

SHERMAN S. STARTZ v. DEPARTMENT OF THE ARMY

Docket # SF-315H-22-0532-I-1

Clarification and Request for Meeting

Summary Page

Case Title : SHERMAN S. STARTZ v. DEPARTMENT OF THE ARMY

Docket Number : SF-315H-22-0532-I-1

Pleading Title : Clarification and Request for Meeting

Filer's Name : Sherman S. Startz

Filer's Pleading Role : Appellant

Details about the supporting documentation

#	Title/ Description	Mode of Delivery
1	Clarification and Request for Meeting	Uploaded

Table of Contents

Pleading Interview	3
Clarification and Request for Meeting	4
Certificate of Service	7

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Clarification and Request for Meeting

Online Interview

1. Would you like to enter the text online or upload a file containing the pleading?

Enter Online

2. Please enter text of your pleading.

Please see the attached

3. Does your pleading assert facts that you know from your personal knowledge?

Yes

4. Do you declare, under penalty of perjury, that the facts stated in this pleading are true and correct?

Yes

To Administrative Judge Michael S. Shachat and Administrative Judge Charles Eiser

Dear Sir's

I am sending this note for two specific reasons.

- 1) I would like to add some clarification to my interpretation as to why I feel I am a Protected Employee with less than one year; in essence a Federal Employee under probationary period.
- 2) Request for an informal teleconference for my benefit. I am appealing my termination through MSPB in the hopes of gaining my job back but ultimately to put an end to what appears to be widespread theft and dilution of Basic Construction standards set forth by the ARMY and Department of Defense.

Shortly after going to work for DPW on Fort Wainwright, I began to notice some unusual behavior extended.

- 1) I received my job description but was immediately told I really don't do those things.
- 2) I was told to take training, then told not to take specific training for my position. Literally told I was not a COR, had no COR responsibilities and chances are would never be a COR (Contracting Officer Representative) so I definitely did not need the training in spite notification from IMCOM.
- 3) My co-worker Steve Emerson said "Chief thinks you're here to take him down; a GS 9 will never take down a GS 13. I found this odd to say the least. I was simply wanting to work.
- 4) Then realizing Ben Plumely with ALEUT had been fired and ALEUT told they needed to hire him specifically back; He is the point person with ALEUT I know is defrauding the Government on many levels; descriptions can be provided.
- 5) Learning shortly thereafter Tanya Clooting; prior to becoming a Contracting Officer Representative was in fact the office admin for ALEUT on Fort Wainwright and had no formal contracting experience prior to landing this role with DPW – seems like a gross conflict of interest, and no seeing the posture and attitude it really looks odd. All of this supported by the Senior Leadership at DPW
- 6) To learn Tanya Clooting ; whom told me personally during a conversation regarding gross irregularities by ALEUT and there work; "There is the Government way and there is the Alaska way to doing business, you need to understand that." I told her in response that "that makes the folks with DPW part of the problem, and since we are here to prevent these problems, then we are the problem." Shortly there after I was kicked out of the running for an GS 11 role I had interviewed which Tanya Clooting was on the interview panel, a job I in fact I did not even apply for. Now that was really strange. Nevertheless, literally minutes after our exchange I received a notice I was not selected for the role—yes, the same role I did not even apply for.
- 7) The ongoing incessant aggression by DENNIS KENNEDY
- 8) The Fact I was only put on ALEUT projects.
- 9) The fact , one week after point blank refusing to sign paperwork on delivered materials that were not delivered; knowing ALEUT is showing up with non- approved materials. This is a

CRITICAL part of the equation. Getting an non suspecting QA to sign off on materials. COR approving non-compliant submittals that are submitted with fictitious specification numbers. It is all intended to fragment the trail and point to innocent people while the senior principals pocket hundreds of thousands of dollars defrauding the government.

10) I did take MSPB and the Personnel Prohibited Practices training for supervisors. I only took this training because I was so highly underutilized I was bored so I looked for anything to do to stay busy. NOTHING – the treatment I received in He is a Mole stuff; the retaliation and me begging to not be put on ALEUT projects. Only being put to work with Ben Plumely and Dave Brown, whom were doing everything they could to cause problems for me. While I understand the MSPB is intended to protect all employees, the conduct requirement do apply to all, equally. They apply to DAVID ZRNA and SHERMAN STARTZ. He can not navigate from proper protocol and us points of “less than a year, I don’t need a reason to fire,” only to cover up Fraud.

11) I was never written up; I never signed anything regarding conduct or performance.

It was not until I was terminated and I saw the principals involved di I realize who the organizers of this fraud were; I likely still do not see all of them but I was very close to getting to some real evidence, I did reach examples of extremely questionable conduct that reek of fraud. The real question is WHY? Why do situations like this ever happen like this – it always comes home TO REST IN THE LAP OF FRAUD, ALWAYS.

Now I am at a point where I want fair treatment; what ever that is, but in the end, this theft can not be allowed to continue. This dilution of s system intended to benefit all involved. Greed takes away from this and that is what is happening here.

If the expectation is in order for me to get fair and equal treatment I need to go to an outside agency, get a lawyer or union person; well, that’s not happening. There is not one once of I want to fight the Army, DoD in me. I refuse to be a part of any negative attracting attention to our ARMY – just not happening. I will not be bullied into responding so negatively for something that is simply wrong. Steeling from the ARMY is wrong, be it wasted time, abuse of power, money – none of it, there is no place for this.

So, the second reason. I want a conference with the Judge. I need to know if I need to put my Pro Se skills to work.

- 1) Do you need a Formal Citation from me with MERIT?
- 2) Do I need to start the first round of Interrogatories and Requests for Production? Define some rules (is this state rule of Federal; Rule 33.....)
- 3) Will I need to be file Motions to Compel
- 4) Without an opportunity to point out the methods used to defraud the government a novice or non-construction person may not see it. Afterall, these individuals are thieves and breaking the law and they are good at it and have been doing it a long time. They are brave and stupid now, and until it is exposed it will continue. Afterall, the Job Order Contract should have been done away with by now and replaced with MATOC (another topic I would love to shed some light on as well). Why hasn’t the most exploited contracting mechanism ever used by the DoD (the JOC) is still in place here on Wainwright? To continue to exploit and defraud

- 5) Please let me know when; at your earliest convenience we can meet telephonically or in person.
- 6)

Certificate Of Service

e-Appeal has handled service of the assembled pleading to MSPB and all of the Parties.

Following is the list of the Parties in the case:

Name & Address	Documents	Method of Service
MSPB: Western Regional Office	Clarification and Request for Meeting	e-Appeal / e-Mail
Charles Eiser Agency Representative	Clarification and Request for Meeting	e-Appeal / e-Mail
Pacific Region Agency Representative	Clarification and Request for Meeting	e-Appeal / e-Mail