**Rebuttal to Affidavit of Witness Anna Myers**

**From: Max J. Meindl**  
**Date: April 16, 2025**

Dear LaKisha Wilson,

I submit this rebuttal to challenge the inaccuracies in Anna Myers’ affidavit, dated April 14, 2025, regarding my EEO complaint (HS-FEMA-02430-2024). As an EEO Specialist, Ms. Myers’ mismanagement of the reassignment process for my Reasonable Accommodation (RA) request (RAR0046767) played a critical role in its denial on August 16, 2024, and my termination on January 6, 2025. Below, I address her misleading claims with evidence from my affidavit (April 16, 2025), emails, and supporting documents. A table summarizing key contradictions is provided for clarity.

**Rebuttal to Ms. Myers’ Claims**

* **Misrepresentation of My RA Engagement and Concerns**
  + Ms. Myers claims I only expressed “unhappiness” about the RA denial, not discrimination (Myers Affidavit, p. 3, Q16-17). On August 22, 2024, I emailed her, stating I felt “ignored, abused, dismissed” and citing a 190-day delay for RAR0046767, clearly signaling unfair treatment.
  + I actively engaged, agreeing to discuss reassignment on August 26, 2024, and detailed my virtual capabilities. Her minimization ignores my protected activity under MD-110 (§XI).
  + She overlooks five unresolved RAs, indicating systemic neglect.
* **False Claim of My Inability to Perform**
  + Ms. Myers asserts my disability prevented essential job functions, justifying the denial (Myers Affidavit, p. 3, Q5). I performed remotely for 38 months (March 2020–May 2023), managing closeouts, as endorsed by Anthony In.
  + On May 23, 2024, I accepted In’s Houston deployment proposal, overruled with a “stand down” order. My virtual success (e.g., 4611DR) was ignored, contradicting her claim.
  + No hardship analysis supported the denial, violating the Rehabilitation Act (29 C.F.R. § 1630.2(o)).
* **Understated Role in RA Denial**
  + Ms. Myers claims she was only advised of the August 16, 2024 denial and handled reassignment (Myers Affidavit, p. 3, Q2). She formally notified me of the denial and proposed reassignment, actively shaping the process.
  + She failed to challenge the denial’s lack of hardship analysis or virtual options, despite my August 22, 2024 response. Her reassignment terms pressured me to admit inability, breaching MD-110 (§VI.A).
* **Evasion of Termination Accountability**
  + Ms. Myers claims no termination knowledge, speculating disability as a cause (Myers Affidavit, p. 4, Q25-28). Termination, 17 days after my December 20, 2024 EEO complaint, suggests retaliation.
  + As reassignment coordinator, her inaction post-August 26, 2024 contributed to FEMA’s failure to reassign, linked to my termination.
* **Omission of Systemic Failures**
  + Ms. Myers adds no further information, ignoring a 194-day delay for RAR0046767.
  + Premature OAST surveys for RAR0023278 and disaster welfare neglect during FEMA-4781-DR-TX reflect disarray she overlooks.
  + HIPAA violations in Clemons’ emails (July 10, 2024) went unaddressed, despite her OCR role.

**Discrepancies in Anna Myers’ Affidavit**

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| Myers’ Claim | Evidence Contradicting Claim |
| Only expressed unhappiness (p. 3, Q16-17). | Stated “ignored, abused, dismissed” on August 22, 2024. |
| Disability barred essential functions (p. 3, Q5). | 38-month remote success; agreed to deploy May 23, 2024. |
| Limited to reassignment role (p. 3, Q2). | Notified denial, shaped reassignment terms. |
| No termination knowledge (p. 4, Q25-28). | Reassignment inaction linked to retaliatory termination. |
| No systemic issues noted (p. 4, Q24, 31). | 194-day delay; surveys, welfare neglect unaddressed. |

**Conclusion**

Ms. Myers’ affidavit distorts my RA engagement, ignores my virtual success, and sidesteps FEMA’s delays, inadequate assessments, and retaliatory termination. Evidence—my 38-month remote record, deployment willingness, and EEO filing proximity—points to Rehabilitation Act and ADEA violations. I urge the investigator to review Ms. Myers’ August 2024 emails, interview Mark Underhill and Anthony In, and probe FEMA’s reassignment process for accountability.

Sincerely,  
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