

From: Jeff Lewis reformfaanow@gmail.com

To: Mark Wilson <mwilson@natcad.org>

Date: Mon, Sep 12, 2011 at 1:19 PM

Subject: Re: Arbitration (Jeff Lewis constructive suspension case)

Mark:

I greatly appreciate the update. I hope you can understand that, as long as this has been going on and with some of the weird turns in the earlier history of this case, being in the dark on this stuff is very uncomfortable. So, just an occasional heads-up on what you are trying to do helps a lot.

I have been continuing to refine the documentation I have (I am sure, by now, you would expect no less! ...sorry, but this case is just that important). I ran across an FAA-internal email today, in which the author of my removal letter (Marable) advised my tower manager (Ralph) that she needed to "...have documents that reflect that Mr. Lewis was carried in an administrative leave during the entire time he was placed out." I am attaching it here as it sure looks like this document alone would puncture any Agency efforts to challenge reimbursement of all pay lost during the illegal Constructive Suspension, which remains unpaid for roughly 700-hrs from 4/29/07 through 8/29/07).

I am also attaching a copy of a 9/15/08 email in which Marable is telling her boss, Grievance Step-3 denial author Dan Castellon, about a 9/11/08 phone conversation she had had with Andy Richards, Jason Ralph and Tony DiBernardo. She notes that all of them stated the reimbursement had been made (it had not). And, as a side note, the presence of DiBernardo needs to be investigated, as he had been deeply involved in the background during the first months of my larger case, when the ducks were being lined up to put me out on a disability retirement...which, of course, I rejected...hence, this grievance and their retaliatory removal.

If Agency is inclined to cave on payment of all 700-ish hours of ConstSusp lost pay, that would be great...but please make sure we press the larger issue attached to grievance NC-08-79364: the "make whole" resolution element (being put back to work, as I requested on 5/1/08), and their retaliatory removal (initiated immediately after I filed this grievance).


Thanks again. Jeff

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 **20080611.. 0943 email, Marable to Ralph, need CASTLE records (1p).pdf**

35K [View](#) [Download](#)

 **20080915.. 0922 email, Marable to Castellon, mentions 9-11 phonecall with DiBernardo.pdf**

58K [View](#) [Download](#)

From: Mark Wilson <mwilson@natcad.org>

Date: Mon, Sep 12, 2011 at 12:27 PM

Subject: Arbitration (Jeff Lewis constructive suspension case)

To: Michael Hull <mhull@natca.net>, Jay Barrett <rkmedez@gmail.com>, Hamid Ghaffari <hghaffari@natca.net>

Cc: Jeff Lewis <reformfaanow@gmail.com>, Anna Jancewicz <ajancewicz@natcad.org>

The FAA has decided to reassign the arbitration to a different FAA advocate. He is supposed to contact me within the next day or so. (I don't know who it is yet.)

Once it's reassigned, we will select a new arbitrator and get hearing dates nailed down (again).

Sorry about the delays. As you know, we had picked one arbitrator (Winograd) who couldn't give us dates until February next year. We then went with Rader, and she broke her leg and had to withdraw. I was hoping we could use the third top choice (Lindauer), but FAA's advocate has now been switched before we could resolve that. Hopefully we can still use him and get dates quickly.