



Jeffrey Fudin <fudinj@gmail.com>

Update on your case

Jeffrey Fudin <fudinj@gmail.com>

Thu, Aug 31, 2006 at 9:31 PM

To: Jeffrey Fudin <fudinj@gmail.com>

From: Jeffrey Fudin <fudinj@gmail.com>

Date: Aug 30, 2006 3:23 PM

Subject: Re: Update on your case

To: "Bederman, Eric (Clinton)" <Eric_Bederman@clinton.senate.gov>

Cc: "Brooks, Tracey (Clinton)" <Tracey_Brooks@clinton.senate.gov>

Dear Mr. Bederman,

Thank you for the e-mail update today regarding the Stratton VA and information variously presented by me to Ms. Clinton's office. Although I appreciate your commitment to help, its several days late and several thousand dollars short!

To update you from my end, none of the doctors or administrators within the Stratton VA has been held accountable for their entanglement in deplorable patient abuse, with the exception of a single lowly non-physician scapegoat. While some elusive investigations continue under the direction of the Inspector General's Office or U.S. Attorney's Office, perpetrators continue to work at Stratton and other VA's throughout the country. This places veterans at risk and sends a chilling message to VA employed practitioners that care for patients.

On Monday, August 28, 2006, I received notice from Administrative Law Judge Joanne Ruggiero with her decision on my most recent case (Docket #NY-1221-06-0112-W-I) whereby I allege that the Stratton VA Administration retaliated against me in 2004-2005 for protected disclosures. The case is clear-cut and fits squarely with the requirements set forth by the Whistleblower Protection Act.(WPA). Never-the-less, the judge seems to have disregarded certain key supportive evidence, and ruled in favor of the Stratton VA. Rather than rehashing the case for you, I am attaching PDF summary files of closing statements for the VA and Fudin and reply briefs, which as you know, are required prior to an ALJ ruling on a case.

As of today, I'm approximately \$14,000 in debt for attempting to protect our veterans, not including some residual expenses from prior cases, and the time and expense associated with maintaining certain VA related websites. I have three children in college and a freshman in high school, in addition to the usual household expenses. This is all in addition to an extra approximately \$2500 that I must somehow find in order to appeal the most recent judgment. The bottom line is that I have incurred these expenses for doing the honorable thing, by attempting to protect our veterans and uphold my professional ethical obligations. As you can imagine, I am extremely disappointed in our purported government protection for whistleblowers.

I certainly understand that I am a small fish in a very large pond. It is also clear to me that retaliation against VA employees is rampant throughout the Department of Veterans Affairs and other federal agencies. I am particularly concerned that allowing such activity is potentially detrimental to veteran patients. This is an area that should be of grave concern to Ms. Clinton, but continues to occur daily, unchecked.

It is clear that the systemic problems require time to correct. However, I find it extremely difficult to believe that someone of Ms. Clinton's stature cannot at least make my personal nightmare disappear. She has made no attempt to meet me personally, no attempt to hear directly from me about the gross patient abuse, and her apparent involvement includes just two standard form letters sent to me in the last 18 months. I am one of her constituents that help to care for her veteran constituents. I think this deserves national attention!

For me personally, I want to be free from administrative retaliation so that I can care for patients without constantly watching my back. I want to spend more time with my family, and I don't want to worry about how I will repay debt that was incurred because I'm fighting a corrupt system. I've seen enough fruitless investigations; I need help from Ms. Clinton NOW!

Respectfully,

Jeffrey Fudin, B.S., Pharm.D., DAAPM
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"God grant me the serenity to accept the things I cannot change, the courage to change the things I can, and the wisdom to know the difference." Reinhold Niebuhr

On 8/30/06, Bederman, Eric (Clinton) <Eric_Bederman@clinton.senate.gov> wrote:

Dear Mr. Fudin,

I would like to update you on your case. Per your request, last year we forwarded an inquiry on your behalf which referenced the concerns and questions that you had previously brought to our attention. At present your case is at the VA's Office of the Inspector General, and they have referred their findings to the U.S. Attorney's Office for their review. Please be assured that we will get in touch with you as soon as we have more information to provide.






We appreciate hearing from you and take your concerns regarding veterans care very seriously. Thank you for your patience with the legal process required to review the issues you have raised.

- Eric

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[Quoted text hidden]

5 attachments

-  **Fudin Decision[1].pdf**
514K
 -  **Appellant's Reply Brief.pdf**
144K
 -  **Appellant's Closing Brief.pdf**
359K
 -  **Agency's Reply Brief.pdf**
197K
 -  **Agency's Closing Brief.pdf**
405K
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