follow up
Flag Status: Flagged

↑ withheld #5