United States Senate
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Tom Carper, Chairman | ***Carl Levin, Chairman***
Tom Coburn, Ranking Minority Member | ***John McCain, Ranking Minority Member***
Permanent Subcommittee on Investigations

EXHIBIT LIST

Hearing On

How Some Legal, Medical, and Judicial Professionals Abused Disability Programs for the Country's Most Vulnerable: A Study of the Conn Law Firm

October 7, 2013

1. December 2, 1999 Email from RCALJ Cristaudo to Judge Charlie Paul Andrus, PSI-SSA-95-032338-39.

2. July 7, 2004 Memorandum from Frank Cristaudo, Regional Chief Judge, Region III – Philadelphia to Hearing Office Chief Judges, Hearing Office Directors, Region III – Philadelphia on "Fourth Quarter Performance."

3. April 18, 2007 Memorandum from Frank Cristaudo, Chief Judge to Regional Chief Judges.

4. October 31, 2007 Memorandum from Frank A. Cristaudo, Chief Administrative Law Judge.

5. May 20, 2011 Email from Patricia Jonas, Executive Director, Office of Appellate Operations to mccarper@msn.com, PSI-SSA-96D2-04632.

6. August 18, 2011 Email from Gregory Hall, Huntington ODAR Hearing Director to ODAR Huntington Office.

7. July 24, 2001 Email from Ronald M. Kayser to William H. Gitlow, PSI-SSA-95-032435.

8. Social Security Administration, Office of Inspector General, Congressional Response Report: Huntington, West Virginia, Office of Hearings and Appeals, A-13-02-22090.

9. May 17, 2012 Letter from Pamela J. Marple, Esq., attorney for Eric C. Conn, to the Permanent Subcommittee on Investigations.

10. July 5, 2001 Memorandum from Charlie P. Andrus HOCALJ Huntington, WV to Steve Slahta, Acting RCALJ OHA Region III.

11. July 23, 2001 Email from Jim Comerford to #OHA R3 RO MGMT ANALYSTS, PSI-SSA-96D2-003930.

12. June 19, 2002 Email from Frank Cristaudo to Charlie Paul Andrus, PSI-SSA-96D2-003368.

13. November 29, 2002 Email from Charlie Paul Andrus to Frank Cristaudo, PSI-SSA-003696.

14. Form "Request for Transfer and Waiver of Travel Expenses."

15. August 30, 2011 Email from Debra Bice to Kristen Fredricks, Joseph Lytle, PSI-SSA-100-004537.

16. June 12, 2012 Affidavit of Jamie Lynn Slone.

17. June 13, 2012 Affidavit of Melinda Lynn Martin.

18. DB Lists, CLF030566-810.

19. October 4, 2005 Email from James D. Kemper, Jr. to Charlie P. Andrus, Andrew J. Chwalibog, and William H. Gitlow.

20. May 18, 2006 Email from William H. Gitlow to Roland M. Kayser, PSI-SSA-95-032792.

21. July 31, 2006 Email from Charlie P. Andrus to Huntington ODAR Office, PSI-SSA-95-032809.

22. January 25, 2007 Email from Sarah Randolph [Carver] to Gregory Hall.

23. May 9, 2007 Email from Sarah Randolph [Carver] to Gregory Hall.

24. September 18, 2007 Signed Statement of Donna George.

25. August 31, 2007 Email from William H. Gitlow to William H. Gitlow, PSI-Gitlow-01-0001.

26. September 11, 2007 Email from Jennifer Griffith to Gregory Hall.

27. October 24, 2007 Email from Sarah Randolph to Gregory Hall.

28. March 29, 2010 Email from Sarah Carver to William H. Gitlow.

29. April 29, 2011 Email from William H. Gitlow to William H. Gitlow, PSI-SSA-95-033229.

30. May 2, 2011 Email from Judge Daugherty to Charlie P. Andrus, Andrew J. Chwalibog, and William H. Gitlow.

31. June 10, 2011 Memorandum to ODAR Staff, Huntington, West Virginia from Gregory Hall, Hearing Office Director.

32. May 19, 2011 Email from William H. Helsper to Charlie Paul Andrus.

33. January 23, 2002 Email from Charlie Paul Andrus to Huntington Hearing Office ALJs, PSI-SSA-95-032421.

34. September 5, 2002 Email from David B. Daugherty to Charlie P. Andrus, PSI-SSA-96D2-003483.

35. December 2, 2002 Letter from Region III Chief Judge Frank Cristaudo to Associate Commissioner, PSI-SSA-96D2-003703.

36. Undated draft letter from Associate Commissioner A. Jacy Thurmond, Jr. to David Daugherty.

37. April 24, 2003 Memorandum from Regional Chief Judge OHA – Region III – Philadelphia Frank A. Cristaudo to Charlie P. Andrus Hearing Office Chief Judge, PSI-SSA-96D2-004021.

38. May 5, 2003 Email from Charlie P. Andrus to Frank Cristaudo, PSI-SSA-96D2-004050.

39. May 4, 2009 Email from William H. Gitlow to Ronald Bernoski, PSI-SSA-95-032907.

40. June 14, 2011 Email from William H. Gitlow to Barbara Powers, PSI-SSA-95-031480.

41. CLF031230.

42. August 6, 2010 Email from Charlie P. Andrus to Eric Conn, PSI-Conn-09-0050.

43. CLF06038 and CLF02216.

44. CLF029445-48, CLF033356, CLF033360, CLF033371, CLF033378, CLF033384, CLF033386, CLF033392, CLF033399

45. RFC Forms Version #1-#15

46. DRAFT: Report of the Division of Quality's Review of Decisions issued by the Huntington, WV Hearing Office, PSI-SSA-96D2-044750.

47. CLF016923-25, CLF030282-84, CLF030289-91, CLFCLF028358-60, CLF030111-13, CLF025997-99, CLF028569-71, CLF028415-17, CLF015807-18, CLF019495-501, CLF025065-76, CLF030115-27, CLF030146-57, CLF030159-70, CLF024291-302, CLF025901-12, CLF025989-99, CLF028471-82, CLF025888-99, CLF027717-23, CLF027758-68, CLF028604-15.

48. RFC Form, Version #5.

49. CLF033403-04.

50. Huntington Team Award Submission.
51. State of West Virginia Campaign Financial Statement (Long Form) in relation to the 2008 Election Year Reports Filed by Amy Daugherty.

52. Petty Cash Voucher CLF00118.

53. Gregory Hall Awards Nomination Forms.

54. March 18, 2009 Memorandum from Jasper J. Bede, Regional Chief Administrative Law Judge – Region III to All Region III HOCALJs.

55. See May 10, 2001 Memorandum from Gregory A Hall, Group Supervisor to Charlie Andrus, HOCALJ.

56. June 19, 2002 Email from Valerie Loughran to Frank Cristaudo and Gregory Hammel, PSI-SSA-96D2-003356-57.

57. June 19, 2002 Email from Frank Cristaudo to Charlie Andrus, HOCALJ, PSI-SSA-96D2-003146-47.

58. July 1, 2002 Email Chain from Frank Cristaudo to Charlie P. Andrus, Valerie Loughran, Howard Goldberg, and Gerri Polito, PSI-SSA-96D2-003391.

59. November 8, 2002 Email from Frank Cristaudo to Charlie P. Andrus, Valerie Loughran, Gregory Hamel, Howard Goldberg, PSI-SSA-96D2-003589.

60. November 18, 2002 Memorandum of Record from James D. Kemper, Jr. to Assistant Inspector General for Investigations, Attention: Mr. Paul Ragland.

61. April 20, 2005 Email from Valerie Loughran to Frank Cristaudo, PSI-SSA-96D2-004394.

62. May 23, 2005 Email from Frank Cristaudo to Charlie Paul Andrus, Valerie Loughran, Gregory Hamel, Howard Goldberg, PSI-SSA-96D2-004408.

63. June 16, 2005 Email from Charlie P. Andrus to Frank Cristaudo and Howard Goldberg, PSI-SSA-96D2-004416.

64. April 30, 2007 Email from James Kemper Jr. to Robert Habermann, PSI-SSA-95-032853.

65. October 14, 2008 Email from Sarah Randolph to Charlie Andrus, HOCALJ.

66. Invoices from Shred-All, PSI-Shred_All_Docs-01-0001.

67. U.S. Merit Systems Protection Board, Social Security Administration v. Algernon W. Tinsley, Statement of Charges and Specifications, PSI-SSA-96D2-018249.
68. Undated Affadavit, Judge Charlie P. Andrus RE: EEO Complaint of Judge Algernon Tinsley.

69. Memorandum Opinion and Order, Algernon W. Tinsley v. Michael J. Astrue, Civil Action No. 3:09-0600, United States District Court For the Southern District of West Virginia, Huntington Division.

70. May 6, 2011 Email from Charlie P. Andrus to Jasper J. Bede forwarding answers to WSJ questions.

71. Incoming Call Log, CLF00085.

72. D.B. Daugherty Answers to Wall Street Journal sent to Mark Lassiter, National Press Office.

73. May 19, 2011 Email from Michael J. Astrue to Mark Lassiter, PSI-SSA-96D3-000952.

74. September 24, 2007 Document Recovered from Judge Daugherty's Computer at the Social Security Administration.

75. Receipt, CLF01022.

76. May 26, 2011 Email from Judge Charlie P. Andrus, HOCALJ to Judge Debra Bice, PSI-SSA-10-027678.

77. May 23, 2011 Email between Debra Bice to Marsha Stroup, PSI-SSA-100-030524.

78. June 8, 2011 Email from Judge Debra Bice to Judge Jasper Bede, and John Allen, PSI-SSA-100-030480.

79. June 9, 2011 Emails between Judge Debra Bice and Judge Charlie P. Andrus, PSY-SSA-100-030471.

80. June 9, 2011 Email from Judge Charlie P. Andrus to Huntington ODAR, PSI-SSA-95-031007.

81. August 28, 2011 Email from Michael Devlin to Judge Debra Bice, PSI-SSA-10-029427.

82. January 15, 2013 Statement of Judge Charlie P. Andrus.

83. November 19, 2010 Email from Charlie P. Andrus to Patricia Taylor and Gregory Hall.

84. July 6, 2011 Emails between Vickie Moreland and Bridgette Campbell.

85. July 9, 2011 Shipment Confirmation.

86. July 28, 2011 Letter to Michael J. Astrue, Commissioner, Social Security Administration from Senator Tom A. Coburn, M.D. and Senator Car Levin.

87. August 1, 2011 Letter to Senator Carl Levin from Michael J. Astrue, Commissioner Social Security Administration.

88. August 2, 2011 Email RE: Ltr from Perm. Sub. Invest.

89. CD Produced by Judge Darell Mullins: The Eric C. Conn Law Complex Presents "We the People," Songs by Darrel Mullins and Dan Huff.

90. Commonwealth of Kentucky vs. Eric C. Conn, Commonwealth of Kentucky Court of Justice, Case No. 13-CB-00231, September 9, 2013.

A. Exhibits Related to Case A

1. June 1, 2010 Decision, Administrative Law Judge David B. Daugherty

2. August 27, 2009 Decision, Administrative Law Judge Andrew J. Chwalibog

3. August 31, 2009 Appointment of Representative and Fee Agreement

4. Disability Report –Adult-Form SSA-3368
5. October 5, 2009 Request for Medical Advice
6. March 5, 2010 Physical Residual Functional Capacity
7. November 10, 2009 Notice of Disapproved Claim
8. Simplified Vocational Rationale
9. March 5, 2010 Notice of Reconsideration
10. March 24, 2010 Request for Hearing by Administrative Law Judge
11. DB OTR List (May) CLF 030713
12. April 27, 2010 Social Security Disability Medical Assessment, Frederic T. Huffnagle, M.D.

Exhibits for Appendix I will remain sealed by the Senate Homeland Security and Governmental Affairs Committee.

Message0013	
Subject:	**FW: November Performance**
From:	ANDRUS, CHARLIE PAUL
Date:	12/2/1999 10:29:21 AM
To:	#PH WV OHA HUNTINGTON ALL

Message Body

I wanted to share this message I received from Judge Cristaudo. Needless to say, I do not like getting messages such as this -- and I hope you don't either. We have some of the best people in OHA in this office. We need to lay aside excuses, blame, recriminations, and do one simple thing -- concentrate on giving the claimant's a fair decision in a timely manner.

We can do this and we have done this many times in the past. I realize that this time of year we have many people on leave, holiday plans, and etc. But please remember each of you has a vital role in this process. We cant' pull cases unless they are on the master docket. We can't schedule cases that aren't pulled, or reviewed by the judges. We can't hear cases that are not scheduled, or decide cases where development is not complete. We cannot write cases without instructions and we can't edit cases that aren't written. Finally we can't mail cases that aren't corrected and signed. As you can see, we are all dependent on each other. Unless all of us do our job, we cannot get the cases out.

Please remember we are not doing this so I don't get e-mail from Judge Cristaudo, or to meet some goal. Hundreds of our fellow citizens are facing the holidays waiting to see if there will be a decision from us. It could mean, and in over half the cases it does mean, the good news of an allowance and an end to worry about where the next mortgage payment is coming from. In others it is an end to uncertainly and shows the need to make other arrangements. Either way, every day the claimant's wait for the mail hoping to get a decision from us. They deserve our utmost efforts to get that decision to them.

I have noticed, and the other supervisors have also noticed, that we, as a whole, are spending too much time visiting and not enough time working. As you all should know by now, I do not believe in having everyone chained to a desk all day like some scene out of a Dickens sweat shop. I believe some socialization makes the job tolerable. However, I have reviewed the individual production statistics for the various functions, as well as the ultimate production numbers, and they show that some of us are not pulling their fair share of the burden. There are reasons that production would fall this time of year with so many taking use or lose leave, holidays, etc., but when we spend as much time visiting instead of working as we have the past few weeks, it just makes the situation worse.

I realize that not everyone has been visiting excessively. However enough are that we all need to pay special attention to putting more of our efforts into getting the claimant's their decision in a timely manner. I would ask all of you to keep visiting to a few minutes on an occasional basis. We do not need to be going to other floors and not only using our time to visit but another employee's as well. We all also need to tell others when we are busy and cannot talk. Also, we all need to ask ourselves if we are doing our fair share of the work. If you are, then keep up the good work. If not, then we need to concentrate on increasing our particular production to allow others to do their work and for us to get the claimant's their decision. In short, would you like your claim or a family member's claim sitting on a desk while the person spends time visiting rather than moving the case?

We face a major challenge this month with the amount of leave that will be taken. However, with the quality of the employees we have, I am confident that we can meet it. We do need to concentrate on the task at hand and re-double our efforts to get the claimant's the decision they have been waiting to get. When we gather for our holiday celebrations secure in the knowledge that every two weeks we have a paycheck, I hope we all can feel good about the efforts we have made to insure our fellow citizens have not had to wait any longer than necessary to get their decision

Judge Andrus
-----Original Message-----
From: Cristaudo, RCALJ
Sent: Thursday, December 02, 1999 6:31 AM
To: ANDRUS, CHARLIE PAUL
Subject: FW: November Performance

Charlie,

On first quick review, I am very disappointed in your office's November performance. RO staff will be contacting you for an explanation and plans for improvement. Anything I can do?

Frank

Outlook Header Information
Conversation Topic: November Performance Subject: FW: November Performance From: ANDRUS, CHARLIE PAUL Sender Name: ANDRUS, CHARLIE PAUL To: #PH WV OHA HUNTINGTON ALL Received By: GITLOW, WILLIAM H. Delivery Time: 12/2/1999 10:29:21 AM Creation Time: 2/17/2000 4:15:47 PM Modification Time: 2/17/2000 4:15:47 PM Submit Time: 12/2/1999 10:28:38 AM Importance: Normal Priority: Normal Sensitivity: Normal Flags: 1 = Read Size: 10095

SOCIAL SECURITY

Office of the Regional Chief Judge

MEMORANDUM

OFFICE OF HEARINGS AND APPEALS
P.O. Box 13496
Philadelphia, PA 19101

Refer To:

Date: July 7, 2004

To: Hearing Office Chief Judges
Hearing Office Directors
Region III - Philadelphia

From: Frank A. Cristaudo /vjl for fac/
Regional Chief Judge
Region III - Philadelphia

Subject: Fourth Quarter Performance

We are rapidly approaching the end of the fiscal year. Thus, we need to focus all our efforts on achieving regional goals. One of our greatest challenges is to achieve is our disposition goal. While we are currently short of this goal, we are committed to doing all we can to achieve the 72,419 dispositions that we need. As we have done in the past, we need to work together to meet this goal.

To ensure that we are all on track, I am asking each office to carefully monitor and report on its progress toward meeting this goal. We are reprising the practice that we used last year. Using the attached form, I would like your office to report for all of the remaining months in the fiscal year the number of hearings scheduled; projected dispositions, and projected surplus or shortfall. Where a shortfall is being reported, I would like you to provide an explanation of what caused the shortfall and what action is being undertaken to make up the shortfall. The July report should be sent to your management analyst **by Friday, July 23rd.** The August and September reports are due on the Wednesday prior to the monthly conference call (ROCC), **August 11 and September 8**. Conference calls will be scheduled at 9:30 a.m. on the last Monday of the work month to discuss projections and performance.

To meet our objective we need to make maximum use of all our available resources. Every office has unique talents and abilities to get the job done and unique issues with which to deal. We need to use those resources, wherever they may be, to assist us in achieving our regional goals. We need to pull, schedule, hear, and write enough cases to ensure that we can meet our goals. It is not always easy for individual offices to meet every demand, but by working together and pooling regional resources effectively, we can do this. We also need to devote as much management time as possible monitoring case movement and finding those cases that can clear.

The Region has several resource options available. Writing and pulling assistance is available from several of our offices. Offices are encouraged to take advantage of these resources and make their needs known to their management analyst.

Offices are also encouraged to make use of their creative talents to overcome obstacles. The Associate Commissioner has issued a compilation of Best Practices throughout the country, and we all need to take time to review this document to see if there are any practices that will help us achieve our goals (see ORCJ *Handbook for Managers,* June 2004, pp WK5-WK-17). Our focus should be on what we need to do to get the job done.

Offices should communicate the importance of meeting goals to their judges and staff and seek individual and collective commitment to achieving them. Staff should be aware of what is individually and collectively needed to be successful. Everyone needs to be aware of exactly how many cases are needed to be pulled, scheduled, heard, decided and written and be asked to work toward that objective. We need to think of creative ways to celebrate when we pull, schedule, write, hear and decide the number of cases needed to achieve the daily, weekly, or monthly goals that we set. Achieving goals can be satisfying and fun. When you come up with new ideas, share them so other offices can have some fun too.

The Regional Office will provide any assistance we can. Keep your management analyst informed of your needs. Val and I are always available to discuss any issues that you may have. We have little doubt that with the creativity and leadership you continuously demonstrate, we will achieve our goals. Thanks for all you are doing to ensure our success.

Please feel free to contact me with any questions or concerns. The staff contact is Barbara Bracchi. Barbara can be reached at 215-597-4130.

Fourth Quarter Projections

Office: Baltimore, Maryland
Date: August 11, 2004

July

Goal:	**576**
Hearings Scheduled:	**541**
Projected Dispositions:	**480**
SSA:	**460**
Medicare:	**20**
Surplus/Shortfall:	**61**
Comments:	**Shortage in writing unit.** **Lack of permanent supervision**

August 2004

Goal:	**457**
Hearings Scheduled:	**221**
Projected Dispositions:	**400**
SSA:	**380**
Medicare:	**20**
Surplus/Shortfall:	**57**
Comments:	**VOIP installation next week** **Carpet cleaning this Saturday and no o/t** **Lack of staff**

September

Goal:	
Hearings Scheduled:	
Projected Dispositions:	
SSA:	
Medicare:	
Surplus/Shortfall:	

SOCIAL SECURITY

MEMORANDUM

Date: April 18, 2007

Refer To: ACL 06-191

To: Regional Chief Judges

From: Frank Cristaudo /s/
Chief Judge

Subject: Benchmarks for Quality Case Processing

Thank you for the excellent comments we received on the proposed Benchmarks for Quality Case Processing, which are intended as *guidelines* to facilitate case processing and service delivery. After a careful review of all the comments, we have developed the attached Benchmarks for processing our current paper and electronic file workload. While we continue to focus on our most aged caseload, we believe that once work is begun on a request for hearing, the request should be processed on a timely basis throughout the various stages of the hearing process. We will continue to monitor the benchmark timeframes and address any workload needs for revision in the future, in particular as we gain more experience with electronic folder processing.

We have defined the Benchmarks to target all statuses by week instead of round numbers (28 days v. 30 days). Use of weekly targets for this purpose supports our approach of monitoring weekly performance and workloads.

Based on recommendations from the Regions, we have changed the timeframe for receipt of a CE for PREPOST development to 63 days as the diary for CEs are beyond the control of the HOs as the CE is processed by the DDS. The new ARPR\ALPO status timeframe is 7 days with exceptions for ALJ availability as described in the attached Benchmark Chart. Additionally, we have included a benchmark for status codes in which the processing time would be expected to be 1 day (i.e., SIGN or MAIL), with an exception based on the availability of the ALJ, as we expect cases in these categories to move quickly. Also, we have included benchmarks only for status codes in controllable areas which will better serve the public.

One of our fundamental principles of good management is encouraging supervisors to make more frequent assignments of fewer cases, daily if appropriate, to maximize service delivery. Accordingly, several of the proposed benchmarks reflect that principle.

If you would like to discuss this with me, please let me know. The staff contact is Vicki Ferreira who may be reached at (703) 605-8529.

Attachment

Benchmarks for Quality Case Processing		
CPMS Code	Benchmark (Calendar Days)	Comments (Management must assure proper diary dates are used for each of the categories)
MDKT	21	Receipt of claim file through auto establish in CPMS.
PRE/POST (Prior files)	28	Requests for prior files (diary for 28 days)
PRE/POST (MER)	21	Requests from Treating Sources (diary for 10 days for follow up)
PRE/POST (CEs)	21/63	21 days to be sure the CE is scheduled\63 days to be sure the CE report is received at the HO
TEMP	42	Cases transferred to other HOs for case preparation or decision drafting should be completed and returned to the original HO within 42 days
DWR (Unpulled File Review)	7	Pre-hearing Review (ALJ/SAA/AA/PA)
WKUP	7	Case Workup (assembly/development/analysis)
ARPR	7*	ALJ Review (Pre-scheduling)
ALPO	7*	ALJ Review (Post-hearing)
AWRT/AWPC/AWSR	14	ALJ Drafting Decision
DWPC/DWRT/DWSR	7	SAA/AA/PA Drafting Decision
EDIT	7	ALJ/SAA/AA/PA Editing Decision
CORR	7	Typographical corrections to be completed on ALJ decision.
SIGN	1*	Case in the ALJ's office waiting final review, AVID and signature.
MAIL	1	Awaiting mailing of ALJ decision.

(*ALJ on travel docket\unavailable, timeframe begins upon return to HO)

SOCIAL SECURITY

Office of Disability Adjudication and Review
Office of the Chief Administrative Law Judge

October 31, 2007

Dear Colleagues:

Thank you for your outstanding efforts to serve the American people not only last fiscal year, but every day of every year. I know how hard you work and how dedicated you are to serving the public.

As you know Commissioner Astrue issued his plan earlier this year to eliminate the hearing backlog and prevent its recurrence. We are asking everyone in the hearing operation to help us successfully implement the plan. We believe this to be a balanced plan with Agency-wide support which is critical for its success. The plan recognizes that we need more ALJs, sufficient support staff, increased automation, improved hearing process, and better management of the operation.

The mission of the hearing operation is to provide timely and legally sufficient hearings and decisions. As a result of limited resources, our average processing time in FY 2007 was 512 days, measured from the date the request for hearing was filed. As William Gladstone said, "Justice delayed is justice denied," and this is nowhere more true than for the disability claimants whom we serve. It should go without saying that such lengthy processing times are unacceptable public service for such a vulnerable group. We would like to dramatically reduce our average processing time to provide legally sufficient decisions on a timely basis.

In an attempt to improve the overall timeliness of our service, last year we made clear that we expect cases to be handled primarily in request for hearing date order. While we will continue to screen cases to expedite decisions to claimants suffering from terminal illnesses, losing their homes, or enduring other similar catastrophic circumstances, or who have submitted evidence that justify a decision on-the-record to conserve precious resources, our primary approach will be to hear cases on a first in, first out basis.

As part of this approach to docket management, we asked you to help us issue decisions in all cases that were already or would become 1,000-days old or older by the end of the fiscal year. In FY 2007, we had 63,770 such cases. Thanks to the efforts of our ALJs, managers, and support staff, we issued decisions in all but 108 of these cases. To build on the success of the 1,000-day initiative, in FY 2008 we will strive to issue decisions in all cases that are or will become 900 days old by the end of the fiscal year.

Although processing our most aged cases first is clearly the right thing to do, this initiative will not eliminate the backlog. In order to control the hearings backlog we must begin to have more dispositions than receipts. The Commissioner's plan will allow us to do so.

As many of you know, I have asked the ALJs to do three things to help us accomplish our mission and to achieve our vision of being a respected, exceptional administrative judicial system:

- **Issue 500 – 700 Legally Sufficient Decisions each Year.**

  I am asking each of our Administrative Law Judges to manage their dockets in such a way that they will be able to issue 500 – 700 legally sufficient decisions each year. Many of our ALJs do so already. While I recognize this requires adequate support and a dedicated level of effort, I believe that based on historical data and the input and experience of a number of our ALJs, this is a reasonable request.

  I want to make clear that we want these decisions to be legally sufficient. We do not want to simply allow cases or deny cases to meet a goal. (We have a number of initiatives which deal specifically with legal sufficiency which will be addressed separately.) We believe ALJs who manage their dockets well should be able to accomplish this request.

  In an attempt to make as many cases available to our ALJs as they would like to schedule for hearing, we authorized the streamlined file assembly process earlier this year. We did so in response to information that a number of ALJs were using this process already and that others would use it if authorized.

  The Agency has also awarded a contract to deliver automated file assembly software to us for the ePulling initiative included in the Commissioner's Backlog Elimination Plan. This software which will become widely available later this fiscal year will increase the number of electronic folder cases that we can make available to the ALJs using a more traditional file assembly approach. In the interim, we are asking each ALJ to consider allowing the streamlined approach if the office cannot make sufficient cases available to the ALJ using the traditional approach. While we realize it may take longer to review files that have been assembled using the streamlined approach, it is better than not reviewing any file at all.

- **Move Cases Out of ALJ Controlled Categories on a Timely Basis.**

  In addition to issuing 500 – 700 legally sufficient decisions each year, we are also asking the ALJs to complete the necessary work on cases in ALJ-controlled CPMS status categories on a timely basis. Cases in ALPO and similar statuses cannot be moved forward in the process without action by the ALJ. The benchmarks published at the Office of the Chief Administrative Law Judge web site provide guidance on the maximum time cases should remain in each category absent good cause. It reflects badly on both the Agency and the ALJ Corps to receive a complaint from a claimant or a congressional office that the ALJ has failed to make a decision in a case 3 months, 6 months, a year, even two years after the hearing was held. It is difficult to defend such inaction on the part of an ALJ. If the decision is difficult

to make the day after the hearing, it will likely be more difficult two years after the hearing. Accordingly, I am asking ALJs to manage their dockets by moving those cases assigned to them through each step of the process in a timely way.

◆ **Hold Scheduled Hearings Absent a Good Reason to Cancel or Postpone the Hearing.**

Finally, we are also asking the ALJs to hold scheduled hearings unless a good reason exists to cancel or postpone the hearing. Postponing or canceling a hearing without a good reason damages the external and internal perception of the Agency's commitment to provide exemplary service to the public.

Some of our ALJs have canceled hearings to work at a flexiplace location instead, or to handle a matter outside the office that could be handled on a day on which hearings are not already scheduled. Needless to say, postponing hearings for these reasons not only unnecessarily damages the perception of our commitment, it delays decisions to claimants who desperately await them, and uses precious limited support staff resources to re-schedule the hearing.

Our vision is to be a respected, exceptional administrative judicial system -- respected by Agency leadership, other Agency components, claimants and their representatives, experts who appear before us, Congress, and the federal courts. As an old cliché says, respect must be earned, not demanded. True respect from these groups will be the natural result of providing exemplary service to the public, conducting ourselves appropriately, and managing our dockets effectively. Being respected also means that claimants' representatives treat us with dignity and respect, that we receive the necessary resources from Congress and the Agency, and that appellate bodies show deference to our decisions as we are the experts in Social Security Law.

ALJs are leaders in the hearing operation. Every ALJ by virtue of title and position is a leader in the office. When ALJs are committed to providing timely and legally sufficient hearings and decisions, the staff and representatives are more likely to share that commitment. When ALJs treat all with dignity and respect, the staff and representatives are more likely to do so as well. Leadership really does make a difference. As the Commissioner recognized in the plan he submitted to Congress, our ALJs, managers, and staff are among the Agency's finest public servants. Indeed, I believe our ALJs comprise the finest administrative judiciary in government. I am asking each of you to work with us to build the organization we envision.

Frank A. Cristaudo
Chief Administrative Law Judge

Message0930	
Subject:	**RE: WSJ Articles**
From:	Jonas, Patricia
Date:	5/20/2011 5:46:00 PM
To:	'mccarper@msn.com'

Message Body

He came in 1990 and I left in 1996. He probably had a higher percentage of allowances but nothing that was irrational. He was intellectually lazy. That was his most obvious characteristic.

From: mccarper@msn.com [mailto:mccarper@msn.com]
Sent: Friday, May 20, 2011 5:46 PM
To: Jonas, Patricia
Subject: WSJ Articles

Was Judge Daugherty in the Huntington office when you were there? A protege of yours (or Bice versa)?

Beth

Sent from my Verizon Wireless Phone

Outlook Header Information

Conversation Topic: WSJ Articles
Subject: RE: WSJ Articles
From: Jonas, Patricia
Sender Name: Jonas, Patricia
To: 'mccarper@msn.com'
Delivery Time: 5/20/2011 5:46:00 PM
Creation Time: 5/20/2011 5:46:54 PM
Modification Time: 5/20/2011 5:46:58 PM
Submit Time: 5/20/2011 5:46:54 PM
Importance: Normal
Priority: Normal
Sensitivity: Normal
Flags: 1 = Read
Size: 7700

From: Hall, Gregory ODAR Huntington HO
Sent: Thursday, August 18, 2011 2:55 PM
To: #PH WV ODAR Huntington All
Cc: Devlin, Michael
Subject: Retirement

I am retiring at the end of this month. My daughter and her family are moving to the Cincy area and that sealed the deal for me. I have many things to close out here over the next few days, but I plan on seeing everyone before I leave.

Homeland Security & Governmental Affairs Committee
EXHIBIT #6

Message0066	
Subject:	**RE: Office Upheaval**
From:	Kayser, Ronald M.
Date:	7/24/2001 4:35:35 PM
To:	Gitlow, William H.

Message Body

QAR was enjoyable but got boring after a bit; I am not changing my hearing or the procedure you taught me at all; your forms are still my bread and butter; I have changed the VE questionnaire a little to incorporate some exertional and nonexertional charts; I found most ALJs were doing a good job on the hearings - most asked the questions and conducted a fair hearing; I found most fault with some of the assinine fully favorables which largely ignored the evidence and went off into the wild blue yonder (most problems were wtih the ALJs who were ignoring DDS RFCs but with nothing in file to contradict DDS. QAR makes one get a little lax because it takes the pressure off the job and I found that I had plenty of time to goof off doing other stuff. It has been tough to get back into the swing of things - doing 7 hearings a day along with the reviews. Its a scramble and I would like to have more time to work the files.
Hazard is still unchanged. I have grown to accept the fact that Hazard is an abberation and I have the luxury of leaving the hell hole after my work.
Yesterday, Watkins called a teleconference meeting with the judges in the office to pitch us with the HOCALJ job; when no one would speak up (John Lawrence, Pete, Roger, Barf and Schultz were present; Watkins sort of threatened us that if one of us didn't take the job, we would be stuck with not having a say in the selection of the HOD; finally, Pete told Walkins that the reason none of us wanted the job was due to his failure to support Barker and the realization that we would encounter the same treatment; that sent ole Watkins into orbit and he started his defensive routine - I am occupying the high moral ground - John is my best friend and he wouldn't support your allegation at all - I can't tell you his reason for leaving because of privacy rights - you just put him on the telephone and he will support my position. We assumed the silence approach and Watkins kept getting more aggitated and finally told us to call him privately to talk about the position. That two faced *&*%$ will have to wait a hell of a long time. John was screwed by Watkins and is coming out of this smelling like a rose - he gets to move to Knoxville (via Middlesboro) he will basically commute with two other judges assigned to Middlesboro who live in Knoxville. John couldn't be happier and you couldn't force him to stay. Gloria is gone but I fear Mayfield will be heading this direction.

I am haring cases in Hazard from August 6-9 so lets get together for dinner. I suggest the Reno's Restaurant at the Holiday Inn as a good place - I hear the food is ok. Let me know your plans.

Ron

-----Original Message-----
From: Gitlow, William H.
Sent: Tuesday, July 24, 2001 11:11 AM
To: Kayser, Ronald M.
Subject: RE: Office Upheaval

Whew -- 31 to 33 cases per week. Are you hearing 60 - 65 cases per month??? I'm afraid that I still am at 45 per month, not because I want to piss off the administration but because I feel that I can provide due process at that level, given that I am a slow reader; that volume allows me to do the cases right the first time -- if my remand rate weren't notably lower than the other ALJs in the office I would have to rethink my approach. No one volume is right for every ALJ, although the administration certainly thinks so. Did the QAR provide any benefits for your work? What was your perspective of the assignment?

Sounds like big improvements for Hazard -- a nice restaurant and a nice hotel. That is going to put pressure on the Holiday Inn to make changes or suffer dramatic loss of business, something that they didn't have to worry about up until now.

Prestonsburg schedule continues with the first week of the month, with some changes for vacations: August 6 - 10
September 17 - 21
October 1 - 5

I couldn't agree with you more that the HOCALJ job is nothing but headaches. Unfortunately, it is often those with ego needs (or those who want all expenses paid transfers), not good managers, who apply for the jobs.

Bill

-----Original Message-----
From: Kayser, Ronald M.
Sent: Monday, July 23, 2001 8:02 AM
To: Gitlow, William H.
Subject: RE: Office Upheaval

If I thought that taking the HOCALJ position would block Mayfield's designs on this office, I might bite. Its just a no-win job with nothing but headaches. At least we get to start wtih a clean slate. Your office doesn't appear to have any better situation. Where do these "managers" get off?
I feels strange to come back on duty after being off following the surgeries and then a four month detail. Its the volume of work that really first got my attention. I am hearing about 31-33 cases a week either up here or in Hazard. It is really a chore to review the cases and be prepared - now, I could adopt Ray's philosophy to hear the case cold and not be influenced by the evidence.
Back and neck are super. Couldn't be more satisfied with the outcome.
What is your Prestonsburg schedule for the near future? I hit Hazard each month. I returned to the "Hazard Hotels i.e. Holiday Inn" and the owner hasn't figured I've returned. He (Ben Spurlock) is such a prick. However, their rooms are still larger and the towels are much better than the Day's Inn. We are getting a new hotel (Hampton Inn) next to the Food Fair Grocery store - below the Days Inn and next to Applebees which is also being built as we speak - talk about changes!!
Later

Ron

-----Original Message-----
From: Gitlow, William H.
Sent: Thursday, July 19, 2001 5:05 PM
To: Kayser, Ronald M.
Subject: RE: Office Upheaval

Wow. Is this a soap opera or what? I can't say our morale is much better. Our HOCALJ (Andrus) is almost universally despised by the office personnel. We have record numbers of EEO complaints pending against management. Andrus decided that the reason our office wasn't producing was a lack of adequate pressure and chose to apply a boot camp mentality to the office. He chose two managers for Group Supervisors with no OHA experience (not attorneys), hoping that they would bust heads. The HOD is also not an attorney. So we have two non attorneys assigning cases, reviewing the performance of the attorneys, who are in turn supervised by a non attorney. (Sigh...). I think we are the only office in all of OHA that doesn't have a single attorney in a supervisory position in the office. At least I have carte blanche in my group to establish the way denial decisions are written for our group and was assigned to ensure the standards for it.

Kathy Mayfield. Now that brings back fond memories. Not.

On a substantive issue, I just had a case assigned that had been an AC remand from a Roger Reynolds decision. Who the hell trained that guy? He granted a closed period, finding 201.00(h) and then light level work. The AC (correctly) noted that there was no rationale for the two RFC's adopted for the two periods, and no 7 step cessation written (no showing of medical improvement related to the ability to work, etc) -- just a recitation of two RFCs and the conclusion of the closed period. It's not that his instincts on the case were all that bac, but his understanding of the process and how to write a legally defensible decision is, ahem, less than sterling.

Good luck with the office. Give my regards to Jane. Back and neck doing okay? HOCALJ? I remember Judge Lynch once saying that the only reason he became HOCALJ was because he needed to block the appointment of someone else in the office who would have wrecked the office. I often think that the only good HOCALJs are the ones that don't really want the job.

Bill

-----Original Message-----
From: Kayser, Ronald M.
Sent: Wednesday, July 18, 2001 9:28 AM
To: Gitlow, William H.
Subject: Office Upheaval

Bill:

Just to bring you up to date: Lexington lost its HOD (Gloria York) yesterday when she cleaned out her office and left for parts unknown to return to being a writer. Gloria was picked by AJ Shultz when he was acting HOCALJ and began a 1 1/2 year reign of terror. Our new HOCALJ, John Barker from Montgomery, had tried to rein her in and wrote Hank a memo outlining why she had to go due to her mismanagement of the office (we are close to the bottom of the region after having enjoyed the lofty status so long. Bowtie assured John while in Orlando that he need not worry about Gloria and Region was certainly in full support. John returned to the office and discovered to his great chagrin that Gloria had sent a memo to Region (Joan ??) about Barker's having failed to follow regulations and when she didn't think she was getting a response, decided to send a memo to Rita Gier and that resulted in Watkins' phone call to Barker raking him across the coals and ordering Barker to rescind his memo about Gloria and to follow regs. BArker resigned and told Watkins to find another HOCALJ. Watkins called Barker and York to Atlanta. Barker was treated much more civilly and offered a transfer to Middlesboro. He jumped at the opportunity (his home is in Knoxville where his wife teaches school). Watkins came a visiting last Thursday and met with the judges and some in the office. (I was in Hazard and missed the show). Watkins visited with Gloria and chewed her out about the mess in this office. Watkins later spoke by phone to the two group supervisors and chewed them out for not alerting him early on about Gloria (imagine if they had in fact called this fella - they would have been fired for jumping the chain of command). On Monday, Gloria sent an email out at 0800 to the office telling us she was leaving and in fact cleaned her office out and was gone by Tuesday a.m. We are now in a wait and see. Barker is HOCALJ until the end of August. The Mayfield clique is campaigning strongly for Mayfield's return. Rumors are flying a mile a minute. I had a nightmare last night that the Mayfield bitch was on the road towards Lexington. In support of the rumor is the fact that she has leased out her house in Ft. L and is now living in a condo. Her daughter and grandchild and son are now living up here. She was able to double her salary by the con game of working overtime using clerical money but reporting it as "other". No one could stop this game and she was able to buy a largle pickup and a vacation home with the money.

Now don't you wish you had stayed over here for the games? No word on a new HOCALJ. Watkins leaned on Roger Reynolds to take the job but Roger wouldn't bite. I was mentioned by Watkins as being a candidate for the job. Maybe I should bite to protect the turf and keep the bitch from returning?

Later

Ron

Outlook Header Information
Conversation Topic: Office Upheaval Subject: RE: Office Upheaval From: Kayser, Ronald M. Sender Name: Kayser, Ronald M. To: Gitlow, William H. Received By: Gitlow, William H. Delivery Time: 7/24/2001 4:35:35 PM Creation Time: 7/22/2002 2:56:09 PM Modification Time: 7/22/2002 2:56:09 PM Submit Time: 7/24/2001 4:35:33 PM Importance: Normal Priority: Normal Sensitivity: Normal Flags: 1 = Read Size: 20340

SOCIAL SECURITY

Inspector General

The Honorable Nick J. Rahall, II
Member, U.S. House of Representatives
Huntington District Office
845 Fifth Avenue
Huntington, West Virginia 25701-2086

Dear Mr. Rahall:

THIS REPORT CONTAINS RESTRICTED INFORMATION FOR OFFICIAL USE. DISTRIBUTION IS LIMITED TO AUTHORIZED OFFICIALS.

In an October 22, 2001 letter, you requested that my office review constituents' allegations of mismanagement at the Huntington, West Virginia, Office of Hearings Appeals. These allegations consisted of discrimination and favoritism in hiring and promotion policies, contempt for employees with special needs, hostile work environment, lack of training, denial of union representation, overemphasis on production, and inappropriate sexual advances.

We completed our review of the allegations. Approximately half of the allegations arose from discrimination complaints based on race, age, sex and disability. With the complainants' permission, we forwarded these allegations to the Social Security Administration's (SSA) Office of Civil Rights and Equal Opportunity (OCREO) for necessary action. OCREO has the specific responsibility for processing discrimination allegations, managing SSA's affirmative employment program, providing equal employment opportunity counseling to employees and applicants for employment, and providing reasonable accommodation for persons with disabilities.

We did find an area of concern involving a security guard leaving his monitoring station to perform the duties of a receptionist. There was no indication of criminal activity for any of the allegations. Finally, during our review, we identified the existence of other problematic conditions pertaining to low office morale, security of claimant case files, performance appraisals not being conducted, and time and attendance reporting.

We have informed SSA of the results of our review and requested that the Agency provide the corrective actions it plans to take to address the conditions we identified.

My office is committed to eliminating fraud, waste, and abuse in SSA's operations and programs. Thank you for bringing your concerns to my attention. If you have any questions concerning this matter, please call me or your staff may contact Douglas Cunningham, Executive Assistant, at (202) 358-6319.

Sincerely,

James G. Huse, Jr.

Enclosure

cc:
Jo Anne B. Barnhart, Commissioner

OIG/ES
Reading File
Subject File
SSA/OIG/OA/STODD/clh/08-27-02 A-13-02-22090
Report File

CONGRESSIONAL RESPONSE REPORT

Huntington, West Virginia, Office of Hearings and Appeals

A-13-02-22090

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OBJECTIVE

Our objective was to review allegations of mismanagement at the Huntington, West Virginia, Office of Hearings and Appeals (OHA) made by constituents of Congressman Nick J. Rahall, II.

BACKGROUND

The Social Security Administration (SSA) administers two programs that provide benefits based on disability: Disability Insurance (DI) and Supplemental Security Income (SSI). The State Disability Determination Services make disability determinations under both programs. A claimant whose application is denied at the Disability Determination Services may request a hearing.

Within SSA, OHA is responsible for conducting hearings and issuing decisions as part of determining whether a person may receive benefits. Administrative Law Judges (ALJ) conduct these hearings and issue written decisions. Cases involving disability under the DI and SSI programs account for 90 percent of OHA's work. The remainder consists of claims made under the Retirement and Survivors Insurance program, Medicare, and non-disability claims under the SSI program. The OHA hearing organization consists of 10 regional offices and approximately 140 hearing offices.

On October 22, 2001, Congressman Nick J. Rahall, II, requested the Office of the Inspector General (OIG) to review constituents' allegations of mismanagement at the Huntington, West Virginia, OHA. These allegations pertained to discrimination and favoritism in hiring and promotion policies, contempt for employees with special needs, hostile work environment, lack of training, denial of union representation, overemphasis on production, and inappropriate sexual advances.

There were 47 employees at the Huntington, West Virginia, OHA at the time of our review, of which 4 were managers. The management positions included two Group Supervisors, a Hearing Office Director, and the Hearing Office Chief ALJ (HOCALJ). Except for the HOCALJ, all the managers were non-attorneys. Three unions represent the OHA employees: (1) the American Federation of Government Employees, (2) the National Treasury Employees Union, and (3) the Association of Administrative Law Judges.

SCOPE AND METHODOLOGY

We reviewed allegations of mismanagement at the Huntington, West Virginia, OHA that were raised from October 2001 through February 2002. We did not review any allegations of discrimination. SSA's Office of Civil Rights and Equal Opportunity[1] (OCREO) addresses discrimination allegations, manages SSA's affirmative employment program, provides equal employment opportunity (EEO) counseling to employees and applicants for employment, and provides reasonable accommodation for persons with disabilities.

To achieve our objective, we:

- interviewed 32 OHA employees of the Huntington OHA, including 4 managers, and one contractual security guard;
- analyzed individual and overall office productivity information;
- reviewed personnel files for all Huntington OHA employees;
- reviewed time and attendance documentation; and
- reviewed prior OIG and General Accounting Office reports on OHA.

We performed our review in Huntington, West Virginia, and Baltimore, Maryland, from April through June 2002.

RESULTS OF REVIEW

Approximately half of the allegations arose from discrimination complaints based on race, age, sex and disability. With the complainants' permission, we forwarded these allegations to OCREO for necessary action.

We substantiated an allegation of mismanagement at the Huntington, West Virginia, OHA concerning a security guard leaving his monitoring station to perform receptionist's duties. We found no indication of criminal activity for any of the allegations.

Finally, during our review, we identified the existence of other problematic conditions at the Huntington, West Virginia, OHA. These conditions pertain to low office morale, security of claimant case files, performance appraisals not being conducted, and time and attendance reporting.

[1] The U.S. Equal Employment Opportunity Commission (EEOC) has enforcement authority over discrimination complaints under title VII of the Civil Rights Act of 1964 and sections 501 and 505 of the Rehabilitation Act of 1973. Included in its duties, the EEOC coordinates Federal agencies' EEO programs as part of its Federal sector program. In SSA, OCREO is responsible for managing this program.

Office Security Was Compromised

OHA management is required to develop and implement a comprehensive security action plan for the office in accordance with SSA policies.[2] The plan must contain detailed measures to protect SSA employees, property, and records. Managers must continually assess the adequacy of physical security measures in the office. The Huntington OHA has a security guard who is responsible for monitoring surveillance cameras and providing physical security for SSA employees located on four of six floors in the professional office building.

It was alleged that the Huntington OHA management improperly assigned the security guard receptionist duties. For example, the security guard performed tasks, such as handling claimants' case files, routing claimants and representatives to hearing rooms, and copying of claimants' file documents. While the security guard was performing these tasks, he could not perform security duties. The security guard confirmed that he was performing some receptionist duties, and we also observed him performing some of these duties. However, the security guard was unsure whether management was aware of his actions.

We discussed the security guard's actions with office management. Management informed us that the security guard had taken it upon himself to perform the duties, and management had not specifically requested him to do so. However, management did not specifically request the security guard to stop because the office did not have a full-time receptionist. After we informed management of this condition, management agreed to take corrective action to stop this practice.

Low Office Morale

We found that there was a morale problem within the Huntington OHA. Management and staff readily admitted to this. Several staff members have filed discrimination allegations with OCREO and filed grievances with the unions.

We believe, in part, the office morale problem resulted from the implementation of the Hearing Process Improvement initiative (HPI). To make the hearing process more efficient, SSA initiated the HPI initiative in 2000. HPI was intended to improve customer service by reducing the amount of time needed to schedule a hearing and make decisions. Specifically, some of the major factors during the implementation of HPI that contributed to the low morale were non-attorneys involved in supervising attorneys; an increased accountability for productivity; and, in the case of the Huntington office, the lack of promotions for staff within the office. Some of the morale problems can also be attributed to a lack of training opportunities and training development plans.

Under HPI, a group supervisor (GS) position was created. We found some attorney staff resented the GSs because they were not attorneys but were the administrative supervisors of the attorneys. For example, one of the attorneys' primary duties is to write ALJ hearing decisions. However, the GSs received minimal training in writing decisions and minimal time actually writing decisions. Management explained to us that

[2] Administrative Instructions Manual System, General Administration Manual, 12.01, 12.06.

the GSs did not need extensive decision writing experience, and that GSs could effectively assign cases by applying certain criteria. In addition, Senior Attorney Advisors were available to counsel the GSs on legal issues, including those that may have affected case assignment. In addition, some staff became upset when, under HPI, the GSs started holding staff more accountable for their production.

Finally, under HPI's new organizational structure, some staff anticipated that they would be promoted into newly created positions, believing that those employees who were "in grade" the longest would be promoted. However, most of the vacancies and promotions were filled by individuals outside of the Huntington OHA.

We discussed the office morale problem with management and staff. Office management expressed awareness of the problem, and stated they were working on ways to improve morale within the office. Specifically, management said staff would be offered more training and stated they are considering hiring a conflict resolution consultant for training.

Security of Claimant Case Files

SSA policy requires regional coordinators to establish written procedures for the destruction of confidential records. The procedures must ensure that adequate safeguards, such as shredding or burning of documents, are taken to preserve confidentiality.[3]

During our review, we determined that adequate safeguards were not taken during the destruction of claimant case files. We found that, after the retention period for claimant case files had expired, office staff placed case files in an unsecured trash bin outside the office building. The case files contained such sensitive information as Social Security numbers and names.

Management at the Huntington OHA indicated there was an agreement with a contractor guaranteeing the security of the case files. We subsequently determined that the agreement only covered transportation to the shredding facility. Management also informed us that the shredding facility did not guarantee the security and confidentiality of the files.

We alerted management to this condition for its immediate attention. Management obtained a new contract to remove case files from within the office and shred the files. The agreement requires the contractor to ensure the confidentiality of the case files it processes and take appropriate safeguards to protect the information contained therein.

Performance Appraisals

Supervisors are required to certify the performance of a subordinate at the end of an established assessment period. The usual assessment period in OHA is October 1 through September 30. The annual certification of performance must be documented and issued within 30 days of the end of the assessment period.[4]

[3] Administrative Instructions Manual System, Material Resources Manual, 05.09.

[4] SSA Personnel Manual for Supervisors, General Series, chapter S430, subchapter 1.

We reviewed each employee's file to determine whether an annual certification of performance had been completed. We found that, for two employees, there was no documentation to show the certification of performance had been completed. We questioned the supervisor on why there was no annual certification in the employees' files. The supervisor acknowledged the omission and stated the assessment would be completed in the near future.

Time and Attendance Reporting

According to SSA's policy,[5] it is the timekeeper's responsibility to review employees' sign-in/out sheets and any leave requests. If an employee is absent part of the day, the timekeeper should review the sign-in/out sheet in conjunction with the leave requests or resolve any discrepancies with the employee's supervisor. Finally, a supervisor must certify that the hours recorded by a timekeeper accurately reflect the employee's attendance and entitlement to pay and leave.

During our review, we examined the sign-in/out sheets for January 2002. We found 28 occurrences on 17 days where the sign-out sheet was not in chronological order. For example, a staff member signed out at 5:27 p.m., and, on the next signature line, a staff member signed out at 3 p.m. Our review also showed that a supervisor certified that the sign-in/out records were accurate; however, the supervisor showed no evidence they addressed or resolved the sign-out discrepancies. We identified similar time and attendance issues with regard to OHA in an August 2000 review *Office of Hearings and Appeals Time and Attendance Policies and Procedures at Hearing Offices.*

We discussed this condition with management and they acknowledged they were aware of the problem and would take corrective action. We informed the OHA Associate Commissioner of this problem and advised him to take corrective action to ensure Huntington's compliance with Agency policy.

[5] Timekeeper Policy Manual, chapter 1.

Appendix

Appendix A – OIG Contacts and Staff Acknowledgments

Appendix A

OIG Contacts and Staff Acknowledgments

OIG Contacts

Shirley E. Todd, Director, General Management Audit Division (410) 966-9365

Jim Klein, Audit Manager, General Management Audit Division (410) 965-9739

Acknowledgments

In addition to those named above:

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CHADBOURNE
& PARKE LLP

Memorandum

To: Permanent Subcommittee on Investigations

From: Pamela J. Marple

Date: May 17, 2012

Re: Eric C. Conn Law Firm

Attached please find the following:

1. Factual Background
2. Document Production Summary
3. Specific Response to May 9, 2012 Correspondence
4. Correspondence between PSI and Chadbourne & Parke
5. Correspondence to the Social Security Administration
6. Additional Emails Currently In Production

Homeland Security & Governmental Affairs Committee
EXHIBIT #9

TAB 1

1. FACTUAL BACKGROUND

The Eric C. Conn Law Firm is based in Stanville, Kentucky, and represents clients before the Social Security Administration ("SSA"). The following facts (most of which have been communicated in summary fashion to PSI staff during the document production discussions) may be helpful when considering the Conn Law Firm document production:

Law Firm Structure. The law firm is solely owned by Eric C. Conn and employs only a small number of additional attorneys. The law firm employs a larger number of administrative staff, approximately 30 to 40, to intake clients, obtain information from a variety of sources, and process a multitude of forms during each stage of the application process, among other functions.

The WSJ Article. There are factual errors in last year's Wall Street Journal articles mentioning Mr. Conn and the Conn Law Firm. Importantly, Mr. Conn does not, and has never, owned an airplane. Further, the Conn Law Firm does not fly people in from around the country to apply for benefits in his district. These and other facts reported in the Journal seem to have been obtained from statements made through a Twitter account that was opened in Mr. Conn's name, but that was fraudulent. Twitter has closed that account. The account and statements likely came, in turn, from a former employee who we have been told is in close contact with the WSJ reporter.

No Email System. The law firm has no internal email system. Employees do not and cannot communicate with each other through a law firm email system. Rather, the law firm has one email account (a gmail account) that is used to send and receive external emails when necessary. The law firm has at times had one other email account that is tied to its website (mrsocialsecurity.com) so that individuals can contact the firm from that website. There are no other email systems employed by the Conn Law Firm. All email addresses are explained in Attachment 3.

No Company Credit Card. Until very recently, the Conn Law Firm did not have a company credit card, so a variety of business expenses were paid for in cash. The expenses were documented largely through receipts and other documents that have been provided to the Committee. This process can be explained further upon request. Notable is that in June 2011 there was a change of office managers, the position that handles these transactions.

SSA Independently Obtains Medical Documents. When an individual applies for benefits, the SSA independently requests and obtains that individual's ***medical records directly from the individual's doctors and service providers.*** Typically, the SSA also independently procures a ***medical opinion from a doctor SSA selects.*** Everything that the SSA obtains and procures is placed in the individual's file. The SSA does not rely on the individual or the individual's law firm (if they are represented) to provide this information. Indeed, often individuals are not represented at all or seek representation only after being denied benefits in the first stages of his or her application.

SSA Decisions Are Record Decisions. SSA decisions are made through an administrative "record decision" process. The SSA decision makers are tasked with reviewing the entire record (as obtained by SSA independently and as supplemented by the applicant, if

applicable) and deciding whether the applicant meets the governing criteria. The SSA process is not adversarial litigation. Communication between SSA decision makers (such as ALJs) and applicants or applicant representatives is appropriate and common.

Supplemental Medical Opinions. In certain cases, the Conn Law Firm procures a supplemental ***medical opinion*** in order to advocate for its client and explain why the SSA record supports a favorable decision. Such medical opinions are supplementary only. They are based on the same "medical records" already in the SSA file (sometimes twice) that any SSA medical opinion is based. They are not required and are not procured for every client. Each supplemental medical opinion procured by the Conn Law Firm is submitted to the SSA and stored in the SSA's ERE system.

The decision to procure a supplemental medical opinion is based on factors specific to each case and could include the conclusion by the Conn Law Firm that the underlying medical records don't fully reflect the client's disability, the medical opinion obtained through the SSA assigned doctor is not fulsome, the preference of the SSA decisionmaker , and/or the type of SSA case involved. If during its representation the Conn Law Firm obtains ***medical records*** that for some reason were not obtained by the SSA, it is the firm's practice to submit those records to the SSA as well.

SSA Filing System. Prior to 2007, the SSA received all medical records, forms and other information, by hard copy submissions. During or after 2007, the SSA implemented its "Electronic Records Express" system, which maintains all records (again, those obtained independently by SSA as well as any supplemental records submitted by the applicant or his or her representative). The ERE system contains PDF versions of all such files, usually well over 1,000 pages. The Conn Law Firm uses the ERE client file as its primary client working file.

Clients / ALJ Assignments / "DB Lists." The ERE system also records the status of an applicant's case, including which ALJ has been assigned to assess the applicant's case. It is through the ERE system that the Conn Law Firm learns about ALJ assignments. From there, each ALJ will set his or her own schedule and process in the manner they see fit. For Judge Daugherty, his practice was to place a call to the Conn Law Firm and speak with the then-office manager. Judge Daugherty would tell the office manager which claimants represented by the Conn Law Firm (from the ones already on his ERE list) he wanted to consider that month. In that manner, the Conn Law Firm would be sure that all records were complete for those clients and know which clients to prepare for hearings.

Conn Law Firm Filing System. The client files maintained by the law firm are typically 1,000 pages or more. All substantive documents within the client files are transmitted to the SSA and stored by the SSA in its ERE system. The Conn Law Firm does not keep client files indefinitely. After a lapse of approximately five years, the client files, which take up considerable space, are shredded. (This shredding was halted after the receipt of the Senate subpoena). Another way a small number of client hard copy documents could have left the firm is in response to a client request. That is, since 2007 and until March 1, 2012, if a client requested documents from his or her file, the law firm would provide those documents and no longer retain a hard copy. The reason for this change was that the law firm has increasingly

relied on the ERE system as its primary client file storage system, in light of the fact that it contains ***all*** of the clients' documents.

Income and Client Structure. Representative of SSA clients are entitled to statutorily-set fees if the client is successful in obtaining benefits. The fees are based on the kind of benefits a claimant obtains and include a variety of offsets. Whereas the maximum allowable fee is $6,000 per client, the typical fee obtained by the Conn Law Firm for a successful claimant is between $2,500 and $3,500. The typical case takes one to two years. These facts are important to understanding the Conn Law Firm process. In particular, these margins explain why the Conn Law Firm does not procure even one supplemental medical opinion for many of its clients, let alone more than one per client. The firm must pay for supplemental medical opinions up front. The economics of the fee structure, and the amount of time dedicated to each case, provide little room for one medical opinion, let alone more than one.

# # #

TAB 2

2. DOCUMENT PRODUCTION TO DATE

Date Produced	Document Descriptions	Bates Range
2012/03/23	Telephone Logs	CLF00001 - CLF00117
2012/04/06	Petty cash receipts / vouchers	CLF00118 - CLF02107
2012/04/06	Check stubs	CLF02108 - CLF06284
2012/04/06	Jamie Slone Cash list	CLF06285 - CLF06290
2012/04/06	ALJ hearing calendars	CLF06291 - CLF06588
2012/04/09	DB Lists	CLF06589 - CLF06833
2012/05/01	Doctor invoices	CLF06834 - CLF08702
2012/05/15	Doctor invoices	CLF08703 - CLF10499
	Intentional Gap In Bates Range	CLF10500 - CLF11110
2012/04/06	(CD) Voicemail	CLF11111
2012/04/09	Emails	CLF11112 - CLF11408

TAB 3

3. MAY 9 ISSUES

Incoming Phone Logs.

The phone logs are hard copy, handwritten, notations of telephone calls received. The logs are typically not used or consulted after a certain period of time. There is no policy on retaining them or discarding them. None has been discarded since March 1, 2012. We have searched the office thoroughly and provided all phone logs in the law firm's possession.

Communication with Judges.

Firm E-Mails. As explained, the firm does not have an email system and uses just one gmail account to send and receive emails. The account is singular but can have other names tagged to it. This can be explained. We have thoroughly searched this gmail account and produced documents that are responsive.

Notes: (1) The May 9 letter states that email was a common form of communication between the law firm and the ALJs. This is not accurate. Email was not a common communication with the ALJs themselves, which is what the subpoena requested ("containing or based ona communication with" an ALJ). It is accurate that email was more common between the law firm and SSA staff. All communications with SSA staff that were based on communications with an ALJ was searched for and produced. (2) The email "mrsocialsecurity" was searched and only one responsive document exists. This is not surprising as this email is sponsored through a website.

Mr. Conn's Emails. Mr. Conn's emails were searched. The gmail account is fairly recently opened and no responsive emails were found. The Lycos email account was used for some time and has been replaced by the gmail account. That account was searched and several emails were located and being produced. Mr. Conn changed from the Lycos to gmail because the emails became unmanageable. In that regard, he had made a point in keeping his newly opened gmail account more manageable, but has not deleted emails since receipt of the subpoena. There is no ER605 aol.com email account. The ER6503 and Jeffgobigblue accounts were searched and no responsive emails were found. These last two accounts are used almost exclusively to sign onto websites (shopping, Utube, etc) in order to avoid receiving commercial and spam email in his active email accounts, which was first with Lycos and is now with gmail.

Claimant List.

As explained in Attachment 1, these monthly lists were used to inform the employees and attorneys which client files would need to be prepared for adjudication that month. Like the phone logs, these lists were typically not used or consulted after a certain period of time. There was no policy on retaining them or discarding them. None has been discarded since March 1, 2012. We did a thorough office and electronic search and have produced all responsive lists in the firm's possession.

Note: We are not aware, and do not believe it is accurate, that Judge Daugherty would send an email prior to calling the office manager about the ERE clients he had selected for that month. Our understanding is that Judge Daugherty would review the client lists from the SSA's ERE system and then convey to the then-office manager those clients he wanted the law firm to prepare for adjudication that month. Based on that phone conversation, the "DB lists" were typed up, we believe by the then-office manager, and provided to the employees. See Attachment 1 for further explanation.

Financial Statements and Records

The law firm did not produce or generate financial statements or reports. We have produced voluminous records of cash transactions. Regarding the 2011 - 2012 "spreadsheet," this document was generated by the then-office manager on March 2, 2012. It is not a document contemporaneous with the transactions it purported to describe. This was not a firm process and there are no other similar documents. Further, as we can explain in person, this spreadsheet is not accurate and apparently done for reasons not connected to record keeping.

Timing and Log

As explained in Attachment 1, the law firm (prior to the subpoena) disposed of hard copy law firm documents after approximately five years. Regarding electronic documents, the law firm server was replaced in 2009 and there are very few documents on the server with dates earliers than 2009. Regarding a privilege log, one will be provided at the completion of the production, as it the typical process.

TAB 4

Pamela J. Marple
Chadbourne & Parke LLP
1200 New Hampshire Ave, Washington, DC 20036
30 Rockefeller Plaza, New York, NY 10112 tel 202-974-5657 | tel 212-408-1174
marple@chadbourne.com<mailto:pmarple@chadbourne.com> |
http://www.chadbourne.com<http://www.chadbourne.com/>
vCard: http://www.chadbourne.com/vcard/pmarple.vcf

From: Dockham, Andrew (HSGAC) [Andrew_Dockham@hsgac.senate.gov]
Sent: Thursday, March 22, 2012 5:02 PM
To: Marple, Pamela J.; Goshorn, Daniel (HSGAC)
Cc: Barkley, Chris (HSGAC); Bean, Elise (HSGAC)
Subject: PSI Subpoena

Pam:

It has come to our attention your client, Mr. Conn, may be attempting to destroy documents responsive to the PSI subpoena.

We request that you take immediate efforts to prevent destruction of materials relevant to this investigation and determine what materials, if any, have been destroyed.

We also request that you take specific action to protect certain sources of information that contain information responsive to PSI's March 2 Subpoena:

•Any documents created based on communications with Administrative Law Judge David B. Daugherty, including, but not limited to, monthly lists of Social Security disability claimants created based on phone conversations with Judge Daugherty. PSI understands these are commonly referred to as DB Lists or DB Watchdog Lists. PSI understands these lists exist on three computers located within the Conn Law Complex.

•Any documents based on conversations with Administrative Law Judge Charlie P. Andrus, including, but not limited to any Findings Integrated Template decisions or FIT decisions, including all drafts or final versions. PSI understands these also exist on the previously mentioned computers in the Conn Law Complex.

•All recorded communications between Mr. Conn and Judge Daugherty, including a voicemail Judge Daugherty left on Mr. Conn's home residence answering machine.

Please contact us as soon as possible to confirm receipt of this email and discuss what steps you will take to address this matter.

Thanks,
Andy Dockham

Chasse, Michele

From: Marple, Pamela J.
Sent: Friday, March 23, 2012 9:25 AM
To: Lowell, Abbe D.; Coyle, Scott
Subject: FW: PSI Subpoena

FYI and Scott, make sure it is in file, thanks.

From: Marple, Pamela J.
Sent: Friday, March 23, 2012 9:22 AM
To: Dockham, Andrew (HSGAC); Goshorn, Daniel (HSGAC)
Cc: Barkley, Chris (HSGAC); Bean, Elise (HSGAC)
Subject: RE: PSI Subpoena

Andy:

I received your email of March 22, 2012.

I would be interested in what facts you have heard and the basis for your concerns. Who is making these statements and from whom have you heard them? As it turns out, a colleague and I spent this week in Kentucky gathering and reviewing documents for responsiveness, including assessing privilege and privacy issues. You should know that similar rumors circulated the last time I was at the office reviewing and gathering documents. If you can talk about anything concrete, I would like to know. Without knowing the basis, I cannot assess whether it is true or whether it should be a concern, nor take effective steps that haven't already been taken.

As you are raising concerns and also are a principal oversight (of government) committee, I was wondering whether you and the subcommittee have been talking or working with anyone from the SSA OIG. During our last visit, we heard some very troubling things about how the SSA OIG has been operating -- including seeking and conducting interviews of people the SSA OIG knows to be represented by counsel without going through counsel, putting pressure on our client's employees, misrepresenting the law, and even asking for employees to retrieve documents for them (without a subpoena or warrant). In fact, employees of the law firm were told by SSA OIG agents that they could not even mention the OIG contact to their spouses without risking being "indicted" or charged with "obstruction of justice." This all in the context of the OIG never even issuing a subpoena to the law firm or properly requesting documents from the law firm.

As you are concerned with allegations of any impropriety of attorneys appearing before the SSA, I hope you are equally concerned about a government agency apparently acting well outside the established bounds of propriety, not to mention the law. Most disturbing is that the agents' conduct has had dire consequences for the employees and has created an environment overcome with fear, misunderstandings, and false rumors and allegations. In the light of the report just released about the Department of Justice investigation and prosecuton of former Senator Ted Stevens, issues of government agencies violating rules ought to be as much concern to you as any oversight you are doing.

That said, we and our client are working to respond to your subpoena as I indicated before. We are sending today our first batch of responsive documents. More will follow next week.

look forward to finding out more about the basis for your concerns.

Regards,

CHADBOURNE
& PARKE LLP

Pamela J. Marple
direct tel 202-974-5657
pmarple@chadbourne.com

March 26, 2012

Permanent Subcommittee on Investigations
199 Russell Senate Office Building
1st & Constitution, N.E.
Washington, DC 20510
(202) 224-9505

Dear Mr. Dockham:

I am in receipt of your emails of March 22 and 23, 2012, and assume you have received and reviewed my responsive email dated March 23, 2012. Our email exchange is included below as part of this letter. You should now be in receipt of our first production, which was couriered to your office on Friday.

Regarding your requests for me to explain activities and communications that fall squarely within the attorney-client privilege, you surely know we cannot do so. I will note that we are in possession of the three categories/items you mentioned in your alarmed emails of last week and there is nothing untoward about them.

Regarding the concerns we conveyed to you about the conduct of the OIG agents, you provided no response and I do not understand why you do not consider such conduct of sufficient concern to respond. On a related issue, I want to make clear that we represent the law firm of Eric C. Conn, including its employees. Contacts with this represented entity and these individuals should go through us. Regarding former employees, I understand Ms. Jamie Slone is separately represented. We will represent other former employees if they request, but in any event we must maintain any attorney-client privileged information they may possess and insure that proper procedures are followed by you or anyone else who tries to contact them.

Sincerely,

/s/

Pamela J. Marple

-----Original Message-----
From: Dockham, Andrew (HSGAC) [mailto:Andrew_Dockham@hsgac.senate.gov]
Sent: Friday, March 23, 2012 6:05 PM
To: Marple, Pamela J.
Cc: Barkley, Chris (HSGAC); Bean, Elise (HSGAC); Goshorn, Daniel (HSGAC)
Subject: RE: PSI Subpoena

Pam:

The prior email identifies our concerns regarding the preservation of documents potentially responsive to PSI's subpoena. Our immediate concern is that all documents requested by PSI, including those specifically stated in the prior email, are preserved, and, subject to any legitimate claim of privilege, produced to the Subcommittee.

Your email indicates you have taken what you believe to be effective steps to preserve all responsive documents. Please confirm this is accurate and, as previously requested, advise the Subcommittee of the steps you have taken to address our stated concerns and to ensure all documents potentially responsive to the Subcommittee's subpoena have been properly preserved.

Please respond with the requested information as soon as possible.

With regard to today's production, at this point, our office is closed. Therefore, you can send the production to my email.

Thanks,
Andy

-----Original Message-----
From: Marple, Pamela J. [mailto:PMarple@chadbourne.com]
Sent: Friday, March 23, 2012 9:23 AM
To: Dockham, Andrew (HSGAC); Goshorn, Daniel (HSGAC)
Cc: Barkley, Chris (HSGAC); Bean, Elise (HSGAC)
Subject: RE: PSI Subpoena

Andy:

I received your email of March 22, 2012.

I would be interested in what facts you have heard and the basis for your concerns. Who is making these statements and from whom have you heard them? As it turns out, a colleague and I spent this week in Kentucky gathering and reviewing documents for responsiveness, including assessing privilege and privacy issues. You should know that similar rumors circulated the last time I was at the office reviewing and gathering documents. If you can talk about

anything concrete, I would like to know. Without knowing the basis, I cannot assess whether it is true or whether it should be a concern, nor take effective steps that haven't already been taken.

As you are raising concerns and also are a principal oversight (of government) committee, I was wondering whether you and the subcommittee have been talking or working with anyone from the SSA OIG. During our last visit, we heard some very troubling things about how the SSA OIG has been operating -- including seeking and conducting interviews of people the SSA OIG knows to be represented by counsel without going through counsel, putting pressure on our client's employees, misrepresenting the law, and even asking for employees to retrieve documents for them (without a subpoena or warrant). In fact, employees of the law firm were told by SSA OIG agents that they could not even mention the OIG contact to their spouses without risking being "indicted" or charged with "obstruction of justice." This all in the context of the OIG never even issuing a subpoena to the law firm or properly requesting documents from the law firm.

As you are concerned with allegations of any impropriety of attorneys appearing before the SSA, I hope you are equally concerned about a government agency apparently acting well outside the established bounds of propriety, not to mention the law. Most disturbing is that the agents' conduct has had dire consequences for the employees and has created an environment overcome with fear, misunderstandings, and false rumors and allegations. In the light of the report just released about the Department of Justice investigation and prosecuton of former Senator Ted Stevens, issues of government agencies violating rules ought to be as much concern to you as any oversight you are doing.

That said, we and our client are working to respond to your subpoena as I indicated before. We are sending today our first batch of responsive documents. More will follow next week.

I look forward to finding out more about the basis for your concerns.

Regards,

Pamela J. Marple
Chadbourne & Parke LLP
1200 New Hampshire Ave, Washington, DC 20036
30 Rockefeller Plaza, New York, NY 10112 tel 202-974-5657 | tel 212-408-1174
pmarple@chadbourne.com<mailto:pmarple@chadbourne.com> |
http://www.chadbourne.com<http://www.chadbourne.com/>
vCard: http://www.chadbourne.com/vcard/pmarple.vcf

From: Dockham, Andrew (HSGAC) [Andrew_Dockham@hsgac.senate.gov]
Sent: Thursday, March 22, 2012 5:02 PM
To: Marple, Pamela J.; Goshorn, Daniel (HSGAC)
Cc: Barkley, Chris (HSGAC); Bean, Elise (HSGAC)
Subject: PSI Subpoena

Pam:

It has come to our attention your client, Mr. Conn, may be attempting to destroy documents responsive to the PSI subpoena.

We request that you take immediate efforts to prevent destruction of materials relevant to this investigation and determine what materials, if any, have been destroyed.

We also request that you take specific action to protect certain sources of information that contain information responsive to PSI's March 2 Subpoena:

*Any documents created based on communications with Administrative Law Judge David B. Daugherty, including, but not limited to, monthly lists of Social Security disability claimants created based on phone conversations with Judge Daugherty. PSI understands these were commonly referred to as DB Lists or DB Watchdog Lists. PSI understands these lists exist on three computers located within the Conn Law Complex.

*Any documents based on conversations with Administrative Law Judge Charlie P. Andrus, including, but not limited to any Findings Integrated Template decisions or FIT decisions, including all drafts or final versions. PSI understands these also exist on the previously mentioned computers in the Conn Law Complex.

*All recorded communications between Mr. Conn and Judge Daugherty, including a voicemail Judge Daugherty left on Mr. Conn's home residence answering machine.

Please contact us as soon as possible to confirm receipt of this email and discuss what steps you will take to address this matter.

Thanks,
Andy Dockham

Chasse, Michele

From: Marple, Pamela J.
Sent: Thursday, March 29, 2012 2:06 PM
To: Chasse, Michele
Cc: Coyle, Scott; Lowell, Abbe D.
Subject: FW: PSI Subpoena

PSI correspondence for the Eric Conn file.

From: Dockham, Andrew (HSGAC) [mailto:Andrew_Dockham@hsgac.senate.gov]
Sent: Thursday, March 29, 2012 2:03 PM
To: Marple, Pamela J.
Cc: Barkley, Chris (HSGAC); Bean, Elise (HSGAC); Goshorn, Daniel (HSGAC)
Subject: RE: PSI Subpoena

Pam:

We are in receipt of your March 27 Letter confirming you have custody and control of all extant documents potentially responsive to the Subcommittee's subpoena, which presently suffices to meet our expressed concerns about document preservation. We understand you cannot reveal – and we were not requesting you reveal – any client confidences.

We respect your right to bring any matters to our attention, but it is the policy of the Subcommittee not to publicly comment on whether the Subcommittee is or is not investigating a particular matter. As our prior mail indicated, we are currently focused on the investigation of the Huntington, West Virginia Office of Disability Adjudication and Review. We understand you represent the Eric Conn Law Firm and those of its current and former employees who have chosen to accept your services. To your final point, we are sympathetic to your concerns about protecting privileged information and are diligently working to protect that information in the course of this investigation.

Andy

From: Marple, Pamela J. [mailto:PMarple@chadbourne.com]
Sent: Tuesday, March 27, 2012 1:06 PM
To: Dockham, Andrew (HSGAC)
Cc: Barkley, Chris (HSGAC); Bean, Elise (HSGAC); Goshorn, Daniel (HSGAC)
Subject: RE: PSI Subpoena

Please see attached.

Pamela Marple
Chadbourne & Parke LLP
tel 202-974-5657
tel 212-408-1174
1200 New Hampshire Ave., NW 20036
30 Rockefeller Plaza, New York, NY 10112
pmarple@chadbourne.com | http://www.chadbourne.com
vCard: http://www.chadbourne.com/vcard/pmarple.vcf

1200 New Hampshire Avenue NW, Washington, DC 20036
tel (202) 974-5600 fax (202) 974-5602

CHADBOURNE & PARKE LLP

Pamela J. Marple
direct tel 202-974-5657
pmarple@chadbourne.com

April 6, 2012

VIA HAND DELIVERY

Andrew Dockham
Permanent Subcommittee on Investigations
199 Russell Senate Office Building
1st & Constitution, N.E.
Washington, DC 20510
(202) 224-9505

Dear Andy :

Please find enclosed documents with bates numbers CLF00118 to CLF6588 as well as one disc with bates number CLF11111. Additional responsive documents will be produced this coming Monday, April 9, 2012.

We note the following:

You have requested "[a]ny document related to invoices or evidence of payment related to any doctor or medical professional that consulted in any way or provided an opinion on claimants represented by the Eric C. Conn Law Firm for Social Security Disability Insurance ("SSDI") or Supplemental Security Income ("SSI") benefits in closed cases decided by Administrative Law Judge ("ALJ") David B. Daugherty." The Law Firm does not maintain these records based on which ALJ decided a particular case. As a result, please note that we are producing ***all*** records or evidence of payment to doctors or medical professionals consulted by the Eric C. Conn Law Firm on SSDI and SSI cases.

You have requested "[a]ny opinions provided by a physician or medical professional on claimants represented by The Eric C. Conn Law Firm for SSDI or SSI benefits in closed cases decided by ALJ David B. Daugherty." We cannot produce these individual medical opinion records for a number of reasons. First, all such documents are protected from disclosure under the Privacy Act. The Social Security Administration's Program Operations Manual System ("POMS") specifically states that "[a]n appointed representative does not have the authority to disclose the claimant's records to another party without the claimant's consent." POMS GN 03910.025. Further, under that same Manual, "an attorney appointed by

the individual to represent him/her" is expressly listed as a party who "cannot consent to disclosure of an individual's personal records" under the Privacy Act. POMS GN 03305.006.

Second, if it is your intent to seek access to private medical records of our individual clients, your request should be directed to the Social Security Administration because that agency possesses those records itself and because the Social Security Act mandates that such records retained by third parties are subject to the protections of the Privacy Act. See POMS GN 03305.005 ("Medical records that are established as a result of a consultative examination, copies of which may be retained by a consultative physician, are SSA records covered under the Privacy Act."). We note that representing a claimant in this context does not entail generating multiple medical opinions for the claimant.

Third, the releases obtained by the Law Firm clients pertaining to their medical information (most of which are forms required by the Social Security Administration itself) are strictly limited to release of such information to the Social Security Administration. We suggest you contact the Social Security Administration to gain an understanding of its process regarding medical records and opinions in the context of applications for benefits.

Fourth, all medical opinions fall squarely under the attorney-client privilege and the attorney work product doctrine, as they were prepared at the request of attorneys in support of an individual client's request for benefits. The documents may also be restricted by state ethics rules applicable to attorneys and/or by state medical privacy statutes, but we did not research these areas in light of the fact that disclosure is so clearly prohibited by federal mandates applicable to the Law Firm.

Sincerely,

Pamela J. Marple

1200 New Hampshire Avenue NW, Washington, DC 20036
tel (202) 974-5600 fax (202) 974-5602

CHADBOURNE & PARKE LLP

Pamela J. Marple
direct tel 202-974-5657
pmarple@chadbourne.com

April 9, 2012

VIA HAND DELIVERY

Andrew Dockham
Permanent Subcommittee on Investigations
199 Russell Senate Office Building
1st & Constitution, N.E.
Washington, DC 20510
(202) 224-9505

Dear Andy :

Please find enclosed documents with bates numbers CLF06589 to CLF06833 and CLF11112 to CLF11408, in response to the Subcommittee's subpoenas dated March 2, 2012. Additional responsive documents are forthcoming.

Sincerely,

Pamela J. Marple

CHADBOURNE
& PARKE LLP

1200 New Hampshire Avenue NW, Washington, DC 20036
tel (202) 974-5600 fax (202) 974-5602

Pamela J. Marple
direct tel 202-974-5657
pmarple@chadbourne.com

May 1, 2012

VIA HAND DELIVERY

Andrew Dockham
Permanent Subcommittee on Investigations
199 Russell Senate Office Building
1st & Constitution, N.E.
Washington, DC 20510

Dear Andy:

Please find enclosed documents with bates numbers CLF06834 to CLF08702, in response to the Subcommittee's subpoenas dated March 2, 2012. Additional responsive documents are forthcoming.

Sincerely,

Pamela J. Marple

Enclosures

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

May 9, 2012

VIA U.S. MAIL & EMAIL (PMarple@chadbourne.com)

Pamela J. Marple, Esq.
Chadbourne & Parke LLP
1200 New Hampshire Avenue, NW
Washington, DC 20036

Dear Ms. Marple:

On March 2, 2012, U.S. Senate Permanent Subcommittee on Investigations (the "Subcommittee") subpoenaed certain documents from both The Eric C. Conn Law Firm (the "Firm") and Mr. Eric C. Conn. This letter addresses issues regarding the Firm's and Mr. Conn's response to the Subcommittee's subpoenas.

To date, the Subcommittee has received three productions in response to these subpoenas, the most recent on May 1. The May 1 production was well beyond the agreed return date of April 6, which had been extended from the original date of March 23 at your request. Further, your May 1 letter accompanying that production indicates "additional responsive documents are forthcoming." The Subcommittee has not agreed to, nor have you requested, any extension of the subpoena return date past April 6. Without an agreement to extend the return date, the failure to produce all responsive documents by April 6 potentially constitutes a failure to comply with the subpoenas.

In addition, the Firm produced redacted documents without explaining the redactions in any way. The Subcommittee's subpoenas specify that any document (or portion of a document) withheld on the basis of privilege should be identified in a privilege log with an explanation and basis for each redaction. Neither Mr. Conn nor the Firm has requested, and the Subcommittee has not agreed to provide, an extension for the production of any such log, which was due on April 6. The Subcommittee requests the Firm immediately reproduce all redacted emails in their unredacted form, or provide a privilege log explaining each claim of privilege.

The number of documents produced by the Firm in response to the Subcommittee's request for documents containing communications with certain Administrative Law Judges is surprisingly small, while Mr. Conn has failed to produce any documents in response to this request. If documents were destroyed in accordance with a document retention policy, please produce that policy. Otherwise, remaining responsive documents should be produced immediately. This and other deficiencies in the Firm's and Mr. Conn's productions are outlined in Attachment A.

Finally, the Subcommittee's subpoena to the Firm requested any opinions provided by a physician or medical professional on claimants represented by the Firm for disability benefits in closed cases decided by Judge David B. Daugherty. On April 6, you incorrectly asserted those opinions were protected from production by the Privacy Act as well as privilege (yet provided no privilege log). On April 12, the Subcommittee explained none of your assertions prevent production of the subpoenaed materials-at-issue. *See* Attachment B. The Subcommittee, again, requests the immediate production of the subpoenaed documents.

The Subcommittee's subpoenas to the Firm and Mr. Conn state that a personal appearance by the subpoenaed entity and individual, respectively, is waived if all materials are produced by the return date. Given the deficiencies outlined in this letter and its attachments, the Subcommittee does not currently consider the Firm or Mr. Conn to have properly complied with the subpoenas. Therefore, Mr. Conn's personal appearance may be necessary to address the inadequacies of the productions. This necessity can be obviated if you provide a plan for future compliance with the subpoena, including a schedule for the production of all relevant documents, an adequate privilege log, and explanations for any remaining deficiencies noted herein.

Once the Firm and Mr. Conn believe all materials responsive to the Subcommittee's subpoenas have been produced, please provide certification from the Firm and Mr. Conn that the productions are complete.

Please contact Daniel Goshorn (Senator Levin) at 202/224-9505 or Andrew Dockham (Senator Coburn) at 202/224-2224 by May 11 to discuss the production schedule requested above.

Sincerely,

Tom Coburn, M.D.
Ranking Minority Member
Permanent Subcommittee on Investigations

Carl Levin
Chairman
Permanent Subcommittee on Investigations

Attachment A:
Deficiencies in Productions by the
Eric C. Conn Law Firm and Eric C. Conn

Incoming Phone Call Logs. The Eric C. Conn Law Firm (the "Firm") produced incoming call telephone logs (Bates Range CLF00001-117). The earliest document in the production is an incoming phone call log covering October 2010 (CLF00093-99). The Subcommittee's subpoena requested documents dated January 1, 2002 through the present. Please explain why no documents dated earlier than November 1, 2010 were produced or produce all relevant documents.

Documents Containing Communications with Certain Judges. The Subcommittee's subpoenas requested "any document containing or based on a communication with the following individuals: David B. Daugherty; Charlie P. Andrus; and William H. Gitlow" from January 1, 2002 to the present.

Firm E-Mails (CLF11112-11408). The number of emails produced (296 pages, a number of which are duplicative) by the Firm is surprisingly small, particularly since the emails that were produced indicate email was a common form of communication between the Firm and SSA employees and Administrative Law Judges.

The earliest email produced is dated January 2009. Further, while the Firm's production did include emails from William H. Gitlow, very few emails were included that were sent or received from Charlie P. Andrus or David B. Daugherty. Only one email was produced from the account dave@mrsocialsecurity.com.

Please produce all responsive documents containing or based on communications with the listed individuals from January 1, 2002 to the present. As provided by the subpoena, any recoverable deleted emails are within the right of the Firm's custody, control, or possession, and must be produced to the Subcommittee, provided they are retrievable by the Firm's email service provider.

Mr. Conn's Emails. The Subcommittee also sent a subpoena to Mr. Conn requesting all responsive documents containing or based on communications with the same individuals named above. It does not appear Mr. Conn produced any responsive documents or materials from his personal email accounts, or otherwise. The Subcommittee is aware of, at least, the following email accounts used by Mr. Conn during the time period covered by the subpoena: ericchristopherconn@gmail.com; Erickentucky@lycos.com; ER605@aol.com; ER6503@aol.com; and Jeffgobigblue@gmail.com.

Please produce all responsive material from January 1, 2002 to the present in these accounts immediately. As provided by the subpoena, any recoverable deleted emails are within the right of Mr. Conn's custody, control, or possession, and must be produced to the Subcommittee, provided they are retrievable by the email service provider.

Claimant Lists. You produced lists of claimants that the Subcommittee understands were commonly referred to as "DB Lists" within the Firm. Those lists are dated from June 2006 through July 2010. However, no list was produced for the following months: October 2010; October 2009 through December 2009; and May and June 2010. Please produce DB Lists for these missing months.

Further, the Subcommittee understands that prior to Judge Daugherty's calling to relate the monthly list of claimants to an employee of the Firm, Judge Daugherty would email the lists from his personal email account. None of these emails were included in the production. Please produce these emails immediately. Again, as provided by the subpoena, any recoverable deleted emails are within the right of Mr. Conn's and the Firm's custody, control, or possession, and must be produced to the Subcommittee, provided they are retrievable by the email service provider.

Financial Statements and Records of Cash Transactions. The Subcommittee's subpoena to the Firm requested any annual financial statement or report of the Firm and any records of cash transactions. Your production failed to provide a comprehensive response.

Receipts. While the production included some receipts, the earliest was dated October 2006. Please provide these documents from January 1, 2002 to the present.

Documents Related to Petty Cash. The production only included checks for funds designated for petty cash from September 2005. Further, a spreadsheet was included that appears to document petty cash expenditures from 2011 and 2012 (CLF6285-90), which indicates other similar responsive materials related to petty cash exist in addition to those supplied to the Subcommittee. Please produce all documents related to cash transactions, including any checks and spreadsheets, from January 1, 2002 to the present.

Payments Made to Physicians. The Subcommittee's subpoena requested any document related to payments made to physicians or medical professionals that consulted or provided an opinion on disability claimants represented by the Firm. The documents received by the Subcommittee only date back to late 2005. Please provide responsive documents from January 1, 2002 to the present.

Attachment B

From: Dockham, Andrew (HSGAC)
Sent: Thursday, April 12, 2012 11:35 AM
To: 'Marple, Pamela J.'
Cc: Barkley, Chris (HSGAC); Bean, Elise (HSGAC); Goshorn, Daniel (HSGAC)
Subject: RE: RE: PSI Subpoena

Pam:

We received your correspondence dated April 6, 2012. In that letter, you assert that claimant medical opinions subpoenaed by PSI are protected from production "for a number of reasons." As explained below, none of your assertions prevent production of the subpoenaed materials at issue.

You initially assert the medical opinions are protected from disclosure under the Privacy Act. Such an assertion is contrary to the express language of the Privacy Act, which only applies to information maintained by government agencies; it does not apply to information maintained by private entities. The Department of Justice makes clear the Privacy Act only applies to information maintained by a government agency and does not apply to private entities. *See* Department of Justice, Office of Privacy and Civil Liberties, Overview of the Privacy Act of 1974, 2010 Edition: Definitions, http://www.justice.gov/opcl/1974definitions.htm (collecting cases and treatises).

Moreover, even if the Privacy Act did apply to materials held by your client, the statute contains an exception for information requested – and in this case, subpoenaed – by Congress. *See* 5 U.S.C. §552(b)(9). Therefore, even if you somehow consider these to be agency records, you are still obligated to provide them in response to the Subcommittee's subpoena.

Your reliance on SSA's employee manual, known as "POMS," is equally unavailing. POMS itself specifies that it "states only internal SSA guidance. It is not intended to, does not, and may not be relied upon to create any rights enforceable at law by any party in a civil or criminal action." POMS also makes clear that when any relevant statute, such as the Privacy Act, conflicts with the POMS, that statute has priority. *See* Social Security Online, SSA's Policy Information Site – POMS – About POMS, SSA's Program Operations Manual System Home, https://secure.ssa.gov/apps10/. *See also* Social Security Online, POMS GN 03313.105 Disclosure to Congressional Committees or Subcommittees and to Individual Congressional Representatives, https://secure.ssa.gov/poms.nsf/lnx/0203313105; POMS GN 03301.020 Privacy Act, https://secure.ssa.gov/poms.nsf/lnx/0203301020.

Finally, your assertion the opinions are privileged and protected from production is contrary to basic tenets of both the attorney-client privilege and the work-product doctrine. Even assuming the dubious proposition these opinions could in this context ever be considered either attorney-client or work-product privileged, any such privilege was waived when these documents were voluntarily produced (and made part of the administrative record, as your letter acknowledges) to SSA. *See In Re Grand Jury (Attorney Client Privilege)*, 527 F.2d 200, 201 (D.C. Cir. 2008)

(stating that "sharing [by doctor's attorney of] the doctor's records with the government destroyed whatever attorney-client privilege might have attached to them"); *In re Subpoena Duces Tecum*, 738 F.2d 1367 (D.C. Cir. 1984) (company waived attorney client privilege and work product protection by voluntarily disclosing documents to government agency).

As such, PSI requests the immediate production of these documents.

Chasse, Michele

From: Marple, Pamela J.
Sent: Thursday, May 10, 2012 5:32 PM
To: Coyle, Scott; McSweeny, Kate; Chasse, Michele
Subject: FW: PSI Subpoena

From: Marple, Pamela J.
Sent: Thursday, May 10, 2012 5:31 PM
To: Dockham, Andrew (HSGAC); Goshorn, Daniel (HSGAC)
Subject: RE: PSI Subpoena

Dear Mr. Dockham and Mr. Goshorn:

I am in receipt of the Committee's letter of yesterday. I will be out of the office tomorrow, but will return on Monday. As always, I am happy to discuss the production and any other issue you may have, and can be reached Monday and all next week at my DC office number below.

Sincerely,

Pamela J. Marple
Chadbourne & Parke LLP
1200 New Hampshire Ave, Washington, DC 20036
30 Rockefeller Plaza, New York, NY 10112
tel 202-974-5657 | **tel** 212-408-1174
marple@chadbourne.com | http://www.chadbourne.com
vCard: http://www.chadbourne.com/vcard/pmarple.vcf

CHADBOURNE
& PARKE LLP

1200 New Hampshire Avenue NW, Washington, DC 20036
tel (202) 974 5600 fax (202) 974 5602

Pamela J. Marple
direct tel 202-974-5657
pmarple@chadbourne.com

May 15, 2012

VIA HAND DELIVERY

Andrew Dockham
Permanent Subcommittee on Investigations
199 Russell Senate Office Building
1st & Constitution, N.E.
Washington, DC 20510

Dear Andy:

Please find enclosed documents with bates numbers CLF08703 to CLF10499, in response to the Subcommittee's subpoenas dated March 2, 2012. Please also note that bates numbers CLF10500 to CLF 11110 have been intentionally left blank. Additional responsive documents are forthcoming.

Sincerely,

Pamela J. Marple

Pamela J. Marple

Enclosures

TAB 5

CHADBOURNE
& PARKE LLP

1200 New Hampshire Avenue NW, Washington, DC 20036
tel (202) 974-5600 fax (202) 974-5602

Pamela J. Marple, Esq.
Direct Line (202) 974-5657

May 17, 2012

VIA EMAIL AND FEDERAL EXPRESS

Richard A. Rohde
Assistant Inspector General for Investigations
Office of the Inspector General
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Mr. Rohde:

We represent the Eric C. Conn Law Firm, a firm located in Stanville, Kentucky, and Hungtington, West Virginia, that represents clients before the Social Security Administration. I write regarding a situation involving an apparent OIG investigation being conducted out of the Huntington, WV, office.

Last spring, OIG agents visited Mr. Conn at his law firm. During that visit, Mr. Conn informed the agents that he and his law firm were represented by my firm, Chadbourne & Parke. Mr. Conn provided the agents with contact information for my partner, Mr. Abbe Lowell, and encouraged them to call Mr. Lowell should they need any information. After that visit, the OIG office did not contact Mr. Lowell or my firm. In June and July, 2011, Mr. Lowell contacted the agents via voicemails, again to offer information and cooperation. The OIG agents did not return those calls or contact Mr. Lowell or my firm thereafter or at any time.

We have since heard that this year OIG agents affirmatively contacted and requested interviews of numerous individuals who were employees of the Conn Law Firm, despite the fact that the Conn Law Firm is a represented party. We were also told that OIG agents called these employees as they worked at the Conn Law Firm and asked them to report on the contemporaneous activities of the Law Firm and Mr. Conn. We were further told that at least one employee informed the OIG agents that the Law Firm was represented by counsel, but the agents told the employees that she should not tell anyone about her OIG contacts.

The methods of the OIG investigation, if accurate, concern us. First, the OIG office was informed several times that Chadbourne & Parke represents the Conn Law Firm. As a represented party, any requests for interviews or assistance from Conn Law Firm employees and staff members should be through counsel, but they have not been. As counsel, we have consistently told employees that they should cooperate and be truthful and that if any requests for interviews or documents were made, we as counsel would be available to assist.

Second, and unfortunately, despite our efforts, we have been informed that some of the employees felt extreme stress and pressure at being told that they could not discuss the interviews with anyone and at being instructed to report information to your office about ongoing activities within the Conn Law Firm, even as they continued to work there. One employee, the then-office manager, informed me that it was this stress that was the primary reason 11 employees quit suddenly two months ago, in mid-March 2012. This individual also texted the Law Firm two days after she quit, requesting to ask a legal question, which was whether she could be prosecuted for obstruction of justice if she told the Law Firm or me about the OIG interviews. This is how my firm learned about the OIG's apparent investigation into issues involving our clients. To date, however, we still have not received any communication from the OIG's office in any manner, although we are told that the agents are aware of the employment disruption and of our continued representation of the Conn Law Firm.

Another concern is the accuracy of information provided to OIG by certain former Conn Law Firm employees. It appears, again from what we are told, that the OIG agents, including Mr. Tim Morton, are relying primarily on two or three former employees to conduct their investigation. What the agents do not know, however, is that there are internal financial issues we have been investigating that are substantial and that involve certain employees (more than one) who had access to firm resources. We have not disseminated this information, but the facts have been confirmed through forensic accounting. It is not difficult to conclude that this situation is likely material to any reliance on facts and conclusions obtained by several former employees. This is particularly true because neither Mr. Conn or the Conn Law Firm have been provided an opportunity to understand what issues are being investigated or what facts may be crucial to those issues. It would be unfortunate if these and other issues were made known for the first time to correct a misinformed written report.

You should also know that my firm is actively working with other government entities to provide documents and interviews, and therefore we see no reason OIG could not have employed accepted methods during its investigation as well.

If you need any further assistance in this matter, please correspond directly with us and we will do our best to support OIG's investigation. We are also available to meet at your convenience if such a meeting would be helpful.

Sincerely,

/s/

Pamela J. Marple

cc: B. Chad Bungard
Steven W. Mason

CHADBOURNE
& PARKE LLP

1200 New Hampshire Avenue NW, Washington, DC 20036
tel (202) 974-5600 fax (202) 974-5602

Pamela J. Marple
direct tel (202) 974-5745
pmarple@chadbourne.com

May 16, 2012

Via Federal Express

Gwen Jones Kelley, Esq.
Deputy General Counsel
U.S. Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Ms. Kelley:

We represent the Eric C. Conn Law Firm ("Conn Law Firm"), a firm located in Stanville, Kentucky and Huntington, WV, that represents clients before the Social Security Adminsitration.

We write seeking guidance pertaining to the production of certain medial records requested by a United States Senate Subcommittee. Specifically, the Senate Subcommittee on Permanent Investigations has requested, via a subpoena signed by a U.S. Senator, the following documents:

> "Any opinions provided by a physician or medical professional on Claimants represented by the Eric C. Conn Law Firm for SSDI or SSI benefits in closed cases . . ."

As you are aware, such documents contain private information that typically incorporates client medical records and opines on client mental and/or physical states. Some of the requested documents set forth claimants' histories of mental illness, child abuse, physical ailments and/or other conditions that are extremely personal and sensitive.

The Conn Law Firm is understandably concerned about complying with this aspect of the subpoena. I have expressed these concerns to the Senate staff. I have also informed the staff that all of these requested records are in the Electronic Records Express maintained by SSA. The Senate, however, has stated that it expects these documents to be produced without any redactions, meaning provision of personal medical information regarding our Social Security claimant clients with the claimants' names, addresses, phone numbers, social security numbers, and all identifying and other information. The Senate has further informed the Conn Law Firm that it expects the medical opinions to be produced regardless of the limited scope of the waivers Social Security claimants provide to their law firms via SSA release forms, regardless of the rules governing practice before the SSA, and regardless of ethical and

other obligations imposed on attorneys' treatment of client information generally. The number of claimants involved is in the thousands.

We have advised the Conn Law Firm that absent a court order it should not comply with this aspect of the subpoena at this time. This assessment derives in part from the SSA Program Operations Manual System ("Manual.") The Manual makes clear that a claimant's authorized representative (such as the Conn Law Firm) has no independent authority to consent to disclosure of a claimant's records that were submitted to the SSA. *See* Manual (GN 03305.0006 and GN 03910.025). The Manual also provides that medical records prepared "as a result of consultative examination," but retained by the physician are deemed to be "SSA records covered under the Privacy Act" *Id.*, (GN 03305.0005). While the latter provision does not expressly mention the claimant's attorney, it would be illogical to treat the very same records differently when it is the content that is subject to Privacy Act's protection. This is further supported by the multiple releases (largely SSA Forms) that are required and signed by the Claimants during their representation and by the fact that these forms expressly limit the Law Firm's authority to release the records beyond the SSA process. This is also supported by the fact that the records were prepared for, and submitted to, the SSA, a federal agency, that maintains these records as part of a system of records searchable by individual name.

For these and other legal and ethical reasons, we have advised the Conn Law Firm that compliance with the medical opinion aspect of the subpoena under the terms set forth by the Senate appears to violate the SSA's rules and SSA's required claimant releases. We have also determined that the Conn Law Firm could risk adverse legal action by the SSA and/or by its own clients, who could claim violations and damages should medical information be distributed by the U.S. Senate or included in a U.S. Senate report, which often is the result when information is provided to the U.S. Congress.

The Conn Law Firm respects the SSA process as well as its claimants' privacy and its first and foremost concern is not to violate rules governing either.

As counsel to the Conn Law Firm, we respectfully request SSA guidance on this matter or to be directed to the appropriate division within SSA that can provide such guidance. We thank you for your attention to this matter and would welcome an opportunity to discuss this with you further.

Sincerely,

Pamela J. Marple

TAB 6

From: Charlie.Paul.Andrus@ssa.gov
Date: Jan 14, 2011 08:43:56 AM
Subject: RE: Deceased Client
To: erickentucky@lycos.com

Eric,

You were correct about the e-mail. If this is SSI we will have to dismiss unless there is an eligible spouse. Let me know.

CPA

-----Original Message-----
From: erickentucky@lycos.com [mailto:erickentucky@lycos.com]
Sent: Thursday, January 13, 2011 9:43 PM
To: Andrus, Charlie Paul
Subject: Deceased Client

Dear Chief Judge,

This is a first for me. Client went to hearing but record kept open for standard 30 days for any post-hearing motions/medical records.

I, was of the opinion, that we needed to move to withdraw our request for hearing and was going to do so. However, when we called the client to come in the office to sign the motion we were informed he had died. Apparently, drug overdose. His roommate died the next day. Weird one huh.

The client has a child. Please let me know what I should do.

Thanks,

Eric

PS I have not mention client's name in this e-mail because I did not know if the Privacy Act permitted it.

From: William.H.Gitlow@ssa.gov
Date: Nov 15, 2010 09:16:25 AM
Subject: Testing
To: erickentucky@lycos.com

Just a test.

Bill

From: William.H.Gitlow@ssa.gov
Date: Nov 16, 2010 09:07:18 AM
Subject: FW: WAIS-IV
To: erickentucky@lycos.com

From: Randell, Philip
Sent: Wednesday, November 10, 2010 8:17 AM
To: Gitlow, William H.
Cc: Cerulli, Nicholas
Subject: RE: WAIS-IV

Judge Gitlow,
Nick asked me to respond on his behalf. Guidance on this issue is posted on SSA's National Questions & Answers website. (http://policynet.ba.ssa.gov/pnqa.nsf/answercats!openview) More specifically, the answers to your questions can be found in 08-053, under the Medical Policy-Mental Disorders section.

In brief, VCI replaced VIQ, and PRI replaced PIQ. The scores are equivalent. WMI and PSI "are not considered or applied to IQ scores." Only Full Scale IQ is discussed and is considered the best overall score, so I would not use the General Ability Index.

"How do adjudicators use the new WAIS-IV in our program?"
http://policynet.ba.ssa.gov/pnqa.nsf/links/08-053

You may also find the next two sections helpful:

Do low WMI and PSI index scores lower the FSIQ on the WAIS-IV and result in a diagnosis of MR?
http://policynet.ba.ssa.gov/pnqa.nsf/links/08-057

Is the RIAS an acceptable intelligence test?
http://policynet.ba.ssa.gov/pnqa.nsf/links/09-020

Finally, the section of the CFR that covers this topic is attached. Please contact me if further assistance is needed.

Phil Randell, Program Analyst
Office of the Regional Chief Judge
ODAR Region III - Philadelphia
(215) 597-5661, Fax (215) 597-4183

From: Gitlow, William H.
Sent: Tuesday, November 09, 2010 10:24 AM
To: Cerulli, Nicholas
Subject: WAIS-IV

I am an ALJ in Huntington and am looking for some guidance on the recent IQ testing. It appears that recent CE evaluations have replaced the verbal and performance subscales with various indices. The regs, particularly Listing 12.05C talks about scores of 70 and below on verbal, performance or full scale. A quick bit of research indicates that the verbal and performance subscales from previous versions of the WAIS were removed and replaced by various index scores, notably the VCI (verbal comprehension index); PRI (perceptual Reasoning; WMI (Working Memory); and PSI (Processing Speed). Then there are two broad scores, one being the Full Scale IQ, and another being the GAI (General Ability Index). Do we have any guidance on which of these to rely upon in making a determination of whether a claimant meets the Listing (apart from the issue of adaptive functioning)?

Thanks.

Bill Gitlow

From: William.H.Gitlow@ssa.gov
Date: Nov 17, 2010 03:38:04 PM
Subject: EDI
To: erickentucky@lycos.com

Just the Facts

July 2004

Disability and Retirement: Basic Information for BPAO and PABSS

Basic Information for BPA&O and PABSS

So, what does it mean?

How this applies to you.

With the intervention of benefits planning, more SSDI beneficiaries are choosing to return to work. However, many are unable to earn at the same level as their pre-disability salary/earnings. They are legitimately concerned that returning to work at a lower wage level will cause a reduction in future retirement payments.

Social Security Statements

There are several ways an individual who qualifies for Social Security benefits can receive a statement of estimated benefit amounts to which they may be entitled upon retirement or upon becoming disabled. The Social Security Administration mails a statement annually to workers or former workers 25 years of age or older, approximately 3 months before the person's birthday. This letter, entitled "Your Social Security Statement," includes 1) an overview about the Statement and benefits calculations, 2) estimated monthly benefit amounts for the individual's Retirement, Disability, Family, Survivors and eligibility for Medicare benefits, and 3) information about some of the benefit program rules and regulations. Any worker of any age can also request a Statement at any time (typically, a request for a Statement will take 2-4 weeks to receive in the mail).

The Statement includes a disclaimer that the amounts may not be accurate because they are based on an estimate of future earnings and current law. The retirement estimate includes an approximation of how much the person will receive at early retirement (at age 62), and at full retirement age (the full retirement age began to increase gradually in 2003 from age 65 years, 0 months, and will eventually be capped at age 67). The estimated amount of a person's monthly disability payment will often be less than the amount at full retirement age because there is an assumption the person will work fewer years if disabled. The disability benefit estimate is based on the person becoming disabled "right now." Page 3 of the letter includes a list of "Your Social Security Taxed Earnings." Individuals can review this record to be sure that the Social Security Administration has an accurate record of earnings (underreporting of earnings can result in lower benefit amounts). Pages three and four of the letter also include information on how to report to SSA and additional facts about SSA benefit programs.

Individuals can receive an estimate of their Social Security benefits online from the SSA website. The process is:

1. Log onto at www.ssa.gov, (the SSA home page)
2. On the home page, click on the "Calculate Your Benefits" item in the middle of the page
3. There are three types of calculators available on the bottom of the page, the "Quick Calculator," the "On Line Calculator," and the "Detailed Calculator"
(Note: The On Line calculator is easy to use but requires the individual to input past earnings for each year worked. This option provides rough estimates and should never be counted as highly accurate).

Individuals can also receive an SSA benefit statement and related information through the following page under the SSA website:
www.socialsecurity.gov/mystatement/

This web page includes buttons to other options:

* "Need to request a Statement?" allows the individual to request a Statement of Benefits in the mail
* "Sample Statement with explanations" provides an example of a benefits statement
* "Questions About Your Statement" includes links to frequently asked questions and answers to topical areas related to the benefit calculations, statements, and possible problems with information.

Individuals who cannot or do not want to use the internet can call the Social Security Administration at 1-800-772-1213; they can write to Social Security Administration, Office of Earnings, Operations, P.O. Box 33026, Baltimore, MD, 21290-3026, or they can go into their local SSA office to request a Statement.

Retirement: Considerations for disability beneficiaries

When a worker becomes disabled, and qualifies for SSDI, the monthly benefits are an estimate of the benefits he would receive had he worked until reaching full retirement age. The methods used to calculate disability or retirement benefits are very complicated and BPAO specialists should refer beneficiaries to the Social Security Administration if they have questions about benefit calculations.

The earnings used in determining the Primary Insurance Amount (PIA) are set or fixed at the time the person qualifies for disability benefits. The SSA will not use any years of "non-work" during a period of disability to calculate the retirement benefit.

If a SSDI beneficiary returns to work and leaves the rolls, the amount of disability benefits received will not reduce future retirement benefits. Nor will wages earned during a period of disability have a negative impact on future retirement benefits. Wages are "frozen" during a period of disability and used in the calculation of retirement benefits only if it would be to the person's advantage to do so. However, if the lower earnings continue AFTER cessation of benefits and termination of the disability, retirement benefits may be reduced.

If the SSDI beneficiary switches to retirement benefits prior to reaching Full Retirement Age (FRA), the monthly cash benefit is reduced by the number of months remaining until FRA. The reduction is 5/9 of 1 percent for each of

the first thirty-six months and 5/12 of 1 percent for each month in excess of thirty-six.

In certain situations, it may be advantageous for the DI beneficiary to take early retirement at age 62. Some examples include:

1. Workers Compensation benefits will offset the SSDI benefit, but in many states will not offset retirement benefits. A DI beneficiary receiving Workers Compensation may be better off by taking the early retirement payment. The Claims Representative can provide the beneficiary with a comparison of the payment with offset versus the lower retirement payment without offset. Since there are differences among states in administration of the Workers Compensation benefit, the beneficiary or BPAO specialist should consult with the entity administering the WC benefit before making the change to ask if the retirement benefit would reduce the workers compensation payment.

A subsequent change in the workers compensation payment could reduce the offset, resulting in a higher DI payment. The beneficiary can request that they be returned to DI status rather than continue with the reduced retirement benefit.

2. Because the computation for retirement benefits is more generous than for disability benefits, the family maximum will often be higher for retirees. If a DI beneficiary has a spouse and dependent children, he/she may decide to switch to retirement status at age 62 to get the higher auxillary payments for family members. [Family maximum goes from 50% to 75%]

3. Retirees are allowed to earn more than SSDI beneficiaries, but people under age 65 are subject to the "Annual Earnings Test". In 2005, people who elect to take retirement at age 62 can earn $12,000 before benefits are reduced. Retirees who turn 65 in 2005 can earn $31,800 before any benefits are withheld. SSDI beneficiaries are subject to the test of Substantial Gainful Activity and risk termination of benefits if they have completed their Trial Work Period and countable earnings are more than $9,960 in 2005.

Because they are technically still entitled to SSDI benefits even if they elect to take the early retirement benefit, the SSA will track the earnings for the purpose of determining if Trial Work months are being used, or if the individual is in the Extended Period of Eligibility. Conceivably, the disability status could be terminated due to SGA level earnings even if the beneficiary is receiving reduced retirement benefits rather than SSDI benefits.

Normally, when retirement benefits are elected at age 62, the reduced benefit will continue because the full benefit is reduced by the number of months until full retirement age. This is called the "adjustment reduction factor", or ARF. It is important to note that SSDI beneficiaries who elect retirement at age 62 are not subject to the adjustment reduction factor. Therefore, when they reach full retirement age they will get the full benefit rather than the reduced benefit. Technically, the disability status never really ended, so they are simultaneously eligible for retirement and disability between age 62 and full retirement age. POMS RS 00615.482 indicates that in adjusting the reduction factor, any month of simultaneous eligibility for retirement and disability is a crediting month that is, not counted as a reduction month. CFR 404.412

In the scenario described in # 3 above, lower earnings and termination of disability status due to SGA level earnings would result in a reduced retirement benefit at FRA.

It cannot be emphasized enough that BPAO and PABSS specialists should always encourage beneficiaries to consult with the local Social Security office if they have questions about retirement.

References:

Code of Federal Regulations:
404.409 What is Full Retirement Age?
404.410 How does SSA reduce my benefits when my entitlement begins before full retirement age?
404.411 404.412 After my benefits are reduced for age when and how will adjustments to that reduction be made?
404.415 Deductions because of excess earnings; annual earnings test.
404.252 Subsequent entitlement to benefits 12 months or more after entitlement to disability benefits ended.
404.290 Recalculations.

Social Security Handbook

302.1, 302.2, 723 Reduction of Benefit Rate

From: William.H.Gitlow@ssa.gov
Date: Nov 29, 2010 01:25:35 PM
Subject: FW: Goldman Sachs
To: shueseman@foothills.net, erickentucky@lycos.com, leahsalyers@gmail.com

From: damillster@gmail.com [mailto:damillster@gmail.com] **On Behalf Of** David Mill
Sent: Friday, November 26, 2010 11:05 AM
To: Gitlow, William H.; Bill Gitlow
Subject: Goldman Sachs

http://www.youtube.com/watch?v=PTUY16CkS-k&feature=player_embedded#at=11
--

David Mill
Cellular Sales of Knoxville
Direct: 865.250.9717
Fax: 775.255.2218

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SALES OPENINGS: CellularSales.com/opportunity

From: William.H.Gitlow@ssa.gov
Date: Dec 1, 2010 03:24:00 PM
Subject: FW: Fee Reminder
To: erickentucky@lycos.com

From: Hayes, Stephen
Sent: Wednesday, December 01, 2010 1:34 PM
To: #PH WV ODAR Huntington All
Subject: FW: Fee Reminder

From: Bousono, Elba
Sent: Wednesday, December 01, 2010 12:03 PM
To: Hipchen, Christy; Robinson, Jennifer R.; Gregory, Andrew; Bell, Penny; Trumbore, Kathryn; Shetzline, Michael; Hayes, Stephen; Pasierb, Deborah; Casey, Linda; Smith, Mary A.; Sincavage, Christine; Jackson, Valerie A.; Antosiak, Kathy; Stanage, Jody; Burroughs, Jenny; Donaldson, Heather; Hindie, Harriette; Belles, Charles J.
Cc: Cerulli, Nicholas; Quinn, Helena; Quick, Jason; Rizzo, Philip; Randell, Philip; Wylie, Alicia
Subject: Fee Reminder

As you know, a claimant may only appoint an individual, and not a firm, company, corporation, or other entity, as a representative. This remains in effect, as the proposal to revise the rules to permit entities to represent claimants is still pending.

By way of background, on September 8, 2008, there was a proposed revision to the rules on representation of claimants . A meeting with several participants from the Social Security Administration was held in October 2008, and comments were due from the public by the first week of November 2008. One of the issues included in the proposal is appointing a firm/company/corporation, rather than an individual. This would allow the firms/companies/corporations named as a claimant's representative to seek payment for the firm, rather than an individual working for the firm. As of now, when a representative working for a firm receives payment of the fee by the Social Security Administration through a check, the check will be made out to the individual representative, and not the firm itself.

However, as of now, this proposal on the revisions is still pending review. Therefore, claimants cannot appoint a firm/company/corporation, and can only appoint an individual. Until the proposal is revised, please continue to accept appointment of representative forms appointing an individual.

I will continue to monitor this proposal and provide you with any relevant status updates.

Elba Luz Bousoño
Paralegal Specialist
Regional Chief Judge
Regional Office - Region III
(215) 597-1816
elba.bousono@ssa.gov

From: William.H.Gitlow@ssa.gov
Date: Jan 7, 2011 05:47:02 PM
Subject: Cold
To: erickentucky@lycos.com

Read your text message. It sounded like you were coming down with a cold on Monday, and what sounded a bit like that early in the day sounded worse by the end of the day. If it wasn't you, then it was someone else at the office on Monday - because by Thursday (the normal 3 day incubation period for a cold) Dave, Sue and I were all coming down with a cold. Today it was full blown for all three of us. So you tell me.

See you next month.

Bill

From: William.H.Gitlow@ssa.gov
Date: Jan 7, 2011 06:08:03 PM
Subject: RE: Cold
To: erickentucky@lycos.com

Not Melissa - David; Sue; and me.

-----Original Message-----
From: erickentucky@lycos.com [mailto:erickentucky@lycos.com]
Sent: Friday, January 07, 2011 5:57 PM
To: Gitlow, William H.
Subject: Re: Cold

Judge,

I was just kidding. It could well have been me. I felt better the next day but you are probably right. I was just kidding about that. :)

All 3? Including Melissa?

From: William.H.Gitlow@ssa.gov
Date: Jan 10, 2011 12:07:27 PM
Subject: RE: Cold
To: erickentucky@lycos.com

Stayed in all weekend. Actually, it was nice (tho I wore a mask not to infect Caryl) hanging out together for a weekend. Today is day 5 and the first day I almost feel human. Have to drive Priscilla to Yeager this afternoon for her trip to AZ.

Bill

-----Original Message-----
From: erickentucky@lycos.com [mailto:erickentucky@lycos.com]
Sent: Sunday, January 09, 2011 1:12 PM
To: Gitlow, William H.
Subject: Re: Cold

Judge,

How's your cold?

Eric

P.S. I feel awful about that.... Got to start wearing the mask you mentioned. Go Blue!

From: Charlie.Paul.Andrus@ssa.gov
Date: Aug 6, 2010 12:57:43 PM
Subject: Re: Debriefing from Eric C. Conn
To: erickentucky@lycos.com

Eric,

I am in the Charlotte airport. Imet Sue Brown and made sure she sent the letter--glad it came.

Your case proposals are fine. We can discuss any dismissals or OTRs you may wish. I have written the other OTRs and signed most of them.

See you next week.

Judge Andrus

Charlie Paul Andrus
Hearing office Chief Judge
Huntington, WV
Charlie.Paul.Andrus@SSA.gov

Sent from my BlackBerry Wireless Handheld Device

----- Original Message -----
From: erickentucky@lycos.com <erickentucky@lycos.com>
To: Andrus, Charlie Paul
Sent: Fri Aug 06 12:50:59 2010
Subject: Debriefing from Eric C. Conn

Dear Chief Judge,

Your call was really appreciated. We have received the letter from the electronic folder access system people. Further, pursuant to that letter we have contacted the responsible person and our appointment is at 10:30 a.m. on the 19th.

I am personally going on the 18th and staying at a hotel within walking distance of the site. Also, my employee Jeanna will be going with me. We are going on the 18th as we do not want anything to go wrong. We are returning on the 19th late as the entire procecdure only requires 30 minutes.

Grover, remarkably, flew to Las Vegas. Grover has asked me to cover two hearings he has with you on the 10th of this month (this coming Tuesday) as he will be in Vegas. The hearings are for [redacted] which starts at 9:00 a.m. and a[redacted]t 11:00 a.m. on the same date. I have Judge Buel scheduled from 9:00 a.m. to 1:30 on the same

date. My thinking is to have John Earl cover the Judge Buel cases that take place during the two hearings with you as I want to cover the hearings with you myself. Hope this is acceptable. If not, let me know and I will adjust per your instructions.

We have two possible dismissals that I would like to discuss with you when you have the time to do so.

Looking forward to hearing from you,

Eric

Social Security Administration **Office of Hearings and Appeals**

1108 Third Avenue, Suite 400
Huntington, WV 25701
Phone: (304) 529-5531
FAX: (304) 529-5066

MEMORANDUM

TO: Steve Slahta, Acting RCALJ
OHA Region III

FROM: Charlie P. Andrus HOCALJ
Huntington, WV

DATE: July 5, 2001

SUBJECT: Prestonsburg case scheduling

Per our conversation of July 3, I am asking for a slight deviation from policy to handle a problem I have encountered. Of the 845 unassigned cases we have in our remote hearing site in Prestonsburg, KY, 340 are represented by one attorney, Eric Conn. We have encountered problems being able to schedule a sufficient number of his cases to justify a trip to Prestonsburg for myself on two occasions, and we have had to reduce numbers for other judges on other occasions due to scheduling problems. In addition, we have had problems in setting hearings in a timely manner, due in part to scheduling problems with Mr. Conn. In addition, we suspect that he is engaging in "forum shopping" by his unwillingness to be available during weeks when certain judges are scheduled. As we all normally travel the same week of the month, this makes such an endeavor easier. I have discussed the matter with Harriette, and we are taking steps to ease the problem. I feel we need to have an immediate, mid-term and long-term plan. The problem will get worse when we finally get the two or three new judges we are slotted to get (two for sure and a third was planned if Judge Cherry transferred and he did).

SHORT-TERM

We plan to initiate immediate steps to reduce the problem. Harrliette and I agree that we need to assign Mr. Conn's cases in rotation to each ALJ as they come into the office. This will give each judge about the same amount of cases and will lessen if not eliminate the tendency to forum shop, as all of us will have the same number of his cases. Harriette has already taken steps to do this. In addition, I plan to discuss the problem with Mr. Conn next week. He has been agreeable to suggested changes in the past. In addition, we are trying to advance schedule for succeeding months when we are told that he is not available for a particular week. This has had limited success which I hope to improve by speaking with Mr. Conn next week. If necessary, we can get blocks of days for three or four months in advance. Finally, I wish to deviate from strict following of age of case when pulling.

With almost one-half of our Prestonsburg docket taken by Mr. Conn, we need a larger supply of "other attorney" cases pulled to be able to fill in the docket if he is not available. I do not anticipate that this will be more than 1-2 months out of order. I would pull three "other attorney" cases for every two Eric Conn cases.

MID-TERM

Harriette and I discussed one mid-term solution, about which we do not fully agree. The out-of-town judges we have had in Prestonsburg cause some of the problem. Not only to they tie Mr. Conn up with cases that have to have a priority, they also cause difficulty in scheduling hearing rooms, reporters, and VEs. Considering the hassles, they have been more harm than help. I get complaints from the VEs that judges are bringing in outside VEs without contacting them. We are also having trouble getting VEs scheduled for our own cases. In addition, some of the judges that come from out of town obviously don't want to come here and create problems with hostility, and cause additional remands as they are not used to our area, and they know that they won't be coming back to deal with the remands. We also receive a number of cases that are returned with a lot of additional age that the assisting office "can't schedule". We note that we have not sent cases out for months and out of town judges are still a problem for us. We agree that we would rather not send any of our cases out except those we send for videoconference.

If we must send cases out I would prefer to send only Huntington Cases. Harriette wants to send strictly by age of the case. As getting to Prestonsburg is significantly more difficult, it is much easier for judges to come to Huntington. We also have four hearing rooms, as well as a nearby hotel verses three rooms in Prestonsburg. We also have a greater number of people doing SSA cases in Huntington, so that availability of reps is not as difficult a problem. We also find it easier to obtain reporters and VEs in Huntington verses Prestonsburg. We cannot exclude Eric Conn cases if we send Prestonsburg cases, so I would prefer not to send any at all. If the age of the dockets becomes too far out of balance, we can revisit this. Again, we would prefer to not send any cases out of Huntington other than the 60 per month we send to Richmond for videoconferencing.

LONG TERM

I plan to point out to Mr. Conn that in the long run we are going to have a significant problem as we get more judges. With three of us going to Perstonsburg many weeks of the month, we will not be able to schedule his cases in a timely manner. I plan to suggest that he should either take fewer cases, or get someone to help. Hopefully this problem will resolve in the future. If this does not work, we may well have to have only two judges per week in Prestonsburg three weeks of the month and three judges one week. This will also have the undesired effect of having two or three judges out of the office the last week of the month. One other option is to suggest that he use one of his paralegals for the SSI cases, as withholding attorney fees would not be a consideration.

Forwarded Message	
Subject:	**FW: Huntington cases**
From:	Comerford, Jim
Date:	7/23/2001 7:58:51 AM
To:	#OHA R3 RO MGMT ANALYSTS
CC:	#OHA R3 RO MGMT ASSISTANTS

Message Body

FYI.

(I did the highlighting.)

JLC

-----Original Message-----
From: Bracchi, Barbara
Sent: Friday, July 20, 2001 11:50 AM
To: Loughran, Valerie; Comerford, Jim
Cc: Slahta, Steven D.
Subject: RE: Huntington cases

Since they have problems scheduling with this one attorney, I think they should be sending the attorney with a copy to the claimant a form memo every time they attempt to schedule a hearing and he says he is not available so the claimant knows that the attorney is causing the delay. Attorneys generally do not like this and it gives the claimant the opportunity to find another representative if he does not want to wait for the hearing.

I'm not inclined to permanently transfer cases unless absolutely neccessary since it has recently come to light that the HOs don't seem to follow our guidelines for these cases anyway. What we have found (in DC, Charlottesville, and others) is that transfer cases are not being worked in RH date order, but seem to languish for long periods of time in the assisting office (even when they requested the cases).

-----Original Message-----
From: Loughran, Valerie
Sent: Wednesday, July 18, 2001 11:46 AM
To: Bracchi, Barbara; Comerford, Jim
Cc: Slahta, Steven D.
Subject: FW: Huntington cases

After discussion with Judge Slahta, we decided that Judge Andrus could vary from the transfer policy for the short term, to deal with the current problem. So if we are transferring cases in the near future we will use Huntington. I know this is not what we want as an ongoing policy, but it may help. If it presents a significant problem please advise.

-----Original Message-----
From: Slahta, Steven D.
Sent: Friday, July 13, 2001 5:52 PM
To: Loughran, Valerie
Cc: Bracchi, Barbara; Comerford, Jim; Andrus, Charlie Paul
Subject: FW:

Hello Friends

Judge Andrus sent me this message regarding his unique situation in Huntington/Prestonsburg. We can discuss this in the next week or wait until Barbara returns.

Steve Slahta

-----Original Message-----
From: Andrus, Charlie Paul
Sent: Monday, July 09, 2001 8:03 AM
To: Slahta, Steven D.; RCJ Philadelphia
Subject:

Steve,

As you requested. Hope you have fun in Pitt. I was able to get into my e-mal with the new system before, I hope it works again.

Chuck

<< File: prestonsburg case scheduling.dot >>

Outlook Header Information
Subject: FW: Huntington cases From: Comerford, Jim Sender Name: Comerford, Jim To: #OHA R3 RO MGMT ANALYSTS CC: #OHA R3 RO MGMT ASSISTANTS Received By: Polohovich, Veronica Delivery Time: 7/23/2001 7:58:51 AM Creation Time: 7/23/2001 7:58:51 AM Modification Time: 7/23/2001 7:58:51 AM Submit Time: 7/23/2001 7:58:51 AM Importance: Normal Priority: Normal Sensitivity: Normal Flags: 1 = Read Size: 8246

Forwarded Message	
Subject:	**RE: Difficulty Scheduling Prestonsburg Hearings**
From:	Polohovich, Veronica
Date:	7/18/2001 11:58:30 AM
To:	Comerford, Jim

Message Body

I do not agree with the recommendations by Judge Andrus for the following reasons:

1. If Mr. Eric Conn is not available, we should be notifying the claimants and Mr. Conn of our attempts to schedule a hearing and advising them that the reason the case has not been scheduled is due to Mr. Conn's unavailability. This should force the issue and either make Mr. Conn be more available or the

claimants attain a new representative.

2. I do not agree with deviating from following age of case when pulling, we would be doing this to accommodate Mr. Conn. In fact, the whole proposal seems to be an attempt to accommodate Mr. Conn.

3. The proposal to permanently transfer out only Huntington cases does not follow HALLEX or Region III's case transfer policy. It is not cost effective for travelling judges to travel to Huntington and Huntington judges to travel to the remote sites (Prestonsburg). It is more cost effective for Huntington judges to stay in Huntington and the travelling judges to travel directly to the remote sites.

4. Judge Andrus mentions numerous problems or hassles from visiting judges. These should be brought to the RO's attention when they occur. He may be eluding to DC, but I have not received any complaints.

Ronnie

-----Original Message-----
From: Comerford, Jim
Sent: Wednesday, July 18, 2001 10:14 AM
To: Jones, Ann; Polohovich, Veronica
Subject: FW: Difficulty Scheduling Prestonsburg Hearings

Ladies,

Please review the attached and tell me what you think. Thanks.

James L. Comerford
215-597-4181
jim.comerford@ssa.gov

-----Original Message-----
From: Loughran, Valerie
Sent: Monday, July 09, 2001 1:44 PM
To: Comerford, Jim
Subject: FW: Difficulty Scheduling Prestonsburg Hearings

Can you look this over and discuss with the MA. We can discuss when I return on Wednesday. There is no real hurry in responding, but I want to fill Judge S in on this. thanks.

-----Original Message-----
From: Andrus, Charlie Paul
Sent: Thursday, July 05, 2001 10:58 AM
To: Slahta, Steven D.
Cc: Loughran, Valerie; Cyrus, Harriette M.
Subject: Difficulty Scheduling Prestonsburg Hearings

Steve,

Here is the memo we discussed on July 3. If you have any questions, please let me know.

Chuck Andrus << File: prestonsburg case scheduling.dot >>

Outlook Header Information
Conversation Topic: Difficulty Scheduling Prestonsburg Hearings Subject: RE: Difficulty Scheduling Prestonsburg Hearings From: Polohovich, Veronica Sender Name: Polohovich, Veronica To: Comerford, Jim Delivery Time: 7/18/2001 11:58:30 AM Creation Time: 7/18/2001 11:58:29 AM Modification Time: 5/14/2002 4:14:05 PM Submit Time: 7/18/2001 11:58:30 AM Importance: Normal Priority: Normal Sensitivity: Normal Flags: 1 = Read Size: 6901

Forwarded Message	
Subject:	**FW: Difficulty Scheduling Prestonsburg Hearings**
From:	Comerford, Jim
Date:	7/18/2001 10:14:23 AM
To:	Jones, Ann; Polohovich, Veronica

Message Body

Ladies,

Please review the attached and tell me what you think. Thanks.

James L. Comerford
215-597-4181
jim.comerford@ssa.gov

-----Original Message-----
From: Loughran, Valerie
Sent: Monday, July 09, 2001 1:44 PM
To: Comerford, Jim
Subject: FW: Difficulty Scheduling Prestonsburg Hearings

Can you look this over and discuss with the MA. We can discuss when I return on Wednesday. There is no real hurry in responding, but I want to fill Judge S in on this. thanks.

-----Original Message-----
From: Andrus, Charlie Paul
Sent: Thursday, July 05, 2001 10:58 AM
To: Slahta, Steven D.
Cc: Loughran, Valerie; Cyrus, Harriette M.
Subject: Difficulty Scheduling Prestonsburg Hearings

Steve,

Here is the memo we discussed on July 3. If you have any questions, please let me know.

Chuck Andrus

Attachment
prestonsburg case scheduling.dot

Outlook Header Information
Conversation Topic: Difficulty Scheduling Prestonsburg Hearings Subject: FW: Difficulty Scheduling Prestonsburg Hearings From: Comerford, Jim Sender Name: Comerford, Jim To: Jones, Ann; Polohovich, Veronica Received By: Polohovich, Veronica Delivery Time: 7/18/2001 10:14:23 AM Creation Time: 7/18/2001 10:13:36 AM Modification Time: 7/18/2001 10:57:26 AM Submit Time: 7/18/2001 10:14:23 AM Importance: Normal Priority: Normal Sensitivity: Normal Flags: 17 = Read, Has Attachment Size: 41574

Forwarded Message	
Subject:	**FW: Permanent Case Transfer Reminder**
From:	Polohovich, Veronica
Date:	3/13/2003 2:56:15 PM
To:	Orr, Gerald

Message Body

Interesting??? Sounds like Roanoke doesn't want to go to New York. Before they refused Huntington, now they are cutting deals.

-----Original Message-----
From: Cyrus, Harriette M.
Sent: Thursday, March 13, 2003 1:54 PM
To: Polohovich, Veronica
Subject: RE: Permanent Case Transfer Reminder

Ronnie,

I just spoke with Judge Andrus and told him about trying to keep our judges here in Huntington. I believe he understands. However, he and Judge Owen were in Pburg this week and are trying to work it out that we make transfers to that office on a regular basis. I told him I'd let you know, but that it is the decision of the RO where our cases are transferred. They felt it would be easier to schedule if we only sent cases to Roanoke.

H

-----Original Message-----
From: Polohovich, Veronica
Sent: Thursday, March 13, 2003 1:50 PM
To: #OHA R3 HODs
Cc: Inman, Julia; Jones, Ann; Orr, Gerald
Subject: Permanent Case Transfer Reminder

This is a reminder to offices receiving Permanent Case Transfers.

The Region III Case Transfer Guide and Hallex indicate that it is the responsibility of the assisting hearing office to notify the claimants and their representative of the case reassignment. This must be done as soon as possible after receipt of the cases in the assisting hearing office.

Thank you.

Outlook Header Information

Conversation Topic: Permanent Case Transfer Reminder
Subject: FW: Permanent Case Transfer Reminder
From: Polohovich, Veronica
Sender Name: Polohovich, Veronica
To: Orr, Gerald
Received By: Orr, Gerald
Delivery Time: 3/13/2003 2:56:15 PM
Creation Time: 3/13/2003 2:54:51 PM
Modification Time: 3/13/2003 2:56:15 PM
Submit Time: 3/13/2003 2:55:58 PM
Importance: Normal
Priority: Normal
Sensitivity: Normal
Flags: 1 = Read
Size: 9170

Outlook Header Information

Conversation Topic: Huntington Workload
Subject: FW: Huntington Workload
From: Orr, Gerald
Sender Name: Orr, Gerald
To: Cristaudo, Frank
Received By: Cristaudo, Frank
Delivery Time: 3/13/2003 3:40:20 PM
Creation Time: 3/13/2003 3:40:34 PM
Modification Time: 3/18/2003 9:34:51 AM

Message0012	
Subject:	**RE: Judge Daugherty**
From:	Andrus, Charlie Paul
Date:	6/20/2002 8:57:21 AM
To:	Cristaudo, Frank

Message Body

Judge Cristaudo,

I did go to a movie with Mr. Conn. I have also had lunch with Mr. Conn, with other judges and the hearing clerks present although I do not ever remember having dinner with him. I went with Mr. Conn to the movie to have the opportunity to discuss changes in the scheduling I wanted to do and I wanted to do it outside the hearing of the staff. I don't believe that Mr. Conn was uncomfortable about the idea as it was his suggestion and each of us paid our own way. Mr. Conn has offered to take me with him to Russia and Brazil at his expense. I politely declined and explained that would be totally improper, and he did not seem offended.

This is exactly what I was talking about when dealing with Judge Daugherty. At least this time he did not accuse me of doing cocaine in my office.

Please advise if you think it improper for me to have social contacts with Mr. Conn.

Judge Andrus

-----Original Message-----
From: Cristaudo, Frank
Sent: Wednesday, June 19, 2002 4:20 PM
To: Andrus, Charlie Paul
Cc: Loughran, Valerie
Subject: Judge Daugherty

Charlie,

When I called Judge Daugherty about "canceling" hearings in Prestonsburg, he advised me that Counsel Eric Conn advised him that you had invited Counsel Conn to go out to dinner and/or see a movie and that Counsel Conn was uncomfortable with your comment. Please let me know if this occurred, and if so, the circumstances. Though Judge Daugherty indicated he would deny ever saying this, we need to make sure that we investigate this allegation because of the appearance of a conflict of interest. If you would like to discuss this matter further, or if you have any questions, please let me know. Thanks Charlie. Frank

Frank A. Cristaudo
Regional Chief Judge
215-597-4106
frank.cristaudo@ssa.gov
http://ro.ba.ssa.gov/oha/philadelphia/
Philadelphia Region - Committed to Providing Quality Due Process Hearings and Decisions
[Timely Hearing & Decision - Adequately Developed Record - Fair Hearing - Legally Sufficient Written Decision]

Outlook Header Information
Conversation Topic: Judge Daugherty

Message0176	
Subject:	**RE: Report of meeting with Attorney Eric Conn**
From:	Cristaudo, Frank
Date:	12/2/2002 7:50:25 AM
To:	Andrus, Charlie Paul
CC:	Loughran, Valerie; Inman, Julia; Cyrus, Harriette M.

Message Body

Thanks Charlie. By copy of this message I am advising the others. Julia will share the message with her staff.

Frank A. Cristaudo
Regional Chief Judge
215-597-4106
frank.cristaudo@ssa.gov
http://ro.ba.ssa.gov/oha/philadelphia/

-----Original Message-----
From: Andrus, Charlie Paul
Sent: Friday, November 29, 2002 11:28 AM
To: Cristaudo, Frank
Cc: Cyrus, Harriette M.
Subject: Report of meeting with Attorney Eric Conn

Frank,

To follow up on the telephone call we had on this subject, I wanted to send a brief note outlining of what we discussed in the meeting we had with Mr. Conn and his staff. Harriette and I met with them for about two hours the other day and had a productive session.

Mr. Conn has over 50% of our Prestonsburg cases (which constitutes over 60% of our hearings), and scheduling has been a real problem. We normally send two judges a week to Prestonsburg to hear 22 to 30+ cases each. With vacations and other times he may not be available, Mr. Conn literally has more cases than can be heard in that time, if he is the only attorney available. We have agreed to the following actions to make scheduling easier:

* We will solicit volunteer ALJs to make a second trip to Prestonsburg in those four months in the year were we have a "fifth week".
* Mr. Conn will give us dates when his back-up attorney is available as far in advance as he can so that we can schedule cases for him as needed.
* Huntington OHA will send an O-2 report of Mr. Conn's cases to him each week both by alphabet and by status code. This will allow him to see when cases move to WKUP or WOUT so that he can start to prepare the case earlier to identify those who have gone back to work or disappeared (for possible dismissal) and those where an OTR may be justified based on new evidence.
* Both of us will agree to substitute a new case in the event a scheduled case drops out, up until the day that the judge has left for Kentucky.

Harriette and I believe that this will let us schedule these cases more efficiently. We rejected an idea to schedule out more than one or two months as this is problematic as his schedule can change that far in advance. In addition, our judges sometimes change dates although they usually do that a month or two in advance.

However, scheduling three or four months may result in canceled cases, which we didn't want to do.

His cases are now just about the same age as the rest of our Prestonsburg docket (they had been 2-3 months older), and we feel that this will keep his cases from aging.

If you have any questions, please let me know.

Chuck Andrus

Outlook Header Information
Conversation Topic: Report of meeting with Attorney Eric Conn Subject: RE: Report of meeting with Attorney Eric Conn From: Cristaudo, Frank Sender Name: Cristaudo, Frank To: Andrus, Charlie Paul CC: Loughran, Valerie; Inman, Julia; Cyrus, Harriette M. Delivery Time: 12/2/2002 7:50:25 AM Creation Time: 12/2/2002 7:49:36 AM Modification Time: 12/2/2002 7:50:25 AM Submit Time: 12/2/2002 6:50:25 AM Importance: Normal Priority: Normal Sensitivity: Normal Flags: 1 = Read Size: 9510

REQUEST FOR TRANSFER AND WAIVER OF TRAVEL EXPENSES

DATE: 12/30/09

SSA/OHA

RE: [redacted]

SSN: [redacted]

Gentlemen:

I would like to have my claim transferred to the Prestonsburg Social Security Office. Should I eventually have to attend a hearing on this claim, I would like the said claim to be handled by the Office of Hearings and Appeals in Huntington, WV and to be heard at the Prestonsburg Hearing Site.

I expressly waive my right to reimbursement for travel expenses should the transfer of my claim result in my being compelled to travel more than seventy-five miles to attend a hearing or to the Prestonsburg Social Security Office.

Thank you for your prompt attention to this matter.

Respectfully Submitted,

[redacted]

Signature of Claimant or person filing on behalf of Claimant.

Homeland Security & Governmental Affairs Committee
EXHIBIT #14

ERIC C. CONN P.S.C.

12407 South U.S. 23, P.O. Box 308
Stanville, Kentucky 41659-0308
Telephone: (606) 478-5100 Fax: (606) 478-5109

Eric C. Conn
Attorney at Law

John Earl Hunt
Attorney at Law

12/30/09
DATE

Greg Reynolds, Manager
Social Security Administration
1897 Kentucky Route 321
Prestonsburg, KY 41653

RE: Processing the Claims
of Attorney Eric C. Conn

Dear Mr. Reynolds:

As you know my office is located in Stanville, Kentucky. I do not have ssteilite offices at ANY location in Kentucky or in other states.

Therefore, I am requesting that all claims for clients of my office be done and processed at the Prestonsburg Social Security Office regardless of where the client lives.

If you have any questions, suggestions, or objections to the above please call me.

Respectfully,

[redacted]

Client's Signature

Message0157	
Subject:	**out of service area cases Huntington**
From:	Bice, Debra HQ ODAR
Date:	8/30/2011 7:07:04 PM
To:	Fredricks, Kristen; Lytle, Joseph; Bice, Debra HQ ODAR

Message Body

Kristen – we spoke about this last week. Marianne Blair discovered that there were a large number of out of service area cases in Huntington and that Arnette and Conn appeared to be routinely requesting the FO to process the cases in Huntington instead of the servicing hearing office. I recommend that this information be provided to OIG and also DCO.

Here is the information we have –

Out of service Area Cases – Approximately 21% of the cases processed in Huntington between 2005 and the present were out of service area cases. This could be due to case transfers. However, of the 6750 out of service area cases, 2286 (33%) were represented by Conn and 626 (9%) were represented by Arnette.

Conn and Arnette use forms to request the field office to process the cases in Prestonburg and forward the case to the Huntington hearing office.

This is contrary to policy. These cases should always be sent to the servicing HO and then the ALJ in that HO will decide whether or not to grant transfer. Pertinent portions of policy statements include-

POMS:
GNBOS03103.001 states – "without exception, the HA-501 should be forwarded to the HO servicing the claimant's address, regardless of the representative's address."

http://policynet.ba.ssa.gov/poms.nsf/lnx/0203103001BOS

HALLEX: I-2-0-70
When an HO receives a RH, the HO staff will screen the RH to determine if the HO has jurisdiction, i.e., whether the claimant's address is in the geographic area the HO serves. If the HO does not have jurisdiction, the HO staff will forward the RH to the HO that does.

A claimant may request a change in the place of hearing that would result in the transfer of the case to another HO. However, these requests should not be routinely granted. Due to the large volume of cases in HOs, routine changes of the place of hearing would be disruptive and could adversely affect service to other claimants. Also, assuming a claimant does not object, changes to the place of hearing are often unnecessary due to the availability of video teleconferencing. See 20 CFR 404.936(e) <http://policynet.ba.ssa.gov/repository/cfr20/404/404-0936.htm> & 416.1436(e) <http://policynet.ba.ssa.gov/repository/cfr20/416/416-1436.htm> (68 FR 5218, Feb. 3, 2003, as amended at 75 FR 39160 <http://www.gpo.gov/fdsys/pkg/FR-2010-07-08/pdf/2010-16549.pdf> , July 8, 2010).
An Administrative Law Judge may change the place of hearing upon a claimant's written or oral request if the claimant has good cause for making the request, or on the ALJ's own initiative if the change would promote the efficient administration of the hearing process and ensure the claimant a full and fair hearing.

http://policynet.ba.ssa.gov/hallex.nsf/links/10200070

Attachment
huntingon zip -- revised.xlsx
Attachment
hppscan7.pdf

Outlook Header Information
Conversation Topic: out of service area cases Huntington Sender Name: Bice, Debra HQ ODAR Received By: Bice, Debra HQ ODAR Delivery Time: 8/30/2011 7:07:04 PM Creation Time: 8/30/2011 7:07:03 PM Modification Time: 9/19/2011 3:34:04 PM Submit Time: 8/30/2011 7:06:54 PM Importance: Normal Priority: Normal Sensitivity: Normal Flags: 49 = Read, Has Attachment, From Me Size: 1174112
Standard Header Information
Received: from HQ-MB-01.ba.ad.ssa.gov ([10.17.110.3]) by HQ-CAS-HT-01.ba.ad.ssa.gov ([10.17.110.51]) with mapi; Tue, 30 Aug 2011 19:06:59 -0400 Content-Type: application/ms-tnef; name="winmail.dat" Content-Transfer-Encoding: binary From: "Bice, Debra HQ ODAR" <Debra.Bice@ssa.gov> To: "Fredricks, Kristen" <Kristen.Fredricks@ssa.gov>, "Lytle, Joseph" <Joseph.Lytle@ssa.gov>, "Bice, Debra HQ ODAR" <Debra.Bice@ssa.gov> Date: Tue, 30 Aug 2011 19:06:54 -0400 Subject: out of service area cases Huntington Thread-Topic: out of service area cases Huntington Thread-Index: AcxjiVYpghEmEDEyR8GKD72RqGRMfgCyHk0AADlJapAAAQqjcAABPvbwAAJ5n4AABqJ0IA== Message-ID: <D922037F90196747837EBF2322A868550DA25C7587@HQ-MB-01.ba.ad.ssa.gov> Accept-Language: en-US Content-Language: en-US X-MS-Has-Attach: yes X-MS-Exchange-Organization-SCL: -1 X-MS-TNEF-Correlator: <D922037F90196747837EBF2322A868550DA25C7587@HQ-MB- 01.ba.ad.ssa.gov> MIME-Version: 1.0

United States Senate
Permanent Subcommittee on Investigations
Committee on Homeland Security and Governmental Affairs

AFFIDAVIT OF JAMIE LYNN SLONE

JAMIE LYNN SLONE, being duly sworn, states that:

1. I worked at the Eric C. Conn Law Firm (the "Firm") from September 2006 to March 16, 2012. During my time at the Firm, I worked in a number of positions, including claims intake, DDS Liaison, Fee Control, and the Hearings Department. Beginning in June 2011, I became Office Manager. As Office Manager, I oversaw the Firm's overall finances. This included the day-to-day management of the Firm's bookkeeping and accounting, as well as management of the Firm's cash-on-hand, which we referred to as "petty cash." I also generally oversaw all Firm operations.

2. One of my responsibilities at the Firm was to field calls from Social Security Administration ("SSA") Administrative Law Judge David B. Daugherty. Each month, Judge Daugherty called and gave the following information for 30 to 50 Social Security disability claimants represented by Eric Conn: first name, last name, the claimant's Social Security number, and either "mental" or "physical."

3. Judge Daugherty would also call to speak with Mr. Conn on occasion. During these calls, Mr. Conn asked everyone to leave the room so he could talk to Judge Daugherty in private. Mr. Conn made such a request for no other person that called to talk to him.

4. In 2010, I confronted Mr. Conn and said "I have a theory about you, I think that you go and meet [Judge Daugherty] once a month." Mr. Conn responded "well you know what they say, where there's smoke, there's fire."

Homeland Security & Governmental Affairs Committee
EXHIBIT #16

5. Between 2009 and 2012, I was the individual that routinely answered the calls from Judge Daugherty each month and created the list of claimants. Before me, it was the responsibility of Tabitha George to answer these calls and create the monthly list, until her employment at the Firm ended.

6. By stating either "mental" or "physical," it was commonly known that Judge Daugherty was indicating the type of medical opinion he needed in order to award that claimant disability benefits, either Social Security Disability Insurance Benefits or Supplemental Security Income.

7. I created a list of these claimants, which was known throughout the office as the monthly "DB List." Once the list was created, another employee called each claimant on the DB List to schedule an exam with a doctor. During my tenure at the Firm, Jessica Newman was primarily responsible for scheduling claimants. Depending on whether Judge Daugherty indicated "mental" or "physical" for the claimant, Ms. Newman scheduled the claimant to see a certain doctor to provide an opinion on the claimant's alleged disability.

8. The Firm initially paid for the doctor evaluation, and each claimant was required to reimburse the Firm for the cost of the evaluation. Each claimant signed a contract stating they would reimburse the Firm for the cost of the evaluation. Another Firm employee filmed the claimants signing the contract.

9. If Judge Daugherty indicated "physical" with regard to a claimant, Ms. Newman scheduled the claimant to see a doctor that would review and analyze the claimant's physical health. During my time at the Firm, a large number of the physical evaluations were performed by Dr. Frederic Huffnagle, until his death in October 2010.

10. For two days each month, Dr. Huffnagle evaluated individuals from the DB Lists onsite in the medical suite at the Eric C. Conn Law Firm. Ms. Newman scheduled each claimant for a ten minute appointment with Dr. Huffnagle. Due to my office location, I observed that Dr. Huffnagle met with each claimant for, on average, 5 to 10 minutes. Dr. Huffnagle would see up to 25 claimants a day. Dr. Huffnagle's wife would dictate the medical opinions, which were transcribed by an outside transcriptionist. Dr. Huffnagle's reports would be sent to the Firm in roughly one week following his meeting with the claimant. I do not recall any medical opinions by Dr. Huffnagle that did not find the claimant disabled.

11. In late 2010, Mr. Conn requested that Dr. Huffnagle lengthen his reports. Mr. Conn told me this was requested by Judge Daugherty. Following this request, Dr. Huffnagle complied and lengthened his reports.

12. If a claimant did not attend their scheduled appointment with Dr. Huffnagle, Mr. Conn wrote a report based on the claimant's medical records finding the claimant's limitations were permanent and the claimant was disabled. For these, which were commonly called "file reviews," Dr. Huffnagle did not write the disabling reports; Dr. Huffnagle routinely signed these reports and never requested any edits.

13. The Firm used ten versions of residual functional capacity ("RFC") documents to submit to Judge Daugherty and other ALJs in support of clients' cases of physical disability. These same versions were used in rotation regardless of the clients' medical condition; just the names and Social Security numbers were changed. Dr. Huffnagle did not write or edit the RFCs, but routinely signed them.

14. Many of the claimants where Judge Daugherty indicated "mental" were seen by Dr. Brad Adkins. Dr. Adkins saw claimants at his office. To my recollection, Dr. Adkins

always determined the claimants he evaluated were disabled and unable to perform any work. Mr. Conn submitted five RFCs in rotation to Judge Daugherty and other ALJs for claimants for allegations of mental disabilities. Dr. Adkins did not write these RFCs, but routinely signed them and never requested any edits.

15. When the medical opinions were completed, Judge Daugherty sent a barcode to the Firm to attach to the reports, which were used to upload the reports into the SSA electronic file system.

16. After six-to-eight weeks, Judge Daugherty issued a decision approving the claimant for disability benefits "on-the-record" without holding a hearing.

17. Mr. Conn would search the Internet to locate doctors with licensure problems (i.e., suspended licenses, pending lawsuits, etc.) to evaluate his disability clients. Mr. Conn commonly referred to these doctors as "whore doctors."

18. In 2010, Mr. Conn hired former Huntington disability ALJ Algernon Tinsley. Mr. Conn discussed hiring Judge Tinsley with Huntington ALJ Charlie P. Andrus. Prior to Mr. Conn hiring Mr. Tinsely, I was present for several conversations in the hearing room at the Prestonsburg Hearing Office between the two men. In one of these conversations, Judge Andrus stated to Mr. Conn about Judge Tinsley that "I want him out now. I can't put up with him." Mr. Conn asked me to contact Judge Tinsely to help him complete his retirement papers to facilitate Judge Tinsley ending his employment with the agency and beginning his job for Mr. Conn because "Andrus is chewing my butt out for it."

19. In 2010, Mr. Conn requested that I prepare approximately 180-200 Findings Integrated Template ("FIT") decisions that awarded disability benefits to Mr. Conn's claimants assigned for decision by Judge Andrus. In many cases, when the case decisions were returned to

the Firm, I reviewed the decisions and observed that Judge Andrus adopted the decision exactly as written.

20. For some of these FIT decisions, Mr. Conn requested that these clients receive x-rays from Dr. Ira Potter at the Potter Clinic. The x-ray request forms given to the claimants were marked "WE DO NOT WANT THE FILMS READ BY ANYONE!!!!" Once the x-ray films were provided to the Firm, Mr. Conn personally wrote the analysis for the medical opinion of the x-ray. Mr. Conn found descriptions on the Internet of x-ray films. Mr. Conn cut and pasted these descriptions into his clients' medical opinions, which asserted the claimant was disabled and unable to work. Dr. Huffnagle signed the opinions and never requested any edits.

21. After the Wall Street Journal ("WSJ") ran a story about Judge Daugherty on May 19, 2011 entitled "Disability-Claim Judge Has Trouble Saying 'No,'" for several weeks Judge Daugherty frequently called the Firm, sometimes up to three times a day, requesting to speak with Mr. Conn. Mr. Conn refused to speak to Judge Daugherty on the Firm's phones. Mr. Conn told me that he and Judge Daugherty each bought prepaid cellular phones to communicate with each other. Mr. Conn used several of these phones, purchased from Family Dollar located next to the Firm offices, to communicate with Judge Daugherty.

22. One night, Judge Daugherty called Mr. Conn on his home phone and left him a voicemail, which Mr. Conn played for me that same evening. In that voicemail, Judge Daugherty insisted on talking to Mr. Conn right away. Mr. Conn asked me if I thought he should return Judge Daugherty's phone call.

23. Following the WSJ story, Judge Andrus called Mr. Conn. I was in the room with Mr. Conn along with others. Mr. Conn told us that Judge Andrus believed Sarah Carver was the SSA employee talking to the newspaper about Judge Daugherty and Mr. Conn.

24. Immediately following his conversation with Judge Andrus, Mr. Conn asked others to come to his office, including David Hicks. Mr. Conn stated "Judge Andrus called me and we have to do something about Sarah Carver, so here's what we came up with." Mr. Conn then explained a plan to place Sarah Carver under surveillance on the days she worked from home or her "flex-day." Mr. Conn said that Judge Andrus knew the date of Ms. Carver's next "flex-day." At the request of Mr. Conn, several of his employees followed and filmed Ms. Carver on the reported flex-day. Mr. Conn intended to film Ms. Carver on these days leaving her home and not working. The employees were unable to film Ms. Carver leaving her home.

25. Following this failed attempt to film Ms. Carver leaving her home, Mr. Conn said that Judge Andrus would have Sandra Nease, who worked in the Huntington Social Security Office of Disability Adjudication and Review ("ODAR"), call and report when Ms. Carver's next flex-day would be.

26. After several more unsuccessful attempts to film Ms. Carver on her flex-day leaving her home, Curtis Wyatt filmed Ms. Carver walking into the Huntington ODAR office on a day she was scheduled to be working. Mr. Wyatt, however, held up a newspaper in view of the camera and played a radio show both from one of Ms. Carver's scheduled flex-days, intending to make the video appear to be from a flex-day. Mr. Conn instructed an employee to send the video to SSA and the SSA Office of the Inspector General ("OIG"), but Mr. Conn said that Judge Andrus called and said the video was sent to the wrong address.

27. Following the WSJ article, Mr. Conn stated to me and others that "there is no way I am going to jail." Mr. Conn also stated he considered leaving the United States and going to Cuba to avoid going to jail because he believed he could not be extradited back to the United

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States from Cuba. Mr. Conn stated "if I was paying DB [Judge Daugherty] I wouldn't be dumb enough to leave a paper trail."

28. After the same WSJ story ran, Mr. Conn destroyed certain paper documents, despite the advice of his attorney. I reminded Mr. Conn that his counsel had advised him not to destroy any documents. Mr. Conn responded "fuck them, this is my office and I will do what I want."

29. Following this statement, and on several occasions, Mr. Conn destroyed a number of paper documents in the office. The documents destroyed by Mr. Conn, or at the directive of Mr. Conn, included financial records maintained by his mother Pat Conn, the former office manager, and case files for prior disability claimants. I also witnessed Mr. Conn ask a Firm employee to destroy any DB List in her possession. Mr. Conn requested that she give him the DB Lists and the employee handed them to Mr. Conn; I watched Mr. Conn shred the DB Lists in the office paper shredder. The Firm had no document retention policy for the scheduled destruction of documents. These documents were not destroyed in the normal course of firm business.

30. Mr. Conn destroyed, or directed the destruction of documents, after the SSA OIG interviewed Mr. Conn at his office.

31. Mr. Conn requested that I print out all emails in both the Firm email account and from several of his personal email accounts from Judges Daugherty, Andrus, and Gitlow in response to the subpoena received from the Permanent Subcommittee on Investigations ("PSI"). Mr. Conn gave me the passwords to his personal accounts to access and search those accounts. When I searched to locate emails from Judge Daugherty in the Firm account and Mr. Conn's personal accounts, there were no emails from Judge Daugherty. There were emails from the

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other Judges. I questioned Mr. Conn about where the emails from Judge Daugherty were and he stated "those have already been deleted, just print what's there."

32. Prior to their deletion, I electronically stored emails I received from Judge Daugherty in my assigned email folder in the Firm email account. The folder included three to four years of regular emails between me and Judge Daugherty from his SSA email account.

33. Over the course of 2011, Mr. Conn directed me to replace the majority of the computers in the office. In July 2011, Mr. Conn directed Curtis Wyatt to remove the hard drives from all the old computers not currently being used by the Firm employees and destroy them with a hammer. I observed Mr. Wyatt destroy the hard drives in this manner. Mr. Wyatt, at Mr. Conn's direction, burned the computers behind the Firm's office and what was left of the hard drives, which left a large patch of scorched grass for weeks. At times, Mr. Conn also directed Kenneth Sturgill to destroy the computers in the same way.

34. Around the same time in July of 2011, Mr. Conn (and another employee at his direction) destroyed a number of medical records for current clients, whose disability claims were pending before SSA.

35. I observed Mr. Conn using Firm funds for the following activities:

a. Mr. Conn hired Pike County Chief District Court Judge Darrel H. Mullins and his band to play at a wedding. Mr. Conn paid Judge Mullins a total of $4,000 in four separate installments of $1,000 each for his band to play at the wedding. Mr. Conn also paid Big Appal Studios to produce and distribute a CD of music played by Judge Mullins and Dan Huff entitled "We the People."

b. Mr. Conn instructed me to give a Firm employee $10,000 to purchase ten money orders, each for $1,000. Mr. Conn stated that the money orders would be sent to

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the Will T. Scott Campaign as donations in the names of ten different Firm employees. At the direction of Mr. Conn, an employee completed the money orders in the names of these firm employees and sent them to the campaign. The campaign returned the money orders to the home addresses of the ten employees, as stated on the money order.

c. Following the return of the money orders, Mr. Hicks, who previously received a money order for $1,000, requested that I give him another $1,000 from Firm funds that he stated would be used for his wife to write a check to the Scott Campaign. Mr. Conn also instructed me to give $1,000 to Adam Murphy for Mr. Murphy to write a check for the Scott Campaign.

d. I observed Mr. Conn use the website www.getrevengeonyourex.com to send a voodoo doll with a pin through the heart to a fellow Kentucky disability attorney, Grover Arnett. When I reviewed the credit card statements, Mr. Conn informed me the charges for this website were billed to his Eric Conn PSC Bank of America credit card as "cuddlesforyou."

e. Mr. Conn attempted to smuggle certain women across the United States border several times. For example, in November 2011, I observed Mr. Conn paying $20,000 to an individual by the name of Inna Shur in Toronto, Canada, to rent a boat located in St. Kitts to transport his fiancée from St. Kitts to Florida. Mr. Conn told me that he believed he could easily sneak Mr. Conn's fiancée into Florida. Mr. Conn was out of the country when he needed to pay for the boat and convinced John Earl Hunt, an attorney at the Firm, to use his own funds to buy the needed cashier's check. Mr. Conn told Mr. Hunt that he needed to send the

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money to pay for his wedding, which was to take place on a "yacht." To my knowledge, the plan was abandoned before it was completed. Mr. Conn requested that Mr. Hunt be reimbursed the $20,000 that Mr. Hunt used to secure the cashier's check.

f. During the entire time I worked at the Firm (2006-2012), Mr. Conn would send various amounts of money to an individual named "Mike" in Thailand that would use the money to support Mr. Conn's fiancées or women that he was dating that lived in that country. I reviewed emails from this individual that stated these payments would fund such things for the women as: an apartment; a car; English language classes; cosmetic surgery; spa treatments; and an individual who would look after them. These charges were billed to the Eric Conn PSC Bank of America credit card, and others, as "Oriental Fashion." Mr. Conn would also send these women money through Western Union and Money Gram.

36. Throughout my employment by Mr. Conn, I never unlawfully removed cash, property, or anything of value from the Firm that was not specifically given to me by Mr. Conn.

I declare under the penalty of perjury the foregoing is true and correct. Executed on June 12, 2012.

Jamie Lynn Slone

Jamie Lynn Slone

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United States Senate
Permanent Subcommittee on Investigations
Committee on Homeland Security and Governmental Affairs

AFFIDAVIT OF MELINDA LYNN MARTIN

Melinda Lynn Martin, being duly sworn, states that:

1. I began working at the Eric C. Conn Law Firm (the "Firm") in January 2006. During my time at the Firm, I worked in several positions with the following responsibilities:

   a. assisting Firm clients prepare Social Security claims documents;

   b. assisting the Office Manager, Pat Conn, with her duties;

   c. attempting to recoup fees owed to the Firm by clients, including filing claims in small claims court and property liens; and

   d. assisting Mr. Conn in preparing for hearings before Administrative Law Judges ("ALJs") and travel to hearings with Mr. Conn.

2. In the six years that I work at the Firm, the majority of disability cases decided by Judge David B. Daugherty for Mr. Conn's clients were decided on-the-record. In fact, I only remember Judge Daugherty holding hearings once for claimants represented by Mr. Conn.

3. Each month, Judge Daugherty called and spoke to Tabitha George. On that call, Judge Daugherty would list certain information about a number of Mr. Conn's claimants. When Ms. George left the Firm, Jamie Slone took the monthly calls from Judge Daugherty.

4. Once, when Ms. George was unable to take Judge Daugherty's call, I took the call. On the call, Judge Daugherty gave the following information for between 30 to 50 Social Security disability claimant represented by Mr. Conn: last name, the claimant's Social Security number, and then say either "mental" or "physical."

5. By stating either "mental" or "physical," it was commonly known that Judge Daugherty was indicating the type of medical opinion he needed in order to award that claimant disability benefits, either Social Security Disability Insurance Benefits or Supplemental Security Income.

6. Following the call, I created a list of these claimants, which was known throughout the office as the monthly "DB List." Once the list was created, another Firm employee called each claimant on the DB List to schedule an exam with a doctor. During my time at the Firm, Jessica Newman was primarily responsible for scheduling claimants with doctors. Depending on whether Judge Daugherty indicated "mental" or "physical" for the claimant, Ms. Newman scheduled the claimant to see a certain doctor to provide an opinion on the state of the claimant's alleged disability.

7. If Judge Daugherty indicated "physical" with regard to a claimant, Ms. Newman scheduled the claimant to see a doctor that would review and analyze the claimant's physical health. During my time at the Firm, a large number of the physical evaluations were performed by Dr. Frederic Huffnagle, until his death in October 2010.

8. For two days each month, Dr. Huffnagle evaluated individuals on the DB Lists onsite in the medical suite at the Eric C. Conn Law Firm. Ms. Newman would schedule each claimant for a ten minute appointment with Dr. Huffnagle. Because I escorted a number of claimants to the medical suite to meet with Dr. Huffnagle, I knew each appointment lasted, on average, ten minutes. Dr. Huffnagle would see up to 25 claimants a day. Dr. Huffnagle's wife would dictate the medical opinions, which were transcribed by an outside transcriptionist. Dr. Huffnagle's reports would be sent to the Firm in roughly one week following his meeting with

the claimant. I do not recall any medical opinions by Dr. Huffnagle that did not find the claimant disabled.

9. In late 2010, Mr. Conn requested that Dr. Huffnagle lengthen his reports. Mr. Conn told me this was requested by Judge Daugherty. Following this request, Dr. Huffnagle complied and lengthened his reports.

10. If a claimant did not attend their scheduled appointment with Dr. Huffnagle, Mr. Conn wrote a report based on the claimant's medical records finding the claimant's limitations were permanent and the claimant was disabled. For these, which were commonly called "file reviews," Dr. Huffnagle did not write the disabling reports; Dr. Huffnagle routinely signed these reports and never requested any edits.

11. When I started at the Firm in 2006, the Firm used five different versions of residual functional capacity ("RFC") documents to submit to Judge Daugherty and other ALJs in support of clients' cases of physical disability. In 2010, Judge Daugherty requested that Mr. Conn use ten different RFCs in rotation; Mr. Conn complied with Judge Daugherty's request. These same versions were used in rotation regardless of the clients' medical condition; just the names and Social Security numbers were changed. Dr. Huffnagle did not write or edit the RFCs, but routinely signed them.

12. When the medical opinions were completed, Judge Daugherty sent a barcode to the Firm to attach to the reports, which were used to upload the reports into the SSA electronic file system.

13. Many of the claimants where Judge Daugherty indicated "mental" were seen by Dr. Brad Adkins. Dr. Adkins saw claimants at his office. To my recollection, Dr. Adkins always determined the claimants he evaluated were disabled and unable to perform any work.

Mr. Conn submitted five RFCs in rotation to Judge Daugherty and other ALJs for claimants for allegations of mental disabilities. Dr. Adkins did not write these RFCs, but routinely signed them and never requested any edits.

14. The Firm initially paid for the doctor evaluation, and each claimant was required to reimburse the Firm for the cost of the evaluation. Each claimant signed a contract stating they would reimburse the Firm for the cost of the evaluation. Another Firm employee filmed the claimants signing the contract. After six-to-eight weeks, Judge Daugherty issued a decision approving the claimant for disability benefits "on-the-record" without holding a hearing.

15. Mr. Conn would search the Internet to locate doctors with licensure problems (i.e., suspended licenses, pending lawsuits, etc.) to evaluate his disability clients. Mr. Conn commonly referred to these doctors as "whore doctors."

16. When the medical opinions were completed, Judge Daugherty sent a barcode to attach to the reports, which were used to upload the reports into the SSA electronic file system.

17. After six-to-eight weeks, Judge Daugherty issued a favorable decision approving the claimant for disability benefits "on-the-record" without holding a hearing.

18. For hearings in front of other judges, Mr. Conn would coach clients to disguise evidence of work and even write notes to them during the hearing indicating they had "won" before the hearing was over.

19. After the Wall Street Journal ("WSJ") ran a story about Judge Daugherty on May 19, 2011 entitled "Disability-Claim Judge Has Trouble Saying 'No,'" for several weeks Judge Daugherty frequently called the Firm, sometimes up to three times a day, requesting to speak with Mr. Conn. Mr. Conn refused to speak to Judge Daugherty on the Firm's phones. Mr. Conn had employees, including me, purchase prepaid cellular phones. Mr. Conn told me that he and

Judge Daugherty both used prepaid cellular phones to communicate with each other. Mr. Conn used several of these phones, purchased from the Dollar General and Family Dollar stores located near the Firm offices, to communicate with Judge Daugherty.

20. One night, Judge Daugherty called Mr. Conn on his home phone and left him a voicemail, which Mr. Conn played for me and others the next day. In that voicemail, Judge Daugherty insisted on talking to Mr. Conn right away.

21. Following the WSJ article, Mr. Conn also stated that he had considered leaving the United States and going to Cuba to avoid going to jail because he believed he could not be extradited back to the United States. Mr. Conn said "trust me, I was never dumb enough to leave a paper trail, so we won't be in any trouble."

22. Following the WSJ story, Judge Andrus called Mr. Conn. I was in the room with Mr. Conn along with others. Mr. Conn told us that Judge Andrus believed Sarah Carver was the SSA employee talking to the newspaper about Judge Daugherty and Mr. Conn.

23. Immediately following his conversation with Judge Andrus, Mr. Conn asked others to come to his office, including David Hicks. Mr. Conn stated "Judge Andrus called me and we have to do something about Sarah Carver, so here's what we came up with." Mr. Conn then explained a plan to place Sarah Carver under surveillance on the days she worked from home or her "flex-day." Mr. Conn said that Judge Andrus knew the date of Ms. Carver's next "flex-day." At the request of Mr. Conn, several of his employees followed and filmed Ms. Carver on the reported flex-day. Mr. Conn intended to film Ms. Carver on these days leaving her home and not working. The employees were unable to film Ms. Carver leaving her home.

24. It is my understanding that at the direction of Judge Andrus, Sandra Nease, who worked in the Huntington Social Security Office of Disability Adjudication and Review

("ODAR"), called me each month to report the days that Ms. Carver worked from home. If she could not reach me, she left a voicemail on my cell phone.

25. The first time Ms. Nease called my cell phone from [redacted], I answered the call on speakerphone with Mr. Conn in his office. Ms. Nease spoke primarily with Mr. Conn and stated that Judge Andrus wanted me and Mr. Conn to know the following information regarding Ms. Carver: the date of Ms. Carver's flex-day; Ms. Carver's address; the types of cars that Ms. Carver and her husband drove; directions to Ms. Carver's house; and that the house was surrounded by a tall privacy fence that might be difficult to record over. Ms. Nease also stated that Ms. Carver's children had band practice at a certain time, which might allow for her to be recorded.

26. When I did not answer the calls from Ms. Nease, she would leave voicemails. Ms. Nease left at least seven voicemails on my cell phone regarding Ms. Carver's flex-day, including on February 10, 2012 and February 13, 2012.

27. Mr. Conn had several of his employees follow and film Ms. Carver on several occasions when Ms. Carver worked from home to determine if she was truly working. Mr. Conn intended to film Ms. Carver on these days performing activities other than work and report to Judge Andrus.

28. When, after several unsuccessful attempts, to film Ms. Carver on her flex-day leaving her home, Curtis Wyatt filmed Ms. Carver walking into the Huntington ODAR office on a day she was scheduled to be working. Mr. Wyatt, however, held up a newspaper in view of the camera and played a radio show both from one of Ms. Carver's scheduled flex-days, intending to make the video appear to be from a flex-day. Mr. Conn instructed an employee to send the video

to SSA and the SSA Office of the Inspector General ("OIG"), but Mr. Conn said that Judge Andrus called and said the video was sent to the wrong address.

29. After the same WSJ story ran, on several occasions, Mr. Conn destroyed a number of paper documents in the office. The documents destroyed by Mr. Conn, or at the directive of Mr. Conn, included financial records maintained by his mother Pat Conn, the former office manager, and case files for prior disability claimants. I also witnessed Mr. Conn ask a Firm employee to destroy any DB List in her possession. Mr. Conn requested that she give him the DB Lists and the employee handed them to Mr. Conn; I watched Mr. Conn shred the DB Lists in the office paper shredder. The Firm had no document retention policy for the scheduled destruction of documents. These documents were not destroyed in the normal course of firm business.

30. Mr. Conn destroyed, or directed the destruction of documents, after the SSA OIG interviewed Mr. Conn at his office.

31. Mr. Conn came around to Firm employees and instructed them to delete everything on their computers related to "DB Lists." My computer had a number of these lists. Mr. Conn and Pat Conn instructed me to take my computer home and destroy it.

32. Mr. Conn also destroyed a number of documents that only existed in paper. The Firm maintained hard copies of all financial documents and case files for prior disability claimants. Following the WSJ story and visit by the SSA OIG, Mr. Conn (and an individual at the direction of Mr. Conn) destroyed a number of paper documents, including financial and disability claimant related documents. The Firm had no document retention policy for the scheduled destruction of documents. These documents were not destroyed in the normal course of firm business.

33. Over the course of 2011, Mr. Conn replaced the majority of the computers in the office. In July 2011, Mr. Conn directed Curtis Wyatt to remove the hard drives from all the old computers not currently being used by the Firm employees and destroy them with a hammer. I observed Mr. Wyatt destroy the hard drives in this manner. Mr. Wyatt, at Mr. Conn's direction, burned the computers behind the Firm's office and what was left of the hard drives, which left a large patch of scorched grass for weeks. At times, Mr. Conn also directed Kenneth Sturgill to destroy the computers in the same way.

34. Specifically, in July of 2011, Mr. Conn (and another employee at his direction) destroyed a number of medical records for current clients, whose disability claims were pending before the SSA.

35. In November 2011, Mr. Conn asked that I take a backpack with approximately $240,000 in cash and open a safety deposit box in my name at a local bank. I refused his request. Mr. Conn then took the $240,000 in cash and put it in a safety deposit box at Citizens National Bank, saying that he was afraid the SSA OIG knew about his prior safety deposit box at BB&T.

36. I observed Mr. Conn using Firm funds for the following activities:

a. Mr. Conn hired Pike County Chief District Court Judge Darrel H. Mullins and his band to play at a wedding. Mr. Conn paid Judge Mullins a total of $4,000 in four separate installments of $1,000 each for his band to play at the wedding. Mr. Conn also paid Big Appal Studios to produce and distribute a CD of music played by Judge Mullins and Dan Huff entitled "We the People."

b. It is my understanding that Mr. Conn secured money orders for $1,000 each in names of certain employees to donate to the "Scott for Supreme Court" campaign

money to pay for his wedding, which was to take place on a "yacht." To my knowledge, the plan was abandoned before it was completed. Mr. Conn requested that Mr. Hunt be reimbursed the $20,000 that Mr. Hunt used to secure the cashier's check.

e. During the entire time I worked at the Firm (2006-2012), Mr. Conn would send various amounts of money to an individual named "Mike" in Thailand that would use the money to support Mr. Conn's fiancées or women that he was dating that lived in that country. I reviewed emails from this individual that stated these payments would fund such things for the women as: an apartment; a car; English language classes; cosmetic surgery; spa treatments; and an individual who would look after them. These charges were billed to the Eric Conn PSC Bank of America credit card, and others, as "Oriental Fashion." Mr. Conn would also send these women money through Western Union and Money Gram.

37. Throughout my employment at the Firm, I never unlawfully took cash, property, or anything of value that was not specifically given to me by Mr. Conn.

I declare under the penalty of perjury the foregoing is true and correct.

Executed on June 13, 2012.

Melinda Martin

D.B. SEPTEMBER 2009

1.	[redacted]	PHYSICAL, AOD 07/19/08
2.	[redacted]	PHSYICAL, AOD 09/26/07
3.	[redacted]	MENTAL
4.	[redacted]	PHYSICAL
5.	[redacted]	MENTAL , AOD 05/01/08
6.	[redacted]	PHYSICAL
7.	[redacted]	MENTAL
8.	[redacted]	PHYSICAL, AOD 12/07/06
9.	[redacted]	PHYSICAL
10.	[redacted]	PHYSICAL
11.	[redacted]	MENTAL, AOD 06/10/08
12.	[redacted]	PHYSICAL, AOD 08/15/08
13.	[redacted]	PHYSICAL
14.	[redacted]	PHYSICAL
15.	[redacted]	PHYSICAL, AOD 08/13/07
16.	[redacted]	PHYSICAL
17.	[redacted]	PHYSICAL
18.	[redacted]	PHYSICAL, AOD 11/13/08
19.	[redacted]	PHYSICAL
20.	[redacted]	MENTAL
21.	[redacted]	PHYSICAL
22.	[redacted]	PHYSICAL

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23. [redacted] MENTAL

24. [redacted] MENTAL, AOD 10/28/08

25. [redacted] PHYSICAL

26. [redacted] PHYSICAL

27. [redacted] PHYSICAL

28. PHYSICAL, AOD 08/26/08

29. PHYSICAL. AOD 10/31/07

30. PHYSICAL

31. PHYSICAL

32. PHYSICAL

33. MENTAL

34. PHYSICAL

35. PHYSICAL

36. PHYSICAL

37. PHYSICAL

38. PHYSICAL AOD 12/09/08

39. PHYSICAL

DUE 09/15/08

1.	[redacted]	PHYSICAL
2.		MENTAL
3.		MENTAL
4.		MENTAL
5.		PHYSICAL
6.		PHYSICAL
7.		PHYSICAL
8.		MENTAL, AOD 09/28/07
9.		PHYSICAL
10.		PHYSICAL, AOD 02/09/07
11.		PHYSICAL
12.		PHYSICAL, AOD 09/20/07
13.		MENTAL
14.		PHYSICAL
15.		PHYSICAL, AOD 08/29/06
16.		PHYSICAL, AOD 07/10/07
17.		MENTAL, AOD 02/26/08
18.		MENTAL
19.		PHYSICAL
20.		MENTAL, AOD 12/31/07
21.		PHYSICAL
22.		PHYSICAL, AOD 08/27/07

23. [redacted] PHYSICAL

24. [redacted] PHYSICAL OR MENTAL

25. [redacted] PHYSICAL, AOD 11/30/07

26. [redacted] PHYSICAL, AOD 02/20/08

27. [redacted] PHYSICAL

28. [redacted] PHYSICAL, AOD 04/24/07

29. [redacted] PHYSICAL

30. [redacted] PHYSICAL, AOD 10/11/06

31. [redacted] PHYSICAL

32. [redacted] PHYSICAL

33. [redacted] MENTAL

34. [redacted] PHYSICAL

35. [redacted] PHYSICAL

36. [redacted] PHYSICAL

37. [redacted] PHYSICAL

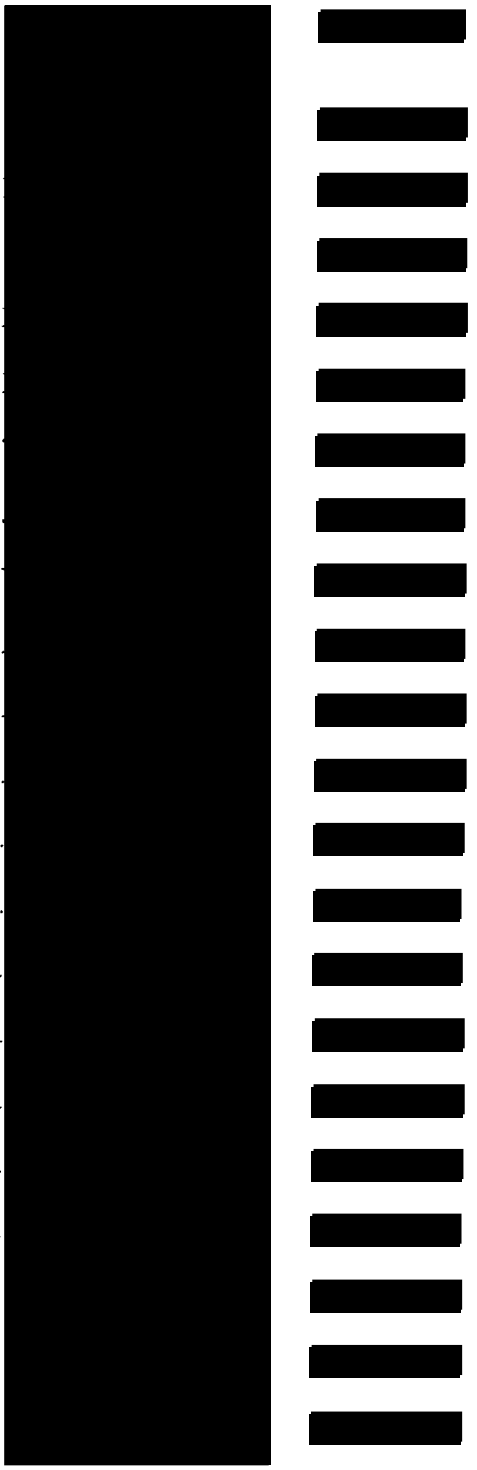
38. [redacted] AOD OF 12/09/08 & PHYSICAL

39. [redacted] PHYSICAL

*** [redacted] IN REPORT DR. MUST SAY CONDITIONS EXISTED AS FAR BACK AS AUGUST 2002. PAPER FILE MUST BE EMAILED TO DB.

*** [redacted] MUST BE EMAILED TO DB PAPER FILE

August 2009 D.B.



1. [redacted], whatever Eric wants to do Remember to do child rfc.
2. Mental, [redacted]
3. Physical
4. Physical
5. Physical
6. Physical
7. Physical
8. Physical
9. Physical
10. Physical
11. Physical
12. Physical
13. Physical, [redacted]
14. Physical, [redacted]
15. Physical
16. Physical
17. Physical
18. Physical
19. Physical, [redacted]
20. Physical
21. Mental
22. Physical

23.	[redacted]	Physical
24.	[redacted]	Physical
25.	[redacted]	Physical
26.	[redacted]	Physical
27.	[redacted]	Mental
28.	[redacted]	Physical
29.	[redacted]	[redacted], do whatever Eric wants
30.	[redacted]	Physical
31.	[redacted]	Physical
32.	[redacted]	Mental [redacted]
33.	[redacted]	Physical
34.	[redacted]	Physical
35.	[redacted]	None, [redacted]
36.	[redacted]	Physical, [redacted]
37.	[redacted]	Physical
38.	[redacted]	Physical
39.	[redacted]	Physical
40.	[redacted]	Physical

D.B. July 2009

1. [redacted] PHYSICAL
2. [redacted] PHYSICAL, HAVE REPORT GO BACK TO 2001 ONSET DATE
3. [redacted] PHYSICAL, AOD 08/31/06
4. PHYSICAL (PAPER FILE)
5. PHYSICAL
6. PHYSICAL, AOD 11/30/06
7. PHYSICAL
8. PHYSICAL, AOD 05/22/08
9. PHYSICAL, AOD 10/05/07
10. PHYSICAL
11. PHYSICAL
12. PHYSICAL
13. PHYSICAL
14. PHYSICAL
15. PHYSICAL
16. PHYSICAL
17. PHYSICAL
18. PHYSICAL
19. PHYSICAL, AOD 05/31/07
20. PHYSICAL
21. PHYSICAL, AOD 05/07/08
22. PHYSICAL

23	[redacted]	PHYSICAL
24		PHYSICAL
25		MENTAL
26		PHYSICAL
27		PHYSICAL
28		PHYSICAL
29		PHYSICAL, AOD 07/13/07
30		PHYSICAL

total 48

JUNE 2009

1. [redacted] MENTAL, REOPEN, HAVE REPORT GO BACK TO 07/31/02

2. [redacted] PHYSICAL, AOD 08/23/07

3. MENTAL, AOD 01/20/09

4. PHYSICAL

5. PHYSICAL

6. PHYSICAL

7. PHYSICAL, HAVE REPORT GO BACK TO 07/07/06 FOR REOPENING.

8. [redacted] PHYSICAL

9. PHYSICAL

10 PHYSICAL

11 PHYSICAL, AOD 01/19/08

12 PHYSICAL

13 MENTAL

14 MENTAL, SSD/SSI AOD (SPECIAL AOD) LOSING SSD 01/22/09

15. [redacted] PHYSICAL

16. MENTAL

17. MENTAL, AOD 06/17/08

18. PHYSICAL

19. PHYSICAL

20. PHYSICAL

21. PHYSICAL

22. MENTAL

23. [redacted] PHSICAL, AOD 11/09/06

24. MENTAL

25. PHYSICAL

26. PHYSICAL

27. PHYSICAL

28. WHATEVER ERIC WANTS!!!!!!!
DO CHILD RFC!!!!

29. [redacted] PHYSICAL, AOD 08/15/07

30. PHYSICAL

31. PHYSICAL

32. PHYSICAL

33. MENTAL, GO BACK TO 09/23/04(already receiving)

34. [redacted] MENTAL, AOD 02/17/07

35. PHYSICAL, AOD 07/06/07

36. PHYSICAL

37. CHILD'S CASE MENTAL

38. PHYSICAL

39. PHYSICAL

40. MENTAL, AOD 12/05/06

41. PHYSICAL

42. PHYSICAL, AOD 06/29/07 – DO SPECIAL AOD FORM LOSING TITLE II

43. [redacted] PHYSICAL, AOD 11/16/07

44. PHYSICAL, AOD 10/05/07

45. BOTH??? ASK Eric

46. [redacted] PHYSICAL

47. [redacted] PHYSICAL, 01/01/07

MAY 2009

1. [redacted] PHYSICAL
2. [redacted] PHYSICAL
3. [redacted] PHYSICAL
4. [redacted] MENTAL, AOD 08/26/08
5. [redacted] PHYSICAL
6. [redacted] PHYSICAL
7. [redacted] MENTAL
8. [redacted] PHYSICAL
9. [redacted] PHYSICAL
10. [redacted] PHYSICAL
11. [redacted] MENTAL
12. [redacted] MENTAL
13. [redacted] PHYSICAL
14. [redacted] MENTAL
15. [redacted] PHYSICAL
16. [redacted] PHYSICAL
17. [redacted] PHYSICAL
18. [redacted] PHYSICAL
19. [redacted] PHYSICAL, AOD [redacted]

BIRTHDAY

20. [redacted] PHYSICAL
21. [redacted] PHYSICAL
22. [redacted] MENTAL, AOD 11/26/08

23.	[redacted]	PHYSICAL
24.		PHYSICAL
25.		MENTAL
26.		PHYSICAL
27.		MENTAL
28.		PHYSICAL
29.		PHYSICAL
30.		PHYSICAL
31.		PHYSICAL
32.		PHYSICAL
33.		PHYSICAL, AOD 06/01/07
34.		MENTAL
35.		PHYSICAL
36.		PHYSICAL
37.		MENTAL
38.		PHYSICAL
39.		PHYSICAL
40.		PHYSICAL
41.		MENTAL

April 2009-03-18
D.B.

1. [redacted] PHYSICAL
2. PHYSICAL
3. PHYSICAL
4. PHYSICAL
5. PHYSICAL
6. PHYSICAL
7. PHYSICAL
8. PHYSICAL
9. PHYSICAL – REOPEN!! HAVE REPORT GO BACK TO 03/01/06!!!
10. [redacted] PHYSICAL
11. PHYSICAL
12. PHYSICAL
13. PHYSICAL
14. PHYSICAL
15. PHYSICAL
16. PHYSICAL
17. PHYSICAL
18. PHYSICAL
19. CHILD – DO WHATEVER ERIC WANTS AOD 06/21/07
20. [redacted] PHYSICAL, AOD 12/27/07

21. [redacted] PHYSICAL

22. [redacted] PHYSICAL, AOD TO DATE OF MOST CURRENT APP DATE

23. [redacted] PHSYICAL

24. PHYSICAL

25. PHYSICAL

26. PHYSICAL, AOD 03/07/07

27. MENTAL

28. PHYSICAL

29. CHILD CASE – DO MENTAL WITH CHILD FORM

30. [redacted] PHYSICAL

March 2009

1.	[redacted]	PHYSICAL
2.		MENTAL
3.		PHYSICAL
4.		PHYSICAL
5.		PHYSICAL
6.		MENTAL, AOD 04/29/08
7.		PHYSICAL
8.		PHYSICAL
9.		PHYSICAL, AOD 03/04/08
10		PHYSICAL, AOD 01/24/08
11		PHYSICAL
12		PHYSICAL
13		MENTAL, AOD 04/25/07
14		PHYSICAL, AOD 03/19/08
15		PHYSICAL
16		PHYSICAL
17		PHYSICAL
19		PHYSICAL
20		MENTAL
21		MENTAL, CHILD!!! AOD 08/19/08
22		PHYSICAL, AOD 05/10/08
23		PHYSICAL

24.	[redacted]	PHYSICAL
25.		PHYSICAL
26.		PHYSICAL
26.		PHYSICAL
27.		PHYSICAL
28.		PHYSICAL
29.		MENTAL
30.		PHYSICAL
31.		PHYSICAL
32.		PHYSICAL

Feb 2009

1.	[redacted]	PHYSICAL
2.		PHYSICA
3.		PHYSICAL
4.		PHYSICAL
5.		PHYSICAL
6.		PHYSICAL
7.		PHYSICAL, AOD 10/30/07
8.		MENTAL
9.		PHYSICAL
10		PHYSICAL, AOD 10/26/07
11		MENTAL
12		PHYSICAL
13		PHYSICAL
14		PHYSICAL
15		PHYSICAL, AOD 07-31-07
16		PHYSICAL
17		PHYSICAL
18		PHYSICAL
19		MENTAL, AOD 01/31/08
20		PHYSICAL
21		MENTAL
22		PHYSICAL

23.	[redacted]	WHATEVER ERIC WANTS – CHILD
24.	[redacted]	PHYSICAL
25.		PHYSICAL
26.		PHYSICAL
27.		PHYSICAL
***		
28.		PHYSICAL
29.		PHYSICAL
30.		PHYSICAL
31.		PHYSICAL
32.		PHYSICAL
33.		PHYSICAL
34.		PHYSICAL
35.		PHYSICAL
36.		MENTAL
37.		PHYSICAL
38.		PHYSICAL
39.		PHYSICAL
40.		PHYSICAL
41.		PHYSICAL
42.		PHYSICAL
43.		MENTAL
44.		PHYSICAL, AOD 12/15/07

JANUARY 2009

1. [redacted] PHYSICAL, AOD 11/02/07
2. [redacted] MENTAL, AOD 05/09/08
3. [redacted] MENTAL
4. [redacted] PHYSICAL
5. [redacted] PHYSICAL
6. [redacted] MENTAL
7. [redacted] MENTAL
8. [redacted] MENTAL, AOD 01/05/07
9. [redacted] PHYSICAL, AOD 05/10/06
10. [redacted] MENTAL, AOD 08/22/08
11. [redacted] PHYSICAL
12. [redacted] PHYSICAL
13. [redacted] PHYSICAL
14. [redacted] PHYSICAL, AOD 06/24/08
15. [redacted] PHYSICAL, AOD 09/28/07 SIGN SPECIAL AMENDED ONSET SO THAT SHE WILL LOSE HER SSD – CHECK WITH SSA BECAUSE DB THINKS THIS CLAIM WAS ONLY SSI
16. [redacted] NOTHING

DECEMBER 2008 D.B.

1	[redacted]	MENTAL, AOD 10/31/07
2		PHYSICAL
3		PHYSICAL
4		PHYSICAL
5		PHSYICAL, AOD, 07/13/07
6		PHYSICAL, AOD 02/07/08
7		PHYSICAL
8		PHYSICAL
9		PHYSICAL
10		PHYSICAL
11		PHYSICAL
12		PHYSICAL, AOD 08/28/07
13		MENTAL
14		PHYSICAL
15		PHYSICAL
16		PHYSICAL, AOD 09/26/03
17		PHYSICAL
18		PHYSICAL
19		PHYSICAL, AOD 03/15/06
20		PHYSICAL, AOD 07/19/05
21		PHYSICAL
22		MENTAL, AOD 07/08/08

23. [redacted] PHYSICAL

24.

MORE D.B. NAMES FOR NOVEMBER 27

28.	[redacted]	MENTAL
29.		PHYSICAL
30.		PHYSICAL
31.		PHYSICAL
32.		PHYSICAL

OCTOBER 2008

1.	[redacted]	MENTAL
2.		PHYSICAL
3.		PHYSICAL
4.		PHYSICAL
5.		PHYSICAL
6.		MENTAL
7.		MENTAL
8.		PHYSICAL
9.		PHYSICAL
10		PHYSICAL
11		PHYSICAL
12		PHYSICAL, AOD 11/27/07
13		PHYSICAL
14		PHYSICAL, AOD 04/08/08
15		PHYSICAL
16		PHYSICAL
17		PHYSICAL
18		PHYSICAL
19		PHYSICAL
20		MENTAL
21		MENTAL
22		PHYSICAL

23. [redacted] PHYSICAL

24. [redacted] PHYSICAL

D.B. AUGUST 2008
DUE ASUGUST 15, 2008

1. [redacted] PHYSICAL – I THINK WE HAVE
2. PHYSICAL
3. PHYSICAL, AOD 12/01/06
4. PHYSICAL
5. PHYSICAL, AOD 10/19/07
6. PHYSICAL
7. PHYSICAL
8. PHYSICAL
9. PHYSICAL
10. PHYSICAL
11. PHYSICAL, AOD 12/11/07
12. PHYSICAL
13. PHYSICAL, AOD 02/08/07
14. PHYSICAL
15. PHYSICAL
16. MENTAL, AOD 02/26/08 – TAKE OFF LIST UNTIL I GET WITHDRAW FROM AC
17. [redacted] PHYSICAL, AOD 02/19/08
18. PHYSICAL
19. PHYSICAL
20. PHYSICAL

21. [redacted] PHYSICAL

22. [redacted] PHYSICAL

23. [redacted] MENTAL, AOD 06/26/07

24. [redacted] PHYSICAL

25. [redacted] PHYSICAL

26. [redacted] PHYSICAL

27. [redacted] PHYSICAL,AOD 03/26/08

28. [redacted] PHYSICAL

29. [redacted] PHYSICAL,AOD 02/14/08

30. [redacted] PHYSICAL

31. [redacted] PHYSICAL

32. [redacted] MENTAL

33. [redacted] PHYSICAL

34. [redacted] PHYSICAL

35. [redacted] PHYSICAL, DATE LAST INSURED 12/2002 – CHECK FILE ON THIS MAKE SURE THAT YOU DO DLI STATEMENT IN REPORT

36. [redacted] PHYSICAL

37. [redacted] PHYSICAL

38. [redacted] PHYSICAL, AOD 12/17/07

39. [redacted] PHYSICAL,AOD 01/01/05 SHE WILL NEED TO SIGN SPECIAL AOD LOSING WIDOWS BENEFITS

40. [redacted] PHYSICAL

41. [redacted] PHYSICAL

42. [redacted] PHYSICAL

43. PHYSICAL

44. PHYSICAL, AOD 12/04/07

45. PHYSICAL

46. PHYSICAL, AOD 06/31/06

July D.B. LIST

DUE JULY 15, 2008

1. [redacted]	PHYSICAL – I THINK WE ALREADY HAVE MENTAL – WILL BE OK
2. [redacted]	PHYSICAL
3.	PHYSICAL
4.	PHYSICAL
5.	MENTAL, AOD 05/04/05
6.	MENTAL, AOD 09/29/07
7.	PHYSICAL,AOD 6/22/06
8.	PHYSICAL
9.	PHYSICAL
10	PHYSICAL
11	PHYSICAL
12	PHYSICAL, AOD 09/18/07
13	PHYSICAL
14	PHYSICAL
15	PHYSICAL
16	MENTAL
17	PHYSICAL
18	PHYSICAL
19	PHYSICAL
20	PHYSICAL
21	MENTAL

22.	[redacted]	MENTAL
23.		PHYSICAL
24.		PHYSICAL
25.		PHYSICAL, AOD 10/08/03
26.		PHYSICAL, AOD10/25/07
27.		PHYSICAL, AOD 06/07/06
28.		PHYSICAL, AOD 11/01/07
29.		PHYSICAL, AOD 01/03/07
30.		PHYSICAL, AOD 10/29/07
31.		PHYSICAL
32.		MENTAL, AOD 04/12/07
33.		PHYSICAL
34.		MENTAL, AOD 09/19/06
35.		PHYSICAL, AOD 03/10/06
36.		PHYSICAL, AOD 03/22/07
37.		PHYSICAL
38.		PHYSICAL
39.		PHSYICAL, AOD 06/29/07
40.		PHYSICAL
41.		PHYSICAL
42.		PHYSICAL
43.		PHYSICAL
44.		PHYSICAL

45. [redacted]

D.B. JUNE 2008

DUE

1.	[redacted]	PHYSICAL
2.		PHYSICAL, AOD 01/13/07
3.		PHYSICAL
4.		PHYSICAL
5.		PHYSICAL
6.		PHYSICAL
7.		PHYSICAL, AOD 12/16/06
8.		PHYSICAL
9.		MENTAL
10		EITHER – CHECK FILE
11		PHYSICAL
12		MENTAL
13		PHYSICAL
14		PHYSICAL
15		PHYSICAL
16		PHYSICAL
17		MENTAL
18		PHYSICAL
19		PHYSICAL
20		MENTAL

21. [redacted] PHYSICAL AOD 07-16-05

22. PHYSICAL

23. PHYSICAL

24. PHYSICAL

25. PHYSICAL

26. PHYSICAL

27. WHATEVER ERIC WANTS TO DO – CHECK FILE

28. [redacted] MENTAL, AOD, 06/27/07

29. MENTAL,AOD 12/10/07

30. PHYSICAL

31. PHYSICAL

32. MENTAL

33. PHYSICAL

34. PHYSICAL

35. MENTAL

36. MENTAL, AOD 05/31/07

37. PHYSICAL

38. PHYSICAL

39. PHYSICAL

40. PHYSICAL

41. PHYSICAL

42. [redacted] MENTAL

43. PHYSICAL

44. NONE

D.B. MAY 2008
DUE MAY 15, 2008

1.	[redacted]	EITHER
2.		PHYSICAL, AOD 10/25/06
3.		PHYSICAL
4.		PHYSICAL
5.		PHYSICAL
6.		PHYSICAL
7.		PHYSICAL
8.		PHYSICAL, AOD 08-11-07
9.		PHYSICAL
10		PHYSICAL
11		PHYSICAL, AOD 02/15/07
12		PHYSICAL
13		MENTAL
14		PHYSICAL
15		PHYSICAL
16		PHYSICAL
17		PHYSICAL,AOD 06/25/07
18		PHYSICAL
19		PHYSICAL
20		PHYSICAL
21		PHYSICAL, AOD 50TH BIRTHDAY

[redacted] – paper file

22. [redacted] PHYSICAL, AOD 01/09/07

23. PHYSICAL

24. PHYSICAL GO BACK 12/15/06 FOR REOPENING

25. [redacted] MENTAL

26. PHYSICAL

27. PHYSICAL

28. PHYSICAL

29. PHYSICAL

30. MENTAL 04/18/07

31. PHYSICAL

32. MENTAL

33. MENTAL

34. PHYSICAL

35. PHYSICAL

36. PHYSICAL, HAVE REPORT GO BACK TO 1998.

NEED MEDICAL BARCODES FOR THE FOLLOWING:

1 [redacted]
2 [redacted]
3 [redacted]
4 [redacted]
5. [redacted]
6. [redacted]
7. [redacted]
8. [redacted]
9. [redacted]
10 [redacted]
11 [redacted]
12 [redacted]
13 [redacted]
14 [redacted]
15 [redacted]
16 [redacted]
17 [redacted]
18 [redacted]
19 [redacted]
20 [redacted]
21 [redacted]
22 [redacted]
23 [redacted]
24 [redacted]
25 [redacted]

CLF030605

D.B. APRIL 2008
DUE 04/15/08

1. [redacted] MENTAL
2. PHYSICAL, AOD 03/29/07
3. PHYSICAL
4. PHYSICAL
5. PHYSICAL
6. PHYSICAL
7. PHYSICAL
8. PHYSICAL GO BACK TO 09/19/05 AND AMEND ONSET DATE TO 09/15/05
9. PHYSICAL, AOD 04/27/07
10. PHYSICAL
11. MENTAL
12. PHYSICAL, AOD 10/22/07
13. MENTAL, AOD 06/17/07
14. PHYSICAL
15. PHYSICAL
16. PHYSICAL, AOD 03/30/06
17. PHYSICAL
18. MENTAL
19. AOD 03/22/06 WHATEVER ERIC WANTS
20. [redacted] NOTHING

21. [redacted] PHYSICAL

22. PHYSICAL, AOD 12/12/06

23. MENTAL, REOPENING GO BACK 07/15/05

24. [redacted] PHYSICAL

25. MENTAL, AOD 08-28-07

26. PHYSICAL, AOD 06/30/07

27. PHYSICAL

28. PHYSICAL

29. PHYSICAL

30. PHYSICAL

31. PHYSICAL, REOPEN HAVE REPORT GO BACK TO 12/27/06

D.B. MARCH 2008
DUE ON 03/15/08

1. [redacted] PHYSICAL
2. [redacted] PHYSICAL
3. [redacted] PHYSICAL, AOD 09/01/05
4. [redacted] MENTAL, AOD 07/27/07
5. [redacted] PHYSICAL
6. [redacted] PHYSICAL
7. [redacted] PHYSICAL
8. [redacted] PHYSICAL
9. [redacted] PHYSICAL
10. [redacted] PHYSICAL
11. [redacted] PHYSICAL
12. [redacted] PHYSICAL
13. [redacted] PHYSICAL
14. [redacted] REOPENING!! – MENTAL - HAVE REPORT GO BACK TO 08/20/05 – OSENT DATE. CHECK FILE
15. [redacted] PHYSICAL
16. [redacted] PHYSICAL
17. [redacted] PHYSICAL
18. [redacted] PHYSICAL
19. [redacted] PHYSICAL
20. [redacted] PHYSICAL,AOD 11/17/06
21. [redacted] PHYSICAL
22. [redacted] PHYSICAL

23.	[redacted]	PHYSICAL
24.		PHYSICAL
25.		PHYSICAL
26.		PHYSICAL
27.		PHYSICAL
28.		PHYSICAL
29.		PHYSICAL
30.		PHYSICAL
31.		PHYSICAL, AOD 10/18/06
32.		PHYSICAL
33.		PHYSICAL
34.		PHYSICAL
35.		MENTAL, AOD 07/20/06
36.		PHYSICAL, AOD 08/21/06

D.B. FEBRUARY 2008
DUE FEB 15, 2008

1.	[redacted]	PHYSICAL
2.		MENTAL
3.		PHYSICAL
4.		PHYSICAL
5.		PHYSICAL
6.		PHYSICAL
7.		PHYSICAL
8.		PHYSICAL, AOD 05/04/06
9.		MENTAL, AOD 01/05/07
10.		MENTAL, AOD 10/24/06
11.		PHYSICAL
12.		PHYSICAL, AOD 06/28/07
13.		PHYSICAL
14.		PHYSICAL
15.		PHYSICAL
16.		PHYSICAL, AOD 01/30/07
17.		PHYSICAL, AOD 03/21/07
18.		PHYSICAL, AOD 02/12/07
19.		PHYSICAL
20.		CHILD, WHATEVER ERIC WANTS

21. [redacted] [redacted] CHILD, WHATEVER ERIC WANTS – SHE HAS VISION PROBLEMS!!!

22. [redacted] [redacted] PHYSICAL

23. [redacted] [redacted] PHYSICAL, HAVE REPORT GO BACK TO ONSET DATE – SAME AS THIS DATE ([redacted]KNOWS THE LANGUAGE TO USE) 05/15/02 – CHECK ONSET

24. [redacted] PHYSICAL.AOD 06/01/06

25. PHYSICAL

26. CHILD, WHATEVER ERIC WANTS

27. [redacted] [redacted] PHYSICAL, DO ADDENDUM TO HAVE GO BACK TO 02/15/04!!! – PAPER FILE, NO BARCODE NEEDED

28. [redacted] EITHER, CHECK FILE FOR MORE MENTAL OR PHYSICAL

29. [redacted] [redacted] MENTAL

30. [redacted] PHYSICAL

31. PHYSICAL, HAVE REPORT GO BACK TO 05/21/04

32. [redacted] MENTAL

33. [redacted] MENTAL

D.B. JANUARY 2008
DUE JANUARY 10, 2008

1. [redacted] PHYSICAL, AOD 08/11/06
2. PHYSICAL
3. PHYSICAL
4. PHYSICAL
5. PHYSICAL
6. PHYSICAL
7. PHYSICAL
8. AOD 08/22/06, PHYSICAL

ALREADY HAVE?

9. [redacted] PHYSICAL
10. PHYSICAL
11. PHYSICAL
12. PHYSICAL
13. PHYSICAL
14. PHYSICAL
15. PHYSICAL
16. PHYSICAL
17. PHYSICAL
18. PHYSICAL
19. PHYSICAL
20. PHYSICAL
21. PHYSICAL

22. [redacted] PHYSICAL

23. MENTAL

24. PHYSICAL

25. PHYSICAL

26. PHYSICAL

27. PHYSICAL

28. PHYSICAL

29. PHYSICAL

30. PHYSICAL

31. WHATEVER ERIC WANTS – CHILDS CASE

32. [redacted] PHYSICAL

33 PHYSICAL

34. PHYSICAL. REOPENING, HAVE REPORT GO BACK TO 08-15-03

35. [redacted] EITHER – CHECK FILE

36. PHYSICAL

37. PHYSICAL

38. PHYSICAL

39. PHYSICAL

40. PHYSICAL, AOD 03-22-07

D.B. – DECEMBER 2007
DUE DECEMBER 14, 2007

1. [redacted] PHYSICAL - REOPENING–
TAKE REPORT BACK TO 09-18-01

2. [redacted] MENTAL
3. PHYSICAL
4. PHYSICAL
5. PHYSICAL
6. PHYSICAL AOD 04/27/05
7. EITHER AOD, 09/14/05
8. EITHER
9. MENTAL, AOD 04/04/2007
10. PHYSICAL
11. MENTAL
12. PHYSICAL
13. MENTAL, AOD 03/09/07
14. PHYSICAL
15. PHYSICAL
16. PHYSICAL
17. MENTAL
18. PHYSICAL
19. MENTAL
20. PHYSICAL
21. PHYSICAL

22. [redacted] EITHER, AOD 12/12/06
23. PHYSICAL
24. EITHER, AOD 11/24/06
25. PHYSICAL
26. PHYSICAL
27. PHYSICAL, AOD 12/05/04
28. MENTAL
29. PHYSICAL
30. PHYSICAL
31. PHYSICAL
32. PHYSICAL, AOD 02-07-07 – APP DATE
33. [redacted] PHYSICAL
34. MENTAL
35. PHYSICAL
36. PHYSICAL
37. PHYSICAL
38. WHATEVER ERIC WANTS, AOD 07/20/06
39. [redacted] PHYSICAL, AOD 08/16/06
40. PHYSICAL
41. PHYSICAL
42. PHYSICAL, AOD 04/26/06

D.B. NOVEMBER 2007
DUE 11/15/07

[redacted] PHYSICAL – THIS WILL BE JUDGE QUINLIVAN'S CASE – TAKE OFF

1. [redacted] PHYSICAL, AOD 08/25/06
2. PHYSICAL, AOD 10/25/06
3. PHYSICAL
4. MENTAL,AOD 03/31/07
5. MUST DISMISS FEDERAL CASE!!!!!! – [redacted] WILL DO!!! DO EITHER AND HAVE REPORT REOPEN – HAVE REPORT GO BACK TO 09-22-04
6. [redacted] PHYSICAL
7. PHYSICAL
8. PHYSICAL,AOD 05/20/06
9. PHYSICAL
10. PHYSICAL
11. PHYSICAL
12. EITHER,AOD 08/24/05
13. WHATEVER ERIC WANTS TO DO ON THIS
14. [redacted] PHYSICAL
15. PHYSICAL
16. PHYSICAL
17. WHATEVER ERIC WANTS TO DO ON THIS
18. [redacted] PHYSICAL

19. [redacted] PHYSICAL

20. PHYSICAL

21. PHYSICAL

22. EITHER – HAVE REPORT GO BACK TO 07/31/04

23. MENTAL

24. PHYSICAL

25. AOD 11/30/06, PHYSICAL

26. PHYSICAL

27. PHYSICAL

28. PHYSICAL

29. MENTAL

30. PHYSICAL

31. PHYSICAL

32. EITHER

33. PHYSICAL

34. EITHER

35. MENTAL

36. - JUST GET EVIDENCE REGARDING TECH RFH – SHOWING THAT HE SOLD VEHICLE

37. [redacted] [redacted] PHYSICAL – AOD TO 01/12/07

38. [redacted] [redacted] MENTAL - she is coming to the office this week. She is not a client yet

39 [redacted] [redacted] PHYSICAL

40 [redacted] [redacted] PHYSICAL

D.B.DUE OCTOBER 1, 2007

D.B. OCTOBER 2007

1. [redacted] PHYSICAL, AOD 02/04/05
2. PHYSICAL
3. PHYSICAL
4. PHYSICAL, AOD 08/11/06
5. PHYSICAL
6. WHATEVER ERIC WANTS
7. WHATEVER ERIC WANTS
8. EITHER
9. PHYSICAL, AOD 07/25/04 – SHE MUST SIGN THE SPECIAL AOD FORM STATING THAT SHE REALIZES THAT SHE WILL NOT RECEIVE SSD
10. [redacted] PHYSICAL, AOD 11/22/06
11. PHYSICAL
12. REOPENING – GET PHYSICAL TAKE BACK TO 11/01/2002
13. [redacted] SEND PROOF THAT SHE NO LOGER HAS RESOURCE
14. [redacted] PHYSICAL
15. EITHER
16. PHYSICAL
17. EITHER, AOD 10/23/06
18. PHYSICAL
19. PHYSICAL

20.	[redacted]	MENTAL, AOD 05/31/06
21.		PHYSICAL
22.		MENTAL
23.		PHYSICAL
24.		PHYSICAL
25.		PHYSICAL
26.		EITHER
27.		MENTAL
28.		MENTAL
29.		EITHER, AOD 10/31/05
30.		MENTAL
31.		PHYSICAL, AOD 02/07/06
32.		PHYSICAL
33.		EITHER
34.		PHYSICAL, AOD 10/31/05
35.		PHYSICAL
36.		PHYSICAL
37.		PHYSICAL
38.		EITHER

JENNIFER GRIFFITH

1. [redacted] SPOKE WITH HER ABOUT WHY OUR CLIENT WERE LISTED ON THE DOCKET AS DWPC, PRE OR ETC... AND THEN LATER CHANGED TO SOMETHING OPPISITE. JENNIFER TOLD HER THAT SHE JUST CHANGES THE STATUS SOMETIMES JUST TO GET THE CLIENTS OUT OF MDKT WHETHER OR NOT THEY HAVE BEEN WORKED UP OR NOT.

2. RE: [redacted]

D.B. SEPTEMEBER
DUE SEPTEMBER 4, 2007

1.	[redacted]	PHYSICAL, AOD 09/29/06
2.		MENTAL
3.		PHYSICAL
4.		PHYSICAL
5.		MENTAL
6.		MENTAL
7.		PHYSICAL, AOD 08/03/06
8.		MENTAL
9.		PHYSICAL
10		MENTAL
11		PHYSICAL, AOD11/06/06
12		BOTH
13		PHYSICAL
14		PHYSICAL
15		PHYSICAL
16		PHYSICAL AOD 01/06/05
17		PHYSICAL
18		PHYSICAL, AOD 11/30/06
19		PHYSICAL
20		PHYSICAL
21		PHYSICAL

22. [redacted] PHYSICAL

23. BOTH

24. PHYSICAL

25. PHYSICAL AOD 01/20/07

26. ASK WHATEVER ERIC WANTS TO SEND HER TO

27. [redacted] PHYSICAL

28. PHYSICAL

29. PHYSICAL

30. PHYSICAL

31. PHYSICAL

32. PHYSICAL, AOD 03/28/07

33. PHYSICAL

34. PHYSICAL

35. PHYSICAL, AOD 06/15/06

36. PHYSICAL, AOD 07/09/04

37. PHYSICAL

38. BOTH

39. PHYSICAL

40. BOTH, AOD 07/14/06

41. PHYSICAL

42. BOTH, AOD 05/12/05

43. BOTH

44. PHYSICAL

45.	[redacted]	PHYSICAL
46.		PHYSICAL
47.		PHYSICAL
48.		PHYSICAL, AOD 03/25/06
49.		PHYSICAL,AOD 01/20/06
50.		MENTAL
51.		PHYSICAL
52.		PHYSICAL

D.B. AUGUST 2007

DUE AUGUST 1, 2007

1. [redacted] PHYSICAL
2. [redacted] PHYSICAL, AOD 06/20/06
3. [redacted] PHYSICAL
4. [redacted] MENTAL
5. [redacted] PHYSICAL
6. [redacted] PHSYICAL
7. [redacted] PHYSICAL
8. [redacted] PHYSICAL
9. [redacted] PHYSICAL
10. [redacted] MENTAL, AOD 10/31/06
11. [redacted] MENTAL, AOD 11/30/06
12. [redacted] MENTAL, AOD 02/28/06
13. [redacted] PHYSICAL – FILE ERASED FROM DAYTIMER!!!! - FIX
14. [redacted] PHYSICAL, AOD 10/25/06 – TAKEN OFF THE LIST BECAUSE HE STILL HAS AN APPEALS COUNCIL CLAIM PENDING
15. [redacted] PHYSICAL, AOD 09/29/06
16. [redacted] PHYSICAL
17. [redacted] PHYSICAL AOD 05/22/06
18. [redacted] PHYSICAL AOD 12/12/06 – TAKEN OFF THE LIST BECAUSE SHE STILL HAS APPEALS COUNCIL CLAIM PENDING

19. [redacted] MENTAL AOD 03/03/05
BE CAREFUL WE HAVE 2 [redacted]

20. [redacted] MENTAL

21. [redacted] MENTAL, AOD 07/20/06 –
DISMISS THE DAC CLAIM - DO SPECIAL AMENDED ONSET DATE FORM – I WILL HELP

22. [redacted] PHYSICAL

23. PHYSICAL

24. PHYSICAL

25. PHYSICAL

26. PHYSICAL

27. PHYSICAL, AOD 12/27/06

28. PHYSICAL, AOD 05/27/05

29. PHYSICAL, AOD 10/16/03

30. PHYSICAL, AOD 07/26/05

31. DO WHATEVER ERIC WANTS

32. MENTAL

33. PHYSICAL

34. MENTAL

35. PHYSICAL

36. PHYSICAL

37. PHYSICAL

38. BOTH – TAKEN OFF THE LIST BECAUSE HE HAS DECIDED TO STAY WITH [redacted] WE PROBABLY NEED TO FILE A FEE PETITION. I WILL SEND [redacted] A NOTE ON THIS.

39. [redacted] MENTAL

40. PHYSICAL

41. MENTAL, GO BACK 11/15/04 REOPENING

42. [redacted] MENTAL, AOD APP DATE 11/17/06

43. PHYSICAL

44. PHYSICAL

45. BOTH, AOD 01/29/05

46. BOTH

JULY 2007 LIST

DUE JULY 6, 2007

1.	[redacted]	PHYSICAL
2.		BOTH
3.		MENTAL, AOD 08/28/06
4.		MENTAL, AOD 09/29/06
5.		BOTH,AOD 04/19/06
6.		PHYSICAL
7.		PHYSICAL
8.		PHYSICAL
9.		MENTAL
10		BOTH
11		PHYSICAL
12		PHYSICAL
13		PHYSICAL
14		PHYSICAL
15		MENTAL, AOD 05/23/06
16		PHYSICAL, AOD 05/06/06
17		PHYSICAL GO BACKTO 01/15/03
18.	[redacted]	PHYSICAL
19.		PHYSICAL, AOD 04/24/04
20.		PHYSICAL

21.	[redacted]	MENTAL
22.		MENTAL, AOD 01/08/07
23.		PHYSICAL
24.		MENTAL, AOD 05/11/06
25.		PHYSICAL, AOD 09/29/06
26.		PHYSICAL
27.		PHYSICAL
28.		PHYSICAL
29.		PHYSICAL
30.		PHYSICAL
31.		PHYSICAL
32.		PHYSICAL
33.		BOTH
34.		PHYSICAL
35.		PHYSICAL
36.		PHYSICAL
37.		BOTH
38.		MENTAL, AOD 01/08/05
39.		PHYSICAL, AOD 11/30/06

JUNE 2007
DUE BY JUNE 4, 2007

1. [redacted] PHYSICAL AOD10/13/05
2. BOTH
3. NOTHING
4. NOTHING
5. PHYSICAL
6. PHYSICAL, REOPENING
HAVE REPORT GO BACK TO 06/01/00 –
7. [redacted] BOTH AOD 01/01/05
8. [redacted] PHYSICAL AOD 12/01/04–
HAVE REPORT GO BACK TO 12/01/04
9. [redacted] EITHER
10 PHYSICAL, AOD 12/30/05
11 MENTAL
12 EITHER
13 MENTAL AOD 08/21/06
14 EITHER AOD 04/28/06
15 PHYSICAL
16 PHYSICAL
17 MENTAL
18 PHYSICAL
19 PHYSICAL
20 WHAT ERIC WANTS TO DO (CHILD)

21. [redacted] EITHER
22. EITHER
23. PHYSICAL
24. BOTH
25. BOTH
26. BOTH
27. PHYSICAL
28. NOTHING, AOD 01/01/2003
29. [redacted] PHYSICAL
30. PHYSICAL
31. BOTH, AOD 01/22/05
32. MENTAL, AOD 02/22/06
33. PHYSICAL, AOD 11/06/06
34. BOTH, AOD 07/14/06
35. MENTAL, AOD 12/04/03
36. PHYSICAL
37. MENTAL
38. MENTAL
39. PHYSICAL
40. PHYSICAL AOD 12/09/05
41. PHYSICAL
42. PHYSICAL, AOD 07/20/05

43. [redacted] MENTAL, AOD 08/25/05

44. MENTAL

45. PHYSICAL, AOD 04/06/05

46. MENTAL

47. MENTAL TAKE BACK TO 01/28/05 (THIS IS AN AC REMAND)

48. [redacted] PHYSICAL

49. PHYSICAL

50. PHYSICAL

D.B. JUNE OTR'S DUE ON 06/16/06

1. [redacted] EITHER

2. [redacted] BOTH, AMEND THE ONSET DATE TO 09/21/04 – THIS IS THE DATE OF HIS PREVIOS APPLICATION, HE WILL NOT GO BACK ANY FURTHER.

3. [redacted] EITHER

4. [redacted] PHYSICAL

5. [redacted] MENTAL, AMEND THE ONSET DATE TO 09/17/03 AND HAVE THE REPORT GO BACK TO THAT DATE

6. [redacted] MENTAL, AMEND THE ONSET DATE TO 07/28/05 – THIS IS ONE DAY AFTER LAST UNFAVORABLE DECISION. THERE IS STILL A FEDERAL CLAIM PENDING.

7. [redacted] EITHER, AMEND ONSET DATE TO 08/31/05

8. [redacted] PHYSICAL, AMEND ONSET DATE TO 50TH BIRTHDAY [redacted]

9. [redacted] EITHER, AND AMEND THE ONSET DATE TO 10/28/04

10. [redacted] EITHER

11. [redacted] NONE

12. [redacted] PHYSICAL, AMEND THE ONSET DATE TO 07/30/04

13. [redacted] EITHER

14. [redacted] MENTAL

D.B. MAY 2007 – NO MORE MEDICALS!!!!

DUE MAY 1, 2007

1.	[redacted]	PHYSICAL	
2.			NONE
3.		PHYSICAL	AOD TO 11/02/2005
4.		PHYSICAL	
5.		PHYSICAL	
6.		MENTAL	
7.		PHYSICAL	AOD 01/19/06
8.		MENTAL	AOD 08-25-06
9.		PHYSICAL	
10		PHYSICAL	AOD 07/21/06
11		PHYSICAL	
12		PHYSICAL	AOD 06/30/06 – SPECIAL AOD FORM BECAUSE SHE WILL LOSE HER SSD
13.	[redacted]	MENTAL	
14.		PHYSICAL	
15.		PHYSICAL	
16.		MENTAL	
17.		PHYSICAL	
18.		PHYSICAL	
19.		NONE	
20.		PHYSICAL	

21.	[redacted]	PHYSICAL
22.		PHYSICAL
23.		PHYSICAL AOD 06/15/06
24.		NONE
25.		NONE
26.		MENTAL
27.		MENTAL
28.		PHYSICAL
29.		MENTAL
30.		PHYSICAL AOD 05/27/05
31.		MENTAL
32.		PHYSICAL
33.		PHYSICAL
34.		PHYSICAL AOD 03/28/06
35.		PHYSICAL
36.		PHYSICAL AOD 07/21/06
37.		PHYSICAL
38.		PHYSICAL
39.		PHYSICAL
40.		MENTAL AOD 04/28/06
41.		MENTAL AOD 08/21/06
42.		PHYSICAL
43.		PHYSICAL

44.	[redacted]	MENTAL	
45.		MENTAL	AOD 09-26-06
46.		BOTH	

D.B. MAY 2007 – NO MORE MEDICALS!!!!

DUE MAY 1, 2007

1. [redacted] PHYSICAL
2. [redacted] NONE
3. [redacted] PHYSICAL AOD TO 11/02/2005
4. [redacted] PHYSICAL
5. [redacted] PHYSICAL
6. [redacted] MENTAL
7. [redacted] PHYSICAL AOD 01/19/06
8. [redacted] MENTAL AOD 08-25-06
9. [redacted] PHYSICAL
10. [redacted] PHYSICAL AOD 07/21/06
11. [redacted] PHYSICAL
12. [redacted] PHYSICAL AOD 06/30/06 – SPECIAL AOD FORM BECAUSE SHE WILL LOSE HER SSD
13. [redacted] MENTAL
14. [redacted] PHYSICAL
15. [redacted] PHYSICAL AOD 01/10/04
16. [redacted] MENTAL
17. [redacted] PHYSICAL
18. [redacted] PHYSICAL
19. [redacted] NONE
20. [redacted] PHYSICAL

21.	[redacted]	PHYSICAL
22.		PHYSICAL
23.		PHYSICAL AOD 06/15/06
24.		NONE
25.		NONE
26.		MENTAL
27.		MENTAL
28.		PHYSICAL
29.		MENTAL
30.		PHYSICAL AOD 05/27/05
31.		MENTAL
32.		PHYSICAL
33.		PHYSICAL
34.		PHYSICAL AOD 03/28/06
35.		PHYSICAL
36.		PHYSICAL AOD 07/21/06
37.		PHYSICAL
38.		PHYSICAL
39.		PHYSICAL
40.		MENTAL AOD 04/28/06
41.		MENTAL AOD 08/21/06
42.		PHYSICAL AOD 09/04/04
43.		PHYSICAL

44.	[redacted]	MENTAL	
45.		MENTAL	AOD 09-26-06
46.		BOTH	

D.B. APRIL 2007
DUE ON MARCH 28, 2007

1. [redacted] PHYSICAL
2. PHYSICAL
3. AOD TO 09/24/05 – MENTAL
4. AOD TO 07/14/06 – PHYSICAL
5. PHYSICAL
6. AOD 05/17/06 PHYSICAL
7. MENTAL
8. PHYSICAL
9. MENTAL
10. WHATEVER ERIC WANTS TO DO – CHILD
11. [redacted] AOD 09/04/04 – THIS WILL STILL REOPEN – PHYSICAL
12. [redacted] MENTAL
13. PHYSICAL
14. AOD 03/31/06 - MENTAL
15. PHYSICAL
16. BOTH
17. AOD 03-05-04 PHYSICAL
18. AOD 03/28/06 – MENTAL
19. CHILD – DO WHATEVER ERIC WANTS TO
20. [redacted] MENTAL

21. [redacted] AOD 09-07-06 - PHYSICAL

22. PHYSICAL

23. AOD 09/02/04 – EITHER

24. PHYSICAL

25. PHYSICAL

26. MENTAL AOD 04/28/06

27. PHYSICAL

28. PHYSICAL-REOPENING – HAVE REPORT GO BACK TO 01-15-04 – ORIGINAL ONSET – PLEASE CHECK FILE FOR ONSET AND ALSO MAKE SURE THAT THIS WAS A DISMISSAL

29. [redacted] PHYSICAL

30. PHYSICAL

31. PHYSICAL AOD 02-16-06

32. PHYSICAL AOD 09-08-04

33. PHYSICAL

34. MENTAL AOD 04/06/06

35. PHYSICAL

36. PHYSICAL

37. PHYSICAL

38. PHYSICAL AOD 08/01/04

39. PHYSICAL

40. PHYSICAL – 12/01/03HAVE REPORT GO BACK TO ONSET DATE - CHECK FILE FOR CORRECT ONSET.

41. [redacted] MENTAL

42. [redacted] PHYSICAL

43. PHYSICAL

44. PHYSICAL

45. MENTAL

AOD 03-11-06 – DATE OF NEW APP

46. [redacted] PHYSICAL

47. MENTAL

48. NONE, AOD 06/14/05

D.B. MAY 2007 – NO MORE MEDICALS!!!!

DUE MAY 1, 2007

1. [redacted] PHYSICAL
2. [redacted] NONE
3. [redacted] PHYSICAL AOD TO 11/02/2005
4. [redacted] PHYSICAL
5. [redacted] PHYSICAL
6. [redacted] MENTAL
7. [redacted] PHYSICAL AOD 01/19/06
8. [redacted] MENTAL AOD 08-25-06
9. [redacted] PHYSICAL
10. [redacted] PHYSICAL AOD 07/21/06
11. [redacted] PHYSICAL
12. [redacted] PHYSICAL AOD 06/30/06 – SPECIAL AOD FORM BECAUSE SHE WILL LOSE HER SSD
13. [redacted] MENTAL
14. [redacted] PHYSICAL
15. [redacted] PHYSICAL AOD 01/10/04
16. [redacted] MENTAL
17. [redacted] PHYSICAL
18. [redacted] PHYSICAL
19. [redacted] NONE
20. [redacted] PHYSICAL

21.	[redacted]	PHYSICAL
22.		PHYSICAL
23.		PHYSICAL AOD 06/15/06
24.		NONE
25.		NONE
26.		MENTAL
27.		MENTAL
28.		PHYSICAL
29.		MENTAL
30.		PHYSICAL AOD 05/27/05
31.		MENTAL
32.		PHYSICAL
33.		PHYSICAL
34.		PHYSICAL AOD 03/28/06
35.		PHYSICAL
36.		PHYSICAL AOD 07/21/06
37.		PHYSICAL
38.		PHYSICAL
39.		PHYSICAL
40.		MENTAL AOD 04/28/06
41.		MENTAL AOD 08/21/06
42.		PHYSICAL AOD 09/04/04
43.		PHYSICAL

44.	[redacted]	MENTAL	
45.		MENTAL	AOD 09-26-06
46.		BOTH	

D.B. MARCH 2007 LIST
DUE MARCH 7, 2007

1. [redacted] BOTH
2. PHYSICAL
3. PHYSICAL
4. AOD 07/17/05 1 DAY AFTER LAST UNFAVORABLE – CHECK APPEALS COUNCIL
5. [redacted] PHYSICAL
6. PHYSICAL – GO BACK TO 05/29/04 FOR REOPENING
7. [redacted] PHYSICAL
8. NONE
9. PHYSICAL
10. PHYSICAL GO BACK TO 04/19/04 FOR A REOPENING
11. [redacted] PHYSICAL AOD 04/01/06 1 DAY AFTER BOG
12. [redacted] PHYSICAL
13. PHYSICAL
14. PHYSICAL
15. PHYSICAL
16. PHYSICAL
17. PHYSICAL
18. PHYSICAL
19. PHYSICAL

20. [redacted] PHYSICAL

21. [redacted] PHYSICAL

22. [redacted] PHYSICAL

23. [redacted] PHYSICAL – GO BACK TO MAY 10, 2004 FOR A REOPENING

24. [redacted] PHYSICAL – AOD TO 07/03/06 – DATE OF SSI APP

25. [redacted] MENTAL

26. [redacted] PHYSICAL

27. [redacted] PHYSICAL

28. [redacted] PHYSICAL

29. [redacted] MENTAL AND AOD 07/22/05 1 DAY AFTER BOG DECISION

30. [redacted] MENTAL

31. [redacted] PHYSICAL AOD TO ALMOST 50TH BIRTHDAY [redacted] 6 MONTHS BEFORE)

32. [redacted] PHYSICAL

33. [redacted] MENTAL

34. [redacted] BOTH

35. [redacted] NONE

36. [redacted] PHYSICAL AOD TO 04-28-06

37. [redacted] MENTAL AOD TO 07/08/05

38. [redacted] PHYSICAL

39. [redacted] PHYSICAL

40. [redacted] MENTAL AOD TO 07-06-05

41. [redacted] MENTAL

42. [redacted] PHYSICAL

43. [redacted] MENTAL, AOD 01/25/06 – 1 DAY AFTER BOG DECISION.

44. [redacted] PHYSICAL, HAVE REPORT GO BACK TO 09/18/03 FOR A REOPENING

45. [redacted] NEED A GOOD PHYSICAL REPORT!!! – BE SURE TO MENTION DISABLED FOR YEAR ONLY

44. [redacted] [redacted] MENTAL

D.B. NOVEMBER DUE BY 11/03/06

1. [redacted]	MENTAL
2.	EITHER
3.	MENTAL
4.	NONE, AOD TO 10/31/05
5.	BOTH
6.	NONE
7.	BOTH,AOD 07/27/05
8.	PHYSICAL
9.	BOTH
10.	PHYSICAL
11.	EITHER, AOD 04/23/05
12.	NONE
13.	NONE
14.	NONE
15.	NONE
16.	NONE
17.	NONE, AOD TO 12/15/04 BY WIFE
18. [redacted]	NONE
19.	NONE
20.	NONE
21.	NONE