

Enclosure I

Department of Energy - Legal Management Tracking System
Invoice Detail Report
Richland Operations Office
For Fiscal Year 2011

Printed 26-Feb-13

Page 1 of 1

Invoice Number	Invoice Date	Approval Date	Fees	Travel	Consultants	Databases	Other	Total
TAMOSAITIS v. BNI								
Lawfirm: HALVERSON & SAUNDERS								
101310	10/13/10	10/25/11	\$9,472.93	\$0.00	\$0.00	\$0.00	\$403.41	\$9,876.34
111210	11/12/10	10/25/11	\$42,340.00	\$0.00	\$0.00	\$0.00	\$857.27	\$43,197.27
120610	12/6/10	12/26/11	\$10,628.25	\$0.00	\$0.00	\$0.00	\$0.00	\$10,628.25
020811	2/8/11	10/26/11	\$27,642.70	\$0.00	\$0.00	\$0.00	\$0.00	\$27,642.70
031011	3/10/11	10/25/11	\$24,960.00	\$531.93	\$0.00	\$0.00	\$643.43	\$26,135.36
041111	4/11/11	10/26/11	\$20,325.31	\$0.00	\$0.00	\$0.00	\$0.00	\$20,325.31
051011	5/10/11	10/26/11	\$7,111.90	\$0.00	\$0.00	\$0.00	\$0.00	\$7,111.90
			\$142,481.09	\$531.93	\$0.00	\$0.00	\$1,904.11	\$144,917.13
Lawfirm: Pillsbury Winthrop Shaw Pittman								
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$144,917.13

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Richland Operations Office**

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Lawfirm: HALVERSON & SAUNDERS								
111011	11/10/11	10/26/11	\$27,020.00	\$0.00	\$0.00	\$0.00	\$774.02	\$27,794.02
			<u>\$27,020.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$774.02</u>	<u>\$27,794.02</u>
Lawfirm: Pillsbury Winthrop Shaw Pittman								
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$27,794.02</u>

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Lawfirm: HALVERSON & SAUNDERS								
Lawfirm: Pillsbury Winthrop Shaw Pittman								
7639374	10/26/12	10/26/12	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			\$77,288.85	\$0.00	\$0.00	\$0.00	\$0.00	\$77,288.85
			<u>\$77,288.85</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$77,288.85</u>
								\$77,288.85

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Tamosaitis v. URS								
Lawfirm: Morgan Lewis								
2448331	2/28/11	8/10/11	\$24,183.80	\$0.00	\$0.00	\$0.00	\$0.00	\$24,183.80
2509230	3/31/11	8/24/11	\$79,732.93	\$0.00	\$0.00	\$0.00	\$0.00	\$79,732.93
2509193	4/27/11	8/24/11	\$79,432.27	\$0.00	\$0.00	\$0.00	\$0.00	\$79,432.27
2496196	5/31/11	10/7/11	\$76,937.58	\$0.00	\$0.00	\$0.00	\$0.00	\$76,937.58
2509889	6/30/11	8/24/11	\$102,234.06	\$0.00	\$0.00	\$0.00	\$0.00	\$102,234.06
2522974	7/27/11	10/7/11	\$82,454.88	\$0.00	\$0.00	\$0.00	\$0.00	\$82,454.88
2336337	8/19/11	11/23/11	\$102,311.85	\$0.00	\$0.00	\$0.00	\$0.00	\$102,311.85
			\$547,287.37	\$0.00	\$0.00	\$0.00	\$0.00	\$547,287.37
Lawfirm: Witherspoon, Kelley, Davenport & Toole								
297368	2/25/11	7/22/11	\$8,409.60	\$0.00	\$0.00	\$0.00	(\$177.90)	\$8,231.70
297369	4/25/11	8/10/11	\$66,550.09	\$0.00	\$0.00	\$0.00	\$0.00	\$66,550.09
297526	6/30/11	8/24/11	\$78,895.97	\$0.00	\$0.00	\$0.00	\$0.00	\$78,895.97
297526	6/30/11	1/10/12	\$2,531.79	\$0.00	\$0.00	\$0.00	\$0.00	\$2,531.79
301884	7/22/11	10/7/11	\$31,049.55	\$0.00	\$0.00	\$0.00	\$0.00	\$31,049.55
			\$187,437.00	\$0.00	\$0.00	\$0.00	(\$177.90)	\$187,259.10
								\$734,546.47

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Lawfirm: Morgan Lewis								
2569298	10/31/11	1/10/12	\$100,201.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100,201.00
2569314	10/31/11	1/10/12	\$52,585.73	\$0.00	\$0.00	\$0.00	\$0.00	\$52,585.73
			<u>\$152,786.73</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$152,786.73</u>
Lawfirm: Witherspoon, Kelley, Davenport & Toole								
307838	10/31/11	1/10/12	\$65,340.67	\$0.00	\$0.00	\$0.00	\$0.00	\$65,340.67
			<u>\$65,340.67</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$65,340.67</u>
								\$218,127.40

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Lawfirm: Morgan Lewis								
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
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			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
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TAMOSAITIS v. BNI								
Lawfirm: HALVERSON & SAUNDERS								
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Lawfirm: Pillsbury Winthrop Shaw Pittman								
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
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Lawfirm: Pillsbury Winthrop Shaw Pittman

\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
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Lawfirm: Pillsbury Winthrop Shaw Pittman								
7639374	10/26/12	10/26/12	\$77,288.85	\$0.00	\$0.00	\$0.00	\$0.00	\$77,288.85
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297526	6/30/11	8/24/11	\$78,895.97	\$0.00	\$0.00	\$0.00	\$0.00	\$78,895.97
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301884	7/22/11	10/7/11	\$31,049.55	\$0.00	\$0.00	\$0.00	\$0.00	\$31,049.55
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Lawfirm: Witherspoon, Kelley, Davenport & Toole								
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00

Enclosure II

Steiling, Jeri L

From: Botes, Holly
Sent: Friday, March 25, 2011 7:46 AM
To: 'Nugent, Wanda'
Subject: RE: Tomasaitis Case

Are the documents already in electronic form? Or, would you have to scan them?

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Nugent, Wanda [<mailto:whnugent@Bechtel.com>]
Sent: Thursday, March 24, 2011 1:15 PM
To: Botes, Holly
Subject: RE: Tomasaitis Case

(b)(5)

Thanks so much,
Wanda

-----Original Message-----

From: Botes, Holly [<mailto:Holly.Botes@rl.doe.gov>]
Sent: Thursday, March 24, 2011 1:00 PM
To: Nugent, Wanda
Subject: RE: Tomasaitis Case

Wanda - (b)(5)

(b)(5)

(b)(5)

Thanks.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Botes, Holly

Sent: Thursday, March 24, 2011 7:47 AM

To: 'Nugent, Wanda'

Subject: FW: Tomasaitis Case

(b)(5)

Thanks.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Madarang, Marilyn

Sent: Wednesday, March 23, 2011 5:38 PM

To: Botes, Holly

Cc: Madarang, Marilyn

Subject: Tomasaitis Case

Holly,

(b)(5)

(b)(5)

Please advise. Thanks. Marilyn

Steiling, Jeri L

From: Botes, Holly
Sent: Tuesday, August 16, 2011 2:11 PM
To: 'jhdunkir@bechtel.com'
Subject: Tamosaitis (b)(5)

Jean – Bob asked me (b)(5)
(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Stelling, Jeri L

From: Botes, Holly K
Sent: Tuesday, May 22, 2012 12:34 PM
To: Knutson, Dale E
Subject: Tamosaitis

Dale – Sorry about the phone tag. I was calling because (b)(5)

(b)(5)

(b)(5)

If you have any questions, please let me know. You can more easily reach me on my cell phone at 509-430-4154.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Steiling, Jeri L

From: Botes, Holly K
Sent: Thursday, January 26, 2012 3:49 PM
To: Noyes, Delmar L
Cc: Stubblebine, Scott D
Subject: Tamosaitis - Draft Answer
Attachments: (b)(5)

Delmar - (b)(5) We can discuss tomorrow.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Steiling, Jeri L

From: Lacher, Andrea
Sent: Monday, January 31, 2011 3:58 PM
To: Botes, Holly
Subject: RE: Latest Ct. Rec.

I put the CD on your door. If you need anything else, let me know!

Andrea M. Lacher

Corporate Allocation Services
Contractor
United States Department of Energy
Office of Chief Counsel
825 Jadwin/400-H
Richland, Washington
(509) 376-1068



From: Botes, Holly
Sent: Monday, January 31, 2011 2:15 PM
To: Lacher, Andrea
Subject: FW: Latest Ct. Rec.

Here's another one to go in the same Tamosaitis file.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

From: Nugent, Wanda [mailto:whnugent@Bechtel.com]
Sent: Friday, January 28, 2011 1:56 PM
To: Botes, Holly
Subject: Latest Ct. Rec.

Here is a new one for your files (b)(5) Have a great weekend.

Thanks,

Wanda

(b)(5)

Wanda H. Nugent
Bechtel National, Inc. (WTP)

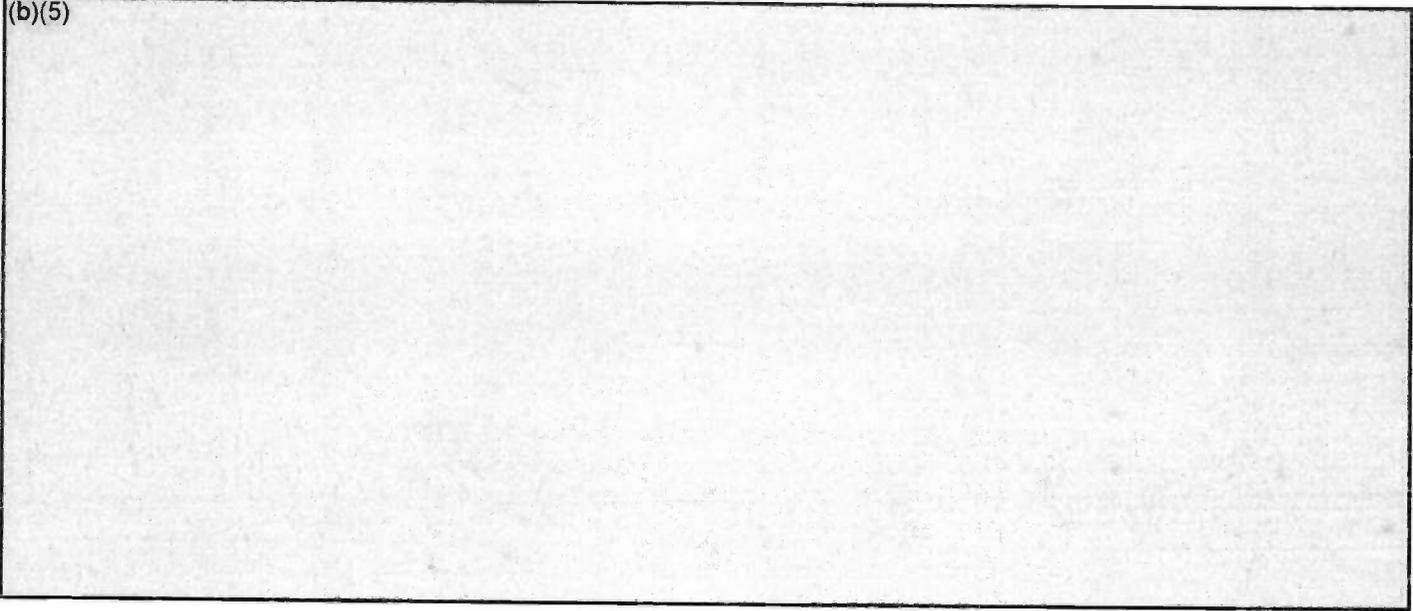
Office of Legal Counsel & Ethics, Compliance & Business Processes
(509) 371-2986 (office)
whnugent@bechtel.com

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Steiling, Jeri L

From: Botes, Holly
Sent: Thursday, August 18, 2011 8:36 AM
To: Marvin, Marla
Subject: RE: Tamositis

(b)(5)

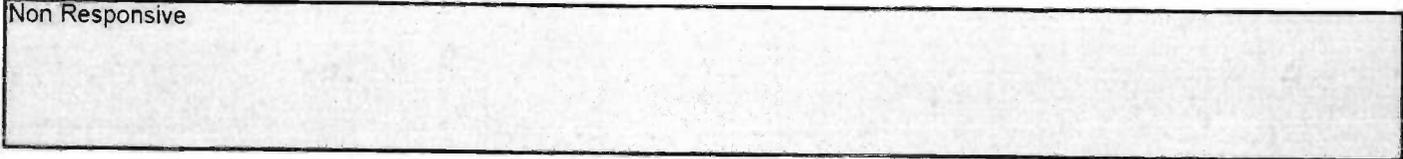


Holly Kay Botes
Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Marvin, Marla
Sent: Thursday, August 18, 2011 8:15 AM
To: Botes, Holly
Subject: RE: Tamositis

Non Responsive



-----Original Message-----

From: Botes, Holly

Sent: Thursday, August 18, 2011 8:03 AM

To: Marvin, Marla

Subject: RE: Tamositis

(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Marvin, Marla

Sent: Wednesday, August 17, 2011 10:17 AM

To: Botes, Holly

Subject: Tamositis

(b)(5)

Marla Marvin, Attorney, Office of Chief Counsel U.S. Department of Energy, Richland Operations Office
509-376-1975

Do not forward this message without my permission; it is intended for the use of those to whom it was addressed. This email may contain privileged or confidential information and may not be subject to discovery or release under FOIA. If you have received this in error, please notify me. Thank you.

Steiling, Jeri L

From: Lacher, Andrea M
Sent: Tuesday, January 17, 2012 2:28 PM
To: Botes, Holly K
Subject: URS

Wanda said it was (b)(5)



Andrea M. Lacher

Corporate Allocation Services
Contractor
United States Department of Energy
Office of Chief Counsel
825 Jadwin/400H
Richland, Washington
(509) 376-1068

Steiling, Jeri L

From: Marvin, Marla
Sent: Monday, October 31, 2011 10:01 AM
To: Botes, Holly
Subject: (b)(5)

(b)(5)

(b)(5) Thanks.

Marla Marvin, Attorney, Office of Chief Counsel U.S. Department of Energy, Richland
Operations Office
509-376-1975

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Steiling, Jeri L

From: Botes, Holly
Sent: Wednesday, August 03, 2011 7:41 AM
To: Madarang, Marilyn
Subject: Tamosaitis

Marilyn - (b)(5)
(b)(5) Does this work for you? (b)(5)
(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Steiling, Jeri L

From: Madarang, Marilyn
Sent: Wednesday, March 23, 2011 5:38 PM
To: Botes, Holly
Cc: Madarang, Marilyn
Subject: Tomasaitis Case

Holly,

Tim asked me to (b)(5)

(b)(5)

Please advise. Thanks. Marilyn

Steiling, Jeri L

From: Nugent, Wanda <whnugent@Bechtel.com>
Sent: Wednesday, December 21, 2011 2:02 PM
To: Botes, Holly K
Subject: Tamosaitis (b)(5)
Attachments: (b)(5)

Holly,
I put this together and wanted to see if you need (b)(5) (b)(5)
(b)(5)

Thanks,
Wanda

(b)(5)

Wanda H. Nugent
Bechtel National, Inc. (WTP)
Office of Legal Counsel
(509) 371-2986 (office)
whnugent@bechtel.com

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PRIVILEGED COMMUNICATION
ATTORNEY WORK PRODUCT

PARTIES: Walter L. Tamosaitis and Sandra B. Tamosaitis v.
Bechtel National, Inc., Frank Russo, and Gregory Ashley

FORUM AND CASE NUMBER: Benton County Superior Court, WA
Case No. 10-2-02357-4

DATE FILED: September 13, 2010

NATURE OF ACTION: Tortious interference with a contract or business expectancy
(civil conspiracy claim voluntarily dismissed)

RELIEF REQUESTED: Monetary

OUTSIDE COUNSEL: PLTFS: John P. Sheridan
FIRM: The Sheridan Law Firm, P.S.
PHONE: (206) 381-5949
FAX: (206) 447-9706

DEFS: Kevin Baumgardner
FIRM: Corr Cronin Michelson Baumgardner & Preece
PHONE: (206) 625-8600
FAX: (206) 625-0900

STATUS: Summary judgment motion to be heard Jan. 9, 2012

UPDATED SCHEDULE: See next page

REQUIRED ACTION:

ADR/TRIAL STATUS: Trial date of May 7, 2012

FINAL RESOLUTION: TBD

JUDGMENTS/SETTLEMENT PAID: n/a

ADDITIONAL COMMENTS: n/a

DATE OF REVISION: Dec. 13, 2011

PRIVILEGED COMMUNICATION
ATTORNEY WORK PRODUCT

Updated Schedule:

Disclosure of Defendant's Rebuttal Witness	01/09/12
Discovery Completed	01/23/12
Last Date for Filing Statement of Arbitrability	02/13/12
Last Day for Filing Jury Demand	03/05/12
Settlement Position Statements filed by all parties	03/05/12
Last Date for Hearing Dispositive Pretrial Motions	03/05/12
Settlement Conference (in person)	03/29/12
Last Date for Filing and Serving Trial Management Report	04/09/12
Pretrial Management Conference (in person)	04/12/12
Trial Memoranda, Motions in Limine, Jury Instructions to be filed	04/23/12
Trial Date and Motions in Limine	05/07/12

PRIVILEGED COMMUNICATION
ATTORNEY WORK PRODUCT

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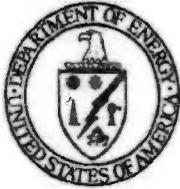
ADDITIONAL COMMENTS: n/a

DATE OF REVISION: Dec. 13, 2011

PRIVILEGED COMMUNICATION
ATTORNEY WORK PRODUCT

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Trial Memoranda, Motions in Limine, Jury Instructions to be filed	04/23/12
Trial Date and Motions in Limine	05/07/12



Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

Y2-OCC-0026

DEC 29 2011

Ms. S. L. Sawyer, Assistant Project Director
Bechtel National, Inc.
2435 Stevens Center Place
Richland, Washington 99354

Dear Ms. Grover:

CONTRACT NO. DE-AC27-01RV14136 – REQUEST FOR AUTHORIZATION AND APPROVAL OF PREVIOUS COST REGARDING TAMOSAITIS LITIGATION

This letter is in response to BNI's December 7, 2011, request for approval to provisionally reimburse URS for costs of the Tamosaitis litigation (CCN: 238631). In accordance with the terms and conditions of the subject Contract, BNI is authorized to provisionally reimburse URS for litigation costs in this matter, subsequent to September 22, 2010, and subject to applicable retention limits. Authorization is not a determination of the allowability of costs under the subject Contract; that determination will be made at a later date.

Holly Botes is the attorney assigned to this case. If you have any questions, please contact me, or your staff may contact Ms. Botes at (509) 376-6101.

Sincerely,

A handwritten signature in cursive script that reads "Ronnie L. Dawson".

Ronnie L. Dawson
Contracting Officer

OCC:HKB

cc: J. H. Dunkirk, BNI

Steiling, Jeri L

From: Botes, Holly K
Sent: Wednesday, January 11, 2012 10:29 AM
To: Lacher, Andrea M
Subject: Tamosaitis Letters
Attachments: (b)(5)



Categoriés: Red Category

Sorry, it's a little more convoluted than just two letters.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Steiling, Jeri L

From: Nugent, Wanda <whnugent@Bechtel.com>
Sent: Friday, April 08, 2011 9:02 AM
To: Madarang, Marilyn
Cc: Botes, Holly
Subject: FW: Tamosaitis Case
Attachments: 033111 URS Motion for Limited Admission.pdf

Marilyn,
Please find attached the Motion for Limited Admission that was on the list you sent me. Also see note below.
Thank you,
Wanda

Wanda H. Nugent
Bechtel National, Inc. (WTP)
Office of Legal Counsel & Ethics, Compliance & Business Processes
(509) 371-2986 (office)
whnugent@bechtel.com

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From: Rugani, Meredith [<mailto:mrugani@corrchronin.com>]
Sent: Friday, April 08, 2011 8:37 AM
To: Nugent, Wanda
Cc: Baumgardner, Kevin
Subject: RE: Tamosaitis Case

Hi Wanda,

Further to our discussion yesterday, we have obtained a copy of that motion for limited admission that you asked about. It appears that the clerk made a mistake noting it as "plaintiffs" motion in the docket. The motion for limited admission filed on that date was actually for the pro hac vice admission of Lewis Csedrik, one of the lawyers for URS. I have attached a copy.

Best regards,
Meredith

JOSIE DELVIN
BENTON COUNTY CLERK

MAR 31 2011

FILED 5 *gm*

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF BENTON

WALTER L. TAMOSAITIS, PHD, an
individual, and SANDRA B. TAMOSAITIS,
representing the marital community,

Plaintiffs,

v.

BECHTEL NATIONAL, INC., a Nevada
Corporation; URS CORPORATION, a Nevada
Corporation; FRANK RUSSO, an individual;
GREGORY ASHLEY, an individual;
WILLIAM GAY, an individual; DENNIS
HAYES, an individual; and CAMI KRUMM,
an individual,

Defendants.

NO. 10-2-02357-4

MOTION FOR LIMITED ADMISSION
PURSUANT TO APR 8(b)
(PRO HAC VICE)
AND ORDER

I. RELIEF REQUESTED

The Moving Party named below moves the Court for the limited admission of the Applicant
for Limited Admission named below for the purpose of appearing as a lawyer in this proceeding.

SUPERIOR COURT
APR 8(b) MOTION AND ORDER: 1

WITHERSPOON - KELLEY
422 WEST RIVERSIDE AVENUE, SUITE 1100
SPOKANE, WASHINGTON 99201-0302
(509) 624-5265

1 **Identity of Moving Party (Washington State Bar Association Member):**

2 Name: Matthew W. Daley WSBA No. 36711

3 Address: Witherspoon · Kelley
4 422 W. Riverside Avenue, Suite 1100
5 Spokane, WA 99201
6 Telephone No. 509-624-5261
7 Email: mwd@witherspoonkelley.com

8 **Identity of Applicant for Limited Admission:**

9 Name: Lewis M. Csedrik Bar No. 485215

10 Jurisdiction of Primary Practice: District of Columbia

11 Address: Morgan, Lewis & Bockins LLP
12 1111 Pennsylvania Avenue N.W.
13 Washington, D.C. 20004
14 Telephone No.: 202-739-5512
15 Email: lcsedrik@morganlewis.com

16 **II. STATEMENT OF THE FACTS**

17 Counsel has been retained to represent Defendants URS Corporation, William Gay, Dennis
18 Hayes and Cami Krumm in this matter because it presents unique issues related to nuclear and
19 environmental regulation and alleged retaliation against an employee working in the nuclear industry.
20 Counsel possesses specialized knowledge of and experience with these issues. Counsel also
21 represents URS Corporation in a related proceeding before the U.S. Department of Labor.
22

23 **III. STATEMENT OF THE ISSUE**

24 The following issue is presented for resolution by the court:

25 Should the Applicant for Limited Admission named above be granted limited admission to the
26 practice of law pursuant to APR 8(b) for the purpose of appearing as a lawyer in this proceeding?
27

28 SUPERIOR COURT
APR 8(b) MOTION AND ORDER: 2

WITHERSPOON · KELLEY
422 WEST RIVERSIDE AVENUE, SUITE 1100
SPOKANE, WASHINGTON 99201-0302
(509) 624-5265

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IV. EVIDENCE RELIED UPON

This motion is based on the accompanying certifications of the Moving Party and the Applicant for Limited Admission.

V. LEGAL AUTHORITY

This motion is made pursuant to Rule 8(b) of the Admission to Practice Rules (APR).

VI. PROPOSED ORDER

A proposed order granting the relief requested accompanies this motion.

RESPECTFULLY SUBMITTED this 24th day of March, 2011.


MATTHEW W. DALEY, WSBA No. 36711
Moving Party

CERTIFICATION OF APPLICANT FOR LIMITED ADMISSION

I hereby certify under penalty of perjury under the laws of the State of Washington that:

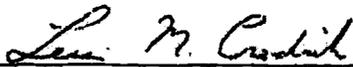
1. I am a member in good standing of the bar of the state or territory of the United States or of the District of Columbia listed above as my jurisdiction of primary practice.
2. I am a resident of and maintain a law practice in that jurisdiction of primary practice.
3. I have read the Rules of Professional Conduct adopted by the Supreme Court of the State of Washington and agree to abide by them.
4. I have complied with all of the requirements of APR 8(b).

SUPERIOR COURT
APR 8(b) MOTION AND ORDER: 3

WITHERSPOON · KELLEY
422 WEST RIVERSIDE AVENUE, SUITE 1100
SPOKANE, WASHINGTON 99201-0302
(509) 624-5265

1 5. I have read the foregoing motion and certification and the statements contained in it are
2 full, true and correct.

3 Signed on March 28, 2011 at Washington, D.C.

4
5
6 
7 LEWIS M. CSEDRIK
8 Applicant for Limited Admission

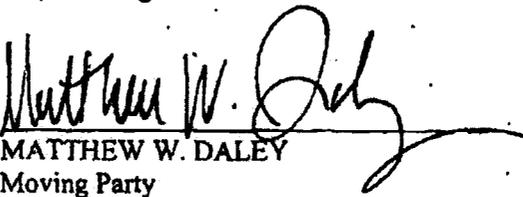
9 **CERTIFICATION OF MOVING PARTY/WSBA MEMBER**

10 I hereby certify under penalty of perjury under the laws of the State of Washington that:

- 11 1. I am an active member in good standing of the Washington State Bar Association.
12 2. I will be the lawyer of record in this proceeding, responsible for the conduct of the
13 applicant, and present at proceedings in this matter unless excused by the court.
14 3. I have submitted a copy of this motion together with the required fee of \$250 to the
15 Washington State Bar Association, 1325 4th Ave., Ste. 600, Seattle, WA 98101-2539.
16 4. I have complied with all of the requirements of APR 8(b).
17 5. I have read the foregoing motion and certification and the statements contained in it are

18 full, true and correct.

19 Signed on March 29, 2011 at Spokane, Washington.

20
21
22 
23 MATTHEW W. DALEY
24 Moving Party

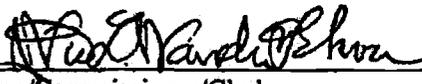
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28 SUPERIOR COURT
APR 8(b) MOTION AND ORDER: 4

WITHERSPOON · KELLEY
422 WEST RIVERSIDE AVENUE, SUITE 1100
SPOKANE, WASHINGTON 99201-0302
(509) 624-5265

ORDER

It is hereby ORDERED that the Applicant for Limited Admission pursuant to APR 8(b) listed above is admitted to practice as a lawyer in this proceeding. The Moving Party shall be the lawyer of record herein, is responsible for the conduct hereof, and shall be present at all proceedings unless excused by this court.

Dated 3/31/11



Judge/Commissioner/Clerk

SUPERIOR COURT
APR 8(b) MOTION AND ORDER: 5

WITHERSPOON · KELLEY
422 WEST RIVERSIDE AVENUE, SUITE 1100
SPOKANE, WASHINGTON 99201-0302
(509) 624-5265

Steiling, Jeri L

From: Schroeder, Joseph
Sent: Tuesday, September 28, 2010 1:26 PM
To: Botes, Holly
Subject: FW: WTP complaint
Attachments: WT complaint.pdf

From: Neff, William J [mailto:William_J_Neff@RL.gov]
Sent: Monday, September 27, 2010 10:53 AM
To: Davis, Paul; Schroeder, Joseph
Subject: FW: WTP complaint

Paul and Joe,

Here is the Tamosaitis complaint. (b)(5)

(b)(5)

(b)(5)

William Neff

Attorney, Office of Chief Counsel (DOE - RL)
Ph. (509) 376-5915

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From: Stubblebine, Scott D
Sent: Tuesday, September 14, 2010 11:14 AM
To: Carosino, Robert; Neff, William J
Subject: FW: WTP complaint

Attorney-Client Privileged; Attorney Work Product; Prepared in Anticipation of Litigation; Not Subject to Discovery or Release Under FOIA. Do Not Forward Without Permission.

Scott D. Stubblebine
Assistant Chief Counsel for the
Office of River Protection
U.S. Dept. of Energy
P.O. Box 450, MSIN H6-60
Richland, WA 99352
509.372.0479
509.372.2784 (fax)

From: Olds, Theodore E (Erik)
Sent: Tuesday, September 14, 2010 11:12 AM
To: Brockman, David; Dowell, Jonathan; Stubblebine, Scott D; Lutz, Karen
Subject: WTP complaint

Not the greatest quality, but readable

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR BENTON COUNTY

WALTER L. TAMOSAITIS, PHD, an individual, and SANDRA B. TAMOSAITIS, representing the marital community,

Case No.: 10-2-02357-4

Plaintiffs,

vs.

COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL

BECHTEL NATIONAL, INC., a Nevada Corporation, URS CORPORATION, a Nevada Corporation, FRANK RUSSO, an individual, GREGORY ASHLEY, an individual, WILLIAM GAY, an individual, DENNIS HAYES, an individual, and CAMI KRUMM, an individual,

Defendants.

I. JURISDICTION

1.1 Plaintiff, Walter L. Tamosaitis, Ph.D. ("Dr. Tamosaitis"), is a citizen of the United States residing in Richland, Washington.

1.2 Sandra B. Tamosaitis is a citizen of Washington residing in Richland, Washington. She is lawfully married to Dr. Tamosaitis.

1 high-level pollution on site. Hanford sits adjacent to the Columbia River and is home
2 to 53 million gallons of hazardous high-level nuclear waste.

3 2.2 For more than forty years, reactors located at Hanford produced
4 plutonium for America's defense program. The process of making plutonium is
5 extremely "inefficient" in that a massive amount of liquid and solid waste is generated
6 while only a small amount of plutonium is produced. The DOE's mission is to ensure
7 that all of the facilities and structures that were associated with Hanford's defense
8 mission are deactivated, decommissioned, decontaminated, and demolished. Over
9 10,000 employees are currently employed at Hanford for that purpose.
10

11 2.3 High-level nuclear waste, which is composed of chemical and
12 radioactive waste ("high-level nuclear tank waste"), is currently stored in 177 large
13 underground tanks, all of which have exceeded their projected stable lifetime by at
14 least twenty years and a third of which are confirmed to have leaked into the ground
15 beneath the tanks. DOE estimates that approximately 1 million gallons of high-level
16 nuclear tank waste have leaked into the ground at Hanford. The groundwater under
17 more than 85 square miles of the Hanford site is contaminated above current
18 standards.
19

20 2.4 The cornerstone of the high-level nuclear tank waste cleanup project at
21 Hanford is the Hanford Tank Waste Treatment Plant ("WTP"). The WTP will be an
22 industrial complex of facilities for separating and vitrifying (immobilizing in glass)
23 millions of gallons of high-level nuclear tank waste. Vitrification technology involves
24 blending the high-level nuclear tank waste with glass-forming materials and heating it
25

1 to over 2,000 degrees Fahrenheit. The mixture is then poured into stainless steel
2 canisters to cool and solidify. In this glass form, the high-level nuclear tank waste is
3 currently considered stable and impervious to the environment, and its radioactivity
4 will dissipate over hundreds or thousands of years.

5 2.5 The five major components of the WTP will be: the Pretreatment
6 Facility for separating the high-level nuclear tank waste into the high level radioactive
7 waste stream and the low level stream, the High-Level Waste and Low-Activity Waste
8 facilities where the high-level nuclear tank waste will be immobilized into glass, the
9 Analytical Laboratory for providing chemical analysis for plant operations and testing
10 the quality of the glass, and the Balance of Facilities, which will comprise several
11 support facilities such as compressed air and treated water.
12

13 2.6 The WTP is currently one of the largest, if not the largest, project in the
14 United States and once complete, the WTP will be the largest facility of its kind in the
15 world.
16

17 2.7 The original Bechtel cost estimate for the WTP was about \$5 billion
18 and with a time estimate of seven years to complete it.

19 2.8 The current Bechtel cost estimate for constructing the WTP is over \$12
20 billion and the time estimate to complete it is nearly twenty years. Both cost and
21 schedule for the WTP have grown by over 240 percent.
22

23 2.9 Construction of the WTP is projected to be complete in about 2016,
24 and, following commissioning, the plant is planned to be fully operational by 2020.
25

1 2.10 The WTP is being built with a design life of forty years. There are
2 parts of the WTP that must operate for forty years with no maintenance including, for
3 example, tanks, pipelines, mixers in tanks, level control instrumentation, steam
4 spargers, and air system control devices.

5 2.11 The high-level nuclear tank waste in the Hanford waste tanks includes
6 plutonium and enriched uranium. A criticality accident occurs when a nuclear chain
7 reaction is accidentally allowed to occur in fissile material such as plutonium and
8 enriched uranium. This chain reaction releases radiation, which is highly dangerous to
9 personnel and could result in contamination of the surrounding facilities and
10 structures. When such incidents occur outside reactor cores and test facilities where
11 fission is intended to occur, they pose a high risk both of injury or death to workers.
12

13 2.12 A criticality incident of sufficient magnitude could also damage the
14 facility and endanger the public.
15

16 2.13 While the actual probability of a criticality may be low, the
17 consequences of a criticality would be significant. Consequences include notification
18 and reviews by state, federal, and international agencies, which could result in a
19 shutdown for an indeterminate period.

20 2.14 The hazardous high-level nuclear tank waste in the Hanford waste
21 tanks contains materials that constantly generate explosive hydrogen gas. The
22 hydrogen gas can become trapped and accumulate in the waste.
23
24
25

1 project management including design, construction, and startup/commissioning as
2 well as other support functions such as project controls.

3 2.19 Bechtel has contract and legal obligations prohibiting retaliation against
4 whistleblowers at Hanford.

5 **URS AT HANFORD**

6 2.20 URS is a partner and principal subcontractor to Bechtel at Hanford for
7 work on the WTP. While URS is referred to as a "subcontractor," URS functions as a
8 partner in that it splits profits and fees paid equally with Bechtel and URS also shares
9 key staff positions with Bechtel.
10

11 2.21 URS's earnings are a direct result of contract milestone performance
12 with Bechtel as judged by DOE, rather than a typical subcontractor payment schedule.

13 2.22 The milestone performance includes both distinct milestones as well as
14 subjective judgments by the DOE in areas such as responsiveness and percentage of
15 work completed.
16

17 2.23 URS has contract and legal obligations prohibiting retaliation against
18 whistleblowers at Hanford.

19 2.24 Bechtel has no authority to direct URS to remove URS employees from
20 Hanford in retaliation for whistleblowing activities.

21 **DR. TAMOSAITIS**

22 2.25 Dr. Tamosaitis has a Ph.D. in Systems Engineering and Engineering
23 Management, over forty years industrial experience in chemical and nuclear plants,
24 and is a registered professional engineer.
25

1 2.26 In 2003, while employed by Washington Group International, Dr.
2 Tamosaitis was assigned to work at the WTP as Research and Technology Manager.
3 In the second half of 2006 he was assigned the additional duties as an Assistant Chief
4 Process Engineer. In this capacity he executed the duties of the Chief Engineer as
5 required and called upon.

6 2.27 In about 2005, URS acquired Washington Group International and Dr.
7 Tamosaitis became an employee of URS maintaining the same job functions as he had
8 performed under Washington Group International.

9 2.28 As the Research and Technology Manager and Assistant Chief Process
10 Engineer, Dr. Tamosaitis was responsible for the Research and Technology Program
11 supporting the \$12+ billion WTP Project, which included: project management of
12 about \$500 million of chemical process and flowsheet development and design
13 involving worldwide support; program management of first-of-a-kind development
14 programs involving chemical engineering, chemistry, as well as flowsheet
15 development; leading the \$100 million Pretreatment Pilot Plant Facility Program from
16 conception to closure; maintaining working knowledge of DOE 413.3A Project
17 Management and Technology Readiness Reviews; acting in the capacity of, and
18 representing, the Chief Engineer in on-site and off-site meetings and presentations;
19 overall guidance of the process flowsheet; leading the External Flow Sheet Review
20 Team of the WTP flowsheet; interacting with all major review and customer groups
21 including the Defense Nuclear Facilities Safety Board (“DNFSB”), State of
22 Washington, DOE, and the Government Accountability Office,; program coordination
23
24
25

1 2.31 The EFRT study identified twenty-eight issues, and its report (“EFRT
2 Report”) was the subject of media coverage and much external review and inquiries to
3 Bechtel.

4
5 **BILL GAY BECOMES WTP ASSISTANT PROJECT MANAGER**

6 2.32 In 2009, URS appointed Bill Gay as the WTP Assistant Project
7 Manager.

8
9 2.33 In early 2009, Dr. Tamosaitis sent a letter to a URS Vice President
10 Dave Pethick identifying engineering issues and safety culture issues at Hanford. Bill
11 Gay reviewed the letter written by Dr. Tamosaitis no later than March 2009.

12
13 **2009 TAMOSAISIS SAFETY ISSUE LIST**

14 2.34 In late June 2009, at the request of the Bechtel Engineering Director,
15 Greg Ashley, Dr. Tamosaitis submitted a list of about 100 issues (“2009 Tamosaitis
16 Safety Issue List”) that needed to be addressed and required design attention to ensure
17 the safety, efficiency, and effectiveness of the WTP operation.

18
19 2.35 At the time of submitting the 2009 Tamosaitis Safety Issue List, Dr.
20 Tamosaitis recommended that one overall issue list be developed to either replace the
21 many individual lists or to provide a master tracking list. Bechtel did not develop one
22 issue list as recommended, which made the tracking of unresolved issues much more
23 difficult than had one list been created and maintained.
24

1 **THE 2009 EFRT M3 MIXING ISSUE: MILESTONE DELAYED**

2 2.36 On May 15, 1989, the DOE, the U.S. Environmental Protection
3 Agency, and the State of Washington Department of Ecology signed a comprehensive
4 cleanup and compliance agreement known as the Tri-Party Agreement, which is an
5 agreement for achieving compliance at Hanford with the Comprehensive
6 Environmental Response Compensation and Liability Act (CERCLA) remedial action
7 provisions and with the Resource Conservation and Recovery Act (RCRA) treatment,
8 storage, and disposal unit regulations and corrective action provisions. The Tri-Party
9 Agreement:
10

- 11 1) defines and ranks CERCLA and RCRA cleanup commitments at Hanford;
- 12 2) establishes responsibilities;
- 13 3) provides a basis for budgeting; and
- 14 4) reflects a concerted goal of achieving full regulatory compliance and
15 remediation, with enforceable milestones in an aggressive manner.
16

17 2.37 The Tri-Party agreement was revised in late 2008 or early 2009. One
18 milestone of the Tri-Party agreement was the closure of all technical issues by
19 December 31, 2009. The M3 issue was the last open EFRT issue of the twenty-eight
20 that required closure ("ERFT M3 mixing issue"). Twenty-seven of the twenty-eight
21 EFRT issues were closed by October 2009.

22 2.38 The EFRT M3 mixing issue required that design problems be resolved
23 concerning the mixing of the high-level nuclear tank waste in thirty-eight tanks in the
24 pretreatment area of the WTP. Of the thirty-eight tanks, fourteen tanks presented
25

1 special design and mixing challenges. The design provides that the more than 50
2 million gallons of high-level nuclear tank waste be transported via pipelines to and
3 between these pre-treatment tanks in preparation for vitrification. If the high-level
4 nuclear tank waste is not sufficiently mixed in the pre-treatment tanks, plutonium may
5 settle out and may cause a criticality accident. If the high-level nuclear tank waste is
6 not sufficiently mixed in the pre-treatment tanks, hydrogen gas bubbles will
7 accumulate and may be trapped in the waste, which could lead to a sudden gas release
8 and an explosion or fire. Even if neither of those scenarios develops, poorly mixed
9 high-level nuclear tank waste may cause the WTP to operate inefficiently, and under
10 some circumstances to shut down. Inefficient and ineffective design can lead to the
11 design life of the plant being exceeded before all the Hanford nuclear waste is
12 processed.
13

14 2.39 The EFRT M3 mixing issue had not been resolved as scheduled, and in
15 September 2009, at the direct request of DOE-ORP manager Shirley Olinger, Dr.
16 Tamosaitis was appointed to lead the EFRT M3 mixing issue resolution effort.
17

18 2.40 In a multi-day weekend meeting, between October 2-4, 2009, Dr.
19 Tamosaitis proposed a September 30, 2010 (a nine month delay), date for closure of
20 the EFRT M3 mixing issue. During the meeting, Bechtel management changed the
21 date to complete testing by April 30, 2010 and close the EFRT M3 mixing issue by
22 June 30, 2010. Bechtel Manager Ted Feigenbaum and Assistant Project Manger Bill
23 Gay, URS, told Dr. Tamosaitis to "throw the kitchen sink at it." Bechtel management
24 indicated that Bechtel wanted to solve the mixing problem and, rather than worry
25

1 about the mixing design within the tanks, other external systems would be changed to
2 support the design including, the air supply system, air removal system, mixing
3 systems within the tanks, and structural components.

4 2.41 On information and belief, in late 2009, a revision to the Tri-Party
5 Agreement was approved setting June 30, 2010, as the new deadline for closure of
6 EFRT M3 mixing issue.

7
8 **BECHTEL MANAGER RUSSO BECOMES**
9 **WTP PROJECT MANAGER AND SEEKS CLOSURE OF**
10 **THE EFRT M3 MIXING ISSUE AT ANY COST**

11 2.42 In or about November 2009, Bechtel Manager Frank Russo became the
12 WTP Project Manager. Russo was the fifth WTP Bechtel Project manager in eight
13 years.

14 2.43 In January 2010, Russo replaced Dr. Tamosaitis as the manager
15 leading the EFRT M3 mixing issue resolution effort with retiring manager Mike
16 Robinson. Dr. Tamosaitis stayed involved and provided several key contributions,
17 which enabled closure efforts to proceed, including scaling reports, changes in the
18 particle size distributions, improvements to the stimulant compositions as well as
19 leadership to his direct reports involved in the EFRT M3 mixing issue resolution.

20 2.44 In or about January 2010, Russo made it clear that the M3 program
21 must be closed by June 30, 2010. This was important to meet the Tri-Party Agreement
22 milestone and to ensure that Bechtel was paid \$6 million in fees for meeting the
23 milestone. To achieve closure of the EFRT M3 mixing issue, Russo implemented a
24 plan to do the least possible work at the lowest expense to meet the June 30 deadline
25

1 despite valid safety and throughput concerns (“Bechtel’s M3 management approach
2 under Russo”).

3 2.45 Russo claimed to have a contact in the DOE headquarter who would
4 help ensure that the EFRT M3 mixing issue was closed by the June 30, 2010 deadline.
5 Russo claimed to have a “silver bullet” he could use with a contact at DOE to achieve
6 this objective.

7 2.46 Despite being almost ten years into the project, from January to March,
8 2010, Bechtel engineering identified many key and pertinent design facts that severely
9 impacted the EFRT M3 mixing issue designs. These included limitations on the
10 maximum mixer velocities, limitations in the pressure supply, unavailability of
11 equipment, and inadequate modeling methods. Despite the design issues that were
12 being identified, Bechtel and URS management would not entertain or consider a
13 change in the completion date despite having only a few months left to complete
14 testing.
15 testing.

16 2.47 Due to the inadequate mixing results, in about February 2010, Bechtel
17 engineering proposed using an alternate scaling approach so that the velocity of the
18 mixers met what was allowed by the current design (“Bechtel’s alternative scaling
19 approach”). This signaled to Dr. Tamosaitis that the strategy of “throwing the kitchen
20 sink at it” had now changed. Dr. Tamosaitis directly raised concerns to Bechtel
21 Engineering, specifically to Russell Daniel, about the inadequacy of using different
22 scaling parameters at different tank operating levels. Dr. Tamosaitis expressed his
23 concern that this method increased safety risks and was a questionable design
24 concern that this method increased safety risks and was a questionable design
25 concern that this method increased safety risks and was a questionable design

1 approach. In May 2010, an external consultant on the EFRT M3 mixing issue,
2 referred to Bechtel's alternative scaling approach as criminally negligent.

3 2.48 In March 2010, due to continued unacceptable mixing test results
4 regarding the EFRT M3 mixing issue, Bechtel engineering again changed the design
5 approach to mixing in a manner that further increased safety risks. This change
6 involved only partial clearing of the bottom of the tank with each mixer pulse. Dr.
7 Tamosaitis again lodged concerns with Bechtel engineering management and was told
8 that improved and more efficient designs will be investigated in an optimization
9 period following M3 closure.
10

11 2.49 In the February-March 2010 timeframe, the Pacific Northwest National
12 Laboratory ("PNNL") raised questions concerning the simulant being used in the
13 EFRT M3 mixing issue testing and whether it was really representative of the actual
14 hazardous waste. If the simulant being used was not representative of the actual waste,
15 the test results could provide a result that indicated success when failure actually
16 occurred.
17

18 2.50 In about March 2010, DOE issued a letter to the Bechtel stating that in
19 order to obtain the \$6 million award fee set for June 30, 2010, all, not just a portion, of
20 the M3 issue had to be closed, or words to that effect. During this period, Russo and
21 Gay both supported the changes that reduced mixing effectiveness, despite the
22 comments of several people, including those from PNNL. Russo and Gay continued
23 to push the June 30, 2010 closure date.
24
25

1 2.51 In addition to supporting the changes that reduced mixing
2 effectiveness, Russo and Gay also supported changes that reduced the amounts (the
3 amount of solids in the waste) of what the plant processed as well as suggesting
4 reducing operating levels in vessels.

5 2.52 In late March 2010, in a meeting comprised of technical and
6 management persons from Bechtel, URS, and PNNL, called to discuss the EFRT M3
7 mixing issue, a DOE Ph.D. scientist raised a concern about the mixing of thin, water-
8 like solutions in tanks designed to mix thicker solutions ("DOE mixing concern").
9 This concern was specific to five of the pretreatment tanks, which were a part of the
10 EFRT M3 mixing issue.

11 2.53 On information and belief, Russo and Bechtel engineering managers
12 discussed the schedule and concluded that if they had to do testing to address the DOE
13 mixing concern , the June 30, 2010 closure date would not be met and therefore
14 Bechtel would lose the \$6 million award fee. Bechtel then advocated that the DOE
15 mixing concern could be resolved without testing. In about late April 2010, Bechtel
16 launched an effort to show that no testing was needed for these five tanks.

17 2.54 Dr. Tamosaitis suggested that testing was needed to resolve the DOE
18 mixing concern to ensure the safety of the WTP.

19 2.55 As a response to the DOE mixing concern, Bechtel proposed putting in
20 systems to pump residual materials out of approximately fourteen tanks to prevent
21 buildups on the bottom of the tank rather than directly addressing the main mixing
22 issue.
23
24
25

1 2.56 On information and belief, Bechtel did not want to address the mixing
2 issue directly because of the design changes that would be needed as well as the
3 reconstruction of vessels. This would result in major cost increases and schedule
4 impacts and require more testing thereby jeopardizing the \$6 million milestone award
5 for meeting the June 30, 2010 deadline.

6 2.57 Around March or April 2010, discussions continued regarding
7 Bechtel's alternative scaling approach. A large-scale mixing demonstration test was
8 proposed to DOE about this time ("large-scale demonstration test"). Gay told Dr.
9 Tamosaitis that Tamosaitis and his group would manage and conduct that large-scale
10 demonstration test after the EFRT M3 mixing issue was closed.

11 2.58 In May 2010, Gay held a meeting of URS employees assigned to
12 resolve the EFRT M3 mixing issue, and chartered a clandestine effort to prepare for
13 another test to resolve the DOE mixing concern (the "Gay test plan"). Dr. Tamosaitis
14 questioned Gay about the Gay test plan and noted that it was in direct violation of the
15 Earned Value Management System ("EVMS") principles by which the WTP Project is
16 sworn to operate. Dr. Tamosaitis also pointed out to Gay that Bechtel and DOE would
17 have to approve all aspects of any test so a clandestine effort made little sense. Gay
18 responded, "I am the boss and just do it," or words to that effect.

19 2.59 In early June 2010, Bechtel management notified Dr. Tamosaitis and
20 others that there would be no optimization testing. This was another departure from
21 the "throw the kitchen sink at it" approach taken by Bechtel before Russo assumed
22 management responsibilities.
23
24
25

1 2.60 On information and belief, the Gay test plan resulted in costs of over
2 \$150,000.

3 2.61 Between February and June 2010, URS Deputy Project Manager Gay
4 repeatedly discussed the importance of closing the EFRT M3 mixing issue and the
5 negative impact that failing to close would have on careers and compensation. On one
6 or more occasions, Gay stated, "If M3 doesn't close I'll be selling Amway in Tijuana."

7 2.62 In late June, Dr. Tamosaitis sent emails to consultants working on the
8 M3 mixing issue asking them to state their opinions on aspects of Bechtel's M3
9 management approach under Russo ("June 2010 Tamosaitis consultant emails"). On
10 or about July 1, 2010, Russo and Gay became aware of the June 2010 Tamosaitis
11 consultant emails.
12

13 2.63 On June 29, 2010, URS Manager Bob French, directed that words like
14 "M3 testing" not be used in any future correspondence.
15

16 2.64 On June 30, 2010, Bechtel announced that the EFRT M3 mixing issue
17 was closed, which was the agreed date for closure despite the existence of many
18 unresolved safety and technical issues. As of June 30, 2010, items related to tank
19 mixing performance, which had not been designed and/or tested included: level
20 control, mixer operation, sampling, heel pump out, and pumpout of the actual
21 materials over a range of operating conditions.
22

23 2.65 As of June 29, 2010, Bechtel estimated that approximately \$14.6
24 million was available for Dr. Tamosaitis' Research and Technology group over the
25

1 next eight years, and about \$4.8 million was available to support his Research and
2 Technology group in 2011.

3 2.66 On June 29, 2010, Richard Edwards, PETD manager, circulated a draft
4 organizational announcement stating that Dr. Tamosaitis and Dr. Tamosaitis' Research
5 and Technology group would move to the WTP Operations Department with Dr.
6 Tamosaitis reporting to Dennis Hayes ("first Research and Technology organizational
7 announcement").

8
9 2.67 On June 30 2010, Dennis Hayes agreed to meet with Dr. Tamosaitis
10 that Friday morning to discuss the final details of Dr. Tamosaitis' and his Research
11 and Technology group's move to WTP operations.

12 2.68 On June 30, 2010, Richard Edwards issued an email stating that it was
13 his last day at the WTP. On information and belief, Edwards transferred and did not
14 report to work after that day at Hanford and was not involved in WTP activities after
15 that.

16
17 2.69 On the evening of June 29, 2010, Gay announced that the closure of
18 M3 was imminent.

19 **THE JULY 1, 2010 ISSUES MEETING**

20 2.70 On July 1, 2010, Dr. Tamosaitis participated in a meeting called by
21 Bechtel Technical Director Greg Ashley to discuss open issues ("July 1, 2010 open
22 issue meeting") related to the WTP. Ashley did not attend, but delegated the running
23 of the meeting to Bechtel Chief Engineer Barbara Rusinko. At this July 1, 2010 open
24 issue meeting, Dr. Tamosaitis provided a list of about fifty open issues ("2010
25

1 Tamosaitis Safety Issue List”) along with a copy of the 2009 Tamosaitis Safety Issue
2 List (referred to jointly as the “two safety issue lists”), most of which were still open.

3 2.71 Rusinko brought cherries to the July 1, 2010 open issue meeting, and
4 after Dr. Tamosaitis asked if he could have some, Rusinko stated to Dr. Tamosaitis:
5 “Maybe you will choke on the cherries,” or words to that effect.

6 2.72 Others attending the July 1, 2010 open issue meeting provided issue
7 lists, but none were as extensive as Dr. Tamosaitis’ two safety issue lists. Also, very
8 few of the issues suggested by others dealt directly with process issues as did Dr.
9 Tamosaitis’ two safety issue lists.
10

11 2.73 Each line item on the various lists was reviewed by the attendees at the
12 July 1, 2010 open issue meeting, and most of the line items were discussed.

13 2.74 Rusinko attempted to dismiss Dr. Tamosaitis’ concerns at the July 1,
14 2010 open issue meeting by stating that she thought most of the issues listed on the
15 two safety issue lists were already closed.
16

17 2.75 One or more persons at the July 1, 2010 open issue meeting expressed
18 disagreement with Rusinko’s characterization of Dr. Tamosaitis’ two safety issue lists
19 as being “mostly closed.”

20 2.76 At the July 1, 2010 open issue meeting Dr. Tamosaitis also raised the
21 same concern he had raised the year before, which was that Bechtel should maintain
22 one list of open issues for issue tracking; otherwise, the tracking of unresolved issues
23 is nearly impossible without one list being created and maintained.
24
25

1 2.77 The 2010 Tamosaitis Safety Issue List contained several items that
2 were needed to ensure the tanks mixed safely, efficiently, and effectively. These
3 included level control, mixer operation, sampling, heel pump out, and pumpout of the
4 actual materials over the range of operating conditions. Dr. Tamosaitis suggested that
5 these items could be tested as part of a large-scale demonstration test. The large-scale
6 demonstration test had been previously discussed by Bechtel, URS, and DOE;
7 however, the estimated cost for the test was about \$150 million and was a major
8 concern to Bechtel.
9

10 2.78 While the U.S. Government pays for everything in the projects at
11 Hanford, if a task can be shown to be within the technical scope of the contractor, the
12 cost goes against the contractor's performance and their fees and earnings are then
13 penalized for poor cost performance. On information and belief, Bechtel did not want
14 to identify technical issues since the issues could be tied to Bechtel and Bechtel then
15 would be financially penalized.
16

17 2.79 At the July 1, 2010 open issue meeting Rusinko suggested that the two
18 safety issue lists should be "combined and regrouped." Several persons present at the
19 meeting expressed disagreement with Rusinko's approach to combining and
20 regrouping the two safety issue lists because as issues are combined, the details and
21 reasoning is lost and forgotten.
22

23 2.80 At the July 1, 2010 open issue meeting, a recommendation was made
24 by URS Manager Donna Busche, that a process hazards operations review should be
25 conducted to identify what issues remained open regarding the WTP. Rusinko stated

1 that the review could be done "if it is quick and short." Busche stated that it would be
2 long and tedious, as it should be to be effective. Rusinko again stated, "make it quick
3 and short."

4 2.81 After the July 1, 2010 open issue meeting ended, Dr. Tamosaitis sent an
5 email to Busche offering his support of the process hazards review ("July 1, 2010
6 Tamosaitis process hazards review email"). Dr. Tamosaitis also requested information
7 on how Dr. Tamosaitis and his Research and Technology group could support it. Dr.
8 Tamosaitis copied Ashley and Gay on the email.
9

10 2.82 Dr. Tamosaitis left the work site early in the afternoon of July 1, 2010.

11 **ON JULY 1, 2010 THE DEFENDANTS CONSPIRE TO REMOVE DR.**
12 **TAMOSAITIS FROM HANFORD**

13 2.83 On information and belief, on or about July 1, 2010, Russo became
14 aware of the June 2010 Tamosaitis consultant emails, Dr. Tamosaitis' statements
15 during the July 1, 2010 open issue meeting including the suggestion of a large-scale
16 demonstration test and of the July 1, 2010 Tamosaitis process hazards review email
17 ("Tamosaitis whistleblower activities"), and formed an agreement with Gay, Ashley,
18 URS Operations Manager Dennis Hayes, and/or URS Human Resources Manager
19 Cami Krumm, to remove Dr. Tamosaitis from the Hanford site and from his job duties
20 regarding the WTP.
21

22 2.84 On information and belief, the Tamosaitis whistleblower activities were
23 a substantial factor in the decision to remove Dr. Tamosaitis from Hanford.
24
25

1 2.85 In the alternative, Bechtel, Russo and Ashley intentionally interfered
2 with the business relationship between Dr. Tamosaitis and URS causing URS to
3 remove Dr. Tamosaitis from his job duties at Hanford.

4
5 **ON JULY 2, 2010 THE DEFENDANTS REMOVE**
6 **DR. TAMOSAITIS FROM HANFORD**

7 2.86 On July 2, 2010, Dr. Tamosaitis was scheduled to return to work for a
8 7:00 a.m. meeting, which was a planned vacation day for Dr. Tamosaitis. The purpose
9 of the July 2, 2010 meeting was to discuss the final details of the movement of Dr.
10 Tamosaitis' Research and Technology group to the operations department at the WTP.

11 2.87 On July 2, 2010, Dr. Tamosaitis arrived at work for the 7:00 a.m.
12 meeting ("July 2, 2010 termination meeting"). One of his managers accompanied him.
13 Before the meeting started, URS Operations Manager Dennis Hayes, told his manager
14 to leave and that he was not needed. When asked why, Hayes said that the topic of the
15 meeting had changed or words to that effect.
16

17 2.88 Hayes then told Dr. Tamosaitis to go into his office. Present in the
18 office was Patrick Ellis, acting for the URS Human Relations manager (Krumm).
19 Hayes immediately told Dr. Tamosaitis that he was fired from the WTP Project as of
20 that moment or words to that effect.
21

22 2.89 At the July 2, 2010 termination meeting, Hayes directed Dr. Tamosaitis
23 to return his badge, cell phone, and Blackberry, and to leave the site immediately, or
24 words to that effect.
25

1 2.90 At the July 2, 2010 termination meeting, Hayes stated to Dr. Tamosaitis
2 that the decision to remove Dr. Tamosaitis from the project was made the night before,
3 on July 1, 2010, or words to that effect.

4 2.91 At the July 2, 2010 termination meeting, Hayes stated to Dr. Tamosaitis
5 that, "Bechtel Manager Frank Russo wants you off the project immediately" or words
6 to that effect.

7 2.92 At the July 2, 2010 termination meeting, Hayes again told Dr.
8 Tamosaitis to return his badge, phone, and Blackberry and to leave the site or words to
9 that effect, and in response Dr. Tamosaitis returned both his badge and phone as he did
10 not have his Blackberry with him

11 2.93 At the July 2, 2010 termination meeting, Hayes told Dr. Tamosaitis that
12 Dr. Tamosaitis could not go to his office to retrieve any personal belongings or words
13 to that effect. Hayes told Dr. Tamosaitis that Dr. Tamosaitis must leave [Hanford]
14 immediately and talk to no one or words to that effect.
15

16 2.94 At the July 2, 2010 termination meeting, several times Dr. Tamosaitis
17 asked Hayes and Ellis for an explanation for his removal from the project. Hayes said
18 he had no explanation and was only doing what he had been directed to do or words to
19 that effect. Ellis made the similar statements. No reason was provided to Dr.
20 Tamosaitis for why this action was being taken.
21

22 2.95 At the July 2, 2010 termination meeting, Dr. Tamosaitis asked if he
23 could go by the desk of a person on the same floor and pay the dog-sitting fee to a
24 secretary for her daughter's effort to watch his dog over the July 4th weekend. Hayes
25

1 told Dr. Tamosaitis that he could not do that and must leave the building immediately
2 under the escort of Ellis or words to that effect. Ellis was in URS Human Resources
3 and was acting as the URS Human Resources Manager. He was present for the
4 complete July 2, 2010 termination meeting.

5 2.96 Ellis escorted Dr. Tamosaitis out of the building. When he reached the
6 main door of the building, Dr. Tamosaitis again asked Ellis what was going on and
7 why was this happening? Ellis again told Dr. Tamosaitis that he did not have any
8 information and knew nothing or words to that effect.

9
10 2.97 After being escorted out of the building by Ellis, Dr. Tamosaitis left
11 Hanford and returned to his home.

12 2.98 Neither Hayes nor Ellis took action to oppose Dr. Tamosaitis' removal
13 from Hanford.

14
15 **URS MANAGERS GAY AND SAIN TAKE NO ACTION**
16 **TO PROTECT DR. TAMOSAISIS FROM RETALIATION FOR HIS**
17 **WHISTLEBLOWER ACTIVITY**

18 2.99 On July 2, 2010, from his home, Dr. Tamosaitis spoke with Leo Sain,
19 the URS Senior Vice President in Aiken, South Carolina, by telephone ("July 2, 2010
20 Tamosaitis/Sain telephone call"). Sain stated that he could not elaborate on why Dr.
21 Tamosaitis was removed from the WTP Project or words to that effect. Prior to the
22 July 2, 2010 Tamosaitis/Sain telephone call, Sain had been briefed about Tamosaitis'
23 removal from Hanford.

24 2.100 Sain asked Dr. Tamosaitis whether at the July 1, 2010 open issue
25 meeting Dr. Tamosaitis had recommended that a large-scale demonstration test was

1 needed or words to that effect. Dr. Tamosaitis stated that “yes, I had it on the list, but
2 not specific to just for mixing; it was on the list to test other issues like sampling,
3 controls, level measurement, like others, including Bechtel engineering, had brought
4 up before the [July 1, 2010 open issue] meeting.” The large-scale demonstration test
5 was referred to on the 2010 Tamosaitis Safety Issue List, which Dr. Tamosaitis had
6 disseminated at the July 1, 2010 open issue meeting as Items 45, 42, 10, and 14.

7
8 2.101 In the July 2, 2010 Tamosaitis/Sain telephone call, Sain directed Dr.
9 Tamosaitis to come to Aiken South Carolina on July 7, 2010 to discuss his termination
10 from Hanford and an “opportunity” or words to that effect.

11 2.102 After several attempts, Dr. Tamosaitis was able to reach Gay by
12 telephone on July 2, 2010 (“July 2, 2010 Tamosaitis/Gay telephone call”). Gay stated
13 that he was on vacation, but would be back late Monday, July 5, 2010 and contact Dr.
14 Tamosaitis then or word to that effect.

15
16 2.103 In the July 2, 2010 Tamosaitis/Gay telephone call, Gay stated that he
17 had very little information and could only offer that DOE had become very upset with
18 an email that he had sent out [the June 2010 Tamosaitis consultant emails] or words to
19 that effect. Gay stated that someone on the outside had contacted someone in DOE
20 and expressed concern over the email or words to that effect. This indicated to Dr.
21 Tamosaitis, that similar to Sain, Gay had been actively involved in the termination
22 decision.

23
24 2.104 In the July 2, 2010 Tamosaitis/Gay phone call, Gay stated that he did
25 not have enough information to discuss the termination action.

1 2.105 In the July 2, 2010 Tamosaitis/Gay telephone call, Gay told Dr.
2 Tamosaitis that he would contact him late on Monday when he returned to Richland
3 and that he should have a good weekend, or words to that effect.

4 2.106 On July 2, 2010, Greg Ashley directed the creation and dissemination
5 of a second organizational announcement (“second Research and Technology
6 organizational announcement”). The second Research and Technology organizational
7 announcement issued by Greg Ashley was the same as Edwards’ first Research and
8 Technology organizational announcement , but had removed Dr. Tamosaitis’ name
9 and only stated that the Research and Technology group was moving to Operations.
10

11 2.107 Neither Gay nor Sain took action to oppose Dr. Tamosaitis’ removal
12 from Hanford.

13 **URS HR MANAGER KRUMM TAKES NO ACTION**
14 **TO PROTECT DR. TAMOSAITIS FROM RETALIATION FOR HIS**
15 **WHISTLEBLOWER ACTIVITY**

16 2.108 On July 5, 2010, at about 2:00 p.m., URS HR Manager Krumm
17 contacted Dr. Tamosaitis to schedule a meeting later that day with Gay. In the
18 conversation, Dr. Tamosaitis asked Krumm for a written explanation as to why he was
19 terminated from Hanford. Krumm said she had no information that she could provide
20 or words to that effect. Krumm further stated that things had not been handled
21 properly.

22 2.109 Krumm took no action to oppose Dr. Tamosaitis’ removal from
23 Hanford.
24
25

1 **URS MANAGERS SAIN AND HOLLAN AGAIN TAKE NO ACTION**
2 **TO PROTECT DR. TAMOSAITIS FROM RETALIATION FOR HIS**
3 **WHISTLEBLOWER ACTIVITY**

4 2.110 On July 7, 2010, Dr. Tamosaitis met with Sain in Aiken, South
5 Carolina ("Aiken meeting"). Also in attendance was URS Human Resources Manager
6 Dave Hollan. The Aiken meeting involved meetings in the morning and the afternoon
7 with Tamosaitis, Sain and Hollan as well as short separate meetings between
8 Tamosaitis and Sain, and Tamosaitis and Hollan.

9 2.111 At the Aiken meeting, Dr. Tamosaitis asked why he was there and why
10 he had been terminated [from Hanford]. Both Sain and Hollan stated that they had
11 looked at the [June 2010 Tamosaitis consultant] emails and did not see anything
12 wrong.

13 2.112 Dr. Tamosaitis asked if he could read the DOE response to the June
14 2010 Tamosaitis consultant emails and was told "no" by Sain. Sain would only read
15 him one or two sentences out of it or words to that effect.

16 2.113 At the Aiken meeting, Sain told Dr. Tamosaitis that if he really tried he
17 could read something into the [June 2010 Tamosaitis consultant] emails that could be
18 construed negatively or words to that effect.

19 2.114 At the Aiken meeting, Dr. Tamosaitis gave Sain and Hollan the
20 background of the consultant-authored emails leading to the June 2010 Tamosaitis
21 consultant emails. Again, both Sain and Hollan stated that they did not see anything
22 wrong with the [June 2010 Tamosaitis consultant] emails but "URS did whatever
23 Bechtel said" since URS was a subcontractor or words to that effect. At the Aiken
24
25

1 meeting, Dr. Tamosaitis questioned the term "subcontractor" because of the contract
2 fee agreement in which URS obtains 50% of all Project earnings.

3 2.115 At the Aiken meeting Sain and/or Hollan told Dr. Tamosaitis that "they
4 (URS) would have handled it differently but they do what Bechtel says" or words to
5 that effect.

6 2.116 At the Aiken meeting, Sain told Dr. Tamosaitis that he had to "forget
7 the issues" or words to that effect. Dr. Tamosaitis understood "forget the issues" to
8 mean the issues he had raised as part of the Tamosaitis whistleblower activities. Dr.
9 Tamosaitis pointed out to Sain that identifying issues was part of Dr. Tamosaitis' job
10 scope. Dr. Tamosaitis asked Sain if he was not to do his job. Sain told Dr. Tamosaitis
11 to bring the issues to him or words to that effect.
12

13 2.117 On July 20, 2010, Sain contacted Dr. Tamosaitis by telephone. In that
14 call, Sain said that, "Russo made a mistake" or words to that effect, and said that any
15 "issues" should be brought to him or words to that effect. He also said, "Hell Walt,
16 haven't you ever made a mistake?"
17

18 **GAY BLAMES RUSSO AND DOE FOR DR. TAMOSAITIS' REMOVAL**
19 **FROM HANFORD**

20 2.118 At a meeting held on July 12, 2010 ("July 12, 2010 URS meeting"), in
21 the presence of Dr. Tamosaitis, Hayes, and Krumm, Gay stated that Dr. Tamosaitis
22 was removed from the WTP Project at the direction of Bechtel WTP Project Manager
23 Frank Russo and DOE WTP Federal Project Director Dale Knudson or words to that
24 effect.
25

1 2.119 At the July 12, 2010 URS meeting, Gay stated that he had not been
2 involved and that Hayes had been the leading URS person to participate in the action
3 or words to that effect. Dr. Tamosaitis then questioned Hayes as to the basis for his
4 termination. Hayes stated that he did not have to answer Dr. Tamosaitis' questions as
5 he (Hayes) was only there to observe and that Dr. Tamosaitis "was not in charge of the
6 meeting."

7 2.120 At the July 12, 2010 URS meeting, Gay said Bechtel had the right to
8 terminate Dr. Tamosaitis as stated in the contract or words to that effect. Dr.
9 Tamosaitis said he had read the contract, had not seen this provision, and questioned
10 Gay as to where it was. Gay said he was not sure, or words to that effect.

11 2.121 Dr. Tamosaitis then asked for a copy of the contract that allegedly gave
12 Bechtel this right to terminate Dr. Tamosaitis from the WTP project ("Gay's alleged
13 contract"). Krumm said she would take it under advisement or words to that effect.
14 Gay's alleged contract statement has not been provided to Dr. Tamosaitis.
15

16 2.122 Dr. Tamosaitis also asked for a written and signed reason for his
17 termination [from Hanford]. Krumm said she would take that under advisement or
18 words to that effect. No written and signed reason for his termination has been
19 provided to Dr. Tamosaitis.
20

21 2.123 At the July 12, 2010 URS meeting, Gay read from a prepared script
22 except for briefly answering Dr. Tamosaitis' questions. Dr. Tamosaitis asked Gay as
23 to why his termination had occurred. Gay first stated it was a result of poor customer
24 attitude or words to that effect. Dr. Tamosaitis objected and asked Gay if his attitude
25

1 was any worse than others including Gay. Gay appeared to acknowledge that it was
2 not.

3 2.124 At the July 12, 2010 URS meeting, Gay then said the reason was poor
4 performance or words to that effect. Dr. Tamosaitis objected to this and asked where
5 it was documented as this was the first time he had heard this. Gay did not reply to
6 this direct question.

7
8 2.125 At the July 12, 2010 URS meeting, Dr. Tamosaitis then asked Gay why
9 Ashley was telling people that he (Dr. Tamosaitis) was going to be transferred to
10 England. Gay said he had been pursuing this or words to that effect. Gay admitted
11 that he had not discussed a transfer to England with Dr. Tamosaitis but had looked
12 into it anyway or words to that effect.

13 2.126 After the July 12, 2010 URS meeting, Krumm told Dr. Tamosaitis that
14 it was a "bad situation and that things had not been handled properly but her hands
15 were tied" or words to that effect.
16

17 **DR. TAMOSAITIS CONTACTS THE DNFSB**

18 2.127 On or about July 16, 2010, Dr. Tamosaitis sent a letter to the DNFSB
19 outlining his concerns regarding WTP engineering issues and the manner in which the
20 safety of the nuclear and chemical processes are being handled. Dr. Tamosaitis also
21 included concerns in the DNFSB letter about his punitive and retaliatory termination
22 in his letter.

23
24 2.128 The DNFSB placed a litigation hold on all relevant documents
25 directing the defendants not to destroy or otherwise dispose of such documents.

1 **DR. TAMOSAITIS' NEW MANAGER THREATENS HIM WITH MORE**
2 **RETALIATION**

3 2.129 On July 19, 2010, over lunch Dr. Tamosaitis' new supervisor, Duane
4 Schmoker, told Dr. Tamosaitis that Dr. Tamosaitis would be better off dropping the
5 issue of his termination from Hanford, or words to that effect, and stated: "If you go to
6 court, Bechtel is going to win," or words to that effect. Schmoker further stated: "If
7 you pursue this, your longevity is in danger." Dr. Tamosaitis asked if this meant his
8 life, health, or job. Schmoker made no reply.

9 **DR. TAMOSAITIS REMAINS EMPLOYED WITHOUT A**
10 **MEANINGFUL ASSIGNMENT**

11 2.130 Dr. Tamosaitis has been reassigned to a URS facility off Hanford, in
12 downtown Richland, in a non-supervisory role.

13 2.131 Dr. Tamosaitis has been given an office in the basement, which he
14 shares with two copying machines and a field worker who is usually not present.
15 Since being assigned to the basement, he has been given little or no meaningful work,
16 and has been relegated to projects that do not require his level of experience.

17 2.132 Dr. Tamosaitis' reputation in the community and his reputation in the
18 industry have been severely damaged by the illegal and retaliatory actions of URS,
19 Bechtel and the individual defendants.

20 2.133 Dr. Tamosaitis has lost friends and his family's social involvement in
21 the community has been impacted.

22 2.134 Dr. Tamosaitis has suffered loss of enjoyment of life, pain and
23 suffering, mental anguish, emotional distress, injury to reputation, and humiliation.
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25

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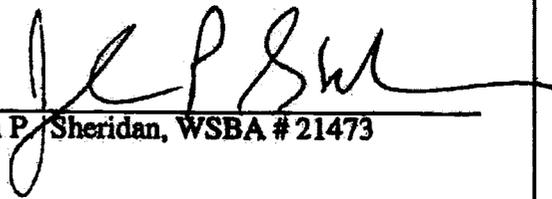
V. DEMAND FOR JURY

5.1 Plaintiff hereby demands that this case be tried before a jury of twelve.

DATED this 13th day of September, 2010.

THE SHERIDAN LAW FIRM, P.S.

By: _____


John P. Sheridan, WSBA # 21473

Steiling, Jeri L

From: Marvin, Marla
Sent: Monday, August 15, 2011 5:26 PM
To: Botes, Holly
Subject: FW: WTP (b)(5)

(b)(5)

(b)(5)

From: Wilcox, Debra
Sent: Monday, August 15, 2011 4:02 PM
To: Williamson, Barbara; Smith, Connie; Silberstein, Mark; Zelen, Benjamin; Marvin, Marla
Subject: FW: WTP (b)(5)

See below.

Deb Wilcox
Office of Chief Counsel
(509) 376-3285 (Main Office)
(509) 531-2629 (Personal Cell)

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From: Wilcox, Debra
Sent: Monday, August 15, 2011 4:02 PM
To: Carosino, Robert
Subject: FW: WTP (b)(5)

(b)(5)

Deb Wilcox
Office of Chief Counsel
(509) 376-3285 (Main Office)
(509) 531-2629 (Personal Cell)

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Steiling, Jeri L

From: Botes, Holly K
Sent: Tuesday, January 24, 2012 11:15 AM
To: Lacher, Andrea M
Subject: FW: URS
Attachments: URS Legal cost summary 1_23_12 (2).xls

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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From: Nugent, Wanda [<mailto:whnugent@Bechtel.com>]
Sent: Tuesday, January 24, 2012 9:44 AM
To: Botes, Holly K
Subject: RE: URS

Hi Holly,

Finally, I have something for you. Please see attached.

(b)(5)

(b)(5)

Thanks so much,
Wanda

From: Botes, Holly K [<mailto:holly.botes@RL.gov>]
Sent: Monday, January 23, 2012 8:19 AM
To: Nugent, Wanda; Lacher, Andrea M
Subject: RE: URS

I need the amount that has been charged to the contract by month.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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From: Nugent, Wanda [<mailto:whnugent@Bechtel.com>]
Sent: Wednesday, January 18, 2012 11:41 AM
To: Lacher, Andrea M; Botes, Holly K
Subject: RE: URS

Good Morning,

I'm working on getting you the info below, but a couple of questions. Do you want the amount of invoices submitted each month to date, or do you want the actual amounts paid to date.

Thank you,
Wanda

From: Lacher, Andrea M [<mailto:andrea.lacher@RL.gov>]
Sent: Tuesday, January 17, 2012 3:53 PM
To: Nugent, Wanda
Subject: FW: URS

Wanda,

Please see below. Is it possible to get that?

Andrea M. Lacher

Corporate Allocation Services
Contractor
United States Department of Energy
Office of Chief Counsel
825 Jadwin/400H
Richland, Washington
(509) 376-1068

From: Botes, Holly K
Sent: Tuesday, January 17, 2012 3:37 PM
To: Lacher, Andrea M
Subject: RE: URS

We will need the actual cost (not rounded) by month to put into LMTS.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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From: Lacher, Andrea M
Sent: Tuesday, January 17, 2012 2:28 PM
To: Botes, Holly K
Subject: URS

(b)(5)

Andrea M. Lacher

Corporate Allocation Services
Contractor
United States Department of Energy
Office of Chief Counsel
825 Jadwin/400H
Richland, Washington
(509) 376-1068

Invoice Number	Invoice Date	Supplier	Month Ending	2010 Costs		2011 Costs		2011 Costs Pending Billing	LFS Invoice # to BNI	BNI Voucher #	BNI Inv. Date	BNI Invoice # to DOE
				Invoiced to BNI	Invoiced NOT yet	Invoiced to BNI	Invoiced to BNI					
2382178	9/28/2010	MORGAN LEWIS AND BOCKIUS LLP	8/31/10	\$ 45,416.46	\$ -							
2390671	10/25/2010	MORGAN LEWIS AND BOCKIUS LLP	9/30/10	\$ 130,936.55	\$ -							
2408546	11/30/2010	MORGAN LEWIS AND BOCKIUS LLP	10/31/10	\$ 104,132.35	\$ -							
2422178	12/28/2010	MORGAN LEWIS AND BOCKIUS LLP	11/30/10	\$ 68,813.37	\$ -							
2435472	1/31/2011	MORGAN LEWIS AND BOCKIUS LLP	12/31/10	\$ 100,951.52	\$ -							
297368	2/25/2011	WITHERSPOON KELLEY DAVENPORT AND TOOLE	1/31/11	\$ 20,115.00	\$ 8,409.60				0711-280	290	7/22/2011	1107506
2448331	2/28/2011	MORGAN LEWIS AND BOCKIUS LLP	1/31/11	\$ 2,897.39	\$ 24,183.80				0711-281	291	8/10/2011	1108106
297368	2/25/2011	WITHERSPOON KELLEY DAVENPORT AND TOOLE	1/31/11	\$ -	\$ (177.90)				0711-281 items invoiced in error	291	8/10/2011	1108106
297369	4/25/2011	WITHERSPOON KELLEY DAVENPORT AND TOOLE	3/31/11	\$ -	\$ 66,560.09				Credit provided.	291	8/10/2011	1108106
2509230	3/1/2011	MORGAN LEWIS AND BOCKIUS LLP	3/31/11	\$ -	\$ 79,732.83				0811-283	292	8/24/2011	1108506
2509193	4/27/2011	MORGAN LEWIS AND BOCKIUS LLP	2/28/11	\$ 44.80	\$ 79,432.27				0811-283	292	8/24/2011	1108506
297526	6/30/2011	WITHERSPOON KELLEY DAVENPORT AND TOOLE	5/31/11	\$ -	\$ 78,895.97				0811-283 invoiced with incorrect task number	292	8/24/2011	1108506
2509889	6/30/2011	MORGAN LEWIS AND BOCKIUS LLP	5/31/11	\$ 102,234.06	\$ -				0811-284 code correction to correct task number	293	9/9/2011	1109106
2509889	6/30/2011	MORGAN LEWIS AND BOCKIUS LLP	5/31/11	\$ 102,234.06	\$ -				0811-284 reversal for code correction to correct task number	293	9/9/2011	1109106
2509888	6/30/2011	MORGAN LEWIS AND BOCKIUS LLP	5/31/11	\$ (102,234.06)	\$ -				0911-286	296	10/7/2011	1110106
2496196	5/31/2011	MORGAN LEWIS AND BOCKIUS LLP	4/30/11	\$ 78,937.58	\$ -				0911-286	296	10/7/2011	1110106
2522974	7/27/2011	MORGAN LEWIS AND BOCKIUS LLP	6/30/11	\$ 82,454.88	\$ -				0911-286	296	10/7/2011	1110106
301884	7/22/2011	WITHERSPOON KELLEY DAVENPORT AND TOOLE	7/25/11	\$ 30,607.67	\$ -				1011-288 additional backup received.	296	10/7/2011	1110106
301884	7/22/2011	WITHERSPOON KELLEY DAVENPORT AND TOOLE	7/25/11	\$ 441.88	\$ -				1111-289	298	11/9/2011	1111106
2538337	8/19/2011	MORGAN LEWIS AND BOCKIUS LLP	7/31/11	\$ 102,311.85	\$ -				1211-283	299	11/23/2011	1111506
2569314	10/31/2011	MORGAN LEWIS AND BOCKIUS LLP	9/30/11	\$ 52,585.73	\$ -				1211-283	303	1/10/2012	1113106
2569296	10/31/2011	MORGAN LEWIS AND BOCKIUS LLP	8/31/11	\$ 100,201.00	\$ -				1211-283 additional backup received.	303	1/10/2012	1113106
297526	6/30/2011	WITHERSPOON KELLEY DAVENPORT AND TOOLE	5/31/11	\$ 2,531.79	\$ -				1211-283	303	1/10/2012	1113106
307638	10/31/2011	WITHERSPOON KELLEY DAVENPORT AND TOOLE	7/5/11-9/30/11	\$ 65,340.87	\$ -				Pending future invoice to BNI	303	1/10/2012	1113106
2585604	11/30/2011	MORGAN LEWIS AND BOCKIUS LLP	10/31/11	\$ -	\$ 32,331.66				Pending future invoice to BNI			
2596013	12/22/2011	MORGAN LEWIS AND BOCKIUS LLP	11/28/11	\$ -	\$ 45,864.55				Pending future invoice to BNI			
310392	12/20/2011	WITHERSPOON KELLEY DAVENPORT AND TOOLE	10/01/11 - 11/28/11	\$ -	\$ 30,425.12				Pending future invoice to BNI			

TOTALS \$ 471,107.44 \$ 962,673.87 \$ 112,621.33

Steiling, Jeri L

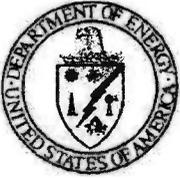
From: Botes, Holly K
Sent: Friday, January 27, 2012 3:16 PM
To: Noyes, Delmar L; Stubblebine, Scott D
Cc: Carosino, Robert M
Subject: Tamosaitis Answer
Attachments: (b)(5)

(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

11-OCC-0033

JAN 28 2011

Ms. N. F. Grover, Business Services Manager
Bechtel National, Inc.
2435 Stevens Center Place
Richland, Washington 99354

Dear Ms. Grover:

CONTRACT NO. DE-AC27-01RV14136 - (b)(5) - TAMOSAITIS v.
BECHTEL NATIONAL, INC., ET AL

- References: (1) (b)(5)
- (2) (b)(5)
- (3) (b)(5)

The purpose of this letter is to (b)(5)

(b)(5)

(b)(5)

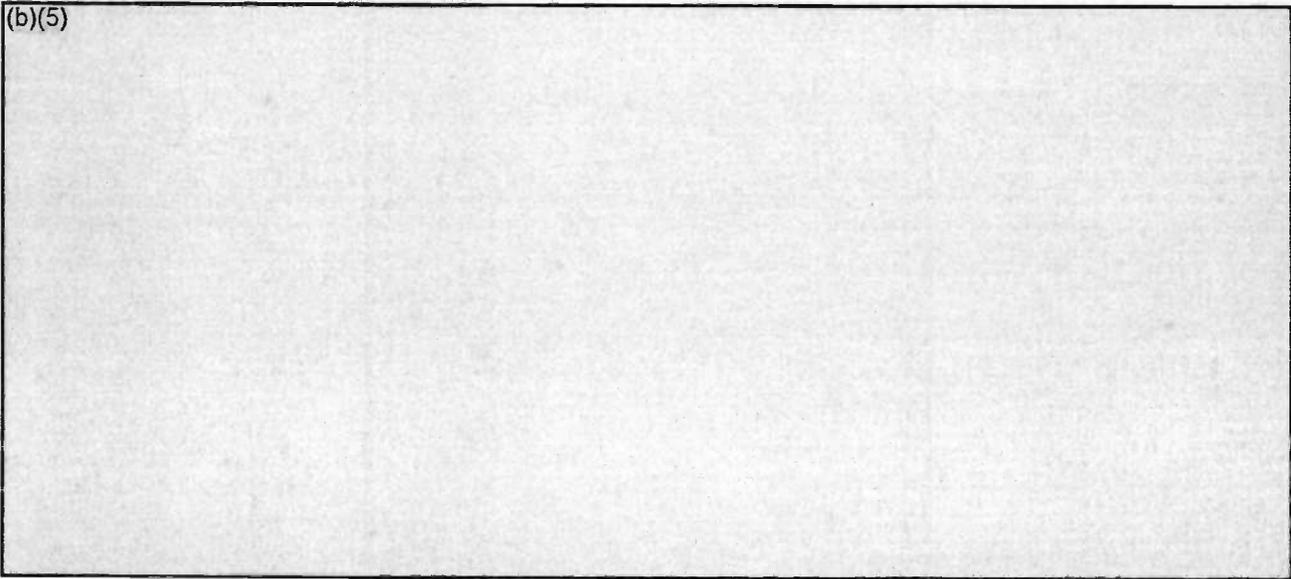
(b)(5)

Ms. N. F. Grover
11-OCC-0033

-2-

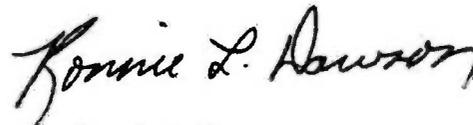
JAN 28 2011

(b)(5)



Holly Botes is the attorney assigned to this case. If you have any questions, please contact me, or your staff may contact Ms. Botes at (509) 376-6101.

Sincerely,



Ronnie L. Dawson
Contracting Officer

OCC:HKB

cc: J.H. Dunkirk, BNI

Steiling, Jeri L

From: Nugent, Wanda <whnugent@bechtel.com>
Sent: Wednesday, December 21, 2011 2:07 PM
To: Botes, Holly K
Subject: RE: Tamosaitis Status

(b)(5)

Thanks so much,
Wanda

From: Botes, Holly K [<mailto:holly.botes@RL.gov>]
Sent: Wednesday, December 21, 2011 2:03 PM
To: Nugent, Wanda
Subject: RE: Tamosaitis Status

This is great. Thank you.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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From: Nugent, Wanda [<mailto:whnugent@Bechtel.com>]
Sent: Wednesday, December 21, 2011 2:02 PM
To: Botes, Holly K
Subject: Tamosaitis Status

Holly,

(b)(5)

(b)(5)

Thanks,
Wanda

(b)(5)

Wanda H. Nugent
Bechtel National, Inc. (WTP)
Office of Legal Counsel
(509) 371-2986 (office)
whnugent@bechtel.com

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Steiling, Jeri L

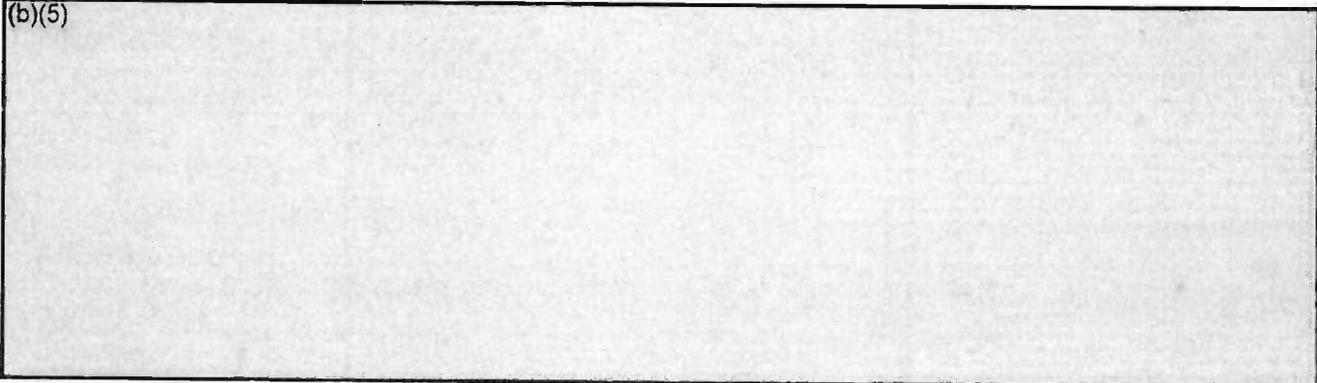
From: Miller, Steven
Sent: Friday, January 21, 2011 2:23 PM
To: Botes, Holly
Subject: RE: Tamosaitis v. Bechtel National, Inc., et. al.

Thanks

Steven R. Miller

From: Botes, Holly
Sent: Friday, January 21, 2011 5:22 PM
To: Miller, Steven
Cc: Carosino, Robert
Subject: Tamosaitis v. Bechtel National, Inc., et. al.

(b)(5)



Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Steiling, Jeri L

From: Marvin, Marla
Sent: Thursday, August 18, 2011 8:15 AM
To: Botés, Holly
Subject: RE: Tamositis

Non Responsive

-----Original Message-----

From: Botes, Holly
Sent: Thursday, August 18, 2011 8:03 AM
To: Marvin, Marla
Subject: RE: Tamositis

(b)(5)

Holly Kay Botes
Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Marvin, Marla
Sent: Wednesday, August 17, 2011 10:17 AM
To: Botes, Holly
Subject: Tamositis

(b)(5)

Marla Marvin, Attorney, Office of Chief Counsel U.S. Department of Energy, Richland
Operations Office
509-376-1975

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Steiling, Jeri L

From: Nugent, Wanda <whnugent@Bechtel.com>
Sent: Thursday, March 31, 2011 3:48 PM
To: Botes, Holly
Subject: RE: Tomasaitis Case

Great, (b)(5) Have
a good weekend.
Wanda

-----Original Message-----

From: Botes, Holly [<mailto:Holly.Botes@rl.doe.gov>]
Sent: Thursday, March 31, 2011 3:48 PM
To: Nugent, Wanda
Subject: RE: Tomasaitis Case

Sure. I'll be out tomorrow anyway. Thanks.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Nugent, Wanda [<mailto:whnugent@Bechtel.com>]
Sent: Thursday, March 31, 2011 1:30 PM
To: Botes, Holly
Subject: RE: Tomasaitis Case

Holly,

Can I bring you the disks on Monday?
Wanda

-----Original Message-----

From: Botes, Holly [<mailto:Holly.Botes@rl.doe.gov>]
Sent: Wednesday, March 30, 2011 1:26 PM
To: Nugent, Wanda
Subject: RE: Tomasaitis Case

(b)(5)

(b)(5)

Thanks.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Nugent, Wanda [<mailto:whnugent@Bechtel.com>]
Sent: Friday, March 25, 2011 7:48 AM
To: Botes, Holly
Subject: RE: Tomasaitis Case

(b)(5)

-----Original Message-----

From: Botes, Holly [<mailto:Holly.Botes@rl.doe.gov>]
Sent: Friday, March 25, 2011 7:46 AM
To: Nugent, Wanda
Subject: RE: Tomasaitis Case

Are the documents already in electronic form? Or, would you have to scan them?

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Nugent, Wanda [<mailto:whnugent@Bechtel.com>]
Sent: Thursday, March 24, 2011 1:15 PM
To: Botes, Holly
Subject: RE: Tomasaitis Case

Will do. (b)(5) I will wait to
hear back from you.
Thanks so much,
Wanda

-----Original Message-----

From: Botes, Holly [mailto:Holly.Botes@rl.doe.gov]
Sent: Thursday, March 24, 2011 1:00 PM
To: Nugent, Wanda
Subject: RE: Tomasaitis Case

Wanda - (b)(5)

(b)(5)

(b)(5)

Thanks.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Botes, Holly
Sent: Thursday, March 24, 2011 7:47 AM
To: 'Nugent, Wanda'
Subject: FW: Tomasaitis Case

(b)(5)

Thanks.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL) This e-mail may contain information that is privileged, confidential, or attorney-client/work product protected. DO NOT DISTRIBUTE WITHOUT EXPRESS PERMISSION OF AUTHOR.

-----Original Message-----

From: Maqarang, Marilyn
Sent: Wednesday, March 23, 2011 5:38 PM
To: Botes, Holly

Cc: Madarang, Marilyn
Subject: Tomasaitis Case

Holly,

(b)(5)

(b)(5)

Please advise. Thanks. Marilyn

Steiling, Jeri L

From: Botes, Holly K
Sent: Wednesday, January 25, 2012 12:17 PM
To: Dawson, Ronnie L
Subject: RE: Tamosaitis (b)(5)

Yes.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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From: Dawson, Ronnie L
Sent: Wednesday, January 25, 2012 11:35 AM
To: Botes, Holly K
Subject: RE: Tamosaitis (b)(5)

Holly:

(b)(5)

(b)(5)

Ronnie L. Dawson

Contracting Officer

Office of River Protection

Acquisition Management Division

[Ronnie L Dawson@orp.doe.gov](mailto:Ronnie.L.Dawson@orp.doe.gov)

509-372-0098

From: Botes, Holly K
Sent: Wednesday, January 25, 2012 10:06 AM
To: Dawson, Ronnie L
Cc: Carosino, Robert M
Subject: Tamosaitis (b)(5)

(b)(5)

(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Steiling, Jeri L

From: Botes, Holly
Sent: Thursday, August 18, 2011 9:25 AM
To: 'Dunkirk, Jean'
Subject: RE: Tamosaitis (b)(5)

(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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From: Dunkirk, Jean [mailto:jhdunkir@bechtel.com]
Sent: Wednesday, August 17, 2011 11:42 AM
To: Botes, Holly
Subject: RE: Tamosaitis (b)(5)

Yes, that would work. (b)(5)

From: Botes, Holly [mailto:Holly.Botes@rl.doe.gov]
Sent: Tuesday, August 16, 2011 2:11 PM
To: Dunkirk, Jean
Subject: Tamosaitis (b)(5)

Jean - (b)(5)

(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Steiling, Jeri L

From: Botes, Holly
Sent: Monday, July 11, 2011 7:39 AM
To: 'Nugent, Wanda'
Subject: RE: Tamosaitis

(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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From: Nugent, Wanda [mailto:whnugent@Bechtel.com]
Sent: Monday, July 11, 2011 7:25 AM
To: Botes, Holly
Subject: RE: Tamosaitis

Also do you happen to know the (b)(5)

From: Botes, Holly [mailto:Holly.Botes@rl.doe.gov]
Sent: Friday, July 08, 2011 9:54 AM
To: Nugent, Wanda
Subject: Tamosaitis

Wanda -

(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Steiling, Jeri L

From: Nugent, Wanda <whnugent@Bechtel.com>
Sent: Monday, July 11, 2011 7:24 AM
To: Botes, Holly
Subject: RE: Tamosaitis

(b)(5)

I'll check on

it.
Thanks,
Wanda

From: Botes, Holly [<mailto:Holly.Botes@ri.doe.gov>]
Sent: Friday, July 08, 2011 9:54 AM
To: Nugent, Wanda
Subject: Tamosaitis

Wanda –

(b)(5)

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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Steiling, Jeri L

From: Botes, Holly
Sent: Tuesday, September 28, 2010 3:49 PM
To: Corbin, Peggy (M A)
Subject: Tamosaitis - (b)(5)
Attachments: Tamosaitis - 

Letter for ESTARS...

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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11-OCC-XXXX

address

Dear Name:

CONTRACT NO. DE-AC27-01RV14136 - (b)(5) - TAMOSAITIS v.
BECHTEL NATIONAL, INC., ET AL.

The purpose of this letter is to (b)(5)
(b)(5)
(b)(5)

(b)(5)

Holly Botes is the attorney assigned to this case. If you have any questions, please contact me, or your staff may contact Ms. Botes at 376-6101.

Sincerely,

Ronnie Dawson
Contracting Officer

OCC:HKB

cc: J.H. Dunkirk, BNI

Steiling, Jeri L

From: Marvin, Marla
Sent: Monday, November 07, 2011 12:30 PM
To: Botes, Holly K
Subject: RE: (b)(5)

FYI. (b)(5)

(b)(5)

Marla Marvin, Attorney, Office of Chief Counsel U.S. Department of Energy, Richland
Operations Office
509-376-1975

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-----Original Message-----

From: Botes, Holly
Sent: Monday, October 31, 2011 10:47 AM
To: Marvin, Marla
Subject: RE: (b)(5)

Marla -

(b)(5)

(b)(5)

Holly Kay Botes

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-----Original Message-----

From: Marvin, Marla

Sent: Monday, October 31, 2011 10:01 AM

To: Botes, Holly

Subject: (b)(5)

(b)(5)

(b)(5)

Thanks.

Marla Marvin, Attorney, Office of Chief Counsel U.S. Department of Energy, Richland
Operations Office
509-376-1975

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Steiling, Jeri L

From: Marvin, Marla
Sent: Monday, October 31, 2011 12:19 PM
To: Botes, Holly
Subject: RE: (b)(5)

Thanks.

(b)(5)

(b)(5)

Thanks!

-----Original Message-----

From: Botes, Holly
Sent: Monday, October 31, 2011 10:47 AM
To: Marvin, Marla
Subject: RE: (b)(5)

Marla -

(b)(5)

(b)(5)

Holly Kay Botes

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-----Original Message-----

From: Marvin, Marla
Sent: Monday, October 31, 2011 10:01 AM
To: Botes, Holly
Subject: (b)(5)

(b)(5)

(b)(5)

Thanks.

Marla Marvin, Attorney, Office of Chief Counsel U.S. Department of Energy, Richland
Operations Office
509-376-1975

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Steiling, Jeri L

From: Goldsmith, Julie
Sent: Friday, January 21, 2011 1:55 PM
To: Botes, Holly
Subject: RE: Tamosaitis - (b)(5)

(b)(5)

-----Original Message-----

From: Botes, Holly
Sent: Friday, January 21, 2011 1:49 PM
To: Goldsmith, Julie
Subject: FW: Tamosaitis - (b)(5)

(b)(5)

Julie -

(b)(5)

(b)(5)

(b)(5)

Thanks

Holly Kay Botes

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-----Original Message-----

From: Carosino, Robert
Sent: Thursday, January 20, 2011 4:48 PM
To: Schroeder, Joseph; Botes, Holly
Subject: Tamosaitis - (b)(5)

Holly and Joe,

(b)(5)

(b)(5)

Bob

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Robert M. Carosino
DOE-RL Office of Chief Counsel
(509) 376-2024

Steiling, Jeri L

From: Botes, Holly
Sent: Friday, July 15, 2011 1:54 PM
To: Corbin, Peggy (M A)
Subject: Significant Items

Non Responsive

Tamosaitis v. BNI, URS et. al.: On July 15, 2011, OCC (b)(5)

(b)(5)

(b)(5)

Holly Botes (509) 376-6101; Robert Carosino (509) 376-7311.

Holly Kay Botes

Attorney, Office of Chief Counsel (DOE - RL)

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