

December 21, 2010
 Honorable Helena Wooden-Aguilar
 Acting Assistant Director,
 External Compliance and Complaint Program
 Office of Civil Rights
 Environmental Protection Agency *via fax to 202-565-0196*
 Washington, D.C. 20460

[REDACTED] v. University of Florida/Environmental and Land Use Planning Law (ELUPL) LLM Program – EPA Office of Civil Rights Complaint – Urgent Mediation and Conciliation Effort Requeste by January 7, 2011 to Avoid Prejudicing Rights

Dear Ms. Wooden-Aguilar:

1. This is a disability, age and Title VI protected activity discrimination complaint filed pursuant to 40 C.F.R. Part 7. I urgently request your assistance in conciliating and mediating this complaint before investigation. I am ready to begin UF graduate environmental law classes on January 7, 2011 IF your conciliation/mediation efforts succeed.
2. However, Respondent UF refuses to meet or explain its rejection for my application for employment as a graduate environmental law fellow.
3. I am willing to meet with you and UF in either Washington or Gainesville to resolve this case. If I do not start classes on January 7, 2011, please investigate.
4. Under the circumstances of UF's hostility to my questions, I believe that I have been discriminated against and denied hiring for as graduate fellowship due to discrimination, including disability (arthritis and vision problems); age (born [REDACTED] (b)(6) Privacy, (b)(7)(C) Ent. Privac) and my participation in Title VI protected activity, namely, our pending January 19, 2009 Environmental Justice Complaint Against Florida Department of Environmental Protection and City of St. Augustine Florida, EPA OCR Case No. 01R-09-R4. This Title VI protected activity is adverse to Akerman Senterfitt (which contributes money to UF and its Law School) and the City of St. Augustine (which is partnering with UF in management of state-owned historic properties here in our Nation's Oldest City). My application included a copy of a document on the City of St. Augustine's environmental racism that specifically names Akerman Senterfitt for its role in billing our City more than \$200,000 for dubious work aimed at returning contaminated solid waste to our Lincolnville community – efforts that came to naught due to our community organizing.
5. I request OCR investigate, pursuant to 40 C.F.R. Part 7, the University of Florida and its Environmental and Land Use Planning Law (ELUPL) LLM Program. UF has received millions of dollars in federal grants and contracts from EPA. I am a well-qualified applicant with two disabilities who applied for a fellowship position –

- I was first treated coldly and then rejected after asking about the possibility of an ADA reasonable accommodation.
6. During a brief telephone conversation with ELUPL Program Director Professor (b)(6) Privacy, (b)(7)(C) Ent. Privacy on June 1, 2010 (approximately 2:30 PM), I inquired about the possibility of an ADA reasonable accommodation by the ELUPL program.
 7. I explained to her that I had arthritis and do not drive. I further explained that I have (b)(6) Privacy, (b)(7)(C) Ent. Privacy successfully repaired (b)(6) Privacy, (b)(7)(C) Ent. Privacy at UF Ophthalmology Department on March 26-27, 2010 and later visits).
 8. During the June 1, 2010 telephone conversation with Professor (b)(6) Privacy, I inquired about the hypothetical possibility of a reasonable accommodation under ADA, such as permission for me to take more than one year to complete the program. Professor (b)(6) Privacy was utterly unenthusiastic about the suggested reasonable accommodation, saying that all students must complete the program in one year. When I pursued this inquiry, Prof. (b)(6) Privacy seemed annoyed and stated dryly that another part of the university would rule on any such request. Please see attached E-mail (Exhibit A), confirming the scheduled date/time of my asking questions discussion and also showing my prior written question (and Prof. (b)(6) Privacy's short answer) on the subject of taking longer than a year to complete the ELUPL program as an ADA reasonable accommodation.
 9. After this brief discussion regarding an ADA reasonable accommodation, the UF ELUPL LLM program office showed less than a welcoming spirit. It was cold.
 10. When I visited the UF Law School campus on June 4th (Exhibit B), no one from UF ELUPL LLM program was available to show me around (there was not even a reference to the Law Student Ambassador Board – I was told I could walk around “on [my] own”. This is in sharp and marked contrast with UF’s normal welcoming spirit. It is also beyond my experience with undergraduate and law school admissions processes at Georgetown University and Memphis State University (now the University of Memphis).
 11. My timely application was received on September 30, 2010, but it was not timely acknowledged within two weeks as UF’s admissions policies require.
 12. There was never an interview. There was no explanation for not interviewing me.
 13. The ELUPL LLM program lost my Georgetown University School of Foreign Service transcript, apparently, at some time after it was sent in May 2010 – this loss was not discovered until late September and required me to have Georgetown FedEx a second copy to the UF ELUPL LLM program.
 14. UF moved slowly on my application and was uncommunicative.
 15. There was only a handwritten “vote” – but no actual meeting on November 22, 2010 -- resulting in a decision not to admit me (Exhibit C).
 16. No numerical scores or written evaluations have been provided.

17. The fact of my rejection was not communicated to me until more than *two weeks later*. The rejection was conveyed by a letter that was dated November 30, 2010, but not postage-metered until December 2 and not received until December 4, 2010. The UF ELULP LLM program left me hanging all throughout the Thanksgiving Holiday, with no information. This delay – and other delays – prejudiced my ability to resolve this matter. It was cruelly unfair.
18. It almost seems as if the UF ELUPL LLM program wished to “run out the clock” (in UF sports terminology), to deny me any possibility of enrolling in the program commencing January 7, 2011.
19. This delay and “running out the clock” prejudices my rights, inasmuch as I planned to complete the program during 2011 so as to be available to participate in political and issue campaigns during 2012.
20. Also, I would like to take courses from Visiting Professor Mintz on environmental enforcement. He will not be at UF next Fall.
21. The UF ELUPL LLM program’s form rejection letter (Exhibit D) did not provide any reason but referred to evaluation “criteria” on the ELUPL website that I fulfilled (the letter misspelled the word “Land” as “Lane.” (Exhibit D).
22. In response to the rejection letter (Exhibit D), my mentor, former U.S. Department of Labor Chief Administrative Law Judge (b)(6) Privacy, (b)(7)(C) ^{Enf Privacy} called Professor (b)(6) ^{PJ} December 6 and did not receive an answer.
23. The UF ELUPL Program refuses to communicate with Judge (b) or with me to this day, and took nine days to deliver the opinion that it had “no process” for appeals or reconsideration (without disclosing until later that it also had no written charter, no bylaws and no minutes of any of its meetings since the program began).
24. UF refuses to provide records on Internet web searches, including one for the term (b)(6) Privacy, (b) ^{(7)(C) E.F.P.} The blog reports on our Environmental Justice efforts here in St. Augustine, among other topics.
25. The UF ELUPL Program knew from my c.v. and more than 24 letters of recommendations that I have been an environmental activist for 36 years, winning victories from the declassification of the world’s largest mercury pollution event (Union Carbide and Atomic Energy Commission/Department of Energy) to halting environmental racism (solid waste and sewage pollution by the City of St. Augustine, which:
- a. Is partnering with UF in management of state-owned historic properties in St. Augustine;
 - b. Was represented in the FDEP solid waste pollution enforcement action (and in criminal and civil defense) by lawyer William Pence of the Akerman Senterfitt law firm. Akerman Senterfitt is a UF Law School

Funder, and it billed St. Augustine more than \$200,000, which I criticized in one of two writing samples provided to the ELUPL LLM program.

26. I have requested assistance from Prof. (b)(6) Privacy, (b)(7)(C) Ent. Privacy, the University Ombuds, the Vice Chancellor and the EEO office. None have been helpful, deferring to the UF ELULP LLM program, which is a conflict of interest. See *infra*.
27. Other efforts to obtain answers -- by our UF graduate student union, Graduate Assistants United -- have been unavailing.
28. The UF ELUPL LLM program's attitude is freighted with animus, objectifying me and refusing to deal with me a person endowed with inalienable rights and a member of several legally protected classes.
29. I believe that I may have been blacklisted in violation of 40 C.F.R. Part 7 in retaliation for my Title VI protected activity due to the influence with UF by the anti-environmental Akerman Senterfitt law firm.
30. The investigation should determine whether it is a further violation of Title VI that the UF offices that are supposed to help have done nothing, deferring to the Law School.
31. Again, those offices that have not helped include:
 - a. The UF Ombuds (which dropped the ball after UF failed to answer substantively in its allotted seven days);
 - b. the Law School Dean (who never responded to my E-mails);
 - c. the UF EEO/Affirmative Action office (which never responded to my request to open a file);
 - d. The University Senior Counsel (who was unable to get the ELUPL program Director and Committee to meet with me);
 - e. The UF Vice Chancellor, who disclaimed involvement despite the authority and responsibility that he and the Law School Dean have pursuant to Faculty Senate Bylaw 1.
32. In response to my questions and discrimination concerns, it was a conflict of interest for the ELUPL LLM program to rule on its "own quarrel."
33. As William Blackstone wrote, "[I]t is unreasonable that any man should determine his own quarrel." 1 W. Blackstone, *Commentaries on the Laws of England* 91, citing *Dr. Bonham's Case*, 8 Rep. 114a (C.P. 1610); see also *City of London v. Wood*, 12 Mod. 669, 687 (1701) (Lord Holt) (invalidating fine for refusal to serve as sheriff recovered by the city in its own court of Mayor and Aldermen). See also *Aetna Life Ins. Co. v. Lavoie*, 475 U.S. 813 (1986) (overruling case where Chief Justice of Alabama Supreme Court sat in judgment of case that would set precedent for his own pending case); *Ward v. Village of Monroeville*, 409 U.S. 57 (1972); *Gibson v. Berryhill*, 411 U.S. 564 (1973); *Withrow v. Larkin*, 421 U.S. 35 (1975); *Cinderella Career and Finishing Schools, Inc. v. FTC*, 425 F.2d 583 (D.C. Cir. 1970); *American Cyanamid Co. v. FTC*, 363 F.2d 757 (6th Cir. 1966); *SCA*

- Services, Inc. v. Morgan, 557 F.2d 110 (7th Cir. 1977). See United States v. Mississippi Valley Generating Co., 364 U.S. 520, 548 (1961)(citing Matthew 6:24 -- "no man can serve two masters" -- holding that preventing conflicts of interest is aimed "not only at dishonor but at conduct that tempts dishonor.")
34. The UF ELUPL Program's conflict of interest in refusing to answer questions, refusing to meet and claiming there can be no appeal or reconsideration "tempts dishonor." 364 U.S. at 548.
35. As James Madison wrote in The Federalist No. 10: "No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time." See also In re Murchison, 349 U.S. 133, 136 (1955) (Black, J.) ("[O]ur system of law has always endeavored to prevent even the probability of unfairness. To this end no man can be a judge in his own case and no man is permitted to try cases where he has an interest in the outcome."); TWA v. Civil Aeronautics Board, 102 U.S.App.D.C. 391, 392, 254 F.2d 90, 91 (1958). Spencer v. Lapsley, 20 How. 264, 266 (1858); Publius Syrus, Moral Sayings 51 (D. Lyman transl. 1856) ("No one should be judge in his own cause."); Blaise Pascal, Thoughts, Letters and Opuscules 182 (Wight transl. 1859) ("It is not permitted to the most equitable of men to be a judge in his own cause.").
36. The UF ELUPL LLM program's secrecy is accompanied by a lack of legal standards.
37. The UF ELUPL LLM program has no charter.
38. There UF ELUPL LLM program has no bylaws.
39. There UF ELUPL LLM program has no minutes of any meetings since its inception.
40. The UF ELUPL LLM program refuses to answer to any of my questions.
41. The refusal to meet brandishes prejudice, which is defined as "an averted or hostile attitude" toward a person based upon perceived membership in a group. Gordon W. Allport, The Nature of Prejudice (1954) at 10. Not only am I a qualified applicant with two disabilities, over the age of 53, who is an environmental activist involved in Title VI protected activity. I am also a Gay man in a state that amended its Constitution to stigmatize Gays and Lesbians – I wrote the first article on Gay marriage for an American Bar Association publication in 1991, after winning the Rinde v. Woodward & Lothrop Gay domestic partners discount benefits case, which protected the rights of employees at 30 Woodward & Lothrop and John Wanamaker stores in six states and the District of Columbia).

42. The refusal to meet or answer questions is beyond the pale of reasonable behavior – it is suggestive of UF being pressured not to hire me, and of being ashamed to admit the real reasons.
43. Even during the Cold War, even an applicant for a top-secret security clearance had a fundamental constitutional right to a "Statement of Reasons." Greene v. McElroy, 360 U.S. 474 (1959). President Kennedy said:
 The very word 'secrecy' is repugnant in a free and open society; and we are as a people inherently and historically opposed to secret societies, to secret oaths and to secret proceedings. We decided long ago that the dangers of excessive and unwarranted concealment of pertinent facts far outweighed the dangers which are cited to justify it." John F. Kennedy, "The President and the Press," Address before the American Newspaper Publishers Association, April 27, 1961. See also Daniel Patrick Moynihan, SECRECY (1998), stating *inter alia* that "secrecy is for losers" and quoting Lord Acton, who said, "Everything secret degenerates, even the administration of justice; nothing is safe that does not show how it can bear discussion and publicity."
44. The UF ELUPL LLM Admissions Committee's secret process has more in common with college fraternity member selection (and "blackballing") than it does with an admissions decision for an excellent program at a Tier I law school accredited by the American Bar Association and Association of American Law Schools.
45. Empowered by seemingly insouciant UF administrators who won't lift a finger to help me get answers, the ELUPL LLM program's refusal to answer any of my questions and refusal to meet with me is freighted with animus toward the rights of citizens to raise EJ and ADA concerns and to apply for the ELUPL program.
46. The program director's stating that I "can re-apply" (in the sweet-bye-and-bye) is no answer to invidious discrimination, a lack of a welcoming spirit and a refusal to explain UF's actions or meet with me to resolve my concerns.
47. We look forward to your conciliation efforts aimed at my admission January 7, 2011 to the UF ELUPL LLM program.
48. If conciliation efforts were to fail between now and January 7, 2011, I look forward to your assigning your finest investigators and to a hearing before an EPA ALJ regarding Respondents' Title VI violations and eligibility for government funds.
49. In that event, in the spirit of Thurgood Marshall (and Robert Kennedy), let's proceed to extirpate all discrimination from UF, or convene a process to question its continued federal funding under Title VI and 40 C.F.R. Part 7.
50. Will you please subpoena all discoverable documents on this case from UF tomorrow, before your mediation/conciliation efforts begin in earnest?

51. Please seek all discoverable evidence (including E-mails and notes) from or to:

- a. Professor (b)(6) Privacy, (b)(7)(C) ;
- b. Professor (b)(6) Privacy, (b)(7) ;
- c. Professor (b)(6) Privacy, (b)(7)(C) ;
- d. Professor (b)(6) Privacy, (b) ;
- e. Professor (b)(6) Privacy, (b) ;
- f. Professor (b)(6) Privacy, (b) ;
- g. Professor (b)(6) Privacy, (b) ;
- h. (b)(6) Privacy, (b) , program assistant;
- i. UF EEO/PL LLM Program;
- j. UF Ombuds;
- k. UF Vice Chancellor;
- l. UF Law School Dean;
- m. UF EEO/Affirmative Action office

52. Please seek information regarding any contacts with lawyer William Pence, Akerman Senterfitt, the City of St. Augustine, Florida Department of Environmental Protection, *et al.* regarding me or other related topics (such as the lack of any valid committee charter, bylaws or meeting minutes and whether this makes the ELUPL LLM Admissions Committee *ultra vires*).

53. In particular, I would appreciate EPA OCR investigating disability, age and Title VI protected activity discrimination with an eye toward:

- a. Whether there is a pattern and practice of discrimination and failure to resolve discrimination concerns;
- b. The possible role of polluters and counsel (e.g., Akerman Senterfitt, et al.) in the rejection letter;
- c. Whether UF is hostile to environmental whistleblowers, with apparently no law school course offered about protecting them and no interest in even meeting with a lawyer who championed their rights in litigation and American Bar Association publications, as documented by so many of my letters of recommendation;
- d. Whether UF is reluctant to hire as a graduate fellow an experienced environmental activist who has a three-decade record of reporting pollution and righting wrongs, with significant recent Title VI environmental protected activity involving the State of Florida, City of St. Augustine and Akerman Senterfitt). If so, is this partly due to UF's recent \$175,000 EPA fine or RCRA violations involving UF dumping tetrachloroethylene contaminating UF soil and groundwater. See, e.g., Jennifer Bate, "EPA fines UF for pollution," *The Independent Florida Alligator* (January 5, 2010).

54. Please refer to the EPA OCR file in our January 19, 2009 City of St. Augustine and Florida Department of Environmental Protection EPA OCR complaint and filings in the underlying FDEP action for further details about the law firm of Akerman Senterfitt and the City of St. Augustine's illegal dumping.

55. Respondents may be reached via Professor (b)(6) Privacy, (b)(7)(C) Enf. Privacy, Director, Environmental and Land Use Law Program, University of Florida Levin College of Law, P.O. Box 117625, Gainesville FL 32611; (b)(6) Privacy, (b)(7)(C) Enf. Privacy (fax) (b)(6) Privacy, (b)(7)(C) Enf. Privacy

Let justice be done.

Thank you in advance for your work on this case.

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

St. Augustine, Florida 32085

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

STATE OF FLORIDA
COUNTY OF ST. JOHNS

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

and declare that all of the foregoing facts are true and correct
ge, information and belief.

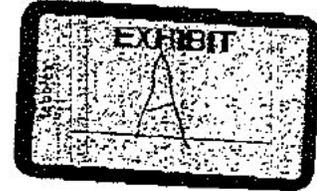
Maire Phillip

NOTARY

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Thursday, May 27, 2010 4:39 PM
To: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Subject: RE: Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

Great ACF



From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Thursday, May 27, 2010 4:37 PM
To: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Cc: (b)(6) Privacy, (b)(7)(C) Enf. Privacy (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Subject: RE: Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

Dear Prof. (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Thank you. I will call you at 2:30 PM on Tuesday, June 1 at (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sincerely,
(b)(6) Privacy, (b)(7)(C) Enf. Privacy

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Thursday, May 27, 2010 4:22 PM
To: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Subject: RE: Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

Hi. Let's plan on 2:30 pm on Tuesday June 1. If you want to call me I'll be at (b)(6) Privacy, (b)(7)(C) Enf. Privacy or if you prefer that I call you, just let me know what number to call. I look forward to talking to you then. ACF

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Thursday, May 27, 2010 4:20 PM
To: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Subject: RE: Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

Thank you -- I am available at any of those times on Tuesday. Please let me know what is best for you

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Thursday, May 27, 2010 4:12 PM
To: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Subject: RE: Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

(b)(6) Privacy
Today is not good for a call. Next week I am available on Tuesday 11-12:30 and 2-5pm. I have already told several people who are trying to schedule meetings that I have this time available, so there may be other commitments that develop over time. I've put my answers to your questions below. Hope that helps in the interim.
ACF

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Thursday, May 27, 2010 2:55 PM

To: (b)(6) Privacy, (b)(7)(C) Ent. Privacy
Cc: (b)(6) Privacy, (b)(7)(C) Ent. Privacy
Subject: Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

Dear Prof. (b)(6) Privacy, (b)(7)(C) Ent. Privacy

We had talked several weeks about having an interview by phone this week. However, this week has been hectic thus far.

Would you be available either late this afternoon, or any time next week, for me to ask you some questions about the LLM in Environmental Law program?

I have already had several recommendations and both transcripts sent. I am updating the publications section on my c.v. I am working on the 500 word essay.

Questions:

1. May the program might be completed in several years part-time, or is the requirement is to complete it in one year? No, the program must be completed in one year.
2. Does the Registrar have an idea on future schedules, allowing planning if I took more than one year? N/A
3. For writing samples, I am thinking of submitting several of the seven articles I have published in ABA publications (two in the ABA *Judges' Journal*), but was wondering:
 - a. May the samples embrace non-environmental topics (e.g., AU Independence Undermined at the U.S. Department of the Interior and Alternative Dispute Resolution, both in the ABA *Judges' Journal*)? Yes.
 - b. Would it be permissible to file some sort of an appendix to the extent the writing samples exceed 25 pages? I have written on environmental topics since 1978, when an 11,500 word article I wrote was inserted in the Congressional Record and helped halt eminent domain for coal slurry pipelines. No, we really don't have the time to review more than 25 pages. You can note references to other places where your work was cited, but you should limit the total to the 25 pages.

While that article was published when I was only a 21-year old undergraduate, I would like to include it (and Senator Sasser's coal industry performance and competition study amendment that became public law that same year) in the information available, but I won't exceed the 25 page limitation on writing samples without a waiver or permission in advance.

Thank you!

Sincerely,

(b)(6) Privacy, (b)(7)(C) Ent. Privacy
[Redacted]
(b)(6) Privacy, (b)(7)(C) Ent. Privacy
[Redacted]
(b)(6) Privacy, (b)(7)(C) Ent. Privacy
[Redacted]
St. Augustine, Florida 32085
(b)(6) Privacy, (b)(7)(C) Ent. Privacy
[Redacted]
[Redacted]

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 9.0.819 / Virus Database: 271.1.1/2899 - Release Date: 05/27/10 02:25:00

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 9.0.819 / Virus Database: 271.1.1/2899 - Release Date: 05/27/10 02:25:00

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

From: [redacted] (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Friday, June 04, 2010 8:28 AM
To: [redacted] (b)(6) Privacy, (b)(7)(C)
Subject: RE: June 4, 2010 schedule -- Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

Hello [redacted] (b)(6) Privacy, (b)(7)(C) Enf. Privacy

You are welcome to walk around the law school and library on your own. I am in [redacted] (b)(6) Privacy, (b)(7)(C) Enf. Privacy and the number is [redacted] (b)(6) Privacy, (b)(7)(C) Enf. Privacy. Usually I am at lunch between 2-3 but otherwise will be around for most of the day.

Regards,

[redacted] (b)(6) Privacy, (b)(7)(C) Enf. Privacy



From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Thursday, June 03, 2010 4:33 PM
To: [redacted] (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Cc: [redacted] (b)(6) Privacy, (b)(7)(C)
Subject: RE: June 4, 2010 schedule -- Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

[redacted] (b)(6) Privacy, (b)(7)(C) suggested that I might contact you (see below). Will you be in tomorrow? I will be in Gainesville and would like to walk around the law school and library. Do I need permission to do a self-guided tour, or are there scheduled tours? Where is your office located? What is your phone number?
Thank you!

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Thursday, May 27, 2010 5:17 PM
To: [redacted] (b)(6) Privacy, (b)(7)(C)
Cc: [redacted] (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Subject: RE: June 4, 2010 schedule -- Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

(b)(6) Privacy, (b)(7)(C)

If you have administrative questions, our Program Assistant [redacted] (b)(6) Privacy, (b)(7)(C) Enf. Privacy could certainly meet with you if she is in that day. But apart from that, I don't know who among the faculty will be around, as this is a time when many people are in and out. I'm copying [redacted] (b)(6) Privacy, (b)(7)(C) and you can follow up with her if you want to set up a time to meet.
ACF

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Sent: Thursday, May 27, 2010 4:22 PM
To: [redacted] (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Subject: RE: June 4, 2010 schedule -- Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

That would be fine. Is there anyone else who teaches in the LLM program in Environmental Law who might be around next Friday afternoon? If so, please let me know.

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy

Sent: Thursday, May 27, 2010 4:12 PM

To: (b)(6) Privacy, (b)(7)(C)

Subject: RE: June 4, 2010 schedule -- Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

(b)(6) Privacy, (b)(7)(C) Enf. Privacy I'd prefer if we just find a convenient time to talk by phone. ACF

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy

Sent: Thursday, May 27, 2010 4:12 PM

To: Flournoy, Alyson Craig

Cc: (b)(6) Privacy, (b)(7)(C) Enf. Privacy, (b)(6) Privacy, (b)(7)(C) (b)(6) Privacy, (b)(7)(C) Enf. Privacy

Subject: RE: June 4, 2010 schedule -- Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

Dear (b)(6) Privacy, (b)(7)(C) Enf. Privacy

Would it be possible for us to meet in person next Friday afternoon, June 4th? I will be in Gainesville and would love to meet personally.

Thanks!

With kindest regards, I am,

Sincerely yours,

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy

Sent: Thursday, May 27, 2010 2:55 PM

To: (b)(6) Privacy, (b)(7)(C) Enf. Privacy

Cc: (b)(6) Privacy, (b)(7)(C) Enf. Privacy

Subject: Questions re: LLM in Environmental Law program -- how is your schedule looking for later today or next week?

Dear Prof. (b)(6) Privacy, (b)(7)(C)

We had talked several weeks about having an interview by phone this week. However, this week has been hectic thus far.

Would you be available either late this afternoon, or any time next week, for me to ask you some questions about the LLM in Environmental Law program?

I have already had several recommendations and both transcripts sent. I am updating the publications section on my c.v. I am working on the 500 word essay.

Questions:

1. May the program might be completed in several years part-time, or is the requirement is to complete it in one year?
2. Does the Registrar have an idea on future schedules, allowing planning if I took more than one year?
3. For writing samples, I am thinking of submitting several of the seven articles I have published in ABA publications (two in the ABA *Judges' Journal*), but was wondering:
 - a. May the samples embrace non-environmental topics (e.g., *ALI Independence Undermined at the U.S. Department of the Interior and Alternative Dispute Resolution*, both in the ABA *Judges' Journal*)?
 - b. Would it be permissible to file some sort of an appendix to the extent the writing samples exceed 25 pages? I have written on environmental topics since 1978, when an 11,500 word article I wrote was inserted in the Congressional Record and helped halt eminent domain for coal slurry pipelines.

While that article was published when I was only a 21-year old undergraduate, I would like to include it (and Senator Sasser's coal industry performance and competition study amendment that became public law that same year) in the information available, but I won't exceed the 25 page limitation on writing samples without a waiver or permission in advance.

Thank you!

Sincerely,

(b)(6) Privacy, (b)(7)(C)

[Redacted signature]

(b)(6) Privacy, (b)(7)(C) Ent. Privacy

[Redacted address line 1]

(b)(6) Privacy, (b)(7)(C) Ent. Privacy

St. Augustine, Florida 32085

(b)(6) Privacy, (b)(7)(C) Ent. Privacy

[Redacted address line 2]

No virus found in this incoming message

Checked by AVG - www.avg.com

Version: 9.0.819 / Virus Database: 271.1.1/2899 - Release Date: 05/27/10 02:25:00

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 9.0.819 / Virus Database: 271.1.1/2899 - Release Date: 05/27/10 02:25:00

No virus found in this incoming message

Checked by AVG - www.avg.com

Version: 9.0.829 / Virus Database: 271.1.1/2915 - Release Date: 06/03/10 02:25:00

LL.M. in ENVIRONMENTAL & LAND USE LAW PROGRAM

NAME OF LLM APPLICANT _____

Applying to Begin the Program in _____

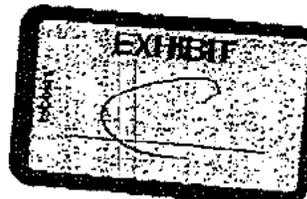
Vote on Application

	<u>Approve</u>	<u>Deny</u>	<u>Other Action (Specify)</u>
Prof. (b)(6) Privacy, (b)(7)(C) [Redacted]	_____	_____	_____
Prof. (b)(6) Privacy, (b)(7)(C) [Redacted]	_____	_____	_____
Prof. (b)(6) Privacy, (b)(7)(C) [Redacted]	_____	_____	_____
Prof. (b)(6) Privacy, (b)(7)(C) [Redacted]	_____	_____	_____
Prof. (b)(6) Privacy, (b)(7)(C) [Redacted]	_____	_____	_____
Prof. (b)(6) Privacy [Redacted]	_____	_____	_____
Prof. (b)(6) Privacy [Redacted]	_____	_____	_____

Decision _____

(Note: In the absence of a unanimous vote, no decision will be made without a meeting of the committee)

Date _____

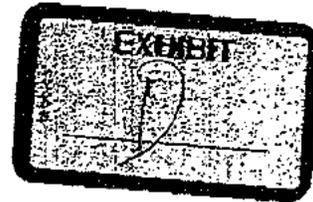




Levin College of Law
LL.M. in Environmental & Land Use Law Program

319 Holland Hall
PO Box 117625
Gainesville, FL 32611-7625
352-273-0777
352-392-9419 Fax

November 30, 2010



(b)(6) Privacy, (b)(7)(C) Enf. Privacy



St. Augustine, FL 32085 (b)(6) Privacy

Dear (b)(6) Privacy, (b)(7)(C) Enf.

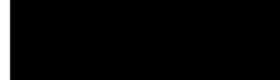
We regret that we are unable to act affirmatively on your application for admission to our LL.M. in Environmental & Land Use Law Program for Spring 2011.

Your file was examined in detail by the LL.M. in Environmental & Land Use Law Admissions Committee. The committee's decision on your application resulted from its evaluation pursuant to criteria described in the Admissions section of the LL.M. in Environmental & Land Use Law website.

Again, we regret that we were not able to act affirmatively on your application. We wish you much success in pursuing your interest in environmental law, and thank you for your interest in the University of Florida.

Sincerely yours,

(b)(6) Privacy, (b)(7)(C) Enf. Privacy



(b)(6) Privacy, (b)(7)(C) Enf. Privacy

UF Research Foundation Professor & Alumni Research Scholar
Director, LL.M. in Environmental & Land Use Law Program

The Foundation for The Gator Nation

An Equal Opportunity Institution