Four Phases of the Lewis-CCR Case

❶ *Lockout & Admonishment [2/16/07 to SEP-07]*

2/16/07: At ViWP telecon, Jason Ralph made an assortment of statements (four-days before he fabricated the lunge); Dr. Goodman suspended Lewis' medical clearance.

Lockout began. Although Lewis had departed on Sick Leave, Hardy quietly changed it to paid Administrative Leave 600-days later (see 9/25/08 and 10/9/08).

4/17/07: Lewis was Constructively Suspended (no work, no pay, and no due process notification); this continued into October. Lewis was partially restored by Andy Richards, later in 2007. He is still awaiting an arbitration for the approx. $40K in lost pay FAA still owes. The arbitration was requested in August 2008.

6/21/07: Lewis' medical was permanently revoked. Lewis was offered a disability retirement. Lewis appealed, and was medically re-certified on 1/10/08.

❷ *Waiting… [SEP-07 to JUL-08]*

In early SEP-07, Andy Richards was the new SFO District Manager and was trying to clean up the mess. From then until JUL-08 was a period of quiet: Lewis was locked out, but being paid. He awaited a call to return to work; the call never came.

4/17/08: Andy Richards' letter advised Lewis, ***"a return to work plan will be discussed"***. Richards never followed up. Instead, in July, he sent Lewis a letter proposing his removal, based solely on the 15-month-old ROI. Lewis had been continuously locked out since 2/16/07 and had done nothing except exercise his basic rights. In total, he had filed two grievances, a ULP, and made numerous inquiries trying to establish the Due Process he was being denied.

2007 JAN-FEB-MAR-APR-MAY-JUN-JUL-AUG-SEP-OCT-NOV-DEC- **2008** JAN-FEB-MAR-APR-MAY-JUN-JUL-AUG-SEP-OCT-NOV-DEC- **2009** JAN-FEB-MAR-APR-MAY-JUN-JUL-AUG-SEP-OCT-NOV-DEC- **2010** JAN-FEB-MAR-APR-MAY-JUN-

DOCUMENTED FACTS:

FACT: Suppressed Agency records show Jason Ralph slandered Lewis repeatedly, then actively manipulated the flow of information to other Agency officials. The ROI and charges were never substantiated.

FACT: While this case started with Jason Ralph's lies, the damages were magnified by a small circle of protective but misinformed adjuncts. Arguably, the greatest damage has been done not by Jason but by Agency Counsel's suppression of evidence and employee fear-driven silence. Lewis' Due Process rights were fully obstructed for more than two years.

FACT: After Lewis' wrongful removal, and during the run-up to the MSPB Hearing, Agency Counsel unethically offered Lewis a disability retirement. Agency Counsel knew Lewis had been fully medically re-certified on 1/10/08, and his medical file had no documentation supporting any disability, yet they persistently invited Lewis to join their disability fraud, to help them "settle" this mess. Lewis was not eligible, so he ethically declined the offer.

❸ *Removal & Forced Retirement [JUL-08 to 5/5/09]*

5/5/09: Lewis retired at age 50

11/6/08: Lewis removed

6/30/08: Email from WSA to AWP-16 (France to Marable, cc to Davis, but NOT cc'd to Vernon); Vernon's Executive Assistant was granting LR the go-ahead for Lewis removal process. This was the first document suggesting removal, and a full year after the AB Cases had been closed. Prior disciplinary proposals were all focused on admonishment (see 6/14/07, 7/14/07, 7/16/07 Ralph draft letter, and 9/5/07).

❹ *Release of Evidence [post- 5/5/09]*

Evidence was suppressed by Agency Counsel, and by officials intimidated by Counsel. Key evidence, was released only after Lewis retired, received on these dates:

- 6/29/09: copy of DIR (28-months-old)
- 12/3/09: Barry Davis emails (198-pg)
- 2/16/10: Giles emails (193-pg)
- 3/8/10: AB Intake Form (37-months-old, via Appeal)
- 3/13/10: Williams FOIA (101-pg), w/Marks recusal
- 3/15/10: ViWP notes and Lettertemplate, 37-months-old (FOIA Appeal re: Lopez-Hickson, 2-pg)
- 3/18/10: Sullivan emails (219-pg)
- 5/3/10: Castrellon emails (34-pg)

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