



Melvin Y  
Shibuya/HCM/USDAFS  
02/21/2008 03:28 PM

To Forrest Cole/R10/USDAFS@FSNOTES  
cc Ollie E Rappe-Daniels/R10/USDAFS@FSNOTES, Karlene  
K Hale/HCM/USDAFS@FSNOTES  
bcc

Subject Fw: lth OSC Matter

Info, Forrest...

Melvin Y. Shibuya  
Chief, L/ER Branch  
Phone # (505) 563-9500  
Cell # (505) 331-2848  
Email: mshibuya@fs.fed.us

--- Forwarded by Melvin Y Shibuya/HCM/USDAFS on 02/21/2008 05:26 PM ---



"TROST, TAMI"  
<TAMI.TROST@OGC.USDA.  
GOV>  
02/20/2008 03:34 PM

To rbanegas@fs.fed.us  
cc mshibuya@fs.fed.us, shooper@fs.fed.us,  
kburgers@fs.fed.us, "LELAND, ARLEAN"  
<ARLEAN.LELAND@OGC.USDA.GOV>, "MILLET,  
THOMAS" <THOMAS.MILLET@OGC.USDA.GOV>  
Subject RE: lth OSC Matter

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION - NOT FOR RELEASE

Ron,

After discussions with Arlean Leland, we have decided that the Forest Service could likely sustain a longer suspension than I previously advised. If you want to reduce the removal to a 45-day suspension, we think that is defensible given the new ethics opinion. Please feel free to contact me if you wish to discuss this further. Thanks.

Tami

Tami Trost, Assistant General Counsel  
Civil Rights Policy, Compliance & Counsel Division  
Office of the General Counsel  
U.S. Department of Agriculture  
1400 Independence Avenue, SW Room 3312-S  
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-----Original Message-----

From: TROST, TAMI  
Sent: Tuesday, February 19, 2008 3:53 PM  
To: 'rbanegas@fs.fed.us'  
Cc: mshibuya@fs.fed.us; shoop@fs.fed.us; kburgers@fs.fed.us  
Subject: RE: Ith OSC Matter

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION - NOT FOR RELEASE

Ron,

I see no problem with mediating the OSC complaint. The ethics opinion makes our case for discipline stronger, but it does not overcome the lack of progressive discipline in this case. I stand by my previous opinion of November 21, 2007, calling for a reduction to a 14-day suspension. Please let me know if I can be of any further assistance. Thanks.

Tami

Tami Trost, Assistant General Counsel  
Civil Rights Policy, Compliance & Counsel Division  
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-----Original Message-----

From: rbanegas@fs.fed.us [mailto:rbanegas@fs.fed.us]  
Sent: Thursday, February 14, 2008 12:21 PM  
To: TROST, TAMI  
Cc: mshibuya@fs.fed.us; shoop@fs.fed.us; kburgers@fs.fed.us  
Subject: Fw: Ith OSC Matter