

4-43 19



Melvin Y
Shibuya/HCM/USDAFS
06/29/2007 04:57 AM

To: Oileke E Rappe-Daniels/R10/USDAFS@FSNOTES
cc: Forrest Cole/R10/USDAFS@FSNOTES, Hank
Kasnoan/WO/USDAFS@FSNOTES, Danny
Bschor/R10/USDAFS@FSNOTES

bcc

Subject: Fw: Ith Proposed Removal

Oileke:

I took the liberty to make slight editorial changes to the attached (taking out redundancies, etc.).

I don't know why Tami did not address this to you, as you are, after all, the Proposing Official. Sending pre-decisional documents to Forrest (he's the Deciding Official) is dangerous because opposing counsel can make mischief because of the prohibition on ex parte communications between the proposing and deciding official.

BO

That's why you (and all addressees) should destroy this email after reading because it's discoverable under the board's regulations. My communications to you and Forrest are NOT protected by privilege. I'm trying hard to limit folks I send this email to.

Please review and if okay, call and let me know when you're ready to issue. I need to alert the Deputy Chief prior to your issuing the notice to the employee .

- ✓ 1. Run off hard copy of the document;
- ✓ 2. Sign and date (very important);
- 3. Issue to employee and have him acknowledge receipt (NOTE: he might decline to sign, in which case simply annotate his declination with your writing in his signature block: "Employee declines to acknowledge receipt." Signed, Oileke R-D.
- 4. Send copies to Forrest and me.

BO

Your job is over. We'll take it from there.

Again, please let me know BEFORE you issue. We'll need to alert key officials before we proceed.

Melvin Y. Shibuya
Chief, Labor/Employee Relations Branch
Phone # (505) 563-9500
Cell # (505) 331-2848
Email: mshibuya@fs.fed.us
---- Forwarded by Melvin Y Shibuya/HCM/USDAFS on 06/29/2007 06:39 AM ----



"TROST, TAMI"
<TAMI.TROST@OGC.USDA.GOV>
06/28/2007 04:30 PM

To: "Forrest Cole" <colec@fs.fed.us>, "Melvin Y Shibuya" <mshibuya@fs.fed.us>
cc: "Sherry Hooper" <shoopcr@fs.fed.us>, "Banegas, Ronald -FS" <Ronald.Banegas@usda.gov>, "WALKOW, RON H." <RON.WALKOW@OGC.USDA.GOV>, "LELAND, ARLEAN" <ARLEAN.LELAND@OGC.USDA.GOV>
Subject: Ith Proposed Removal

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